

MINNESOTA

Raymond R. McAloney, Breckenridge.
Harry A. Smith, Mound.

MISSISSIPPI

Sam L. Mansell, Camden.
Lillie R. Yelverton, Hattiesburg.
Thomas H. Buford, Holly Springs.
Levi C. Jenkins, Jr., Sallis.
Frank L. Middleton, Woodland.

MISSOURI

Robert C. Greenwood, Brunswick.
Elwood C. Thompson, Oran.
William H. Lea, Steelville.

MONTANA

Alfred H. Wilkinson, Butte.
Phyllis A. Lea, Inverness.
Sherman S. Cook, Jr., Lincoln.

NEBRASKA

Warren W. McBride, Archer.
Marie A. Bodzek, Linwood.

NEVADA

William A. Leno, Owyhee.

NEW HAMPSHIRE

Earle W. Ladd, West Stewartstown.

NEW MEXICO

Romeo A. Ortis, Bernalillo.
Robert W. Prunty, Red River.

NEW YORK

John J. Hogan, Flushing.
Horace F. Davies, Plattsburgh.
Joseph N. Vogel, Walkkill.
Albert B. Hibbert, Winthrop.

NORTH CAROLINA

Glenn O. Pasour, Bessemer City.

NORTH DAKOTA

Albert Maier, Ashley.
Verna L. Becker, Inkster.
Hazel F. Elness, Sterling.

OHIO

Harriett R. Vabinder, Brinkhaven.
Clarence J. Loch, Salineville.

OKLAHOMA

N. Berniece Henderson, Brass.
David L. Ratliff, Fort Cobb.
Edward E. Weeks, Indianola.
Gerald D. Carlin, Picher.

OREGON

Martha H. Anderson, Gardiner.
Arthur J. Hansen, Hood River.

PENNSYLVANIA

Robert G. Borgan, Cresson.
Stanley H. Ward, East McKeesport.
Paul E. Buehler, Fort Carbon.
Lester I. Helst, Robesonia.
Rudolph Simitz, Spinnerstown.

SOUTH CAROLINA

Henry F. Rucker, Bath.
Thomas P. Edwards, Gresham.
Angeline R. Cobb, Hodges.
Louise R. McLeod, Rembert.
Earle W. Crosby, Smoaks.
William B. Laye, West Union.

SOUTH DAKOTA

Eldon H. Robbins, Carthage.

TENNESSEE

William F. Parrott, LaFollette.
Clarence H. Davis, Signal Mountain.

TEXAS

Sam E. Henderson, Atlanta.
Charles L. Jones, Chandler.
Wilbur W. Mueller, Flatonia.
Issac J. Newman, Moody.
Corolee J. Wismar, Sabine Pass.
James D. Baldwin, Seagoville.

VERMONT

Donald R. Dayton, East Middlebury.

VIRGINIA

Bessie C. Townshend, Bluemont.
John M. Corstaphney, Clifton Forge.

John R. Pritchard, Jr., Emporia.
John C. Raiford, Ivor.
Willie W. Smith, Sedley.

WEST VIRGINIA

Robert C. Fenton III, Williamstown.

WISCONSIN

Richard C. Coffen, Lake Tomahawk.
Sylvester J. Penning, Stockbridge.
Donald O. Miller, Thiensville.
Earl J. Murray, Webster.

SENATE

MONDAY, MAY 2, 1960

The Senate met at 10 o'clock a.m., and was called to order by Senator JOHN STENNIS of Mississippi.

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

O Thou God of love, on this national day dedicated to the sanctity of law, we thank Thee for the ever-higher levels to which man has climbed on the stepping-stones of the statutes for the common protection he has enacted. We humbly acknowledge that our Nation's respect for justice, under the law before which all stand as equals, has its very roots in our spiritual heritage.

In this Legislative Chamber, where laws for the good of all are fashioned, we would dedicate our powers to further the efforts now being made by men of good will for the extension of the reign of law in all relationships between nations in the crusade for world peace. On this day of law, make us vividly conscious that respect for manmade laws alone will not suffice, and that men will lose that reverence unless they recognize a divine sanction behind such ordinances.

As those who love Thy law, written on the tablets of our hearts may there rest the benediction which changes statutes into songs.

Blessed is the man whose delight is in the law of the Lord, and who in that law doth meditate day and night.

We ask it in the name of the Redeemer who came, not to destroy the law, but to fulfill it. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 2, 1960.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN STENNIS, a Senator from the State of Mississippi, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. STENNIS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading

of the Journal of the proceedings of Friday, April 29, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT—
APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on April 29, 1960, the President had approved and signed the following acts:

S. 634. An act for the relief of Grace C. Ream;

S. 1856. An act for the relief of Frank Podany;

S. 2434. An act to revise the boundaries and change the name of the Fort Laramie National Monument, Wyo., and for other purposes;

S. 2804. An act to donate to the Keweenaw Bay Indian Tribe, L'Anse Reservation of Michigan, a certain tract of Federal land with improvements located thereon; and

S. 2877. An act to authorize the reconveyance of tribally owned lands by the Muckle-shoot Indian Tribe of the State of Washington to the original allottees, their heirs, devisees, or assigns.

REPORT ON MUTUAL SECURITY
PROGRAM—MESSAGE FROM THE
PRESIDENT (H. DOC. NO. 373)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

Transmitted herewith is the Seventeenth Semiannual Report on the Operation of the Mutual Security Program for the period ending December 31, 1959. The report was prepared under the direction of the coordinator for the mutual security program by the Department of State (including the International Cooperation Administration), the Department of Defense, and the Development Loan Fund.

In the decade of the 1960's our country will face new and somewhat different problems in the mutual security area. For example, the divergence in living standards between the Western democracies and the underdeveloped countries poses a growing problem to our purpose of maintaining and extending free political and economic institutions. It also presents an increasingly acute need for development assistance.

Our friends and allies in Europe are also aware of this need, and as their ability to provide development assistance grows, we are increasingly consulting with them to determine how the burden can most efficiently be shared by all.

The growing need for development assistance demands of our mutual security program the utmost prudence and foresight in the management of its resources for such purposes. I am accordingly convinced that our program must be flexible, as well as strong, so that we may be able to deal with this and other problems that arise quickly, wisely and successfully.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, May 2, 1960.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

LIMITATION OF DEBATE DURING MORNING HOUR

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

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Minerals, Materials, and Fuels, of the Committee on Interior and Insular Affairs; the Committee on the Judiciary; and the Committee on Interstate and Foreign Commerce were authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to sit during the session of the Senate today.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Texas will state it.

Mr. JOHNSON of Texas. As I understand the unanimous-consent agreement, at the conclusion of the morning hour there will be 5 minutes for those who favor and 5 minutes for those who oppose each amendment which is called up. Is that correct?

The ACTING PRESIDENT pro tempore. That is correct. A written memorandum of that agreement is available to all Senators.

EXECUTIVE COMMUNICATIONS, ETC.

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

ESTABLISHMENT OF FLAG BILLETS FOR CERTAIN NAVAL OFFICERS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize the establishment of while-so-serving flag billets for officers of the Navy who are designated for special duty in communications, law, naval intelligence, public information, and meteorology (with accompanying papers); to the Committee on Armed Services.

AUDIT REPORT ON CUSTODIANSHIP FUNCTIONS, OFFICE OF THE TREASURER OF THE UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on custodianship functions, Office of the Treasurer of the United States, Treasury Department, fiscal year 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF SELECTED ACTIVITIES UNDER DEPARTMENT OF THE ARMY CONTRACTS WITH WESTERN ELECTRIC CO., INC.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of selected activities under Department of the Army contracts with Western Electric Co., Inc., New York, N.Y., for Nike guided missile weapon systems dated April 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF ADDITIONAL FEES PAID UNDER DEPARTMENT OF DEFENSE CONTRACTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of additional fees paid by the Government for contractor financing expenses under Department of Defense contracts, dated April 1960 (with an accompanying report); to the Committee on Government Operations.

JOHN TREVOR JEFFERIES, CHARMIAN CANDY JEFFERIES, AND STEPHEN REID JEFFERIES

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation for the relief of John Trevor Jefferies; his spouse, Charmian Candy Jefferies; and their minor son, Stephen Reid Jefferies (with accompanying papers); to the Committee on the Judiciary.

REGULATION OF SESSIONS OF DISTRICT COURTS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to provide that the district courts shall be always open for certain purposes, to abolish terms of court and to regulate the sessions of the courts for transacting business (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Banking and Currency:

"HOUSE CONCURRENT RESOLUTION 59

"Whereas, \$13 million of Federal aid money is available for developing low-rent public housing in Hawaii; and

"Whereas additional sites for public housing are difficult to attain; and

"Whereas a possible solution, whereby the available Federal aid money can be utilized, is to construct high-rise low-rent public housing on presently-used housing sites; and

"Whereas in the presently-used housing areas, there are many middle-income families; and

"Whereas should these areas be used for low-rent public housing, the middle-income families would not qualify to remain therein and would be displaced therefrom; and

"Whereas many of the members of the middle-income families have been, throughout the years, very progressive and have supplied much of the community leadership in these housing areas; and

"Whereas should the United States Housing Act of 1937, as amended, be further amended to permit a percentage of the residents in any low-rent federally-aided public housing area, to be middle-income families, it would then be possible to add to the number of low-rent units in our present housing areas and at the same time to allow middle-income families to remain therein, thereby taking advantage of the leadership qualities of the members of the middle-income families: Now, therefore, be it

Resolved by the House of Representatives of the First Legislature of the State of Hawaii, Budget Session of 1960 (the Senate concurring), That the Congress of the United States be and it is hereby requested to amend the United States Housing Act of 1937, as amended, so as to permit a percentage of residents in any low-rent federally-aided public housing area to remain in said area who would otherwise be displaced therefrom by reason of their relatively high income; and be it further

Resolved, That certified copies of this concurrent resolution be forwarded to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, the majority floor leaders of the two said bodies, the Honorable U.S. Senators OREN E. LONG and HRAM L. FONG, and the Honorable U.S. Representative DANIEL K. INOUE."

A petition signed by Rose I. Oshiro, and sundry other citizens of Ryukyuan ancestry, paying for the enactment of House bill 1157, relating to the development of the Ryukyu Islands; to the Committee on Armed Services.

A resolution adopted by the Chamber of Commerce of Petersburg, Alaska, favoring the revocation of the Executive order governing Indian Fishing Regulations in Alaska, dated April 6, 1960; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CLARK, from the Committee on Post Office and Civil Service, with an amendment:

S.2857. A bill to amend the Civil Service Retirement Act so as to provide for refunds of contributions in the case of annuitants whose length of service exceeds the amount necessary to provide the maximum annuity allowable under such act (Rept. No. 1302).

By Mr. BYRD of Virginia, from the Committee on Finance, with an amendment:

H.R. 4029. An act to amend the Internal Revenue Code of 1954 to eliminate the pro-ration of the occupational tax on persons dealing in machine guns and certain other firearms, to reduce occupational and transfer taxes on certain weapons, to make the transferor and transferee jointly liable for the transfer tax on firearms, and to make certain changes in the definition of a firearm (Rept. No. 1303).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:
 S. 2627. A bill for the relief of Nicholas Anthony Marcantonakis (Rept. No. 1308);
 S. 2833. A bill for the relief of Sadako Suzuki (Rept. No. 1309);
 S. 2939. A bill for the relief of Dr. Chien Chen Chi (Rept. No. 1310);
 S. 3114. A bill for the relief of Adolphe Herstein (Rept. No. 1311);
 S. 3170. A bill for the relief of Sam Doolittle (Rept. No. 1312);
 H.R. 1752. An act for the relief of Wilhelmina Ordonez (Rept. No. 1322);
 H.R. 2082. An act for the relief of James Demetrios Chrysanthes, also known as James Demetrios Chrysanthacopoulos (Rept. No. 1323);
 H.R. 3786. An act for the relief of Chan Kit Ying and James George Bainter (Rept. No. 1324);
 H.R. 3934. An act for the relief of Mrs. E. Christine Williams (Rept. No. 1325);
 H.R. 4562. An act for the relief of Stanislaw Grzelewski (Rept. No. 1326);
 H.R. 4825. An act for the relief of Jean K. Simmons (Rept. No. 1327);
 H.R. 6843. An act for the relief of Daniel Wilging (Rept. No. 1328);
 H.R. 7254. An act for the relief of Simeen Helena Chaghaghi (Rept. No. 1329); and
 H.R. 8672. An act for the relief of Dr. Deh Chang Tao (Rept. No. 1330).
 By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:
 S. 2776. A bill for the relief of Raymond Thomason, Jr. (Rept. No. 1314);
 S. 2799. A bill for the relief of Santo Scardina (Rept. No. 1315);

S. 2821. A bill for the relief of Kristina Selan (Rept. No. 1316); and
 S. 3081. A bill for the relief of Irena Maria Koller (Rept. No. 1317).
 By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:
 S. 1349. A bill for the relief of Song Tai Song (Rept. No. 1318);
 S. 2635. A bill for the relief of Maria Genowefa Kon (Rept. No. 1319);
 S. 2739. A bill for the relief of Yu Shu Lin, a minor (Rept. No. 1320); and
 S. 2886. A bill for the relief of Nikolija Lazic (Rept. No. 1321).
 By Mr. O'MAHOONEY, from the Committee on the Judiciary, without amendment:
 S. 3327. A bill for the relief of Jean Goedicke (Rept. No. 1313); and
 H.J. Res. 598. Joint resolution to extend the time for filing of the final report of the Lincoln Sesquicentennial Commission (Rept. No. 1305).
 By Mr. O'MAHOONEY, from the Committee on the Judiciary, with an amendment:
 H.J. Res. 640. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of General of the Armies John J. Pershing (Rept. No. 1304).
 By Mr. McCLELLAN, from the Committee on the Judiciary, with an amendment:
 S. 3338. A bill to remove the present \$5,000 limitation which prevents the Secretary of the Air Force from settling certain claims arising out of the crash of a U.S. Air Force aircraft at Little Rock, Ark. (Rept. No. 1307).
 By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, with an amendment.

S. 2759. A bill to strengthen the wheat marketing quota and price support program (Rept. No. 1306).
 By Mr. CHAVEZ, from the Committee on Public Works, without amendment:
 S. 2985. A bill to change the name of the locks and dam No. 41 on the Ohio River at Louisville, Ky. (Rept. No. 1331).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonesential Federal Expenditures, I submit a report on Federal employment and pay for the month of March 1960. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

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

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, MARCH 1960 AND FEBRUARY 1960, AND PAY, FEBRUARY 1960 AND JANUARY 1960

PERSONNEL AND PAY SUMMARY

[See table I]

Information in monthly personnel reports for March 1960 submitted to the Joint Committee on Reduction of Nonesential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In March, numbered—	In February, numbered—	Increase (+) or decrease (—)	In February, was—	In January, was—	Increase (+) or decrease (—)
Total ¹	2,514,752	2,331,884	+182,868	\$996,598	\$1,026,742	-\$30,144
Agencies exclusive of Department of Defense.....	1,469,077	1,284,724	+184,353	536,240	566,716	-30,476
Department of Defense.....	1,045,675	1,047,160	-1,485	460,358	460,026	+332
Inside the United States.....	2,351,300	2,172,137	+179,163	-----	-----	-----
Outside the United States.....	163,452	159,747	+3,705	-----	-----	-----
Industrial employment.....	556,364	556,493	-129	-----	-----	-----
Foreign nationals.....	178,352	179,479	-127	21,459	\$21,657	-198

¹ Exclusive of foreign nationals shown in the last line of this summary.

² Includes 186,214 temporary employees (enumerators, clerks, supervisors, crew lead-

ers, etc.) of the Department of Commerce, engaged in taking the Eighteenth Decennial Census, as compared with 4,431 in February.

³ Revised on basis of later information.

Table I breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employ-

ment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during March 1960, and comparison with February 1960, and pay for February 1960, and comparison with January 1960

Department or agency	Personnel				Pay (in thousands)			
	March	February	Increase	Decrease	February	January	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture.....	84,031	83,733	298	-----	\$34,436	\$35,342	-----	\$906
Commerce ¹	216,331	34,334	181,997	-----	15,778	15,128	\$650	-----
Health, Education, and Welfare.....	60,077	59,853	224	-----	26,502	26,512	-----	10
Interior.....	50,095	49,832	263	-----	23,719	\$23,856	-----	137
Justice.....	30,435	30,313	122	-----	16,458	16,482	-----	24
Labor.....	6,680	6,571	109	-----	3,251	3,164	87	-----
Post Office.....	554,553	555,811	-----	1,258	213,765	243,631	-----	29,866
State ²	37,329	36,478	851	-----	15,569	15,956	-----	387
Treasury.....	78,918	78,554	364	-----	37,487	36,782	705	-----
Executive Office of the President:								
White House Office.....	424	415	9	-----	232	237	-----	5
Bureau of the Budget.....	421	425	-----	4	323	328	-----	5
Council of Economic Advisers.....	31	32	-----	1	27	31	-----	4
Executive Mansion and Grounds.....	70	71	-----	1	29	27	2	-----
National Security Council.....	63	63	-----	-----	44	44	-----	-----
Office of Civil and Defense Mobilization.....	1,810	1,790	20	-----	1,108	1,093	15	-----
President's Advisory Committee on Government Organization.....	3	3	-----	-----	2	2	-----	-----
President's Committee on Fund Raising Within the Federal Service.....	5	5	-----	-----	3	3	-----	-----

See footnotes at end of table.

TABLE I.—Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during March 1960, and comparison with February 1960, and pay for February 1960, and comparison with January 1960—Continued

Department or agency	Personnel				Pay (in thousands)			
	March	February	Increase	Decrease	February	January	Increase	Decrease
Independent agencies:								
Alaska International Rail and Highway Commission	2	2			\$2	\$2		
American Battle Monuments Commission	503	478	25		77	82		\$5
Atomic Energy Commission	6,765	6,749	16		4,079	4,079		
Board of Governors of the Federal Reserve System	591	591			328	342		14
Boston National Historic Sites Commission	2	3		1	1	1		
Civil Aeronautics Board	731	732		1	453	450	\$3	
Civil Service Commission	3,579	3,564	15		1,813	1,796	17	
Civil War Centennial Commission	7	6	1		4	4		
Commission of Fine Arts	4	4			2	2		
Commission on Civil Rights	77	70	7		38	38		
Development Loan Fund	104	99	5		70	68	2	
Export-Import Bank of Washington	227	227			144	146		2
Farm Credit Administration	247	249		2	152	165		13
Federal Aviation Agency	35,859	35,049	810		19,230	19,584		354
Federal Coal Mine Safety Board of Review	7	7			4	4		
Federal Communications Commission	1,305	1,291	14		744	734	10	
Federal Deposit Insurance Corporation	1,233	1,237		4	670	670		
Federal Home Loan Bank Board	979	975	4		534	530	4	
Federal Mediation and Conciliation Service	336	336			253	251	2	
Federal Power Commission	816	822		6	487	488		1
Federal Trade Commission	751	748	3		467	467		
Foreign Claims Settlement Commission	46	46			33	33		
General Accounting Office	4,990	4,996		6	2,642	2,633	9	
General Services Administration	27,690	27,620	77		11,383	11,322	61	
Government Contract Committee	33	36		3	17	18		1
Government Printing Office	6,515	6,514	1		3,285	3,287		2
Housing and Home Finance Agency	10,906	10,900	6		5,687	5,716		29
Hudson-Champlain Celebration Commission	3	3		3	2	2		
Indian Claims Commission	16	16			14	16		2
Interstate Commerce Commission	2,362	2,333	29		1,298	1,302		4
Lincoln Sesquicentennial Commission	5	5		5	4	4		4
National Aeronautics and Space Administration	9,694	9,670	24		5,712	5,643	69	
National Capital Housing Authority	334	329	5		132	132		
National Capital Planning Commission	45	44	1		28	27	1	
National Gallery of Art	317	319		2	118	117	1	
National Labor Relations Board	1,655	1,647	8		953	941	12	
National Mediation Board	116	119		3	83	81	2	
National Science Foundation	701	682	49		320	302	18	
Outdoor Recreation Resources Review Commission	39	37	2		21	22		1
Panama Canal	13,985	13,854	131		4,116	4,142		26
Railroad Retirement Board	2,227	2,237		10	1,013	1,023		10
Renegotiation Board	285	285		1	198	202		4
St. Lawrence Seaway Development Corporation	162	163		1	94	89	5	
Securities and Exchange Commission	965	958	7		560	555	5	
Selective Service System	6,254	6,260		6	1,676	1,675	1	
Small Business Administration	2,163	2,155	8		1,179	1,160	19	
Smithsonian Institution	1,120	1,122		2	467	457	10	
Soldiers' Home	1,022	1,020	2		301	292	9	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	44	41	3		26	24	2	
Subversive Activities Control Board	26	27		1	21	21		
Tariff Commission	238	235	3		147	148		1
Tax Court of the United States	150	149	1		101	100	1	
Tennessee Valley Authority	14,359	14,175	184		7,354	7,390		36
Texas Water Study Commission	38	36	2		22	21	1	
U.S. Information Agency	10,935	10,876	59		3,602	3,644		42
Veterans' Administration	173,233	173,297		64	65,217	65,565		348
Virgin Islands Corporation	1,004	1,025		21	129	89	40	
Total, excluding Department of Defense	1,469,077	1,284,724	185,750	1,406	536,240	566,716	1,763	32,239
Net change, excluding Department of Defense			184,353				30,476	
Department of Defense:								
Office of the Secretary of Defense	1,794	1,818		24	1,188	1,176	12	
Department of the Army	385,753	385,745	8		164,137	162,696	1,441	
Department of the Navy	344,892	345,064		172	159,239	159,513		274
Department of the Air Force	313,236	314,533		1,297	135,704	136,641		847
Total, Department of Defense	1,045,675	1,047,160	8	1,493	460,358	460,026	1,453	1,121
Net change, Department of Defense			1,485				332	
Grand total, including Department of Defense	2,514,752	2,331,884	185,767	2,890	996,598	1,026,742	3,216	33,360
Net change, including Department of Defense			182,868				30,144	

¹ March figure includes 189 seamen on the rolls of the Maritime Administration, and their pay.

² March figure includes 100 enumerators for the Census of Agriculture, as compared with 261 in February, and their pay.

³ Includes 186,214 temporary employees (enumerators, clerks, supervisors, crew leaders, etc.) of the Department of Commerce, engaged in taking the Eighteenth Decennial Census, as compared with 4,431 in February.

⁴ Revised on basis of later information.

⁵ March figure includes 14,169 employees of the International Cooperation Admin-

istration as compared with 13,394 in February and their pay. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The March figure includes 3,920 of these trust fund employees and the February figure includes 3,184.

⁶ Includes 3 employees of the Federal Facilities Corporation.

⁷ Expired by law Mar. 1, 1960.

⁸ Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.

TABLE II.—Federal personnel inside the United States employed by the executive agencies during March 1960, and comparison with February 1960

Department or agency	March	February	Increase	Decrease	Department or agency	March	February	Increase	Decrease
Executive departments (except Department of Defense):					Executive Office of the President:				
Agriculture	83,026	82,698	328		White House Office	424	415	9	
Commerce	212,788	33,803	178,985		Bureau of the Budget	421	425		4
Health, Education, and Welfare	59,633	59,403	230		Council of Economic Advisers	31	32		1
Interior	49,653	49,384	269		Executive Mansion and Grounds	70	71		1
Justice	30,119	30,013	106		National Security Council	63	63		
Labor	6,612	6,489	123		Office of Civil and Defense Mobilization	1,810	1,790	20	
Post Office	553,380	554,640		1,260	President's Advisory Committee on Government Organization	3	3		
State	9,016	8,915	101		President's Committee on Fund Raising Within the Federal Service	5	5		
Treasury	78,367	78,013	354						

See footnotes at end of table.

TABLE II.—Federal personnel inside the United States employed by the executive agencies during March 1960, and comparison with February 1960—Continued

Department or agency	March	February	Increase	Decrease	Department or agency	March	February	Increase	Decrease
Independent agencies:					Independent agencies—Continued				
Alaska International Rail and Highway Commission.....	2	2			National Labor Relations Board.....	1,629	1,623	6	
American Battle Monuments Commission.....	14	14			National Mediation Board.....	116	119		3
Atomic Energy Commission.....	6,723	6,707	16		National Science Foundation.....	701	652	49	
Board of Governors of the Federal Reserve System.....	591	591			Outdoor Recreation Resources Review Commission.....	39	37	2	
Boston National Historic Sites Commission.....	2	3		1	Panama Canal.....	409	409		
Civil Aeronautics Board.....	731	732			Railroad Retirement Board.....	2,227	2,237		10
Civil Service Commission.....	3,576	3,561	15		Renegotiation Board.....	285	286		1
Civil War Centennial Commission.....	7	6	1		St. Lawrence Seaway Development Corporation.....	162	163		1
Commission of Fine Arts.....	4	4			Securities and Exchange Commission.....	965	958	7	
Commission on Civil Rights.....	77	70	7		Selective Service System.....	6,098	6,105		7
Development Loan Fund.....	104	99	5		Small Business Administration.....	2,143	2,135	8	
Export-Import Bank of Washington.....	227	227			Smithsonian Institution.....	1,109	1,111		2
Farm Credit Administration.....	247	249		2	Soldiers' Home.....	1,022	1,020	2	
Federal Aviation Agency.....	35,002	34,205	797		South Carolina, Georgia, Alabama, and Florida Water Study Commission.....	44	41	3	
Federal Coal Mine Safety Board of Review.....	7	7			Subversive Activities Control Board.....	26	27		1
Federal Communications Commission.....	1,303	1,289	14		Tariff Commission.....	238	235	3	
Federal Deposit Insurance Corporation.....	1,231	1,235		4	Tax Court of the United States.....	150	149	1	
Federal Home Loan Bank Board.....	979	975	4		Tennessee Valley Authority.....	14,357	14,173	184	
Federal Mediation and Conciliation Service.....	336	336			Texas Water Study Commission.....	38	36	2	
Federal Power Commission.....	816	822		6	U.S. Information Agency.....	2,726	2,733		7
Federal Trade Commission.....	751	748	3		Veterans' Administration.....	172,134	172,214		80
Foreign Claims Settlement Commission.....	46	46			Total, excluding Department of Defense. Net increase, excluding Department of Defense.....	1,407,509	1,227,125	181,795	1,411
General Accounting Office.....	4,919	4,925		6				180,384	
General Services Administration.....	27,693	27,615	78		Department of Defense:				
Government Contract Committee.....	33	36		3	Office of the Secretary of Defense.....	1,752	1,774		22
Government Printing Office.....	6,515	6,514	1		Department of the Army.....	335,603	335,553	50	229
Housing and Home Finance Agency.....	10,769	10,765	4		Department of the Navy.....	322,846	323,075		
Hudson-Champlain Celebration Commission.....		3		3	Department of the Air Force.....	283,590	284,610		1,020
Indian Claims Commission.....	16	16			Total, Department of Defense. Net decrease, Department of Defense.....	943,791	945,012	50	1,271
Interstate Commerce Commission.....	2,362	2,333	29					1,221	
Lincoln Sesquicentennial Commission.....		5		5	Grand total, including Department of Defense. Net increase, including Department of Defense.....	2,351,300	2,172,137	181,845	2,682
National Aeronautics and Space Administration.....	9,691	9,668	23					179,163	
National Capital Housing Authority.....	334	329	5						
National Capital Planning Commission.....	45	44	1						
National Gallery of Art.....	317	319		2					

¹ March figure includes 189 seamen on the rolls of the Maritime Administration.
² March figure includes 1,912 employees of the International Cooperation Administration as compared with 1,882 in February.

³ Revised on basis of later information.
⁴ Includes 3 employees of the Federal Facilities Corporation.
⁵ Expired by law Mar. 1, 1960.

TABLE III.—Federal personnel outside the United States employed by the executive agencies during March 1960, and comparison with February 1960

Department or agency	March	February	Increase	Decrease	Department or agency	March	February	Increase	Decrease
Executive departments (except Department of Defense):					Independent agencies—Continued				
Agriculture.....	1,005	1,035		30	Small Business Administration.....	20	20		
Commerce.....	3,543	531	3,012		Smithsonian Institution.....	11	11		
Health, Education, and Welfare.....	444	450		6	Tennessee Valley Authority.....	2	2		
Interior.....	442	448		6	U.S. Information Agency.....	8,209	8,143	66	
Justice.....	316	300	16		Veterans' Administration.....	1,099	1,083	16	
Labor.....	68	82		14	Virgin Islands Corporation.....	1,004	1,025		21
Post Office.....	1,173	1,171	2		Total, excluding Department of Defense. Net increase, excluding Department of Defense.....	61,568	57,599	4,047	78
State.....	28,313	27,563	750					3,969	
Treasury.....	551	541	10		Department of Defense:				
Independent agencies:					Office of the Secretary of Defense.....	42	44		2
American Battle Monuments Commission.....	489	464	25		Department of the Army.....	50,150	50,192		42
Atomic Energy Commission.....	42	42			Department of the Navy.....	22,046	21,989	57	
Civil Service Commission.....	3	3			Department of the Air Force.....	29,646	29,923		277
Federal Aviation Agency.....	857	844	13		Total, Department of Defense. Net decrease, Department of Defense.....	101,884	102,148	57	321
Federal Communications Commission.....	2	2						264	
Federal Deposit Insurance Corporation.....	2	2			Grand total, including Department of Defense. Net increase, including Department of Defense.....	163,452	159,747	4,104	399
General Accounting Office.....	71	71						3,705	
General Services Administration.....	4	5		1					
Housing and Home Finance Agency.....	137	135	2						
National Aeronautics and Space Administration.....	3	2	1						
National Labor Relations Board.....	26	24	2						
Panama Canal.....	13,576	13,445	131						
Selective Service System.....	156	155	1						

¹ March figure includes 12,257 employees of the International Cooperation Administration as compared with 11,512 in February. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The March figure includes 3,920 of these trust fund employees and the February figure includes 3,184.

TABLE IV.—Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during March 1960, and comparison with February 1960

Department or agency	March	February	Increase	Decrease	Department or agency	March	February	Increase	Decrease
Executive departments (except Department of Defense):					Independent agencies:				
Agriculture.....	3,324	3,329		5	Atomic Energy Commission.....	155	155		
Commerce.....	2,563	2,397	166		Federal Aviation Agency.....	875	785	90	
Interior.....	6,705	6,716		11	Federal Communications Commission.....	13	13		
Treasury.....	5,199	5,202		3	General Services Administration.....	1,228	1,226	2	
					Government Printing Office.....	6,515	6,514	1	

TABLE IV.—Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during March 1960, and comparison with February 1960—Continued

Department or agency	March	February	Increase	Decrease	Department or agency	March	February	Increase	Decrease
Independent Agencies—Continued					Department of Defense—Continued				
National Aeronautics and Space Administration	9,694	9,670	24		Department of the Navy:				
Panama Canal	7,091	7,033	58		Inside the United States	198,482	198,061		179
Tennessee Valley Authority	11,569	11,411	158		Outside the United States	510	514		4
Virgin Islands Corporation	1,004	1,025		21	Department of the Air Force:				
					Inside the United States	157,659	158,172		513
Total, excluding Department of Defense	55,935	55,476	499	40	Outside the United States	1,528	1,402		126
Net increase excluding Department of Defense			459		Total, Department of Defense	500,429	501,017	130	718
					Net decrease, Department of Defense			588	
Department of Defense:					Grand total, including Department of Defense				
Department of the Army:					of Defense	556,364	556,493	629	758
Inside the United States	1 134,375	2 134,371	4		Net decrease, including Department of Defense			129	
Outside the United States	1 7,875	2 7,897		22					

1 Subject to revision.

2 Revised on basis of later information.

TABLE V.—Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of March 1960 and comparison with February 1960

Country	Total		Army		Navy		Air Force	
	March	February	March	February	March	February	March	February
Belgium	2	12					2	12
England	3,259	3,491					3,259	3,491
France	21,894	21,774	17,577	17,384	4	4	4,313	4,386
Germany	81,101	81,631	68,835	69,189	55	57	12,211	12,385
Japan	62,238	62,029	20,639	20,345	16,032	16,024	25,567	25,660
Korea	6,428	6,121	6,428	6,121				
Morocco	3,815	3,821			846	845	2,967	2,974
Netherlands	41	43					41	43
Norway	24	23					24	23
Saudi Arabia	2	1					2	1
Spain	1						1	
Trinidad	547	533			547	533		
Total	179,352	179,479	113,481	113,041	17,484	17,463	48,387	48,975

1 Revised on basis of later information.

STATEMENT OF SENATOR BYRD, OF VIRGINIA

Executive agencies of the Federal Government reported civilian employment in the month of March totaling 2,514,752. This was a net increase of 184,868 as compared with employment reported in the preceding month of February.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1960, which began July 1, 1959, follows:

Month	Employment	Increase	Decrease
1959—July	2,370,694	3,703	
August	2,364,320		6,374
September	2,345,359		18,961
October	2,348,807	3,448	
November	2,372,247	23,440	
December	2,364,342		7,905
1960—January	2,329,442		34,900
February	2,331,884	2,442	
March	2,514,752	182,868	

Total Federal employment in civilian agencies for the month of March was 1,469,077, an increase of 184,353 as compared with the February total of 1,284,724. Total civilian employment in the military agencies in March was 1,045,675, a decrease of 1,485 as compared with 1,047,160 in February.

Civilian agencies reporting the larger increases were Commerce Department with 181,997, State Department with 851, and Federal Aviation Agency with 810. The largest decrease was reported by Post Office Department with 1,258.

Nearly all of the Commerce Department increase was in the Bureau of the Census which during March on a temporary basis was employing a total of 186,214 in connection with the 18th decennial census, including 170,627 enumerators, 11,156 crew leaders, and 4,431 clerks and others. The employment build-up for the census started in Feb-

ruary with 4,431; it is likely to be at its peak in April.

In the Defense Department decreases in civilian employment were reported by Department of the Air Force with 1,297, and Department of the Navy with 172.

Inside the United States civilian employment increased 179,163, and outside the United States civilian employment increased 3,705. Industrial employment by Federal agencies in March totaled 556,364, a decrease of 129.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,514,752 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 179,352 foreign nationals working for U.S. military agencies during March who were not counted in the usual personnel reports. The number in February was 179,479. A breakdown of this employment for March follows:

Country	Total	Army	Navy	Air Force
Belgium	2			2
England	3,259			3,259
France	21,894	17,577	4	4,313
Germany	81,101	68,835	55	12,211
Japan	62,238	20,639	16,032	25,567
Korea	6,428	6,428		
Morocco	3,815	2	846	2,967
Netherlands	41			41
Norway	24			24
Saudi Arabia	2			2
Spain	1			1
Trinidad	547		547	
Total	179,352	113,481	17,484	48,387

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Ralph Kennamer, of Alabama, to be U.S. attorney for the southern district of Alabama;

William L. Longshore, of Alabama, to be U.S. attorney for the northern district of Alabama;

Oliver H. Metcalf, of Pennsylvania, to be U.S. marshal for the middle district of Pennsylvania; and

Joseph S. Bambacus, of Virginia, to be U.S. attorney for the eastern district of Virginia.

By Mr. McCLELLAN, from the Committee on the Judiciary:

Francis Adams Cherry, of Arkansas, to be a member of the Subversive Activities Control Board.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. CLARK:

S. 3458. A bill amending section 112 of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. WILEY:

S. 3459. A bill for the relief of John W. Snyder; to the Committee on the Judiciary.

Mr. PASTORE (for Mr. ANDERSON) (by request):

S. 3460. A bill to amend section 143 of the Atomic Energy Act of 1954, as amended, to

grant access to restricted data to Coast Guard personnel on the same basis as such access is granted to certain personnel of agencies of the Department of Defense, and for other purposes; and

S. 3461. A bill to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958; to the Joint Committee on Atomic Energy.

By Mr. LAUSCHE:

S. 3462. A bill for the relief of Maria Spisz; to the Committee on the Judiciary.

By Mr. BEALL:

S. 3463. A bill to increase annuities payable to certain annuitants from the District of Columbia teachers' retirement fund; to the Committee on the District of Columbia.

By Mr. YOUNG of North Dakota:

S. 3464. A bill to provide equitable treatment for partnerships in the application of any limitations on any farm program; to the Committee on Agriculture and Forestry.

By Mr. JOHNSTON of South Carolina:

S. 3465. A bill to authorize and direct that the national forests be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. DOUGLAS:

S. 3466. A bill for the relief of Peter Karl Ferdinand Grieder; to the Committee on the Judiciary.

By Mr. McNAMARA (for himself, Mr. KENNEDY, Mr. CLARK, Mr. RANDOLPH, and Mr. HUMPHREY):

S.J. Res. 189. Joint resolution to provide for the designation of the first full week in May of each year as "National Employ the Older Worker Week;" to the Committee on the Judiciary.

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

RESOLUTION

PRINTING AND REFERENCE OF REPORT ON WATER RESOURCES AND CONTINUANCE OF STUDIES

Mr. MOSS (for himself, Mr. GRUENING, and Mr. MUSKIE) submitted the following resolution (S. Res. 311), which was referred to the Committee on Interior and Insular Affairs:

Whereas the Senate by committee action, public hearings, and floor vote on Senate Resolution 248 (85th Cong., 2d sess.) has been engaged in a continuing study of the relative water resource and related development programs of the United States and Soviet Russia, since 1957; and

Whereas that endeavor through the joint efforts of the Committee on Interior and Insular Affairs and the Committee on Public Works has now resulted in a factual, eyewitness report revealing the remarkable effort and accomplishment of the Union of Soviet Socialist Republics to overtake and then surpass the United States of America in this vital field: Now, therefore, be it

Resolved, That this report be received, accepted, ordered printed, and referred to the Committee on Appropriations, Committee on Interior and Insular Affairs, and the Committee on Public Works for appropriate consideration in relation to their other duties; and be it further

Resolved, That it is the sense of the Senate that the Committee on Interior and Insular Affairs and the Committee on Public Works continue the joint studies as previously requested, including, as appropriate, securing similar information concerning developments in Communist China and elsewhere, and continue also, as previously requested, to submit

their recommendation of ways and means to accelerate the development and utilization of the natural resources of the United States.

NATIONAL EMPLOY THE OLDER WORKER WEEK

Mr. McNAMARA. Mr. President, one of the serious problems that has been under investigation by our Subcommittee on Problems of the Aged and Aging is that of discrimination in employment because of age.

Our hearings and studies have shown us how widespread this discrimination is—and even more distressing is the fact that it can begin to haunt an individual as early as age 45 or even before.

As automation, or mergers displace workers in the 45 to 65 age group from their regular jobs, these persons find it increasingly difficult to obtain new employment.

In the recent recession, for example, persons in this age group had the greatest duration of unemployment of those under 65.

The report of the subcommittee describes the situation in considerable detail.

Mr. President, this situation is not only injurious to the dignity and self-respect of older workers, as well as the very livelihood of themselves and their families, but it also deprives the country of one of its most valuable resources, the skill and experience of the mature person.

Fortunately, we also found in our hearings that a great deal of new attention was being given this problem.

State and local levels of government are initiating efforts to end this discrimination, with six States having enacted laws to prevent it.

Taking a leading role in these efforts is the American Legion, which has designated this week as "Employ the Older Worker Week."

I am happy to salute the Legion for its work in calling attention to the problem, and I believe its campaign deserves the recognition and support of the Federal Government.

For that reason, I introduce, for appropriate reference, a joint resolution which would designate the first week in May of each year as "National Employ the Older Worker Week."

I am joined in sponsorship of the joint resolution by Senators KENNEDY, CLARK, RANDOLPH, and HUMPHREY.

Passage of the joint resolution would give this worthy program the status, stability, and recognition that it deserves.

I send the joint resolution to the desk and ask unanimous consent that the text be printed in the RECORD as part of my remarks.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 189) to provide for the designation of the first full week in May of each year as "National Employ the Older Worker Week," introduced by Mr. McNAMARA (for himself and other Senators), was received,

read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the Nation is witnessing the emergence of patterns of discrimination in employment against properly qualified persons because of their age; and

Whereas such age discrimination is contrary to American traditions of equal opportunity for men and women who are willing and able to work; and

Whereas bias against jobseekers as young as 45 and sometimes younger, because they are deemed too old, deprives the national economy of important sources of experienced workers, increases the burden upon public welfare resources, and imposes on older persons a sense of humiliation and loss of faith in the free enterprise system; and

Whereas local, State, and National organizations, and employers and labor organizations should be encouraged voluntarily to take all possible and proper measures to eliminate discrimination in employment against properly qualified persons because of their age: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the first full week in May of each year, beginning with the year 1961, as "National Employ the Older Worker Week," and calling upon employer and employee organizations, other organizations officially concerned with employment, and upon the people of the United States, in general, to observe such week with appropriate ceremonies, activities, and programs designed to bring about the elimination of discrimination in employment because of age.

ADDITIONAL TEMPORARY DISTRICT JUDGESHIP FOR MIDDLE DISTRICT OF PENNSYLVANIA—AMENDMENTS

Mr. CLARK. Mr. President, on behalf of my colleague the junior Senator from Pennsylvania [Mr. SCOTT] and myself, I submit amendments to the omnibus judgeship bill—S. 2673—to create an additional temporary district judgeship for the middle district of Pennsylvania. The proposal is in accordance with the recommendation of the judicial conference at its meeting on March 10 and 11, 1960.

The judges in the middle district of Pennsylvania are in urgent need of assistance. Chief Judge Murphy has been seriously ill since last summer. Judge Follmer, the other active judge, is 74 years of age and is unable, alone, to carry the full load of the work in the district.

In the first half of fiscal year 1960, civil cases commenced in the middle district increased 17 percent over the same period in the previous fiscal year.

I urge early action on the omnibus judgeship bill, which has been pending on the Senate Calendar since last September.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a memorandum of the judicial business of the middle district of Pennsylvania and certain tables indicating the caseload in that district.

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

THE JUDICIAL BUSINESS OF THE MIDDLE DISTRICT OF PENNSYLVANIA

There are two judgeships in the middle district of Pennsylvania and have been since the second was created in 1929. The caseload is light and normally cannot be considered too heavy for two judges to carry. However, Judge John Murphy, the chief judge, has been seriously ill since last summer, was operated on at the National Institutes of Health in Washington last November and has not yet returned to duty.

Judge Follmer, the other active judge in the district, is 74 years old and it is impossible for him to carry the full load of the work in the district alone.

Judge Murphy got very badly behind in his work before the current illness (diagnosed as cancer) and had a considerable list of old cases under advisement at the time the district was inspected by me last spring at the request of Judge Biggs.

The following report concerning this district was made by the committee to the March 1959 session of the Judicial Conference:

"Middle district of Pennsylvania: Judge Biggs, chief judge of the third circuit, presented to the committee the need for an additional temporary judgeship in the middle district of Pennsylvania because of personnel problems involving the present judges. He pointed out that some cases in that district have been pending for consid-

erable lengths of time awaiting action by the court. The committee considered the statistical report of the business of the district and the fact that the caseload per judgeship in 1958 was 187 civil cases filed compared with the national average of 259, 105 private civil cases compared with the national average of 167 and 69 criminal cases compared with the national average of 108 and that the pending civil caseload was 213 civil cases per judgeship compared with the national average of 270. The decrease in private civil cases filed in the 5-month period from August through December 1958 compared with the same months of the previous year was 7 percent. The vote on the creation of a new judgeship for this district by the committee was 3 to 3 and, therefore, no recommendation is made."

Judge Murphy has himself written a letter to Judge Biggs advocating the creation of another judgeship. That letter reads as follows:

"OCTOBER 23, 1959.

"DEAR JUDGE BIGGS: Just a note by way of a progress report on my illness. It appears that the sugar problem is under dietary control. However, I have been unable thus far to solve the problem of the pains in the muscles of my back.

"After long deliberation it occurs to me that the work in the district has practically doubled in the Scranton area, so far as I am concerned, since the retirement of Judge Watson. We have had a particularly heavy criminal caseload requiring a number of trials. Notwithstanding the fact that I have not taken a vacation in years, I have been working long hours in the office and at home

in order to keep up with the work schedule. It is my considered judgment that this district should have an additional judge, at least on a temporary basis.

"It may be that we do not meet the 'statistical standards' viewed from a national viewpoint. The fact is, however, that the workload is here and it has been quite an effort to keep up with it.

"I do hope that you will exert every possible effort to see that the middle district is considered in the omnibus bill, or any other bills that are introduced, in order to increase the judge manpower in this district.

"With warm personal regards, I am,

"Sincerely,

"JOHN W. MURPHY."

The work of the district has been greatly aided by the help of visiting judges brought in by Judge Biggs. That help, however, is necessarily of a temporary nature and does not offer a permanent solution to the problem.

The statistical tables concerning the business of the district through the fiscal year 1959 are attached. In the first half of the fiscal year 1960 civil cases commenced increased 17 percent over the same period in the previous fiscal year and private cases 7 percent—both classes, however, still being less than the national average.

Respectfully submitted.

WILL SHAFROTH,
Chief, Division of Procedural Studies
and Statistics, Administrative Office
of the U.S. Courts.

FEBRUARY 15, 1960.

TABLE 1.—Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

MIDDLE DISTRICT OF PENNSYLVANIA
TOTAL CIVIL CASES

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	257	238	194	1948	222	302	252	1955	328	297	404
1942	257	259	192	1949	297	288	261	1956	351	421	334
1943	284	269	207	1950	310	333	238	1957	356	340	350
1944	233	230	210	1951	286	251	273	1958	374	299	425
1945	689	502	397	1952	329	274	328	1959	361	372	414
1946	589	591	395	1953	342	294	376	1960			
1947	336	399	332	1954	309	312	373				

PRIVATE CIVIL CASES

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	80	104	83	1948	75	86	105	1955	177	144	249
1942	71	78	76	1949	92	85	112	1956	193	238	204
1943	62	72	66	1950	97	87	122	1957	218	202	220
1944	62	44	84	1951	94	111	105	1958	209	146	283
1945	31	46	69	1952	127	98	134	1959	204	205	282
1946	47	41	75	1953	159	103	190	1960			
1947	99	58	116	1954	160	134	216				

TABLE 2.—U.S. civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941

U.S. CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses ¹]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	177	134	111	1948	147(16)	216	147	1955	151	153	155
1942	186	181	116	1949	205(44)	203	149	1956	168	183	130
1943	222(16)	197	141	1950	213(37)	246	116	1957	138	138	130
1944	171(57)	186	126	1951	192(50)	140	168	1958	165	153	142
1945	658(572)	455	328	1952	202(43)	176	194	1959	157	167	132
1946	542(434)	550	320	1953	183(27)	191	186	1960			
1947	237(147)	341	216	1954	149	178	157				

¹ Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although

they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 2.—U.S. civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941—Continued

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	244	164	175	1948	104	138	43	1955	101	121	49
1942	318	170	322	1949	72	83	47	1956	167	153	68
1943	362	449	235	1950	185	179	56	1957	103	114	59
1944	250	335	150	1951	103	112	48	1958	139	121	72
1945	194	230	114	1952	123	85	91	1959	170	151	90
1946	112	158	68	1953	116	155	55	1960			
1947	129	127	77	1954	120	104	67				

² Adjusted.

TABLE 3.—Cases commenced per judgeship

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ²		Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) ²	
		Pennsylvania middle	National average ¹	Pennsylvania middle	National average ¹	Pennsylvania middle	National average ¹			Pennsylvania middle	National average ¹	Pennsylvania middle	National average ¹	Pennsylvania middle	National average ¹
1941	2	129	164	40	82	122	153	1951	2 3/4	123	204	40	111	44	106
1942	2	129	168	36	77	159	161	1952	2 3/4	141	236	54	126	53	112
1943	2	142	158	31	58	181	174	1953	2 3/4	147	211	68	146	49	114
1944	2	117	169	31	56	125	184	1954	2 3/4	132	210	66	127	52	103
1945	2	345	295	16	57	97	176	1955	2	164	212	89	126	51	104
1946	2	295	321	24	70	56	142	1956	2	176	225	97	135	84	102
1947	2 3/4	146	271	43	109	56	134	1957	2	178	236	109	151	51	105
1948	2 3/4	95	205	32	117	45	123	1958	2	187	259	105	167	69	108
1949	2 3/4	127	238	39	121	31	123	1959	2	181	215	102	129	85	108
1950	2 3/4	133	222	42	113	79	116	1960							

¹ This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

² Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

TABLE 4.—Time elapsing in civil cases tried¹

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial		Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial		Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Pennsylvania middle	National median	Pennsylvania middle	National median			Pennsylvania middle	National median	Pennsylvania middle	National median			Pennsylvania middle	National median		
1945	10	9.0		5.3		1951	22	12.2		7.3		1957	41	14.3	14.2	8.8	9.0
1946	11	8.9		5.0		1952	28	19.0	12.1	10.1	7.0	1958	24		13.9		8.9
1947	27	7.6	9.0	6.8	5.1	1953	20	*16.9	12.4	*8.5	7.4	1959	32	17.7	15.3	12.1	10.3
1948	22		9.9		5.8	1954	35	14.7	13.5	10.3	8.1						
1949	26	14.7	10.4	7.7	5.9	1955	27	15.5	14.6	6.8	9.1						
1950	20		11.2		6.7	1956	43	15.0	15.4	11.5	10.3						

¹ The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk (*) on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—Civil and criminal trials commenced

BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal			Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury			Total	Nonjury	Jury	Total	Nonjury	Jury
1951	44	28	9	19	16	14	2	1956	61	52	18	34	9	6	3
1952	57	35	20	15	22	14	8	1957	69	56	25	31	13	3	10
1953	69	40	22	18	29	19	10	1958	49	34	9	25	15	3	12
1954	64	42	16	26	22	11	11	1959	66	40	17	23	26	8	18
1955	51	37	19	18	14		5	1960							

PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal		Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Pennsylvania middle	National average ¹	Pennsylvania middle	National average ¹	Pennsylvania middle	National average ¹			Pennsylvania middle	National average ¹	Pennsylvania middle	National average ¹		
1951	2 3/4	19	39	12	28	7	11	1956	2	32	43	26	29	5	14
1952	2 3/4	24	40	15	27	9	13	1957	2	35	40	28	27	7	13
1953	2 3/4	30	44	17	29	12	15	1958	2	25	42	17	28	8	14
1954	2 3/4	27	40	18	25	9	15	1959	2	33	40	20	28	13	12
1955	2	26	41	19	26	7	15	1960							

¹ This column includes 86 districts.

TABLE 6.—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1959

	Pennsylvania, middle	86 districts		Pennsylvania, middle	86 districts		Pennsylvania, middle	86 districts
Civil cases:			Civil cases—Continued			Civil cases—Continued		
Total cases.....	181	215	U.S. cases—Continued			Private cases—Continued		
U.S. cases.....	79	86	United States defendant.....	13	20	Federal question—Con.		
Private cases.....	102	129	Enjoin Federal agencies.....	4	4	Miller Act.....	1	2
U.S. cases:			Habeas Corpus.....	3	4	Patent.....	3	3
United States, plaintiff.....	66	66	Tort Claims Act.....	3	5	Other Federal question.....	3	7
Land condemnation.....	6	4	Tax suits.....	4	5	Diversity of citizenship.....	80	77
Fair Labor Standards Act.....	12	5	Other United States defendant.....		2	Insurance.....	1	7
Other enforcement suits.....	2	3	Private cases:			Other contracts.....	15	12
Food and Drug Act.....	4	5	Federal question.....	22	37	Real property.....	1	2
Liquor laws.....		1	Antitrust.....	1	1	Personal injury (motor vehicles).....	47	33
Other forfeitures and penalties.....	7	3	Copyright.....	1	2	Personal injury (other).....	14	19
Negotiable instruments.....	23	24	Employer's Liability Act.....	9	5	Other diversity.....	4	4
Other contracts.....	9	15	Fair Labor Standards Act.....	4	1	Admiralty.....		15
Other United States, plaintiff.....	4	6	Habeas corpus.....	2	4	Criminal cases (less immigration).....	85	108
			Jones Act.....		12			

EXTENSION OF PROGRAM FOR UTILIZATION OF SALINE WATER—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of April 29, 1960, the names of Senators WILEY, KUCHEL, and ALLOTT were added as additional cosponsors of the bill (S. 3446) to amend the act of July 3, 1952, as amended relating to research and development and utilization of saline water, introduced by Mr. CASE of South Dakota on April 29, 1960.

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. McCARTHY:

Statement by Senator HUMPHREY entitled "West Virginia's Coal Resources—a Tremendous Power Potential for New Industry."

CONNOLLE OUT: GAS PRICES UP—ADMINISTRATION MUST ASSUME RESPONSIBILITY

Mr. PROXMIRE. Mr. President, the significance of the refusal of President Eisenhower to reappoint William Connole, the lone champion of the consumer on the Federal Power Commission, simply cannot be overestimated. This is almost a classic textbook clash between the public interest and special interests. Last week, I repeatedly documented, on the floor of the Senate the fact that William Connole, alone of the Federal Power Commissioners, has insisted on battling time after time for the consuming public and against the position taken by the gas lobby.

The amazing fact about this unusually competent and dedicated champion of the public interest is that he is deeply respected by the industry itself. Nearly 2 years ago, the Oil and Gas Journal, a spokesman for the petroleum industry, published an unusually discerning article about Mr. Connole. It set forth his biography, which indicated excellent qualifications. It also briefly delineated

Mr. Connole's philosophy on regulation. I call the attention of my fellow Senators to that statement. It is an unusually sensitive expression of the responsibility of the regulator. It is a clear recognition of the heavy double responsibility of the regulator: to the industry regulated, and to the consuming public.

Mr. President, by refusing to reappoint Mr. Connole, and by leaving the Federal Power Commission entirely in the hands of Commissioners who—on the record—recognize their responsibility as primarily to the regulated industry, the President of the United States has walked out on the consuming public. He has turned his back on the public interest.

Of course, President Eisenhower has a perfect constitutional right to appoint or to reappoint anyone he pleases to the Federal Power Commission; but, at the same time, when the President refuses to reappoint the one Commissioner who has clearly established his expertise and his understanding of his responsibility to the consumer, and when the President dismisses questions on the reappointment with an insulting statement about being able to "find a better man," it seems to me that there is ground for the conclusion that the President has forgotten the consumer.

Mr. President, in an editor's note accompany this Oil and Gas Journal article, it is observed that Mr. Connole "will probably be around in Washington for many years to come." The industry itself did not expect that the President would fail to reappoint the one and only consumer champion on the Commission.

Mr. President, the article consists mainly of an interview with Mr. Connole, on the subject of how far regulation of the gas industry should go. In the course of the interview, Mr. Connole explained precisely how weak regulation or the absence of regulation leads to exploding consumer prices for millions of Americans who use gas to heat their homes.

It also shows that Connole is a man who both knows his subject intimately and speaks for himself.

I ask unanimous consent, Mr. President, that the article entitled "How Far Should Gas Regulation Go?" from the Oil and Gas Journal of June 2, 1958, be printed in the RECORD in the following

order: First, the editor's note; then the thumbnail biography of Mr. Connole; next, his philosophy of regulation; then the introduction to the interview; and, finally the interview itself.

Mr. President, I also ask unanimous consent that a typically hard-hitting no-holds-barred editorial entitled "Last Friend of Consumers on FPC to Get Sack," from the Madison (Wis.) Capital Times, also be printed at this point in the RECORD.

Mr. President, I also ask to have printed at this point in the RECORD a well-documented editorial, from the Milwaukee Journal, showing how the refusal to reappoint Mr. Connole represents a triumph for the oil and gas interests over the consumer.

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

[From the Oil and Gas Journal, June 2, 1958]

HOW FAR SHOULD GAS REGULATION GO?

EDITOR'S NOTE.—William R. Connole is the youngest and most controversial member of the five-man Federal Power Commission. During his 3 years on the Commission, he has been widely criticized by the petroleum industry for his views on Federal controls. He will probably be around in Washington for many years to come.

For these reasons, the Journal thinks gas men should know him better. To give gas men Connole's philosophy in his own words, the Journal assigned its veteran Washington editor, Bertram F. Linz, to conduct this extensive interview.

BIOGRAPHY

William R. Connole is the youngest man ever appointed to a Federal regulatory agency. He became a member of the Federal Power Commission in June 1955 at the age of 33.

But he had established another record 5 years earlier. He was the youngest person ever to be appointed general counsel to a State regulatory body when he joined the Connecticut Public Utilities Commission. He advanced from that post to the FPC.

Connole was born in Naugatuck, Conn., in 1922. He has three degrees, a bachelor of arts from Georgetown University's school of foreign service and college of arts and science, and a law degree and master of arts in economics from the graduate school of Trinity College, Hartford, Conn.

Connole got his first experience in regulation in the Interstate Commerce Commission. Joining the ICC while in law school, he served first as legal assistant to Commissioner Walter M. W. Splawn and later as attorney-

examiner in the Bureau of Formal Cases. After leaving the ICC, he engaged in the general practice of law.

While on the FPC, Connole frequently dissented from the majority. He has refused to attach conditions to producers' initial prices which he felt were too high and in cases where he felt the result was out of line with his concept of regulation. He also has opposed congressional recommendations that FPC not be required to consider cost and revenue in rate cases.

Connole is married and has four children.

CONNOLE OUTLINES HIS PHILOSOPHY ON REGULATION

"I believe strongly in two fundamental principles. These govern my actions as much as any other.

"First, the regulatory process is the soundest protection against either of two unacceptable extremes; the unbridled monopolistic excesses which, in the early history of the Nation, nearly wrecked industries affected with the public interest, or outright socialism of those industries. It would be hard to select which is worse.

"Second, the regulator constantly must choose between two or more unpopular choices, any one of which will offend some vested interest or misguided consumer interest.

"The knowledge of the first is what gives regulation its validity and its challenge. It is the reason that regulatory commissions, in my judgment, are in the very front rank in importance among domestic governmental agencies.

"The knowledge of the second is what makes it possible to shrug off any mistaken objections to decisions I may join in and is the reason I feel no personal offense at them.

"I believe the industries under regulation will thrive, and the economy of the Nation with them, to the extent that regulation is sound, is respected, is observed. For this reason I resent deeply the suggestion that the remedy for any individual infirmities discovered in isolated instances is to abolish the whole system. Such burning down of the barn to roast the pig would be catastrophic. After all, the electric and gas industries, to name only two, represent the greatest aggregations of capital ever known to the world. And they have prospered because of, not in spite of, effective regulation.

"The risk to our entire economic and political structure of discarding that process now is unthinkable."

INTRODUCTION TO THE INTERVIEW

Oil, gas, and product lines have the same problems. Should all of them be controlled by the same agency? William R. Connole, of the Federal Power Commission, thinks perhaps they should.

Connole, in this exclusive interview with the Journal, also sees a critical threat to the U.S. gas industry ahead in imported methane. And he says there are some serious problems to be met in imports of gas from Canada.

THE INTERVIEW

Question. Mr. Commissioner, is the Federal Power Commission the only agency with control over pipelines?

Answer. At the present time regulation of the pipeline industry, both oil and gas, is spread among the several agencies of Government on both the Federal and State level.

For example, on the Federal level, some degree of regulation at least is exercised by the Interior and Defense Departments, Interstate Commerce Commission, Federal Power Commission, and perhaps some others.

This appears unduly burdensome to the industry and probably does not react in the general public interest. I suggest that more reasonable and effective regulation is possible were oil pipelines and natural gas pipe-

lines and even liquefied petroleum gas pipelines regulated by same source.

Question. Would that involve control of the oil and LPG lines?

Answer. This doesn't mean that I favor the regulation of oil pipelines to the same extent and in the same manner as natural gas pipelines.

The nature of the business as a common carrier in law, if not in fact, argues against this.

Nor do I advocate divorcement of pipelines from integrated companies. Every effort to date to do so has met with such objections that it has failed. But there are enough problems common to both that regulation of one should not be carried on with no regard whatsoever for the direction of the other.

Question. You feel then, that oil and gas pipelines are so similar in some respects that they should be dealt with by a single agency?

Answer. As natural gas pipelines increasingly resort to transportation contracts covering gas to which they do not have title, they become more nearly like oil pipelines with the exception, of course, that the duration and stability of the transportation contracts differ.

Similarly, oil pipelines, to the extent they are successful in maintaining their status as plant facilities of integrated companies, become more nearly like natural gas pipelines that produce from their own reserves and transport to a buyer.

I think the whole petroleum energy picture should be before the regulatory agency which attempts to regulate any one aspect of it.

Question. Getting down to the case of gas, what changes do you feel should be made in the Natural Gas Act?

Answer. First, the requirements that certificates of public convenience and necessity be obtained before producers may sell gas should be dropped.

No material benefit seems to result from this requirement. Only one real benefit can be realized from this process and this can be achieved in other, less-burdensome ways.

New contracts for sale of gas should be presented to the Commission before sales are permitted under them to give the Commission an opportunity of deciding whether the public convenience requires the commencement of sales at the particular price level proposed.

Question. How can this be done?

Answer. This can be done through some modification of the requirements of section 7 of the Natural Gas Act, and in my judgment would provide the most effective and painless method of keeping natural-gas prices from running away with the market.

Question. How does this "running away" come about?

Answer. It is the new contracts which historically set the level for future negotiation and for price increases in existing contracts.

For example, in a recent hearing on a producer's contract a responsible official for one of the largest purchasing pipelines testified that the highest price being paid for gas in the same area is determinative of the price asked for the gas. By restricting these increases the artificial pressure for pipeline companies and others to bid unreasonably high prices is sharply reduced. Meanwhile, price levels are subject to an orderly demonstration of their reasonableness in appropriate proceedings.

The point is that the pressure for new prices then will come at price levels established by Commission authority and after Commission review. It will not be the result of near panic or overeager buying on the part of one or more pipelines which find themselves in a temporary shortage of gas and must go out and pay virtually any price in order to correct it.

Question. What about standards of reasonableness?

Answer. If the standard of measuring the risk and, hence, the lawful compensation to a producer, is as hidebound as the literal interpretation in the City of Detroit case would hold, there is much need for flexibility.

I suggest that the measure of the risk is more particularly a function of exploration and development cost than of invested capital or operating expenses in the sense more commonly used in the regulatory field.

This is because the gas production business will succeed or fail depending on whether the market will support development and exploration. Consequently, moneys spent in that pursuit are the moneys we should watch most closely and ratio to revenues in order to develop a fair incentive and a just return.

Furthermore, whether rates will provide enough to meet the financial needs of the industry (whatever ratemaking unit is finally used) and will compensate for the risk in further exploration and development depends on the probabilities of future markets. This means concern for price and marketability of competitive fuels.

For this reason, I believe some consideration must be given to the impact of the producer price at the end of the line, particularly how that price will square with competing fuel prices.

Question. Do you see price as a cause for alarm in the industry?

Answer. Prices have been bid up by overeager pipelines seeking more and more gas without sufficient regard for the impact of the new prices and the end product.

The experience in south Louisiana provides a striking example. The average price for deliveries made under 20-year contracts entered into in 1954 was 10.1 cents while in 1956 it was 16.9 cents. This represents a more than 66-percent increase in 2 years.

Question. Do you feel that is serious?

Answer. Yes. This is serious for two reasons.

First, the effect of increased producer prices is a kind of time bomb which doesn't explode until many years after the contract was made, by which time the average cost of purchased gas for a particular company may be too high to permit it to retain an effective load factor. But because of the contract terms it will be impossible for the pipeline to do anything about it.

Secondly, and related to the first reason, the ratio of wellhead prices to average value at point of consumption remains remarkably constant. For example, the average wellhead price was 25.3 percent of the value at point of consumption for the 10 years 1946 through 1956 on the average. This is so despite an increase in wellhead price from 6.2 cents (the 1946 to 1950 average) to 10.3 cents (the 1956 price).

Question. What does that indicate to you?

A. If the average wellhead price continues to increase, and the relationship between that wellhead price and value at point of consumption remains the same, the average wellhead price by 1962 will be 17 cents and the average value at point of consumption will be 60 cents. As the more recent contracts occupy an increasingly large proportion of total sales, the rate of increase might well be greater.

Sometimes it appears that the separation of producer from ultimate consumer has served to dull the realization of how steeply and rapidly the prices at point of consumption can be expected to increase in the next few years. And with off-peak sales already being lost to competing fuels and no clear-cut successful substitute to take up those sales, the prospects are that the slack will appear in the rates for winter heating season customers.

Question. Do you consider all producer prices too high?

Answer. No. Despite the increase in average wellhead prices, there is an unjustifiable number of producer prices which are unrealistically low.

This comes about by virtue of the pressure on the pipelines to purchase gas at prices which will permit them to keep large trunklines with large compressor capacity operating at a practical load factor during the off-peak season. No consideration is given, however, to whether this gas will be purchased for sale at premium prices or for sale at dump prices. The price the producer gets is the same.

Question. Have you any suggestion to meet this situation?

Answer. I wonder whether the producer segment of the industry should not consider asking lower rates for gas sold to fill valleys than for gas that is sold to meet peaks. When the pipeline can obtain the highest price for its gas should it not pay more for it to the producer, and when it gets least for its gas should it not pay less?

Question. Wouldn't that be rather complicated?

Answer. I appreciate the complications when a line is purchasing for storage or is selling to a distributor who may have a summer instead of a winter peak. Moreover the pipeline does not tag individual M c.f.'s for off-peak or on-peak use. Nevertheless, I think some consideration might be given to instituting a two-part rate which would recognize that the producer as well as the pipeline and distributor is rendering part of the service of meeting a fluctuating demand.

Question. Would this help the producer?

Answer. This suggestion could actually increase a producer's revenue because he will get more for the most valuable M c.f.'s. At the same time it would reduce the total cost of delivered gas to the ultimate consumer.

Most costs that are added to the wellhead price to reach the price at which the gas is sold to consumers are capital costs. And more of these capital costs are levied on the peak consumers because of the need to allocate as few as possible to the very price-sensitive customers to whom gas is sold at off-peak times.

Question. How about the effect on consumers?

Answer. If a smaller proportion of the off-peak price consisted of costs to the producer, a larger proportion of constant costs could be allocated to these large volumes, thereby reducing the contribution necessary from ultimate consumers at the peak period.

Question. Wouldn't this unfairly improve the position of gas in competition with coal or oil?

Answer. No. No unfair competitive advantage would accrue to gas, unless the price were permitted to fall to levels so low that they would defeat the purpose of the two-part rate. The increase in volume as a result of the reduction in the on-peak price would undoubtedly stimulate increased use of gas for superior purposes to the ultimate advantage of producer, pipeline, and consumer.

And because pipelines no longer would have to keep prices artificially low to be able to sell at off-peak times, prices to the producer no longer would be set by the least valuable of unit sales made by the pipelines.

Question. Mr. Commissioner, where is the natural gas business going?

Answer. The needs for energy continue to climb at spectacular rates. The difference between experts who have assessed the situation is only how far up they will go. Few have been pessimistic enough to assume even a declining rate of increase. None has suggested they will stop climbing altogether.

But, first, there must be an optimum pipeline capacity for each stage of energy de-

mands. Every pipeline is not rendered economically feasible simply because some people state that they want to buy natural gas. And, secondly, we must realize that there is a fixed and definite volume of hydrocarbon resources.

Question. What does that add up to?

Answer. From these considerations, two facts appear. First, the ultimate level at which pipeline capacity will stabilize is the level at which competing fuels, operating in an unregulated market (including both coal and other petroleum products) will adjust themselves.

There is a possible price for every product where it will maximize the profits to a seller. Once this level is reached for competing fuels it will work its way back to natural gas prices and set the practical limit for them as well. If a new line cannot be built, or new capacity added that will bring natural gas in at a price competitive with those competing fuels, it will not be built.

Question. And the second fact?

Answer. The second fact is that the limits of the hydrocarbon energy resources available to this Nation may be widened vastly by the use of liquefied methane from the Middle East or elsewhere.

Question. Do you attach any importance to that?

Answer. I do indeed. This could be the most revolutionary development in the next 10 years, considering the almost unmeasured natural gas wealth which now awaits economic development in the Middle East and Venezuela, to mention only two sources.

Unrestricted imports could wreck the price structure of the natural gas industry, and indeed the entire fuels industry—coal and oil—as we know it.

I suggest that the problems of the petroleum industry in handling its oil import dilemma will be minor compared to the problem which will beset the coal, oil, and natural gas industries once liquefied methane by tanker becomes a reality.

Question. Where will the FPC fit in?

Answer. The same considerations that will govern the decision on importing Canadian gas also will affect the decision of the United States whether to authorize the importation of natural gas from other producing areas in the form of liquefied methane.

The technical roadblocks to the practical importation of natural gas in this way are close to solution. Soon we will be faced with the question whether and how this importation should be permitted or regulated. Even intracoastal transportation of natural gas is a distinct possibility.

Question. Does the law not cover this matter?

Answer. I do not know whether the Natural Gas Act plainly contemplates such transportation and whether a carrier by barge or tanker would be a natural-gas company within the meaning of the act. Of even greater interest is the issue whether an importer, say from the Middle East, is a natural-gas company.

But I think the problem is near enough that some efforts should be made now before the problem bursts upon the industry and the regulatory community and finds both without any practical solution.

Question. You mentioned Canadian gas. What is involved there?

Answer. In my opinion, the first decision to be made before the introduction of Canadian gas is to determine whether its use in the United States is in the interest of either country.

That means we must know how much it will cost the United States to import natural gas. That means more than mere cents per thousand cubic feet. There are several considerations of national and international policy over and above the considerations of

the cents per thousand cubic feet it would cost.

Against this price, for instance, must be weighed the advantages of having an additional supply. On the other hand, Canada must weigh the pros and cons to its economy. If it is apparent that the mutual best interest of both nations would be served, the way is clear to examine the other factors involved in specific applications for authority to import.

Question. Is this a matter for the FPC to decide alone?

Answer. It seems to me that many of these considerations may not be proper subjects for FPC consideration. Some affect the relations of this Nation with Canada, while others affect our national defense or the internal economy of the Nation to the extent other and competing fuels are involved.

Issues affecting our relations with Canada are perhaps the most delicate. And it is in this area an administrative regulatory agency is least qualified.

Question. Where, then, should the problem go?

Answer. The President, under the Constitution, has charge of our relations with foreign powers. The import and export of a natural resource as valuable as natural gas affect these relations with Canada in matters of broadest public and international import.

Our relations with Canada quite properly are within the specialized responsibility of the President and the executive Department of State. How they will be affected by the terms of an order authorizing the importation of natural gas can hardly be evaluated by the FPC with any degree of accuracy.

Accordingly, I have some doubt whether the FPC, an arm of the Congress, is the proper repository under the Constitution for the power to grant or withhold import authority and permission to construct facilities at the border for importing natural gas.

Question. But the FPC does have some authority, doesn't it?

Answer. I appreciate the FPC is supposed to be concerned with the problem as a matter of economic public policy rather than primarily as one of international policy.

I also appreciate that before a Presidential permit to construct facilities at the border will issue consultation with the State Department is necessary.

Question. That seems to be pretty clear-cut, doesn't it?

Answer. Nevertheless, I do question the vesting in an administrative agency in the first instance, and as the ultimate authority, of power to issue orders directly affecting our relations with a foreign power.

I am especially concerned when the standards in this delegation are so vague.

Question. In what way are they vague?

Answer. For example, the Natural Gas Act says only that we shall issue an order permitting importation unless we find it "will not be consistent with the public interest."

At least the Federal Power Act adds a limitation. It prohibits the issuance of an order authorizing the export of electric energy if the Commission finds the proposed transmission would impair the sufficiency of electric supply within the United States or would impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Commission.

Just where the public interest lies with which we must reconcile each request for import authority for natural gas is far from obvious.

Question. Are any other factors involved?

Answer. Yes. In addition, all sorts of conflicts within the internal fuels and energy policies of this Nation are involved. The oil-import problem is evidence of this.

Of course, these problems are more properly the subject for FPC concern. But even these are inextricably bound up with questions of national fuels policy beyond our responsibility because the interests of so many other fuels and factors in the economy are involved.

For example, questions of tariffs and excise taxes, and the extent to which it is in the best interest of this Nation to encourage world trade or to protect domestic industries, come to mind.

And, of course, there has never been any clear expression of a national energy policy by this Nation. The President's Commission on Energy Resources has taken long and constructive steps in this direction but much still remains. And in Canada far-reaching efforts are now being made in this direction by the Royal Commission on Energy.

Question. What course, then, would you suggest?

Answer. In my judgment, the first step is for both the United States and Canada to establish firmly where the best interest of each nation lies. In other words, to establish what is the public interest with which the importation of natural gas must be consistent before it may be authorized.

Question. What would this public interest involve?

Answer. This must consider adequately how best to serve the whole of our national economy, not just one segment of it like natural gas. It means the welfare of the consumers of all forms of energy must be considered. It means that proper attention must be given to what will happen to the petroleum industry, the railroad industry, the coal industry—indeed to all sections of the economy that will be affected by whatever decisions are made to emphasize one fuel or another.

And in addition, the effect on our foreign relations will have to be weighed.

The issuance of Presidential permits and import orders by the FPC will have much firmer basis once these principles are visible. At that time more meaningful consideration can be given to specific requests for authority to import natural gas from Canada.

Question. How would those decisions affect the work of the FPC?

A. I think a decision as important as whether to authorize large-scale importation of natural gas from Canada, for example, should be jointly reached in cooperation with the exporting nation. I think the terms should be agreed upon beforehand. Perhaps more important, a means must be set up to insure they are carefully observed and not changed unilaterally during the life of the contracts because conditions change on one side of the border or the other.

Question. How can this be done?

Answer. If proper determination is had on what is in the best interest of each nation and if the authority to import from Canada is made after such joint determination the job is half done.

It will be completed if joint authority is created to effectuate these agreements or if the respective regulatory authorities on both sides of the border agree on the principles and the procedures to use when viewing the regulation of the importation and exportation of natural gas.

Question. And in the meantime?

Answer. Of course, when we are confronted with actual applications at present we must act as best we can, relying on expressions of domestic policy to the extent that they exist. Similarly, we must rely on ad hoc decisions on the international level.

This is vastly better than to refuse to consider them at all. Moreover, until some authority, such as a court of law having jurisdiction, tells me otherwise, I have no choice but to carry out the law as now written.

[From the Madison (Wis.) Capital Times]
LAST FRIEND OF CONSUMERS ON FPC TO GET SACK

President Eisenhower's announcement that he will not reappoint William R. Connole to the Federal Power Commission comes as a surprise to no one who has followed the President's appointments to regulatory agencies.

Connole is the last member of the FPC who has stood up for the rights of consumers in whose interests the agency is supposed to regulate utilities. He is the only one who has made a fight for the consumer in the struggle to prevent natural gas interests from gouging the public.

He is the one member of the five-man agency who has insisted that the FPC has the authority and the duty to regulate natural gas rates to protect the public. His position was upheld by the U.S. Supreme Court in 1954 but the Commission still refuses to act in the consumers' interest.

The natural gas interests have been out to get Connole. It was to be expected that the President would go along with them. He has been a captive of the oil interests throughout his two terms in the White House. One of his first major acts as President was to sign away the tideland oil deposits.

He has supported the natural gas interests in their efforts to enact legislation exempting them from rate regulation by the FPC. He vetoed such a bill but only after a major lobbying scandal involving a \$2,500 payment to a U.S. Senator. He is now encouraging the passage of the natural gas bill.

Scandals in other regulatory agencies have revealed a similar pattern of appointing men more sensitive to the wishes of the industry intended to be regulated than the needs of the public.

The FPC is now in the process of being investigated because it has made decisions after "off the record" discussions with Thomas Corcoran, a natural gas lobbyist. Its members have accepted hospitality from the natural gas companies.

One would think that in such a situation the President would want to keep the one member of the Commission who is known as a friend of the consumer. But when the natural gas interests want something Eisenhower delivers.

[From the Milwaukee Journal]

SO MR. CONNOLLE IS PUSHED OUT

President Eisenhower says that he will not rename William R. Connole to the Federal Power Commission because he thinks he can find a better man. Maybe he can, but from the consumer's standpoint the Connole matter is of interest.

Back in 1954 in the famous Phillips Petroleum Co. case, in which Wisconsin played an important part, the Supreme Court held that the FPC is required by law to apply utility type regulation to independent producers in determining the field price of natural gas.

The FPC hasn't done so, although in 1959 the High Court sharply took it to task for not carrying out the earlier decision. As a result there is a huge backlog of cases—estimated at between 2,000 and 3,000—in which application for rate increases have not been acted upon. The FPC defense is that it hasn't agreed upon a formula for setting prices.

Connole has been the single continuous voice on the FPC in arguing that price regulation should be carried out as the law requires. He was voted down 4 to 1 in an FPC decision not to regulate prices, and the Supreme Court backed him up. In a connected case—the Catco case, titled from the initials of a combine of five natural gas producers—Connole was again voted down by the Commission 4 to 1 and again the Supreme Court took his side.

The FPC in that case approved sale of gas from offshore Louisiana fields to a pipeline company at a level well above the general price. The Supreme Court sent the case back with the instruction that "a most careful scrutiny" of prices was required in rate cases, and it scorched the Commission for inordinate delay in handling cases.

When Connole's term neared its end, commissioners from six New England public utility agencies wrote President Eisenhower asking his reappointment. So did the president of the California public utilities commission. So did many consumer interests. Fortune magazine last fall called the FPC inept but said that Connole was the keenest of the Commissioners.

But the oil and gas forces lined up against him. The New York Times reports that Electrical World, a trade publication, said in a newsletter: "Natural gas producers are creating pressure on the administration to avoid reappointment of Federal Power Commissioner William R. Connole. It remains to be seen whether business interests can do to the politicians what they're not supposed to be able to do to the FPC itself."

They were able to do it. Connole is out of a job. As Petroleum Week said a year ago, "Connole has become something of an enemy in the view of many gas producers" because "he insists that production costs are a vital factor in rate determination."

Maybe President Eisenhower can find a better man—but from the consumer's standpoint, it is doubtful.

TWELFTH ANNIVERSARY OF THE STATE OF ISRAEL

Mr. PROXMIER. Mr. President, today we observe the 12th anniversary of a nation that has, in a short span of time, earned the honor and esteem of the free world and the loyalty and trust of much of the large bloc of neutral nations that may well hold the key to the future of all of us.

The progress of the independent State of Israel may be measured in many ways. In a decade, her number of factories has increased from 8,000 to 25,000; her industrial production, from \$356 million to \$710 million; her land under cultivation, from 412,000 acres to 1 million acres; and her annual agricultural production, from under \$100 million to \$320 million. Her annual exports have multiplied more than fivefold in value, from \$37 million to \$200 million, and are expected to reach \$400 million by 1964.

But I think it is even more important and fitting to measure Israel's progress in terms of human values, in terms of her contribution to the world community. For the past few years, this small state, which has flourished through a combination of foreign economic assistance and her own tremendous human efforts and resources has, in turn, been furnishing economic and technical assistance to the underdeveloped countries of Africa and Asia.

Israel's foreign-aid program, considering her youth and size, has been far-sighted and generous in concept and outstandingly successful in execution. Though little publicized, it has captured the imagination of many underprivileged nations that hesitated between United States aid and Soviet Union aid, for fear of being drawn into the cold war.

Nations that are young, whether in time or in spirit, are interested in Israeli aid, because Israel, too, is a new country. Her people have carved a free nation and a sound economy out of the desert, and in the face of all the hardships now confronting these other lands.

Israel is providing assistance to some 20 countries in Africa and Asia. Israeli aid programs are in full swing in such ancient and farflung places as Burma and Hong Kong, as well as in Liberia, Ethiopia, and the new state of Ghana. And this aid is very, very substantial.

In Africa, Israel's strongest ties are with Ghana. Trade relations between these two young countries were established in 1957; and to finance this expanding two-way trade, Israel provided Ghana with a \$20 million credit for a 4-year period.

When the new African state sought to establish her own merchant fleet, it was to Israel that she turned for help. The Black Star Line was launched, owned 60 percent by Ghana and 40 percent by a private Israeli corporation, Zim Israel Navigation Lines, which is in charge of managing and operating the fleet for the first 5 years. Israel is providing the technical assistance to train officers for Ghana's merchant marine.

Another major investment in Ghana is in the building industry. Israel has provided the beginning capital for large-scale construction projects, and is training Ghanians in building techniques and skills. In many other fields, Israel is sharing her pioneer spirit and her acquired knowledge. She has sent to Ghana experts in city planning, agricultural production, trade-union organization, and cooperative settlements.

In Asia, Burma is Israel's oldest friend. Their bond of friendship was strengthened in 1955, when the Burmese Prime Minister, U Nu, made an official trip to Israel, despite an Egyptian demand that he cancel his visit. Impressed with Israeli skills and accomplishments, U Nu called for closer Burma-Israel economic ties; and a 3-year trade agreement resulted from his visit.

Israel has been generous, as well as effective, in her programs of technical assistance, and has struck a blow for world freedom by giving the wary neutrals confidence in a friend in freedom's corner.

Let us then salute Israel, a young and worthy member of the community of nations, and an inspiration to all of us, on this, her 12th birthday.

Mr. President, I ask unanimous consent that an excellent article by David Ben-Gurion, published in the New York Times magazine of May 1, 1960 be printed at this point in the RECORD. It is a tribute to the great leader, Theodor Herzl, the founder of modern political Zionism, on the 100th anniversary of his birth.

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

HERZL'S DREAM AND THE REALITY—A TRIBUTE TO THE MAN WHO FORESAW ISRAEL BY ONE WHO HELPED MAKE HIS VISION COME TRUE
(By David Ben-Gurion)

JERUSALEM.—The seer of the Jewish state sprang from the Jewish group that lived in

a Hungarian borderland between Eastern and Western Europe, between the Middle Ages and the modern era. This Jewry had produced two of the earliest pioneers, Stampfer and Raab, who went up to settle in the land of Israel in the generation that preceded Herzl. They founded the first Jewish village of our times, which bore the momentous title of Petach Tikva—the Gateway of Hope. And that same Jewry produced the two great leaders of political Zionism, Herzl and Max Nordau.

In the exodus from Egypt, it was twin leaders who marched in the van of the Jewish people: the one, Moses, lawgiver, teacher, guide; the other Aaron, spokesman, clarion, exponent. But in Jewish history Moses was unique, and has no peer. In modern Jewish history, Herzl also stands alone in living and lasting greatness. Only he, by the magic of his personality, his penetrating insight, his prophetic courage, his creative and stimulating inquietude, was privileged to become the focal point of the people's love and pride, the very visage of its secret and sincere longings, the symbol of its redemption and rebirth.

In Herzl's day, two contradictory concepts were current in the relationship between the Jews and the peoples among whom they lived. One was the ghetto concept, which saw an absolute and eternal gulf between the Jews and the other peoples, and held that until the coming of the Messiah, who would restore them by supernatural means to the lands of their fathers, Jews must wait, helpless and dependent on alien mercies.

The opposite concept was that of the assimilationists, in whose midst Herzl grew up and was educated—that the Jews were in no sense whatever a nation like all the nations, that only a trifling and transient barrier of superstitions and prejudices divided them from their neighbors, and that if only they could succeed in getting to be like their neighbors in language, in dress and in deportment, the difference would disappear, the peculiar Jewish way of life would cease, and they would be assimilated into the context of their neighbors.

Ever since childhood the ghetto concept had been strange to Herzl. But his feeling for the dignity of man, deeply wounded by the sight of anti-Semitic outrages in France and Austria, challenged the assimilationist concept in him. With his acute vision he beheld the sufferings of the Jews in his time not as just a calamity, which had to be either accepted or escaped, but as a creative momentum impelling the Jews to set up their state again, so that they could be equal to other peoples as a people sovereign in its own right.

In the spring of 1895 Herzl noted in his diary: "I have been working for some little time at a project of incalculable magnitude. Today I do not know how I will finish it. Its image is as a majestic dream. For days and weeks, now, it has filled my soul to the bounds of consciousness and beyond. Its outcome is not yet to be surmised, but my heart tells me that it is a wondrous thing, albeit as a dream, and that on me is laid the task to write of it."

A year afterward he published "The Jewish State."

At first it was not clear to Herzl where the Jewish state should be established. In the pamphlet he writes: "Is Palestine or Argentina to be preferred?" As he drew nearer to east European Jewry, he came to understand that the old vision of the rebirth of the Jewish state was bound up wholly and solely with the fatherland:

"The land of Israel is the land of our fathers, which we shall never forget. In remembering it our people's heart will tremble, at the sound of it many will come. As a neutral state we will preserve our links with all the nations of Europe, which will guarantee our existence there. As for the places holy to the Christian world, a surety

will be found in international law and we will be the guard of honor upon those holy places, vouching with our very existence for the fulfillment of our duty. This guard of honor will be the impressive symbol of the solution of the Jewish question, after 1,800 years of our torment."

The notion of the Jewish state was not invented by Herzl. He himself wrote: "I am not propounding any new idea—on the contrary, it is a very ancient one, and it is just there that its great strength lies. Its years are as the years of the nation, which has never ceased to nourish."

But in writing "The Jewish State," he discovered more than an idea, he discovered himself: seer, leader, great political architect and commander. "Am I forming the idea?" Herzl asked in his diary. And answered, "No; the idea is forming me."

Into the old idea he was able to inject revitalizing strength and a great sweep, for he knew the secret of historic action as not one of those who went before him had. He knew the secret of political accomplishment, revealing it within himself and within the Jewish people.

For the first time since that people voyaged into exile, he transformed it into a political force and factor. Herzl created Jewish statesmanship, and forged the tools and implements the people needed in its fight for liberation and revival: a world platform, the framework of national organization, political representation, the instruments of state finance.

For hundreds of years, throughout the world, the Jewish people had been no more than a pawn and a plaything—for chastisement or for kindness—in the hands of foreign political forces. Herzl took human dust, at the mercy of any capricious wind, and made it into a nation striving to mold its own destiny and become an independent entity on the stage of international politics.

He gave his people not only a political purpose but also the means to fulfill it, and first and foremost the consciousness that the Jewish people, in spite of its dispersion and rootlessness, is a political force, if only it will learn how to use its strength for its own redemption.

Like all great liberators, Herzl grasped the profound yet simple secret that mass suffering need not be solely a source of degradation, of helplessness and decadence, but is apt to be converted into a source of strength and fortitude, of initiative and heroism, if there be linked with it the idea of liberation and if it thus rouse the victims to rebel against their wretched lot, so that their tribulations take on the forms of creation and salvation.

"No people can be saved except by itself, and the Jewish problem can be solved only by the Jews." So Herzl pleaded.

When Herzl called for the first instrument of political Zionism, the World Zionist Congress, he did not yet know Jewish life as it was lived in the eastern European countries, steeped in popular Jewish tradition, education, and content. Nor did he yet understand the deep, inner, indissoluble bond between the nation and its ancient birthplace. He was unaware of the treasures of creativeness, hidden in the rank and file and in the youth of the people. But what his knowledge of Jewishness lacked, the intuition of his genius made good through an understanding of human nature.

When, in July 1902, Herzl, as president of the world Zionist organization, appeared in London before the Royal Commission on Alien Immigration, he was questioned by the members of the commission on the reason for the failure of Baron Hirsch's colonization experiment in Argentina. He replied:

"It ended in failure for this reason: When a people aspires to colonization, it must have a flag and an idea. You cannot accomplish these things with finance alone. And since

these Jews had neither flag nor idea, they could not succeed. With money you cannot set going a movement of large masses. You must implant in them a faith in their future, and then you can even stir them to apply themselves to the most arduous toil."

And when in 1902-03 he conducted negotiations with the Balfour government on the settlement of Jews in El Arish and Sinai, and the British Foreign Office drew his attention to the difficult conditions that colonization meant, he wrote a letter to Lord Landsdowne, then British Foreign Secretary, saying that "even if the opinion of the experts is not particularly agreeable, Jewish distress can surely constitute such a force as will make colonization feasible even under conditions which in the case of normal settlement would be unacceptable."

The history of our settlement in Israel has verified this simple assumption. The warnings of practical men as to the impossibility of changing townsmen into tillers of the soil, the unsuitability of Jews for a life of sovereignty, our dearth of talent to become seamen or to revive the Hebrew tongue, which was deemed a dead language, all have been shown to be false and insubstantial. We have succeeded in settling on the hills and even in the desert, which all the experts argued could never be successfully colonized.

The distress of the Jewish people and the creative force of an ideal of liberation and redemption have even disproved one of Herzl's own political assumptions, one on which he insisted with the utmost vehemence at the beginning of his Zionist work, namely, that "the creation of suitable political conditions is a necessary precondition to any settlement activity."

This assumption has been refuted, in the annals of Israel renewed, by another premise, profounder and sounder, which was indeed Herzl's, too—that what iron necessity and the motive force of suffering and of an ideal can do, political logic cannot.

A unique event, to which there was no parallel, was the death of the great leader, the greatest of Israel's leaders and rulers, Moses. He did not have the privilege of reaching the Promised Land—or even of being interred within it. After 40 years' wandering in the wilderness, Moses at the end of his days ascended Mount Nebo—"and no man knoweth of his sepulcher unto this day."

Fifty-six years ago the remains of the seer of the Jewish state in our generation were buried in a foreign land—the land where Herzl saw the vision of the Jewish state, where he created the instruments for its establishment, and where he organized the Jewish people to win its independence.

"I do not know the hour when I shall die," Herzl wrote in 1898, 6 years before his passing, "but Zionism will not die. Since the days of the Zionist Congress in Basle, the Jewish people once again has a national representation and the Jewish state in the homeland will arise."

His prophecy came true, and in the second year of its independence, a year after the end of the war of independence, the people of Israel brought his remains home and interred them in the city of David, on one of the hills of Jerusalem.

PROPHET OF ZIONISM

"What glory awaits the selfless fighter for the cause. Therefore I believe that a wondrous breed of Jews will spring up from the earth. The Macabees will rise again. The Jews who will it shall achieve their state. We shall live at last as free men on our own soil."

So wrote Theodor Herzl, the founder of modern political Zionism and thus, in effect, of Israel. He was born in Budapest on May 2, 1860, 100 years ago tomorrow. At 18, he moved to Austria to study law at the University of Vienna. But on graduation, he be-

came not a lawyer but a journalist and playwright whose works won him considerable renown.

In 1895 Herzl was the correspondent in Paris of *Die Neue Freie Presse*, the leading Vienna paper of the time. It was the Paris of the Dreyfus affair, and Herzl heard the mob shouting, "Death to the Jews." Out of his deep concern for the future of the Jews of Europe came his pamphlet "The Jewish State," published in German, English, and French in 1896. It led to the calling in Basle, Switzerland, in 1897 of the first World Zionist Congress, which set as its goal "a home in Palestine" for the Jewish people.

Herzl assiduously promoted the scheme in the capitals of Europe, but died in 1904, at the age of 44, with his dream far from realized. It was kept alive, however, by such dedicated successors as Chaim Weizmann and David Ben-Gurion, who saw Israel established in 1948. Weizmann became its first President and Ben-Gurion the Premier.

THE HERO

The day of Herzl's death was a day of mourning and grief for Zionists. Ben-Gurion was then 17, and in one of his letters to a friend, a few days after the bitter tidings had been received, he wrote these lines:

"My brother, it is difficult, even impossible, to sit down today and write on other matters, even those nearest to my heart. The disaster is so great, so tremendous, becoming ever more grievous as time passes. * * * Great as the sea is the magnitude of our loss. And yet, today more than ever before, I confidently believe in our victory.

"It is clear to me that a day will come—and it is not far off—when we shall return to the wonderful land * * * and the visions of the prophets will be realized; there we shall see wonderful skies shining with the light of purest blue, there we shall hearken to the murmuring of the waves of the sacred river, which long ago heard the song of the shepherd, of innocent and magical love.

"And there a mighty poet will arise and sing an exalted, wonderful song, which will resound in all the strings of our hearts of a small but great people risen to new life, and of the great hero and fighter who with his mighty strength awakened the dwellers in the tomb from the slumber of the shadow of death."

Mr. KEATING. Mr. President, today we celebrate the 12th anniversary of the reestablishment of the noble State of Israel. We as Americans celebrate it not alone in the spirit of extending congratulations to a firm ally in the traditions which we hold dear, but also to signify our recognition of the remarkable accomplishments wrought by idealism, faith, and determination.

Seldom in history have a people so mightily striven for self-determination against overwhelming odds as have the Jews to regain and rebuild their ancient homeland. And the attainment of this goal marked but the beginning of an impressive record of accomplishments.

In the brief span of time since they gained their independence, the Israeli people have succeeded in absorbing and integrating new immigrants from over 70 countries into their national life. They have managed to secure their borders against hostile forces surrounding this small country.

They have turned an arid and rocky area into an ever more fertile land, where orchards and fields and forests and towns seem to grow overnight. They have succeeded in extracting valuable minerals from sands and seas long

thought of as dead and worthless, and are building industries at an impressive rate.

They have devised different forms of economic and social organization to meet their varied needs, ranging from the communal settlement to the most complex type of private enterprise. Yet all coexist side by side within a single democratic framework and work together to contribute to Israel's amazing development. Despite the diverse backgrounds and traditions existing among her people, Israel has remained a bulwark of democracy and stability in the turbulent area of the Middle East.

Today, when so many newly independent nations face the difficult problems of developing modern political, economic, and social institutions, Israel stands as an inspiring example of what can be done in the spirit of dedication and democracy.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

OBSERVANCE OF LAW DAY, U.S.A.

Mr. WILEY. Mr. President, the establishment of fair and just laws observed and respected by citizens provides the most promising foundation upon which a nation—and, yes, ultimately, the world—can ultimately establish order and peace.

To promote greater recognition of the fundamental value of a system of just and equitable laws, President Eisenhower declared May 1 as Law Day, U.S.A.

We recognize that laws of a free land reflect the principles, the morality, and the sense of justice of the people.

Contrary to popular concept, these are not inhibitive, restrictive chains on a people; instead, they establish the climate in which fundamental rights and privileges can best be exercised, as well as protected.

Without such a system, there would be chaos. Abraham Lincoln said: "Let reverence for law * * * become the political religion of the land."

Now, how can we perpetuate this idea of Law Day—not just for a 1-day observance, but throughout the year?

On May 1, special programs were held by bar associations, service clubs and organizations; school assemblies; radio-television programs; public meetings—and, yes, even the churches—for good laws, reflecting the law of God, symbolize in their own way the religious, moral, and spiritual principles of a people.

What were the goals of such observances? These, I believe, include:

Encouraging a greater respect for, understanding of, and willingness to abide by, just and fair laws; and

Resolving to continually reexamine our statute books to determine that laws, and their application, keep abreast of changing events and times.

Observances, too, help to dramatize a major difference between the American concept of freedom and justice under law, and the suppression of individual freedom under communism, which also celebrates the day, usually by attempting to paint a picture of the superiority of communism over capitalism, or, as it did yesterday, also by a display of its arsenals—threats to peace as well as weapons of power politics. Overall, efforts to encourage greater respect for law not only on May 1 but also throughout the year can do much to create ever-stronger patriotic support for our judicial system, the Constitution, and our way of life to assure liberty and justice for all our citizens.

I request unanimous consent to have the proclamation by President Eisenhower on the observance of May 1 as Law Day, U.S.A., printed at this point in the RECORD.

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

A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas one of the greatest heritages of American citizenship is a government of law before which all men stand as equals, and the dedication of our people to freedom under law has made possible the remarkable growth and development of our society in all its aspects; and

Whereas respect for justice under law is vital and abiding only when its roots are grounded in our many traditions of religion, ethics, and philosophy with their common teaching concerning law as the foundation of our social order; and

Whereas the widest possible understanding of these basic truths will contribute to the Nation's moral and spiritual strength, and a reaffirmation of faith in the rule of law in the daily lives of all Americans will serve to demonstrate to the peoples of the world that this Nation seeks only fairness and justice in its relations with other nations; and

Whereas the observance of Law Day is designed to foster this deeper respect for law and an awareness of its essential place in American life, as well as to encourage the efforts now being made to bring about an extension of law as an instrument of world peace and orderly progress in all international relationships for the future benefit of mankind: Now, therefore, I, Dwight D. Eisenhower, President of the United States of America, do hereby designate Sunday, May 1, 1960, as Law Day in the United States of America.

I urge the people of the United States to observe Law Day with appropriate ceremonies as a public demonstration of their devotion to the rule of law as the keystone of peace and order in our national and international life.

I also urge the members of the legal profession to bring the objectives of Law Day to public attention in all appropriate ways through religious and educational institutions, by private organizations and public bodies, and through the media of public information.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 31st day of December in the year of our Lord 1959, and of the Independence of the United States of America the 184th.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE.

By the President:

CHRISTIAN A. HERTER,
Secretary of State.

Mr. KEATING. Mr. President, it is a special source of pleasure to me to bring to the attention of the Senate the celebration of May 1 as Law Day throughout the United States. In keeping with a worthy and honored tradition this day was commemorated by appropriate ceremonies the length and breadth of our land.

It is altogether fitting that law should be accorded the dignity and solemnity of a day dedicated to its meaning for America and for Americans. This great Nation of ours was founded and has developed through the guiding values and principles which the law of the land embodies. In the formative, pioneer years of the United States, the rule of law was the force that brought order out of chaos, that created the climate of reason and of right without which no national progress or growth would have been conceivable.

Throughout our history as a nation, law has been the handmaiden of liberty. It has charted the course within which individual liberty might exercise its rights, without unbridled veering from that course to trample or endanger the rights of others. By its guarantees of equality and freedom, by its impartial balancing of causes in the scales of justice, the law has presided over the affairs of men in such a way as to enhance the dignity of man and to promote the ever richer development of his spiritual resources.

The law is the sworn enemy of evil. It is the sworn enemy of tyranny. As humanity has marched to new frontiers of civilization, to new social, economic and political complexities, the law has kept pace with change, has risen to the challenge of new patterns of life and the problems they bring into being.

The law is not prey to the dust of time. It is a living thing, as living as the hearts and minds of the men who write it, who enforce it and who obey it. It is the inheritance our generation receives, to pass on as a rich and enduring legacy to those who will come after us.

On this Law Day, 1960, it particularly becomes each of us here present, as framers of the laws by which this great Nation lives, to reaffirm our dedication to the sacred responsibility placed upon us, and to join with all our fellow Americans in solemn commemoration of a day that symbolizes the eternal quest of humanity for justice and for liberty.

Mr. ALLOTT. Mr. President, on behalf of myself and my distinguished colleagues the senior Senator from Pennsylvania [Mr. CLARK], the junior Senator from Michigan [Mr. HART], the senior Senator from New York [Mr. JAVITS], and the junior Senator from Texas [Mr. YARBOROUGH], I present for insertion in the body of the RECORD a statement con-

cerning Law Day, United States of America, prepared by authorization of the council of the Capitol Hill section of the Federal Bar Association.

This newly established section of the bar is composed entirely of Members of Congress and attorneys employed in the legislative branch of the Government. Its purpose is to afford a medium wherein lawyers engaged in the process of making our laws can get to know one another better and can consider and foster the high standards of integrity under the law as well as the duties that a lawyer owes his client, in this case the Government, his profession, and the public in general.

Ceremonies are taking place today throughout the Nation commemorating Law Day. This is singularly different from the ceremonies yesterday, Sunday, in Communist nations commemorating their power and worldwide aims. We in the United States deferred our ceremonies from May 1, the Sabbath, to May 2. The respect shown in this act alone is an illustration of basic differences in communism and our American way of life.

The statement that I present, Mr. President, is both appropriate and worthy of full public consideration. As a member of the Capitol Hill section and on behalf of my distinguished colleagues, I am pleased and honored to present it and ask unanimous consent that it be printed in the body of the RECORD.

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

LAW DAY 1960—STATEMENT OF THE CAPITOL HILL SECTION OF THE FEDERAL BAR ASSOCIATION

The Capitol Hill section of the Federal Bar Association, composed entirely of members of the bar in the legislative branch of the Government, takes pleasure at this time in joining the many State and local bar associations throughout the Nation, as well as the national organizations of the American Bar Association and the Federal Bar Association in commemorating Law Day, May 1, 1960.

This year May 1 falls on Sunday. Today, Monday, May 2, ceremonies are being held in hundreds and perhaps thousands of courtrooms, public squares, and official gathering places throughout the United States. Inasmuch as the body of manmade laws under which we live derives in its basic aspects from moral law or religious principles and traditions, we have asked Rev. Frederick Brown Harris, Chaplain of the Senate to join in this statement. His statement follows:

"Of all special national days Law Day is of supreme significance. In such an emphasis there is lifted before the gaze of all our people the fundamental conception on which all else in a democracy rests.

"Law Day floodlights the vital truth engraved on the facade of the noble edifice of the U.S. Supreme Court—'Equal Justice Under Law' and of that sentence inscribed over the portal of the courthouse in Worcester, Mass.—'Obedience to law is liberty.'

"Democracy is the faith that laws should be made not by an all powerful monarch, or a dictator, whose rule is tyranny but by the whole body of 'We the People' and that laws thus made should be gladly obeyed by all people. Any willful violation of laws thus decreed is a blow at liberty itself.

"In just laws there is registered the conscience of a God-fearing people. Much is be-

ing said and written these perilous days about liberty and emancipation from restraints. More, much more, needs to be said about discipline and law. The demand, "Don't fence me in," needs to be interpreted in the light of the larger truth mirrored in a great hymn, "Make me a captive, Lord, and then I shall be free."

"Says a U.S. Senator, as he sees with deep anxiety what so many of his contemporaries are doing with their boasted 'liberty'—'Unless discipline and obedience can be brought back to America, we are on our way to the junk heap.'

"Obedience to law safeguards from the perils of a rampant selfish individualism. Laws forbid the additive of poisonous elements in food because social welfare shames personal gain and greed.

"There is no way by which the democratic experiment can be saved if mad insistence on individual freedom to do as one pleases crowds out sober recognition of social obligation.

"The true glory of the legal profession is that those so dedicated are servants of the law—the business of those so committed is not to help culprits evade the law, but to justly interpret it and to help enforce it, and to scorn to seek escape from its penalties by clever technicalities and legal fiction.

"It has been splendidly said by a present day patriot, a prophet of the eternal, 'Respect of manmade laws alone will not suffice for men will lose that respect if they do not see a divine sanction behind such ordinances, if they do not recognize the validity of the tugs of conscience, if they do not know the moral law, that rule of right reason implanted in the human mind by the Creator long before men began to draw up their own codes.'

"Catherine Lee Bates has set to music the very quintessence of obedience to law in a loved hymn which all America sings and which hallows every day as Law Day:

"America, America, God mend thine very flaw,

"Confirm thy soul in self control by liberty in law."

We deem it fitting that those concerned primarily with making the laws of the Nation pause and reflect on the respect given to the law as such. The full, rich meaning of the law, as well as the value of respect for it are fundamentals of the honor of our profession. These powerful but intangible attributes are matters that should be brought to the attention of laymen as well as lawyers. The role of the lawyer in carrying this message to the public is an important one. He is best fitted to do it if he is true to the vows and traditions of his profession.

In 1958, largely at the instigation of Charles S. Rhyne, Esq., then president of the American Bar Association, Law Day U.S.A. was established as a day commemorating the true values of the law. This was done by proclamation by the President of the United States. We may say also by way of contradistinction that this is not true elsewhere in the world where there are governments by virtue of dictatorial powers. May 1 was recognized in this country as the day in which we pause, reflect, and through appropriate ceremonies, say how and why we are proud of the fact that ours is a government of laws and not of men. In Mr. Rhyne's own words, the idea was not entirely his own, but came from the hearts of the thousands of lawyers with whom he had contact in the continual and extensive traveling required of a president of the American Bar Association. He stated that the message of Law Day is "the dedication of Americans to the highest ideals and moral principles ever espoused by any nation since

the dawn of civilization. Those are the ideals and principles known as the rule of law."

The 85th Congress by Public Law 85-529 designated May 1 as Loyalty Day. Thus, the same day is both Law Day and Loyalty Day. We deem it most fitting that these two themes are combined because loyalty to the United States is loyalty to the great principles of the law on which our Nation was founded and which have caused it to grow to the greatness in more ways than military power that it now realizes. One of the greatest tests of loyalty or love for country is the respect one has of the rights of his fellow man. A neighbor's right to voice his own opinion, to enjoy the right of privacy and to own his own property are cornerstones of the concept of loyalty to our American ideal or tradition. They find effect and fruition through the law.

The officially pronounced aims of Law Day are:

1. To foster increased respect for law, enabling the Nation to grow in more strength as it grows in population, resources, and world leadership.

2. To provide an occasion for the American people to rededicate themselves to freedom for the individual under just laws administered by independent courts, and in so doing to emphasize before the world the contrast between the rule of law in the United States and the rule of force and fear under totalitarian systems.

What could be more appropriate than for us who are engaged in the process of drafting and enacting the Federal statutory law of this Nation to join in these aims and to reflect over their meaning? A majority of the House and the Senate of the United States are lawyers, but these aims and purposes are by no means confined to them. They apply to all Members of Congress and to all people in this great land of ours.

When we say that we should "rededicate" ourselves to freedom for the individual under just laws, we imply that we have heretofore been so dedicated. Indeed, this is true if we consider the Constitution of the United States and the circumstances surrounding its promulgation. The Bill of Rights of that great document is ringing with sanction of, and protection for, individual freedom. Thomas Jefferson's statute of religious freedom is filled with it. The Declaration of Independence is a great part of our prior dedication. The spirit which underlies these documents; yes, the spirit of Jamestown and Plymouth Rock also, dates back in tradition and evolution in our legal system to Magna Carta. When we think of this great background and these great traditions, we can "rededicate" ourselves with strength and vision.

We must be mindful of the fact that the guarantees of our tradition have fostered the full and free development of the spiritual resources of our people. Freedom from fear of the tyrant has released the energies of our people and has aided our great economic growth. The assurance that the fruits of one's labor will not be taken away without due process of law has occasioned by way of incentive an industry and thrift among our people which in itself has now become a part of our American tradition.

All of this in retrospect is refreshing and strengthening. Yet is not self-sustaining. The respect for the law, the support which the American people give it, are most important in carrying on our growth and progress. This does not mean a complete and uniform agreement with every detail of the law—every statute—every court decision. It means a general respect for the law and an understanding of what it means in the conduct of personal affairs and in the relations between men and nations.

We are mindful of the fact that numerous Governors of States and mayors of cities have proclaimed Law Day, U.S.A., with appropriate official proclamations. Bar associations are taking the lead in bringing to the attention of the public the importance of the values of the law which we see and use but sometimes do not realize its meaning.

The Capitol Hill section of the Federal Bar Association was founded officially here in the Capitol on January 20 of this year. It was founded in the Old Supreme Court room in the Capitol. No more fitting place could be selected for its establishment. Its establishment in such august surroundings bespeaks the message of Law Day. The section takes pleasure in participating in Law Day and in affirming its belief in devotion to the law and in greater knowledge of the law and respect for it.

Mr. JAVITS. Mr. President, the events which we see daily at home and abroad involving basic human rights and liberties should make us particularly aware of Law Day, 1960, which was celebrated yesterday. It has always been our proudest boast that we are a Nation ruled by law—and not by men—that the individual's status is guaranteed by the Constitution, the laws, and the courts, and need not rely upon the personal whims of those in positions of power.

The sad events which we have recently witnessed in widely separated areas even of the free world, the apartheid in the Union of South Africa, and the failure to assure certain fundamental rights in the Republic of Korea, the sitdowns in the Southern States, should make us especially aware of the urgent need of our important heritage of love and respect for law which we celebrated yesterday.

It is fitting that there should be celebrated at the same time Loyalty Day, also proclaimed by the President of the United States and by Congress. The dual events are a most fitting reminder to the American people of their stake in democracy, and give us an opportunity to renew our dedication to the concepts of freedom and dignity of man.

There is now pending before the President for his approval the Civil Rights Act of 1960, the result of many weeks of deliberation in the Congress and the Nation. During every moment of that consideration these principles of law and justice were in the minds of many of us. There is a great difference between even such a limited bill—limited also by an archaic Senate rule on dealing with filibusters—which is law and the violence which we have seen throughout the world when peoples whose liberties are denied attempt to assert them. Much as the southern sit-ins concern these, too, we look to the respect for law in the final analysis.

It would be particularly fitting for us to turn our equal attention on this Law Day to the rule of law among nations. The recent action by the Foreign Relations Committee in postponing action on Senate Resolution 94—the repeal of the so-called Connally reservation to our adherence to the International Court of Justice—is a blow to our efforts in this area which should be a source of special concern on this occasion. Our faith

in law and judicial process should extend not only to all the people of our Nation, but beyond our frontiers, so that the rule of law instead of force will become the law of nations also. This principle of world peace through world law is of particular significance today as we seek means to control weapons and dictators.

I hope that the public observance associated with Law Day creates a renewed support for this proposal and that the action on it may be considered at an early date.

I believe that the expressions of dedication contained in the proclamations of Law Day and Loyalty Day issued by Governor Rockefeller to the people of my own New York State and the remarks by the Governor on that occasion, were particularly appropriate to this occasion, and I ask unanimous consent that the proclamations and Governor Rockefeller's remarks may be printed in the RECORD following my remarks.

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

**PROCLAMATION BY GOV. NELSON ROCKEFELLER,
OF NEW YORK**

The Veterans of Foreign Wars have asked me to designate the 30th of April as Loyalty Day. It is a privilege to comply.

For all too many years subversive groups preempted the 1st of May as an occasion for airing insidious propaganda which bordered upon treason.

Appreciation is due to the Veterans of Foreign Wars of the Empire State for shifting the emphasis to loyalty to the United States and enabling us to renew our dedication to the timeless ideals and aspirations of Americans.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim April 30, 1960, as Loyalty Day in New York State and I call upon our citizens to join in ceremonies in honor of the occasion.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 21st day of April in the year of our Lord 1960.

NELSON A. ROCKEFELLER.

By the Governor:

WILLIAM J. RONAN,
Secretary to the Governor.

**PROCLAMATION BY GOV. NELSON ROCKEFELLER,
OF NEW YORK**

The 1st day of May has become established in our calendar, by custom and by Presidential proclamation, as Law Day. This is a highly appropriate observance for Americans.

The law of the land is made by the people themselves through their elected representatives. A respect for law is ingrained in us as a part of our daily lives. It is an essential complement to our belief in freedom. The law indeed is the custodian of our liberties and our rights.

Since Law Day this year falls on Sunday, its observance will also symbolize our deeply cherished privilege, freedom of worship. It will thus serve doubly to underscore our respect for the integrity of the individual in relation both to his fellow man and to his God.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim May 1, 1960, as Law Day in New York State, and I urge wide public cooperation in its observance.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 12th day of April in the year of our Lord 1960.

NELSON A. ROCKEFELLER.

By the Governor:

WILLIAM J. RONAN,
Secretary to the Governor.

EXCERPTS OF REMARKS BY GOVERNOR ROCKEFELLER AT CEREMONIES IN OBSERVANCE OF LAW DAY, COURT OF APPEALS BUILDING, ALBANY, N.Y., APRIL 29, 1960

Law Day is an occasion with deep meaning for all Americans. It is a day of dedication to the rule of law in American life, a reminder that our liberties, our guarantees of fair and equal treatment, rest upon the verities of the law rather than the arbitrary commands of men.

But Law Day is something more than this, something even more basic. For it is a testimony to the spiritual heritage of our Nation and to the body of principle which gives meaning to the belief in individual worth underlying our whole political structure.

This Nation was founded to give expression to an abiding faith in the value of the individual human being as a creature of God. Its whole reason for being grew out of a passion for justice based upon this spiritual heritage. And the political framework created for this Nation in the rule of law gives continuing and contemporary reality to our spiritual heritage as it fulfills this passion for justice, as it serves our belief in the worth of the individual.

Thus, as we foster increased respect for the law, we honor our religious heritage, build the moral strength of our Nation, and enrich the blessings of freedom.

As this day reminds us of the moral basis of the rule of law, it also serves to remind us that our individual rights and freedoms under law involve individual obligations. Not the least of these obligations is that of law observance. For as all men stand equal before the government of law in this Nation, so too, do they stand equal in their duty to uphold the rule of law by respecting and cherishing it.

There is something infinitely precious about this rule of law that we here acclaim. For it reaches to the very roots of our conviction that every person is equal before God to every other person, that all men are brothers, that justice is the God-given right of all free men, and that freedom itself lives and grows only within a framework of morally valid law.

Let us, then, honor this occasion of Law Day with a new resolve for individual rededication to our spiritual heritage and the rule of law which gives this heritage living reality in our own lives.

Let us as citizens of a free land strengthen freedom, elevate human dignity and give new hope to all men and women everywhere by our constant striving for perfection of the rule of law.

For thus shall we bring closer to realization that day when the value of every individual in the world shall be respected and guarded by the laws of men, serving the laws of God.

ANNIVERSARY OF POLISH CONSTITUTION DAY

Mr. WILEY. Mr. President, tomorrow, May 3, marks the anniversary of Poland's Constitution Day. In our country and around the world, tribute is traditionally paid to the people of Poland, and those of Polish descent, for the heroic fight which these outstanding people have made for freedom.

This year, 1960, also marks events in recognition of two great sons of Poland: the 100th anniversary of the birth of the great Polish artist, humanitarian and statesman, Ignace Paderewski; as well as the 150th anniversary of the birth of the foremost Polish composer, Frédéric Chopin, whose music has contributed so much to enriching the cultural life not only of Poland but also of the world.

Despite the fact that the Communists by deceptive tactics have gained control of the reins of Government of Poland, as well as other countries of Eastern Europe, the flame of liberty has been kept alive in the hearts of the many freedom-loving people.

The 1960's—as rarely before in history—will be an age of political and intellectual ferment as well as a time of unprecedented efforts to influence the minds of people, particularly in their adoption of political-economic systems.

As we well know, the major contest rages between freedom and communism. As we face the Communist challenges to freedom—indeed, to our survival—the symbol of unrelenting dedication to freedom which liberty-loving Polish patriots have demonstrated will stand as symbols for freedom fighters during the continued East-West competition in the years ahead.

LOYALTY DAY

Mr. KEATING. Mr. President, the virtue of patriotism is timeless in its significance, yet it is well that we have seen fit to enshrine it annually in our hearts by the observance of May 1 as Loyalty Day.

In the face of present menacing challenges to our freedom, and to the principles on which this great Nation of ours was founded and has endured, Loyalty Day stands as a symbol to all Americans of that they have fought for in the past, what they must continue to fight for in the future. Indeed, it is eminently fitting that we should remind ourselves from time to time of the precious gift of liberty that we possess, and of the need for vigilance in preserving that liberty against those who would steal it from us.

Loyalty Day provided a timely opportunity not merely to reaffirm our love of country but to rededicate ourselves to the guarding of our great heritage, and of strengthening the resolve to maintain the freedom for which so many Americans in the past have made the supreme sacrifice of their lives.

It must never be forgotten that loyalty is more than the waving of flags and the playing of anthems. It is, above all, the sacred responsibility of freemen. It is the personal commitment of one's self to the preservation of a kind of government responsive to the deep-felt needs of the human spirit. That is the Government our forefathers have handed down to us. That is the Government which remains our sacred trust for as long as we live.

AID TO AUTHORITARIAN REGIMES

Mr. GORE. Mr. President, late Friday afternoon I addressed the Senate

on the problems arising out of the giving of U.S. aid to dictatorships and authoritarian regimes.

U.S. identification with authoritarian regimes has long been a matter of concern to me. Early this year, in an address before the American Association of Colleges for Teacher Training in Chicago, I stated:

In country after country, we have attempted to promote stability on a short-range basis. The process often followed has been that of establishing and supporting governments whose policies in the long run may do us harm. A virtual dictatorship in South Korea has been maintained in power with the assistance of our foreign aid programs.

I hope President Eisenhower will soon recognize this problem, not only as it affects our relations with the nations and peoples of Latin America, but throughout the world. I shall surely call this problem to the attention of the next President of the United States, whoever he may be.

Fortunately, a correction has been made in South Korea. I am not advised as to the extent to which the U.S. Government participated in that correction, but I believe the result is an improvement.

We have followed the apparently easy road of temporary stability. We have extended the warm embrace, and put on the foreign aid payroll, just about any dictator, would-be dictator, or authoritarian regime which appeared willing to fight communism. We have willingly closed our eyes to the methods used and to the fact that genuinely liberal movements were often being suppressed with as much, if not more, enthusiasm and vigor than were local Communist and fellow-traveling groups.

There is one solid action which can be initiated immediately, and carried through eventually, which will bear the fruit of friendship of the peoples of the world. That action, Mr. President, is simply and bluntly, to correct the relationships which the Government of the United States bears to various dictatorships or authoritarian governments.

The specific actions to be taken in any given instance, of course, require thought and common sense. But, first of all, we must acknowledge and understand the problem and decide on the principle we are to follow—indeed, recognize and understand the problem, and decide that we will proceed on principle, a principle that is deeply imbedded in the heart and consciousness and traditions of the United States.

The future can only be secure in a democratic world. We can no more live at peace in a world of dictatorships of the right than we can in a world dominated by dictatorship of the left.

Especially in the administration of our foreign-aid programs must we use extreme care to see that our aid benefits the people of the world rather than repressive regimes.

Where it is necessary to deal with authoritarian governments—and I recognize that there are extreme instances when it seems necessary temporarily to

do so—let us do so at arms length. Let us reserve the warm handclasp and enthusiastic support for governments compatible with the principles of freedom.

Unless we recognize this problem and deal intelligently with it, our moral leadership among our allies, and in the world at large, will come to serious question and challenge. Without moral leadership, the Western alliance will surely fall. Material force and power, no matter how great, will then avail us little.

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

Mr. GORE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes so that I may yield to the distinguished Senator from Alaska.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee requests 3 additional minutes. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. GORE. I yield.

Mr. GRUENING. I should like to commend the distinguished Senator from Tennessee very highly for his very pertinent comments. I wonder, however, how he is going to achieve the results he hopes for, because there has been nothing in the conduct of the administration to show any differentiation in its attitude toward dictatorships and democratically inclined regimes; in fact, it has seemed to favor dictatorships.

All over the world we have seen and see the administration coddling dictators, with the tragic result that we have observed at several points in the world. Fortunately, in South Korea the people of that country are grateful to us for the intercession of our State Department, but they make the comment that it should have come much earlier than it did. I agree with that view.

I wonder whether the Senator from Tennessee has any suggestion to make or how his very sound ideas can be made to penetrate the administration's policy.

Mr. GORE. Mr. President, only the President of the United States, under our Constitution, can lead our country in the field of foreign policy. The Senate has a limited constitutional responsibility with the President in this field, but its power of initiation is limited, essentially, to advice and information. To the extent that I feel capable of doing so from time to time, I have undertaken to advise the administration of the existence of a problem and have volunteered whatever ideas I may have had for its possible solution. It is in the course of this function and procedure that I have spoken today.

Mr. GRUENING. I should like to suggest that the situation has changed in recent years since the policy which the Senator refers to has existed. The limitation on the part of the Senate with respect to merely advising has been changed by the use of the dollar as an instrument of foreign policy. That situation did not exist prior to a decade ago. We are now spending \$4½ billion as an instrument of our foreign policy. These are American taxpayers' dollars. It

seems to me that we in the Congress and particularly in the Senate therefore have the responsibility to make ourselves much more effective than we have been before, and to do more than just advise. We have, I feel, the responsibility as well as the constitutional authority to do that.

Mr. GORE. The able Senator has made a very pertinent comment, because through the power of the purse and the limitations and conditions which Congress can attach to appropriations and authorizations the Congress can make its influence felt. Though some initiative can thus be taken, such as the creation of the Development Loan Fund and the International Development Association, a limitation on funds is essentially negative in nature. Moreover, the administration of a program enacted by Congress is exclusively an executive function.

To the extent that we can advisedly do so, I should like to implement the application to traditional American principles to this problem. Certainly our actions should comport with our basic principles.

DEFENSE PHYSIOLOGY

Mr. SALTONSTALL. Mr. President, yesterday there appeared a very important article in the Washington Post. It is entitled "Uncle Sam Still Has the Muscle." It contains statements with which I certainly agree, and it is worthy of being printed in the body of the RECORD. I therefore ask unanimous consent that it may be printed at this point in my remarks.

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

[From the Washington Post, May 1, 1960]
DEFENSE PHYSIOLOGY—UNCLE SAM STILL HAS THE MUSCLE

(By Roscoe Drummond)

The administration has expounded its defense program so badly and its critics have attacked it so persistently that many Americans may be led to believe that the United States is perilously vulnerable.

We aren't—unless an enemy wants to take massive destruction in reply.

An earlier column pointed out that while it may be militarily sound for the Soviets to rely primarily on the intercontinental missile because they have no oversea bases, it is militarily sound for the United States at this stage to rely primarily on the manned bomber. One reason is that we do have oversea bases from which bombers and intermediate missiles can be used.

I am not arguing that we couldn't or shouldn't strengthen our military posture. My own conviction is that our greatest danger is from limited, nonnuclear aggression and that our greatest weakness is in our lack of limited war, nonnuclear capability.

But what I want to report in this column is that, as far as all-out war is concerned, there is no deterrent gap in American military strength today. If we keep it that way, we're all right.

Here is a rounded picture of what the experts call the "mix" of our deterrent power, and, without relying on any classified information, I am putting the facts just as concretely as possible since generalities will not convince anybody and certainly not deter the

Soviets. The strategic striking forces of the United States are these:

More than 2,000 long-range strategic bombers—greatly outnumbering Soviet aircraft of comparable capability. This force is highly trained, completely equipped and ready, and maintained in varying stages of alert, including a large number on 15-minute ground alert and a small number actually airborne at all times. Each of these bombers can deliver the destructive potential of several ICBM's.

Two wings of tactical bombers, each with nuclear capability, deployed on many bases strategically located in advanced positions around the world.

Fourteen aircraft carriers, several of which are deployed about the periphery of the Soviet Union. From these floating air bases, which are virtually invulnerable to ballistic missile attack because of their shifting positions, nuclear strikes can be made into almost any area of the Communist bloc. The aircraft in these carriers alone outnumber the heavy bombers in the Soviet Union.

An operational ICBM squadron equipped with Snark, a 5,500-mile, air-breathing missile with a very large warhead.

Two cruisers and five submarines equipped with the Regulus I, surface-to-surface weapon.

Four operational squadrons equipped with a mix of Matador and Mace missiles, any one of which exceeds the total explosive power expended against all Axis military targets in Europe during World War II.

Sixty intermediate-range ballistic missiles—the Thor—in the hands of the Allied forces in the United Kingdom.

All of this, it seems to me, spells superiority over Soviet striking power today. They are producing more long-range missiles than the United States. But our superior strength in manned bombers and intermediate missiles gives us time to perfect improved second-generation missiles before going into full production.

SECRETARY GATES AND THE JOINT CHIEFS OF STAFF

Mr. SALTONSTALL. Mr. President, in yesterday's New York Times there appeared an article entitled "Gates Takes Decisive Role in Joint Chiefs' Deadlocks."

It is an effort by the Secretary of Defense to carry out the responsibilities of civilian leadership and to get action in connection with many important problems where the Joint Chiefs of Staff have been in disagreement. It shows the efforts being made by the Secretary of Defense to carry out the principles of the Defense Department Unification Act as it was passed by Congress. I think it is worthy of being printed in the body of the RECORD.

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

GATES TAKES DECISIVE ROLE IN JOINT CHIEFS' DEADLOCKS

(By Hanson W. Baldwin)

WASHINGTON, April 30.—Secretary of Defense Thomas S. Gates has galvanized the decisionmaking process of Government by the simple expedient of making decisions. Last December, Mr. Gates announced that he would join the meetings of the Joint Chiefs of Staff whenever matters on which they disagreed were under discussion.

This simple practice, since broadened to bring the civilian Secretary into the military decisionmaking process, has broken quite a few of the minor logjams that obstructed the actions of the Joint Chiefs of Staff.

In time, it may lead to solutions of some of the major disagreements in the Defense Department.

Secretaries of Defense prior to Mr. Gates had the right to meet with the Joint Chiefs and the authority to make decisions about matters on which the Chiefs did not agree.

But none of them ever met regularly with the Joint Chiefs and few of them exercised—except on minor matters—the power of decision that was theirs.

Since his December directive, Mr. Gates' meetings with the Joint Chiefs have become periodic instead of intermittent. Each Monday at 2 p.m. he attends a meeting whether or not a so-called split paper, or disagreement, is under discussion. In addition to his regular weekly meeting he has attended other sessions.

Mr. Gates has already had 10 meetings with the Joint Chiefs since December and the frequency of the meetings will be stepped up between now and summer as problems that go to the heart of the Nation's defense policies are considered.

Three of the 10 meetings were more or less get-together meetings and general discussions. These were felt to be necessary so that the presence of the Secretary would not inhibit the free discussions of the military Chiefs of the individual services and their military Chairman, Gen. Nathan J. Twining.

Two of the meetings were devoted to briefings or presentations of major new problems to the Secretary and the Chiefs.

At four of the meetings decisions were made prior to adjournment. After listening to the discussion of a command problem at the 10th meeting, Mr. Gates gave a decision within 1 week as promised.

The latter decision concerned the long-mooted question of a planning and command organization for the Middle East. It had been under intermittent discussion for several months and upon its solution depended about a score of lesser decisions.

SETUP RETAINED

Mr. Gates' decision, in essence, retained the present high command and London headquarters, with Adm. Harold P. Smith wearing two hats as Commander in Chief U.S. Naval Forces, Europe, and also as Commander in Chief, eastern Atlantic and Mediterranean.

The former is a naval command and is a so-called specified command, answerable to the Joint Chiefs of Staff.

The staffs of the two commands will be separated, and a joint staff, headed by a deputy commander, will be established for the eastern Atlantic and Mediterranean command.

The deputy will be either an Army or Air Force officer, with the position rotated between the two services. He will be responsible primarily for planning for the Middle East, but the staff presumably will become an operational one in time of emergency.

QUESTION OF RANK

Details of the organization still have not been worked out; the rank of the deputy commander, for instance, is still undetermined. The Army advocates a three-star position; the Navy thinks two is adequate.

Another of Mr. Gates' decisions, in which he was joined by the Deputy Secretary of Defense, James S. Douglas, overruled the unanimous opposition of the Joint Chiefs.

It directed that a total of three British and Canadian military students be permitted to attend the National War College next year with American officers and civilians.

He also decided another split paper, in which the Navy was in opposition, and ordered that U.S. naval missions assigned to Latin American countries be grouped for supervision and policy direction under Lt. Gen. Ridgely Gaither, Commander in Chief

Caribbean, with headquarters in Panama. He was already responsible for Army and Air Force missions.

NEW AGENCY WEIGHED

Mr. Gates is also about to sign a directive that will group all of the armed services long-line, or long-range, communications systems under one new agency responsible to the Joint Chiefs. The agency will be headed by a director appointed from one of the services.

Mr. Gates has also participated with the Joint Chiefs in discussions that contribute to decisions on speeding up the Atlas and Polaris missile programs; to the cutback of the Bomarc long-range interceptor missile program and the SAGE radar warning program, and to various detailed but tentative conclusions concerning problems of nuclear test cessation and arms limitations.

All these were relatively minor problems—difficult though they were—compared to what now faces the Joint Chiefs and the Secretary.

The Joint Chiefs, with Mr. Gates in attendance at least once a week, have been meeting 5 days a week for the last 2 weeks.

Next week, they tackle the thorny problem of the Nation's unified command plan.

ROTATION FAVORED

This may produce some prolonged and difficult discussions. Some officers in the Air Force and Army, for instance, would like to see the unified overall Atlantic and Pacific Commands rotated periodically among the three services. The Navy, which has held them since their inception, does not view this suggestion with any enthusiasm.

Upon his return from the summit conference in May, the Secretary and the Joint Chiefs will start wrestling with the toughest of all the Pentagon problems—the problem of targeting and all it implies.

This discussion deals with the Nation's strategic concepts, its military doctrine, its weapons systems, and its military command organization. It will go to the heart of defense policy.

Optimists hope that these meetings may be concluded within a month to 6 weeks, but other observers think the scope and importance of the subjects will necessitate a far more lengthy series of meetings.

This problem will center on our present procedure for identifying and assigning to various commands and services targets that would be objectives of our nuclear strike forces in case of all-out war.

A targeting committee under the Joint Chiefs of Staff now list such targets and the Joint Chiefs approve target assignments to the Strategic Air Command, the Navy's carriers, to unified commands overseas, and to all other units that might have under their command weapons systems capable of delivering nuclear strikes.

The targets selected and their assignment to various weapons systems and to the individual commands almost automatically determine the Nation's strategic concept and the kind of military force maintained.

The Air Force, for instance, has long maintained that the Nation must have a "preemptive war" capability; that is, we must be able to strike, when danger of an enemy attack is apparent, at enemy missile sites and airbases in order to blunt the impending enemy attack.

The Air Force also maintains that we must have the capability not only of deterring the outbreak of a nuclear war, but of winning it, if it occurs.

The Army and Navy believe that in the age of missile submarines and hidden bases it will be impossible to wage a "preemptive war" and that no nuclear war can really be won.

This concept, they hold, leads to an ever-increasing number of targets; the more air and missile bases the enemy builds, the more we must build.

This concept has already resulted, it is held, in a so-called overkill capability; that is, we have far more than enough nuclear delivery systems to destroy the enemy many times over.

Cities and industrial and political centers would be the major targets under the Army-Navy doctrine of so-called finite deterrent.

THE SITUATION IN KOREA

Mr. LAUSCHE. Mr. President, I wish that I could view with the same degree of confidence the assertion made by the Senator from Tennessee [Mr. GORE] about what our course of action should have been in Korea at an earlier date.

I cannot forget the fact that Syngman Rhee was the man who led the Korean people in a most vigorous and valiant resistance against the march of communism at a time when it seemed that communism could not be stopped.

It was Syngman Rhee whose untiring and valiant view and belief in the fact that communism should be stopped made the fight. It was Syngman Rhee who, together with President Truman, resolved that there would be no yielding in Korea.

I am not one who at this time will suddenly label that man as an enemy of democracy in the world.

Perhaps what is happening in South Korea may be setting the groundwork for an invasion of that land by the North Koreans and the Communists. I cannot dismiss from my mind the fact that immediately following the developments in South Korea, a revolt should break out in Turkey. Nowhere in the world are there any nations which have given greater comfort and greater available support to our cause than South Korea and Turkey.

Conditions in Turkey are not good today. Ten thousand boys aged 17 to 18 are on the march. Anyone who has read of the tactics and the operations of the Communists cannot conclude they have been completely absent in South Korea and in Turkey.

Let us assume that there was a march of 10,000 boys in New York tomorrow. Should the suppression of that march be labeled immediately as dictatorship? If it happens, it will be partly through the propagandizing, the propagation, and the actions of Communists who are operating hidden and without coming to the surface.

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

Mr. LAUSCHE. In just a moment.

The ACTING PRESIDENT pro tempore. The Senator from Ohio has used all his time.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may have 2 more minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Ohio is recognized for 2 more minutes.

Mr. LAUSCHE. On the matter of extending foreign aid, I may say that I have been in the Senate for 3 years and have been a member of the Committee on Foreign Relations for 2 years. Time and again I have heard the argument made that the United States should not interfere with the domestic operations

of the various governments of the world; that we should not tie strings to the granting of foreign aid. I cannot understand how a policy which is good one day can overnight become so abysmally bad.

I do not want to aid dictators. More than a year ago, when Castro took charge of the Government of Cuba, the argument was made that the United States should stay out of the affair, that it was a revolt of the people, that we should let Castro run it. We stayed out.

While I subscribe basically to the principles enunciated by the Senator from Tennessee [Mr. GORE], the evidence is not so clear as to justify the people of the United States resting secure in the belief that the millennium has come in Korea and in Turkey by the removal of Syngman Rhee, and the uprising that is now in progress against Adnan Menderes.

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

CONFERENCE ON AFRICAN RESOURCES

Mr. CLARK. Mr. President, I call the attention of the Senate to the Conference on African Resources which is scheduled to be held at New York University in September. This project is jointly sponsored by New York University and African Fair, Inc., a nonprofit corporation.

The conference is planned to provide, for the first time, an economic forum which would clearly demonstrate to the peoples of Africa the active interest of American business, education, and the professions. The governments of various African states and territories have already made evident their strong support for this project.

A number of corporations and banks have indicated their support for the project. The interests of these business institutions had originally been stimulated by their support of the African Fair, which is to be a vehicle through which the African nations of the sub-Saharan will be able to present their arts, crafts, culture, and resources to the American public.

Last Friday, April 29, the New York Times reported that some of the corporations had withdrawn from the conference scheduled for next September. The Times went on to say:

Speculation in some quarters was that the Union of South Africa, which has 50 percent of American investments in Africa, had brought pressure to bear on the investors to shun the conference with its emphasis on the rising nations of Negro Africa.

If, as the Times has reported, the Union of South Africa has exercised such influence and caused reputable corporations to reconsider their support of this worthy project, it is to be deplored, because, as government and economic experts, including the National Planning Association, have said, this is the best organized effort to date in the important area of economic relations with this vital group of nations.

The need for American business to aid in the industrial and economic develop-

ment of sub-Saharan Africa is nonpolitical, and I hope it will remain so. It is incumbent upon free enterprise to help these countries achieve economic and industrial independence. There can be no question that efforts to subvert these legitimate aims constitute a step backward in the desire of all of us to aid the underdeveloped areas of the world.

Mr. President, I ask unanimous consent that a memorandum on the Conference on African Resources may be printed at this point in my remarks.

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

MEMORANDUM OF CONFERENCE ON AFRICAN RESOURCES

The Conference on African Resources, to be held at New York University, September 19, 20 and 21, 1960, is being sponsored jointly by the university and African Fair, Inc. Its aim is to bring together representatives of American industry and commerce on the one hand and spokesmen for the nations of Africa on the other so that there can be a frank, comprehensive, and mutually beneficial exchange of information. To help guide the discussions and maintain the flow of information a number of recognized experts on Africa, some drawn from the academic field, will also be invited to the conference.

Emphasis throughout the conference will be on the independent future of Africa and not on its past; reference to controversial political issues will be avoided and it will be made clear that what is envisaged is a two-way traffic designed to increase the volume and variety of trade rather than turn existing trade into new channels. That extent to which other outside countries are active in African commerce and industry will, of course, be studied, but not in a context of rivalry. Similarly, no time can be spared for discourses on African history or on the constitutional status of the various territories.

Substantial support has been received from the governments of the African states and territories. Ambassadors and other high level representatives of most African sub-Saharan countries attended a dinner given by former Governor Harriman on January 22. They pledged their complete support.

The conference will differ from most of the recent academic gatherings at which Africa has been the dominant theme in that the emphasis will be not on formal addresses but on panel discussions. Plenary session will be reduced to a minimum and most of the time will be spent in relatively small groups, each presided over by an expert who will be able to call on the assistance of a number of African representatives. It may be assumed that many questions which arise will be the subject of further conversation on social occasions outside conference hours.

Since many of the corporation executives attending the conference will be interested, not in the whole of Africa, but in some limited area, it has been decided to divide the continent, for the purposes of the conference agenda, into the following sections:

1. Western Africa, including the Republics of former French West Africa, Guinea, Liberia, Ghana, Togoland, Nigeria, Sierra Leone, Gambia, and Portuguese Guinea.
2. Middle Africa, including the Republics of former French Equatorial Africa; the Cameroon, the Belgian Congo, Ruanda Urundi and Spanish Guinea.
3. Eastern Africa, including the Sudan, Ethiopia, Somalia, British Somaliland, French Somaliland, Kenya, Uganda, Tanganyika, and Zanzibar.
4. Southern Africa, including Angola, Mozambique, the Federation of Rhodesia and Nyasaland, the Union of South Africa, the

British High Commission territories, South West Africa and Malagasy Republic.

The designations of the four sections have been chosen to avoid any confusion with phrases normally used in political writings about Africa.

The subject matter to be dealt with under these four separate geographical heads has been divided into investment, trade, and cultures. A rough outline of topics which will be covered is given below:

INVESTMENT

Government policies and legislation affecting investment; commercial and banking practices; government and private development plans; extent and success of foreign investment; government projects seeking private investment; price and marketing controls; management and labor relations; trade unionism; personnel and distribution resources; power, transport, and communications; internship and training; urban development; cooperatives.

TRADE

Imports and exports, present status; real exports for expansion and potential exports, for pioneer development; appraisal; of import needs; government controls and policies; convertibility; licensing trading partners; barter arrangements with foreign countries; influence of regional and international trade agencies; retail distribution and domestic marketing; credit facilities.

CULTURES

Demographic cultural picture; technology and science (nutrition, health, etc.); educational systems (language, number of schools, university graduates literacy, internship, religious scruples); press, radio, publications; tribal institutions and local government; urbanization.

The detailed program for the conference will be so devised as to make it possible for each participant either to devote his entire time to one of the four geographical areas or to attend panel discussions covering more than one area. The agenda will be amended, if necessary, in the light of the wishes expressed by the corporations on the one hand or the African governments on the other.

It is hoped that one outcome of the conference will be the organization of an African Frail which will tour the larger cities of the United States with the purpose of awakening interest in the resources and needs of Africa and the opportunities for trade and investment presented by this potentially rich and rapidly developing continent. The success of the fair could, in its turn, result in the establishment of an African-American chamber of commerce through which the exchange of information set in motion by the conference would be continued on a permanent basis.

ARTHUR H. LEWIS,
Executive Director.

AIR POLLUTION

Mr. CLARK. Mr. President, a report by a Public Health Service scientist illustrates once again the urgent need for Federal leadership in combating the problems of air pollution. For some time, we have known that air pollution causes or aggravates dangerous chronic ailments, and causes billions of dollars worth of property damage per year as well. This week, however, a scientist from the Robert A. Taft Sanitary Engineering Center in Cincinnati revealed that a substance—benzpyrene—which is suspected as a cause of cancer has been found in the air of all 103 cities included in a national sample.

Public Health Service scientists are not sure why concentrations of this sub-

stance vary considerably from city to city and from region to region. They are not certain whether the efficiency of burning fuels in industrial processes has anything to do with concentrations of this harmful element. Nor do they know exactly what to do about the problem. What is obvious is that increased research activities by Federal, State, and local governments are called for if the health of all persons who live in urban and industrial areas is to be adequately safeguarded.

The problem is of particular importance to my own Commonwealth, Pennsylvania, with its heavy urban and industrial areas. I might point out that Altoona, Pa., holds the dubious distinction of having the highest concentration of this suspected cancer producer of any of the cities sampled.

The control of air pollution is a proper responsibility of the Federal Government, for whatever our desires, air masses propelled by winds show no respect for State boundaries. Local and State governments have usually recognized their responsibilities and have made some progress in research and other activities. In January of this year, a statewide air pollution control act, creating an air pollution commission within the State department of health, was signed by the Governor of Pennsylvania. The city of Philadelphia is presently conducting its own research program.

There is, in addition, a need for permanent Federal legislation and authorization which is not provided by existing statute. On February 26, the distinguished senior Senator from California [Mr. KUCHEL], who authorized the Air Pollution and Technical Assistance Act of 1955, on behalf of himself, the junior Senator from California [Mr. ENGLE], the junior senator from Pennsylvania [Mr. SCOTT], and myself, introduced S. 3108. The importance of this bill, I believe, is underlined by the findings of the Public Health Service.

Mr. President, I ask unanimous consent that there may be printed at this point in the RECORD an article entitled "Cancer Agent Found in City Air," published in the April 28, 1960, issue of the Washington Post. The article calls attention to the data uncovered by the Public Health Service.

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

CANCER AGENT FOUND IN CITY AIR (By Morton Mintz)

A Public Health Service scientist reported yesterday that a poison that causes cancer in laboratory animals—and is suspected as a cause of cancer in man—has been found in the air of all 103 cities included in a nationwide sampling.

The substance is benzpyrene. It can be created in the burning or distilling of any fuel, and in many industrial processes. It also may be found in tars derived from fuels.

In the first 3 months of 1959, the mean concentration was 6.6 micrograms per thousand cubic meters of air. Every surveyed city in this region exceeded that figure.

The reading in Washington was 9.3 micrograms. Samples were taken from the roof of the Municipal Center at 300 Indiana Avenue NW.

The concentration in Richmond was 45, in Roanoke 18, in Baltimore 14, and in Norfolk 8.4.

The figures were given by Eugene Sawicki of the Robert A. Taft Sanitary Engineering Center in Cincinnati. He addressed the American Industrial Hygiene Association in Rochester, N.Y.

In an era of rising incidence of lung cancer, he said, "the disturbing question arises as to whether many cancers are not derived from constant exposure to an unsafe atmospheric level of carcinogens." Benzpyrene is only one of the suspected cancer producers in the air and in cigarette smoke.

Benzpyrene normally attaches itself to airborne particles. Body mechanisms can remove it from the inhaled particles, permitting cells or fluids to absorb it.

Sawicki said doses as low as 0.4 micrograms have produced skin cancer in experimental animals, that a number of researchers believe "there is no tolerable dose" of a carcinogen and that carcinogens accumulate in the body.

If inhalation of benzpyrene is a measure of exposure to lung cancer, Sawicki said, the average city dweller's exposure is 100 times greater than a rural resident's.

Air samples were collected for a full year in 9 of the 103 cities. In 4 of them the average nonsmoker inhaled more benzpyrene than the average nonsmoker inhaled in rural areas, 28 of which were also surveyed.

The cigarette smoker averages 60 micrograms of benzpyrene a year. The nonsmoker inhaled 79 in Cincinnati, 110 in Detroit, 120 in Nashville and 150 in Birmingham. In London he took in 320.

In the rural test areas the average benzpyrene concentration per thousand cubic meters of air was 0.4 micrograms, a purity 16 times greater than that in the average city. On Solomons Island in Calvert County, Md., it was 0.7, or 5 percent of Baltimore's.

The city maximum was 61 in Altoona, the rural 1.9 in Pine Hill Forest, R.I. The city low was 0.11 in Helena, Mont., the rural 0.01 near Cape Blanco, Ore.

Six 24-hour test samples were taken from each of 94 city sites during the test period—significantly, three cold-weather months in which benzpyrene concentrations run higher than in summer, when less fuel is used for heating. Sawicki said each site was judged representative of a city's overall atmosphere.

The researcher also said pyrene concentrations ran higher, generally, in the East and Midwest than in the West, where the abundant sunshine may be a factor.

But he said the data is inadequate to explain why the concentrations vary extremely. A PHS official here said the efficiency of burning may be the answer, or part of it, but that much more research is needed.

The range is great even among heavily industrialized cities. Here are some illustrative concentrations: St. Louis, 54; Newark, N.J., 4.5; Cleveland, 24; Pittsburgh, 5.1; Allentown, Pa., 3.4; Wheeling, W. Va., 21; Seattle, 9; Milwaukee, 8.5.

MINORITY RULE: THE NEW PRINCIPLE OF GOVERNMENT BY "A THIRD AND ONE"

Mr. GRUENING. Mr. President, there appears to be a new principle of government in the making. As reported in the press generally, at last Friday morning's breakfast in the White House with the Republican congressional leaders, President Eisenhower said: "Remember—one-third and one—that is the watchword—this is what I need."

"In this way," comments the New York Times columnist Arthur Krock in yester-

day's New York Times, "the President informally announced the opening of the veto season of 1960." I suggest that a new principle of government in America is in the making, the principle of government by minority. We are seeing the establishment of the principle that one-third plus one will determine the course of our Nation. This is rule by minority and not majority, a principle established since the founding of the Republic and the only principle tolerable in a democracy. True, the Constitution provides in section 7, paragraph 2, of Article 1, that the President may disapprove of legislation enacted by the Congress and then when he does so, it shall be returned to the House in which it originated and may be voted on again, and if repassed by a two-thirds vote in that House and the other House, it shall become law. But it is more than doubtful that the framers of the Constitution ever visualized an advance notice of an open season by the Executive on legislation designed for the welfare of the American people. What we are, in effect, told by the White House is that Congress shall not pass effective legislation for health insurance for the aged, effective legislation to provide adequate housing to take care of our exploding population, effective legislation to take care of our depressed areas, effective legislation to raise inadequate salaries for our Government workers, effective legislation to raise our minimum wage to have it conform to the steady rise in the cost of living, effective legislation for resource conservation and development, and much else that is needed for the welfare of the people of America.

Not so many years ago, a great President of the United States made reference to a similar fraction in an immortal inaugural address. In 1936, President Franklin Delano Roosevelt referred to the need to act to take care of the "one-third of a Nation" that was "ill-housed, ill-clad, ill-nourished." His concern for "one-third" was of a different character from that of the current Presidential concern. The whole New Deal program which lifted the Nation from the worst depression in its history and from the gravest internal crisis since the Civil War, provided those basic necessities in employment, in social security, in public works, in bank deposit insurance, in housing and in much else which brought back a prosperity that has carried the Nation ever since to new highs. These new highs, however, have been somewhat diminished by the present administration's hard-money policy and its policy of veto or threat of veto which has nullified bills to improve the condition of our depressed farm areas, our depressed urban areas, to bring adequate housing where it is needed, to aid education, clean up our polluted waters, to study the problems of our unemployed coal-mining areas and much else. How fortunate, however, we are that the framers of the Constitution, despite the provision of a veto, did not reverse the process and give the President the power to legislate affirmatively with the assistance of one-third of the Congress plus one. Had they done so, we would now be compelled to accept the President's

stern injunction that we must provide housing, aid to education, aid to small business, elimination of pollution, indeed support for every conceivable project in 104 foreign countries. For the White House maintains its double standard in insisting that projects which at home it declares are inflationary, extravagant, wasteful, and will tend to unbalance the budget and, therefore, are subject to a veto, are indispensable in foreign countries and must not be cut by a nickel.

History will record the contrast between the fraction "one-third" as used by President Roosevelt in 1936 and as used by President Eisenhower in 1960.

DRUG HEARINGS BY ANTITRUST AND MONOPOLY SUBCOMMITTEE

Mr. DIRKSEN. Mr. President, I think this may be an opportune moment to refer to the fact that I have addressed to the chairman of the subcommittee a letter in which I express serious doubts about continuing these hearings until we have had an executive meeting of the subcommittee. It is rather singular that in the course of some of the testimony which was adduced last week, doctors expressed doubt about the efficacy of certain drugs, the use of which has been permitted by the Food and Drug Administration, and which have been rather widely prescribed in diabetic cases. I am rather afraid that if laymen members of a Senate committee, who certainly are not physicians, undertake to pass on the efficacy of such drugs, they may proceed far beyond their jurisdiction, which certainly does not extend into the field of passing on the efficacy of such preparations; and, in the second place, I am afraid such proceedings may generate distrust in the minds of many of the people of the country; and, third, I am afraid they may cast some doubt on the confidence of patients in their physicians. I believe that is borne out by the fact that a great many telegrams on this point have already been received; and there is deep concern.

So I thought I would allude to this matter and would discuss it with the chairman of the subcommittee, either today or tomorrow. But I believe I should make public mention of it now, in order to allay the fears and the apprehensions which have been engendered.

Mr. President, the Senate Antitrust and Monopoly Subcommittee has resumed its hearings on drugs and during the past 2 weeks we have heard testimony from eight doctors, one economist, and the president of the Pharmaceutical Manufacturers Association. I do not, at this time, wish to delve fully into the statements made by these witnesses for this matter will be treated in the report of the subcommittee with any individual views that the Senators may desire to express. However, to provide an idea of how diverse the opinions certain individual doctors or professors of medical or pharmacy schools may have, I refer to an article headlined, "Drug Gain Claim Challenged," and to the statement of the California professor, Dr. Frederick H. Meyers of the University of

California Medical Center, where he has challenged the claims that the U.S. drug industries are leading the world in discovering new drugs.

Mr. President, the record will speak for itself as to the facts which show that manufacturers in the United States have brought forth 68.3 percent in the field of research and new drugs as against 31.7 percent for all of the countries in Europe during the past 20 years.

While Dr. Meyers was down-grading the efforts of the U.S. drug industry, two of his colleagues from the University of California Medical Center were in Chicago attending a conference of 12,000 biologists, participating in the discussions of new drugs. One of his colleagues was Robert M. Featherstone, a pharmacologist, who is Dr. Meyers' superior, and the other colleague was George L. Ellman, a biochemist, both of whom are from the University of California Medical Center. These doctors told of their new developments and new research at a scientific session of pharmacologists. I ask that the article covering this be inserted at this point in the RECORD.

I ask unanimous consent to have printed at this point an article entitled "Drug Found To Produce Temporary Sterility."

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

DRUG FOUND TO PRODUCE TEMPORARY STERILITY

(By Nate Haseltine)

CHICAGO, April 13.—A medicine once tried as an anticancer drug has opened up a new search for a perfect birth control pill, for males only.

The compound, furadroxyl, caused temporary sterility in male patients without any apparent loss of sexual vigor. Fertility returned when the daily dosings were stopped.

Biochemist George L. Ellman and pharmacologist Robert M. Featherstone, both of the University of California Medical Center, San Francisco, told of the developments and new search at a scientific session of pharmacologists.

Though furadroxyl, itself, is not the long-sought sterility pill, some members of its chemical family, the nitrofuranes, might be, they said. The ideal pill, they said, would act like furadroxyl, with certainty and without dangerous side effects, and would have to be economically feasible.

TESTS PERFORMED

After the discovery of sterility without loss of potency in cancer patients getting the drug, they said, a series of tests were run on rats to determine the mechanism of action. Dr. W. O. Nelson and his colleagues at the University of Iowa showed that the compound caused the cells which normally form the sperm to cease dividing. When the drug was removed from the diet the cells resumed production of sperm, and the males were no longer sterile.

This off-and-on effect is most desired for birth control, since it would permit couples to choose their own fertility and infertility periods.

The Ellman-Featherstone report was made to a scientific session of the current 44th annual convention of the Federation of American Societies for Experimental Biology, at the Palmer House. Some 12,000 biologists are participating.

RESEARCH ON SCHIZOPHRENIA

On another subject, schizophrenia, researchers at Wayne State University College

of Medicine, Detroit, Mich., reported uncovering an agent in blood serum from schizophrenic patients they could not obtain from blood serum of healthy individuals. Whether it is a cause or product of the mental disease is unknown, they said.

Previous studies had shown that blood serum from schizophrenics, when injected into chicks, caused a change in characteristics of formation of chicken red blood cells.

Dr. Charles Frohman, of the Medical Center, reported today that he and his colleagues broke the tainted blood fluid of the patients into 22 different fractions. One of those 22, he reported, was the active agent that causes the phenomena in chicken blood cell formation.

Mr. DIRKSEN. Mr. President, the testimony of the doctors who appeared last week received fairly wide coverage in the newspapers throughout the country, some of which I am sorry to say was testimony from doctors who I do not believe to be experts in the field they testified on but were merely presenting an individual point of view. I believe it would be interesting for the Members of Congress to get views of practicing physicians from various States, as well as leaders of colleges of pharmacology who have written to me expressing their points of view. Some of these are not submitted as expert testimony but I believe they should bear as much weight as some of the doctors who appeared recently. I ask unanimous consent that these excerpts from letters be placed in the RECORD at this point.

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

EXCERPTS OF LETTERS RECEIVED COMMENTING ON THE PRICING POLICIES OF THE DRUG INDUSTRY

Drs. Wellmerling and Ball, Bloomington, Ill.: "I am sure most of them [doctors], at least I always do, tell the patients that this is going to be a rather expensive prescription and try to give them an idea of the cost and tell them why and explain to them that it will cost them less in proportion to buy one prescription than half a dozen of something cheaper which in the long run would cost them more and they would not recover as quickly, therefore, would lose more time. I find when I do this most people do not mind the price that some of the antibiotics cost."

Dr. Bruce F. Andreas, Mentor, Ohio: "Perhaps we do have room for improvement in American medicine and the pharmaceutical industry. But American medicine today is the best the world has ever known, and our people are receiving better medical care than citizens of any other land. This has been made possible by our existing system, by our doctors, pharmacists, scientists, and by the confidence of our people.

"It would be folly to sacrifice this proven superior system for any other theoretically more idealistic approach."

Dr. Frank A. Merlo, Big Rapids, Mich.: "Having been in practice for 27 years, I consider myself extremely fortunate to discern the revolutionary changes that have occurred in medicine and surgery and to be able to compare the old with the new. The enormous progress made from 1933 to 1960 has had a tremendous impetus from the drug industry through their research and manufacturing facilities, by their own monetary facilities, and without help from grants from public funds, which if they had been supplied, are only forgotten by the public, who are too unmindful that any appropriation from the Department of Health and Welfare eventually reflects to their own pocket-

books and taxes, something to grumble about when the tax notice arrives.

"A legitimate enterprise is entitled to a fair profit and the prices charged for any 'wonder drug' is within bounds."

Dr. Charles Sheard, Stamford, Conn.: "I have been heartsick and worried over the gullibility of the press and the public, and the great difficulty I have had—and I am sure my colleagues across the Nation have had—since so much adverse publicity recently.

"Most of our profession are slightly used to battling ignorance, but I must confess it gets tiresome when you have to battle it in your lawmakers. I think of how Dr. Harvey had his battles when he tried to establish the truth of his theories concerning the circulation of the blood years ago in London, and I take heart however."

Dr. A. M. Benshoff, Jr., Ronceverte, W. Va.: "I practice internal medicine. I have been out of medical school 10 years practicing and training, and there is hardly a day goes by that I am not truly grateful for the many wonderful drugs that I have available to help sick human beings. Some of these drugs have only been available 1 or 2 years. Most of them, except for penicillin and a few like insulin, have just come along since I got out of medical school in 1950.

"It has been a wonderful thing for me to really get medicines that do a job and do it right, and enable me to practice more and more effective medicine, and that means save more and more human life.

"My father, who is a physician, for most of his practicing life, did not have these things, and he was helpless in the face of many of the problems of which these drugs make me competent. I am sure you are well aware of the fact that these drugs are available, only because of the tremendous research that has been done by private American drug industry, to develop these things, and it certainly is obvious that these companies are highly ethical, on the whole, and that they are certainly one of the major blessings of the people in this country. There is nowhere else in the world that there is an industry that is doing this for its people."

Dr. R. R. Newell, San Francisco, Calif.: "Thank you for sending your remarks on the Senate committee hearings on drug prices. I've been deeply disturbed about the dishonesty of the investigation from almost the very first."

Dr. John H. Brush, Omaha, Nebr.: "The drug industry certainly has done a terrific job in solving the ailments of our people.

"I still feel that although the price of drugs may be high, it often, in the long run, saves much expensive hospital time which is undoubtedly a saving to the people."

Dr. R. W. Carter, Birmingham, Ala.: "Thank you very much * * * people who appreciate the advances that the drug industry and medicine have made. It is felt that many of these advances would be impossible under a system which did not permit free enterprise.

"The medical profession in the country today does a better job than the medical profession of any other nation, and any attempt to change the system is sure to decrease the quality of medical practice. If the missile industry, for example, could produce quality work as well as the drug industry, perhaps we might be as far ahead of Russia in missiles as we are now in medicine."

Dr. D. G. Miller, Jr., Morgantown, Ky.: "Although I realize the complaints about medical care at the present time, are the high cost of drugs, I also, having been the son of a pharmacist, and working in a drug store for years, realize that there are many factors that enter into the cost of drugs that were not brought out, at least publicly, in the Kefauver investigation."

Dr. William J. Stewart, Columbia, Mo.: "The medical men of the United States are grateful to the outstanding drug firms in this country for their high quality products, for their very great research contributions that they make and things of that sort. * * * The American public should be grateful for the fact that we have these great and ethical businesses operating toward the protection and improvement of the health of all of our citizens."

Dr. J. T. Rooks, Walla Walla, Wash.: "In view of the rapid and marvelous results or cures which some of these new products bring about as compared with the old methods of treatment, some of the highest priced drugs are actually cheap. I have seen many cases of long standing infections that had been treated for months or even years by the old methods recover completely in a few days when given the advantage of the new and apparently expensive drugs. Which, then, is the more expensive?"

Dr. Kenneth M. Keane, Sioux City, Iowa: "With my limited knowledge of policies and investigations it certainly seemed that there was a great deal of false information and half truths being submitted to committees or brought out by members of committees relative to the hearing on drug prices. I'm very happy that you have been able to demonstrate how ridiculous some alleged tremendous profits relative to these prices can be.

"The thing that bothers me even more than the implications of this affair is the rather apparent fact that our chosen leaders can be led so far astray on any matter and that they can be so illogical and use such little discretion and little judgment in bringing partial truths to the foreground and influencing public opinion by half truths which to my mind is just as bad and even worse than deliberate lies. At least many people can take an out-and-out falsehood and recognize it as such but when you attach an element of truth, and sometimes a very small element, to any statement it can fool an awful lot of the people.

"I shudder to think of the consequence to the Nation on matters even more serious than drug prices and socialized medicine if the type of faulty thinking is used throughout other matters pertaining to the safety and well-being of our country. Again I appreciate your efforts in bringing a more accurate portrayal of actual circumstances to the American people."

Dr. H. A. Amesbury, Clinton, Iowa: "I am sure there is no question but what there has been a well-planned assault on the practice of medicine from all angles. This has been carried out with the idea of beating down any opposition to some socialistic scheme for the introduction of Government medicine into the United States.

"As part of their propaganda, the figures which they use have been greatly distorted. In the first place, there is no reason to assume that all people of 65 are indigent and should, therefore, be wards of the Government. In the second place noses have been counted of those past 65 and inquiries made as to income—and although a couple may have a modest although adequate income which is being paid to the husband, since the wife has no income she has been rated as an indigent—and these figures have been widely broadcast."

Mr. Samuel M. Felton, Merion, Pa.: "The drug industry with their many millions of dollars in research have saved many lives—probably in the millions. Their money has been intelligently spent by outstanding companies.

"I have stayed alive with a heart condition for over 10 years—brand-name pills at less than 10 cents each are responsible."

Dr. Mary L. Zalinger, Camp Meeker, Calif.: "I was licensed to practice medicine and sur-

gery in the State of California in August 1905.

"It has always pleased me to receive all literature sent by any pharmaceutical manufacturer.

"The smaller, old type family doctors have neither time nor money to pursue scientific research, so that the reports to us by drug manufacturers should be welcomed.

"They keep us informed about discoveries, and the proper uses and dosages. I have heard but few complaints as to price. These days most employees receive high wages, i.e., skilled workers.

"They should recognize the fact that qualified laboratory men who have had heavy costs for their college education and years of work, are entitled to be well paid. Their salaries are only one of the many costs the drug manufacturers have to meet and not complain when they pay for a prescription."

IOWA CITY, IOWA, April 13, 1960.

Hon. Senator EVERETT M. DIRKSEN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I have just finished reading an AP dispatch which appeared in this evening's Iowa City Press Citizen relative to testimony given before the Senate Antitrust and Monopoly Subcommittee by Dr. William Bean, of the Iowa Medical School staff. Dr. Bean makes statements which I feel need clarification. He says, "Some medical societies are so beholden to some drug manufacturers that they won't listen to criticism of the firm's products." I have attended many State medical society meetings and many meetings of the American Academy of General Practice in Iowa and other States, and at the national level. Never have I had knowledge, "first hand or otherwise of any medical society being subservient to any drug manufacturer's free spending or otherwise." It is true that the planning and programming of any organized group requires funds and is expensive. Drug companies rent space for the privilege of presenting their products of research, and by so doing contribute to the dissemination of valuable facts and information. This rental money is used to defray the costs of obtaining scientific speakers and directly contributes to the quality of the group's "strictly professional and scientific activities." By so doing I do not believe that "scientific activities dwindle in comparison with its commercial aspects" but rather the meeting's quality is thereby directly enhanced. Dr. Bean states that "society officers urge everyone to register at each exhibit and remind the audience that the society is beholden to the exhibitors." This registration is purely an act of courtesy to commercial exhibitors, a way of saying "thank you." No individual or group is "beholden" to any commercial exhibitor and the implication is a reflection on a physician's intelligence by implying that the drugs he prescribes and recommends will be those exhibited, and not those he considers to be for the best interest of his patient. Nothing is further from the truth. Many times I have heard scientific speakers at formal society meetings criticize drug products with impunity. It then became the prerogative of the freethinking physician to choose whether or not he wished to use the product discussed and the duty of the manufacturer to improve the drug in question or have its sale damaged by failure of physicians to prescribe it. This I think is healthy free enterprise in which no one is "beholden" to anyone. I happen to be president of the Iowa chapter of the American Academy of General Practice. An organization of family physicians who use, need and whose patients benefit from research done by good pharmaceutical companies. As a private practitioner I resent the implication that I, as a member of my society am "beholden" to any so-called "free-spending drug

manufacturers." I will conclude with the following bit of information. At our 1959 academy meeting in Des Moines, Iowa, Dr. William Bean was an invited speaker and was paid an honorarium for appearing on our program. He was paid from our general fund. A portion of that fund is made up of contributions donated (with no strings attached) by commercial companies. So it is entirely possible that Dr. Bean, himself, has personally benefited from those sources he so unwittingly castigated in his near-sighted testimony. This letter may be used in your hearings as you so desire.

Respectfully yours,

Dr. L. H. JACQUES, M.D.,
President of the Iowa Chapter of the
American Academy of General Prac-
tice.

TEMPLE UNIVERSITY,

Philadelphia, Pa., February 26, 1960.

DEAR SENATOR DIRKSEN: I have read with great interest your address before the Senate of the United States on Friday, January 22, and I wish to congratulate you upon the honesty, courage, and perspicacity which you have demonstrated in your statements.

Unfortunately, many persons become emotional when the subject of drug prices is discussed. Perhaps this is because we seem to be placing a price upon health—perhaps even life itself. Obviously, these same considerations are involved in all other costs of medical care, whether they be hospital charges or physician's fees. Some of our legislators choose to prey upon the emotions of the electorate by focussing special attention upon these charges.

In their zeal to demonstrate concern for the public welfare, they have gone so far as to unfairly distort the facts. Attempts to demonstrate excessive profits by the use of calculations involving only the basic cost of ingredients and the ultimate selling price of finished products are, as you have indicated, gross misrepresentation of the truth. None but the most naive will be misled by such tactics. Fortunately, your testimony has served to indicate some of the other factors which must be considered before a true profit figure can be calculated.

It is quite true that the pharmaceutical industry has shown remarkable growth in the United States during the past 25 years. To an interested observer, such as myself, this is no surprise. A number of factors have contributed materially to this success; but, one of the most important of these has been research—that same research which has helped to provide for the American public the highest standard of medical care which the world has ever known.

Medical and pharmaceutical research owe their stimulus to the highest of humanitarian ideals—the desire to relieve suffering and to save lives.

On the other hand, the motive which stimulates the investment needed to make such research possible is the profit motive. Only the profit motive could bring forward the billions of dollars needed to build, equip, and staff the wonderful research laboratories which have been developed by leading pharmaceutical manufacturers. The same profit-supported research which has made our transportation and communication systems the envy of the world has also brought to us the best in lifesaving drugs.

If we are now to have legislation which prevents the making of honest profits on the manufacture and sale of drugs, then our country and our Government have certainly reached their declining years. For the only alternative is total socialism—Government-directed medical practice and research. Surely we have not reached the time when we are considering the abandonment of the competitive enterprise system and the substitution of a socialized or communistic plan? Yet, if it can happen to the pharma-

ceutical industry, it can happen to any other industry and the American ideal can disappear forever from the face of the earth.

Again, I am grateful that you and others like you have not taken unfair advantage of this problem—that you have been honest in your statements and firm in your convictions. We must depend upon actions such as yours to prevent us from being stampeded into emergency legislation which may be unfortunate or even disastrous. Many of the proposals which are now being made by the chairman of the investigating committee would seriously curtail the research efforts of pharmaceutical companies and would impair the discovery and development of new drugs. Let us hope that an enlightened electorate will never permit this to happen.

JOSEPH B. SPRAWLS,
Dean.

[From the American Journal of Pharmacy]

THE GENERIC NAME PITFALL

(By Dr. Linwood F. Tice, dean, Philadelphia College of Pharmacy and Science)

Every so often there is renewed effort sometimes bordering on agitation to promote the use of generic names. In recent weeks, such efforts have been intensified largely, we presume, as a means of offsetting some of the criticism which has been directed against the pharmaceutical industry by the Kefauver hearings. We do wish, however, to draw attention to some of the pitfalls which are overlooked even by well-intentioned people in their advocacy of the use of generic names and in their suggestion that physicians grant blanket approval to pharmacists to dispense a generic equivalent when a brand name is prescribed.

First, we shall take up the problem of generic names. It would be difficult to imagine the utter chaos which would result if, let us say, for the next week all prescriptions written in the United States were written using generic names. Physicians themselves are totally unfamiliar with these names and pharmacists, we suspect, do not know 1 out of 10. By no conceivable process of professional education could this situation be remedied. Generic names by their very nature are extremely difficult to remember—sometimes, we suspect, almost by intent. Even when those who are given the task of coining generic names do it with complete objectivity and follow all of the standard rules for nomenclature such as those promulgated by the World Health Organization, they come up with names which are real tongue twisters and almost impossible for the average practitioner to spell. With just a little imagination, one can picture just what might happen when such names, improperly spelled to start with, and illegibly written besides, were placed on prescriptions. The average pharmacist would be lucky indeed if he could figure out the physician's intent on half the prescriptions which he received. We presume that this difficulty might in time be remedied with an intensive educational campaign directed at both the medical and pharmaceutical professions but, until such a campaign bore fruit, we could expect all sorts of tragic errors—some of colossal magnitude.

Another aspect of the situation which deserves more attention than it has received is just how often a bona fide, high-quality pharmaceutical is available except under its brand name. There are hundreds of important prescription products that are not commercially available except under their brand names unless it be some counterfeit of doubtful identity and even more doubtful quality and purity. This same situation exists in almost all cases except with a very few drugs which are relatively old and which are manufactured by several companies of good reputation.

The most serious aspect in connection with the widespread use of generic names and efforts to make the use of generic names popular is the encouragement it would give to some of the most unprincipled duplicators and counterfeiters of pharmaceuticals on the American scene. These undercover companies have always been with us and the inroads which they have made on the sales of pharmaceuticals by our legitimate and ethical companies have at times been staggering. Almost invariably, it is found that these companies operate without proper manufacturing supervision and control and that they are constantly in trouble with the Food and Drug Administration or some State agency having similar responsibilities. These companies originate solely because of the cupidity of their owners who depend upon equal cupidity and greed on the part of certain pharmacists. Their existence and their modus operandi are so well-known in pharmaceutical circles that they need not be discussed here. Some of our finest pharmaceutical companies are constantly engaged in shaking off these leeches who have never done a single thing to advance or improve pharmacy, have never supported the slightest bit of research, do not employ competent help, and have not the slightest sense of responsibility for their actions.

If the various proposals to extend the use of generic names should be seriously accepted by the professions and some effort made to implement these proposals, we can expect a mushrooming of these submarginal operators with the eventual result that we shall return to those days of chaos when drugs rarely met prescribed standards and adulteration was the rule rather than the exception. Public confidence in the drug industry might well then be completely shaken. This could spell the end of private initiative in the drug field and bring us all under a regimented system of State medicine.

We in pharmacy in the United States have reason to be proud of our accomplishments for they are unmatched in the world. Before those who advocate some departure from our present system are taken seriously, it would be well for us to think carefully concerning what might be the eventual result of the innovations they suggest. For the first time in our history, the drug industry is being subjected to public attacks. It is time for us to stand steadfast by our guns and on the solid record of our achievements and not seek public acclaim on the basis of proposals which, while they sound good on the surface, may contain in them the seeds of the eventual destruction of our entire system of medical care.

AMERICAN PHYSICIANS FOUNDATION,
April 19, 1960.

Senator EVERETT MCK. DIRKSEN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR DIRKSEN: The American Physicians Foundation is a nonprofit corporation organized and run by practicing physicians with the purpose of improving the physicians' fiscal operation. The principal vehicle of information is the manual "Physicians Financial Service."

The items enclosed might clarify the operation of the foundation. We had been hoping to enlist the aid of the pharmaceutical manufacturers in broadening the program of the foundation and we hope the unfounded statements of Dr. Bean have not precluded such help.

We hope your very competent good offices will have been effective in the results of the hearings.

Cordially,

W. H. J. HIPPLE 3d,
Executive Director.

Subject: Remarks relevant to the hearings of testimony in the investigation of the drug industry.

Submitted by: W. H. J. Hipple 3d, American Physicians Foundation, executive director.

They are perilous times when useful, law-abiding neighbors are taken to stand the pillory of public abuse. If the drug industry was required to submit to congressional examination, the least expected of such an investigation is that it be conducted in an atmosphere of courtesy. It is unthinkable that this event should have been the occasion to malign and slander the responsible members of an industry whom we have every reason to regard with respect. That such irresponsible conduct should be extended to defame those of an allied field is a most disgusting performance.

By the limits of private practice the physician is confined to a life of relative personal and professional isolation. The societies in which he holds membership are remote and sometime relationships. No real measure of loyalty is expected from them and none is tendered to them. It is inconceivable that a doctor would give or a drug company expect the concessions alleged by Dr. Bean. To have suggested that physicians have entered a subversive agreement with a manufacturer of pharmaceuticals not to criticize this or that company's product is an offensive and illogical libel.

Imagine the existence of Dr. A, Drug Co. B, and a Medical Society C.

"A" practices privately and is a member of "C" (one of many). Infrequently "A" gathers with the members of "C," who total about 50,000. Now take the case where drug company B sees fit to make a grant of \$50,000 to medical society C (although this amounts to \$1 per doctor, it could be \$3 or \$5 or \$10 for the purpose of this illustration). In the course of these hearings, the committee has heard testimony that the physician A, in some instances, will be compromised by the gift B makes to C. Humbled. Such an accusation must have been made impetuously and certainly without regard to the implementation of such a vile alliance. The witness must have known of the professional autonomy that insulates the practice of medicine from such an illicit relationship; he must know of the physician's calculated hostility to a principal who dared offer this perilous and unethical compromise. From whom, indeed, would the doctor withhold criticism? The patient—for what reason? His associates—on what pretext? His journals—that are subject to public reevaluation? To whom then? Dr. Bean's suggestion is a senseless and disgusting performance which should not go unchallenged and corrected.

For the past several months I have called upon the major pharmaceutical manufacturers as executive director of the American Physicians Foundation (a nonprofit corporation) to secure a monetary gift to finance the foundation's membership drive. This industry, since it is best equipped to measure the physicians' needs, was the logical selection for solicitation. It is the intent of the directors (all physicians) to collect, assemble, and distribute information to the members that they will find useful in the fiscal control and efficiency of their practice. First of all there has been no real encouragement from the drug industry to support a society of physicians and no—not the remotest feeling on either side that the consideration of such a grant places either in anything like a trading position. We are not hopeless of ultimately resolving our financial needs and I would hope through the insight of a pharmaceutical house into an area of growing need whose solution must be found by an objective entity. Surely a productive effort likely to increase the physi-

cian's available time is a relevant and worthy investment of the drug industry.

The issues, upon which the pharmaceutical industry is being examined, are not altogether clear. The committee's preoccupation with the profit factor is so arbitrary an item of debate the most zealous members of the committee appear to have no fixed estimate of what they think it ought to be and react with virginal astonishment when they find out what it is.

A hard look at the nature of the drug industry discloses an operation whose financial romance is constantly menaced by the threat of product obsolescence and ultimately by definitive chemical therapy, ironically enough a cherished development of its own design. No sane member of society would delay the advent of so profound a gift to society. Such promise is not wrought by custodial proprietorship that endures in a kind of static hibernation fixed securely by the set formula of equitable profit. The grand corollary of great reward—greater risks attracted by an incentive for profit has supplied this splendid industry with the machinery and talent to serve the Nation and the world as none other have served it. No quasi-social entity with its bureaucratic suffocation could meet a challenge that demands swiftness and determination where only the creative can survive. Restrict and control it and you risk the peril of reducing the momentum of humanity's greatest promise.

The diversion of manpower from the daily operation of the several drug houses to attend to the discussions taking place in the hearing chambers ought to be foreshortened by the prudent judgment of the committee. So long as they continue the compelling fiducial responsibility of management is obliged to protect the interests of a company that is the provider for many thousands of employees and stockholders whose capital has made the wide and effective distribution of medicine possible. Many of these shareholders are minor legatees to whom the company and the committee owe a yet greater measure of care. If drug securities were depressed, how anxious would any of us regard the loss of the stockholders' equity? We all know the answer: we should reply that the risk-taking element is the definitive characteristic of the common stock investment unlimited on the downside as it is on the upside. The investor can lose all and often does.

It has been claimed by many reasonable witnesses that a reduction in the type and quantity of advertising should be urged on the pharmaceutical industry on the grounds that manifest scientific enlightenment ought not be augmented by artful copy and such other attention-getting displays as are commonly employed to publicize drugs. That point is rightfully made but haven't we all wished at one time or another, perhaps in every election campaign, that one might stand or fall on performance and consideration of issues to the exclusion of frivolous and immaterial appeal. Yet the gravest movements are implemented by resourceful appeal to which the reflexes are conditioned to respond. Physicians, as Dr. Leek emphasized, are not simpletons; still they are ordinary men exposed to a conglomerate of communication and its colorless and wearisome presentation adds nothing to its accuracy.

To meet the enormous and critical need of the sick and ailing the drugmaker must maintain and renew his equipment and employ a very highly competent work force: No affront to the committee is intended when we add: this takes money. The capital to sustain and improve this medical entity must be attracted by a program of product exposure that the prospective investor will regard favorably. The heavy cost of advertis-

ing is not an elective expense of doing business so long as ordinary men and women respond to the attractive stimuli calculated to arrest attention: generic identification and statistical support of the professional authority testing the product either precedes or follows whatever graphic appeal introduces the subject. As for the wider application of generic terminology, we are advised that it should continue to be the choice of the physician. The labeling of medicine is most useful to the patient when brand identity is used; to him generic description is putting the unknown in terms of the not worth knowing.

It is not the business of the American Physicians Foundation to defend the operation of the pharmaceutical industry. It is or should be the interest of all to correct misstatements of so substantial an influence as those made before a Senate committee and to object to the abuse on an industry worthy of our highest opinion. When the alternative method of running the delicate machinery of producing medicine is considered, all we have to say is, the more it is understood the less it is desired.

REMARKS ON INVESTIGATION OF THE DRUG INDUSTRY BY DR. OSCAR ALDEN, RED OAK, IOWA—LETTER DATED DECEMBER 9, 1959, TO SENATOR HICKENLOOPER

DEAR SIR: The Government is now going to investigate the drug companies. In a quotation from the Wall Street Journal, Senator KEFAUVER said their investigations of other industries had not created much interest but thought this one would create a lot of interest. My immediate reaction was: "Is Senator KEFAUVER conducting these investigations for the good of the people and the industry, or for the good of KEFAUVER?" His statement makes me inclined to think the latter is all too true. I have been in practice in Red Oak, Iowa, since July 1936, and during that period we have had the most fantastic growth in knowledge of the care, treatment, and prevention of diseases, accidents, and infirmities of people since the beginning of recorded time. It is interesting to note that this growth occurred among free people of the world. Each succeeding country, to lose that freedom, fell behind in advancing this knowledge. Germany went from the top to near the very bottom. American scientists in medicine have won 86 percent of the Nobel prizes in medicine, in fact, 2.7 times more than any other country. Almost all of this advancement has been due to the combined development of technique and new drugs. One impossible without the other.

Commonplace surgery today would be unheard of and impossible without the development of antibiotics, anesthetic materials, (drugs and gases), and knowledge of the basic body needs for vitamins, minerals, caloric requirements and the development by the drug industries of materials and means of replacing these for long periods of time, even to unconscious or anesthetized people.

The development of the miracle drugs, (steroid compounds), for arthritis has been phenomenal both in discovery and improvement, as well as lower cost, which has been consistent since its first discovery. What is the proper reward for the people who developed and improved both the product and the means of producing all these drugs? George Washington died probably due to a strep throat infection; a condition treated routinely in our offices today with very little loss of time and practically no deaths. Calvin Coolidge's son died from an infected blister on his heel from playing tennis; a condition that we treat with complete recovery in a relatively few hours today. What is the cost of these drugs today? Both men could have been saved for the price of a

case of beer, a fifth of whisky, or a few cartons of cigarettes.

If Senator KEFAUVER and his subcommittee find that the drug industry as a whole are not shysters or thieves, or vultures preying on old defenseless people, will this committee give them a "good housekeeping seal of approval," or will it be up to the president of one of these companies to send letters to all physicians of the country stating that after spending numerous man-hours, and thousands of dollars, they were acquitted, leaving the bogeyman picture he created in the minds of our elderly people and those on fixed income.

This will undoubtedly take the time of many qualified men and untold sums of money thus added to the costs of drugs, with no improvement in a single lifesaving or pain-relieving drug.

If the pharmaceutical companies as a whole are found to be crooks and thieves by this investigation, then I would like to be permitted one request, i.e., that I be allowed to stand up and be counted with such thieves and crooks who have made the health and care of the American people the best in the world.

Our Public Health Department is very good. They made the standards for testing polio vaccines, but did they offer to defend Cutter Laboratories in the many lawsuits they had because of live virus in their vaccine, not found by public health standards—I'll take company name and product pride over all Government control.

Small companies sell for less money. It has been said "Nothing has been made but what someone could make it with inferior materials and sell it for less money." One very prominent (not to their desire) small drug company specialized in selling the same drugs for less money to dispensing physicians, and they brought out and sold elixir of sulfanilamide. The rest of that story is history in our time. No thank you. I would not give any cheap drugs from a small company to either my family or my patients. They might be just as good, and again—funerals are so expensive.

Yours very truly,

OSCAR ALDEN, M.D.

AROMA PARK, ILL., April 18, 1960.

HON. EVERETT DIRKSEN,
Senator from Illinois,
Washington, D.C.

DEAR SIR: I have been reading in the press that you intend to challenge Senator KEFAUVER on some of his statements and conclusions in the drug company investigations.

Senator KEFAUVER thinks that physicians should write the chemical formulas instead of "brand names" in all prescriptions. You might suggest that he inform himself upon some of the very complicated chemical formulas which are being constantly developed by the skilled drug company chemists.

As an example, one drug company has a product whose brand name is "Peritrate." Its chemical name is pentythritol tetranitrate. It is a coronary vasi-dilator. The company also puts it up in a convenient tablet combined with nitroglycerin and another with phenobarbital. Also, all of these in sustained action capsules. Which means that one capsule will maintain a certain level of the drug action for a given period of hours and this result is obtained by tiny particles which disintegrate at varying periods of time. Is anyone naive enough to assume that such a product could be developed and manufactured without enormous expense?

Imagine the time which would be consumed by busy doctors in writing the prescriptions for these medications out in full, including the name of the manufacturer,

and picture, if you can, the confusion of the pharmacist who would have to decipher them. The illegibility of prescriptions has forever been the headache and pet peeve of pharmacists and the standing joke of the laity.

This illustration I have given is a very simple one compared with many of the standard and effective drug preparations which are daily used by physicians. The brand names are by no means secret, nor patent medicines. Complete literature regarding them is supplied to physicians and pharmacists by the drug manufacturers, including the details of the experimental work done in developing and producing them. The brand names are for convenience and also for identification. Each drughouse has certain products which physicians find useful and effective in their practice. Stocking them by pharmacists is also made possible by brand names.

Most truly yours as a "50-year club" member of the medical profession.

JOY R. CORRELL, M.D.

THE MUTUAL SECURITY ACT OF 1960

Mr. WILEY. Mr. President, I rise in the morning hour to pay a compliment to the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT] who has been working very, very hard on the Mutual Security Act.

Thus far, I have had very little to say about that measure. The Senator from Arkansas has had the problem of handling its presentation to the Senate. The problem is the Nation's; he has been doing a good job.

I agree with the statement made by the Senator from Arkansas that most of the people of this country do not realize the significance of mutual security at this time. We talk about the danger of a world war, we talk about a shrunken earth, and we talk about every nation being the neighbor of all other nations; but then we forget that mutual security is the main weapon for peace; we need it in order to stave off a world conflagration or a bonfire.

Although to many of my constituents the funds requested seem to involve a giveaway, yet in my opinion, no particular waste is involved, because, first of all, the use of these funds gives employment to between 500,000 and 600,000 Americans; in the second place, this program helps us get rid of surplus commodities which we have; and, over and above all else, the program has back of it the purpose of meeting situations which are threatening, and which might result in open warfare.

Because of the responsibility of the United States of America, with her tremendous wealth, her extensive productivity, and her great working force of 70-odd million persons, I believe this situation presents to us a challenge to keep our country on an even keel economically and in good working shape. Mutual security is a great aid in that direction.

I agree fully with the general attitude of the committee, even though, I might disagree in regard to several items.

The ACTING PRESIDENT pro tempore. The time of the Senator from Wisconsin has expired.

Mr. WILEY. Mr. President, I ask unanimous consent that I be granted an additional 2 minutes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, the Senator from Wisconsin is granted an additional 2 minutes.

Mr. WILEY. Mr. President, the provisions of the pending bill are fully described in the report of the Committee on Foreign Relations and I will not therefore retrace that ground. Nor is it my intention to go into the reasons for the action taken by the committee with respect to the bill, for the report also covers them well. My remarks, rather, will be confined to some general observations on the mutual security program.

Mr. President, to see the mutual security program in its proper perspective, it seems to me that we have to view the world of today as it really is, for the two are vitally interwoven. It used to be that our relationships revolved around small units; the extent of our external affairs was pretty well encompassed in our abilities to get along with our next-door neighbors. As our Nation grew both in population and importance, as our trade and commerce increased, we found it necessary to broaden our horizons and deal with those folks who lived beyond our own main street. Even so, we could still stay mostly within our own national yard. Today, all that has changed. We are now living in an age we couldn't have imagined a few years back, an age in which the streaking jets and whizzing rockets can portend ominousness—or omniscience—depending on man's will and the way he goes about expressing it. No longer can our lives and our visions be confined to a "Main Street, U.S.A.," a Chippewa Falls, Wis., or even a Washington, D.C. In this thrashing and turbulent world, it became quite obvious that we could no longer adequately protect our own security from within our own boundaries alone, and, indeed, obvious that our security interests themselves were no longer a matter of our own shorelines. Thus, in a shrinking world, but a world with expanding problems, the United States formulated the mutual security program to mark step with the changing times.

Now, Mr. President, there are those who said in the beginning—and there are those who are still saying—that we can't really afford the mutual security program, that it is a cool invitation to national bankruptcy and a sure move to economic disaster. Assuredly, the program does have an effect on our domestic economy; but it does not have the dire impact some people think. As a matter of fact, the expenditures made under the program are less than 1 percent of our gross national product and about 5 percent of our total Federal budget expenditures. And some five to six hundred thousand workers are employed in the United States as a result of foreign aid expenditures.

I do not wish to be construed as belittling the amount spent on this program, however. Every nickel counts, and when the administration witnesses appeared before the Committee on Foreign Relations to justify the program, I sharply questioned where that nickel goes. Well, of the total military aid moneys spent, 90 percent of them are initially spent in the United States. Moreover, an outside factor, one not directly related to our military aid contributions, but generated by the collective defense efforts we are making with our free world partners, is the purchase in this country of spare parts and other military equipment by our allies. That this is no small item is indicated by the fact that purchases of equipment, supplies and services by European NATO countries under the authority of military sales provisions of the Mutual Security Act were \$237.5 million in fiscal year 1958 and \$310.9 million in fiscal year 1959. And those totals, it might be added, do not include purchases by those countries which were made direct from U.S. commercial sources.

Speaking of our European NATO allies, there has been a trend toward significant increases in their own defense spending. In 1953 we were paying about 28 percent of their total defense costs; today, the figure is down to about 8 percent. That is a healthy trend, and one certainly to be encouraged.

Another factor to be remembered in appraising the military aid program is that the amount spent in this way makes it possible for us to spend less on defense here at home. I will not belabor the point—a point which has been made on the floor of the Senate many times before—but, through this program, we can often achieve far more in the way of defense when we contribute to the maintenance of allied countries' troops than if we were to have to station our own soldiers abroad.

The bill before the Senate does not, of course, deal this year with an authorization for military assistance. That category of aid, though, is the largest single component in the total program. I, therefore, felt it might be appropriate at this time to bring out certain facts as the Senate will soon be passing on the amount and the American taxpayer is going to be footing the bill.

It seems to me, too, that we all might do with a reminder that this program was designed to meet a mounting Communist military threat to the free world. That threat has not subsided one iota, even though the Communist overlords would like to entice us into thinking so, by relatively meaningless troop reductions and by twirls of peaceful coexistence banners. While the original threat had its origin in Moscow, and that threat still steams ahead, I would caution my colleagues that a newer and perhaps more deadlier threat may well lie ahead in the mammoth protrusions of a surging Red Chinese regime.

Nor should we lose sight of the Communist economic threat. Not only is the growing economic prowess of the Soviet Union and Communist China a threat in terms of their inner growth

potential, but the Sino-Soviet bloc also has touring aid programs, which need not be feared were it not for the fact of the accompaniment by technicians highly indoctrinated in Communist ideology and skilled in takeover tactics. That the Sino-Soviet bloc feels that its aid programs to underdeveloped areas offers promise can be noted by the fact of their steady increase. During 1959 the bloc extended some \$921 million in credits and grants, almost entirely in the economic realm.

It is not by reason of Communist activities in the aid field, however, that our economic aid programs derive their validity. It is strictly in our own national interests to assist the underdeveloped nations of the world make some meaningful economic strides.

Our economic aid helps create conditions in which economic viability can emerge and political freedom progress.

We would also do well to think of the economic program in terms of our own economy. Underdeveloped countries cannot buy much from the United States. They cannot afford to. It logically can be expected, though, that with improved economic conditions, they will become better customers for our products, which means more exports, more jobs for Americans.

In this connection, I might say that the economic aid money is not being shipped abroad in barrels, as some of the opponents of this program would have us believe. As a matter of fact, half of the dollars we spend on economic aid are spent, in the first instance, in the United States. And, of course, as in the case of military aid, there are many indirect expenditures here which stem from our economic contributions to other countries. And much effort is being made in this area toward a welcome shift toward loans from grants.

Mr. President, I am a supporter of the mutual security program, because I believe it is in the interests of the American people. Not all of the projects undertaken under the program have been glorious successes; there have obviously been failures which always make good copy and attractive headlines, despite the fact that they may have been small failures. I do not wish to minimize the mistakes which have been made, Mr. President, nor to say that it is all right to continue making the same ones over and over. I do say that the most important thing is that there is not an unreasonable amount of them and that those which have been made are not repeated. Improvements are being made every day, quietly but assuredly.

One fitting comparison of this program might be made by stacking it up with an American's venture into the stock market. There he is investing in America's future. Here, under the aid program, we are investing in America's future and in the future of the free world. Some of our investments may not pan out. Others may be spectacular. Still others may take a while to materialize. And mistakes, both in judgment and management, may occur. But if the investments are not made, there will not be any opportunity for growth. If we

are careful—and I think we are—in making our investments in the mutual security program, those showing reasonably good prospects for success, over the long run, Mr. President, I think our efforts will succeed.

CONSTITUTIONAL GOVERNMENT

Mr. THURMOND. Mr. President, on Thursday, April 28, 1960, the very distinguished and scholarly constitutional lawyer, the Honorable Charles J. Bloch, of Macon, Ga., made a very able and outstanding address before the Richland County Bar Association in Columbia, S.C. This great American has won much admiration and respect throughout this country as an authority on constitutional law and the rights of the States. In 1958 his excellent book entitled "States Rights—The Law of the Land," was published, which I feel should be read by every American. Members of Congress, particularly those on the Judiciary Committees of both Houses, are especially well acquainted with Mr. Bloch, because of the most favorable impressions he has left with them in eloquently arguing time and again before the Judiciary Committees in behalf of adherence to the Constitution, the rights of the States, and the importance of preserving local self-government and individual liberty in America.

I ask unanimous consent, Mr. President, that the text of Mr. Bloch's address, which appeared in the May 1 issue of the State, Columbia, S.C., be printed at this point in the RECORD.

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

TEXT OF BLOCH'S SPEECH BEFORE BAR ASSOCIATION

One hundred years ago this month a debate raged on the floor of the Senate of the United States.

There was pending a bill for a Federal appropriation to support public schools in the District of Columbia. Senator Henry Wilson, of Massachusetts, proposed an amendment to it providing funds for the education of Negroes.

Senator Jefferson Davis, of Mississippi, characterized the amendment as "but one of many evidences which daily events bring to us of the hastening of that period when our brethren shall no longer stand united as the descendants of our ancestry, and the maintainers of our Government. This pseudo-philanthropy is an excrescence upon the American mind, sprung from a foreign germ, inoculated here to the destruction of the healthy growth of our political tree."

The year before, that germ, conceived in foreign lands, nurtured in New England, produced the raid of John Brown, of Kansas, intended to liberate slaves by force. Leaving "bloody Kansas," John Brown and his followers invaded Virginia, to be met and subdued at Harpers Ferry by U.S. Marines, with Col. Robert E. Lee, 2d U.S. Cavalry, in command.

Tried for treason, John Brown was convicted and hanged December 2, 1859.

SOLDIERS SANG

When Union soldiers marched into Virginia a few years later they sang:

"John Brown's body lies a-moldering in the grave, but his soul goes marching on."

That, though, was then still in the future. Shortly after that April 1860, debate on the floor of the U.S. Senate, the conventions

of the Republican and Democratic Parties assembled.

William H. Seward, of New York, former Governor of New York, was the leading candidate for the Republican nomination. But Abraham Lincoln defeated him. Lincoln was pledged against every principle held dear by the States of the South.

When Lincoln was elected in November over his Democratic opponents, South Carolina, on December 20, 1860, seceded from the Union, followed by Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas.

They formed the provisional government of the Confederate States of America and on February 9, 1861, at Montgomery, Ala., chose Jefferson Davis, President.

State troops seized U.S. forts and arsenals throughout the South.

For 40 days ensuing from his inauguration until April 14, 1861, Lincoln wavered between abandoning Fort Sumter, in Charleston Harbor, and seeking to reprovise it.

Finally, he chose the latter course.

SOUTH CAROLINA LED ASSAULT

When he did, South Carolinians led the assault upon it. On April 14, 1861, Fort Sumter fell. The next day, Lincoln called for 75,000 volunteers. And 2 days later, Virginia joined the band of brothers followed shortly by Arkansas and North Carolina. Tennessee entered into a military league with the Confederacy. Under the protection of Confederate troops, Missouri's Legislature adopted a resolution of secession.

Those 11 States elected Jefferson Davis permanent President of the Confederate States of America, October 16, 1861.

He was inaugurated in Richmond on Washington's birthday, 1862. In the meantime, General Lee had resigned from the U.S. Army. He became the peerless leader of the soldiers of the Confederacy—your honored sires and mine.

After struggling for 4 years, Lee surrendered what remained of his troops.

I have read and studied much history.

The bravest people of whom I have ever read, or ever heard, were the southern women and men of the Confederate States of America. They were valiant, they could and did face hardship after hardship, far, far greater than the closing of public schools, hour after hour, day after day, month after month, year after year.

HAD COURAGE

They had the courage and the fortitude to endure hardships because they knew they were right. They knew, as we know now, that only through adherence to the Constitution of the United States could this Nation hope to survive.

They did not fight, bleed, and die, they did not pauperize themselves and their children to save the institution of slavery.

They knew that if the States of the North could violate the solemn provisions of the Constitution of the United States forbidding the taking of private property without due process of law, that the Constitution was a mere scrap of paper. They knew that if the compact or contract entered into by their forefathers could be by might cast away in one respect, greater might could cast it away in all respects.

They knew, therefore, that the Union could not survive if, in any or all respects, might was to be the master of right.

The men of the South fought for that principle even though it meant the utter devastation of the land they loved.

For 4 long years they fought.

When the tide turned at Gettysburg, when Vicksburg fell, when Sherman burned Atlanta, when he marched through Georgia to the sea, burning and destroying, and pillaging; when he turned from Georgia into South Carolina, and continued his burning and pillaging, then and only then did our

beloved General Lee surrender to Sherman—Lee on April 9, 1865, and Johnston just 95 years ago—April 26, 1865, at Durham Station, N.C.

NO MARSHALL PLAN

Repeating what I said on the floor of the Democratic National Convention in Philadelphia 12 years ago—there was no Marshall plan for us of the South. The Humphreys and the Kennedys and the Douglasses and the Javitses and the Paul Butlers of that day seized upon the assassination of President Lincoln as an excuse for tyranny which has never been known in our subjugation of a foreign nation.

There was no treaty of peace.

There were the three war amendments to the Constitution supposedly adopted in the period between 1865 and 1870.

Loudly had Lincoln proclaimed in 1861 that no State had a right to secede from the Union.

Just as loudly did the Reconstruction Republicans of the tragic area of 1865-70 proclaim that the States of the South could not be readmitted to the Union until they had ratified those war amendments.

The law of the land in 1865-70 seemed to be: You can not leave the Union; you have never legally left it; but we will not let you back in the Union until you have ratified these amendments because without you we have not sufficient States to ratify them and thus make them a part of the Constitution.

So, these war amendments became a part of the Constitution—the 13th, 14th, and 15th.

FIFTEENTH AMENDMENT

The 15th provided that no State should deny or abridge the right of any one to vote on account of his race, color, or previous condition of servitude. But it did not provide that a State must permit whites and Negroes to cast their vote in the same boxes, side by side.

The 14th provided for equal protection of the laws for all people. Even that 14th was not strong enough to compel States to permit women to vote. It took a separate amendment for that, enacted a half century later.

The 13th abolished slavery.

Ratified December 18, 1865, 8 months after Appomattox, it provides:

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Ironically, that amendment, first proposed in the Congress in the very week of the surrender at Appomattox, recognized one of the very principles for which the South had fought—the principle of indestructible States having formed a more perfect Union.

Does that amendment treat the United States as singular and say "its jurisdiction"? It does not. It says "within the United States, or any place subject to their jurisdiction."

CASES CAME

Year after year cases came before the Supreme Court of the United States involving those amendments—particularly the 14th. Year after year the principles of constitutional government were read into them by practically unanimous courts composed of judges such as Chief Justices Fuller, White, and Taft, and Associate Justices Field, Brown, Peckham, Holmes, Cardozo, and Brandeis.

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

Those were and are the words of the 14th amendment.

The spirit breathed into those words, which became the living law of the land declared by judges who knew not Myrdal, proclaimed that a State did not violate the Constitution and did not deny to any person within its jurisdiction the equal protection of the laws when it furnished equal facilities to all, whether those facilities were steamboat cabins or railroad cars, or schools or colleges. Not many people in those days were playing golf or going to the seashore, so neither Blackstone nor Myrdal had yet invaded the bathing beach or the golf course.

LONE DISSENTER

Solemnly did a Justice—the very Justice who had been the lone dissenter in *Plessy v. Ferguson*, the first case expounding the separate but equal doctrine—say some 10 years later:

"While this Court should guard with firmness every right appertaining to life, liberty, or property as secured to the individual by the supreme law of the land, it is of the last importance that it should not invade the domain of local authority except when it is plainly necessary to enforce that law. The safety and health of the people of Massachusetts are, in the first instance, for that Commonwealth to guard and protect. They are matters that do not ordinarily concern the National Government. So far as they can be reached by any government, they depend, primarily, upon such action as the State in its wisdom may take."

Those are the words of Justice John Marshall Harlan, uttered February 20, 1905 (197 U.S. at p. 38).

In those words are embraced the essence of the doctrine of States rights in the defense of which your grandfather may have died at Gettysburg 40 years before.

Justice Oliver Wendell Holmes of Massachusetts had been a captain in a Massachusetts regiment in the War Between the States. Fifty years later, as an Associate Justice of the Supreme Court of the United States, he wrote:

"And yet again the extent to which legislation may modify and restrict the use of property consistently with the Constitution is not a question for pure abstract theory alone. Tradition and the habits of the community count for more than logic."

SUCCINCT STATEMENT

Those words are a succinct statement of the principle of States rights for the perpetuation of which your grandfather may have faced the rifles of Captain Holmes' soldiers of Massachusetts at Balls Bluff in Maryland in the early days of the war.

Justice Holmes on February 21, 1910 (216 U.S. at p. 366) in his maturity, saw the light, and expressed the principle which had been buried for him by the propaganda of the abolitionists a half century before.

The words which Justice Holmes wrote for himself, and those giants of the law who were his colleagues on the Bench of the Supreme Court of the United States 50 years ago, were translated into a principle of constitutional law succinctly stated:

"Tradition and habits of the community count for more than logic in determining constitutionality of laws enacted for the public welfare under the police power."

Those principles of constitutional government illustrated by the utterances of Harlan and Holmes, followed by Taft, and Brandeis and their associates, were the promise of the Federal Government to the States which created it, which then composed it.

As the States of the South emerged from the ravages of war, as step by step they and the magnificent men and women who formed them laboriously climbed the steps from the abyss into which war and its might, reconstruction and the illegality which created it, had plunged them, these words were the beacon light which they considered to mark the safety of their harbor.

HABITS, TRADITION

We know your habits and traditions, this Court composed of lawyers and judges, had said to them. The safety and health of your communities are yours to guard and protect, the highest Court said.

We relied on those solemn statements—we relied on the word of the Federal Government, and, as we recovered, spent our money, raised from taxing our people and our property, in building magnificent public schools and colleges and universities—separate but equal.

Recently, an Associate Justice of the Supreme Court has said: "Great nations, like great men, should keep their word."

That very same Justice was one of those who has repeatedly joined in the breaking of the promises made by the Courts of former days to the people of the South.

"Great nations, like great men, should keep their word," said Associate Justice Hugo Black in *Federal Power Commission v. Tuscarora Indian Nation* (80 S. Ct. 543, 567), on March 7, 1960.

They should.

All that we ask is that the United States of America keep their word as expressed to us by Chief Justices Taft and Fuller and their colleagues.

VIOLATED PLEDGE

They departed from their pledged word in *Brown v. Topeka*, on May 17, 1954, and the cases which followed it.

They departed from their pledged word, and the reason for their departure has never been better expressed than Jefferson Davis expressed it on the floor of the U.S. Senate 94 years before, on a day when Gettysburg, Vicksburg, Sharpsburg, Manassas, Fredericksburg, Stone River, and Murfreesboro were only places on maps; on a day months before those names were enshrined in our hearts as battlefields upon which men were proud to die fighting for principles—men whom a hundred years later we remember—principles which still endure.

I repeat today what Mr. Davis said on April 12, 1860:

"This pseudo-philanthropy is an excrescence upon the American mind, sprung from a foreign germ, inoculated here to the destruction of the healthy growth of our political tree."

But, we cannot live in the past.

Certainly the war of 1861-65 will not be repeated.

The problem remains.

For all that the War Between the States proved was that, after 4 years the States of the North were strong enough to force the Southern States back into the Union.

There still remains for solution for us of the South—and of the North and East and West, the problem.

HOW TO EXCISE IT

How shall this excrescence upon the American mind, sprung from a foreign germ, be excised so that we of America may continue to grow and prosper, and not succumb to those who are spreading the germs of discontent and disunion in order that they may divide us, and conquer us?

That is the problem to which all good men, men of all sections, are beginning to address themselves.

The good men are separating themselves from the latter day John Browns who would destroy constitutional government to satisfy personal ambitions.

Good men of all sections are becoming more and more aware of the problem, and its origin, its purpose, its implications, its danger.

John Brown's soul does go marching on—probably burning on—as a warning of what hypocritical fanaticism can bring to a people.

Recently during the debate over the so-called Civil Rights Act of 1960 (H.R. 8601), that great southerner and Senator, JAMES O.

EASTLAND, of Mississippi, was speaking. (CONGRESSIONAL RECORD, Apr. 6, 1960, p. 7439). There occurred a dialog between Senator EASTLAND and Senator KEATING, of New York, who though labeled "Republican," is one of those liberals who make it very difficult for us to distinguish between the Democrats and Republicans of other sections.

This was the colloquy:

"Mr. KEATING. I did not hear the last statement of the Senator.

"Mr. EASTLAND. The Senator can sit closer to me, and get a good education.

"Mr. KEATING. I should be glad to come closer.

"Mr. EASTLAND. Come over closer. It will be worth a year's instruction on constitutional law."

COME CLOSER

If the so-called liberals would just all come over closer and listen to the southern Senators and learn what the Constitution of the United States really meant in 1789 and means now, there would be greater hope for the restoration of constitutional government in these United States.

Recently, too, the remark was made in the presence of a very well educated person: "The United States now have a new flag." The educated person said: "Don't you mean to say: 'The United States now has a new flag?'" The retort was: "I meant just what I said."

And it occurred to us that that little exchange illustrated the ignorance of so many people, even some in the judicial, executive, and legislative branches of our Government, as to our constitutional form of government.

"The United States has," or

"The United States have."

Therein lies the fundamental difference in the concepts of federal government.

If "the United States has," then all power may constitutionally be concentrated in Washington bureaucracies. But if "the United States have," then the States of the Union still have the power to regulate their own internal affairs which they retained in 1789, and which retention was confirmed and affirmed by the adoption of the Bill of Rights contained in the 9th and 10th amendments in 1791, and in the war amendments as constructed by the Supreme Court prior to 1950.

PROVES IT

The Constitution, by its very verbiage, proves time and time again that the phrase "United States" is plural, not singular.

The judicial power of the United States extends to all cases in law and equity arising under the Constitution, the laws of the United States, and "treaties made, or which should be made, under their authority * * * article III, section 3.

Note well that the word is "their," not "its."

Does treason against the United States consist in levying war against "it," or in adhering to "its" enemies?

It does not.

"Treason against the United States shall consist only in levying war against 'them,' or in adhering to 'their' enemies, giving them aid and comfort." Constitution of the United States, article III, section 3.

Another illustration: No person holding any office of profit or trust under the United States shall, without the consent of the Congress, accept certain presents from foreign nations.

How is that expressed in the Constitution? Article I, section 9, paragraph 8, thereof provides:

"No title of nobility shall be granted by the United States. And no person holding any office of profit or trust under 'them' shall, without the consent of Congress, accept any present, emolument, office or title of any kind whatever from any king, prince or foreign state."

PERFECT UNION

They, the Thirteen Original States, formed a "more perfect union," "more perfect" than that which had existed under the Articles of Confederation.

They, in that contract or compact between them, known as the "Constitution for the United States of America" (its preamble), provided how other States might become parties to that contract of partnership. In article IV, section 3, they agreed: "New States may be admitted by the Congress into 'this Union.'"

The Constitution not only looks to an indestructible union of indestructible States (*Texas v. White*, 7 Wall. 700, 725) but to a union of equal States as well. So, even as to a State, not one of the original 13, Congress, in admitting such State, may not impose conditions relating wholly to matters under State control.

As demonstrating the nature of this Union, Congress cannot deprive a new State of its essential power to locate its own seat of government, its own capital, and to change it as it sees fit. *Coyl v. Smith* (221 U.S. 559).

Perhaps we of the South should send out teaching missionaries. Senators JAVITS and KEATING have set the example. They came to Georgia after their election to carry out campaign promises. Perhaps we should send instructors to teach what is the nature of this Union which we of the South seek to preserve as a constitutional, indestructible union of indestructible States.

JUSTICE CHASE

Three years after Appomattox, Chief Justice Salmon Portland Chase, he who presided at the impeachment trial of President Andrew Johnson, joined by Justices Nelson and Clifford, Davis and Field, not a southerner among them, said:

"The preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government" (7 Howard at p. 725).

Is that solemn declaration of the law of the land now to be ignored and swept aside?

Is that landmark of the law, that commandment as to the form and nature of our constitutional republic, to be nullified in order that certain officials may be elected to office by those who have no respect for our form of government, and scoff and ridicule those of us who have?

Let us teach them: "The people of each State compose a State, having its own government, and endowed with all the functions essential to separate and independent existences. The States disunited might continue to exist. Without the States in union there could be no such political body as the United States" (7 Howard at p. 76).

Let us teach them that doctrine of constitutional law and government is not merely a southern view. That fundamental doctrine of the law of this Union was pronounced by a Chief Justice, native of Ohio, concurred in by another Justice from Ohio, and others from New York, Pennsylvania, Maine, Iowa, Illinois, and California.

Let us teach them that doctrine shall not and will not be subverted by those who, for one reason or another, wish to exchange the form of government under which we live.

And thus may through the lawyers of the South, the excrescence upon the American mind, sprung from a foreign germ, be excised from the life of America.

OWN PEOPLE, TOO

We need to teach our own people, too.

It is your duty and mine, to be performed from now on, to prevent the election of any one to any office from coroner and councilman to President who does not adhere to the principles we espouse.

Every day—particularly election day—should be Memorial Day.

It is your duty and mine, day by day, to teach our people that today we face a crisis as grave as that our forefathers faced 100 years ago.

This time it is not only the Thaddeus Stevenses, the Republicans, who rail against us on the floors of the Congress.

The modern day Thad Stevenses who would incite the modern day John Browns—not to do violence but to sit and engage in so-called prayer—are of both parties—Douglas and Javits—Hennings and Keating—Humphreys, Symington, Kennedy, Nixon, and Rockefeller.

This time they attempt to subjugate us by ballots rather than bullets.

We can prevent that subjugation only by a realization of its danger—that the peril which faces us is not merely of the taking over of our public schools. The peril goes far beyond that. The aim of the latter day John Browns is to supplant the southern white people as political leaders—from the lowliest office to the highest.

That is what they had in mind with their Federal registrars bill. That is what they still have in mind.

After realization must come organization—a concert of action between southern individuals, Southern States.

Leagues of white voters, pledged to vote at every election for the candidates of their choice and in opposition to those who seek control through organized minorities, must be created.

Our problem is local.

But the State has its problem, too. So have all of the States of the South. Eight of them hold the balance of power if they will but organize and use their power.

As each day dawns and becomes a Memorial Day upon which we rededicate ourselves to the principles for which men and women died a 100 years ago, we should recite with our prayers the words of the English poet:

"Lord God of Hosts,
Be with us yet,
Lest we forget."

REPORT OF COMPTROLLER GENERAL ON EXAMINATION OF ADDITIONAL FEES PAID BY THE GOVERNMENT FOR CONTRACTOR FINANCING EXPENSES UNDER DEPARTMENT OF DEFENSE CONTRACTS

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I am today in receipt of a report by the Comptroller General of the United States, dated April 29, 1960, on his examination of "additional fees paid by the Government for contractor financing expenses under Department of Defense contracts."

I ask unanimous consent that a statement by me commenting on this report be published in the body of the RECORD as a part of these remarks.

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

STATEMENT BY SENATOR BYRD OF VIRGINIA

The Department of Defense is paying millions of dollars in "additional fees" to cost-plus-fee contractors for which the Comptroller General of the United States finds the Government is receiving "no significant benefit."

Such wasteful public spending in any area is serious; but these nonessential Federal expenditures are largely in the vital area of military missile and aircraft production. They represent fiscal irresponsibility at the core. They should be stopped.

It is impossible to obtain complete information on the subject. Much of it is hidden beyond practical audit. Army auditors say the information will become less ascertainable in the future. The Navy, as a matter of policy, does not identify the elements used in determining the total fee paid under these contracts.

But the Comptroller General has found up to \$17.6 million in nonessential fees in 26 recently examined Air Force contracts. The three military departments have entered into hundreds of these cost-plus-fee contracts, and the number is increasing. They involve billions of dollars; and there is reason to believe if this policy is continued these nonessential fees will run to hundreds of millions.

These nonessential fees are being paid under a gimmick born 3 years ago in subterfuge. It should not be conceded that reason for them ever existed. The gimmick was devised to provide temporary relief from expenditure pressure resulting from Department of Defense obligations.

If any relief was afforded, it was of a temporary, one-shot nature which vanished upon delivery of end items under the contracts involved. At this late date, not even fictitious reason exists for continuation of the unsound practice involved, which in the past 3 years has been written into military expenditure doctrine.

Under cost-plus-fee contracts the Government reimburses contractors for their costs as the work progresses. The fee is added as a profit. Prior to November 1, 1957, these contractors were reimbursed for 100 percent of costs while the job was being done.

In 1957 the Air Force found itself \$2 billion over the Department of Defense expenditure limit, while the whole Government was scraping the statutory debt ceiling. The present wasteful practice under cost-plus-fee contracts was originated as an expedient temporarily to defer cash expenditures.

The Government held up 20 percent of its payments for current costs until delivery of the end items under these cost-reimbursement contracts. The contractor was required temporarily to finance this so-called 20-percent withholding pending delivery when he was reimbursed in full. This requirement is still imposed.

But under this arrangement the contractor is given additional fee, or profit, to compensate him for the financing service he renders the Government. This payment is in the form of additional fee, instead of cost, to evade the armed services procurement regulation which prohibits interest as an item of cost under cost-plus-fee contracts.

This additional fee is negotiated on the basis of an estimate in advance, by the contractor, including interest and charges allowable to him in connection with services to be rendered in temporarily financing 20 percent of the cost of his own performance on the contract.

In one case, involving Boeing Airplane Co., the Comptroller General found that the Government paid the withheld 20 percent upon delivery, plus more than \$1.1 million in the additional fee. This amounted to 25 percent a year for the use of the money.

There is no provision for recovery in the event an overestimate is negotiated for purposes of the additional fee, and to the extent that overestimates are negotiated, aspects of windfall appear.

The Comptroller General's report does not fix the blame for this wasteful practice on the contractors. In a separate report, in more detail, on contracts with the Northrop

Corp., its president, Whitley C. Collins, is quoted as saying:

"No contractor engaged in defense business has any choice but to follow policy directives and procurement regulations issued by the Department of Defense. None of us in industry are in a position to question the circumstances or exigencies which motivated the issuance of this particular directive, nor are we accountable for the effects of its application to defense contracting."

Former Assistant Secretary of Defense (Comptroller) W. J. McNeil said the contractor-financing practice "provides the contractor an incentive to reduce its costs and the funds needed to finance the costs of contract performance." But the Comptroller General's examination of activities under 26 contracts revealed:

"In contrast to the theoretical benefits claimed for the practice, our review has disclosed that the practice results in substantial additional costs to the Government without evidence of any offsetting benefits."

The president of the Northrop Corp. was quoted as saying it is improbable that the practice has accomplished measurable cost saving under contracts with the company.

Cost-plus-fee contracts at their best are bad. If, under limited conditions they are necessary, the number should be held to a minimum. In the absence of emergency, cash should be available for current working costs.

If borrowing is absolutely necessary, the Comptroller General finds that for the 26 contracts examined, the Government could have financed short-term loans for half the total cost of the so-called additional fees which are being paid under these contracts.

This practice of paying cost-plus-fee contractors additional fees for temporarily financing 20 percent of the cost of their own performance was conceived in irresponsibility, and it is being pursued in wastefulness. It should be stopped immediately.

This statement is based on information contained in two reports by the Comptroller General of the United States, the Honorable Joseph Campbell.

The latest report, dated April 29, 1960, covered his examination of "additional fees paid by the Government for contractor financing expenses under Department of Defense contracts."

The other report, dated January 29, 1960, covered the Comptroller General's examination of "the negotiation of additional fees for contractor financing expenses under Department of the Air Force contracts—with Northrop Corp., Hawthorne, Calif."

AWARD TO FREMONT, NEBR., FOR ITS "DECLARATION OF INDEPENDENCE FROM FEDERAL DEPENDENCE"

Mr. CURTIS. Mr. President, on April 12, 1960, the citizens of the city of Fremont, Nebr., and the Fremont Chamber of Commerce were honored by receiving an award by the Freedom's Foundation of Valley Forge for the chamber's "declaration of independence from Federal dependence." With the U.S. Chamber of Commerce holding its annual meeting here at this time it seems fitting that the honor which has been bestowed on this group be called to the attention of the Members of Congress. The chamber's "declaration of independence from Federal dependence" was made a part of the proceedings of the Congress some months ago.

Mr. E. A. Jaksha, the prime originator of the "declaration," has made a number of talks throughout the State of

Nebraska on this subject. One such address was so widely accepted that American Mercury magazine asked for, and received, permission to publish his comments. The article is entitled "What's Going On Here?"

I ask unanimous consent that it be printed in the RECORD.

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

WHAT'S GOING ON HERE?

(By E. A. Jaksha)

I am a dues paying member of an exclusive, but very expensive, club. It is the oldest club of its kind in existence today. I am proud to be a member. I am hopeful that my club will remain a source of pride for my children, too.

This club was organized by some of my ancestors about 180 years ago. They originally belonged to another club, but the board of directors and the chairman of the board did not give the dues-paying members much say about running the club. As a result, these people had a tea party, as well as a couple of other meetings, and they decided to set up their own organization—that's the one I belong to now.

We have branches all over the country, with offices in city halls, county courthouses, State capitols and in Washington. We used to do most of our business with our local branches, since they were staffed with local people who understood our needs and knew how much dues we could pay. Lately, it appears that more and more of this staff have moved, and more of our dues are needed at the head office. Of course, we can get some of the dues back, that is, when we get permission from the boys at the head office, and follow their rules and regulations. Some of the local branches have changed their bylaws to get permission to use some of the dues they originally paid in.

Sometimes, I get the feeling that the boys at the head office are engaged in a program of redistribution of wealth. At times their actions remind me of the writings of a fellow by the name of Karl Marx, who preached on a political philosophy, which says, "From each according to his ability, to each according to his need."

In the club I belong to now all dues payers pay the the same dues. The boys at the head office have got it figured out that some of us are more able to pay than others. There is also a kind of benefit system called "federal aid" run by several departments, to help divide up the dues among those who are not able to get everything they want today. This bothers me, and some of the other dues-paying members. We dues payers are the sole support of this club and we used to think we ran it, but things seem to be changing.

I have a credit card. On it is the treasurer's signature. It was issued in 1939. In the middle there is a picture of one of the club founders—a fellow by the name of Washington. When I first got it, it would cover the cost of a fair evening meal. Something has happened, however; now it hardly covers the cost of breakfast. The way things are going, it soon won't cover the cost of a coffee break.

What's going on in these United States? Our American dollar used to be solid as a rock; a respected symbol of economic stability and security throughout the world.

While my dues are high and the club is in debt, this credit card—this dollar bill—seems to be shrinking in value continually. When it was printed in 1939, it was worth \$1. It will purchase less than 50 cents worth of beans, or shoes, or concrete for highways today. The popular term for this eating away process is "inflation." There

are some popular theorists who contend that a "little" inflation—2 to 3 percent a year—is good, it helps keep the club prosperous. If that is the case, then we have been so prosperous for the past few years, that we ought to have paid a little on the debt we owe at the head office, as well as some at the branch offices.

Some years ago a popular public figure was quoted as saying, "What this country needs is a good 5-cent cigar." I respectfully suggest that what this country really needs today is, a good 5-cent nickel.

It is time to get off our dead complacencies and get deadly serious. Let's ask ourselves, "What's Going On Here?"

Here are some of the facts:

The dollar printed in 1939 is worth only 48 cents today.

The dollar printed in 1948 is worth only 83 cents today.

Since 1939 the annual rate of loss in the value of the dollar has averaged 4 percent a year. Hot dogs today are more expensive than round steak in 1945. The price of bread has doubled. Hamburger has gone up 90 percent.

In 1885 the U.S. public debt was being paid off at the rate of \$100,000 a day, and for 20 years during that period U.S. public debt was being paid off at the rate of \$100 million per year.

Today the total public debt exceeds \$334 billion, with no reduction in sight. This in a time when wages are high and employment is at a high level. To keep owing this huge amount, we must pay service charges—interest equal to about \$46 a year for every man, woman, and child in the land. In fiscal 1958 taxes paid to all levels of Government amounted to about \$568 for every person in the country.

Of all persons in the United States who receive an income, one-third receive all or part of their income directly from the Government. In addition, there are about 8 million others who receive their income indirectly from the Government, as employees of businesses dependent upon Government orders.

The number of laws in this so-called free country is incredible. Four years ago it was estimated that there were over 2 million of them, and this is a count only of formal laws. In addition, there are directives, decisions, and orders promulgated by the executive, legislative, and judicial departments, as well as the rules and regulations required and enforced by various departments and bureaus in carrying out their delegated functions.

To insure that everyone is getting his fair share of freedom, as well as paying his fair share of dues, and receiving his fair share of control, we are provided with several hundred thousand Government employees who watch, check, record, inspect, investigate, and supervise us. The number of Government workers of all types has more than tripled in the last 30 years, the Commerce Department has reported. Expansion of Government payrolls has far outpaced private employment.

About 15 percent of all jobholders work for Federal, State, or local governments, the Department said. In 1929 the proportion was about 7 percent.

Government payrolls have soared from a total of \$3,184,000 in 1929 to \$9,918,000 in 1957, the most recent year for which complete data is available.

Many things threaten our national security, our economic stability, and our individual freedoms. The present trend in political philosophy and fiscal policy will ultimately destroy our free institutions and leave this idea referred to as the "American way of life" as just another passage in recorded history if we do not take concerted action now.

Let's think about some of the things that are going on here:

Let's consider inflation and its threat to our national security and economic stability. President Eisenhower is quoted in a National Security Council conference as saying, "When are you going to learn that national security and a sound economy are the same thing?"

Senator HARRY BYRD, Democratic Senator from Virginia since 1933, says, "Everybody knows now that America is menaced in the years ahead with an inflation that could wipe out savings and impoverish millions who are living on fixed incomes. We must never forget that so long as this cold war continues, we have to sustain two fronts. First, we must remain economically strong. At the same time, we must be militarily invulnerable." He also says, "The most important step we must take, if we wish to halt inflation, is to balance the Federal budget and assure our people that it will stay balanced. The menace of a disastrous inflation is real. All the pressure groups and special interests that campaign for more and more Federal spending are helping to bring it on and are thereby doing a grave disservice in the long run to their own people."

Maurice H. Stans, Director, Bureau of the Budget, makes these statements: "I must pass on to you a solemn warning. Unless we as a government insist right now upon living within our income, we face certain hard inevitabilities: whether there will be more tax increases, piled on top of our already heavy tax load; or there will be a mounting national debt and growing inflation with disastrous rises in the cost of living and a dangerous weakening of our national strength. Inflation feeds on the delusion that the Federal Treasury is a free-flowing well, that money from Washington doesn't cost anyone a cent. It is this something-for-nothing delusion that allows special interest groups to smooth-talk the public into believing that all their Federal spending proposals are possible. Federal expenditures have multiplied 25 times in the last 30 years, and half of that is due to inflation. How much more taxation can the people take? We must curb spending now."

The fiscal policy of the Government at all levels permits a continually rising debt. Even in very recent history, in large and respected governments, bread has been purchased with baskets of paper money, and personal savings have been wiped out almost overnight. Even today in our own country, State governments are faced with insolvency and the U.S. Treasury has difficulty in financing.

What justice is there; what equality before the law is there in our present fiscal policy with its system of enormous unpaid debt, high taxes, and other levies upon the citizens who are the very source of revenue? What is going on here?

The prevalent political philosophy, with its trend toward the welfare state and socialism, is a matter of serious concern. As a matter of fact, we may already be deeply involved in socialism. In the past generation, we have had repeated warnings and heard expression of fear over socialism and the possible infiltration of communism. The voters of this country have repeatedly turned thumbs down when asked to endorse the Socialist ticket at the polls. Yet, by default during this same period, there have been proposed and placed into effect state-planned, state-administered, and state-enforced policies entirely in accord with Socialist theory, for which we all pay without choice. These programs and policies begin to move in practice closely toward the Marxist line of "From each according to his ability, to each according to his need."

Supporters of such programs will deny socialist tendencies and will be vehement in

their denial of communistic ideas. Some of these people are deceitful with their eyes only on 30 pieces of silver. Others are either warped or embittered idealists; and others are probably naive and innocent do-gooders who honestly believe that the almighty state is infallible in its beneficence and that a little control is for the good of all. These people, too, must learn that there cannot be just a little state control. The very programs set up to control bring about the need for more control. These people must learn and remember that the state is made up of free, productive, liberty-loving citizens, and that the state is only a composite of these people. Anything which takes away from, or destroys the individual parts, must inevitably and ultimately destroy the whole.

Should this be going on here?

Federal aid, in its 60 or 70 forms, with its remote controls and seeming low-cost "matching-fund" program, is a misnomer. It is Federal only because of the level of the administering body. The money is not Federal—it is your money, and mine sent to Washington in trust, and returned to us less brokerage fees and freight, plus restrictions with which we must comply. In this booming, prosperous era, it seems a paradox that we need a program of aid. Or—are our States and communities reduced to panhandling, begging for funds from each other because they can no longer foot the bill for wants beyond their ability to pay? Are Federal aid programs designed to meet minority needs, and developed in response to self-centered short-sighted pressure groups? Let's ask these questions when an aid program is proposed.

Is it necessary?

Is it a function of government?

Can we afford it?

Federal aid programs once started never seem to stop. They grow more costly year by year. They contribute to our heavy tax load and to the inflationary debt now on our shoulders. In return for Federal aid favors we must submit to controls, be they laws or directives. Every Federal control added is a local control removed and more freedom taken away.

In 1934, there were 18 aid programs costing \$126 million a year. In 1957 there were 57 programs costing over \$4 billion, 16 times as much. The 1959 program was somewhat greater; but after all we need more aid now because we are more prosperous now.

Everyone should be aware that an aid program with matching fund requirements, demands matching by the very citizens who supplied the funds being matched. It is a pretty expensive merry-go-round ride.

Federal aid programs have contributed to the fallacious philosophy which says, "If we don't get it, someone else will." Many well-meaning citizens have been deluded by talk to the effect that money coming from Washington is free.

What right have we to jeopardize today for ourselves, and tomorrow for our children? The principles upon which this country was founded, and upon which it grew great, are:

Free people.

Free enterprise,

Limited government.

If we believe in these principles, then we should become an informed and aroused citizenry. Being informed is an elementary duty in a society of free men. We will become knowing and participating and demanding citizens. We know that government and bureaus can give nothing; we know that any power to government or bureau was given either by consent or default. A free society that is passive, inert, and preoccupied with its own diversions and comforts will not last long.

We do not own freedom, we are only trustees for those who have dreamed it, con-

ceived it, fought for it, and worked for it, and we are obliged to keep it whole.

The survival of the idea for which this Nation stands is not divinely guaranteed. It may survive if enough Americans care enough.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10401) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KIRWAN, Mr. NORRELL, Mr. CANNON, Mr. JENSEN, and Mr. TABER were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4781) to amend the Watershed Protection and Flood Prevention Act to provide that its loan provisions shall be applicable to certain other projects, and for other purposes, and it was signed by the President pro tempore.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

MUTUAL SECURITY ACT OF 1960

The ACTING PRESIDENT pro tempore. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 3058) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment lettered "L" submitted by the Senator from Alaska [Mr. GRUENING]. On this question, the yeas and nays have previously been ordered.

Under the unanimous-consent agreement, 5 minutes of additional debate are available to each side on the question of agreeing to the amendment.

Mr. GRUENING. Mr. President, I ask unanimous consent to have considered at this time my amendment identified as "4-28-60-H," instead of my amendment lettered "I."

Mr. JOHNSON of Texas. Mr. President, is this the other amendment to which the Senator from Alaska has referred?

Mr. GRUENING. Yes. I simply wish to reverse the order of their consideration.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. GRUENING. Mr. President, at this time I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 further proceedings under the call be dispensed with, and that the time consumed under the quorum call we have just had be charged equally against the time on the bill.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. Under the arrangement now in effect, the Senator from Alaska will have the full 5 minutes allotted to him, and the majority leader the other 5 minutes. Is that correct?

The ACTING PRESIDENT pro tempore. If he asks for it.

The clerk will state the amendment which has been proposed by the Senator from Alaska [Mr. GRUENING].

The CHIEF CLERK. It is proposed to amend section 401 by renumbering subsections e, f, g, h, and i as f, g, h, i, and j, respectively, and insert after subsection (d) the following new subsection:

(e) Section 517, which relates to completion of plans and cost estimates, is amended as follows:

"(1) Insert '(a)' immediately after 'Sec. 517,' and following section 517(a) as renumbered, insert the following new subsection:

"(b) All nonmilitary flood control, reclamation, and other water and related land resource programs or projects proposed for construction under titles I, II, or III (except section 306) of chapter II, under section 400, or under section 451 of this Act, shall be examined by qualified engineers, financed under this Act, in accordance with the general procedures prescribed in Circular A-47 of the Bureau of the Budget, dated December 31, 1952, for flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the continental limits of the United States of America. In all cases the benefits and costs shall be determined, and a copy of the determination shall be submitted to the Speaker of the House of Representatives and the Foreign Relations Committee and the Appropriations Committee of the Senate. No such program or project shall be undertaken on which the benefits do not exceed the costs and which does not otherwise meet the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the continental limits of the United States of America as per Circular A-47 of the Bureau of the Budget, dated December 31, 1952."

The ACTING PRESIDENT pro tempore. The yeas and nays have not been ordered on this amendment.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized for 5 minutes.

Mr. GRUENING. Mr. President, this is essentially a very simple amendment.

On December 31, 1952, the Bureau of the Budget issued Budget Circular A-47, establishing standards for judging the worth of projects for conservation, development, or use of water and related land resources. All of us who have, from

time to time, had occasion to urge the authorization of such a project are well aware of these standards and of the importance attached to strict adherence to its requirements by the administration and the Congress if approval of a particular project is to be won.

However, heretofore, these standards have been applied only to domestic projects.

They do not even apply to identical projects built abroad with American dollars under the foreign aid program.

The amendment which I am now offering would require the application of the domestic standards to foreign projects for resource development.

A similar amendment was considered by the House Committee on Foreign Affairs, and a provision containing wording identical to that of my proposed amendment is now in the House-passed bill.

Of this provision, the House Committee on Foreign Affairs had this to say:

The committee is convinced that had this requirement been in effect in prior years a number of projects which have not turned out as intended would have been planned on a sounder basis or might not have been started, with a significant saving to the U.S. taxpayer and a perceptible enhancement of U.S. prestige.

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

The ACTING PRESIDENT pro tempore. Does the Senator from Alaska yield to the Senator from Arkansas?

Mr. GRUENING. I yield.

Mr. McCLELLAN. What the Senator from Alaska is undertaking to do by his amendment is to see that the foreign projects contemplated are constructed under the same rules of economic justification that apply on domestic projects, and give to the respective committees of Congress the same duties and responsibilities with respect to screening and approving them as we do with our own projects in this country. Is that correct?

Mr. GRUENING. That is correct. That is precisely the objective of this amendment. The House has already approved such language. It is in the House bill which the other body has already enacted.

Mr. President, I conclude by saying that I urge the Senate to join with the House in taking the first step toward ending the double standard, a double standard which judges natural resource development projects proposed for construction abroad by different—and lower—criteria than are used in judging similar projects at home.

I trust that those Senators who are in favor of foreign aid and wish to see its administration improved will support this amendment.

I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Chair is advised that under the unanimous-consent agreement in effect the Senator from Texas has control of the time if he opposes the amendment. Is a Senator prepared to speak for the Senator from Texas?

Mr. FULBRIGHT. Mr. President, I am prepared to speak against the amendment.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Arkansas.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized for 5 minutes.

Mr. FULBRIGHT. Mr. President, this amendment is along the lines of a similar amendment the Senator from Alaska submitted last year, and it was voted down last year. He submitted it again this year. The committee voted it down this year. I hope the Senate will not accept it.

The projects abroad are surrounded by circumstances that are different from those which attend our domestic projects. It is quite feasible in my State, or in the State of Louisiana, for example, or in any other State, to calculate very closely the benefits, and allocate one benefit to flood control, one to power, and so on, and also to ascertain the allocation of the part that the local community has to contribute. This very complicated formula is gone through for determining the justification.

As a matter of fact, I am a cosponsor of a bill right now to revise the present formula for allocating benefits. All of the Members of Congress from my State feel the same way. Representative TRIMBLE, of my State, is also a sponsor of such a measure. We think that the formula for flood control now being applied by the Army Engineers is quite in error. The formula takes no account of recreational benefits and other categories of benefits. There is a difference of opinion as to what is the proper formula to apply in arriving at allocation of costs, in order to arrive at power rates, for example, in multipurpose projects. It is a very complicated subject.

I think the only thing that can be fairly said is that there is no pretense that the justification for such projects abroad is the same as for those at home. There is a large element of political necessity in these projects abroad. We go into those countries for reasons quite different from those for which we go into Arkansas, Utah, and Colorado, for example. We try to help underdeveloped countries and we try to administer the programs in accordance with the best budgetary practices; but we cannot administer those programs—and the administration agrees—by following the standard submitted by the Senator from Alaska. The Senator brought this subject up last year by an overall amendment. Now he is taking up, piece by piece, what he offered as a whole last year. The committee believed, unanimously, I think, that it was unworkable.

The objective of efficient administration is a laudable one. We all wish to have better administration. This is not the way to achieve it. We do not believe these restrictions could possibly be applied in a manner which would permit the operation of the program at all.

Furthermore, if we make these people come to Congress to justify every project with the same minute detail required in the United States, it simply will not work. All of us who have spoken for projects know how much

time is required to give testimony, as I have already done a half dozen times for each project in my State. We are glad to do it, of course, because we have constituents who are interested in the projects. How much interest would Senators have in the minute details of projects for India or Vietnam, and how many would be willing to study the details as we do for projects in our own States?

I think the whole character of the program is very different. This proposal is utterly unrealistic. We should not try to apply the same restrictions upon the program abroad. If we are going to have the program for the purposes which we all understand, then I think the administration of it has about all the restrictions we can afford to put upon it.

If one is opposed to the program, as the Senator from Alaska is, this is one way to destroy it. We could put restrictions on it. If one cannot defeat the program by a frontal attack, one can ask for little restrictions upon it, to defeat it in that way. In my opinion, that is what the amendment is designed to do. I hope the Senate will not agree to the amendment.

The ACTING PRESIDENT pro tempore. If the Senate will indulge the Chair a moment, the Senator from Texas has 1 more minute. Does the Senator from Illinois desire recognition?

Mr. DIRKSEN. Mr. President, I will take the minute, and 1 additional minute from the time on the bill.

The ACTING PRESIDENT pro tempore. To keep the record straight, the agreement is that control of the time in opposition to an amendment will be in the hands of the Senator from Texas [Mr. JOHNSON], if he is in opposition. If the majority leader is not in opposition, the control of the time automatically goes to the minority leader under the agreement. The Chair states that for the record. The Chair recognized the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the committee, but it was with consent.

The time for this statement will not be charged to either side.

The Senator from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Mr. President, I yield myself 1 additional minute from the time on the bill.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized for 2 minutes.

Mr. DIRKSEN. Mr. President, the distinguished Senator from Alaska said that this is a very simple amendment. It is indeed. It is as simple as a well-directed shot out of a Colt .44 that hits a person right over the heart. It will put him out of business. This amendment, if agreed to, will put the program out of business.

I think the distinguished chairman of the committee alluded to the fact that every project of a nonmilitary character over \$1 million relating to airports, hospitals, highways, reclamation, railroads, housing, and navigation would have to be separately authorized. That would mean we would have to have en-

gineering data. The matter would have to come before the committee. It would have to be justified. It would have to be approved. The difficulties would stop the program in its tracks.

The chairman of the committee is exactly correct. If we want to liquidate the program, I know of no more felicitous and painless way of doing it than to agree to the amendment. But we are dealing on a worldwide basis with a program of this kind, and I earnestly hope the problems which go with a program of this nature will not be further aggravated. I hope that these restrictions will not be imposed upon the ICA.

As I read the language, it would apply to nearly \$1 billion of the \$1.4 billion-plus which is involved under the bill, because it would apply to all nonmilitary items under titles I, II, and III. That includes the contingent fund. That includes the special assistance fund. That includes the defense support, where it is nonmilitary. It includes technical cooperation, United Nations assistance, and all the rest.

It is a simple amendment. It is an excellent liquidating amendment. I, therefore, hope it will be roundly defeated.

The ACTING PRESIDENT pro tempore. All time on the amendment has expired.

Mr. GRUENING. Mr. President, I ask unanimous consent that I may ask the minority leader a question.

Mr. MANSFIELD. Mr. President, I must object. We are operating under a time limitation.

The ACTING PRESIDENT pro tempore. The Senator from Alaska has 3 minutes remaining.

Mr. FULBRIGHT. Mr. President, the Senator from Alaska yielded back the remainder of his time.

Mr. GRUENING. The Senator from Illinois is addressing himself not to the amendment before us but to another amendment which I have offered. There is a difference between the amendments.

Mr. DIRKSEN. Mr. President, we are talking about amendment I, which the Senator offered the other day.

Mr. FULBRIGHT. Mr. President, amendment "H" is exactly the same.

Mr. DIRKSEN. There is only a difference of degree. There would be a little more liquidation involved in one than in the other, if that is possible.

Mr. GRUENING. Does the minority leader think the House is willing to wreck this program? The language is in the House bill.

Mr. DIRKSEN. I do not know about what the House wants to do, but I think our distinguished friend from Alaska is trying to wreck the program.

Mr. GRUENING. The language of the amendment is now incorporated in the House bill. If this amendment is agreed to, the language will be identical with the House language, in the bill which has already been passed by the other body.

Mr. DIRKSEN. All I can say is that from long experience in regard to appropriations and on legislative committees, if this does not represent a liquidation, then I simply have not seen one.

The ACTING PRESIDENT pro tempore. The time on the amendment has expired. The question is on agreeing to the amendment offered by the Senator from Alaska. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], the Senator from Maine [Mr. MUSKIE], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Oklahoma would vote "yea."

The Senator from North Carolina [Mr. JORDAN] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Missouri would vote "nay."

I further announce that if present and voting, the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nebraska would vote "yea."

The result was announced—yeas 40, nays 45, as follows:

[No. 175]
YEAS—40

Bartlett	Frear	O'Mahoney
Bible	Goldwater	Proxmire
Brunsdale	Gruening	Randolph
Byrd, Va.	Hartke	Robertson
Byrd, W. Va.	Jackson	Russell
Cannon	Johnston, S.C.	Schoeppel
Case, N. Dak.	Long, Hawaii	Stennis
Chavez	Long, La.	Talmadge
Curtis	McClellan	Thurmond
Douglas	Magnuson	Williams, Del.
Dworshak	Morse	Yarborough
Eastland	Moss	Young, N. Dak.
Ellender	Mundt	
Ervin	Murray	

NAYS—45

Alken	Church	Fulbright
Allott	Clark	Gore
Beall	Cooper	Green
Bennett	Cotton	Hart
Butler	Dirksen	Hayden
Carlson	Dodd	Hennings
Carroll	Engle	Hickenlooper
Case, N.J.	Fong	Holland

Javits	McCarthy	Prouty
Johnson, Tex.	McGee	Saltonstall
Keating	McNamara	Scott
Kefauver	Mansfield	Smathers
Kuchel	Martin	Smith
Lautsch	Monroney	Wiley
Lusk	Pastore	Williams, N.J.

NOT VOTING—15

Anderson	Hruska	Morton
Bridges	Humphrey	Muskie
Bush	Jordan	Sparkman
Capehart	Kennedy	Symington
Hill	Kerr	Young, Ohio

So Mr. GRUENING's amendment to the committee amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion to lay on the table the motion to reconsider the vote whereby the amendment was defeated.

The motion to table was agreed to.

The ACTING PRESIDENT pro tempore. By previous agreement the Senate has ordered the yeas and nays on the amendment lettered "I" offered by the Senator from Alaska. Under the unanimous-consent agreement 5 minutes of additional debate is allowed to each side, to be controlled by the sponsor of the amendment and by the Senator from Texas, if he is in opposition to the amendment; if not, by the Senator from Illinois [Mr. DIRKSEN].

These are very far-reaching amendments which are being offered. I am sure some Senators would like to know their substance and to hear the debate, and the Chair asks that order be maintained on the floor.

The Chair now recognizes the Senator from Alaska.

Mr. GRUENING. Mr. President, I call up my amendment identified as "4-28-60—I," and ask that it be stated, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The amendment has already been stated at this session.

Mr. GRUENING. Mr. President, this amendment would require congressional authorization for large foreign public works programs and projects and for such other large endeavors as airfields, highways, railways, and so forth. This is the requirement for programs at home. I ask only that the same requirement be made applicable to foreign projects under the foreign-aid program.

My amendment would still continue an element of the "double standard" for it requires approval only for projects or programs involving an aggregate expenditure of foreign-aid funds of \$1 million. No such floor is applicable to domestic projects.

H.R. 7634, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, is now before the Senate Public Works Committee. In it we have such relatively small projects as \$388,000 to improve navigation on the Mississippi River, \$170,400 to improve navigation at Red Wing Harbor, Minn., \$117,200 to improve navigation at Everglades Harbor in

Florida, \$240,000 to improve navigation in Southwest Harbor, Maine, and so on, ranging up to projects in the hundreds of millions of dollars.

Scores of projects must therefore periodically be presented individually to the Congress, be reviewed as to their merits by the appropriate committees of both Houses of the Congress, and then must be approved by both Houses, and, finally, must be approved by the President.

Why should not a similar project of, for example, \$15,051,000 for railway rehabilitation in India or \$1,280,000 for the development of Lake Pezayah navigation in Iran—why should not all these large foreign projects and programs also require specific justification too and approval by Congress?

I urge the adoption of my amendment to treat the same things the same way whether they are to be built in one of the 50 States or in a foreign country.

Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. Does the Senator from Alaska yield back the remainder of his time?

Mr. GRUENING. I do.

Mr. FULBRIGHT. Mr. President, before I comment on the pending amendment, in view of the good attendance on the floor at the present time, I should like to call to the attention of Senators a copy of a letter which is on the desks. It is signed by the Acting Secretary of State, and relates to another matter which will come up later. I believe that Members of the Senate should have an opportunity to consider this letter during the next few hours. It does not relate to the pending amendment. It relates to the Douglas amendment that we discussed last Thursday.

There is very little difference between the pending amendment and the one which has just been turned down by the Senate. It would require an administrative procedure which would make the program unworkable. That is my view. That was the view of the committee. That is the view of the State Department. It would make the program unworkable.

Under existing law, section 517 of the Mutual Security Act requires completion of cost estimates and engineering plans prior to obligation of funds for projects. Section 202(b) requires the Development Loan Fund to take technical and economic feasibility of proposed projects into account before approving projects. Section 103 of the Mutual Security Appropriation Act, 1960, requires a determination of feasibility of water and related land resource projects in accordance with domestic standards and criteria.

The proposal of the Senator from Alaska would operate to bring each project to the committees in Congress and have it gone over in the same way that we go over every dam in Washington and every flood control project in Arkansas, for example. It is utterly and completely unnecessary.

If one is against the bill and does not want the bill, the adoption of such an amendment would be one way to destroy it. I do not wish to comment on the motives of the proposer, but he always

has voted against the mutual security bill and is against the bill. This is one way to destroy it. It is that simple. The amendment is utterly unworkable.

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

Mr. FULBRIGHT. I yield.

Mr. CLARK. I am for the bill; I always have been for the bill. I think my motives are reasonably pure. Why is this an unworkable amendment, and should not the American people know the cost of each of these projects?

Mr. FULBRIGHT. The American people do know. The State Department furnishes the committees with a list of the projects and of the programs which they propose to initiate in the various countries. Adequate engineering facilities and statistics do not exist in many of the countries, and it is necessary to devise some formula for them in order to try to determine whether the projects are feasible.

For instance, the question of the marketability of power, in a power production program, would be involved in many cases where the projects are developed in a primitive country, a country completely different from our own.

When the Senator says that under similar conditions he wants similar procedures to apply, it simply is unrealistic to say that conditions in Vietnam or India or Pakistan are the same as conditions in Pennsylvania. They are not; they are completely different.

Mr. CLARK. I wholly agree with the Senator from Arkansas. This amendment has nothing to do with the previous amendment, which I voted against. This amendment says, in effect, that if a project is to cost more than \$1 million, Congress should be told how much it will cost.

Mr. FULBRIGHT. Oh, no; not at all. It provides for a separate authorization for each project. A certain procedure must be followed for each proposed project—a dam, a road, or an airport in a particular country. Before anything is done by way of commitment, that procedure must be followed. I say it is absolutely unworkable. It cannot possibly be done.

If we had tried to follow this procedure, the Communists would long since, if they were interested, have undertaken the project in that country with its own kind of procedure.

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

Mr. FULBRIGHT. I yield.

Mr. JACKSON. While I voted for the previous amendment, believing there should be some standards which the department should follow, this amendment will simply make it impossible for our foreign-aid program to be usable and effective.

One thing which the administrators of the foreign-aid program have had to contend with is that our competitors, the Soviets and the Soviet bloc, have been able to make decisions on offers of aid without delay. If we are to be effective in this area, then I submit that time is of the essence. We should not slow down the decision-making process.

If this provision is placed in the bill, it will mean that it will be necessary to call people from far away places to justify in detail given projects. The time factor involved will be of great concern. If that is the objective of the amendment, then there is no point in seeking an authorization. It will be too late to do any good.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. Does the Senator know of any device which could more nearly uphold the contention of many people throughout the world, who are hostile to us, that we are imperialists, trying to control, in this Congress, every single move of any consequence for the presumptive purpose of helping people elsewhere, than to have Congress assume the responsibility of approving and authorizing every substantial public works project in the 45 nations throughout the world which we are trying to help?

Mr. FULBRIGHT. The Senator is quite correct. I wonder which committee will undertake the duty of conducting hearings on all these projects, and itemizing the cost of them, project by project.

The ACTING PRESIDENT pro tempore. The Chair is compelled to advise the Senator that his time on the amendment has been exhausted. The Senator from Alaska has yielded his time back. All time on the amendment has been exhausted.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from Alaska may yield me 2 minutes.

Mr. JOHNSON of Texas. Mr. President, may I get recognition?

The ACTING PRESIDENT pro tempore. The Chair wishes to finish his statement. Under the unanimous consent agreement, a copy of which is on the desk of every Senator, all time on the amendment has been exhausted. Time is available on the bill, and it is under the control of the majority leader and the minority leader.

Mr. JOHNSON of Texas. Mr. President, if I can get recognition, I propose to yield to the Senator from Louisiana such time as he may need.

The ACTING PRESIDENT pro tempore. The Senate is entitled to a statement by the Chair about the time situation.

Mr. JOHNSON of Texas. The majority leader is prepared to yield 2 minutes to the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Alaska, in both the previous amendment and this amendment, has put his finger on one of the soft spots in the foreign aid program. The loose manner in which some of these foreign public works is undertaken is inexcusable. It is fantastic and ridiculous.

Some of these projects are proposed left and right and cannot possibly be justified; yet we are asked to agree to them without even knowing what they are.

I venture the guess that the chairman of the committee cannot tell us how many projects costing more than a mil-

lion dollars have been planned for construction with foreign aid money right now. I do not know the number; I doubt that anyone in Congress knows.

If flood control or navigation projects are proposed for construction in our own country, it takes on the average about 8 years before they are authorized, and before the first dollar of construction money is appropriated. Such projects must first be studied and approved by the district engineer, then by the Board of Engineers, then by the Bureau of the Budget, and then by Congress. After the American public works projects have been carefully studied, Congress authorizes the money for their construction, and later Congress begins to appropriate the money.

I was informed last year that about half of the foreign aid public works projects have been abandoned before completion. That represents a fantastic waste of money. Why should not Congress carefully examine each of the proposed projects? The Committee on Public Works carefully examines and selects the projects which it recommends for construction; but the Committee on Foreign Relations simply proposes to give all the money which is asked for the construction of projects abroad.

All the amendment really seeks to do is to require that Congress be apprised of the cost of each of these fantastic projects before we authorize the spending of millions of dollars for their construction, and before we end by finding out that half of the projects for which we have spent money have been abandoned.

All the amendment provides is that if we are to spend more than a million dollars, we will at least know what the project is and will examine into it first. At present, no one knows what the projects are.

The ACTING PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Pennsylvania [Mr. CLARK], then 1 minute to the Senator from Louisiana [Mr. ELLENDER], and then 1 minute to the Senator from South Dakota [Mr. CASE].

The ACTING PRESIDENT pro tempore. One minute on the bill has been yielded to each of the Senators named by the Senator from Texas.

Mr. CLARK. Mr. President, the arguments made by the Senator from Washington [Mr. JACKSON] and the Senator from Arkansas [Mr. FULBRIGHT] have persuaded me to vote against the amendment, but I should like to ask the chairman of the committee one question: Does he not agree that the American people and Congress are entitled to know, before Congress votes, the cost of each of these projects? If that cannot be assured by the adoption of this amendment, how can it be done?

Mr. FULBRIGHT. The Senate is given a list of the programs which are projected and detailed unclassified information about them. They are only projected; these are not commitments. They have not finally resulted in agree-

ments with the countries concerned. We are simply given a blueprint of what the administration proposes to do in those countries.

Mr. CLARK. But the American people do not know what is being proposed.

Mr. FULBRIGHT. The operation is on an annual basis. I sympathize with the Senator's idea that the program is not properly administered. We tried to remedy the situation last year and submitted to the Senate a plan to put these projects on a more businesslike basis, but the Senate rejected it. We are operating on an annual basis.

The ACTING PRESIDENT pro tempore. The time of the Senator from Pennsylvania has been exhausted.

The Chair recognizes the senior Senator from Louisiana for 1 minute.

Mr. ELLENDER. Mr. President, I was rather amused at the statement made by the Senator from Washington [Mr. JACKSON] when he said that unless we proceed with our current foreign aid program, the Communists will do us some harm. There is trouble in Korea today, which is due, in part, to the fact that we have undertaken many projects in that country without completing necessary and proper studies. As a result of this failure on our part there has been much waste and graft in the Korean aid program. The same thing has occurred in other countries and will continue unless Congress takes control of this wasteful giveaway.

We have permitted the dreamy-eyed planners in ICA and in the State Department to construct any project they wanted to build without regard to the ultimate cost of the project. In my travels I have come across many projects which in the end have cost four or five times more than the original cost estimates.

The Senator from Washington talks about the Communists coming in. What has happened in Korea has been caused in part by our poorly administered foreign aid program and this is exactly what the Communies want. The same thing will happen in Turkey, Thailand, and in every other country unless we inject some sanity in our foreign aid program, and give proper study to the countless projects dreamed up by the boys with the rose-colored glasses.

Mr. JOHNSON of Texas. Mr. President, I yield 1 additional minute to the junior Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield one additional minute to the Senator from Louisiana.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized for one minute.

Mr. LONG of Louisiana. Mr. President, I venture to assert that not one Member of the Senate can tell me how many projects costing over \$1 million are called for by the bill, or can name five of these projects, anywhere in the world, on which it is proposed that \$1 million or more will be spent.

Yet when we ask what the money is to be spent for, we are unable to obtain the detailed information; either the projects

are labeled secret—although the Communists and the foreign politicians know all about them. If we do obtain the information, we are foreclosed from telling about it on the feeble pretense that national security would be jeopardized.

If this amendment is adopted, we shall at least know what the money is to be spent for.

Mr. JOHNSON of Texas. Mr. President, how much time has the Senator from Alaska yielded back?

The ACTING PRESIDENT pro tempore. Two minutes.

Mr. JOHNSON of Texas. I ask that that time be restored to the time available on the bill.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from South Dakota.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized for 2 minutes.

Mr. CASE of South Dakota. Mr. President, Senators who may wish to vote for the amendment should volunteer to conduct the hearings which will be necessary if we are to examine each individual project abroad. I thoroughly agree with what the Senator from Washington [Mr. JACKSON] has said.

I voted for the previous Gruening amendment because I would not object to having set up some standards for the engineers to follow. But I do not believe that either a Senate committee or any individual Senator has available sufficient time to be able to go into the individual authorizations for each public works project which might be undertaken abroad. Such a procedure would place an insufferable burden upon any Senate committee or any Senator. What Senator would wish to undertake the responsibility for authorizing any particular project?

If Senators are opposed to the entire program, let them vote for the amendment, and thus vote against the bill.

But it seems to me that we should set up guidelines, and then should permit the individual engineers to go forward with these programs.

Mr. CARROLL. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Colorado.

Mr. CARROLL. Mr. President, I should like to have the attention of the Senator from Arkansas [Mr. FULBRIGHT].

This amendment is a very important one. If we are not careful, the program will be killed by means of this amendment, because on the last amendment there was a majority of only 5 votes. I voted against the amendment because I do not want to have a straitjacket imposed on a program in regard to which there should be some responsibility.

The able Senator from South Dakota has correctly stated what will be the impact on the program if this amendment is adopted.

I commend the able Senator from Alaska for offering the amendments; but

I agree that we should enable the committee to ride herd and to make reports to the Congress, so we shall know what we are doing. Then the committee can make the necessary reports.

Perhaps some amendment of this sort should be submitted; but I point out that if we are not careful, the entire program will be killed.

It seems to me that we should have a statement by the chairman of the committee as to the willingness of the committee to submit a report to the Congress, so we shall have some idea of what is happening.

As the able Senator from Pennsylvania has said, let us have some disclosure. Our constituents are entitled to that information.

Mr. FULBRIGHT. Mr. President, if the Senator will yield, let me say all this is very amusing. Enormously detailed reports are made every year, but I dare say the Senator from Colorado has not read them. We conduct very detailed hearings, but it is almost impossible to get Senators to attend the hearings and to hear the testimony taken there.

All these suggestions are nonsense. In an election year, Senators get "all steamed up" about foreign aid. If Senators want to kill the foreign-aid program, let them vote to kill it.

I realize that last year the vote on a similar amendment was 53 to 37; and it is true that this year the sentiment in favor of agreeing to such an amendment is increasing. But of course this is an election year, and in an election year everybody is "for America."

Mr. O'MAHONEY. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I ask for order; I should like to be heard for just a moment.

The ACTING PRESIDENT pro tempore. The Senate will be in order. The Senator from Wyoming has been recognized for 2 minutes.

Mr. O'MAHONEY. Mr. President, the Congress of the United States is gradually surrendering to the Executive its legislative power. Unless this is stopped, and stopped soon, Congress might just as well go home.

The Constitution of the United States declares specifically in article I, in the first section, that all legislative power is granted to the Congress.

In section 9 of article I, clause 7, these words are to be found:

No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

The power of the purse was given to the Congress. The reason why we have the great national debt now is, not because of spending by Congress, but because of spending by the Executive. The President's budget speaks of a surplus of some \$4 billion; but here we have in the foreign aid program proposals to spend we know not how much of the money of the people of the United States.

I shall vote in favor of agreeing to the amendment submitted by the Senator from Alaska [Mr. GRUENING].

Mr. GRUENING. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Alaska 1 additional minute.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized for 1 minute.

Mr. GRUENING. Mr. President, in response to the statement made by the distinguished chairman of the committee—who, I regret to say, is not now in the Chamber—I wish to point out that he said that in an election year everyone is "for America." Mr. President, I was "for America" last year, when I submitted a similar amendment; and I am not ashamed to be for America at any time and in any year. I intend to continue to be.

I think one of the issues with which we must deal and to which I have repeatedly called attention and intend to again, is the double standard that is attempted to be applied when the administration and some Senators insist that every penny of the funds proposed for expenditure in the United States for the benefit of the American people be carefully accounted for, through established budgetary procedures, but are apparently willing to permit some unseen bureaucrat downtown to spend billions of dollars on foreign aid programs without any such vigilant control.

In response to the statement made by the Senator from South Dakota [Mr. CASE], let me say that I believe it is the duty of all Senators to find out, if they can, how the funds are being spent. As one Senator, I should be glad to sit through the hearings if the same budgetary controls that are applied to projects in our own country are applied to spending in foreign countries, and find out how the money of the taxpayers is being spent. That would be one way to diminish the waste and some of the other follies that have been committed in the so-called mutual security program.

Mr. CHAVEZ. Mr. President—

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from New Mexico.

The ACTING PRESIDENT pro tempore. The Senator from Mexico is recognized for 2 minutes.

Mr. CHAVEZ. Mr. President, I shall vote for the amendment of the Senator from Alaska. I serve on the committee which handles the bills which provide the funds for the programs proposed by the Senator from Arkansas.

I should like to be able to vote, once in a while, for funds to aid the American people, notwithstanding how charitable we may wish to be in dealing with other countries. I want to be a good neighbor; but I have seen the committees refuse to recommend the appropriation of funds to be used to combat water pollution on the Potomac River, right here in the city of Washington, at the same time that the Congress votes for the expenditure of billions of dollars to be used to take care of people in Iran, Turkey, or other countries.

Mr. President, it is about time for charity to begin at home. It is about time for us not to neglect our own people. We are now neglecting them so much that pretty soon we shall not even have enough money to give them.

Mr. President, I am in sympathy with the amendment, and I hope the Senate will, at least one day, be American.

The ACTING PRESIDENT pro tempore. The Senator from Texas has control of the other time.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes.

I think the Senator from South Dakota has certainly put his finger on the problem that is before the Senate. The language of the amendment that is before us is very clear and specific. It says that any of these projects where "the estimated total cost is \$1 million or more shall be separately authorized by the Congress and no funds for such projects shall be appropriated without such prior authorization."

We shall be going home in early July. At least, I hope so. Then there will be a nearly 6-month period when the Congress will not be in session. If there must be a separate authorization before the money can be used under this bill, the program will come to an absolute, dead standstill. If we make this standard a precedent now, and if it is going to continue in future bills, then the program is as good as nothing.

I can concur with what the distinguished Senator from Wyoming has said about the authority of the Congress and the authority of the executive; and I can understand the argument made by the Senator from Louisiana; but this program is justified under the general heading of the common defense of the country. It does not involve the Potomac. It does not involve the city of Chicago. It does not involve the Mississippi or some dam or project in the West. Under the Constitution, we are dealing with the common defense, and the perimeter of the common defense is not what it was in 1812, or during the Mexican War, or in 1898. There is a 20,000-mile perimeter that extends a long distance beyond the blue water that once shielded this country, which we must consider in an effort to build up our defense, even though the bill applies to nonmilitary projects.

The important point is that if, on every project, we must obtain engineering data, somebody will have to furnish the data, somebody will have to make the survey, somebody in the Congress will have to listen to those who made it, the procedure will become almost interminable, and the program will have been slowed to the point where it will have no efficacy for the purpose for which it was begun in the first instance.

I, therefore, hope this amendment will be defeated.

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from Florida [Mr. HOLLAND] 2 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. Mr. President, I think the points made about delay, diffi-

culty, and the tremendous expenditure of time and effort which would be required if the amendment should be adopted are all true; but I think the biggest point is that we would be placing in the hands of hostile people, who are attacking us as imperialists, the most effective weapon for their use we could give them, by insisting that to this Congress they must come, and that our engineers must go to the foreign countries and return with reports, and that this Congress must authorize the projects just as if they were to be constructed in a part of the United States—which is just what those who are hostile to us are saying about us all around the world—before any substantial amount can go to the people in the foreign countries, in a generous and gracious effort by us to help them. It does not make sense.

This is the most difficult bill we have to pass each year; and to have this kind of standard applied would, it seems to me, repel people all over the world who are now friendly to us and add them to those who are hostile, because it would certainly look like imperialism, in its crudest form, to have a requirement that those projects should be brought here for authorization, not by their people, not by the administrators, but by this Congress, just as in the case of our own domestic projects, when those projects are for the purpose of giving those people help, which I think we have been giving them generously, although not always wisely, but with a clear showing of anti-imperialism designed to be helpful to others.

Mr. DIRKSEN. Mr. President, I yield 1 minute on the bill to the Senator from Arizona [Mr. GOLDWATER].

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized for 1 minute.

Mr. GOLDWATER. Mr. President, I have listened with a great deal of interest to this discussion. I ask the proponents of this foreign economic aid to inform me of one project which Communist Russia has built for any country. Communist Russia is engaged in taking over the world, and we are engaging in a cold war not to let her win the cold war. I suggest that the squandering of our billions of dollars around the world has done more to lose friends for us than to gain them for us. I cannot recall one instance in which Communist Russia has spent one dime in a foreign country, but I can recall our spending billions and billions of dollars, and losing friends all over the world.

I think the pending proposal is a good amendment. I intend to vote for it. I intend to vote against the bill.

Mr. CASE of South Dakota. Has the Senator heard of the financing of the Aswan Dam?

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Kentucky [Mr. COOPER].

The ACTING PRESIDENT pro tempore. The Senator from Kentucky is recognized for 1 minute.

Mr. COOPER. Mr. President, the question presented by this amendment is whether we support a foreign aid bill

or wish to defeat it. If the pending amendment should be adopted, the bill would be made wholly unworkable. A vote for the amendment will be a vote against the foreign aid bill.

I wish to support the Senator from Florida [Mr. HOLLAND]. He has gone to the basic issue involved. If this amendment should be adopted, it would transfer to the Congress of the United States the job of making political as well as economic determinations on every project to be constructed under the program all over the world. We would be charged throughout the world as imperialists, as impinging on the sovereignty of other nations when our standing before the world is so important.

I am sure there is waste in the foreign aid program, and as I said on last Friday, a reorganization of our foreign aid ought to be devised. But this amendment is not the means. I support fully the argument made by the Senator from Florida, that the adoption of the amendment would defeat not only the bill, but the purpose of our aid program. The amendment should be defeated.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that each side may have an additional 30 minutes on the bill.

The ACTING PRESIDENT pro tempore. The Senator from Texas requests that an additional time of 30 minutes to each side be allowed on the bill, under the present conditions in the unanimous-consent agreement. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Oklahoma [Mr. MONRONEY].

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized for 1 minute.

Mr. MONRONEY. Mr. President, I should like to ask the distinguished junior Senator from Idaho [Mr. CHURCH] if we are not talking mostly about loans, and not about grants? We do not know whether loans will be made, or whether certain parties will close the loans. I should like to understand what we are talking about in this bill.

Mr. CHURCH. Mr. President, I think about 80 percent of the money involved does take the form of loans, and some of those loans are very complicated. They are loans that involve moneys under the Development Loan Fund; frequently they involve money to be expended in joint projects in which the World Bank may participate. Sometimes they involve some use of soft currencies which have been generated through Public Law 480. This is a very complex field.

Moreover, the procedural questions which are raised by the amendment have not been faced. If the amendment were agreed to, would it mean that the Committee on Interior and Insular Affairs would have to pass upon any proposed reclamation projects? Would it mean that the Committee on Public Works would have to pass upon any road program proposed? Would it mean that the Congress, which cannot be conversant with subtle political conditions in distant foreign countries, would have to

bring its political judgment to bear on each project in separate authorization bills? If so, the usefulness of the program will be destroyed.

I say this is a procedural matter. It is not a matter of constitutional prerogatives.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. CHURCH. It is a matter of practical realities.

Mr. MONRONEY. I thank the Senator.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Alaska [Mr. GRUENING]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. MUSKIE], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Montana would vote "yea."

The Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Oklahoma would vote "yea."

I further announce that if present and voting, the Senator from Missouri [Mr. SYMINGTON] and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nebraska would vote "yea."

The result was announced—yeas 32, nays 52, as follows:

[No. 176]
YEAS—32

Bartlett	Curtis	Goldwater
Bible	Dworshak	Gruening
Byrd, Va.	Eastland	Hartke
Byrd, W. Va.	Ellender	Johnston, S.C.
Cannon	Ervin	Jordan
Chavez	Frear	Long, Hawaii

Long, La.
McClellan
Magnuson
Moss
O'Mahoney

Proxmire
Randolph
Robertson
Russell
Stennis

Talmadge
Thurmond
Yarborough
Young, N. Dak.

NAYS—52

Aiken
Allott
Beall
Bennett
Brunsdale
Butler
Carlson
Carroll
Case, N.J.
Case, S. Dak.
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Douglas
Engle

Fong
Fulbright
Gore
Green
Hart
Hayden
Hennings
Hickenlooper
Holland
Jackson
Javits
Johnson, Tex.
Keating
Kefauver
Kuchel
Lausche
Lusk
McCarthy

McGee
McNamara
Mansfield
Martin
Monroney
Mundt
Pastore
Prouty
Saltonstall
Schoepfel
Scott
Smathers
Smith
Wiley
Williams, Del.
Williams, N.J.

NOT VOTING—16

Anderson
Bridges
Bush
Capehart
Hill
Hruska

Humphrey
Kennedy
Kerr
Morse
Morton
Murray

Muskie
Sparkman
Symington
Young, Ohio

So Mr. GRUENING's amendment to the committee amendment was rejected.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment of the Senator from Alaska to the committee amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. ELLENDER obtained the floor.

The ACTING PRESIDENT pro tempore. As the present occupant of the chair understands the parliamentary situation, on Friday last it was agreed by the Senate that the Senator from Louisiana [Mr. ELLENDER] might offer four amendments en bloc at this time and that his time would be totaled, which would allow 20 minutes for the proponents and 20 minutes for the opposition. Does the Senator from Louisiana wish to be recognized under that arrangement?

Mr. ELLENDER. I desire to offer first my amendment designated "4-28-60—K." If that amendment prevails, my other three amendments will not be offered.

I wish to allocate 14 of the total 20 minutes allowed me to amendment "K," and 2 minutes to each of the three remaining amendments.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. SALTONSTALL. Which amendment is offered?

Mr. ELLENDER. The amendment designated "4-28-60—K."

The ACTING PRESIDENT pro tempore. The Senator from Louisiana has announced that he is offering his amendment designated "4-28-60—K," which will be stated.

The LEGISLATIVE CLERK. On page 23, beginning with line 16, it is proposed to strike out all through line 10 on page 24.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized for 14 minutes.

Mr. ELLENDER. I will take 8 minutes at this time.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized for 8 minutes at this time, and for a total of 14 minutes on the amendment designated "4-28-60—K."

Mr. ELLENDER. Mr. President, the purpose of my amendment is to delete from the bill the amendments proposed by the Foreign Relations Committee to Public Law 480.

As we all know, the Agricultural Trade, Development, and Assistance Act of 1954, or, as it is more commonly called, Public Law 480, was originally considered by the Committee on Agriculture and Forestry of the Senate during the 83d Congress. Since that time the Committee on Agriculture and Forestry has reconsidered this act and has continued its life through the year 1961.

The amendments proposed by the Senate Foreign Relations Committee would make three drastic changes in Public Law 480.

I wish to point out, Mr. President, that on Friday last I introduced, at the request of the Department of Agriculture, a bill which would further amend Public Law 480. This bill is the appropriate vehicle for basic amendments to that act, of which these are several, and I ask the Senate to adopt my amendment with the assurance that the substance of the amendments proposed by the Foreign Relations Committee will be considered by the Senate Committee on Agriculture and Forestry this year.

Last year when we considered the extension of Public Law 480, we made certain that no foreign currencies would be allocated under any provision of Public Law 480 unless the money had been previously appropriated. The Senate Agriculture Committee went into great detail on that point in its report.

The proposal before us would nullify that provision of the present law.

The second change sought to be accomplished pertains to section 202 of title II of Public Law 480. Under this authority, in cases of disaster or extreme emergency, it is possible to use surplus agriculture commodities on a grant basis. The Committee on Foreign Relations seeks to change that provision entirely by making it possible for grants to be made for economic development. What is actually sought is authority to pay local workers on any project in surplus commodities rather than in local currency.

Mr. President, this is simply a method of obtaining additional grant aid at the expense of the agricultural program. I doubt the wisdom of further broadening title 2 of Public Law 480 to include grants of surplus commodities for economic aid without otherwise reducing the amount of economic aid which countries would receive under the pertinent sections of the Mutual Security Act. In other words, if country X is programmed to receive, say, \$50 million in grant assistance under the Mutual Security Act,

and, subsequently, is authorized \$10 million in surplus agricultural commodities under the authority proposed in the committee bill, then it strikes me that the \$50 million in grant assistance should be reduced by the amount of economic aid made available in the way of surplus agricultural commodities. I need not remind Senators that last year we heard a lot about so-called back-door financing. That cry will doubtless be raised again when the Senate considers a housing bill this year. I most respectfully suggest that the committee amendment constitutes back-door financing of the most flagrant kind, and for this reason too, it should be modified to provide that assistance made available thereunder will not be in addition to other economic aid authorized under the act. If this is done, we can truly begin to use our agricultural commodities as a means of reducing dollar grant aid.

The only reason I can see for the committee amendment is to open up the prospect of using grants of agricultural commodities as a new and huge economic aid, programed without any detailed congressional scrutiny. As a practical matter, title II has already been used for the purposes suggested by the committee. The committee report indicates that without its amendment it will not be possible for workers on highways and related projects to be paid in kind, that is, in grain or other foodstuffs. Yet, according to the February 11 "Semiannual Report on Operations Under Public Law 480," language is found on page 54 which shows that some 42,000 tons of wheat grain will be supplied to Tunisia to extend the emergency work relief program through December 1960. I quote therefrom:

About 42,000 tons of wheat and feed grains will also be supplied to Tunisia to extend the emergency work relief program through December 1960. The additional amount of grain provided will permit some program expansion and it is expected that a total of 75,000 workers may be employed on a rotation basis. About two-thirds of the workers' wages, estimated at the equivalent of 70 cents per day, are paid in U.S. grain and the remainder in cash contributed by the Tunisian Government. Work projects include construction and renovation of earth dams, cisterns, and wells, tree planting, building of firebreaks, and various soil conservation and reclamation activities. Work progress has been excellent and results can be seen in many parts of the country.

On page 55 we find this language:

About 2,000 bales of raw cotton are being made available to two American voluntary agencies to manufacture about 80,000 comforters for free distribution to the poor in China (Taiwan). The voluntary agencies will finance the cost of the other materials needed and will supervise the manufacturing process.

In other words, Mr. President, the Department of Agriculture has been doing what the Committee on Foreign Relations claims that this amendment and only this amendment will permit, and the Department has been doing this under existing law. Once this is realized, then, the only logical conclusion that can be drawn is that the real purpose of the committee amendment is to turn title II

of Public Law 480 into a mammoth economic grant program. Whether this is prudent or not, I am not in a position to say. I do say it is a problem which involves further study and, I wish to emphasize, study which should be conducted by the legislative committee having jurisdiction over Public Law 480—that is, the Committee on Agriculture and Forestry.

There is a third proposal in the bill as reported by the Foreign Relations Committee which would permit the Federal Government to pay for the transportation of surplus products beyond the port of entry of the country where the goods are to be delivered.

The PRESIDING OFFICER (Mr. CANNON in the chair). The Senator's time has expired.

Mr. ELLENDER. I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. ELLENDER. Mr. President, Afghanistan presents us with a good example. If the surplus commodities are landed at Karachi, our Government will pay the inland freight from Karachi through the Khyber Pass and on to Kabul.

I say that is going too far. I believe we are doing enough by paying for the ocean freight. The next thing they will want us to do is to cook the surplus commodities so that they will not have that problem. These proposals of the Foreign Relations Committee should not be adopted within the purview of the Mutual Security Act, but should be considered by the Committee on Agriculture and Forestry.

Of my remaining time I now yield 2 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, the proviso in the bill which the Ellender amendment would delete would transfer from the Department of Agriculture part of the authority for the disposal of farm products abroad.

The Department of Agriculture has done an excellent job under Public Law 480. I believe that the Department of Agriculture approved the proviso in the bill against its better judgment.

The plan to pay workers in foreign countries in commodities instead of in local currencies would lend itself to a great deal of corruption, as it would be almost impossible to police it. It would be almost impossible to determine the dietary requirements of every African or south Asian family. The approval would injure normal channels of trade. It is also unnecessary to accomplish the purpose sought to be accomplished in an orderly and workable manner. The mutual security program is no place in which to open old sores, particularly between the Department of Agriculture and the Department of State. That is what the proposal would certainly do. It is not possible to divide that authority, unless the Department of State takes over the disposal of farm commodities abroad.

After the Department of Agriculture has done such a good job, we should not add such a provision to the bill. If the

provision remains in the bill, the mutual security program will be badly damaged.

Public Law 480 was developed in the Committee on Agriculture. That committee has always had jurisdiction over it, and any amendment to the act. The provision in the bill which would change that situation should be defeated, and the provisions referred to the Committee on Agriculture and Forestry for consideration.

Mr. ELLENDER. Mr. President, as I said before, last Friday I introduced a bill at the request of the Department of Agriculture to carry out the very purpose the Senator has discussed.

Mr. AIKEN. That is before the Committee on Agriculture and Forestry. The Department of Agriculture approved this provision, I believe, under direction, and most reluctantly.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I have only 2 minutes remaining.

The PRESIDING OFFICER. The Senator from Louisiana has 3 minutes remaining. The Senator from Vermont did not use all the time allotted to him.

Mr. ELLENDER. I yield to the Senator from Ohio.

Mr. LAUSCHE. Does the discussion which the Senator from Vermont has engaged in cover completely the item contemplated to be dealt with by the amendment of the Senator from Louisiana?

Mr. AIKEN. I discussed only one part of the Ellender amendment. I am not so much opposed to the other provision in the bill which would be deleted by the Ellender amendment. The part I discussed is so harmful, I believe it is better to take out all amendments pertaining to Public Law 480, and refer them to the Committee on Agriculture and Forestry, where they are already pending.

Mr. ELLENDER. Mr. President, of the remaining time, I yield 2 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, we have heard much in the Senate in recent sessions about backdoor financing. The proposal now before the Senate is as excellent an instance of backdoor emasculation of the jurisdiction of a committee and of the benevolent effects of the finest program for the distribution of our surpluses of agricultural products, along with doing good to friendly nations throughout the world, as could possibly be imagined.

In these proposed amendments to Public Law 480, the Committee on Foreign Relations seeks to completely change the direction of Public Law 480, without the Committee on Agriculture and Forestry, which has worked for 6 years in this field—and with good results—even being advised of what is going on.

I do not believe the Senate wants to stand for that kind of elimination of jurisdiction; that kind of elimination of responsibility; and that kind of changing and perverting of a fine program which has been created under Public Law 480. We were asked to establish a program under Public Law 480, and we did. The present speaker has sat on

every one of the conference committees and every one of the committees which has brought out this act and its various amendments. He knows something about the hard work which has gone into it on the part of the 17 Members of the Senate who comprise the Committee on Agriculture and Forestry.

To have this kind of emasculation of committee responsibility and of the fine programs created by that committee is, I think, totally wrong. Aside from that, to take away from the Department of Agriculture, which is the agency charged primarily with the handling of the programs under which surpluses have been built up, and then with the handling of the surpluses themselves under Public Law 480, so as to confuse and admix the responsibility of two great Departments—the Department of Agriculture and the Department of State—so that the Department of Agriculture handles one program under title I for the development of friendly nations, and the Department of State handles another program under title II for the development of friendly nations, one with surplus commodities from one bin, and the other with surplus commodities from the other bin, simply does not make sense. It is not responsible government to have those two different great agencies working with the same authority, toward the same purpose, and at cross-purposes.

I hope the amendment will be agreed to, and that the committee which has this matter in charge will be given the opportunity to handle it properly.

Mr. CASE of South Dakota. Mr. President, I offer my amendment to the Ellender amendment, which is at the desk.

The PRESIDING OFFICER. The Senator from Louisiana has not used all his time. The amendment of the Senator from South Dakota will not be in order until the time of the Senator from Louisiana has expired or has been yielded back. There is some time in opposition, if those in control of the time in opposition desire to yield time for this purpose.

Mr. CASE of South Dakota. Is it not in order to offer an amendment to the Ellender amendment?

The PRESIDING OFFICER. At the appropriate time. It will not be in order until the time of the Senator who has offered the amendment has expired.

Mr. CASE of South Dakota. I thought he might want some time on that.

The PRESIDING OFFICER. Does the opposition desire to use any time or to yield any time to the Senator from South Dakota?

Mr. DIRKSEN. The distinguished Senator from Texas [Mr. JOHNSON] would, I think, control the time in opposition to the amendment.

Mr. FULBRIGHT. I wish to speak in opposition to the Ellender amendment. If the Senator from South Dakota wishes to offer an amendment to that amendment, I should like to see what will happen then, because it may change the situation; I do not know.

Mr. DIRKSEN. That would not affect the time against both the original amendment and the amendment to the amendment.

Mr. FULBRIGHT. I am opposed to the Ellender amendment. I am awaiting the proper time to speak in opposition.

The PRESIDING OFFICER. Under the rule, there would be 5 minutes allotted to each side.

Mr. DIRKSEN. We would not be foreclosed in the use of that time, I am sure.

The PRESIDING OFFICER. The Senator would not be foreclosed in the use of that time.

Mr. DIRKSEN. So the time in favor of the Ellender amendment would be intact, and the time against the amendment would be intact.

The PRESIDING OFFICER. By unanimous consent, the Senator from South Dakota could offer his amendment at this time.

Mr. CASE of South Dakota. Mr. President, if it is necessary to ask unanimous consent in order to offer the amendment at this time, I shall ask unanimous consent, although it seems to me that the amendment to the amendment should be disposed of before the time on the original amendment has been fully exhausted.

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that that is not in accordance with the precedents.

Mr. CASE of South Dakota. Then I ask unanimous consent to offer my amendment to the amendment of the Senator from Louisiana at this time, so as to preserve the remaining time on the original amendment.

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

The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 23, beginning with line 16, it is proposed to strike out all through line 5, page 24.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. ELLENDER. Mr. President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. ELLENDER. As I understand the Senator's amendment, it would delete from my amendment the section to strike from the committee bill authority for the Government to pay freight costs to deliver surplus commodities from a port to a landlocked area.

Mr. CASE of South Dakota. That is correct.

Mr. ELLENDER. If the Senator from South Dakota is agreeable, I shall modify my amendment to that effect.

Mr. CASE of South Dakota. That accomplishes the purpose of my amendment. If the Senator from Louisiana will so modify his amendment, I am willing to withdraw my amendment.

Mr. ELLENDER. Mr. President, I so modify my amendment.

Mr. CASE of South Dakota. I should like to take 1 minute to explain the purpose of my amendment. It leaves paragraphs A and B of the Ellender amendment, but it removes paragraph C. The reason why I thought paragraph C should be removed was my desire to

leave with the Foreign Aid Administration the authority to pay the freight from the ocean port into the port of entry of a landlocked country, if it so desires. I should like to make this a matter of record. I do so based on the very instance or illustration which the Senator from Louisiana used.

When President Eisenhower was in Karachi, he thought it so important to go to Kabul that he changed his whole itinerary in order to fly to Kabul. He thought it was important that we maintain friendly relationships with Afghanistan.

I happened to be in Karachi within just a few days after that happened. I talked with the Ambassador from Afghanistan to the United States. He was in a very friendly mood. He said the people of Afghanistan appreciated the visit by the President.

I believe it would be unfortunate at this time, following that visit, if we said that we would put the material in Karachi but would not carry it to Kabul, even if we could do so.

The Senator from Louisiana has kindly offered to modify his amendment so as to remove paragraph C. I think that is an improvement.

Mr. FULBRIGHT. Mr. President—
The PRESIDING OFFICER. The Senator from Arkansas has time in opposition to the Ellender amendment.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Arkansas as much time as he may desire.

Mr. FULBRIGHT. Mr. President, I am glad the Senator from Louisiana has accepted the suggestion not to delete the third paragraph. That will save some time. I believe this paragraph applies only to those commodities which private organizations ship to these landlocked countries. There are very few of them that I can think of offhand, such as Afghanistan, Laos, Nepal, and Bolivia. The committee bill applies to landlocked countries, where there are no seaports. It is designed to assist private charities. It is a very small matter. Even though it may violate the principle of jurisdiction of the Committee on Agriculture and Forestry, I am very much pleased that the Senator from Louisiana has accepted the amendment of the Senator from South Dakota.

With regard to jurisdiction, I think this is a very clear example of an instance of overlapping jurisdiction. It is unavoidable. The end use of these commodities in the foreign countries strikes me as certainly being the concern of the Committee on Foreign Relations. I do not know how we can escape that fact. I recognize that the motive of the original Public Law 480 was not to help foreign countries; it was to relieve our agriculture of the burdensome surpluses, but certainly our humanitarian instincts and desires could be satisfied also in this convenient way. This program now serves a dual purpose. Certainly the purpose is not solely to relieve the burden of our agricultural surpluses. One purpose is to help the country to dispose of its agricultural surpluses; the other is to aid in foreign lands in diverse ways.

I think it is quite proper for the Committee on Foreign Relations to consider

any proposed improvement in the end use of the surplus commodities. That is all these amendments seek to do. They were proposed by the administration. I think they make much sense.

The first one, section 601, looks complicated in the report. I refer to page 30 of the report, in which the proposal is set forth as carefully as the staff and the administration could put it, because three different subsections—sections (k), (p), and (r), of section 104, Public Law 480—are involved. The end result is simply and solely to make available the use of foreign currencies, without an appropriation, for health and education related to economic development.

I think Congress has a great prejudice against education—though not the Senate, I may say. The attitude of the Senate has been quite enlightened. But in Congress there is a great prejudice against education in this country. That is why our educational system has run down. In any case, we ought not to allow prejudice to interfere with our effort to educate foreign peoples who need education and desire it.

All in the world that this very complicated amendment does, an amendment proposed by the administration and accepted enthusiastically by the committee, is to enable the use of foreign currencies for the purpose of improving health and education in ways which contribute to economic development.

Such currencies are used under circumstances similar to those we propose in this case, for other economic development activities, such as the construction of highways and similar projects, without appropriations. We propose that health and education be placed on at least a parity with the building of railroads or highways. It seems to me that education should be entitled to as much leeway, under our program, as are these other worthy objectives. That is all we seek to do.

Subsection (b) of section 601 is a procedural provision. Title II of Public Law 480 provides for the use of surplus agricultural commodities for relief—for instance, for the relief of famine. There is an overall ceiling that is equivalent to \$300 million a year. Under that authority, such commodities can be given directly to those who are suffering from famine.

Under title I, the same commodities can be sold for local currencies—not for dollars—and the local currencies can be loaned or granted back to the country involved, for the same kind of process. It is necessary to go through an extra step of bookkeeping, and that complicates the program. It tends to pile up more foreign currencies in some of the most hard-pressed countries, where the needs are the greatest.

I do not pretend that this amendment involves a matter of life or death. The purpose can still be achieved, I believe, even if the amendment is agreed to; but the amendment would make its achievement more difficult.

I grant that almost every amendment that has been submitted is designed to make achievement of the program as difficult as possible. But then in the

next breath those who submit the amendments complain about the maladministration of the program. That attitude involves the strangest sort of schizophrenia I have ever observed in connection with any legislation proposed here. Those who complain most bitterly about the waste and graft, as alleged, also urge the imposition of restrictions which would make proper administration impossible. On the one hand, Senators say they wish to get rid of the surpluses of our agricultural commodities. On the other hand, Senators attempt to place obstructions in the way of getting rid of those surplus agricultural commodities through the program under subsection (b). This amendment will make it more and more difficult to distribute our surplus agricultural commodities—for instance, in Tunisia, which is the location of the pilot project on which the program is based. This program enables the building of irrigation canals—a project of the type which does not require the use of very much technical equipment. Virtually all the demand in connection with the project is for labor. The cost of the project can be paid in part by giving the laborers wheat, rice, or corn, and so forth.

Mr. DIRKSEN. Mr. President, will the chairman of the committee yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. FULBRIGHT. I yield.

Mr. DIRKSEN. First, let me say that, as I understand, the only commodity actually involved here is wheat. Is that correct?

Mr. FULBRIGHT. That happens to be the one involved here. The proposed legislation would not restrict to wheat the commodities used, but wheat is the one that is actually used in this instance.

Mr. DIRKSEN. Second, nothing in the proposed provision we are now discussing would enlarge the authority to modify the so-called surplus agricultural products program, would it?

Mr. FULBRIGHT. This involves only the end use of it.

Mr. DIRKSEN. Third, this provision would simply permit the issuing of grain which already is in storage, instead of cash, and simply would obviate a second step. Is that correct?

Mr. FULBRIGHT. Yes. Local funds, not American dollars, are involved.

Mr. DIRKSEN. That is correct.

Mr. FULBRIGHT. Yes; it simplifies the program.

The amendment of the Senator from Louisiana would simply put another obstacle in the way of the administration.

Mr. DIRKSEN. Let me say that I think I can understand the jurisdictional question which has arisen here. But the fact is that no broad change would be made in the so-called surplus farm commodity program; only an additional transfer would be available for economic development purposes.

Mr. FULBRIGHT. Yes. The amendment was proposed last year in connection with a bill sponsored by the Department of Agriculture under Public Law 480. That indicates the position of the

Department of Agriculture. It favors this use of these commodities. The Department of Agriculture has approved the resubmission of this language in connection with this bill. The Department of Agriculture is in favor of this.

Mr. DIRKSEN. I think that states the whole case quite well.

Mr. FULBRIGHT. It is not a very complicated matter. I cannot understand why Senators would not wish this to be used; for example, for education. All these countries want improvement in education; and that can be provided by building schoolhouses and other projects which involve local costs, and which do not involve dollars.

I submit that these will be very helpful provisions of the bill.

Mr. AIKEN. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. Yes, if I have any time remaining available to me.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Vermont 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes on the bill.

Mr. AIKEN. Mr. President, I simply wish to say that I am not impressed by an argument that it is simpler to pay laborers on foreign public-works projects in commodities than it is to pay them in local currencies. I do not think we should undertake to tell the laborers in foreign countries what is good for them, particularly in the way of diet. Wheat is not the only commodity that is involved here; but even if we assume that it is the only one, do we know what an African worker on such a project would do with his pay, at the end of a week's work? Perhaps he would buy a shirt or some soap or some aspirin. But under the provision now proposed, when he received his pay, instead of receiving local currency, which would enable him to buy such articles, he would be given 24 boxes of Crispy Crunchy Crackles, made by the Crispy Crunchy Crackles Corp., of Cracklesville, U.S.A. Of course the boxes would be very nicely lithographed, and the worker probably would receive, in that way, more of such processed, packaged food than he had ever received before. But I do not think we should undertake to determine what would be the dietary requirements of every foreign family, and undertake to pay those workers on such a basis—as the State Department has said it would like to do. It has said it would not pay them more than they could use for their own families.

Mr. President, what kind of nonsense is this, anyway? As a matter of fact, this amounts to a toe in the door or a nose under the tent, in an effort to transfer the program for the disposal of surplus U.S. farm commodities from the Department of Agriculture to the State Department. That has been going on for 10 years; and this time it has a little more promise of success than it has had in previous years.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Mr. President, I can concur in everything the distinguished Senator from Vermont has said. But the weakness of that case is that if partial pay is not accepted in the form of some sort of acceptable commodity which the family of the worker needs and uses, the individual worker in question simply will not have a job. The issue is that simple. If he is to be paid partly in kind, if he is willing, obviously it will be possible to increase the number of jobs in the economic development field. So that is the real benefit that is involved.

Mr. ELLENDER. Mr. President, since I have withdrawn one of my amendments by acceptance of Senator CASE's language, I believe I have 2 minutes remaining on that amendment. I ask for that 2 minutes at this time.

The PRESIDING OFFICER. The Senator from Louisiana has 6 minutes remaining.

Mr. ELLENDER. Then, Mr. President, at this time I yield myself 2 of those 6 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 minutes.

Mr. ELLENDER. Mr. President, as was correctly pointed out by my good friend, the Senator from Florida, title I of Public Law 480, provides for the sale of the surplus commodities and for the use of the proceeds from these sales for economic development within the country to which the surpluses have been sold, title II funds are to be used exclusively in case of famine or other disaster. Now it is desired to add to title II a proposal that the \$300 million now allocated to that purpose can be used to promote economic development.

Mr. President, I believe that it is up to the Committee on Agriculture and Forestry to make that determination. Title II of Public Law 480 presently is subject to an authorization of only \$300 million, and it is entirely possible that amount could be gobbled up overnight if it were used for economic development; if a famine or disaster should occur somewhere in the world, we would have to provide additional authority.

I repeat that when the Public Law 480 program was put on the statute books, under title I there were to be sales, and under title II gifts or donations, but such gifts were to be limited to cases of famines or other disasters.

What is sought to be done here today is to simply add more economic aid than the amounts apparently otherwise provided in the bill. The Foreign Relations Committee has limited the total amount to be authorized to \$4 billion-plus, including military aid, but unless my amendment is adopted, it is possible that \$300 million more in surplus commodities, can be added to the total amount.

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

Mr. ELLENDER. I will yield on the Senator's time.

Mr. FULBRIGHT. Very well. I think the Senator ought to be at least accurate in his statement. We do not disturb the limitation of \$300 million under title II, or what is provided under existing legislation.

Mr. ELLENDER. Then it is an addition to the \$4 billion-plus otherwise provided in the bill. In other words, the committee would make available up to \$300 million additional, and that is what I am opposing. Furthermore, in the brief time available, a study of Public Law 480 and other applicable statutes reveals no apparent prohibition against the resale of surplus agricultural commodities which might be donated to a recipient country for economic assistance under title II of Public Law 480 as it is sought to be amended by the committee amendment.

Thus, in theory, at least, it would be possible for wheat to be donated to country X for economic aid. Country X could then sell this wheat to country Y and realize benefits therefrom.

I realize that any transaction which the committee amendment would authorize would doubtless be the subject of an agreement between our country and the recipient country and the terms of this agreement could govern all aspects of this transaction. The avowed purpose of the amendment is to permit foreign countries receiving U.S. economic assistance or other aid to pay individuals in those countries in food or other agricultural commodities for labor which might be performed, or other services rendered.

If the language of the amendment were limited to this purpose, and if there were not committee jurisdictional problems involved, it would appear that the amendment is not harmful. On the other hand, the language of the amendment is so broad it at least offers the possibility of gross abuses of the assistance it would authorize.

It should also be noted that title II of Public Law 480, specifies that "the President shall take reasonable precaution that such transfers will not displace or interfere with sales which might otherwise be made."

This would seem to protect our sales or other transactions, but would it protect normal transactions between the recipient country and third countries?

For example, assuming that the recipient country normally purchased large amounts of rice from Burma, and assuming further that we donated large amounts of rice to the recipient country under the authority proposed in the bill, would the President, in making such donation have to bear in mind that the donation might reduce normal sales from Burma to the recipient country, thus leaving the way open to injure third countries while helping recipient countries?

Mr. HOLLAND. Mr. President, will the Senator yield to me 2 minutes?

Mr. DIRKSEN. I yield the distinguished Senator from Florida 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. I thank the Senator from Illinois. The report itself bears out exactly what the Senator from Louisiana has just said. If Senators will turn to page 31 of the committee report,

they will find this sentence as the first sentence of the page:

The amendment would make it possible to furnish surplus agricultural commodities, on a grant basis—

That is under title II—
for purposes of economic development in underdeveloped countries where famine or other emergency situations do not exist.

If Senators will go to the last sentence in that same paragraph, they will note that, even by the committee report, this new use is more far reaching than has been shown here on the floor, and I quote:

It will also have the effect of enabling Public Law 480 to be used, to some extent, to supplement funds for defense support and special assistance, but it cannot, of course, be used as a substitute for dollar programs.

It is just as clear as a bell that this proposed change not only takes from grants to relieve suffering and famine and great disaster and emergency, so as to diminish that which is the most gracious part of our program, but, also, deliberately earmarks those funds for three additional purposes, as shown by the report, for the building up of economic development in underdeveloped countries where there is not such deprivation, and for the supplementing of funds for defense support and special assistance.

I close by pointing out to the Senate that not only is that true, but this plan puts a competing organization, the Department of State, in these three fields to handle what is being done under Public Law 480 by the Department of Agriculture. Could it be made clearer than the report itself demonstrates that this is not just the camel's nose under the tent, but is a major blow to take away control of surplus commodities from the Department of Agriculture?

Mr. FULBRIGHT. Mr. President, do I have any time?

The PRESIDING OFFICER. 10 minutes remain to the Senator.

Mr. FULBRIGHT. I yield myself 3 minutes.

I do not know how a committee can possibly make anything clearer, so far as the way I read the language is concerned, and yet be so completely misinterpreted. If Senators will consider the next sentence after what the Senator from Florida read, they will see it reads:

It should be borne in mind in this connection, however, that this new authority will be subject to the overall limitation of \$300 million a year on the value of commodities which can be furnished under title II of Public Law 480.

The Senator has stated this will be done at the expense of poor, suffering, starving people. Under this authority, the maximum that has been used is \$130 million in equivalent currencies. I want to qualify the figures we are applying to foreign currency. The \$130 million would be equivalent currencies. We are not dealing with dollars. These are funds from the sale of foreign currencies.

I do not see how this language could be plainer. We are not adding anything at all. Under existing authority there is

now the right to use the equivalent of \$300 million of commodities for the relief of starving people in an emergency. All in the world we are doing is stating that, within that limit, in addition to relieving them in the event of a disaster, we may be permitted to pay the local unemployed people to dig a ditch or build a road, or do some similar work. The pilot project that was used was the building of an irrigation ditch, in which most of the work is hand labor in these rather underdeveloped countries. The use of such funds does not impose any additional burden on the program at all. It will to some extent utilize unused authority under the \$300 million limitation. That is as far as it could possibly be used.

The authorization would make possible getting rid of a little more of the accumulating bushels of wheat, which I thought everybody interested in agriculture desired to see done. The Department of Agriculture is for it. If the Committee on Agriculture and Forestry is to use this as a test case to see that the Committees on Foreign Relations shall never have anything to say about what is done with foreign currencies, I deny their jurisdiction. I think it is a complete misinterpretation of the concept of jurisdiction. The Foreign Relations Committee has a very important interest in what is done in foreign countries with the currencies that are developed from the disposal of commodities; and I would not for a moment let such a provision be interpreted as my acquiescence in assertion of exclusive jurisdiction over everything that is done beyond our shores in this field.

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

Mr. FULBRIGHT. I yield.

The PRESIDING OFFICER. The 3 minutes the Senator yielded have expired.

Mr. FULBRIGHT. Mr. President, I yield myself 3 more minutes.

Mr. DIRKSEN. I thought a moment ago the distinguished Senator from Florida made the point that there would be duplication of administrative activities as between the Department of Agriculture and the State Department. My understanding is that actually the State Department, through ICA, already administers title II of Public Law 480. Therefore, I could detect no duplication of administrative functions.

Mr. FULBRIGHT. I am absolutely at a loss to understand the feeling that we ought not to have anything to say, except upon the jurisdictional basis. From an efficiency point of view, it seems much more sensible to avoid the round-about procedure of having to sell a bushel of wheat for a local currency, and to take the franc, if it happens to be in Tunisia, and give it to the workman, who will go out to buy a bushel of wheat. That is about what it amounts to.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on the amendment. The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. 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. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the Ellender amendment "K," as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], the Senator from Oregon [Mr. LUSK], the Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. MUSKIE], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote the Senator from Oklahoma [Mr. KERR] is paired with the Senator from Oregon [Mr. LUSK]. If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from Oregon would vote "nay."

I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Montana [Mr. MURRAY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nebraska would vote "yea."

The result was announced—yeas 45, nays 38, as follows:

[No. 177]

YEAS—45

Aiken	Ervin	Morse
Bartlett	Frear	Moss
Beall	Goldwater	Mundt
Bible	Gruening	O'Mahoney
Butler	Hartke	Prouty
Byrd, Va.	Hickenlooper	Randolph
Byrd, W. Va.	Holland	Robertson
Cannon	Johnston, S.C.	Russell
Case, S. Dak.	Jordan	Schoeppel
Cooper	Lausche	Stennis
Cotton	Long, La.	Talmadge
Curtis	McClellan	Thurmond
Dworschak	Magnuson	Williams, Del.
Eastland	Mansfield	Yarborough
Ellender	Martin	Young, N. Dak.

NAYS—38

Allott	Fulbright	McCarthy
Bennett	Gore	McGee
Brunsdale	Green	McNamara
Carlson	Hart	Monroney
Carroll	Hayden	Pastore
Case, N.J.	Hennings	Proxmire
Church	Jackson	Saltonstall
Clark	Javits	Scott
Dirksen	Johnson, Tex.	Smathers
Dodd	Keating	Smith
Douglas	Kefauver	Wiley
Engle	Kuchel	Williams, N.J.
Fong	Long, Hawaii	

NOT VOTING—17

Anderson	Hruska	Murray
Bridges	Humphrey	Muskie
Bush	Kennedy	Sparkman
Capewhart	Kerr	Symington
Chavez	Lusk	Young, Ohio
Hill	Morton	

So Mr. ELLENDER's modified amendment to the committee amendment was agreed to.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. AIKEN. Mr. President, I move to lay that motion on the table.

The motion to table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ELLENDER. I call up my amendment identified as "4-28-60-O."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 11, line 25, strike out the period and add the following: "but in no case shall any reimbursement by the International Cooperation Administration to the Department of Defense, or any agency thereof, for such excess equipment exceed the usual value of excess equipment as determined under section 545(h) of this Act."

The PRESIDING OFFICER. Five minutes are available on each side on the amendment.

Mr. ELLENDER. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Mr. ELLENDER. Mr. President, the sole purpose of this amendment is to prevent unjust enrichment of the Defense Department at the cost of the mutual security program. Under existing law, when excess equipment is transferred from the military to the mutual security program, the mutual security program is charged only the rehabilitation cost of such equipment.

The committee amendment, I fear, may leave a loophole with regard to equipment which can be shipped to Latin America.

I do not desire to tinker with the \$55 million limitation on such shipments provided under the bill. However, I do fear that under the committee's language, which specifies that excess equipment is to be valued at acquisition cost for the purposes of the limitation, it may be interpreted by the executive agencies that the committee desires the Defense Department or any agency thereof to be reimbursed from mutual security accounts on the basis of not rehabilitation cost, as is the case with excess equipment, but on acquisition cost.

My amendment merely seeks to make it clear that for the purposes of meeting the \$55 million limitation, excess equipment is to be assigned the value of acquisition cost, but for the purposes of reimbursement from MSA accounts, such equipment is to be valued at rehabilitation cost, as is now specified under section 545(h) of the Mutual Security Act, as amended.

I realize that perhaps my amendment is not artfully drawn, but I think the purpose of it is clear, and let me repeat, if my amendment should be adopted, there would actually be two values assigned to excess equipment shipped to Latin American areas.

First, for the purposes of the \$55 million limitation, and for no other purpose, such equipment would have to be assessed at acquisition cost, but second, for the purposes of reimbursement from MSA to Department of Defense account, reimbursement must be based upon rehabilitation cost, in accordance with the existing provisions of section 545(h), and not acquisition cost, which, if applied for reimbursement, would unjustly enrich the Department of Defense and agencies thereof at the expense of the mutual security program.

Mr. FULBRIGHT. I yield myself 3 minutes.

As I interpret the amendment, it has no application here. If the Senator seeks to change the formula by which excess equipment is valued, he should seek to amend section 545(h) of the act.

It is not the intent of this section in the bill to change that formula, and we do not believe we have changed it. All that the section on page 11 of the committee amendment seeks to do is to set the ceiling on the amount of the military aid given to Latin America at \$55 million. We have no intention of changing the formula for valuing the equipment. I refer to the language in parentheses on page 11: "(as excess is defined in section 545(h) of this act)."

We do not wish to change that language. If we have inadvertently made an error, we will be glad to correct it. I believe the Senator from Louisiana is in error as to the meaning of that section. In other words, the International Cooperation Administration does not reimburse anyone, under this section, for anything. This is military assistance. The ICA does not now nor would it under this language reimburse for anything under the formula that is used.

The formula for arriving at \$55 million is the existing formula in section 545(h), in the opinion of the chairman and in the opinion of the staff of the Committee on Foreign Relations. I think that either the Senator or I misinterpreted the language.

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

Mr. FULBRIGHT. I yield.

Mr. ELLENDER. Am I to understand that the ICA is not charged with collecting for the sale?

Mr. FULBRIGHT. Yes.

Mr. ELLENDER. Probably some branch of the military will administer the transaction. Whatever agency does administer it cannot charge more for the

excess equipment than the cost of rehabilitating it. That is the intent of my amendment.

Mr. FULBRIGHT. What we believe this means is that in arriving at the ceiling of \$55 million as to the amount of the material that is included, the agency will use the formula now in existence in section 545(h).

Mr. ELLENDER. Which is what?

Mr. FULBRIGHT. It is a very complicated formula, as the Senator knows. I will not undertake to describe it, without reading it to the Senator. It involves a variety of elements. We do not seek to change it in the bill; that is all I am saying. We do not touch the existing formula for arriving at the value of excess equipment.

Mr. ELLENDER. Mr. President, will the Senator further yield?

Mr. FULBRIGHT. I yield.

Mr. ELLENDER. The Senator is familiar with what happened several years ago in the Defense Department, when a good deal of secondhand material was sold to the mutual security program at either original cost or replacement cost. The military got a windfall.

Mr. FULBRIGHT. Yes.

Mr. ELLENDER. In that way they were able to get brandnew material and at the same time drain off their excess stocks.

Mr. FULBRIGHT. Yes. The formula I referred to was worked out as a result of that. We do not change the formula.

Mr. ELLENDER. So as to make legislative history, I understand it is the intention of the committee not to change the formula at all. Is that correct?

Mr. FULBRIGHT. Absolutely.

Mr. ELLENDER. Which means in no case will the MSA account be charged for excess military equipment more than rehabilitation cost. Is that correct?

Mr. FULBRIGHT. I do not want to undertake to say, off the cuff, what 545(h) means. I will get it and read it. It has in it more than what the Senator from Louisiana says is in it. That is a formula which was worked out as the result of experience, as he stated. We are not changing the formula. If the Senator wishes to change it, he should direct his amendment to the formula, not to this particular section of the bill.

Mr. ELLENDER. The language I propose is:

But in no case shall any reimbursement by the International Cooperation Administration—

I can change that to read "by the agency," rather than "International Cooperation Administration." The amendment will then read:

But in no case shall any reimbursement by the agency to the Department of Defense, or any agency thereof, for such excess equipment exceed the usual value of excess equipment as determined under section 545(h) of this act.

Mr. FULBRIGHT. I think it is unnecessary to have such language, but if it gives the Senator from Louisiana any great pleasure, and the Senate wishes to accept it, they can accept it. I think it

is utterly superfluous, because we do not intend to change the formula.

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

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. Section 545(h), as I read it, was worked out by the Senator from Georgia and me in the original mutual security bill.

Mr. FULBRIGHT. That is correct.

Mr. SALTONSTALL. In all the years since then, so far as I know, the Committee on Appropriations has never had a case in which this question has arisen. I do not see that the amendment of the Senator from Louisiana adds to or detracts in any way from the situation.

Mr. FULBRIGHT. Neither do I.

Mr. SALTONSTALL. If the Army, for example, has miscalculated the amount that is needed for weapons, all it needs to do is to change the figures, but I have never heard of a case coming before the Committee on Appropriations.

Mr. FULBRIGHT. We say "excess as defined in section 545(h)."

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired. The Senator from Louisiana has 1 minute remaining.

Mr. ELLENDER. What is the meaning of the language on page 11, line 24, "shall mean the acquisition cost to the Armed Forces of the United States for such equipment and material"?

It strikes me that that language changes the act to which the Senator from Massachusetts has just referred. That is what bothers me.

Mr. FULBRIGHT. I think that relates to material—the excess equipment. The bill reads: "(as excess is defined in sec. 545(h))."

I think this is what we had in mind. The materials may not be excess equipment, but materials which are excess and do not come under that provision.

Mr. ELLENDER. I wonder if the Senator would accept the amendment. I think he can see what I have in mind.

Mr. FULBRIGHT. Yes. It is not the ICA.

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

Mr. FULBRIGHT. I have no objection.

Mr. President, do I have any time left?

Mr. DIRKSEN. Mr. President, I yield the Senator from Arkansas 2 minutes on the bill.

Mr. FULBRIGHT. I do not object to the objective. I am willing to accept the amendment. But how does the Senator wish to amend it?

Mr. ELLENDER. Instead of the International Cooperation Administration, let the amendment apply to the account from which reimbursement is made, in the following manner:

On page 11, line 25, strike out the period and add the following: "but in no case shall any reimbursement to the Department of Defense, or any agency thereof, for such excess equipment exceed the usual value of excess equipment as determined under section 545(h) of this Act."

Mr. FULBRIGHT. I am willing to accept the amendment as modified and

take it to conference. The objective of the Senator is perfectly all right.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Louisiana.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ELLENDER. I call up my amendment designated "4-28-60-N" and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 20, beginning with line 15, it is proposed to strike all through line 21.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 5 minutes.

Mr. ELLENDER. I yield myself 4 minutes. The language that is sought to be deleted reads:

(c) In section 505(a), which relates to loan assistance and sales, insert after the first sentence the following new sentence: "Commodities, equipment, and materials transferred to the United States as repayment may be used for assistance authorized by this act, other than title II of chapter II, in accordance with the provisions of this act applicable to the furnishing of such assistance."

What I seek to do is to prevent the United States from accepting from a foreign government wornout equipment in payment for good, modern equipment, and then taking the wornout equipment given by a foreign country and transferring it to some other foreign country.

The explanation given by the Committee on Foreign Relations, according to an excerpt from which I shall read, is that an ambiguity arises in connection with commodities, equipment, and materials received by the United States in return for assistance furnished on a barter basis. As consistently explained and interpreted by the agencies administering the program, these materials cannot be further used.

The amendment will make possible an arrangement whereby, for example, the United States may furnish one type of military equipment to a European country in return for a second type of military equipment, and then the second type could be furnished to a third country.

As the law is now interpreted, this transaction can be accomplished only if the United States sells this military equipment for foreign currency, and uses the currency to buy the second type of equipment.

What could happen, if this language were to remain in the bill, is that the United States could furnish to a country—let us say England, France, or Italy—brandnew equipment; and instead of getting paid in cash for it, there would be authority to accept that country's secondhand equipment or obsolescent equipment as payment. My purpose is to prevent that.

In other words, if we are to furnish a country in Western Europe with brandnew equipment, I do not believe we should accept in payment for it anything but cash or equipment of equal value.

It is true, and it may be argued, that the equipment obtained from a country abroad can be made use of by the United States, by our giving it to another country. I do not believe we should permit that practice, because I can visualize the countries of Western Europe getting brandnew equipment from us and dumping their own worn out, obsolescent equipment into our laps as "payment." That is what I seek to prevent.

Mr. FULBRIGHT. Mr. President, I yield myself 4 minutes. I am, of course, always impressed by the laudable objectives of the Senator from Louisiana. We all want to have a better administration of the act. I do not believe it is possible by any legislative act to legislate against any misjudgment or lack of a high type of wisdom in the administration of these programs.

All this amendment expresses is a sentiment, I think, that our military people are so stupid that they would barter away our material for inferior equipment. Under existing law, they have the authority to sell our equipment for local currency. They can then turn around and purchase the type of equipment to which the Senator objects. If they are idiots and do not have any sense, they will purchase obsolete, no-good equipment and will pass it on. This gives the authority to barter.

The administration feels this is the more efficient way. The executive branch states that it fails to understand why the Congress would authorize barter transactions, but would refuse to authorize, in a manner which would clearly permit more efficient and simplified administration, the use of equipment and commodities resulting from such transactions.

That is all that is involved here. It is an effort on the part of the administration to achieve a more efficient and simplified administration of the program.

As I have noted before, of course, a Senator who is opposed to the bill does not want the program to be efficiently administered and does not want to have a good reputation established for the program. In the view of such a Senator, the more one can blacken the reputation of the program or the more one can make the administration of the program inefficient, the more likely it is, in the opinion of such Senators, that the program can be completely abolished.

I pointed out that this provision is included at the request of the administration, to make more efficient the administration of the military assistance program, and to simplify it. This proposal reminds me somewhat of the proposal in regard to the use of commodities. The Senate rejected that proposal, and thus refused to make that operation more simplified and more efficient. So perhaps the Senate will reject this proposal. I can only say that the administration and those who are best qualified to administer this program believe this provision will enable them to administer the military assistance program more efficiently than it is now being administered.

Mr. ELLENDER. Mr. President, I am glad to have had that statement made by my good friend.

This provision in the committee bill merely permits the barter of new equipment for poor equipment or secondhand equipment. For the life of me, I cannot understand why it is considered so much trouble to go through the process of purchasing the equipment or selling the equipment. Certainly the money can be used to buy equipment, rather than to barter it. I feel that if that language remains in the bill, we shall find a great deal of our brandnew, costly equipment bartered with some countries of Western Europe for their old, obsolete equipment. If we accepted it and then sold it, perhaps we could get something for it. But in any event it would be obsolete equipment which we could not use, although we might be able to let some other country have it.

On many occasions we have been criticized by our friends for giving them obsolete equipment, yet, the committee amendment would make it possible for the United States to receive military equipment from European countries excess to their own needs, in return for equipment which these European countries might think they needed, and would then permit the United States to donate the used, obsolescent European equipment to other countries. It would seem that the committee amendment offers a means for the Europeans to siphon off their obsolete military equipment at our expense.

Furthermore, as I have said, it would permit the Department of Defense and the International Cooperation Administration to claim that we were actually receiving payment for missiles or other modern equipment which we would supply to the European countries, whereas, the fact of the matter is we would only be receiving antiquated material for which the European countries had no further need.

If Europe wants to get rid of its antiquated equipment, it can well afford to undertake its own mutual security program, or assist us in the military aid we are extending to countries whose continued existence is as important to the security of the Western European countries as to our own; namely, Formosa, Vietnam, Korea, and others.

Mr. FULBRIGHT. Mr. President, perhaps there is no need to say more about this matter. If it were desired, the same money could be used to purchase poor equipment. If Senators do not trust the administration of the program, there is little that they can do in this case. We must assume that those who administer the program are skilled and will proceed in a wise fashion, and will not act foolishly.

Mr. SALTONSTALL. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. Yes, if I have time in which to do so.

The PRESIDING OFFICER. The time available to the Senator from Arkansas has expired.

Mr. DIRKSEN. Mr. President, I yield to the Senator from Massachusetts 3 minutes on the bill.

Mr. SALTONSTALL. I thank the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 3 minutes on the bill.

Mr. SALTONSTALL. Is it the purpose of this provision—which is included for the first time by the committee—to permit materiel and equipment which no longer is useful in, let us say, England or France, for example, to be used in South Vietnam or elsewhere?

Mr. FULBRIGHT. That is correct; they can use it wherever they believe it is wise to use it.

Mr. SALTONSTALL. And our country would not take it unless the administrators believed it could be used to good advantage elsewhere; is that correct?

Mr. FULBRIGHT. I assume so. I cannot see any harm in this provision if such a circumstance should arise. There is considerable difference between the usefulness of a piece of equipment in Europe, where the military forces might possess highly mechanized equipment, for mechanized warfare, and in the jungles of Vietnam, for instance. Such equipment might be obsolete under the circumstances in Europe, but might be highly effective for use in the jungles of Vietnam. I do not understand why the administrators should not be allowed to use such equipment wherever it would be most useful.

Mr. SALTONSTALL. Will not this provision result in the saving of money?

Mr. FULBRIGHT. I think so. I cannot understand why the Senator from Louisiana wishes to hamstring the administration of this program all the time. How does he expect those in charge of the program to administer it effectively if they are surrounded with great amounts of red tape?

Mr. ELLENDER. Mr. President, the Senator from Arkansas admits that the program under this provision is a barter arrangement, does he not?

Mr. FULBRIGHT. Yes; but those who administer the program now have authority to sell for local currencies. So what is the difference?

Mr. ELLENDER. But, in my judgment, the point is that these foreign governments will then be able to say, "We paid for your missiles. We are not getting it for nothing." But what would they pay with? They would pay with obsolete equipment that they no longer desired—perhaps even equipment that we regularly donated to them.

We have given many airplanes to our NATO allies, either directly or through offshore procurement. These aircraft are now obsolete and we are giving missiles to our so-called allies in Western Europe. The American people are getting sick of this kind of program. Yet, under this bill, it would be possible for our "generous" allies in Europe to pay for our missiles with airplanes which we regularly donated to them. This is the kind of situation which I wish to prevent.

The PRESIDING OFFICER. The question is on agreeing to the amendment lettered "N," of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, on this question, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the call be suspended.

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

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 minutes.

Mr. DIRKSEN. Mr. President, I may say that there is pending an amendment offered by the Senator from Louisiana [Mr. ELLENDER] which proposes to strike out language that has been inserted by the Foreign Relations Committee in section 505 of the Mutual Security Act. That section deals with loan assistance and savings, and, among other things, it says that the United States may receive materials for stockpiling in the form of foreign currency, or, generally speaking, it can receive materials and equipment, except that they have got to be reduced to foreign currencies, and then the money can be used for further assistance.

The committee wrote a provision in the bill which states in effect that we can, in return for our assistance, accept commodities; that they can be stockpiled; that we can accept equipment; that we can accept the materials as repayment, which may be used for assistance authorized by this act or other than under title II.

I simply make the point that if this amendment prevails, those who administer the program are going to have to sell the material they accept, convert it into local currencies in foreign countries, and then they can use the same currencies for assistance.

The PRESIDING OFFICER. The 2 minutes of the Senator from Illinois have expired.

Mr. DIRKSEN. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 additional minute.

Mr. DIRKSEN. What the committee has said is that the material can be used virtually on a barter basis; and in so doing, it would appear to me, among other things, there would be a very substantial saving in the form of transportation cost. But the chairman of the Foreign Relations Committee makes the important point that, surely, the persons who are going to administer the program will use their best judgment with respect to the interest of the United States.

The background that goes with the question has not been adequately presented at all, in my judgment. This looks like another suggestion for tying the hands of the administration officials,

and for that reason I hope the amendment will not prevail. I am ready for the yeas and nays.

The PRESIDING OFFICER. All time on the amendment has expired. The question is on agreeing to the amendment identified as "N," offered by the Senator from Louisiana [Mr. ELLENDER] to the committee amendment. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Massachusetts would vote "nay" and the Senator from Virginia would vote "yea."

The Senator from Oklahoma [Mr. KERR] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from Missouri would vote "nay."

I further announce that if present and voting, the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

I further announce that if present and voting, the Senator from Montana [Mr. MURRAY] would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent, and, if present and voting, would vote "nay."

The Senator from Indiana [Mr. CAPEHART] is absent on official business, and, if present and voting, would vote "nay."

The result was announced—yeas 28, nays 57, as follows:

[No. 178]

YEAS—28

Bartlett	Ervin	Morse
Bible	Frear	Moss
Byrd, Va.	Gruning	Russell
Byrd, W. Va.	Hartke	Schoepfel
Cannon	Johnston, S.C.	Stennis
Chavez	Jordan	Talmadge
Douglas	Long, Hawaii	Thurmond
Dworshak	Long, La.	Young, N. Dak.
Eastland	McClellan	
Ellender	Mansfield	

NAYS—57

Aiken	Case, S. Dak.	Fong
Allott	Church	Fulbright
Beall	Clark	Goldwater
Bennett	Cooper	Gore
Brunsdale	Cotton	Green
Butler	Curtis	Hart
Carlson	Dirksen	Hayden
Carroll	Dodd	Hennings
Case, N.J.	Engle	Hickenlooper

Holland	McGee	Proxmire
Jackson	McNamara	Randolph
Javits	Magnuson	Saltanstaal
Johnson, Tex.	Martin	Scott
Keating	Monroney	Smathers
Kefauver	Mundt	Smith
Kuchel	Muskie	Wiley
Lausche	O'Mahoney	Williams, Del.
Lusk	Pastore	Williams, N.J.
McCarthy	Prouty	Yarborough

NOT VOTING—15

Anderson	Hruska	Murray
Bridges	Humphrey	Robertson
Bush	Kennedy	Sparkman
Capehart	Kerr	Symington
Hill	Morton	Young, Ohio

So Mr. ELLENDER's amendment "N" to the committee amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ELLENDER. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is designated "4-28-60—P."

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. At the appropriate place in the committee amendment, it is proposed to insert the following:

Chapter III of the Mutual Security Act of 1954, as amended, is further amended by adding to section 451(b) thereof the following sentence: "But in no instance shall the funds authorized under this chapter be used to augment any other category of assistance for which appropriations have been provided pursuant to the authority of this Act, unless the President finds that such augmentations are made necessary by considerations which were either entirely unforeseen or foreseen so tentatively as not to justify firm programming at the time programs authorized under this Act were submitted to the Congress."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, as is well known, the contingency fund was created to meet the requirements of our foreign-aid program which at the time of congressional presentation are either entirely unforeseen or foreseen so tentatively as not to justify programming.

Prior to fiscal year 1960, the contingency fund had been used to assist us in meeting the crises that developed throughout the world, such as those enumerated on page 23 of the report of the Senate Foreign Relations Committee, from which I now read:

Among the major uses to which the fund has been put in recent years have been additional assistance to Taiwan to meet the crisis in the Taiwan Straits, additional assistance to several countries in the Middle East to meet the crisis in that area stemming from the Iraqi revolution and the Lebanese disturbances, and relief work in the wake of a variety of natural disasters around the globe.

The crises referred to above, Mr. President, occurred prior to fiscal year 1960. During fiscal year 1960, no such crises occurred. However, notwithstanding this, our do-gooders have found a way to rape the contingency fund.

Since the money in this fund can be used for furnishing military assistance, defense support, special assistance, technical cooperation, or any of the other purposes of the Mutual Security Act, except for the Development Loan Fund, these squanderers of the taxpayers' money have proceeded to transfer from the contingency fund the following amounts during fiscal year 1960 through January of 1960:

To military assistance, \$31,247,000.

To defense support, \$67,473,000.

To special assistance, \$14,663,000.

To technical cooperation, \$1,832,000.

To other programs, \$1,970,000.

What my amendment seeks to do is to require the contingency fund to be used for the purpose for which it was created, namely, to meet bona fide crises.

The only purpose of my amendment is to confine defense support and other categories of aid to the amounts which Congress appropriates. I think it is wrong, both morally and legally, for the executive department to use a special fund, the contingency fund, to restore congressional cuts in appropriations. I believe that the contingency fund ought to be used only for the purposes for which it was created.

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

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

Mr. ELLENDER. Mr. President, I ask unanimous consent to proceed for an additional half minute.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. YARBOROUGH. Did I correctly understand the Senator to say that for the past fiscal year money appropriated for the contingency fund was divided among other items listed on page 2?

Mr. ELLENDER. The Senator is correct. That is exactly what happened, because there were no crises. Yet, the administrators found a way to gobble up the money.

Mr. YARBOROUGH. The contingency fund was set up to take care of crises.

Mr. ELLENDER. Yes. What really happened was that the cuts that were made by Congress were restored in an indirect way by using the contingency funds.

Mr. YARBOROUGH. I thank the Senator for clarifying the matter.

Mr. FULBRIGHT. Mr. President, I yield myself 4 minutes. It has been said here today that Congress is losing its control to the executive. This is an example of Congress taking over the discretion which we have traditionally given to the executive in connection with these funds.

The contingency fund is less than 5 percent of the total appropriation. The provisions of this modest flexibility clearly indicate that its purpose and potential are to reflect marginal adjustments rather than fundamental alterations in the use of funds.

The effect of the Senator's amendment would be to tie the hands of the executive, and the executive would not

have the freedom for making readjustments which now exists.

He says there are no crises in the world today. I wish I could believe that. It seems to me that anywhere one looks there is some kind of a crisis. There is one in Korea. One is threatening in Turkey. There are crises in the Caribbean. I do not know of any place in the world where there has not been a crisis.

Mr. ELLENDER. But the money was not used on a "crisis" basis I may say. It was used to restore congressional cuts in appropriations.

Mr. FULBRIGHT. The amendment assumes that we can always tell precisely what is going to be needed in any given area, whether it be programed or not programed. We know from our own experience that supplemental appropriations are made from time to time, and in some cases those appropriations are almost as large as the original appropriations. That shows the inability of Congress even in domestic situations to foresee exactly the size of a program and the needs of a particular program. That is also true in the foreign field.

It is the same procedure that we use in a domestic field in connection with supplemental appropriations. I submit it is impossible for the administration to foresee what contingency may arise, or to determine precisely the size of a given program.

The amendment would unduly interfere with the orderly administration of the program. Here again is an example of an effort to put obstacles in the way of an orderly administration of the program, which is a very difficult and complicated program. Again I say it is not a coincidence that those who support the amendment are those who are opposed to the program in toto. If we were to accept all the amendments that have been offered along this line, it would hamstring the whole program, and next year, I suppose, we would have to abandon it, because it would be completely futile. I assume this is part of the purpose of such amendments. It surely would do that. If we were to accept this amendment and amendments of a similar nature that is what would happen. I congratulate the Senator from Louisiana on his ingenuity in finding ways to make the administration of the program impossible. I hope the Senate will not accept the amendment.

I ask unanimous consent to have printed in the RECORD at this point a statement in explanation of the amendment.

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

STATEMENT BY SENATOR FULBRIGHT
USE OF CONTINGENCY FUND

Senator ELLENDER has proposed an amendment providing that no part of the contingency fund in section 451(b) may be used to augment any other appropriation in the Mutual Security Act unless the President finds that such augmentations are made necessary by considerations which were either entirely unforeseen or foreseen so tentatively as not to justify firm programming at the time of the presentation to the Congress.

The executive branch is opposed to this amendment since it is either unnecessary or intended to withdraw a very important and essential degree of flexibility on the use of the contingency fund to meet the requirements of our national interests.

For a number of years the Congress has authorized and appropriated funds under this section which could be used not only to meet needs which were unforeseen or were foreseen so tentatively as not to justify firm programing at the time of the presentation to Congress but also to make adjustments in various other aid categories above the amounts specifically appropriated for those categories of assistance. The facts of such use and of all other uses of the contingency fund have been fully and promptly reported to the Congress.

The need for this flexibility stems from the impossibility of either the executive branch or the Congress being able to forecast with precision the political, military and economic developments which will occur throughout the globe over a period extending from 6 to 18 months after the program is presented to the Congress. Particularly in the categories of defense support and special assistance the amounts proposed by the executive branch for authorization and for appropriation are necessarily forecasts of requirements which are based on assumptions as to the course of international developments over this future period. Similarly when the Congress acts to authorize and appropriate money for these categories of assistance it also makes judgments which are necessarily based on its assumptions as to what will transpire during this future period.

After appropriations have been made available, which is normally an appointed time, approximately a year after the executive branch estimates were formulated for presentation, it has been the practice of the executive branch to reassess needs in all categories of assistance in the light of fund availabilities and recent developments. Similar reassessments are made throughout the course of the fiscal year. The Congress has wisely provided in the contingency fund a means by which modest adjustments can be made in amounts available for various categories of assistance, when in the judgment of the executive branch such action is necessary in the national interest. Monthly reports of the use of funds are provided to the Congress and set forth the reasons for each such action.

The dimension of the contingency fund is less than 5 percent of the total appropriation being sought. The provisions of this modest flexibility clearly indicates that its purpose and potential are to reflect marginal adjustments rather than fundamental alterations in the use of funds.

If the sort of adjustments described which are necessitated by a reconsideration of the international situation at a later point in time are comprehended within the exception provided in the amendment, then the amendment has no effect and is unnecessary since it would merely describe the procedure being followed. If on the other hand the intention of the amendment is to prevent revisions in aid categories when a reconsideration of the situation in the light of existing facts warrant such action in the judgment of the executive branch, then it would represent an unwarranted and highly objectionable degree of rigidity and inflexibility in the handling of this program to which the executive branch would be strongly opposed.

Mr. LONG of Louisiana. Mr. President—

Mr. FULBRIGHT. I yield 1 minute to the Senator.

Mr. LONG of Louisiana. I am in opposition to the committee provision.

Mr. FULBRIGHT. That is all right. Mr. LONG of Louisiana. I believe the amendment has a great deal of merit. It merely provides that the contingency fund shall be used for the purposes for which it was set up.

Every time we try to reduce the waste in the program we are told that we are against the whole program. Many of us are not opposed to the program itself but to the waste and graft and corruption in the program. If we could devise a foreign aid program which would eliminate most of the waste and mishandling of funds, I would be pleased to vote for it. However I for one will not be coerced to vote against an amendment merely because we are told that we do so because we are opposed to the whole aid program.

Mr. FULBRIGHT. Mr. President, did the Senator say that he would vote for an aid program?

Mr. LONG of Louisiana. Yes; if the program were limited to the purposes it espouses, rather than permitting such waste and mismanagement. I would be pleased to vote for that kind of program.

Mr. FULBRIGHT. Did the Senator vote for the one that was reported last year?

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

Mr. LONG of Louisiana. Mr. President, will the Senator yield me 30 seconds more?

Mr. FULBRIGHT. I yield 30 seconds more.

Mr. LONG of Louisiana. I started out by voting for the program. I heard Arthur Vandenberg speak for it. I believe I voted for about the first \$30 billion. Then I began to discover the fantastic mismanagement and graft. The more of this I see the more I am inclined to vote against it, in the hope that we can bring about an end to all this mismanagement and waste. Here there is an instance in which the advocates of this program have restored as contingency funds many of the same expenditures which Congress considered and refused to allow. I admire the senior Senator from Louisiana for trying to correct the situation.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Idaho.

Mr. CHURCH. Mr. President, I feel constrained to support this amendment. I am not one who is generally opposed to the aid program. Rather, I am one who has supported it. The amendment merely undertakes to implement what Congress intended to provide at the time the President's contingency fund was written into this law.

I call attention to the language in the amendment. It reads:

But in no instance shall the funds authorized under this chapter be used to augment any other category of assistance for which appropriations have been provided pursuant to the authority of this Act, unless the President finds that such augmentations are made necessary by considerations which were either entirely unforeseen or foreseen so tentatively as not to justify firm programing at the time programs authorized under this Act were submitted to the Congress.

This language is merely a restatement of the very purpose that Congress had in mind when the contingency fund was

established. We expect the President to come to Congress, whenever he can foresee the need for money and present his argument for an authorization. We gave him a contingency fund for those cases where he cannot foresee the need, where an emergency develops, or where circumstances arise which were either entirely unforeseen, or foreseen so tentatively as not to justify firm programing at the time the regular programs are authorized.

Therefore, I suggest that all that is intended here is to prevent the use of the contingency fund for purposes which were never intended by Congress. It was never meant to be a general supplemental fund into which the President could dip whenever he wanted additional money for regular programs, in excess of the amount authorized by Congress. The fund was intended to be used in a contingency. The amendment is consistent with the purpose of the contingency fund as originally intended by Congress. I therefore shall support the amendment.

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

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Arkansas.

Mr. FULBRIGHT. Interpreted as the Senator from Idaho interprets the amendment, it has meaning. Under the law the President must find that a contingency exists and report to the Congress. If that is the meaning which is intended by the author, I would be willing to accept it, but I think it is a very equivocal amendment, and would provide less discretion in the administration of the act.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes. I believe it is generally agreed that this is a pretty fluid world. When we made provision for the contingency fund we had in mind situations which could not be readily foreseen.

The provision we are considering involves only 5 percent of the total money in the authorization bill. However, there is a requirement that the authorization must be reported every 30 days, and the reasons for the expenditure out of the contingency fund have to be set forth.

How is the President going to foresee, or reasonably foresee, or tentatively foresee, what expenditure will be necessary? Who could foresee that the Turkish students would strike? Who could readily foresee the Korean situation? Who could foresee that the United States would send marines to Lebanon? Who could foresee some of the situations which have arisen in Africa?

Yet this amendment provides that unless the President finds—he has to make a finding—that such augmentations, meaning increases, are rendered necessary as a result of considerations which were either entirely unforeseen or tentatively foreseen, programing at the time is not justified.

Think of \$175 million as a contingency fund for a country having a population of 180 million, and which is the most powerful nation in the world. If that is not a bagatelle, I never saw one. If we are to write words into the statute which are difficult to interpret, to begin with, we will tie the hands, not of the Presi-

dent, but of the Commander in Chief, which is quite another consideration.

I hope this amendment, with its rather singular language, will be rejected. I am prepared to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll. Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from West Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that if present and voting, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

On this vote, the Senator from Oklahoma [Mr. KERR] is paired with the Senator from Ohio [Mr. YOUNG]. If present and voting, the Senator from Oklahoma would vote "yea," and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Nebraska would vote "yea."

The yeas and nays resulted—yeas 43, nays 43, as follows:

[No. 179]

YEAS—43

Bartlett	Ervin	Murray
Bible	Frear	Muskie
Byrd, Va.	Goldwater	O'Mahoney
Cannon	Gore	Proxmire
Carroll	Gruening	Robertson
Case, S. Dak.	Hartke	Russell
Church	Johnston, S.C.	Smathers
Clark	Jordan	Stennis
Curtis	Kefauver	Talmadge
Dodd	Long, Hawaii	Thurmond
Douglas	Long, La.	Williams, Del.
Dworshak	McClellan	Yarborough
Eastland	Magnuson	Young, N. Dak.
Ellender	Morse	
Engle	Moss	

NAYS—43

Aiken	Cotton	Jackson
Allott	Dirksen	Javits
Beall	Fong	Johnson, Tex.
Bennett	Fulbright	Keating
Brunsdale	Green	Kuchel
Bush	Hart	Lausche
Butler	Hayden	Lusk
Carlson	Hennings	McCarthy
Case, N.J.	Hickenlooper	McGee
Cooper	Holland	McNamara

Mansfield	Prouty	Smith
Martin	Randolph	Wiley
Monroney	Saltonstall	Williams, N.J.
Mundt	Schoeppel	
Pastore	Scott	

NOT VOTING—14

Anderson	Hill	Morton
Bridges	Hruska	Sparkman
Byrd, W. Va.	Humphrey	Symington
Capohart	Kennedy	Young, Ohio
Chavez	Kerr	

The PRESIDING OFFICER (Mr. CANNON in the chair). On this vote, the yeas are 43; the nays are 43; and the amendment is rejected.

Mr. DIRKSEN. Mr. President, I move that the vote on the amendment be reconsidered.

Mr. KUCHEL. Mr. President, I move to lay on the table the motion to reconsider.

Mr. ELLENDER. Mr. President, on the question of agreeing to the motion to lay on the table the motion to reconsider, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on this question.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

Mr. DOUGLAS. The vote will be on the motion to lay on the table, will it not?

The PRESIDING OFFICER. The vote will be taken on the question of agreeing to the motion to lay on the table the motion to reconsider.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

If present and voting, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

I further announce that if present and voting the Senator from Oklahoma [Mr. KERR] would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent and, if present and voting, would vote "yea."

The Senator from Indiana [Mr. CAPEHART] is absent on official business, and if present and voting, would vote "yea."

The yeas and nays resulted—yeas 44, nays 44, as follows:

[No. 180]

YEAS—44

Aiken	Fulbright	McGee
Allott	Green	McNamara
Beall	Hart	Martin
Bennett	Hayden	Monroney
Brunsdale	Hennings	Mundt
Bush	Hickenlooper	Pastore
Butler	Holland	Prouty
Carlson	Jackson	Randolph
Case, N.J.	Javits	Saltonstall
Case, S. Dak.	Johnson, Tex.	Schoeppel
Cooper	Keating	Scott
Cotton	Kuchel	Smith
Curtis	Lausche	Wiley
Dirksen	Lusk	Williams, N.J.
Fong	McCarthy	

NAYS—44

Bartlett	Ervin	Moss
Bible	Frear	Murray
Byrd, Va.	Goldwater	Muskie
Byrd, W. Va.	Gore	O'Mahoney
Cannon	Gruening	Proxmire
Carroll	Hartke	Robertson
Chavez	Johnston, S.C.	Russell
Church	Jordan	Smathers
Clark	Kefauver	Stennis
Dodd	Long, Hawaii	Talmadge
Douglas	Long, La.	Thurmond
Dworshak	McClellan	Williams, Del.
Eastland	Magnuson	Yarborough
Ellender	Mansfield	Young, N. Dak.
Engle	Morse	

NOT VOTING—12

Anderson	Hruska	Morton
Bridges	Humphrey	Sparkman
Capohart	Kennedy	Symington
Hill	Kerr	Young, Ohio

The VICE PRESIDENT. Under the Constitution, the Vice President, having the right to vote in the case of a tie, casts his vote in the affirmative.

So the motion to lay on the table the motion to reconsider the vote by which the Ellender amendment to the committee amendment was rejected, was agreed to.

Mr. LONG of Louisiana. Mr. President, I call up my amendment at the desk and ask that it be stated.

The VICE PRESIDENT. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 19, line 15, it is proposed to strike out "\$175,000,000" and to insert "\$155,000,000."

Mr. LONG of Louisiana. Mr. President, the effect of this amendment would be to reduce the amount of money available to that allowed last year.

The Senate has, by a tie vote, refused to require that the contingency fund be limited to contingencies. In the last year, for the contingency fund, the Congress voted an amount of \$155 million. The amendment I have offered would limit the contingency fund to the amount voted.

The committee report states that this money is to be used for things like the situation which developed on Taiwan, or the crisis which developed in Indochina some time ago. None of those things happened this last year. In spite of the fact that there was no genuine contingency which developed in the first 6 months of this year, this fund has been

used in many instances to restore the cuts which Congress made when it carefully considered the appropriations for foreign aid last year.

For example, last year Congress cut the defense support funds. That misleading term represents nothing more than economic aid for countries which are also getting military aid. Otherwise it is called special assistance. Congress cut the amount some \$55 million. Although there has been no genuine contingency anywhere in the world upon which to base the expenditure, \$67 million of defense support has been restored already. That figure exceeds the cut by \$12 million, and there was still 5 months to go as of the date of these figures.

Senators realize there is no real need for economic aid which could be classified as a genuine contingency.

Congress cut the amount for special assistance last year by \$23 million, yet \$14 million has already been put back into the fund. This is simply economic aid to countries which do not get military aid. At the rate things are going, the entire amount will be restored by the time the fiscal year is ended.

The House of Representatives, having knowledge of these same facts, cut the amount from a \$175 million request to \$100 million. The Senate committee approved the administration request without any reduction whatever.

Mr. President, when this matter was voted on in the committee I wrote on my ledger sheet that this was simply a little extra amount being put in, an amount of 75 percent more, an extra \$75 million over the House figure, so that the conferees would have something with which to bargain, so that they might be able to pry a little more from the House and end up with a bigger figure.

As Senators know, if Senators will vote for this amendment they will vote to make a \$20 million saving, and the chances are that we will wind up with a saving of about \$10 million by the time the matter has finished the conference, since no doubt it will be adjusted in the conference, and usually there is an agreement between the two Houses at somewhere near the midway point between the figures in dispute.

This is an amount simply for contingencies, none of which we see at the moment. We should hold the amount down to what was granted last year. We should realize fully that as of January 30 there had been spent some \$118 million, from the \$155 million, with no real contingency.

If we really do get into some trouble in Korea, or if we really do get into some trouble in Vietnam, it will be necessary to call the Congress back into session, so that we can appropriate some money, which should have been available for contingencies, simply because two-thirds of the money, or almost three-fourths of the money, has been used for things which are not real contingencies at all.

We ought to limit the amount to what we made available last year, recognizing that the money has not been used for the purposes for which it was appropriated, anyway.

Mr. FULBRIGHT. Mr. President, I yield myself 4 minutes.

The VICE PRESIDENT. The Senator from Arkansas is recognized for 4 minutes.

Mr. FULBRIGHT. I do not know that it is necessary for me to say anything in this regard. The issue is very simple. The House allowed \$100 million, and we recommended \$175 million.

I need not tell the Members of this body what are the usual procedures in the Congress. We can forecast approximately where this item will end. The Senator from Louisiana wants to limit the amount to \$155 million. That would, in effect, lower the amount.

The Senator says that he cannot foresee any contingencies. If I had greater confidence in the foresight of the Senator, and if I could take his statement as an assurance that there would be no contingencies and that we would have peace in the world, I would gladly go along with the Senator on his request. For some reason or other, I cannot bring myself to accept the Senator's prophecy as to what the state of the world will be during the next 12 or 18 months. I think it is much more likely that there will be need for the money.

This is, in effect, that element in the program which gives the administration some degree of flexibility. The Secretary of State, in discussing the action of the House with me, made it clear that this is one element which he thinks is most important.

Of course, the critics of the program are against it. Again, we see an amendment offered by those who are against the whole program, not simply against the provision for contingencies. The Senators are not really concerned about this item, but they are against the whole program. They have consistently sought to defeat the entire activity.

This is a very sad bill, which we have to consider each year. It is a bill none of us likes to present, and we do so without a great deal of pleasure, and only because it is a necessity for our defense.

I think the section we are considering is one of the most important parts of the bill, because it will enable the President to meet the contingencies which we do not foresee. No man can foresee what will be the necessities in a variety of places in the world. If we assume that the President has reasonable honesty and integrity, then if there are no contingencies, he will not spend the money.

The fact of the matter is that the needs involved in this program are much larger, overall, than are apparent. Of course, there must be a scrambling around, and the President must use much of the contingency fund, because the needs are much greater than the appropriations, in the regular program.

I do not know that I can add much to what all Senators know about the program. We have gone over this precise argument year after year, for 10 years. This item is always subject to attack, because it is not programmed precisely.

I hope the Senate will not put a further obstacle in the way of a reasonably orderly administration of the bill.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes from the time on the bill.

The VICE PRESIDENT. The Senator from Illinois is recognized for 2 minutes.

Mr. DIRKSEN. Mr. President, there is little to add to what the chairman of the Committee on Foreign Relations has already said. The language of the bill provides that there is authorized to be appropriated not to exceed \$175 million. The Appropriations Committee, in good time, may have occasion to cut the amount. Who can say? This is a ceiling.

Certainly, in a fluid, feverish world, this is not too much.

I made the point before that when we make available the contingency fund we might think of it as a fund for the President; but it is also a fund for the Commander in Chief. As these sporadic situations develop in all parts of the world, if the Congress is not in session the fund has to be available.

A report is made each and every month. Reasons are assigned for expenditures. Those are set out in detail. If there is no need to expend the funds, they will not be expended.

Mr. President, I hope that the \$20 million cut from \$175 million to \$155 million, as proposed, will not be made. I hope the amendment will be defeated.

I am prepared to vote.

The VICE PRESIDENT. Does the Senator from Arkansas yield back the balance of his time?

Mr. LONG of Louisiana. Mr. President, I do not yield back my remaining time.

The VICE PRESIDENT. The Senator from Louisiana has 1 minute remaining.

Mr. LONG of Louisiana. Mr. President, the administration has already been authorized to spend, for this year, \$700 million more in military aid than was provided last year. The contingency funds used some \$67 million in the first 6 months of this year, as I say, without any real contingency at all, for the defense support, and for military assistance there has been spent \$31 million.

We expect that foreign aid expenditures for this year will exceed last year's expenditures, anyway. In addition, we have the fact that two-thirds of the money has already been spent simply to restore the cuts which Congress voted last year.

If there is any real contingency, Mr. President, Congress will have to come back into session and provide the money, anyway. This is one item we can take a second look at. If we make a mistake, we can always come back and vote to provide another \$155 million, if necessary.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The VICE PRESIDENT. Does the Senator from Arkansas yield back the balance of his time?

Mr. FULBRIGHT. Mr. President, I yield back the balance of my time.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. Long]. On this question the yeas and

nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll. Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

On this vote, the Senator from Oklahoma [Mr. KERR] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Oklahoma would vote "yea," and the Senator from Massachusetts would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 48, nays 40, as follows:

[No. 181]

YEAS—48

Bartlett	Frear	Morse
Bible	Goldwater	Moss
Byrd, Va.	Gore	Mundt
Byrd, W. Va.	Gruening	Murray
Cannon	Hartke	Muskie
Carroll	Holland	O'Mahoney
Case, S. Dak.	Johnston, S.C.	Proxmire
Chavez	Jordan	Randolph
Church	Kefauver	Robertson
Clark	Lausche	Russell
Curtis	Long, Hawaii	Smathers
Douglas	Long, La.	Stennis
Eastland	McClellan	Talmadge
Ellender	Magnuson	Thurmond
Engle	Mansfield	Williams, Del.
Ervin	Monroney	Yarborough

NAYS—40

Alken	Fong	McGee
Allott	Fulbright	McNamara
Beall	Green	Martin
Bennett	Hart	Pastore
Brunsdale	Hayden	Prouty
Bush	Hennings	Saltonstall
Butler	Hickenlooper	Schoepfel
Carlson	Jackson	Scott
Case, N.J.	Javits	Smith
Cooper	Johnson, Tex.	Wiley
Cotton	Keating	Williams, N.J.
Dirksen	Kuchel	Young, N. Dak.
Dodd	Lusk	
Dworshak	McCarthy	

NOT VOTING—12

Anderson	Hruska	Morton
Bridges	Humphrey	Sparkman
Capehart	Kennedy	Symington
Hill	Kerr	Young, Ohio

So the amendment of Mr. LONG of Louisiana to the committee amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. RUSSELL. Mr. President, I move that that motion be laid on the table.

The motion to table was agreed to.

Mr. ELLENDER. Mr. President, I call up my amendment identified as "4-28-60—J."

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The clerk will state the amendment.

The CHIEF CLERK. At the proper place insert the following:

Section 401 of the Mutual Security Act of 1954, as amended, is further amended by deleting the last sentence thereof, striking the period after the word "force", inserting a comma in lieu thereof, and adding the following: "Provided, however, That no funds authorized under this Act shall be used to extend financial or other support to the United Nations Emergency Force in the Middle East in excess of the contribution levied upon the United States by the United Nations, in accordance with the regular assessment scale for the United Nations budget."

Mr. ELLENDER. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 4 minutes.

Mr. ELLENDER. Mr. President, this amendment deletes authority presently provided in the Mutual Security Act for the United States to contribute special assistance funds to augment financial support for the United Nations Emergency Force in the Middle East over and above the contribution levied upon the United States by the United Nations in accordance with its regular assessment scale.

The pertinent portion of the committee report reads as follows:

The Force's budget for calendar year 1960 is \$20 million, which is met in part through assessments of U.N. members according to the regular assessment scale for the U.N. budget. Inasmuch as the total U.N. budget, other than UNEF, is only \$60 million, this results in a substantial addition to the assessments and has been found particularly burdensome by some of the smaller, poorer members. Because of their very great interest in maintaining peace in the area, the United States and the United Kingdom have made voluntary contributions to UNEF over and above their assessments, and these contributions are used to reduce the assessments of U.N. members least able to pay.

In calendar year 1957, the United States contributed \$12.9 million over and above its assessment toward a UNEF budget of \$30 million. In 1958, it contributed nothing and in 1959, \$3.5 million out of fiscal 1960 funds. It is proposed to contribute \$3.2 million in calendar 1960 out of fiscal 1961 funds. This contribution, plus the U.S. assessment of \$6.5 million, will mean a U.S. payment of 48.5 percent of UNEF's budget.

Some of us have worked hard on the floor of the Senate in order to reduce the payments made by the United States to the U.N. to not more than one-third cost of any U.N. agency. Yes, we are contributing to the United Nations Emergency Force a certain sum over and above our usual assessment. The reason given is that some of the nations which are members of the United

Nations are too poor, too small, and so on to pay their assessed share.

How is it possible for anyone to argue that the United States can continue to pour billions of dollars into the foreign aid program and still remain solvent? We have fought for many hours on this very floor in order to reduce the contributions which we make to the United Nations, to not more than one-third. Now we are confronted with an effort to break our rule, and to make our contribution to UNEF instead of one-third, 48½ percent. The argument given is that many of the smaller countries are too poor to make their own contributions.

The United States today owes \$290 billion. How are we going to pay it? Only God knows. If the truth were known, we are incapable of continuing the large contributions and donations which we are now making.

I ask that the amendment be agreed to.

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

Mr. MANSFIELD. Mr. President, I yield myself 2 minutes in opposition to the amendment.

I recall the fights put up year after year by the distinguished senior Senator from Louisiana, seeking to bring down the percentage which the U.S. Government pays into the United Nations and its subsidiary organizations. However, I point out that the United Nations Emergency Force in the Middle East has been established on a special basis to take care of a particular and a most delicate situation.

I believe that when we speak in terms of a few extra dollars or a few added percentage points, we are making a contribution to an investment in peace in an area which has been in the grip of an uneasy truce since long before the United Nations Force was sent there.

We realize that 48½ percent of the total appropriation to maintain the United Nations Force in the Middle East is much more than the 33½ percent which we contribute to the United Nations in general, but I think it is money well spent. I believe the United Nations Force, which really ought to be expanded into a United Nations police force, on call at all times, more than repays the United States for the amount of money which we contribute toward its maintenance. I think 48½ percent of the total cost is a very cheap price.

I hope the amendment will be rejected.

Mr. MORSE. Mr. President, will the Senator from Montana yield me 1 minute?

Mr. MANSFIELD. I yield.

Mr. MORSE. I have supported the Senator from Louisiana in most of his amendments aimed at eliminating the millions and millions of dollars of waste in our economic and military aid programs—particularly the military aid program. I agree with his general thesis that we have to stop the tapping of the American Treasury and the taxpayers

of the United States in order to perpetuate this horrible waste, because much of the money is going down the drain.

I am opposed to this amendment, because the funds authorized in this section of the bill are aimed at strengthening the United Nations in consideration of the great goal we have to accomplish namely, the establishment of a system of international justice through law for the settlement of issues which threaten the peace, enforced by the United Nations. In my judgment, this money is needed in order to strengthen that principle. Therefore, on this occasion, I shall vote against the amendment of the Senator from Louisiana.

Mr. FULBRIGHT. Mr. President, I yield myself 2 minutes. I hope the Senate will not accept this amendment. As has already been stated by the Senator from Montana [Mr. MANSFIELD] and the Senator from Oregon [Mr. MORSE], this is a very important item. The sum is comparatively very small. There is involved a total of \$3,200,000. In relation to the total amount involved in the bill, this is a very small amount.

Many dangerous outbreaks have occurred in this area. Some have taken place this spring. It would be very shortsighted, in my opinion, to liquidate the United Nations Emergency Force in this area.

I hope the Senate will reject the amendment.

The PRESIDING OFFICER. Is all time yielded back?

Mr. ELLENDER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was rejected.

Mr. ELLENDER. Mr. President, I call up my amendment designated "4-28-60-Q," and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 22, beginning with line 18, it is proposed to strike out all through line 20.

Mr. ELLENDER. Mr. President, the purpose of the amendment is to delete from the bill a provision which calls for an increase from \$2.75 million to \$4.25 million in the present ceiling on the amount of funds available in foreign countries, excluding Korea, for the construction or acquisition of living quarters, office space, and other facilities for use by personnel employed under the mutual security program. For further details, I refer Senators to page 29 of the committee report.

In this connection, it should be noted that one of the major reasons cited for the need for this increase is the fact that Pakistan is moving its capital from Karachi to Rawalpindi. This factor alone would eat up \$1 million in the new authority.

It should also be noted that the committee report asserts that the facilities constructed will have "residual value to the United States or to the host government when the aid program terminates."

In other words, we will probably have to do exactly what we have done in Ger-

many, that is, turn the facilities built by us over to the local government, if any, when we terminate the foreign aid program.

Mr. President, one of the things which has caused us much trouble abroad is that our people have built lavish homes in countries like India, and by lavish, I mean homes equal to the homes which are built in the United States—homes lavish by foreign standards. This has caused much dissatisfaction in countries with aid missions, and lends credence to the theory that Uncle Sam is rich, and well able to support a huge aid program. It now seems we are embarking on a large-scale, worldwide program to build offices and homes for the people who administer the foreign aid program. In other words, this is a step in the direction of making these programs permanent. We are using good, hard cash—borrowed money, at that—to build offices and homes for the Americans who will administer the foreign aid program abroad.

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

Mr. ELLENDER. I yield.

Mr. YARBOROUGH. I desire to ask the distinguished Senator from Tennessee what—

Mr. ELLENDER. Excuse me; I am from Louisiana, although I admire the State of Tennessee.

Mr. YARBOROUGH. I beg the Senator's pardon. The Senator's State of Louisiana sent many volunteers to the Texan army in the Texas revolution. I had confused Louisiana with Tennessee, which is known as the Volunteer State. But both States contributed a large number of volunteers to the battle for the independence of Texas.

My question is this: When foreign aid money is used to build better homes for the American administrators of the program than the natives of those countries are able to build for themselves, what effect does such building on our part have on them? Does it build up resentment against Americans?

Mr. ELLENDER. It builds up a great deal of resentment. The Senator knows of the difficulty we had in Korea. The Koreans resented the fact that our people live in much better homes than anyone else in Korea, even the richest people there.

The same has occurred in Formosa, and in the Philippines.

In this case we are embarking on a building program in Africa. I presume that the homes and offices which would be built for our people in those countries would be somewhat similar to those in the United States. This program would be just a foot in the door.

We curtailed the building program in Korea. I hope no more buildings will be constructed for our people in Korea. If we begin this program in Africa and in other countries where the foreign-aid program has just taken root, there will be no telling how much will be spent in the future.

I would rather see our administrators use the facilities which exist there, rather than build sumptuous homes and office buildings to carry on this program.

Mr. FULBRIGHT. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 4 minutes.

Mr. FULBRIGHT. As the Senator from Louisiana has pointed out, one of the major costs in this case is that of providing facilities for living quarters in the new capital of Pakistan. This is a move which we cannot avoid if we are to carry on the program at all in this very important country. Some quarters must be made available for our personnel there.

I have not been to Rawalpindi, but I have been to Pakistan; and the quarters there are very inadequate.

In Africa, no quarters at all exist for our personnel in many of the countries.

So this is not a question of building fine homes; it is a question of having available any facilities at all for living and for education. The money is to be used primarily for those purposes, in these areas.

This is another instance in which some Senators attempt to pull in two different directions. Senators who oppose the bill complain about graft; but one of the reasons for the resignation of many of the very well qualified people is the lack of quarters for them to live in and the lack of educational facilities for their children. So it is extremely difficult to get well-qualified people to serve in this program.

In most of the established countries we have done a fairly good job of providing such facilities for our Foreign Service personnel. That has been a quite expensive process; but all of us are familiar with it, and I do not think there is much complaint about that activity. But in this field, such facilities are very badly needed.

Senators should make up their minds about either having a program, and then trying to get well-qualified persons who are enthusiastic about this program to serve in connection with it; or the program should be eliminated. The continual attempt to weaken the program and prevent the procuring of good personnel for it is, in my opinion, practically disastrous, because we spend our money, but we do not get good results.

After all these years, I believe Senators should make up their minds. I believe the Senate should decide, as a body, whether the program is to be continued or whether it is to be ended. If the program is to be continued—and I believe that decision has been reached—we should not vote to put obstacles in the way of the efforts of the administration to improve the quality of the personnel who administer the ICA.

This amendment is a very simple one; I do not know that there is much more to be said about it.

I hope the Senate will reject the amendment.

Mr. HICKENLOOPER. Mr. President, will the Senator from Arkansas yield briefly to me?

Mr. FULBRIGHT. I yield to the Senator from Iowa the remaining time available to me.

Mr. HICKENLOOPER. I do not wish to take much time.

Mr. FULBRIGHT. I do not believe very much time remains available to me.

Mr. HICKENLOOPER. I wish to say that on this question I agree with the Senator from Arkansas. Housing is very urgently needed for these people. Either we are to have a program of this sort, or we are not going to have one. I certainly hope the amendment will be rejected.

The PRESIDING OFFICER. Is all remaining time on the amendment yielded back?

Mr. ELLENDER. I yield back the remainder of the time under my control, Mr. President.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, on this question, I ask for a division.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

The question is on agreeing to the amendment lettered "Q" of the Senator from Louisiana.

Mr. KUCHEL. Mr. President, on this question, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment lettered "Q" of the Senator from Louisiana. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alabama [Mr. HILL], the Senator from Montana [Mr. MURRAY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Montana would vote "yea."

The Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Missouri would vote "nay."

I further announce that if present and voting, the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 38, nays 49, as follows:

[No. 182] YEAS—38

Bartlett	Eastland	Magnuson
Beall	Ellender	Moss
Bible	Ervin	O'Mahoney
Butler	Frear	Proxmire
Byrd, Va.	Goldwater	Randolph
Byrd, W. Va.	Gruening	Russell
Cannon	Holland	Schoepfel
Chavez	Johnston, S.C.	Stennis
Cooper	Jordan	Talmadge
Cotton	Kerr	Thurmond
Curtis	Lausche	Williams, Del.
Douglas	Long, La.	Yarborough
Dworshak	McClellan	

NAYS—49

Aiken	Green	Mansfield
Allott	Hart	Martin
Bennett	Hartke	Monroney
Brunsdale	Hayden	Morse
Bush	Hennings	Mundt
Carlson	Hickenlooper	Muskie
Carroll	Jackson	Pastore
Case, N.J.	Javits	Prouty
Case, S. Dak.	Johnson, Tex.	Saltonstall
Church	Keating	Scott
Clark	Kefauver	Smathers
Dirksen	Kuchel	Smith
Dodd	Long, Hawaii	Wiley
Engle	Lusk	Williams, N.J.
Fong	McCarthy	Young, N. Dak.
Fulbright	McGee	
Gore	McNamara	

NOT VOTING—13

Anderson	Humphrey	Sparkman
Bridges	Kennedy	Symington
Capehart	Morton	Young, Ohio
Hill	Murray	
Hruska	Robertson	

So Mr. ELLENDER's amendment to the committee amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Arkansas to reconsider.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, I call up my amendment "4-28-60-R."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 21, beginning with line 17, it is proposed to strike out through line 20.

Mr. ELLENDER. Mr. President, this is a very simple amendment and one which I think every Senator ought to vote for.

This amendment would delete the committee amendment which authorizes six additional supergrades in ICA. As the committee report points out, last year Congress approved an increase of 10 supergrade positions. This has proved to be an insufficient number, and ICA wants authority to increase by six the number of persons who may be compensated at rates from \$12,700 per year to \$17,500 per year, without regard to the provisions of the Classification Act. All of these persons would be employed in the United States—in other words, six more high-powered, high-paid bureaucrats to run the already top-heavy ICA program.

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

Mr. ELLENDER. I hope the amendment will be agreed to.

Mr. JOHNSTON of South Carolina. The Committee on Post Office and Civil Service is supposed to handle these matters. Our committee is supposed to hold hearings and to pass upon the supergrades. Now requests are being made for these supergrades in the various bills, as they come before the Senate, instead of having the matter brought to the attention of the proper committee, to let the committee decide what grades there ought to be in the various and sundry departments. If we are going to start this procedure, then we will have some headaches in the future.

Mr. ELLENDER. Mr. President, I hope that the amendment will be agreed to. I am not going to argue further.

Mr. JOHNSTON of South Carolina. I am supporting the amendment.

Mr. ELLENDER. I thank the Senator.

Mr. FULBRIGHT. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 4 minutes.

Mr. FULBRIGHT. Mr. President, the reason for the increase in personnel is that the personnel are needed because of the action of the Congress, and particularly of the Senate. I think the Senator from Louisiana certainly had something to do with the matter. We required that there be created an Office of Inspector General and Comptroller. That was the main part of the problem. There was also a decision by the executive branch that the Development Loan Fund had to have an additional supergrade for its administration.

This is an example of much the same thing we have considered before. We require that steps be taken to prevent maladministration. We say, "You must set up an Office of Inspector General." Then, when there is a request for personnel to staff the Office, we are asked to say, "You cannot have the personnel. This would be wasteful. We cannot permit you to have this."

It seems to me that this is much the same as the other amendments offered by the Senator from Louisiana. The Inspector General has been created, in a sense, for the special benefit of the Senator from Louisiana and his colleagues who believe that there is maladministration in the program. I suggest if we

are not going to staff the Office properly, to try to improve the quality of administration, we ought to abolish it altogether.

I often wonder what would happen if we would say tomorrow, "There will be no more foreign aid program." We could stay at home and let everything take its course outside the boundaries of the United States. That would be a very interesting experiment. I am sometimes inclined to think it would relieve us from a lot of internal pulling and hauling every year.

If we are going to have a program, we might as well make some effort to administer it properly. If we have an Inspector General, he should be able to report to the Congress about the so-called and alleged mismanagement and waste.

I would hope that the Inspector General not only would report but also would in his activities find ways to improve administration and to prevent whatever waste and maladministration exists.

I agree with the Senator, this does not present a difficult problem. It is a very simple problem. If we do not wish the Department to have the staff for these offices which Congress required them to create, it would be obviously a rather ridiculous situation.

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

Mr. ELLENDER. Mr. President, I yield the rest of my time to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to state that in the Reorganization Act the duties of the committees were set out. The Post Office and Civil Service Committee has the right and the duty to set up the different regulations in regard to various and sundry departments and the workers in the various and sundry departments, as well as the classifications of them. If the Senate is going to take the work away from that committee, then the Senate can vote to keep this item in the bill and can vote against the amendment before us at the present time. If the departments want extra help, they can come before the committee. We have some hearings which are scheduled to start next Tuesday at 10 o'clock. We are going to hold hearings in the committee in regard to salaries, and when we are discussing salaries we will discuss classifications.

Mr. FULBRIGHT. Mr. President, will the Senator yield on that point?

Mr. JOHNSTON of South Carolina. I yield.

Mr. FULBRIGHT. These people are employed from year to year. These are not civil servants, or at least most of them are not. We cannot get people to come into these grades on an annual basis. These are the supergrades, for this particular service.

Mr. JOHNSTON of South Carolina. We pass upon the supergrades also.

Mr. ELLENDER. I will say that all the six additional supergrades involved would be in Washington, D.C. These

people would not go abroad; but they would be in Washington.

Mr. FULBRIGHT. As I say, the Inspector General has a home base in this city. As an illustration, as a result of the study of the Senator from Montana [Mr. MANSFIELD] of the Vietnam situation, as I recall, the Senator instructed the Inspector General to perform some very effective reporting and investigation.

It was to deal with such situations that the Office was created. The Inspector General's Office is here, but his work is all over the world, wherever investigation is needed. That is what the main part of the activity is for.

Mr. GRUENING. Are the new officials, the Comptroller General and the Inspector General, to be outside officials, or are they members of the ICA, who are merely to be promoted within the organization?

Mr. FULBRIGHT. They are in the State Department, reporting directly to Under Secretary Dillon, I believe.

Mr. ELLENDER. But they were all already employed by the ICA. Mr. Murphy, the Inspector General, was. He was Comptroller of ICA.

Mr. FULBRIGHT. Yes.

Mr. MANSFIELD. They occupy a unique and independent status, in that they are not subject to what the ICA desires.

Mr. ELLENDER. But they are former employees of ICA.

Mr. MANSFIELD. They are employees of the Inspector General, and they occupy a unique and special position.

Mr. President, I yield 2 minutes to the distinguished Senator from Kansas.

Mr. CARLSON. Mr. President, I opposed the section of the bill which permitted the creation of six additional supergrades when the question was before the committee. I stressed the fact that the supergrade positions should be authorized and approved by the Post Office and Civil Service Committee. I did not oppose the proposal because I did not believe the administration was entitled to those grades and salaries, but I felt that the recommendation should come from the proper committee, and that we should not start authorizing supergrade positions in every bill before the Congress.

So far as I am personally concerned—and I am sure the chairman of the committee will agree with me—when this matter is before the committee I shall ask that we allow six additional supergrades for these positions, provided they are justified—and I believe they are. But I do not believe we ought to do it in connection with the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. ELLENDER]. Is all time yielded back?

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. Mr. President, I ask for a division.

On a division the amendment to the committee amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The CHIEF CLERK. On page 20, in the committee amendment, between lines 21 and 22, it is proposed to insert the following:

(d) In section 510, which relates to purchase of commodities, strike out the third sentence and substitute the following: "Funds made available under chapter II of this Act may not be used for the procurement of a commodity outside the United States: *Provided*, That not more than 65 per cent of such funds shall be available for the date of enactment of the Mutual Security Act of 1960 may be used for the procurement of a commodity outside the United States if the President determines that such procurement will not result in adverse effects upon the economy of the United States, with special reference to any areas of labor surplus, or upon the industrial mobilization base, or to the net position of the United States in its balance of trade with the rest of the world, which outweigh the economic advantages to the United States of less costly procurement abroad, except that if the President determines that the rate of employment in an industry producing a commodity is depressed, none of such funds shall be used for the procurement of such commodity outside the United States."

It is proposed to redesignate subsections (d) to (i) inclusive, as (e) to (j), respectively.

Mr. JOHNSTON of South Carolina. Mr. President, I yield myself 4 minutes.

Under existing law, the President of the United States is given authority to use defense support funds and development loan funds in any amount for procurement outside the United States, unless in his opinion the expenditure of such funds would be detrimental to the general economy of the United States, with special reference to any areas of labor surplus, our net balance of trade on the world market, and similar situations.

This amendment would modify the law to confine the President's discretion in such purchases to 65 percent of the defense support funds, the development loan funds and additionally the funds contained in the special assistance programs contained in chapter 2 of the bill.

It is now argued that more than the 35 percent of the funds my amendment requires to be spent in the United States is now already spent in the United States under the program. This may be true, but it is not done so because it is law. Insofar as I am concerned, it is a coincidence and I think American labor, American industry, and the American economy is entitled to the guaranteed protection outlined in my amendment. If the program already is spending more in the United States than my amendment requires, then there should be no objection to my amendment.

Someone has called my amendment a "buy American" amendment.

If one wants to call it that, then I proudly accept the label, because I think it is high time we begin thinking in terms of buying American and protecting our American economy. I can think of no better place to start protecting the American economy than to adopt my amendment; unless it would be the cutting back of foreign-aid funds or the cutting out of foreign aid altogether. It is at least an expression of the Congress and the American people that we are in the mood to reverse present thinking and place America first, for a change.

This amendment requires the purchase of only 35 percent of American goods. It is claimed that 50 percent of American goods is now being purchased. That was the testimony. But purchases of American goods are being cut back every year. Last year, for example, for the first time since the Civil War, England sold us more than we sold to England. It will be found that the same thing is true throughout our economy. We have reached the point where we are purchasing more than we are selling, and our gold is being shifted out of balance. So I am urging a little protection by requiring that 35 percent of the money be used for purchases from the United States, to protect our American industry and our American labor.

It is up to the Senate to decide what to do in regard to this particular amendment. I think the chairman of the committee will admit that more than 35 percent of the money is being used at the present time for purchases in the United States. But when we are furnishing the money, there should be some protection in the future for our economy.

Mr. FULBRIGHT. Mr. President, I yield myself 4 minutes.

It is true that at the present time a considerably larger percentage of American goods is being bought than would be required under the first proviso of the amendment. There is a difference in administration.

First, the amendment prohibits buying anything abroad, and then places on the President the duty of finding that such purchases would not injure our industry. Up to 65 percent could be purchased abroad.

The second proviso is that if the industry producing a commodity is depressed, none of the funds can be sent abroad.

If this amendment were adopted, at least 15 or 20 supergrade positions would be necessary in order to follow out what is happening to each of the commodities involved in this kind of program.

The amendment is not clear as to whether or not the percentage applies across the board to all commodities, or whether it means 65 percent of each commodity within the whole group.

For example, take an item such as cement. If the cement industry should be depressed, no cement could be purchased abroad. It would have to be bought here and shipped abroad for whatever purpose the cement is used. Cement is one of the heaviest and most expensive commodities to ship abroad. I believe it would require an army of accountants to administer this kind of

amendment, and keep up with developments—certainly that is true if each commodity is to be required to qualify under these percentages.

If we interpret the amendment as applying across the board, as the Senator has already said, we already purchase in the United States far more than his minimum. I see no reason to encumber the legislation with this kind of amendment. I do not think there is any need for this kind of amendment. If it could be administered without too many accountants, it would not do any particular harm. I yield back the remainder of my time.

Mr. JOHNSTON of South Carolina. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from South Carolina. [Putting the question.] The yeas appear to have it.

Mr. JOHNSTON of South Carolina. Mr. President, I ask for a division.

On a division the amendment was rejected.

Mr. LAUSCHE. Mr. President, I call up my amendment which was originally identified as "4-20-60-A," but in which there have been some slight changes made.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 13, beginning with line 4, strike out over through line 12. Also on page 13, beginning with line 20, strike out over through line 11 on page 14.

Mr. LAUSCHE. Mr. President, the mutual security bill as it deals with the Development Loan Fund, in its purpose clause, declares that the funds in the Fund shall be used for the promotion of free enterprise in the various nations of the world where the Development Loan Fund would be applied.

The Senator from Florida [Mr. SMATHERS] and the Senator from Oregon [Mr. MORSE] submitted an amendment emphasizing the need of giving special attention, through the Development Loan Fund, to lending money and making guarantees for the purpose of establishing building and loan associations in South America.

It is my understanding that the building and loan associations of this country would like to go into South America, with the aid of loans made by the Development Loan Fund and guaranteed by that Fund to insure a recoupment of losses which might be sustained in the operation of their businesses.

The committee amendment offered by the Senator from Florida and the Senator from Oregon confines this new activity to South America.

As I have already stated, this purpose of the Development Loan Fund already makes possible the use of the Development Loan Fund specifically for the intentions contemplated by the amendment submitted by the Senator from Florida and the Senator from Oregon.

In my opinion, we will make a mistake if we change the purpose clause and add a new section emphasizing that the De-

velopment Loan Fund must primarily be used in the financing of building and loan associations in South America.

Senators might ask me why I feel that we will be making a mistake. In a measure we will be earmarking funds in the Development Loan Fund. If this year we emphasize that they shall be used for the establishment of building and loan associations, next year a Senator may come before the Senate and say, "Now let us earmark and emphasize the use for schools and hospitals and other purposes." The result will be that we will have a series of amendments offered for the use of these funds for one purpose or another.

Inasmuch as the law as it now exists allows the use of this money for the purposes embodied in the amendment of the Senator from Florida and the Senator from Oregon, it is my belief that the amendment ought not to be included in the bill. The State Department does not favor this provision in the bill. It points out that since we have highlighted South America, other parts of the world will come in and say, "Why do you give preferential treatment there, and subordinate treatment to us?" The Senator from Florida—and there may be some justification for this argument—might say that we have been subordinating South America. In some measure I think we have. However that wrong, if it has been committed, can be cured in a manner other than through this effort to give special treatment through the pending bill.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. CASE of South Dakota. I should like to observe that our experience in guaranteeing rentals on military housing abroad has not been such as to encourage the establishment of a guarantee for private effort in the housing field. I believe that the amendment of the Senator from Ohio should be supported.

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

Mr. MANSFIELD. Mr. President, I yield 1 additional minute on the bill to the Senator from Ohio.

Mr. LAUSCHE. My amendment strikes out of section 207 that part of the language which deals with the purpose clause. One word further. In my opinion, we will be making a serious mistake if we enter into a program, either in a minor degree or in a major degree, of providing housing in South America. We cannot provide it for that area alone, because if we do, even by pilot projects, we will be establishing a precedent, and thereafter demands will be made upon us from every other area of the world along the same line. I ask Senators to support the amendment.

Mr. FULBRIGHT. Mr. President, I yield 2 minutes to the Senator from Florida.

Mr. SMATHERS. Mr. President, first I believe we should get clear what we are talking about. I regret to say that it is not clear from listening to the Senator from Ohio. This particular committee amendment does not call for any

new authorization or for any new appropriation of funds. Let me read the language contained in the bill:

It is the sense of the Congress that in order to stimulate private home ownership, encourage the development—

Mr. LAUSCHE. Mr. President, a point of order.

Mr. SMATHERS. I do not yield at this time.

Mr. LAUSCHE. The Senator from Florida has implied that I did not correctly state the purpose of the amendment. The Senator from Florida was not in the Chamber when I said that the law as it exists today already allows what the Senator from Florida proposes.

Mr. SMATHERS. I did not intend to reflect on the integrity of the very able Senator from Ohio. I merely want to read the language in the bill to point out with clarity the issue before us.

I continue to read:

It is the sense of the Congress that in order to stimulate private ownership, encourage the development of financial institutions, and assist in the development of a stable economy, the authority conferred by this title should be utilized for the purpose of assisting in the development in the American Republics of self-liquidating pilot housing projects designed to provide experience in countries at various stages of economic development by providing capital for the establishment of—

And so forth. Let me quote what Mr. Dillon of the Department of State had to say about this matter in committee:

We are in favor of housing programs particularly where we can spend local currencies for them. We have just entered or are entering into a program in Pakistan where we hope to rehouse a very substantial number of people in Karachi with grants of Public Law 480 counterpart rupees that we have available in Pakistan. We think that for Latin America the same thing should apply.

So apparently the State Department does not oppose the amendment. Actually the amendment, which is section 207 of the bill, and which has been approved by the Committee on Foreign Relations, does not call for new authority or for additional funds. It is true that existing laws authorize the Development Loan Fund for this purpose but the fact of the matter is that the Development Loan Fund and other agencies have refused to utilize the authority given to them by Congress. The committee amendment is designed to reemphasize the desires of the Congress.

What better way is there to spend money already appropriated than by helping the countries of Latin America, or for that matter any other countries, to enable the people of those countries to procure for themselves a housing program by which they can put roofs over their heads. Make no mistake about it, United States-Latin American relations have been and still are in a continued state of deterioration. The area is beset with many problems. We must assist our friends to the south in solving them or else they will become the victims of the Soviet economic onslaught. This is a consequence that must be avoided in our self-interest as well as theirs.

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

Mr. SMATHERS. Mr. President, I ask that I may have 1 more minute.

Mr. FULBRIGHT. I yield 1 minute to the Senator from Florida.

Mr. SMATHERS. We can spend \$400 million from the Development Loan Fund for a hydroelectric program, or a project of that character, but the people do not even know what is happening. But if we can help them put a house over their head—for many of them, for the first time in their lives—we can move them out of riverbeds and out of slums. This type of help they understand. It is no giveaway program. It is a loan program and a guarantee program for U.S. investors who stand ready to assist in setting up FHA type programs in the area. With imagination of such an approach, I think that we then will have made for ourselves an effective, useful, and appreciated foreign aid program. All countries of Latin America are included. So far as I am concerned, that is the best kind of use we can make of this particular money. This type of program will prove to be of inestimable value toward promoting good will with our neighbors to the south and a program which will provide an effective answer to the Soviet economic offensive in the area. I sincerely trust that the amendment offered by the Senator from Ohio will be overwhelmingly defeated by the Senate.

Mr. FULBRIGHT. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, people who try to raise families under a couple pieces of tin roofing or fiber or thatched roofs are not good apostles of democracy. Nowhere is the need for relief greater than in the countries of South America and Central America.

The proposal in the bill, as has been stated by the Senator from Florida, does not provide new money; it does not authorize any new expenditures whatsoever. It simply encourages building and loan associations in Latin American countries. The reason why building and loan associations are desirable is that many people who have only a little money are afraid to put it in the banks. They are afraid they will not be able to get it out. But they will, with a little encouragement, invest in building and loan associations.

We have recently made an investment of this kind in Peru, lending Peru \$2 million for the purpose of starting new housing projects. One million dollars of this money is in Peruvian currency—in soles; the other million is in American dollars. It is a very small investment, but it is an important one. I believe we are making a similar contribution in Chile, although I am not sure whether it has actually been made yet.

The second part of the proposal, "guaranteeing private United States capital available for investment in Latin America countries for the purposes set forth herein," would, I understand, cover a possible situation in Panama, where the need for decent housing is acute. Hous-

ing conditions in Panama are really a disgrace.

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

Mr. MANSFIELD. Mr. President, I yield 1 additional minute to the Senator from Vermont on the bill.

Mr. AIKEN. There is a great need for decent housing in Panama. I understand it is proposed to build a few thousand decent houses, which will probably be occupied by people who work in the Canal Zone. At the same time, these houses will furnish a working base for many other persons who will not directly live in the houses to be constructed. The housing program will go on from that point. I believe the lack of anything like suitable housing is more responsible for the widespread unrest in Latin America today than almost anything else.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the able junior Senator from Kansas.

Mr. CARLSON. Mr. President, I endorse the position taken by the Senator from Vermont concerning the need for a housing program in Latin America. I can think of nothing which would be of greater benefit to the stabilization of communities in any country than good homes. I am proud of the project in Lima, Peru, which is being built by the W. W. Garvey Corp., of Wichita, Kans., one of the largest building construction firms in the Nation. They have already started to build a project of 100 two-bedroom homes, which will have large garden areas, and can be expanded to four bedrooms.

Mr. President, I ask unanimous consent to have printed at this point in the Record a statement entitled "Home Ownership—The Free World's Unused Weapon," and also a statement prepared by Willard W. Garvey with respect to the corporate structure of the group which is known as Peru Homes, Inc., Lima, Peru, and is a wholly owned subsidiary of Builders, Inc., of Wichita, Kans.

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

HOME OWNERSHIP—THE FREE WORLD'S UNUSED WEAPON

The pride of homeownership provides the emotional appeal that is the taproot of private initiative. This spirit of individual initiative has brought America the highest standard of living in history and to the pinnacle as a world power. Yet, homeownership has been all but forgotten by our foreign aid planners who admittedly seek to raise the standard of living in the newly developing countries while at the same time preserving free institutions. Communism would be on the defensive if the major effort of the United States for 1960 would be the encouragement of investment and financing of low cost private housing in key countries, namely, India, Pakistan, Peru, Ecuador, and Colombia. Why? Because through homeownership you can reach the individual. If a man has some property of real value, that is, a home, communism has no appeal. Home ownership affects his outlook in many ways:

1. Economically: Home ownership meets one of the five basic wants (food, shelter,

clothing, acceptance by peers, and power). It also satisfies the urge to own property, which is deep in the natural and cultural heritage of people everywhere. The homeowner has pride of ownership; he develops his property, he improves it, works on it, concentrates his energies and attention on it, and becomes emotionally attached to it. A home is the most valuable property that most people ever own. Through ownership, a man becomes conscious of fundamental economics, principal, interest, taxes, insurance, maintenance, and repair.

2. Politically: The homeowner, in reviewing his economics, comes across taxes and begins to wonder what he is getting for his tax dollar. Generally, he will check into his city government, county government, school board, and the like and become a more interested citizen since he is paying the bill.

3. Socially and morally: The homeowner puts his roots down, builds his fences, works toward becoming a better neighbor, joins the church, joins civic organizations, and gets involved in other cultural, social, spiritual, and intellectual institutions in his city.

4. Creatively: The homeowner, having established his economic, political, and social base, has a foundation upon which to create and achieve the acceptance and power aspects of his basic wants. In Wichita, Kans., United States, 29,000 workers were laid off after World War II by wartime aircraft industry in 1944 and 1945. Fortunately for Wichita, 65 percent of these discharged workers were homeowners. The 65 percent generally exercised individual initiative and creative talents. They formed new small businesses and industries to create goods and services and make a living in the community where they had established their roots. In effect, these Wichita homeowners were an example of the creative power of private initiative going to work literally to save their homes.

5. Ideologically: The sum of the above parts 1 through 4 is the responsible self-reliant individual. Communism holds little appeal for the homeowner. Once a man has worked hard and saved to buy property, he doesn't want to turn it over to the state. In short, the homeowner tends to be a champion of capitalism and individual initiative.

What is it that the free world can offer that communism can't? Homeownership. Homeownership is one thing that separates communism from capitalism—the private ownership of property as opposed to the collectivist ideal of public ownership of property. In the showdown between the two ideologies, a man will defend his private property against the collectivist themes.

Yet, only a minute amount of the foreign economic assistance of any free country, both in loans and aid, has in the past been devoted to the creation of broad homeownership in the newly developing countries.

STATEMENT BY WILLARD W. GARVEY

I am here for one simple purpose: To try to focus public attention on what I call the free world's unused weapon—homeownership—and to help put that weapon to work.

Three basic problems that concern us today are our own national security, the fate of 3 billion people around the world who are trying to win a better life for themselves, and the disposal of our staggering farm surpluses.

I am convinced that there is a simple, direct method that has been overlooked to help solve all three of these problems.

I have just returned from a five-nation tour of Latin America. I found there, as I found in the Far East last summer, a desperate and growing shortage of housing. The missing ingredient in each case was financing—a means of enabling people in those lands

to buy homes on relatively long-term credit at prices they can afford to pay.

One big, untapped source for this financing lies in the vast American farm surpluses that have been distributed in underdeveloped countries. In effect, our surpluses can provide both food and shelter for millions of families in many countries of the world. In India alone, the so-called Cooley amendment funds accrued in rupees from the sale of American grains could finance the construction of 500,000 low-cost homes within the next 12 months. If the project were undertaken on a self-help basis, with the people of India putting "sweat equity" into their homes, that figure could easily be doubled.

But financing and need, by themselves, are not enough. What is required now is a catalyst. That catalyst is the private American homebuilder; hundreds of builders who will be willing to undertake this mission, to launch their own private industry point 4 program. The feasibility of this program has already been demonstrated in Lima, Peru, where our company has just begun a 100-home pilot project using Public Law 480 Cooley amendment funds.

The know-how for this operation is available to any American builder who wants to get into it. I feel confident that hundreds will do so if the need and the opportunity are properly presented to them.

The significance of housing in our country's struggle against world communism was underscored during President Eisenhower's recent journeys to the Far East and Latin America. Of all the places he visited, places where tens of billions of American dollars have been spent in foreign aid, he was moved most deeply by a workers' housing development in Santiago, Chile. The development, launched and carried forward by American builders, represented a U.S. investment of less than \$100,000.

In President Eisenhower's own words:

"I was impressed by what I saw in Chile. I visited a low-cost housing project. The Government had provided land and utilities. The homeowners were helping one another build the new houses. They will pay for them monthly, over a period of years. Personal accomplishments brought pride to their eyes; self-reliance to their bearing. Their new homes are modest in size and character—but I cannot possibly describe the intense satisfaction they take in the knowledge that they themselves have brought about this great forward step in their living conditions."

EVERY MAN A HOME OWNER

(Peru Homes, Inc., Lima, Peru)

1. CORPORATE STRUCTURE

Peru Homes, Inc., is a wholly owned subsidiary of Builders, Inc., Wichita, Kans.

The board of directors consists of Willard W. Garvey, president of Builders, Inc.; Dr. Eduardo Olaechea, a prominent Lima attorney who is also legal counsel for the firm; and E. Howard Wenzel, Jr., of Wichita, who is a resident manager.

The company has an initial authorized capital of 3,500,000 soles (1 sol approximately 3.6 U.S. cents).

2. FIRST PROJECT

The first project of Peru Homes, Inc., is now underway in a newly developed subdivision on the northern side of Lima bordering the Pan-American Highway. The company is building 100 two-bedroom homes on lots of 160 square meters. The homes have large garden areas and can be expanded to four bedrooms.

The homes will sell for 99,000 soles (about \$3,000) with a downpayment of 20 percent and monthly installments of 950 soles over

10 years. (This is approximately half the price of the comparable homes now available in Lima.)

3. FINANCING

The homes will be built with the aid of a 4-million-sol (about \$140,000) loan from Public Law 480 wheat sale balances available to U.S. investors in Lima. The loans will be for 10 years at 8 percent interest. The Banco Continental of Peru has agreed to guarantee and service the repayment of the loan and to act as agent for Peru Homes, Inc., in making loans to individual home buyers and collecting monthly payments. The interest and servicing charges for home buyers will amount to 10 percent on the unpaid balance, consisting of the 8 percent charged on Public Law 480 funds, and 2 percent charged by Banco Continental. This compares with going rates for interest and service charges ranging from 15 to 30 percent for terms not longer than 3 to 4 years and with downpayments of 50 percent.

4. RELIANCE ON LOCAL RESOURCES

With the exception of Mr. Wenzel, the resident manager, every phase of Peru Homes' operations relies on local resources. The model house for the first project was designed by a noted Lima architect, Ernesto Aramburu Menchaca. The houses are being built by local contractors employing local workers and using exclusively local materials.

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

Mr. CARLSON. I yield.

Mr. JAVITS. A number of savings and loan associations in the northeastern area of the country have been in communication with me. They are interested in doing exactly what is contemplated by the provision in the bill. I think it would be a shame to frustrate them by agreeing to the amendment offered by the Senator from Ohio. I hope the amendment will be rejected.

Mr. LAUSCHE. Mr. President, may I have 1 additional minute?

Mr. MANSFIELD. Mr. President, I yield to the Senator from Ohio 2 minutes on the bill.

Mr. LAUSCHE. To clarify the record, at the very beginning of my statement I declared that the present law authorizes these payments. I, however, felt that this item should not be highlighted, because of the danger that sponsors of other programs might come forward later and try to highlight their purposes.

Mr. SMATHERS. Mr. President, it is true that I did not hear the beginning of the Senator's statement. I know that his motives are exactly 100 percent proper. If I cast any reflection on his statement, I certainly did not intend to do so.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on my amendment. The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Alabama [Mr. HILL], the Senator from Montana [Mr. MURRAY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that if present and voting, the Senator from Virginia [Mr. BYRD] and the Senator from Virginia [Mr. ROBERTSON] would each vote "yea."

I further announce that if present and voting, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 26, nays 60, as follows:

[No. 183]
YEAS—26

Allott	Fong	Russell
Butler	Goldwater	Saltonstall
Cannon	Gruening	Schoeppel
Case, S. Dak.	Hickenlooper	Stennis
Cotton	Johnston, S.C.	Talmadge
Curtis	Jordan	Thurmond
Dworshak	Lausche	Williams, Del.
Ellender	Martin	Young, N. Dak.
Ervin	Mundt	

NAYS—60

Alken	Frear	McClellan
Bartlett	Fulbright	McGee
Beall	Gore	McNamara
Bennett	Green	Magnuson
Bible	Hart	Mansfield
Brunsdale	Hartke	Monroney
Bush	Hayden	Morse
Byrd, W. Va.	Hennings	Moss
Carlson	Holland	Muskie
Carroll	Jackson	O'Mahoney
Case, N.J.	Javits	Pastore
Chavez	Johnson, Tex.	Prouty
Church	Keating	Proxmire
Clark	Kefauver	Randolph
Cooper	Kerr	Scott
Dirksen	Kuchel	Smathers
Dodd	Long, Hawaii	Smith
Douglas	Long, La.	Wiley
Eastland	Lusk	Williams, N.J.
Engle	McCarthy	Yarborough

NOT VOTING—14

Anderson	Hruska	Robertson
Bridges	Humphrey	Sparkman
Byrd, Va.	Kennedy	Symington
Capehart	Morton	Young, Ohio
Hill	Murray	

So Mr. LAUSCHE'S amendment was rejected.

The PRESIDING OFFICER. The Senator from Ohio [Mr. LAUSCHE] is recognized.

Mr. LAUSCHE. Mr. President, I call up my amendment, identified as "4-28-60—B," and ask the Senate to consider it at this time.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 19, beginning with line 21, to strike out over through line 12 on page 20.

The PRESIDING OFFICER. How much time does the Senator from Ohio yield to himself?

Mr. LAUSCHE. Five minutes.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, this amendment contemplates striking from the bill those provisions which authorize the President to enter into an agreement with other nations of the world for the purpose of forming a fund to be used in saving the ancient monuments of Nubia. The Aswan Dam is being built. It will be 200 miles long in the Arab Republic and 100 miles in Nubia. It will have a depth of 200 feet at certain places, and will inundate relics of ancient Egypt. There are 21 of these relics supposedly of great value historically and archeologically.

There has been formed in the United States a group of archeologists who are deeply interested in preserving the monuments. The United Nations has considered the project, and has made no recommendation for the appropriation of funds, but has given the project its aegis of good will, and has suggested that the nations of the world should contribute to it.

There appeared before the committee an archeologist from Chicago by the name of Mr. Wilson. I listened to him with great joy describing the finds they expected to make in excavating for relics and monuments which have been covered during the ages by sediment. I asked him who had made an expert study of the cost. He said no one had made it, but a group of engineers are now studying it. He said it would cost between \$60 million and \$90 million. I asked him, "Are you certain that that would be the maximum?" He said, "Of course, I cannot say that \$90 million will be the maximum. We shall know when the engineers make the study."

His suggestion was that we contribute 33 1/3 percent of the cost, and he now expects that £7 1/2 million of Arabian Republic money will be spent. Seven and a half million pounds means approximately \$20 million.

Mr. President, in my judgment, this project has not been adequately studied. It is not known what it will cost. The engineers are now applying themselves to that study.

No other nation has indicated a purpose to participate. Regardless of what one's thoughts may be on the question of the U.S. Government including in the mutual aid program this proposal to save the monuments of the Nile, we should more carefully consider the question. One suggestion, my colleagues, is that one of these ancient monuments might be brought to the United States and installed at some place where our citizens would be able to gain esthetic and cultural enjoyment from it.

In my judgment, the project has not been adequately studied and ought not be included in this bill.

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

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. How are we to get started on this project if we do not provide for it in the bill? The Senator has said that perhaps we ought to bring one of those monuments to this country. The inclusion of this provision in the bill would give us an impetus toward getting started on the program, as compared with Egypt or other countries. There might be a number of separate exhibits. Unless we get started on this undertaking and get it under way, the dam will be built and the cultural monuments will be under water. How are we going to get started if we do not make such a provision?

Mr. LAUSCHE. I may say to my colleague it is estimated the Aswan Dam will be completed in 5 years. Mr. Wilson stated that, in this first year, it is contemplated digging up those monuments and relics which are now covered by sedimentation, but that the actual work of removing existing valuable monuments would not be started until next year, and that the cost of doing the excavating will be borne by private contributions.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

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

Mr. MANSFIELD. Mr. President, I yield the Senator from Ohio 1 minute on the bill.

Mr. PASTORE. Do we have the permission of the country of Egypt to remove a monument?

Mr. LAUSCHE. There was no direct testimony on that point, but Mr. Wilson testified, and I think the inference may properly be drawn, that they will welcome the participation of the nations of the world.

Mr. PASTORE. But it is only an inference.

Mr. LAUSCHE. Yes.

Mr. PASTORE. I am talking about removing the monument physically out of the country.

Mr. LAUSCHE. There has been some arrangement proposed, which has not yet been settled as to detail, to divide 50-50 the discoveries made in the excavations. There are two very important monuments which I doubt Egypt will allow to be removed, but there is evidence that they will allow the removal of monuments. On that score, may I point out that we may become a nation of monuments; we may spend more money on the dead than on the living; and that day may come sooner than we think.

Mr. FULBRIGHT. Mr. President, there are several very important conditions to this proposal. The first is that it must be an international organization. The U.S. contribution will be entirely in the local currencies of the United Arab Republic and of the Sudan. There will be no dollars involved in this proj-

ect. These funds already exist in respect to those countries. Our contribution will be limited to one-third of whatever is agreed upon. The U.S. participation must be found by the President to be something that will promote the foreign policy of the United States. Then, and most important of all, whatever agreement may be arrived at during the course of next year, it must come back and be submitted to the Congress for its approval.

This is a tentative plan. These persons from the Universities of Pennsylvania and Chicago are very responsible individuals, and they are very anxious that this proposal be approved, in order to give them an opportunity to help formulate the plan. I do not understand there is an agreement upon the division of the spoils at all. They insist that, whatever agreement is developed, it will be the result of negotiations which will create an international organization. The reason for it would be largely a matter of much interest in the history of Egypt, and the good will, I would say, that would result from this project.

We have this alternative. This local currency exists. It will have to be used either for this kind of purpose or for some other local development, such as an irrigation system, a road, or a school. We can choose what we think is the most important item.

The President can choose in this regard. The President has to find that it is, in his opinion, in the interest of this country to take the action. The President does not have to go through with it, but he is permitted to consider it and to enter into whatever plan is developed. It is very problematical that anything will be developed. It would seem to be good for international relations to make at least a preliminary gesture; to say that if other people are interested we will go along and contribute some of these local currencies to a joint project.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one question?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. Is it not very important that we start on this tentative agreement this year, or otherwise it will not be possible to consummate it? The dam cannot be stopped. The water level will go up, and then nothing can be done.

Mr. FULBRIGHT. That is quite correct. Unless we get this project underway and provide the authority to negotiate, it will soon be too late.

We were told by some of the witnesses that several countries in Europe are interested, and it is expected these countries will join and will make a contribution. One witness stated he had had a communication from the Minister of Education—or Information—in Egypt, stating interest in this.

This is all in the preliminary stage. All that is requested is authority for the President to enter into discussions on the matter. The President will have to make the decision first, and then we will make a decision.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one more question?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. Is it not important to do this, so that we can get these agreements and ultimately get some of these cultural objects in the United States, in our museums?

Mr. FULBRIGHT. I cannot guarantee anything. It will all depend upon the negotiation. There is no agreement that anything is going to be taken out. This is all part of the negotiating which will take place. Some of the things may be removed. Some may have levees put around them.

Mr. President, I will now yield 2 minutes to the Senator from Pennsylvania [Mr. CLARK]. The University of Pennsylvania has an interest in this matter.

Mr. CLARK. Mr. President, I read to the Senate the testimony of John A. Wilson, professor of Egyptology, University of Chicago:

This is an area in which man has lived for 10,000 years. It is an area which has 21 temples within it, ancient temples, of which 2 are world famous temples, the superb rock-cut temples of Abu Simbel which is one of the most magnificent temples in the world, and 19 others. The artificial lake will cover over an untold number of as yet unexplored unexcavated sites. In other words, to the archeologist this is catastrophe.

There is an international appeal which is being made for the rescue of the monuments in this area. There will be all sorts of international activity in regard to them.

The matter is already being explored by the University of Pennsylvania and by the University of Chicago. There will then be a united effort by scholars of the world. Negatively, if American scholars are not involved in this, it will be a blow to our prestige. Positively, it will be a great gain.

Mr. President, I turn to consideration of the committee amendment which the Senator from Ohio seeks to strike. The amendment provides that if the President of the United States thinks this is a good thing, he may, subject to the approval of the Congress, enter into agreements with friendly nations to pay, in foreign currencies, no more than 33 1/2 percent of the cost.

I say to Senators, this seems to me to be one of those rare occasions when the Senate can stand up for education. I think the amendment of the Senator from Ohio represents a revolt against civilization. I hope it will be defeated.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from North Carolina, from the time on the bill.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I rise merely for the purpose of making the suggestion that after we have transported one of these Egyptian monuments to the United States at the expense of the American taxpayers we should place a tablet upon it reciting that at the time the Senate voted to do so the United

States owed \$284,705,907,078, because the Congress for 25 years had been appropriating more money than it had the moral courage to raise taxes to cover; and that at the time the Senate voted to transport this Egyptian monument to the United States each child who then came into the world in the United States was finding himself saddled with a pro rata responsibility for the national debt of \$1,607.91. We might record also on the tablet that at that time the national debt of the United States was higher than the highest pyramid in Egypt.

Mr. MONRONEY. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. Mr. President, I yield 2 minutes to the Senator from Oklahoma.

Mr. MONRONEY. As I understand the situation, this has no relationship to dollars at all. We have something like \$80 million worth of Egyptian pounds. The only exportable thing which I know the Egyptians have is long staple cotton, and unfortunately these Egyptian pounds we hold cannot even be used to purchase that.

As a matter of fact, if we do not authorize the President, conferring with international organizations, to see if we can preserve these historic monuments, we are going to have to hold these local currencies in warehouses. Pretty soon the storage charge for the warehousing of these local currencies may approach the problem of the storage charges on wheat. As a matter of fact, if this matter is left in its present position, and if we do not use the local currency, the Egyptian pounds, we will be making an interest-free loan to Mr. Nasser, because our action will stabilize his currency.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from New Hampshire from the time on the bill.

Mr. COTTON. Mr. President, I asked for the minute because I wanted to satisfy myself in regard to one point. I should like to have the attention of the chairman of the Committee on Foreign Relations.

It has been explained to us most carefully that this provision is entirely harmless, because the President will only negotiate. It is said that no agreement can result for at least a year, and that the President will have to come back to the Congress for the authority and the sanction required. If that is all true, I cannot understand why the provision is even necessary. Is there anything in the language at all now to prevent the President of the United States from negotiating and finding out what agreement he can make, and then coming back to the Congress with a specific agreement and securing a sanction in a year?

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

The PRESIDING OFFICER. The time of the Senator from New Hampshire has expired.

Mr. COTTON. Mr. President, will the Senator yield me 1 minute more?

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from New Hampshire from the time on the bill.

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

Mr. COTTON. I will yield to the Senator in just a moment.

I am forced to the conclusion that there is a real purpose in mind in the inclusion of the provision in the bill. I am not at the moment debating the laudable intentions of the project. However, this is what we constantly do in this body, in this country, and in this Congress. We hold out to the world an idea that we have in advance given sanction to something, to which, technically, we have not given sanction. Then we find ourselves with a moral responsibility to agree.

I will now yield to the Senator such time as I have remaining.

Mr. CLARK. I would answer my friend from New Hampshire by saying that what his statement implies is exactly what this language would do. This is not a legal commitment. It is not even a moral commitment. It is simply some encouragement to the people of the world that if they can come up with a good international agreement we will pay our share of the cost. I am perfectly willing to do that.

Mr. COTTON. Either the language will do something or it will not do something. If it will do something, we should know what it is. If it will not do something, why is the language there at all?

Mr. LAUSCHE. The language is provided because the committee did not dare make a direct recommendation that we participate. This is the smooth and the constantly used method of finally achieving the objective, without facing the problem immediately.

Mr. COTTON. That was my conclusion.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes from the time on the bill to Senator from Louisiana [Mr. Long].

Mr. LONG of Louisiana. Mr. President, I have voted for every amendment offered to the bill which would have reduced the cost. I did vote for the committee amendment in this instance. It will not cost the United States a penny.

What the amendment provides is that if other countries are willing to pay two-thirds of the cost we would be willing to pay one-third of the cost with the Egyptian pounds, for which we have no other use, anyway. This will be a mere gesture.

The language provides that before anything could be done the Congress would have to approve whatever agreement was reached. We have been talking about the authorizing of projects. This is one project the Congress will have a chance to authorize. It will be necessary to come back to the Congress, so that we can be informed of what is the desire of the other nations, and what they will pay. We will pay only one-third. All the rest will be paid by other countries.

This is simply a gesture of good will to Egypt, Sudan, and archeologists. We

are simply saying, "If the other countries were willing to pay two-thirds of the cost, we would be willing to use the Egyptian pounds to help out in regard to one-third of the cost." My guess is that nothing will result from this, because I do not believe the other countries are going to put up two-thirds of the cost, in good money, on their part. We say, "If the others who are interested will put up two-thirds of the cost, we will put up one-third of the cost."

That is all it is; a gesture. I believe it is a good idea.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. LAUSCHE].

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from Delaware [Mr. WILLIAMS].

Mr. WILLIAMS of Delaware. Mr. President, without getting into the merits of this particular amendment, I should like to clear up one point which I think is perhaps misunderstood, and that is the idea that we have a barrel full of Egyptian pounds which are not worth anything. How did we get them? We put up good merchandise to get those pounds. They are worth about \$2.80 in the international market. Furthermore, instead of having \$80 million we doubt that we have anywhere near that amount.

I do not think any Senator can say how much of this foreign currency we do have, or had as of any given date. For 2 months I have been trying to find out from the departments how much we have in foreign currencies of the various countries with particular reference to Egypt. They do not know. I have been furnished different reports as of the same date, and they cannot be reconciled. Apparently they are being valued and accounted for by the executive department in the same irresponsible manner as that in which we are valuing them in the Senate. It is said that these Egyptian pounds are not worth anything. Therefore, it is asked, "Why keep track of them?"

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. Just a moment.

I think it is time to impress upon the executive branch as well as upon ourselves that these foreign currencies are worth something and that they should be properly accounted for. These funds belong to the American taxpayers.

I have not found any department which can tell me what is the right amount of Egyptian pounds that are not committed. The nearest I can come to an estimate is that we have between \$20 million and \$50 million in these currencies.

Mr. LONG of Louisiana. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Louisiana.

Mr. LONG of Louisiana. The money the Senator from Delaware is talking about is Public Law 480 money. That money got there because we were trying

to get rid of surplus wheat. Those who administered the program say that the idea is to move the commodity, whether we can use the currency or not.

So far as I know, we have no use for this currency. I doubt if other countries are going to put up their hard-earned money to match money for which we have no other use. We have large amounts of such currency; and if we do not make this gesture, which would not cost us anything, my guess is that the currency will never be used for any other purpose.

Mr. LAUSCHE. Mr. President, may I have 1 minute?

Mr. DIRKSEN. First, I yield 1 minute to the distinguished Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. Mr. President, I should like to make one or two observations.

I am very much interested in where we have been, but I am also interested in where we are going. It seems to me that by this section we do exactly as the Senator from New Hampshire has said. We morally commit ourselves to certain action in the future, because we are asking the President, in effect, to negotiate for us if he can.

If the proposed dam were to be built in the United States, and it was about to cover up some great artifacts of this country, we, the people who would be benefiting under the dam, would be asked to pay for the preservation of those artifacts.

I would rather spend the money for food, for medicine, for education, for clothing, for housing for the Egyptians, if Egypt is the only place where we can spend it, than to spend it in this way, with no assurance that we will ever get any part of it back. I do not believe we would.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, the terms offered are set forth on page 585, showing how these relics will be divided in the event they are found. I submit to my colleagues that one highlight has come out of this discussion. The U.S. Senate is beginning to admit that the foreign currency which we hold is worth nothing, and it is frantically trying to find ways and means of dissipating it, so that it will not appear on our records as being in our possession.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE] to the committee amendment. [Putting the question.]

Mr. ELLENDER and Mr. LAUSCHE asked for a division.

The Senate proceeded to divide.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Michigan [Mr. HART], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], and the

Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote, if present and voting, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. KERR] would each vote "yea."

I further announce that if present and voting the Senator from Michigan [Mr. HART], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

On this vote the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 40, nays 44, as follows:

[No. 184]
YEAS—40

Allott	Ervin	Magnuson
Bible	Fong	O'Mahoney
Brunsdale	Frear	Pastore
Butler	Goldwater	Prouty
Byrd, Va.	Green	Randolph
Byrd, W. Va.	Gruening	Robertson
Cannon	Hartke	Russell
Carlson	Holland	Schoeppel
Cotton	Johnston, S.C.	Stennis
Curtis	Jordan	Talmadge
Dodd	Keating	Thurmond
Dworshak	Lausche	Williams, Del.
Eastland	Long, Hawaii	
Ellender	McClellan	

NAYS—44

Aiken	Gore	Martin
Bartlett	Hayden	Monroney
Beall	Hennings	Morse
Bennett	Hickenlooper	Moss
Bush	Jackson	Mundt
Carroll	Javits	Muskie
Case, N.J.	Johnson, Tex.	Proxmire
Case, S. Dak.	Kefauver	Saltonstall
Church	Kuchel	Scott
Clark	Long, La.	Smathers
Cooper	Lusk	Smith
Dirksen	McCarthy	Wiley
Douglas	McGee	Williams, N.J.
Engle	McNamara	Yarborough
Fulbright	Mansfield	

NOT VOTING—16

Anderson	Hruska	Sparkman
Bridges	Humphrey	Symington
Capehart	Kennedy	Young, N. Dak.
Chavez	Kerr	Young, Ohio
Hart	Morton	
Hill	Murray	

So Mr. LAUSCHE'S amendment was rejected.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to table was agreed to.

Mr. HICKENLOOPER. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 23, line 19, insert the following new subsection (a) in section 601 of the bill and redesignate the other subsections of section 601 accordingly:

(a) In section 104, which relates to use of foreign currencies, insert the following after the word "Act" in the final proviso: "other than sections 104(e) and 104(g)".

Mr. HICKENLOOPER. Mr. President, earlier today, when the Senate agreed to the amendment offered by the Senator from Louisiana [Mr. ELLENDER], affecting the section of the bill dealing with Public Law 480, it was motivated, I believe, mainly by opposition to the subsection which broadened title II of Public Law 480 to include grants for purposes of economic development as well as for purposes of famine relief.

The amendment of the Senator from Louisiana, however, also struck out another subsection of the bill, which appears on lines 19 through 21 on page 23 and which makes a technical amendment in section 104 of Public Law 480 so as to remove a restriction resulting from the interaction of two amendments added to the law last year in regard to use of foreign currencies for health and education.

I believe the effect which has resulted from the action of the Congress last year was not intended by the Congress. I likewise believe that the action of the Senate this morning was not directed to this point so much as to the authority in title II. The amendment which I have offered is designed to correct both of these actions. The difficulty with the law as it now stands, and as it will continue to stand unless my amendment is adopted, is described on page 30 of the committee report as follows:

Subsections (k), (p), and (r) of section 104 of Public Law 480 authorize the use for purposes of health and education, among others, of foreign currencies accruing from the sale of surplus agricultural commodities under title I of that law. A proviso to subsection (k) makes foreign currencies available for the purposes of that subsection only in such amounts as may be specified in appropriation acts. A similar proviso is applicable to subsection (p), and currencies under subsection (r) are limited to the equivalent of \$2.5 million a year.

The uses contemplated by these subsections embrace both uses for the benefit of the United States (e.g., collection and translation of scientific and technological information) and uses for the benefit of the foreign country (e.g., support of educational development). This latter category of uses is also embraced under subsections (e) and (g) which make foreign currency available, without appropriation requirement, for purposes of economic development. However, a final proviso to section 104 forbids allocation of foreign currencies "under any provision of this act after June 30, 1930, for the purposes specified in subsections (k), (p), and (r)" except as specified in appropriation acts. The effect of this last proviso is to make it impossible to use foreign currencies for purposes of economic development through health and education under subsections (e) and (g) except as the currencies

may be appropriated. Since none of the other uses under subsections (e) and (g) are thus restricted, the proviso curtails rather drastically the work that can be carried on in these two fields which are basic to economic development.

My amendment is different from the language of the committee bill, but it would accomplish the same result by excepting purposes of economic development from the requirement of appropriations for subsections (k), (p), and (r).

I may say that this is particularly necessary for the malaria eradication program as well as for similar programs relating to health and education.

Mr. President, this morning I supported the amendment of the Senator from Louisiana [Mr. ELLENDER], to which I believe this corrective amendment should now be applied, because the amendment of the Senator from Louisiana struck out an entire group of subjects, of which this one particular sentence in section 104 of Public Law 480 is a part. I intended to ask the Senator from Louisiana, if he were present, if it was his intention to strike out that part of the sentence.

Mr. FULBRIGHT. Mr. President, I think the Senator from Iowa is quite correct. I am prepared to accept the amendment. I think it is a necessary one. I do not see the need to have a vote on it.

Mr. HICKENLOOPER. I thank the Senator from Arkansas. I felt it was an oversight on this section. I supported the original amendment of the Senator from Louisiana.

Mr. FULBRIGHT. I yield back the remainder of my time.

Mr. AIKEN. Mr. President, will the Senator from Iowa yield?

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

Mr. AIKEN. Mr. President, may I have 1 minute?

Mr. DIRKSEN. I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. As one who supported the Ellender amendment in order to eliminate divided authority over commodities, I believe it would be well to approve the amendment offered by the Senator from Iowa. It certainly was not my intention to prohibit the use of these funds for educational development, health, nutrition, and sanitation. I believe the amendment offered by the Senator from Iowa should be approved.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Iowa is agreed to.

Mr. LAUSCHE. Mr. President, I call up my amendment designated "4-28-60-C" and ask that it be read.

The PRESIDING OFFICER. The Chair is advised that that amendment has already been agreed to.

Mr. LAUSCHE. It is my understanding that the chairman of the committee believes the amendment conforms to the general purposes of the section and that, therefore, he is willing to accept it.

Mr. FULBRIGHT. I am willing to accept the amendment of the Senator from Ohio.

Mr. LAUSCHE. I ask that my amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, before the period in line 12, it is proposed to insert the following:

And no such currencies shall be so used until the President is satisfied that expenditures representing the remainder of such cost have been or will be made by other interested nations or organizations thereof.

Mr. FULBRIGHT. Mr. President, I am willing to accept that amendment, and I yield back my time.

The PRESIDING OFFICER. Does the Senator from Ohio yield back his time?

Mr. LAUSCHE. Yes.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Ohio is agreed to.

Mr. GRUENING. Mr. President, I call up my amendment designated "4-28-60-G," and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to amend section 537(f) so as to read as follows:

During the annual presentation to the Congress of requests for authorizations and appropriations of military assistance under this Act, there shall be submitted a clear and detailed explanation on a country-by-country basis of the force objectives toward the support of which such assistance is proposed to be furnished; the projected costs of equipping and the annual recurring costs of maintaining such force objectives, together with the estimated costs of present plans for modernizing such force objectives; and explanation of the degree to which such force objectives had been equipped, maintained, and modernized under programs already approved; the accomplishments to be achieved with the funds currently being requested, and estimates of the time-phased costs for carrying out the remainder of the program.

Mr. GRUENING. Mr. President, I call this the "required planning amendment."

The amendment has been suggested by the Comptroller General, as will be seen by his statement in the middle of page 628 of the printed hearings. Of this proposal the Comptroller General has said:

Although the Department of Defense has taken measures to project the program costs 3 years into the future, the present budget justification submitted to the Congress by the executive agencies does not contain information which we consider necessary to provide the Congress with a fully informed basis for appropriating funds and for reviewing program performance.

This amendment applies only to military assistance.

It requires only that certain information be made available to Congress. But because it requires this information to be submitted to Congress, it will, in turn, require the Department of Defense and the Department of State to plan ahead—to think through—with respect to military assistance; to consider where we are, where we are going, and how much it will cost to get there.

It will require that Congress be furnished information as to time-phased

costs for carrying out our military assistance program on a country-by-country basis.

As the Comptroller General has stated, the amendment will provide the answers to the oft-raised questions on how long military assistance will be continued with respect to each country, at what level, how much it will cost, at what rate it will be "phased out," and so forth.

This kind of foresighted planning is essential if the program is not to continue on a short-range planning basis for a long-range program. The amendment does not affect the national security.

I urge the adoption of my amendment, and I ask for the yeas and nays.

Mr. FULBRIGHT. Mr. President, will the Senator withhold his request for the yeas and nays?

Mr. GRUENING. I withhold my request.

Mr. FULBRIGHT. The amendment is not objectionable, because the Senator from Alaska is trying to improve the quality of planning on the part of the military. I would be willing to take the amendment to conference and study it. I would not want to make a final commitment that I would fight, bleed, and die for it; but I think it would not be too bad to accept it and see if we cannot work out the problem in conference. The administration does not object to the intent, but it has some criticisms as to the way in which it is expressed. So I am willing to take the amendment to conference.

Mr. GRUENING. I appreciate the attitude of the chairman of the committee.

Mr. AIKEN. Mr. President, will the Senator from Arkansas yield for 1 minute to me, so that I may ask a question?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Arkansas yield to the Senator from Vermont?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. Would not this amendment require the publicizing of our plans for military assistance to all the countries we assist?

Mr. GRUENING. Not at all.

Mr. FULBRIGHT. If such publicizing of our plans would be required by the amendment, that would be objectionable, and that part would have to be deleted in conference. But the major objective; namely, for better planning—is not objectionable.

Mr. AIKEN. If the purpose of the amendment is to have reports made to the Congress, that would be one thing. But if the result would be to inform all the other countries in the world what we expect our military contributions to certain countries to be, I believe that would be objectionable.

Mr. FULBRIGHT. Then that part would have to be deleted in conference.

Mr. GRUENING. I think the information required by the amendment would be in the same classification that any other information desired from the Department of Defense would be in.

Mr. FULBRIGHT. Mr. President, I am ready to vote on the amendment.

The PRESIDING OFFICER. Does the Senator from Alaska yield back the remainder of the time available to him?

Mr. GRUENING. I do.

Mr. FULBRIGHT. I do likewise, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The amendment was agreed to.

Mr. GRUENING. Mr. President, I call up my amendment identified as "4-28-60-F," and ask that it be stated and considered.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to amend section 401 by adding at the end thereof an appropriately lettered new subsection as follows:

Section 537(f) is amended to read as follows:

"Within ninety calendar days after the enactment of the Act making appropriations for the fiscal year 1960 and subsequent fiscal years for carrying out the purposes of this Act, there shall be submitted to the cognizant committees of the House and Senate detailed budgets on a country-by-country basis setting forth, with respect to defense support, technical cooperation, and special assistance, the specific purposes in detail by amounts for which the funds available will be obligated during the respective fiscal year, and such funds shall be available only for the purposes thus specified: *Provided*, That this subsection shall not apply to funds affected by the use of sections 451(a) or 501 of this Act, or to reasonable variations in the use of funds within a country for purposes other than those specified in the detailed budgets."

Mr. GRUENING. Mr. President, this amendment attempts to reassert congressional control over expenditures for foreign aid. It is an attempt to apply to the foreign-aid program the same budgetary and accounting controls which are now applicable to our domestic programs. It is an attempt to end illustrative budgets under which requests to the Congress for funds are justified only by the submission of "maybe" budgets—that is, budgets which are not firm, which do not bind the administrators of the foreign-aid program to spend any of the funds for any of the purposes stated in their illustrative budgets.

That is not the way domestic programs are justified before the committees of Congress. I do know, of course, that unless restrictions are written into law, the administrators of domestic programs are not legally required to spend the funds appropriated for the exact items for which the funds were justified in their budgets.

But I know also, Mr. President, that it would be a most unwise and unusual administrator of a domestic program who would justify the funds requested on one basis, before the appropriations committees and before the Congress, and then spend the funds for a totally unrelated purpose. Such an administrator would speedily find that the Appropriations Committees do know how to write legal restrictions into an appropriations bill.

My amendment does not go as far as the Comptroller General suggests. Senators will find his comments at page 628

of the Senate committee hearings. He would curtail drastically the President's discretionary funds. I am not offering such an amendment at this time. So, even if my amendment is included, the President will still have discretion to move funds from one project to another, under sections 451 and 501.

Earlier in the day an amendment proposed by the distinguished Senator from Louisiana—to strike out certain salary increases and increased classifications—was defeated; and the chairman of the committee argued that it is important that we have an Inspector General and Comptroller to make sure this program is well administered. That would have cost a considerable amount of money.

Here is an opportunity to provide for a means of control by the one person who is a servant of the Congress; namely, the Comptroller General of the United States. The control would be had without a nickel of extra cost, and the control would be the kind we should have. The control would not be had by an official who was a part of the program and was not anxious to uncover its defects. Instead, the control would be by a servant of the Congress in this field.

Mr. President, I call for the adoption of the amendment; and on the question of agreeing to the amendment, I ask for the yeas and nays.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Alaska, did we not have an agreement as to the yeas and nays in this case?

Mr. GRUENING. I did not so understand it; but that will be all right. I think this amendment is an important one. When it was proposed last year, I believe there were 37 votes in favor of its adoption.

But if the majority leader desires to hasten the procedure—

Mr. JOHNSON of Texas. Mr. President, if the Senator from Alaska did not understand that he had an agreement with me in regard to not having the yeas and nays taken on this amendment, then I shall ask that the yeas and nays be ordered. However, I understood that we had an agreement that the yeas and nays would be ordered on two of the Senator's amendments, but not on the other two. But if there is any question about that, I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, this is an amendment which I cannot accept. It is a very bad amendment; it is an unworkable amendment.

Existing law already provides that the Congress be informed, within 60 days after the appropriation of mutual security funds, of changes in the programs as originally submitted to the Congress. During the rest of the year, any program change of \$1 million or more or 5 percent of the amount of the appropriation also must be reported to the Congress.

The Senator from Alaska says that a program of this sort is followed in the other parts of the Government. But there is no freezing of a program, so that it cannot be changed 90 days after the appropriation is made.

This amendment is utterly unworkable, and it would make the administration of the program wholly impossible. It would destroy any capacity to negotiate with the foreign countries involved in these matters.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I should like to ask the Senator from Arkansas a question. Is it not true that on the basis of a committee recommendation, we provided by law that the Office of Inspector General be set up, and that at periodic intervals he report to the committee, by means of detailed reports, about what is going on in each individual country?

Mr. FULBRIGHT. Precisely.

Mr. AIKEN. Mr. President, will the Senator from Arkansas yield 1 minute to me?

Mr. FULBRIGHT. I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. I wish to say that this amendment is even more unworkable than the Senator from Arkansas says it is. The amendment provides that within 90 days after the beginning of the year, all appropriations for defense support, technical cooperation, special assistance, and so forth, must be committed and frozen, and cannot be used for any other purpose. Such a provision would make the program one of the most unworkable that we have ever had before us.

Our attitude in regard to such countries often change after the fiscal year begins, and the needs also change. So this amendment would be a most disastrous one to adopt.

Mr. DIRKSEN. Mr. President, just to make the legislative history of this matter, let me say that during my service on the Appropriations Committee, I believe I have heard all the testimony on virtually every one of the mutual security programs. We were constantly at pains to work out techniques to debilitate the cost, if a change in need which could not be foreseen occurred. In that event, it would be necessary to reobligate the funds and to determine what would be necessary. That would require a degree of flexibility.

But this amendment would require "within 90 calendar days" "detailed budgets on a country-by-country basis" in regard to the various items set forth in the amendment. The budgets would have to be set forth in detail; and the "detailed budgets on a country-by-country basis" would have to set forth "with respect to defense support, technical cooperation, and special assistance, the specific purposes in detail by amounts for which the funds available will be obligated during the respective fiscal year, and such funds shall be available only for the purposes thus specified"—and so forth.

In that event, the entire program would be thrown into a straitjacket. In that case, if ever there would be an incentive to waste money, it would then exist—if the law provides, in effect: "It makes no difference how much of a change has occurred; the money can be spent only for the purpose specified."

That would be an open invitation to waste.

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

Mr. DIRKSEN. I yield.

Mr. SALTONSTALL. The Senator has sat in the consideration of many of these programs. Is it not true that these programs which are submitted to the appropriate committees are then subject to agreement by the countries involved, which submission does not take place for 3 or 4 months later, and there are bound to be some changes?

Mr. DIRKSEN. That is correct.

Mr. President, I hope the amendment will be defeated, and I am ready for a vote.

Mr. FULBRIGHT subsequently said: Mr. President, I overlooked having printed in the RECORD a letter from the Comptroller General pertaining to the amendment offered by the Senator from Alaska, which has been voted on. I ask unanimous consent that the letter from the Comptroller General be printed in the RECORD prior to the vote, in order that the RECORD will be complete.

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

The letter, ordered to be printed in the RECORD, is as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., April 15, 1960.

Hon. J. W. FULBRIGHT,
U.S. Senate.

DEAR SENATOR FULBRIGHT: This is in response to your inquiry of April 9, 1960, concerning Senator ERNEST GRUENING's proposed amendment to section 537(f) of the Mutual Security Act of 1954. The amendment consists of two parts, one relating to economic assistance, the other to military assistance, and we are commenting therefore separately on the two categories of assistance.

ECONOMIC ASSISTANCE

We are in general accord with the objectives of the amendment, as it seeks to strengthen congressional control over mutual security funds and to improve budgeting and accounting practices for such funds. In our letter of July 2, 1959, to Senator GRUENING, we stated that, because of the special role of the mutual security program as an instrument of U.S. foreign policy, we have considered it necessary to recognize, within reasonable limits, the need for flexibility in carrying out program plans and allow for changes which affect the nature and size of planned activities. Therefore, we have not deemed it appropriate to recommend a legislative requirement holding the executive branch to strict adherence to its budget plans.

However, based on our audit work covering the economic and technical assistance activities of the mutual security program, we have questioned the use of the illustrative type program presentation for planable activities and have recommended that firmer and better thought-out programs be presented to the authorizing and appropriating committees of the Congress as a means of encouraging closer adherence to programs as presented. We have also recommended for all planable activities more complete and meaningful presentation of proposed programs and a clear accounting for funds previously authorized and appropriated. As a further means of narrowing the use of funds to programs as presented, we have suggested

that the broad use and transfer authority contained in sections 451(a) and 501 of the Mutual Security Act of 1954, as amended, may no longer be needed in view of the broad uses of funds authorized for each of the major program categories and the establishment of a contingency fund by section 451(b) which is available to meet emergency requirements not susceptible of advance planning.

With respect to the proposed legislation which would require the responsible executive agencies to follow closely the program proposals presented to the Congress 90 days after the appropriation of funds, we believe that a basic question of policy is involved which is for the Congress to decide. We have called attention to a number of provisions in the legislation now in force which permit considerable flexibility in carrying out annual mutual security programs and would tend to reduce the effectiveness of the proposed legislation. The amendment currently proposed by Senator GRUENING has been suggested by us as a revision of his earlier proposal which had been submitted for our review. The revised provision was considered by us to be a more workable means of accomplishing the Senator's objective, if such legislation should be deemed desirable by the Congress. Whereas the Senator's original proposal required that the executive branch shall be bound by its detailed annual budgets when they are presented to the congressional committees prior to the authorization and appropriation of funds, the current proposal defers the time at which budget plans shall be binding to a point as close as practicable to the time of actual implementation.

MILITARY ASSISTANCE

The amendment to section 537(f) relative to military assistance, as proposed by Senator GRUENING was suggested by us in our letters dated July 2, 1959, and April 5, 1960. This amendment is in accordance with recommendations contained in our various reports on the military assistance program, that the Department of Defense should develop and submit to the Congress the aggregate projected costs of equipping, maintaining, and modernizing military forces in the countries which the United States has agreed to support under the mutual security program.

We believe that the annual appropriation requests should show the total projected cost or ceiling for each country, the portion already funded, the portion requiring funds in the budget year, and the time-phased costs for carrying out the remainder of the program, taking into account any revisions in total estimated costs which will have to be made from time to time. Based on these data, it would be possible to relate the annual appropriation requests to the estimated cost of the overall objectives that the United States is striving to achieve in the various countries being aided. This presentation would better enable the Congress, taking into consideration the resources already available from past appropriations, to determine the amount of additional funds required to carry out each annual phase of the projected programs. The Department has recognized the desirability, from a management standpoint, of formulating long-range plans and has taken measures to project future program costs for a period of 3 years. We believe that this information should also be made available to the Congress on a country-by-country basis. We consider that such information is essential to the Congress as a basis for considering annual appropriation requests and measuring program performance.

RESTRICTIONS ON OTHER AGENCIES

You ask whether other agencies in the U.S. Government are bound by similar restrictions on the use of funds. We

are not aware of a legislative provision applicable to other agencies which restricts the use of appropriations to the specific purposes detailed in a budget presented either prior to, or within 90 days after, the appropriations are made. The purposes for which appropriations are legally available are generally governed by the language used in the statutes authorizing the appropriating the funds. It may be stated, however, that legislation relating to certain construction programs, such as public works programs carried out by the Bureau of Reclamation and the Corps of Engineers and the military construction and military housing programs, generally restricts the expenditure of funds to projects specifically presented to and approved by the Congress.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska [Mr. GRUENING] to the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senator from Michigan [Mr. HART], the Senator from Alabama [Mr. HILL], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Minnesota would vote "nay."

If present and voting, the Senator from Virginia [Mr. BYRD] and the Senator from Louisiana [Mr. ELLENDER] would each vote "yea."

I further announce that if present and voting, the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 29, nays 54, as follows:

[No. 185]

YEAS—29

Bartlett	Goldwater	Mundt
Bible	Gruening	Muskie
Byrd, W. Va.	Johnston, S.C.	Proxmire
Cannon	Jordan	Robertson
Case, S. Dak.	Kerr	Russell
Curtis	Long, Hawaii	Schoeppel
Dodd	Long, La.	Talmadge
Eastland	Magnuson	Thurmond
Ervin	Morse	Yarborough
Frear	Moss	

NAYS—54

Aiken	Fong	McClellan
Allott	Fulbright	McGee
Beall	Gore	McNamara
Bennett	Green	Mansfield
Brunsdale	Hartke	Martin
Bush	Hayden	Monroney
Butler	Hennings	Pastore
Carlson	Hickenlooper	Prouty
Carroll	Holland	Randolph
Case, N.J.	Jackson	Saltonstall
Church	Javits	Scott
Clark	Johnson, Tex.	Smathers
Cooper	Keating	Smith
Cotton	Kefauver	Stennis
Dirksen	Kuchel	Wiley
Douglas	Lausche	Williams, Del.
Dworshak	Lusk	Williams, N.J.
Engle	McCarthy	Young, N. Dak.

NOT VOTING—17

Anderson	Hart	Murray
Bridges	Hill	O'Mahoney
Byrd, Va.	Hruska	Sparkman
Capehart	Humphrey	Symington
Chavez	Kennedy	Young, Ohio
Ellender	Morton	

So Mr. GRUENING's amendment to the committee amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Illinois to reconsider.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

During the consideration of Mr. FULBRIGHT's amendment, "4-29-A,"

Mr. DIRKSEN. Mr. President, will the Senator from Arkansas withhold for a moment while I query the majority leader on the program for tomorrow?

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Arkansas may yield to me for this purpose, without the Senator losing his right to the floor and without the time being charged to either side, with the understanding that the colloquy will be printed at a proper place in the RECORD.

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

Mr. DIRKSEN. Mr. President, for the convenience of Senators I inquire of the majority leader what is the program for tomorrow, and perhaps for the following day?

Mr. JOHNSON of Texas. Mr. President, if we conclude action on the bill presently under consideration this evening, we shall proceed to the considera-

tion of Order No. 1333, H.R. 10809, to authorize appropriations to the National Aeronautics and Space Administration.

Also, we have a conference report on the Commerce Department appropriation bill at the desk, I believe.

I am also informed that the distinguished chairman of the Committee on Banking and Currency desires to make a motion, which may consume some time, to concur in some House amendments to a bill of interest to the Committee on Banking and Currency.

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

Mr. JOHNSON of Texas. I yield.

Mr. HOLLAND. As the majority leader knows, we have had a conference report available for 2 or 3 days. I have been waiting all day to try to present it to the Senate. All the conferees have signed the report. I should like to have the report considered, if possible, at a time when the senior Senator from Delaware [Mr. WILLIAMS] can be present, because he has a particular interest in the matter.

At what time in the very near future does the majority leader desire to have the conference report presented?

Mr. JOHNSON of Texas. So far as the majority leader is concerned, as soon as we complete action on the pending bill it will be proper to consider the report. If we complete action on the bill this evening, I would suggest the report be considered immediately after we convene tomorrow.

Mr. HOLLAND. I understand the Senator from Delaware will not be available until 3 o'clock tomorrow.

Mr. JOHNSON of Texas. Very well. I shall be glad to have the report considered when the Senator from Delaware is available. The report is a privileged matter. The Senator from Florida has been very cooperative.

We will be considering the appropriation bill for the National Aeronautics and Space Administration. If the Senator from Delaware is available at 2 o'clock, at 3 o'clock, or at 4 o'clock, whenever the Senator from Florida desires to have the report brought before the Senate, I shall be glad to yield to him for that purpose, and to ask the Presiding Officer to recognize the Senator. We will consider the report, and discuss it.

Mr. HOLLAND. I thank the majority leader.

I should like to ask the Senator from Maine if tomorrow afternoon would be an agreeable time to her for consideration of the report.

Mrs. SMITH. Entirely so.

Mr. HOLLAND. Mr. President, I should like to give notice to all the Members of the Senate who may have some matter or other of interest involved in the conference report that I shall expect to present the report without fail tomorrow afternoon at the first moment the Senator from Delaware is available.

Mr. JOHNSON of Texas. I have already given notice to the Senator from Illinois that we will consider the conference report.

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

Mr. JOHNSON of Texas. I yield to the Senator.

Mr. ROBERTSON. The distinguished Senator from Utah [Mr. BENNETT] wishes to make a brief comment on the bank merger bill, when we consider the matter. The Senator informed me this afternoon he could not be present on Wednesday but could be present on Thursday. The chairman of the Committee on Banking and Currency, who had planned to have the bill considered Wednesday, hopes the leadership will permit him to have it considered Thursday.

Mr. JOHNSON of Texas. The leadership will attempt to have the measure considered when the Senator from Virginia desires.

Mr. ROBERTSON. So far as the chairman of the committee knows, this is not a controversial bill, but several members of the committee wish to make a legislative history.

Mr. JOHNSON of Texas. I thank my friend the Senator from Arkansas [Mr. FULBRIGHT] for yielding.

Mr. DIRKSEN. Mr. President, I have one further inquiry. I do not believe the majority leader has asked consent for an order for the time of convening tomorrow.

Mr. JOHNSON of Texas. I should like to be guided by what we do tonight, before we get the order.

Mr. DIRKSEN. I presume we will finish consideration of the bill tonight.

Mr. JOHNSON of Texas. I presume so also, but I am not sure yet.

MUTUAL SECURITY ACT OF 1960

The Senate resumed the consideration of the bill (S. 3058) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. FULBRIGHT. Mr. President, I call up my amendment "4-29-60-A," and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert:

Sec. 2. Section 2 of the Mutual Security Act of 1954, as amended, which is a statement of policy, is further amended by adding at the end thereof the following:

"(g) In giving effect to the principles expressed in subsection (f) above, the President should not normally regard them as applicable to a situation wherein two or more nations receiving assistance under this Act or surpluses under the Agricultural Trade Development and Assistance Act of 1954, as amended, are engaged in actions detrimental to United Nations efforts to maintain peace and stability and application of the above-mentioned principles would in the judgment of the President constitute partiality by the United States relating to the merits of the cause advanced by any one of the antagonists."

Mr. FULBRIGHT. Mr. President, the pending amendment is intended to try to bring the statement of policy which was inserted in the bill on last Thursday more into accord with what I believe to be the real interests of the country, that is, an impartial attitude toward the conflict which has troubled the Middle East for a very long time.

There has been a good deal of misinformation about the situation in the Middle East. This arises partly because of the inadequacy of our press in reporting what goes on there. I do not intend to make a long speech on my own account, but this subject has been considered very seriously by the Department of State, and the Acting Secretary of State has sent me a letter, copies have been put on each Member's desk. I shall not read all of that letter, but there are certain parts of it to which I wish to invite attention, to impress upon Senators that intervention in our troubled international relations is a serious matter.

Taken alone, without any reference to the actual state of affairs which exist in the world, the amendment which was offered by the Senator from Illinois and adopted last Thursday would seem to be inoffensive. But taken in connection with the facts which exist in the world, it is a very explosive amendment. My amendment is an effort to try to bring our policy back into accord with what I believe to be the interests of the country.

I wish to read one or two paragraphs of the letter from the Acting Secretary of State, Mr. Dillon. On page 2 of the letter, he says:

Incidentally, there appears to be considerable inaccurate information surrounding the Suez Canal transit question. For example, it is said that American ships are being "barred" from the canal for having called at Israeli ports. As a matter of fact, not a single American ship has thus far been denied passage through the canal.

The contrary has been asserted in many quarters. This is the Acting Secretary of State speaking:

Out of a total U.S. maritime fleet of 498, only 23 ships have been placed on the so-called Arab blacklist because of prior calls at Israeli ports. These 23 are denied entry at Arab ports but there has been no instance of denial of their transit of the canal.

In this connection you may have read in the press that American labor unions in New York have set up picketing against the United Arab Republic ship *Cleopatra*. The purpose of the picketing is to impel the United Arab Republic to abandon its restrictions against Israel shipping.

Not against American shipping, but Israeli shipping.

Continuing with the statement of Acting Secretary Dillon:

Unfortunately, this objective is not being served. Asserting their determination to resist such pressures, the Arab countries are establishing counterpicketing against American shipping. This reaction against coercion, which is not unnatural in young emerging states, means in effect that at least 20 American ships with 1,000 seamen aboard will be affected within the next month. It also means that for every Arab ship Americans may boycott some 30 American ships may be subjected to Arab boycott.

I hold in my hand a telegram received today from the chairman of the American Committee for Flags of Necessity, Mr. Erling D. Naess. This committee represents a long list of steamship companies, including Alcoa Steamship Co., American Oil Co., Atlantic Refining Co., Gulf Oil Corp., Marine Transport Lines, Socony Mobil Oil Co., Tidewater Oil Co., and other companies. Apparently, it is a very large association of flagships.

I ask unanimous consent to have the telegram printed in the RECORD at this point as a part of my remarks, to indicate how serious the repercussions of the boycott in New York, which was inspired by a local union, are against our shipping; in addition to being highly inflammatory to our political international relations.

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

NEW YORK, April 30, 1960.

HON. J. W. FULBRIGHT,
Chairman, Senate Foreign Relations Committee, Washington, D. C.:

I respectfully ask that a public hearing is now appropriate by your committee to determine the need for legislation to permit Federal courts in appropriate cases to give protection to the foreign commerce of foreign-flag vessels entering U.S. ports. The purpose of such legislation would be to assure that the treaty obligations of the United States be implemented and that foreign-flag ships of all friendly foreign nations may freely enter and trade in our ports without interference and harassment in their internal economy and management in violation of principles of international law recognized by the United States and maritime nations of the world. I submit this request as chairman of the American Committee for Flags of Necessity being a committee of Beneficial owners of a substantial number of foreign-flag tankers and other bulk carriers. Continued picketing by Seafarers International Union supported by International Longshoremen's Union of Egyptian-flag vessel *Cleopatra* in protest against policies of United Arab Republic despite statement to the press Thursday, April 21, by Department of State that such conduct was "embarrassing to the conduct of our Government's foreign relations and may have unfortunate consequences," together with decision of district court denying injunctive relief against such picketing to foreign owners of the vessel shows that foreign commerce of foreign-flag vessels in U.S. ports may now be conducted only at the sufferance of American Seamen's and Longshoremen's Union such conduct may result in nullification of provisions of treaties of friendship, commerce, and navigation with over 14 friendly foreign nations providing for flag recognition and containing provisions permitting the nationals of each high contracting party freely to come with their vessels to the ports of the other party and to engage in trade and commerce without interference. An obligation rests upon the United States to take steps to assure that these provisions will not be nullified by acts of private persons and that foreign-flag vessels of treaty countries may enter U.S. ports with confidence that these treaty rights will be respected. In addition there is need for similar protection by law of the foreign-flag vessels of nontreaty countries that come to U.S. ports.

ERLING D. NAESS,

NEW YORK, April 29, 1960.

HON. J. W. FULBRIGHT,
Chairman, Senate Foreign Relations Committee, Washington, D. C.:

The membership of the American Committee for Flags of Necessity referred to in my wire today requesting public hearing is as follows: Alcoa Steamship Co., American Oil Co., American Trading & Production Corp., the Atlantic Refining Co., Bernuth, Lembecke Co., Inc., Chas. Kurz & Co., Inc., Cities Service Co., Gotaas-Larsen, Inc., Gulf Oil Corp., Marine Transport Lines, Naess Shipping Co., Inc., National Bulk Carriers, Inc., Richfield Oil Corp., Sinclair Refining Corp., Socony Mobil Oil Co., Inc., Standard Oil Co. (N.J.),

Standard Oil Co. of California, Texaco, Inc., Tidewater Oil Co., United Fruit Co.
ERLING D. NAESS.

MR. FULBRIGHT. I continue to read from the letter from Acting Secretary of State Dillon:

As can be seen, outside attempts, no matter how well intentioned, to compel one or more of the Middle Eastern countries to follow a certain behavior have wide repercussions. I might add that while resentments against such pressure in Arab-Israel matters have direct repercussions on our interests in 10 Arab countries from Morocco to the Persian Gulf, the sympathy for these 10 nations is inevitably widespread throughout Africa and Asia. This is a critical juncture in the history of those two continents. Just when the young Afro-Asian nations and particularly the Arab nations appear for the first time to be becoming aware of the fact that the Communists have been falsely posing as patriotic nationalists, it ill behooves us, through an appearance of placing strings on our aid, to incur the deep resentment or hostility not only of the 10 Arab nations but of their natural friends, the states of Africa and Asia. In fact, we do not believe it is in Israel's long-range interest that such enmity be aroused and choosing of sides precipitated throughout the Afro-Asian region.

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

MR. FULBRIGHT. Mr. President, I ask for 5 additional minutes on the bill.

MR. JOHNSON of Texas. I yield the Senator 5 additional minutes.

MR. FULBRIGHT. I shall not read all of this letter, because I know it is growing late. I may add that this letter was prepared after all our Ambassadors in this area of the world had been questioned about the effect of the amendment referred to. It is not a matter that was taken up casually and sent to us, so to speak, off the top of the head. This is the considered opinion of the Department and the Acting Secretary of State.

MR. PRESIDENT, I ask unanimous consent that the entire letter from which I have been reading be printed in the RECORD at this point as a part of my remarks.

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

DEPARTMENT OF STATE,
Washington, D. C., May 2, 1960.

The Honorable J. W. FULBRIGHT,
Chairman, Foreign Relations Committee,
U. S. Senate.

DEAR MR. CHAIRMAN: In response to your request for the views of the Department of State with respect to the implications of the Douglas amendment to the mutual security bill, I take this opportunity to set forth the following pertinent observations.

As we understand the intent of its 18 sponsors, the Douglas amendment is designed to support efforts toward eliminating trade restrictions in the Middle East, particularly with respect to those practiced against the State of Israel. I am sure you are aware that this purpose is fully consistent with long-standing objectives of the U.S. Government. It is our conviction, however, that the inclusion of this amendment in current mutual security legislation will in fact be counterproductive and will not achieve its intended purpose. In addition, such inclusion will in our view have harmful repercussions on U.S. interests in a wide area of the Middle East.

As you know, a resolution similar to the Douglas amendment was passed in the House of Representatives at an earlier date. Fully sympathetic with the objective intended, the Department made the text available to our embassies and consulates in countries which would be affected by the amendment. In a unanimous expression of opinion our field posts from Morocco to Iraq reported that the adoption of an amendment of this type would clearly not be in the interest of the United States, nor for that matter of Israel.

Our posts abroad emphasized their concurrence with the objective sought by this amendment. They also stressed, however, that regardless of the effect which the amendment might have on the actual level of our assistance to the Middle Eastern States, the amendment would be widely interpreted as: (a) demonstrating favoritism for the State of Israel—to the extent that it would render more difficult our efforts to bring about a relaxation of tensions between Israel and the Arab States; and (b) an attempt to "tie strings" to our economic aid, and, by implication, to threaten the use of aid as an instrument of political coercion. Our posts pointed out, and the Department of State fully concurs, that incorporation of this amendment would without doubt have the effect of making the task of eliminating the Arab boycott of Israel more difficult and would play into the hands of the Soviet bloc which seeks to exacerbate Middle East tensions to further its penetration of the area.

Our Government has repeatedly made clear, publicly and through diplomatic channels, its support for freedom of transit through the Suez Canal, as well as our opposition to the Arab boycott against Israel. These undesirable restrictions, as you are aware, are an outgrowth of the Palestine problem, which continues to cause tensions between Israel and the Arab States and to perpetuate unfortunate circumstances such as those whereby nearly 1 million Arab refugees are not able to return to their homes. It is our Government's firm conviction that an Arab-Israel settlement will one day come, not by coercion but by a spirit of accommodation on both sides. As progress is made in that direction, such problems as boycotts, restrictions, and homeless refugees will disappear.

Incidentally, there appears to be considerable inaccurate information surrounding the Suez Canal transit question. For example, it is said that American ships are being "barred" from the canal for having called at Israeli ports. As a matter of fact, not a single American ship has thus far been denied passage through the canal. Out of a total U.S. maritime fleet of 498, only 23 ships have been placed on the so-called Arab blacklist because of prior calls at Israeli ports. These 23 are denied entry at Arab ports but there has been no instance of denial of their transit of the canal.

In this connection you may have read in the press that American labor unions in New York have set up picketing against the United Arab Republic ship *Cleopatra*. The purpose of the picketing is to impel the United Arab Republic to abandon its restrictions against Israeli shipping. Unfortunately, this objective is not being served. Asserting their determination to resist such pressures, the Arab countries are establishing counterpicketing against American shipping. This reaction against coercion, which is not unnatural in young emerging states, means in effect that at least 20 American ships with 1,000 seamen abroad will be affected within the next month. It also means that for every Arab ship Americans may boycott some 30 American ships may be subjected to Arab boycott.

As can be seen, outside attempts, no matter how well intentioned, to compel one or more of the Middle Eastern countries to fol-

low a certain behavior have wide repercussions. I might add that while resentments against such pressure in Arab-Israel matters have direct repercussions on our interests in 10 Arab countries from Morocco to the Persian Gulf, the sympathy for these 10 nations is inevitably widespread throughout Africa and Asia. This is a critical juncture in the history of those two continents. Just when the young Afro-Asian nations and particularly the Arab nations appear for the first time to be becoming aware of the fact that the Communists have been falsely posing as patriotic nationalists, it ill behooves us, through an appearance of placing strings on our aid, to incur the deep resentment or hostility not only of the 10 Arab nations but of their natural friends, the states of Africa and Asia. In fact, we do not believe it is in Israel's long-range interest that such enmity be aroused and choosing of sides precipitated throughout the Afro-Asian region.

In our view, avoidance of coercive tactics against Israel's neighbors is in Israel's interest. In just over a decade, Israel has quadrupled its exports. Its unfavorable trade balance has steadily been reduced. Israel's gross national product per capita is now more than twice that of any of its neighbors and even exceeds that of Netherlands and Italy. While foreign funds from various sources at an average rate of nearly \$1 million per day have been partly responsible, primary responsibility for this progress lies with the Israeli people themselves, their ingenuity, industriousness, and devotion to purpose. Parenthetically, I should note that our Government has been consistent in its support to Israel. We have extended to Israel with its population of under 2 million a sizable total of various types of assistance, including Public Law 480. Such assistance, as you know, is continuing. Conditions have thus far been sufficiently favorable to allow Israel to make great strides. In our view it would be a grave mistake to have that progress disturbed by actions which can only stir up area tensions to Israel's detriment.

As you know, it is the view of our Government that the tensions of the Middle East can more effectively be treated by concerted international action than by unilateral action on the part of the United States. That was the essence of President Eisenhower's address before the United Nations General Assembly during the fateful Middle East crisis in the summer of 1958. Such progress as has been recorded since that time has been in large measure due to such international agencies as the United Nations Emergency Force and the United Nations Truce Supervisory Organization. With specific reference to the restrictions on Israeli shipping in the Suez Canal, the United Nations Secretary General has actively sought a solution. Although his efforts have not succeeded and have in fact met with a number of setbacks, the Secretary General as recently as April 8 reported his continued interest in the problem and his unextinguished hope that a solution may yet be found. Our Government is giving these endeavors its fullest support.

Although this letter is somewhat lengthy, I hope it will prove helpful to you in facilitating understanding of these important questions. In particular I hope it will make clear the reasons why those of us who deal with these problems on a day-to-day basis feel strongly that no actions should be taken which will exacerbate tensions in the Middle East which are clearly harmful to the long-range interests of the United States, Israel, and the entire free world.

Sincerely yours,

The Acting Secretary.

Mr. FULBRIGHT. To show how this amendment would affect other fields

once it got started, I hold in my hand a copy of a letter from the Secretary of the Treasury, Mr. Robert B. Anderson. I realize that many people—most unfairly—have a prejudice against the State Department, but surely they have respect for the Secretary of the Treasury. I do not mean by that to imply that there is any reason for any different feeling. I have great respect for both of them. But this is what the Secretary of the Treasury has to say with regard to a similar amendment which the House committee has recommended with reference to the International Development Administration. Senators may think this is not pertinent, but it is, because this is an effort to inject into that field the same policy which has been injected into this legislation. I can see now that if this statement of policy is to be permitted to stand without qualification, the Senate will be told, within a few days, when the question of the International Development Association comes before us, "You adopted this declaration with regard to mutual aid. Certainly, to be consistent, you will have to adopt it with regard to the International Development Association."

I wish to read a few lines from this letter. I do not wish to detain the Senate too long.

Secretary Anderson says in his letter to the chairman of the Committee on Banking and Currency of the other body, of which a copy was sent to me:

The amendment in question would prohibit IDA loans to a country which is impeding free navigation through international waterways.

I believe that in all probability our choice is between an IDA based on the Articles of Agreement as they now exist, or no IDA at all.

I am reading only a portion of the letter. I ask unanimous consent to insert the entire letter as part of the RECORD.

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

THE SECRETARY OF THE TREASURY,
Washington, D.C., April 29, 1960.
HON. BRENT SPENCE,
Chairman, House Banking and Currency
Committee, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I would appreciate it if you would bring to the attention of the members of the committee my views as to the effect on the establishment of the International Development Association of the proposed amendment to the authorizing legislation now before the committee which would bar IDA financing to certain countries. The amendment in question would prohibit IDA loans to a country which is impeding free navigation through international waterways.

My considered opinion is that a qualification to the U.S. instrument of acceptance embodying this principle would not be acceptable to many prospective members and would necessitate a renegotiation of the Articles of Agreement of IDA. It is my further opinion, in view of the difficulties of negotiating the present document and in the light of some of the implications of the suggested revision, that the attempted renegotiation would not be successful. I believe that in all probability our choice is

between an IDA based on the Articles of Agreement as they now exist, or no IDA at all.

I am sure that the IBRD-IDA management would regard any mandate to the IDA like the one under discussion as tending to compromise the basic principle which has been observed in the Bretton Woods institutions that the resolution of disputes of a political character among members should be left to the United Nations itself or to other bodies or channels. The effectiveness of the Bank and IDA as international financial organizations would be impaired if they were to operate as political instruments or try to use their lending powers as a method of compelling enforcement of international obligations which are outside their province.

Certainly many of the member governments would also regard the proposed amendment in a similar way. These governments might well be prepared to reverse themselves and refuse their support for IDA. They have all joined the International Bank with the assurance that the United States agreed to the provisions in the Articles relating to the exclusion of political considerations, and they fully expect the provisions of the IDA's charter to be interpreted in the same way. They would be understandably reluctant to join IDA if it meant they were to be involuntarily drawn into political controversies by their participation in the organization's decisions.

The present Articles of Agreement represent a delicately balanced compromise among widely varying viewpoints, worked out laboriously over many months. To reopen negotiations on one point would invite the reopening of every other point at issue, if the United States, a prime mover in the entire IDA project, were to request a renegotiation of the Articles on a point not raised in the original negotiations. Several nations have already begun their legislative processes on the basis of the Articles as presently drafted. The difficulties and embarrassment of those governments at having to begin over with a new proposal are certain to be translated into resentment directed toward the United States.

It is, of course, for the Congress to decide whether or not it can accept the Articles as transmitted to governments by the Executive Directors. I do believe that the other governments are looking to the United States for leadership, and acceptance of the Articles by the United States without qualifying amendments is the surest method of inducing similar action in other countries. If there were to be legislative limitations on U.S. membership, the door would be open to similar provisions, some retaliatory, some pointed to other policy objectives, on the part of other countries. These would, in my view, destroy the integrity of IDA's basic document.

I am sure it is not necessary to review for committee members all of the reasons behind our support for IDA. I would like to reemphasize, however, how much it is in our own interest to see the successful establishment of this institution. IDA represents a major step in the urgent task of enlisting the resources of the advanced countries of Western Europe and elsewhere in a cooperative approach to providing the special financing required for the development of the less-developed world. We have long been alone in this endeavor, but we now have in IDA a chance to get others to join with us. We must not forgo this opportunity. Much time and effort have been invested in encouraging, persuading, and inducing other capital-providing countries to adopt, sometimes in the face of strong opposition at home, what is for them a new line of policy.

There is also beginning to be a response to our efforts to seek an expansion of the bilateral aid efforts of other countries and

an acceptance of the idea that others must play a larger role. We should not, under these circumstances, introduce a complication in the IDA proceedings which would require a renegotiation which might not be successfully carried out.

Very truly yours,

ROBERT B. ANDERSON,
Secretary of the Treasury.

Mr. FULBRIGHT. What Secretary Anderson is saying is that if this amendment remains in the articles of agreement, there will be no agreement.

The International Development Association originated from an idea or suggestion of the Senator from Oklahoma. It was considered by the Banking and Currency Committee, and later by the Foreign Relations Committee and the administration, over a period of 2 years. It is an effort to bring into the common development of the world all the highly industrialized nations, and it appears to be on the verge of success.

Mr. Anderson continues, to the effect that if such an amendment is injected into that agreement, there will be no IDA.

I am sure that the IBRD—

That is the Bank—

I am sure that the IBRD-IDA management would regard any mandate to the IDA like the one under discussion as tending to compromise the basic principle which has been observed in the Bretton Woods institutions that the resolution of disputes of a political character among members should be left to the United Nations itself or to other bodies or channels. The effectiveness of the Bank and IDA as international financial organizations would be impaired if they were to operate as political instruments or try to use their lending powers as a method of compelling enforcement of international obligations which are outside their province.

Certainly many of the member governments would also regard the proposed amendment in a similar way. These governments might well be prepared to reverse themselves and refuse their support for IDA. They have all joined the International Bank with the assurance that the United States agreed to the provisions in the articles relating to the exclusion of political considerations, and they fully expect the provisions of the IDA's charter to be interpreted in the same way. They would be understandably reluctant to join IDA if it meant they were to be involuntarily drawn into political controversies by their participation in the organization's decisions.

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

Mr. FULBRIGHT. I ask for 5 additional minutes.

Mr. DIRKSEN. I yield 5 additional minutes to the Senator from Arkansas.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I shall not read more from the letter of the Secretary. To sum up what the Secretary of the Treasury says it is that if the amendment is injected into the agreement, there will be no IDA.

I know that we have already acted in the Senate. I regret it very much. I am offering an amendment which in all earnestness I believe will tend at least to bring us back into an impartial attitude toward this unfortunate controversy which has existed in the Middle East since 1948.

It would be unfortunate if by our action we left the impression that we have no regard for the position of the opposition, so to speak, that is, the attitude of the Arab States. I realize the political significance of this matter. I do not have any Arab constituents; none of us does. There is, however, more involved than just whether or not the Arabs or the Israelis have more influence. This involves a matter of great importance to the continued interest of this country in international affairs, particularly in the Asian and Middle East and African world.

I submit it would be most wise if the Senate were to adopt this ameliorating amendment of the action we took the other day. I do not seek to change—I cannot seek to change—what we did, but I seek to do something which I believe will soften the effect of what we did.

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

Mr. FULBRIGHT. I yield.

Mr. JAVITS. I should like to ask the Senator whether, in view of the fact that this is a "sense" resolution, he does not feel that if this stands, we would make more progress with respect to IDA than if it fails, because once we have expressed a sense to the President, that is all we can do, no matter how many times we express it in different bills.

Mr. FULBRIGHT. I do not know what the Senator means with respect to IDA. We will have to meet that situation when we come to it. The Secretary of the Treasury says that this kind of resolution would cause him to give up on IDA, that he could not get it accepted. I used IDA as an illustration only. I do not believe that Senators recognized how important this issue was when they voted on it on Thursday. I do not believe they realized the inflammatory and explosive nature of the sentiments which exist in the Middle East. Our policy, it seems to me, ought to be one of calming down that situation, in the hope that there may be some way in which these people can come back to negotiating their differences out of friendship. We should not say to these people, in connection with the aid program, "If you do not behave yourself, we will not give you any assistance." I think such an attitude would have just the opposite effect.

This is the considered opinion of the State Department, after consultation with representatives in the field. That is all I have to say about it.

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

Mr. FULBRIGHT. There is not one cent in this for Arkansas, and I apologize for taking so much of the Senate's time. [Laughter.]

Mr. JAVITS. Mr. President, will the Senator yield for one further question?

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

Mr. DIRKSEN. I yield 5 minutes to the Senator from New York.

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

Mr. FULBRIGHT. I am willing to do whatever is desired. I am willing to

yield either to the Senator from Ohio or to the Senator from New York for a question.

Mr. JAVITS. I shall take the floor in my own right later.

Mr. FULBRIGHT. Mr. President, may I yield for a question before I sit down?

Mr. DIRKSEN. I yield 1 minute to the Senator from Arkansas.

Mr. LAUSCHE. May I ask the Senator to illustrate how the language contained in his amendment will balance and make objective and impartial the position of the United States?

Mr. FULBRIGHT. Insofar as we were able to figure out this matter—and I can say that this was a very difficult question—representatives of the State Department and members of our staff, which is an excellent staff, struggled on this subject for some time. I call attention to the language on page 2 of the amendment, which reads "would in the judgment of the President constitute partiality by the United States relating to the merits of the cause advanced by any one of the antagonists."

Our feeling is that this is saying to the President that in administering the language in the Douglas amendment, he would administer it with due regard to an impartial attitude toward the merits of the controversy that exists between Israel and the Arab States. That is about the best we can do.

Mr. JAVITS. Mr. President, unfortunately, I was not present last week during the debate on this issue. I had to be in Europe on official business, and did not get an opportunity to participate in the debate.

I should like to address myself very briefly to the issue, and I hope that I may have the attention not only of the Senator from Arkansas but of all the proponents of the amendment, because I believe that if its meaning is spread on the record, the amendment can be of tremendous use to us in the consideration of the bill.

First, let me state that the question at issue is not partiality or impartiality in the conflict between Israel and the Arab States. The question is partiality or impartiality in connection with honoring international commitments in connection with transit through the Suez Canal. Let us not forget that Mr. Nasser blocked the canal in 1956 to the whole world, not just to Israeli shipping. We should also remember that he entered into an international commitment in 1956, when the United States came to his rescue, as the world knows, following the action at that time of the French and British and Israeli forces. Mr. Nasser, on behalf of his government, undertook the commitment that there shall be free transit through the canal without discrimination, overt or covert, and that the operation of the canal should be insulated from the politics of any country, especially his own country.

The United States is a great maritime power. It took a position that bailed out a very serious situation in which the Russians threatened to shoot rockets if the British and French and Israelis did not retire. Therefore, we have a very

burning interest in the question of whether or not there is a violation of the principle established in international law by our country and by other maritime powers, particularly with respect to an international covenant undertaken by the Egyptian Government. If that covenant is violated with respect to a small nation, it can, and undoubtedly, if it suits the political purposes of those who control the canal, will be violated later in a larger way.

The fact is that the Government of Egypt considers itself in a state of war with the Government of Israel. There is no question about that. However, the situation is not helped by condoning a violation of international law or by condoning a violation of an international covenant.

I now ask the particular attention of the chairman of the committee, if I may. The amendment as it was adopted by the House, and as it was adopted by the Senate last week, is justified. The question is, what does the amendment do? What does it commit us to do? What change will be made by the amendment now suggested by the chairman of the committee?

First, let me say that the Senator from Arkansas [Mr. FULBRIGHT] is entitled to our greatest respect because there is no question about the objective of the amendment. I read from the debate as shown in the CONGRESSIONAL RECORD at page 8977, of April 29, where the Senator from Arkansas said:

I do not think anybody in this body, or anywhere else, does not desire that the Suez Canal be opened for all shipping, including Israeli shipping; but I submit this is not the right way to do it.

In other words, we are all seeking the same objective.

I should like to ask the proponents of the amendment and the chairman of the committee: Am I not correct in believing that this amendment, as it stands, is strictly a precatory request to the President? It can be in the strongest language in the world. I am ready to agree that the language is strong. Perhaps it is overly strong, although I think the provocation is at least as strong. Is it not a fact, as a matter of constitutional law, and following the tradition of our country, that no matter how tight or strong the language is, this amendment is no more than a request to the President? The President may, if he chooses, do nothing about it, and none of us can do anything about it.

Is it not also true, as a matter of fundamental constitutional law, that if we tried to do anything else, we would be violating the Constitution? The courts have held, time and time again, that the negotiation of foreign policy is absolutely in the hands of the President.

It seems to me that the only thing bothering the State Department is the provision at the end of the amendment which states that the President "shall report on measures taken by the administration to insure their application"; to wit, the principles which we request the President to adopt in this amendment, which the Senate and the House have already adopted.

I say advisedly, as a lawyer who has studied the Constitution, that the President of the United States could disregard that language completely. He does not have to give the Senate or the House any report at all. However, the President, being what he is, would not choose to do that, in my opinion. Nevertheless, there is nothing in this provision which requires him to give Congress a report in writing. He can send a Cabinet officer or another representative to the Committee on Foreign Relations and to the House Committee on Foreign Affairs. He can communicate in any way he chooses, either principally or by agent, to the chairman of the Committee on Foreign Relations and the chairman of the Committee on Foreign Affairs, and to the ranking members of those committees. He can do all that in executive session.

In short, the President, notwithstanding the amendment—and I invite Senators to concur in this statement, because it is very important, if this is sustained—what is being requested, which is in strong language, is that the set of principles and a certain act be effectuated. The President would be less than the President if he deeply felt that the national interest would be jeopardized or prejudiced by what we are asking. I have little doubt that he will not do that. Therefore, I do not see the danger in this. I see this virtue, that Congress is insisting upon principle.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. DIRKSEN. Mr. President, I yield 3 additional minutes to the Senator from New York.

Mr. JAVITS. Congress is insisting upon morality and upon the honoring of international commitments. Congress is asking our President to do everything he can within his power, and also within cautions, which he has as the head of the foreign relations of the United States, to try to carry them through.

As to the language itself, we can well understand that since the House adopted certain language in a manner which is quite as difficult as this one, it would be discerning on the part of the Senate to adopt exactly the same language; especially as it refers only to a request, a statement of what we believe should be done, but which the President will consider in the light of the overall national interest, as I explained a moment ago.

In view of that consideration—in which I deeply feel and hope the chairman and the proponents of the amendment will concur, so that the legislative history upon that subject will be very clear—I think the amendment now suggested by the Senator from Arkansas—who under the law, I believe, will find full protection for the State Department, and all its qualms—would only be compounding an already difficult situation in his own view. This is because his amendment provides—and I quote from line 9—that the President is required to determine and make a finding—the word used is "engaged." The President is required to make a finding that nations

"are engaged in actions detrimental to United Nations efforts to maintain peace and stability."

It seems to me that that is exactly the kind of request which Congress would not wish to make of the President, because that would embarrass him far more than anything contained in the amendment.

Therefore, I sum up as follows: The Senate and the House have, in strong language, expressed themselves on the sanctity of international covenants and international law. The President has complete discretion in terms of the national interest, as he sees it, over what he can do about that expression; and that even extends to the way in which he will report what he has done under this amendment.

Yet Congress is absolutely right in seeking to have the moral law enforced and in seeking to have international covenants complied with in so important a matter as free transit through a great international waterway.

I call the attention of Senators to the fact that there is a tyranny not only of strength; there is also tyranny of weakness. That tyranny can be just as damaging, just as harmful. In short, because Nasser heads a small power, a country which is not a great military power, that does not mean that he can be a pirate by the very use of his weakness.

Mr. DOUGLAS. Mr. President, will the majority leader yield me 5 minutes?

Mr. JOHNSON of Texas. I yield 5 minutes to the Senator from Illinois.

Mr. DOUGLAS. I submit that the argument of the Senator from Arkansas and the State Department rests upon a fundamental error. They contend that the question of Egypt barring entrance to the Suez Canal to Israeli shipping and other ships carrying cargoes to and from Israel, and the blacklisting of ships which have traded with Israel, involves purely a dispute between Egypt and Israel, and that, therefore, if we take any position in this matter, we are guilty of partiality.

This is not true, as the Senator from New York has pointed out. This is not primarily a dispute between Israel and Egypt. It is a case of one country, Egypt, having violated treaties, refusing to follow the rulings of the United Nations, and going back upon its own promises.

There was introduced into the Record on last Thursday a brief history of the Suez Canal. By the Convention of 1888, the Ottoman Empire, of which Egypt was then a part, guaranteed free movement through the Suez Canal. Then when Egypt barred Israeli ships and cargoes, following its attack on Israel in 1948, the Security Council of the United Nations declared in 1951 that that was in violation of proper terms, and demanded that Egypt allow free transit through the canal. The 1951 resolution specifically noted that the Suez restrictions and other sanctions applied by Egypt were damaging other nations not connected with the Palestine conflict.

Egypt refused to carry out this mandate of the United Nations, however, although Egypt was a member of the United Nations.

The dispute continued, and Egypt even extended the blockade to include the Gulf of Aqaba. Then, when the British troops were withdrawn from the canal and Egypt nationalized the canal, Nasser pledged, as one of the six principles, that there would be free transit for ships of all nations, and that there would be no interference with their movement, either openly or secretly.

It is certainly true that our State Department worked with Nasser to try to get his public acceptance of these principles, and there is no question as to what the international law is on this subject. But the record is also clear that Egypt has refused to go along with the mandate of the United Nations and has broken its own word. Mr. Hammarskjöld has talked with Nasser, but has not been able to effect any change in his policies. Quite the contrary. In 1959 and 1960 the policy of Egypt has been far more aggressive in this matter than it was in 1957 and 1958.

Yet our State Department wrings its hands, and says, in effect, "Oh, yes. We stand for free access; but let us do nothing effective to bring it about." In the foreign aid bill and under surplus food programs, we actually increased the aid to Nasser for 1960 to come to an amount something like \$100 million. And the UAR obstructions to shipping have become worse.

The question simply is: Are we to continue having ineffectual conversations, or will we try to get more general acceptance of the principle that there are moral laws in the world, and that there is some obligation to follow the decisions of international bodies? I know there is a school of thought which says that moral and legal considerations should not guide the policies of nations. Apparently the State Department agrees that these factors should not prevail.

In effect, the State Department is saying that if we stand up for international law and if we attempt to insist on free transit, we may make Colonel Nasser angry, and that this would be a bad thing to do. The Senator from Arkansas in his remarks on Friday implied that the captive nations resolution with which some of us had something to do, last summer, and the effort to have the captive nations issue included in the forthcoming summit agenda, were similar not in the national interest. Although he did not say so, I suppose it follows logically that it would not be in the national interest, because it might make Mr. Khrushchev angry—as the resolution in fact did.

Mr. FULBRIGHT. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I prefer not to yield until I finish my remarks; then I shall yield.

Mr. President, I think we have before us the very simple question of whether or not we take these matters of international law seriously.

The PRESIDING OFFICER. The time available to the Senator from Illinois has expired.

Mr. JOHNSON of Texas. Mr. President, I am glad to yield additional time on the bill to the Senator from Illinois.

Mr. DOUGLAS. I have about concluded my remarks. I shall only take such time now as may be necessary to permit the Senator from Arkansas to ask the question he had in mind.

Mr. FULBRIGHT. Mr. President, the Senator from Illinois has made a great deal of the Egyptian violation of a mandate. Is it not a fact that the Israelis are in violation of a mandate in regard to settling the refugee question?

Mr. DOUGLAS. Now the Senator from Arkansas is bringing in another issue.

Mr. FULBRIGHT. Oh, no.

Mr. DOUGLAS. Let me say that I am perfectly prepared to vote for a resolution—if the Senator from Arkansas insists upon it—which will declare that we believe we should use our good offices to try to get the refugee question settled in an atmosphere of peace, and that as part of that peace settlement Israel should take back a reasonable number of the refugees. I am not here to attempt to whitewash the position of Israel on the matter of the refugees. I want to make that clear. But I think the Senator from Arkansas is trying to change the subject.

The measure which we adopted last Thursday has nothing to do with the boycott by individuals in New York Harbor or in Montreal. It has nothing to do with the International Development Association. It is confined solely to the question of administering our aid programs in a manner to assure free transit, under international law, and it is an effort to help end blockades and other economic warfare between recipients of our aid. It is therefore not only proper, but highly desirable.

Mr. MORSE. Mr. President, will the Senator from Texas yield 4 minutes to me?

Mr. JOHNSON of Texas. I yield 4 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as part of my remarks, the two amendments the Senator from Arkansas [Mr. FULBRIGHT] has had printed. One of them is the pending amendment, and the other deals with the refugee problem.

There being no objection, the amendments referred to, as submitted by Mr. FULBRIGHT, were ordered to be printed in the RECORD, as follows:

Amendment proposed by Mr. FULBRIGHT to the bill (S. 3058) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, viz: At the proper place insert:

"Sec. 2. Section 2 of the Mutual Security Act of 1954, as amended, which is a statement of policy, is further amended by adding at the end thereof the following:

"(g) In giving effect to the principles expressed in subsection (f) above, the President should not normally regard them as applicable to a situation wherein two or more nations receiving assistance under this Act or surpluses under the Agricultural

Trade Development and Assistance Act of 1954, as amended, are engaged in actions detrimental to United Nations efforts to maintain peace and stability, and application of the above mentioned principles would in the judgment of the President constitute partiality by the United States relating to the merits of the cause advanced by any one of the antagonists."

Amendment proposed by Mr. FULBRIGHT to the bill (S. 3058) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, viz: On page 18, end of line 13, insert the following:

"It is the sense of the Congress that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the governments or authorities responsible."

AMENDMENT NOT CONDUCTIVE TO INTERNATIONAL HARMONY

Mr. MORSE. Mr. President, I rise to oppose the Fulbright amendment because it would not be in the interest of international harmony to call upon Israel to permit Arab refugees repatriation in advance of a peace settlement. Its adoption would fortify all Arab resistance to any comprehensive proposals for the resettlement of the Arab refugees. It would vindicate Arab insistence that Israel accept the primary responsibility for the refugee burden.

Numerous studies of refugee problems recognize that the solution lies in resettlement, not repatriation. The real solution for the Arab refugee problem is integration in the Arab countries. This was envisaged in U.N. Secretary General Dag Hammarskjöld's report last year—a report which was sharply attacked by Arab leaders because it ignored the political demand for repatriation.

NO REPATRIATION WITHOUT PEACE

Senator FULBRIGHT observes that his proposal is the same as a declaration approved by the U.N. General Assembly, December 11, 1948, and subsequently reaffirmed by that body. But this resolution was one paragraph—No. 11—of that 1948 resolution, which, it should be emphasized, also "called upon the governments and the authorities concerned to seek agreement by negotiations conducted with a view toward the final settlement of all questions outstanding between them."

Thus, clearly, the General Assembly intended that any Arab repatriation would be within the context of Arab-Israeli peace negotiations.

All the Arab States voted against the 1948 resolution because they were opposed to peace negotiations. Nevertheless, they always invoke paragraph 11, without any reference to the fact that the same resolution also called upon them to make peace. How can Senator FULBRIGHT select one section of the U.N. resolution, ask the Senate to accept it as a statement of U.S. policy, and completely ignore the U.N. call for peace?

THE PROPOSAL IS OBSOLETE

The statement is 12 years old. Although it has been reaffirmed because of

Arab pressures at the U.N. the Arabs themselves have rendered the proposal obsolete because they have persisted in their war; they have refused to negotiate; and they have reared a new generation of Arab refugees indoctrinated with hostility. It would be suicidal for Israel to accept the return of an unlimited fifth column in advance of a peace settlement.

WHO KNOWS HOW MANY WOULD GO BACK?

Senator FULBRIGHT has argued that only a few refugees want to go back. But how does he know? Why should we expose Israel to such extraordinary peril?

In an article in America, the national Catholic weekly, Father Vincent S. Kearney, S.J., an associate editor, wrote on April 9, 1960:

Nor is it reasonable to expect Israel to commit national suicide by opening her borders to a million potential enemies—the displaced Palestine refugees. Israel still protests it is ready to negotiate a settlement. We cannot know what Israel will propose, unless the opportunity is given it to meet Arab leaders face to face.

On May 19, 1957, Bishop James Pike wrote:

The readmission of the Arab refugee population of Israel would be equivalent to the admission by the United States of nearly 71 million sworn enemies of the Nation.

THE ANALOGY OF THE REVOLUTIONARY PERIOD

What would Americans do under similar circumstances? During the American Revolution, many colonists fled to Canada, where they became the united empire loyalists. The British pressed our country to permit the loyalists to return. The U.S. Congress emphatically instructed our negotiators to reject repatriation.

On November 26, 1782, 4 days before the preliminary treaty was signed, Benjamin Franklin wrote Richard Oswald, the British negotiator:

Your ministers require that we should receive again into our bosom those who have been our bitterest enemies, and restore their properties who have destroyed ours; and while the wounds they have given us are still bleeding.

THE U.N. EMPHASIS CHANGED AFTER THE 1948 RESOLUTION

It would be a step backward for the Senate to associate itself with a repatriation demand made in 1948. Such action would ignore the fact that subsequent U.N. resolutions beginning in 1950 have spoken of "the reintegration of the refugees in the economic life of the Near East, either by repatriation or resettlement."

PAST CONGRESSIONAL FINDINGS

Spokesmen for our own Government and virtually every congressional report have stressed resettlement.

On August 26, 1955, Secretary of State Dulles announced America's willingness to lend Israel funds, to enable her to pay compensation and thus facilitate resettlement.

A special study mission of the House Committee on Foreign Affairs declared, in the Smith-Prouty report, in 1953:

The United States should serve notice that it will not support the return of the Arab

refugees to their former homes within the boundaries of Israel under existing conditions.

In a special report of the Senate Foreign Relations Committee, on June 28, 1957, the Senator from Minnesota [Mr. HUMPHREY] declared:

Resettlement in Arab lands with compensation for property left in Israel is, in fact, the only effective and realistic way of solving the Arab refugee problem. The fact is that the Arab States have for 10 years used the Palestine refugees as political hostages. Nothing has been done to assist them in a practical way lest political leverage against Israel be lost.

A special study mission to the Near East, of the House Committee on Foreign Affairs, on February 25, 1954, said:

The objective should be for refugees to become citizens of the Arab states and, if necessary, they should be made wards of the Arab governments pending their admission to citizenship.

In 1953, a subcommittee of the Senate Committee on Foreign Relations, headed by the late Senator Robert A. Taft, and including Senator FULBRIGHT, held hearings on the refugee question. It did not recommend that Congress endorse the Arab demand that Israel accept the right of the refugees to come back. The subcommittee said it did not feel that—

It could pass on the feasibility of resettlement in Israel, except to say that such a solution could not handle more than a small proportion of the total number. The subcommittee feels that, apart from any action taken by Israel, the Arab states should develop definite proposals for refugee self-employment and rehabilitation outside of Israel.

It went on to say that—

The subcommittee does not believe that the Arab nations can escape responsibility to their fellow Arabs by failing to cooperate fully with the U.N. in projects designed to settle refugees.

A special study mission of the House Committee on Foreign Affairs declared, in May 1958, that—

Unlike refugees in other parts of the world, the Palestine refugees are no different in language and social organization from the other Arabs. Resettlement, therefore, would be in familiar environment.

This committee consisted of Representatives HAYS, O'HARA, and CHURCH.

THE DEMOCRATIC PLATFORM

The platform adopted by the Democratic Party in 1956 said:

The plight of the Arab refugees commands our continuing sympathy and concern. We will assist in carrying out large-scale projects for resettlement in countries where there is room and opportunity for them.

Millions of refugees have been resettled since the war—none by repatriation. In November 1957 the Carnegie Endowment for International Peace published a study on refugee problems, prepared by Dr. Elfan Rees, advisor on refugees to the World Council of Churches, which declared:

No large-scale refugee problem has ever been solved by repatriation.

ISRAEL'S OFFER

Israel has repeatedly offered to pay the Arab refugees compensation for their abandoned property and to negotiate all

issues in dispute. On November 17, 1958, the Ambassador of Israel told the United Nations:

We do not exclude an extension of the uniting of families scheme under which many former Arab residents already have come back to Israel territory.

The present Arab population in Israel is already more than 200,000.

Manifestly, there must be direct peace negotiations before any progress can be made.

Mr. President, for the reasons I have here set forth, the Fulbright amendment should be rejected.

Mr. President, I wish to summarize my position by extending my very high compliments to the Senator from Illinois [Mr. DOUGLAS] who just now has made a very brilliant argument in regard to the international law principles involved in this case.

I wish to state that, once again, the Senate has before it the question of whether it will go on record in support of trying to strengthen a system of international justice through law, or whether it will again bend at the knees, at the dictates of some totalitarian nations, and to the State Department, which seems to think that whenever we seek to establish the principle of insisting upon the application of international justice through law, the Russians are "going to get us if we don't watch out."

I think the time has come for us to make perfectly clear to the Arab countries that we are not going to be blackmailed by them any longer, whether because of oil or because they might go over to the Russians or because they might go to war. If they want to go over to the Communists, let them go over and boil in that Communist oil for a while, and see how they like it.

I have never been moved by the argument that the Russians will take over the Middle East if we do not continue to support the dictatorial policies of certain Arab leaders.

The fact still remains that the Arab leaders are threatening to destroy the only free nation in the Middle East as soon as they think they are strong enough to do so, and we are being asked to continue to support such totalitarianism.

When are we going to stop supporting such a policy, which always boomerangs against us?

Consider what happened in recent weeks because we did not insist upon international law principles and did not insist that dictatorial nations stop following courses of action which increased the dangers of war.

There is no question about the fact that these Arab nations refused to negotiate a peace and refused to proceed through the United Nations. The record is perfectly clear that the United Nations time after time notified the Arab nations that it was willing to negotiate a peace.

We are seeking to make clear, through the United Nations, to both Israel and the Arab countries, that we expect both of them to follow peaceful procedures, as the Senator from Illinois [Mr. DOUGLAS] has so eloquently stated.

So, Mr. President, I am not at all moved by the arguments of the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the committee on which I have the honor to serve. I am not at all moved by the argument that those of us who are standing for a system of international justice through law are playing politics with this issue. It is time for the Senate to stand firm on the resolution it agreed to last Thursday, and not modify it one iota, but make perfectly clear to the Arab states and also to Israel that we think the time has come for them to stop their threatening positions in the Middle East, and to submit these issues to an international tribunal, for determination.

Every question involved in this controversy is susceptible of determination—as the Senator from Illinois has pointed out—by international tribunal processes.

I think one of the best assurances we can obtain for an end to the kind of international blackmail politics being used against us in the Middle East is to stand firm on the amendment we adopted the other day.

Mr. KEATING. Mr. President—

Mr. DIRKSEN. Mr. President, I yield 5 minutes on the bill to the Senator from New York [Mr. KEATING].

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes on the bill.

Mr. KEATING. Mr. President, when we read this proposal of the Senator from Arkansas, we find that it is only an effort to negate and nullify the action the Senate took on the freedom of the seas amendment. It cannot masquerade as anything else.

The amendment of the Senator from Arkansas says, in effect, that the freedom of the seas shall apply to everything except the Suez Canal. That would be like adding to the civil rights bill a provision that "Provided, however, this bill shall not apply to Negroes."

Picketing has nothing to do with this issue. The boycott in New York has nothing to do with this issue. All those are smokescreens thrown out in an effort to nullify the action the Senate took last Thursday.

The distinguished Senator from Arkansas characterized this amendment, when he offered it, as "only a very modest effort to bring the language which was put in the bill—into a better perspective."

"Modest," indeed. "Better perspective," indeed.

I would prefer to call it a gigantic effort to put into oblivion or innocuous desuetude the action the Senate already has taken.

I agree with my colleague that it would be only a statement of the sense of the Congress. But there is no compromising on the principle of free navigation of international waterways. We could not do what the distinguished Senator calls modest things with that basic concept. We could not temporize or place in what the Senator from Arkansas calls better perspective than principle.

That is why this amendment, which seeks indirectly to negate the amendment the Senate adopted last week, should be rejected.

This amendment would, indeed, invite the President to ignore the previous amendment, precisely in the place where it should be applied, namely, in international disputes involving blockades and boycotts.

To reverse the action the Senate took on Thursday, adopting this amendment, could very well serve as a green light to Colonel Nasser and his fellow highwaymen to continue their high-handed tactics. It would be an outright retreat from our country's oft-stated dedication to free navigation in international waterways. It would cut off an effective means for this country to protest the UAR's acts of international piracy.

The action the Senate took last week in adopting that amendment was not the first action taken by the Senate in maintaining that position. The pending amendment would be an attempt to avoid any protest against economic warfare actions in that area by the United Arab Republic.

The Senator from Arkansas has had some rather harsh things to say about those of us who supported that amendment. In effect, he has said that we are yielding to efforts by pressure groups, and that we are not acting on the basis of principle. Well, Mr. President, if yielding to pressure means raising one's voice in defense of the things in which one believes, there is indeed pressure, and justifiable pressure in the present instance.

I hope the Senator would not prefer "acquiescence groups" to pressure groups when a matter of great principle is involved. There have been pressure groups, all through the history of America, that have accomplished very effective and worthwhile actions.

Mr. President, the motives and considerations of those who supported the amendment we passed, although they have been questioned, are pure, and they are not properly subject to the attacks that have been made upon them by our distinguished friend from Arkansas.

I am perfectly willing to frankly admit my reasons for joining as a sponsor of this freedom-of-the-seas proposal.

Let me state very unblushingly at the outset that I yield to no man in my admiration of the noble State of Israel and her persevering and dedicated people. I have been in that land a number of times. I have seen how, in 12 short years a teeming oasis of progress has been erected by human courage, indomitable will, and dedicated energy in a vast desert of hostility, of obstacles, of frustration.

I have seen in Israel a kind of re-dramatization in history of the great struggle which created our own United States. I have felt a spiritual identity that links America with Israel as comrades in the history of freedom. I found there the same yearning, the same impatience to create, to advance, to make frontiers only to trample them down in the march to new levels of achievement. I discovered in Israel human dignity in every face—the self-respect of men who know their rights, the pride of men who know their strength.

That is why I believe in Israel. That is why I have faith in her ultimate victory, in her high destiny. This dynamic nation cannot be contained or thwarted by tyranny. She represents the wave of the future, and the waters of the past must recede before it. Hatred is not a way of life. It is a denial of life—and it is foredoomed to failure, to defeat.

But in her struggle for progress and for stability, Israel needs our help and encouragement. She needs to be reassured that she is not alone in her effort to make peace with her neighbors and to live in tranquility. That is why it is so important that we retain the freedom-of-navigation amendment unfettered in this bill.

But there are additional motives which prompted me to back this amendment, Mr. President. Just as I yield to no man in my admiration for Israel, so I yield to no man in my dedication to the preservation of principles of international law. We must maintain our traditional American backing for freedom of international waterways and for international economic cooperation.

Faith in these basic concepts of international life and willingness to stand up and be counted in favor of them, willingness to fight for their preservation—these are essential in the free world's effort to build a safe, secure and peaceful world.

If we are to remain true to our traditions, we must give voice to America's belief in freedom of the seas. It will indicate clearly to the United Arab Republic and any others who would tamper with this principle that we mean business and we mean to back up our pious statements with positive action.

Mr. President, in connection with this amendment there has also been a lot of talk about minority groups, about pressure groups and about lobbies who are working for the freedom of the seas amendment. I freely admit to being a lobbyist for this amendment. I freely and proudly admit to being a lobbyist in favor of upholding principles of international law. I freely and proudly admit to being a lobbyist working very actively to put the Senate on record as favoring freedom of navigation in international waterways.

Far from fearing the effects of such lobbying, I fear the effects if our Nation is ever deprived of those who will lobby for what they believe is morally and legally right. I fear the day when Senators will not rise in this Chamber to fight for principles of moral right and for principles that are the warp and woof of international law. I fear the day when the United States abdicates its traditional role as champion of the principles of international law. Let us not today cast votes which would in any way constitute an erosion of our strong heritage in this field.

The amendment we adopted simply puts a little steel into the pious statements we have time and time again made about protecting the freedom of international waterways. It says that while protests, accusations, and oratory about Colonel Nasser's arrogant acts of piracy are fine, they are not enough. It

says that such talk merely whispers in freedom's name where shouts are needed, where positive counteraction is called for. We should not back down from that position.

The amendment we adopted is an emphatic statement to those who would not play the rules of the game in international life that we insist that they do so. It informs Colonel Nasser that he is now in the international big leagues. When he tampers with free traffic through the Suez Canal he is not fooling around in his own private waterway—he is obstructing an international body of water which, under clear principles of international law, must be open to transit by all nations. If Colonel Nasser wants to play in the big leagues, he must abide by the big-league rules. The amendment we adopted Thursday calls that fact of life to his attention and gives bread-and-butter meaning to the repeated protests of the United States and the United Nations on this issue of UAR blockades, boycotts, and general obstructionism.

It seems to me we should not retreat from the action which we took last Thursday, and we should vote down the amendment offered by the Senator from Arkansas.

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

Mr. KEATING. Yes.

Mr. FULBRIGHT. Would the Senator be willing to support my other amendment which is an adaptation of the United Nations resolution with regard to refugees?

Mr. KEATING. Of course, it has nothing to do with the problem before us now, but I will say, as to that amendment, the distinguished Senator, in offering it, did not follow fully the language of the 1948 resolution of the General Assembly of the United Nations as to refugees, from which much of his language is drawn. He left out of it, whether by design or otherwise, a very important part of that resolution, which also "called upon the governments and the authorities concerned to seek agreement by negotiations conducted with a view toward the final settlement of all questions outstanding between them." In other words, the General Assembly very clearly intended that any Arab repatriation would be within the context of Arab-Israeli peace negotiations.

I shall be happy to consider that amendment when the Senator offers it. I do not think it is pertinent at this time. But I do object to the Senator from Arkansas putting in only part of the story, as he has in that amendment.

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

Mr. JOHNSON of Texas. Mr. President, I move to lay the amendment of the Senator from Arkansas on the table.

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

May I ask—

Mr. JOHNSON of Texas. I made a motion to lay on the table the amendment of the Senator from Arkansas.

The PRESIDING OFFICER. The yeas and nays have been requested.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the amendment of the Senator from Arkansas. 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. MONRONEY (when his name was called). On this vote, I have a pair with the senior Senator from Minnesota [Mr. HUMPHREY]. If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Alabama [Mr. HILL], the Senator from Washington [Mr. JACKSON], the Senator from Ohio [Mr. YOUNG] are absent on official business.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent. If present and voting, the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Wisconsin [Mr. WILEY] is detained on official business.

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 45, nays 39, as follows:

[No. 186]

YEAS—45

Allott	Fong	Morse
Bartlett	Gruening	Moss
Beall	Hart	Murray
Bible	Hartke	Muskie
Bush	Javits	Pastore
Butler	Johnson, Tex.	Prouty
Byrd, W. Va.	Keating	Proxmire
Cannon	Kefauver	Randolph
Carroll	Kerr	Saltonstall
Case, N.J.	Kuchel	Schoeppel
Church	Long, Hawaii	Scott
Clark	McCarthy	Smathers
Dodd	McNamara	Smith
Douglas	Magnuson	Williams, N.J.
Engle	Mansfield	Yarborough

NAYS—39

Aiken	Case, S. Dak.	Dworshak
Bennett	Cooper	Eastland
Brunsdale	Cotton	Ellender
Byrd, Va.	Curtis	Ervin
Carlson	Dirksen	Frear

Fulbright	Johnston, S.C.	Mundt
Goldwater	Jordan	Robertson
Gore	Lausche	Russell
Green	Long, La.	Stennis
Hayden	Lusk	Talmadge
Hennings	McClellan	Thurmond
Hickenlooper	McGee	Williams, Del.
Holland	Martin	Young, N. Dak.

NOT VOTING—16

Anderson	Humphrey	Sparkman
Bridges	Jackson	Symington
Capehart	Kennedy	Wiley
Chavez	Monroney	Young, Ohio
Hill	Morton	
Hruska	O'Mahoney	

So the motion of Mr. JOHNSON of Texas to lay on the table Mr. FULBRIGHT's amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. FULBRIGHT. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1322, H.R. 11510.

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

The CHIEF CLERK. A bill (H.R. 11510) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. FULBRIGHT. Mr. President, I move to strike out all after the enacting clause and to insert the language of the committee amendment to S. 3058, as amended, in lieu thereof.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

Mr. DOUGLAS. Mr. President, will the Senator from Arkansas respond to a question?

Mr. FULBRIGHT. I yield.

Mr. DOUGLAS. Do I correctly understand that the Senator from Arkansas is now trying again to eliminate the language which the Senate has adopted?

Mr. FULBRIGHT. No. This is the customary procedure. After we perfect the Senate bill, we substitute the language of the Senate bill for the House bill.

Mr. DOUGLAS. As adopted by the Senate?

Mr. FULBRIGHT. As adopted by the Senate. That is what I asked.

Mr. DOUGLAS. I thank the Senator from Arkansas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. CASE of South Dakota. Mr. President, will the Senator yield me 1 or 2 minutes?

Mr. DIRKSEN. I yield 2 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I do not know that I really need 2 minutes. I merely wish to go on record as expressing regret that the Senate has seemingly voted, by tabling the Fulbright amendment, to convert the Mutual Security Act into a weapon of unilateral economic sanctions as a substitute for concerted international action by the United Nations. That runs counter to the position so eloquently and effectively presented by President Eisenhower at the Assembly of the United Nations during the Middle East crisis in 1958.

The tenor of the amendment offered by the Senator from Arkansas merely proposed that if the President felt unilateral action by him under the terms of the Douglas amendment, agreed to last week, would interfere with efforts by the United Nations designed to maintain peace and stability he could refrain from applying the amendment. I regret that it was tabled. Mr. President, I think it is unfortunate today if we have developed in the world such a theory of dollar diplomacy that our foreign aid program is to be looked to as a substitute for the decisions of and action by the United Nations.

Mr. President, I express the earnest hope that the Secretary-General of the United Nations will continue his efforts to effect a solution of the problems in the Middle East—and I include the refugee problem along with the use of the Suez Canal.

Mr. SALTONSTALL. Mr. President—

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I should like to invite the attention of the Senate to the fact that I think it is extremely important to know how the so-called Douglas amendment, which the Senate adopted is to be interpreted. For the purpose of interpretation, I invite the attention of Senators to section 113 of the Mutual Security Appropriations Act of last year, Public Law 86-383. Section 113 of that act provides:

SEC. 113. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this Act, these principles shall be applied as the President may determine.

Those words were drafted by the State Department. I worked very hard in drafting them, with other Members of this body who were advocating the same general statement that is embodied in the Douglas amendment, which has been inserted in the bill. I call attention to those words because of the necessity of the President and the State Department putting an interpretation upon them.

The only difference between those words and the language the Senate has adopted is that they relate to different subjects. One relates to the question of citizens of various races, and the other relates to a boycott negating the purposes of the Mutual Security Act.

The only difference in the language is that under the Douglas amendment the President shall report on measures taken by the administration to insure its application. Those words are not in section 113 of the act of a year ago.

I think it is very necessary that we give the President and the State Department the opportunity to function, by making it clear to them how they are to make the report to the Senate or to the Appropriations Committees. As I see it, that may be done verbally. It may be done in writing to the chairmen of the various committees, without going further, or, of course, it could be made to the full committees. But it is important that that point be made clear, because of any negotiations which the President or the State Department may be conducting in the various countries.

We do not wish to interfere with the executive department in its negotiations with other countries. We leave it up to the President to determine when he is to give aid, with relation to the two provisos which we have inserted. We then leave it to him, after he has made his determination as to how he is going to give the aid, to determine how he is going to report to the Congress.

I hope we made it clear that the report to the Congress should not in any way make it more difficult for the President to conduct negotiations with relation to the various countries when he is determining how the Mutual Security Act shall be administered. I say that because of the fear on my part that a formal report to the Congress might negative much of the executive department actions in this very difficult area in the Near East.

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

Mr. SALTONSTALL. I yield.

Mr. JAVITS. I am delighted to hear the Senator's statement. I tried to say the same thing myself.

Is it not a fact that, as a matter of constitutional law, the request of the President for a report could have no greater authority than the substantive statement of the principle itself, already contained in the amendment? We all agree that that is a request of the President, no matter how strong the language.

Mr. SALTONSTALL. That is the way I interpret it, and the way I want to see it interpreted.

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

Mr. SALTONSTALL. I yield.

Mr. AIKEN. Does the Senator mean that if the President chooses to make an oral report to the Members of the Senate at a Friday morning breakfast, that will be compliance with the law?

Mr. SALTONSTALL. I should say it is entirely within his province, under the language we have just adopted, to

determine how that report should be made, and to whom it should be made.

Mr. AIKEN. Does that mean that the President is not bound by the Douglas amendment, which has been approved by the Senate, and which is also in the House bill, I believe?

Mr. SALTONSTALL. Of course.

Mr. AIKEN. In what way?

Mr. SALTONSTALL. It is a precatory request by the Congress for the President to do certain things which, in his judgment, he should do under the terms of the resolution.

Mr. AIKEN. Does not the resolution request the President to withhold aid from any country we are helping which carries on economic warfare against another country?

Mr. SALTONSTALL. If he shall so determine.

Mr. AIKEN. But he can do as he pleases about so determining.

Mr. SALTONSTALL. Exactly.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I do not wish to leave the legislative history in the state in which the Senator from Massachusetts has left it. I think his remarks make confusion more confounded.

I think it is perfectly obvious that it is expected that the President will act in good faith and file with the Congress a written report setting forth the reasons for his course of action. That is the procedure we follow in connection with sense-of-the-Senate resolutions, and I think it is equally applicable in this case.

Mr. LONG of Louisiana. Mr. President, will the Senator yield 2 minutes?

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Louisiana.

Mr. LONG of Louisiana. For a number of years, as one Senator I have complained that there has been a great deal of mismanagement and waste in connection with the program. Before we vote, I believe it would be well to recall a story of April 28, last Thursday. I read from a U.P.I. story appearing in the newspapers of that date:

One of the first public statements of Acting President Huh Chung was aimed at what he called waste and mismanagement in the U.S. Korean aid program. Simultaneously, the United States held up approval of new economic aid until South Korea gets back to normal and some new conditions are met.

One of the factors contributing to last week's "Bloody Tuesday" climactic moment of the riotous demonstrations in the wake of the March 15 elections, was a charge of corruption in the use of U.S. aid funds. Rhee's critics said some of the \$200 million a year of U.S. aid went to help Rhee supporters.

The article further states:

Speaking of relations with the United States, Huh said some unsatisfactory areas need correction. These include, he said, waste and mismanagement in administration of U.S. economic and military aid. Some of the U.S. aid money has gone to develop industry, some to support the Republic's budget.

Oddly enough, apparently one of the principal causes of the overthrow of the

government appears to have been local dissatisfaction with the mismanagement of the \$200 million a year we have been spending there. Apparently it has been mismanaged, and has gone into the pockets of private individuals. The same thing is happening in many places throughout the world.

Until I feel come confidence that we have at least made a good start toward preventing that sort of thing, I do not expect to vote for this type of foreign aid bill.

Mr. DWORSHAK. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the distinguished Senator from Idaho.

Mr. DWORSHAK. Shortly after World War II, when our Government initiated the foreign aid program, Paul Hoffman, the first administrator, gave assurances that the program would be continued for only 3 or 4 years, and would cost probably about \$12 billion to \$14 billion. In the intervening years we have spent about \$90 billion for the ostensible purpose of creating friends and engendering good will everywhere around the globe. We know what the result has been. We are losing friends and making enemies everywhere.

I was shocked earlier today when the distinguished chairman of our Foreign Relations Committee said that crises exist everywhere we look—in Korea, in Turkey, and in the Caribbean. If we have accomplished anything worthwhile with these very generous expenditures of our American dollars, where are the results? Where is there any evidence that we are making progress?

I wish I had the time to point to some of the glaring inconsistencies which appear in the report submitted by the committee on this bill. On page 7 the committee says:

As reflected in the hearings (pp. 328-329, 331, and 336-337), the committee was gravely concerned over the situation in Korea prior to the most recent and serious outbreak of rioting. Although, as stated, the committee sees no presently acceptable alternative to continuing the aid program in Korea, the recent events in that country raise a question, which is of wider application, as to the long-term effectiveness of an aid program conducted in the absence of an atmosphere of expanding basic freedoms.

Then, after pointing out the lack of progress and the impotency and the ineffectual results, the committee also made this comment, at page 5:

Large sums of money and a sense of urgency have increased the probability of mistakes, and it should not be a cause for wonder that mistakes have in fact been made. So far, however, we have managed to summon the requisite combination of faith and persistence to avoid making the worst mistake of all, which would be to quit trying.

So, Mr. President, this very fine committee which handles foreign relations legislation admits the ineffectual operation of the program, and then says it would be a tragic mistake to terminate it. By implication it says that we must accept the mismanagement and blunders which have been inherent throughout this program.

I remember a few years ago that this same committee made a survey and study of the foreign aid program, in the hope that something might be done to correct some of this mismanagement and blundering.

I have joined many of my colleagues in contending that we ought to make a reappraisal of the program. We can do no less. If we recognize the impotency of the program and if we want to succeed, what is wrong with attempting to make a reappraisal of the program?

During the past few months our Appropriations Committee has been holding very interesting hearings on the defense budget of about \$40 billion. We are told we need more planes and missiles and we need to modernize our Armed Forces. At the same time some of the exponents and supporters of the foreign aid program say, "That is not essential, because we have farflung allies all over the world who have been receiving these billions of dollars and who are prepared to stand up and defend us on the farflung potential battle fronts."

I shall not labor the point, but I appeal to my colleagues and say that at some time we ought to have the courage and determination and the perseverance to do something to make this program at least partially successful with respect to its constantly being expanded, instead of adding to the inflationary forces, with the possibility that ultimately we will be confronted with the insolvency of our Government, and then at some psychological time we will face the aggression of the Soviets. At that time we will stand alone and wonder where our allies are going to help us. No one in the Senate fails to realize that we will stand alone whenever we face that aggression by the Soviets.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. I want to comment with regard to the statement of the Senator from Louisiana [Mr. LONG] that this aid has caused corruption in Korea. If this is the cause of corruption, then Israel ought to be the most corrupt of all nations, because the total of our aid—Government aid, not private aid—has been \$310,304,000 for a population of approximately 2 million.

It is estimated that private sources have provided—and these amounts are tax exempt for those who give them—approximately the same amount.

During this same period UAR has had \$67,194,000, for a population of 25.3 million people.

With regard to the comment of the Senator from Idaho [Mr. DWORSHAK], I would only remind him that the administration of his program is in the hands of his party. If he thinks it is so bad, perhaps there ought to be a change of administration, so that we can improve the quality of the administration of the program.

Originally the Marshall plan was initiated under the administration of a very well-known Republican, Mr. Paul Hoffman. I think he did a very good job. The program was passed originally in a Republican Congress.

I do not wish to labor the partisan aspect of it, because Democrats have supported it, too. However, with regard to the Marshall plan I believe it is well known that Europe is back on its feet. It is so well on its feet that many people have complained about its competition infringing upon our markets. It has been extremely successful. Many of the difficulties of administration are due to amendments and restrictions which have been put upon the administration by this body and by the other body.

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

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

Mr. DIRKSEN. I yield 1 minute to the Senator from Idaho.

Mr. DWORSHAK. Mr. President, the Senator from Idaho is also aware of the fact that while we have had a Republican Executive, for the past 6 years we have had a legislative branch controlled by the Democratic Party.

I am not critical of my colleagues on the other side of the aisle, because many of them have fought vigorously against this program at all times. However, I am pointing out that there is a general responsibility on the part of the legislative branch, and we cannot avoid or escape in any way the full responsibility for the inevitable failure of this program.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. DIRKSEN. Mr. President, I propose to take 2 or 3 minutes. Then I shall yield back the remainder of the time and will be prepared to vote.

I point out, with respect to the overall program, that 173 years ago some men met up in Philadelphia, and one of the last things they did, after they finished writing the Constitution, was to write the preamble to it. It almost got lost in history. But they said in the preamble that one of the purposes for ordaining the Constitution was to provide for the common defense.

It was no great problem in 1814 when the British burned this wing of the Capitol. It was no great problem in 1847 when we had a controversy with Mexico. It was no great problem when we went to the rescue of an island people against the butcheries of a Spanish general.

But when we got to World War I and World War II, then the common defense took on an expanded periphery and an expanded function. It is now a line which is 20,000 miles long. We do not fight alone with weapons. We fight in the economic and political and social fields as well. We fight not only with guns, but we fight also with credit.

This bill and its transformation year after year in this annual struggle is a testimony to the fact that one of the greatest forces in the unfolding of the country is the revisionism that is so necessary to keep abreast of the problems and the needs and of what we shall do.

At least one good thing has come out of this discussion with respect to the Douglas amendment. I wish my good friend from New York [Mr. JAVITS] would give ear to this. We have discussed it a good deal. I think the size

of the vote on the motion to table is probably one of the best manifestations I know of that there has been concern and apprehension in the Senate with respect to the inclusion of language that might be regarded as unilateral in character, for one thing, and could conceivably be misconstrued and misinterpreted in other areas of the world.

I think this vote in itself will sound a note of caution, and I believe we have a right to interpret it in that fashion. So I say that is one good thing that has come out of the discussion, even though the amendment offered by the distinguished chairman of the Committee on Foreign Relations was not adopted.

So all in all I think it has been a craftsmanlike job that has been done. I am content to leave it there and vote for the bill, in the hope that whatever refinements are necessary, if any, they can be made by interpretation, but that otherwise the work of the common defense can go on.

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

Mr. DIRKSEN. I yield.

Mr. JAVITS. I simply wish to note that when the Senate adopted the amendment proposed by the Senator from Oregon and me to the appropriation bill which was referred to by the Senator from Massachusetts [Mr. SALTONSTALL], such qualms were also expressed. Since then, the State Department has been pressing forward and has sought reports from all its posts around the world. We have not been unreasonable about it. I think the Senator is absolutely correct when he says that these signposts, given us by the size of the vote, will be just as effective in this instance as they were in the case of the so-called Morse-Javits amendment.

Mr. DIRKSEN. I thank the Senator from New York.

Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on the passage of the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Alabama [Mr. HILL], the Senator from Washington [Mr. JACKSON], the Senator from Montana [Mr. MURRAY], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. SYMINGTON]

and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

On this vote, the Senator from Missouri [Mr. SYMINGTON], is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from Wyoming would vote "nay."

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Washington [Mr. JACKSON]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Washington would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Wisconsin [Mr. WILEY] is detained on official business.

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Nebraska would vote "nay."

I further announce that, if present and voting, the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Wisconsin [Mr. WILEY] would each vote "yea."

The result was announced—yeas 60, nays 25, as follows:

[No. 187]

YEAS—60

Aiken	Fong	McNamara
Allott	Fulbright	Magnuson
Bartlett	Gore	Mansfield
Beall	Green	Martin
Bennett	Hart	Monroney
Bush	Hartke	Morse
Butler	Hayden	Moss
Cannon	Hennings	Mundt
Carlson	Hickenlooper	Murray
Carroll	Holland	Muskie
Case, N.J.	Javits	Pastore
Case, S. Dak.	Johnson, Tex.	Prouty
Church	Keating	Proxmire
Clark	Kefauver	Randolph
Cooper	Kuchel	Saltonstall
Cotton	Lausche	Scott
Dirksen	Long, Hawaii	Smathers
Dodd	Lusk	Smith
Douglas	McCarthy	Williams, N.J.
Engle	McGee	Yarborough

NAYS—25

Bible	Frear	Russell
Brunsdale	Goldwater	Schoeppel
Byrd, Va.	Gruening	Stennis
Byrd, W. Va.	Johnston, S.C.	Talmadge
Curtis	Jordan	Thurmond
Dworshak	Kerr	Williams, Del.
Eastland	Long, La.	Young, N. Dak.
Ellender	McClellan	
Ervin	Robertson	

NOT VOTING—15

Anderson	Hruska	O'Mahoney
Bridges	Humphrey	Sparkman
Capehart	Jackson	Symington
Chavez	Kennedy	Wiley
Hill	Morton	Young, Ohio

So the bill (H.R. 11510) was passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KUCHEL. I move to lay that motion to the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate insist on its amendment, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. FULBRIGHT, Mr. GREEN, Mr. SPARKMAN, Mr. WILEY, and Mr. HICKENLOOPER conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, Senate bill 3058 will be indefinitely postponed.

NOMINATION OF MAJ. GEN. THOMAS A. LANE TO BE PRESIDENT OF THE MISSISSIPPI RIVER COMMISSION

Mr. STENNIS. Mr. President, I should like to express my full support of the nomination of Maj. Gen. Thomas A. Lane to be president of the Mississippi River Commission, and I am highly pleased that the Senate Public Works Committee has unanimously recommended confirmation.

The Mississippi River Commission is composed of three officers from the Army Corps of Engineers, one officer from the U.S. Coast and Geodetic Survey, and three civilians. Created in 1879, the Commission is responsible for flood control, navigation, and water resource conservation on the Mississippi River and its tributaries from St. Louis to New Orleans. The presidency of the Commission is one of the most important assignments in the Corps of Engineers, and I am grateful that a man of experience and outstanding ability has been selected for this key post.

General Lane is particularly suited for his new assignment because he has full knowledge of the people and of the problems of this area. A graduate of the U.S. Military Academy, General Lane is well known throughout the Mississippi River Valley, having served as executive officer and disbursing officer in Memphis from 1933 to 1935 and as district engineer in Little Rock from 1948 to 1950. His 3 years of service as one of the Commissioners of the District of Columbia has given him broad experience in the field of municipal operations, as well as in water resource development problems. He is now commanding general, U.S. Army Training Center, Fort Leonard Wood, Mo.

General Lane will have the full support of all leaders in the Mississippi Valley. His nomination is in keeping with the long tradition of having our finest engineering officers serve on the Mississippi River Commission. He succeeds Maj. Gen. W. A. Carter, whose record has been outstanding.

In keeping with his distinguished civil and military record, I am confident that General Lane's efforts as president of the Commission will be to build up the area, and I predict that during his tenure the entire Mississippi Valley will move forward in a constructive way. I am confident his services will greatly benefit not only the Mississippi Valley, but the entire Nation.

AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1333, H.R. 10809.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10809) to authorize appropriations for the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Aeronautical and Space Sciences with amendments.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until tomorrow, at 12 o'clock noon.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I announce that tomorrow we shall take up House bill 10809, to authorize appropriations to the National Aeronautics and Space Administration. We expect to have a yea-and-nay vote in connection with the passage of that bill.

Then we expect to take up the conference report on the Department of Commerce appropriation bill, H.R. 10234. There may be several yea-and-nay votes in that connection.

Then we expect that the Senator from Virginia will move—perhaps he will do so later in the week, but Members should be prepared for it—that the Senate concur in the amendments of the House of Representatives to the bank merger bill.

Mr. KEFAUVER. Mr. President—

Mr. JOHNSON of Texas. Mr. President, at this time I yield to the Senator from Tennessee, and ask him to see to it that at the conclusion of today's business a motion is made to have the Senate adjourn in accordance with the order previously entered.

THE PORTLAND, OREG., NEWSPAPER STRIKE

Mr. MORSE. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a very sad letter I have received from a constituent of mine. The letter speaks for itself. Although the letter was unsigned, it bore a return address, which I have deleted.

It is very disheartening not to be able to give this lady the prompt help which is needed for the Portland newspaper workers who have been displaced by strikebreakers. Nonetheless, I shall continue doing what I can to get a Senate committee investigation of this situation. It is very evident that the systematic use of strike insurance and the hiring of professional strikebreakers in the newspaper industry is having a bad effect upon industrial relations. Permitting these practices to continue is not in the public interest.

Certainly the Senate Committee on Labor and Public Welfare should disclose the sordid details, by conducting the study I have requested. My resolution, which calls for an investigation, should be the basis for a Senate committee investigation of the antilabor, union-busting policies of many newspapers in the country.

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

SENATOR WAYNE MORSE: For God's sake help us here in Portland, Oreg. I am the wife of one of the men involved in the newspaper dispute. This is not the time to write fancy phrases or give you the details—I am sure you know them all—but this is a direct appeal. Unless something concrete happens soon Portland will be a violent and bloody battleground—all the peaceful appeals have been a waste of time—and our bitterness, frustration and hatred has reached the stage where we must explode.

Over 1,200 of us marched in a parade Easter Sunday (what a farce) and when we marched past those two newspapers and saw the professional strikebreakers jeering at us, the police standing by and laughing, we wonder about the much-vaunted "American way of life"; it certainly stinks right now. There ain't no such thing as freedom of speech, and the average working person has no protection whatsoever—there isn't a law in the land that will protect us.

This really is a last desperate appeal. My own husband has lost so much weight. His sojourn on the picket line has worked him up to the stage where he is ready to kill. To stand by helpless and let out-of-State, imbecilic types go by and insult you, walk into your job, and just not be able to do a damn thing about it, has eaten like a cancer into us all. We are ready to tear those people to pieces, and Portland will be the city that started another industrial revolution.

Please, please help us all.

A VERY UNHAPPY, BITTER, AND SAD MOTHER AND HOUSEWIFE.

EFFECTS OF FOOD ADDITIVES AND RESIDUALS ON FOOD

Mr. MORSE. Mr. President, Mr. Nelson R. Crow, publisher of the magazine, Farm Management, in the April 19, 1960, issue of that magazine has presented effectively the position taken by many farmers who resent being, as he puts it, "the whipping boy of politicians, metropolitan newspapers, and nationally circulated magazines."

In my judgment, when he says, "Throughout the food industry, there is demand that appropriate Government action be taken to properly assess the methods of enforcement, analyze laws and regulations, and determine on a scientific and factual basis the effects of

these food additives and residuals on food. President Eisenhower has asked his Science Advisory Committee headed by George B. Kistiakowsky, to make a full and complete study and 'report to him as soon as possible,'" he echoes a sentiment felt by many citizens in addition to those who are engaged in the food industry.

Certainly an early release of the Science Advisory Committee report will be welcomed by farmers, businessmen, and consumers.

I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

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

NELSON R. CROW COMMENTS

One big reason why U.S. farmers are able to continue to produce ample quantities of food at amazingly low costs is because of the substantial contributions made by chemistry and science in pest control, weed control, feed additives and so on. More people are being well fed than ever before.

Yet the farmer is the whipping boy of politicians, metropolitan newspapers and nationally circulated magazines. This in face of the fact that in the years since World War II there has been frightening inflation in the prices of everything—everything except the prices the farmer has received for production of almost every type of food. In the case of almost all foods, price increases paid by the consumer result from higher costs of transportation, processing, and retailing.

Now producers and nearly all handlers of food are badly confused by bureaucratic hairline decisions on the effects of pesticides, additives, and residuals on human health. Confusion is compounded when the experts of USDA pass food as being healthful and safe and another Government bureau, the Department of Health, Education, and Welfare, takes the attitude that the same food is dangerous to humans.

It isn't necessary to go into full details of the cranberry and poultry scares of last fall. The cranberry growers lost a big share of their market, yet later it was announced that most of the crop was entirely safe. The Government found that any residue from hormones fed to poultry was concentrated in the skin and internal organs and the meat was purchased and released for the school lunch program after these parts were removed.

Throughout the food industry, there is demand that appropriate Government action be taken to properly assess the methods of enforcement, analyze laws and regulations, and determine on a scientific and factual basis the effects of these food additives and residuals on food.

President Eisenhower has asked his Science Advisory Committee, headed by George B. Kistiakowsky, to make a full and complete study and "report to him as soon as possible."

Surely, in the interests of public health and the health of economy of the agricultural and livestock industry, such a report should be made as quickly as possible.

THE DRUG INQUIRY

Mr. KEFAUVER. Mr. President, the Subcommittee on Antitrust and Monopoly has thus far received hundreds of letters from doctors located in every part of the country. I ask unanimous consent to have printed in the RECORD, in connection with these remarks examples

which are typical of the letters in support of the inquiry, which have been received by the subcommittee.

At the same time, however, the subcommittee has received a number of letters from physicians who are critical of the inquiry. I ask unanimous consent to have printed in the RECORD examples which are typical of those letters.

Mr. President, the overall showing is such as to provide strong encouragement for continuation and extension of the inquiry.

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

From a doctor in Massachusetts:

"I wish to commend you for the inquiry into price-fixing practices of the large drug companies. That these organizations excuse the outrageous prices on the grounds of humanitarian research is ludicrous. Most large industrial concerns conduct research to better their products, but do not cynically ascribe their motives as being only piety toward mankind.

"My mailbox is stuffed each day with expensive advertising (glit edged, color printing, etc.) about a myriad of drug products 99 percent of which are completely useless. If a new product really has value, it is well reported in the scientific literature, and hardly needs the ballyhoo that the drug companies provide. If only the savings from this type of advertising would be applied to lower the prices of some of the drugs that I prescribe for my patients, I would be grateful.

"Judging by the audacious statements made before your committee by spokesmen for the large drug houses, I fear that the remedy for this situation lies in strong legislative action.

"Please keep up the good work. Responsible members of the medical community who still believe in the Hippocratic Oath still exist."

From a doctor in Illinois:

"As a physician, I am very interested in the revelations of your committee. It was reported in the newspapers that the president of Schering did not refute your figures as to the cost of the drugs, but said these are not all the expenses involved and proceeded to name others, among which was the education of physicians.

"I wish to know if any figures were given as to the cost of educating physicians. This euphemism for advertising is unfair.

"If such figures are available I would appreciate a copy."

From a doctor in Missouri:

"In my general practice here in Missouri, a rural area, I am unable to prescribe the proper drugs the patient needs 4 times out of 5 because of the price. These are usually cortisones for arthritis and antibiotics for infections.

"I am burdened by many visits by drug detail men, who I don't want to see, and who know nothing about medicine except how to high pressure a doctor on the particular drug they are selling. This is also the consensus of the other doctors I know.

"Every day I get 60 to 65 large cards advertising drugs that I already know about from reading my medical journals.

"Today (and other times) I received two LP hi-fi records advertising Miltown from Wallace Drug Co. Also 185,000 other GP's in the country did receive them today, which adds tremendously to the cost of Miltown. It is 11 cents a tablet here, and according to the paper is 1 cent a tablet in Argentina.

"Because of all this I cannot prescribe what my patient needs and he suffers more.

"I am not a crank and I write you this with great sincerity."

From a doctor in Texas (whose husband is a doctor):

"I want you to know that I am very pleased that you are investigating the drug racket. For years my husband and I have been seriously worried over the enormous number of new drugs which keep flooding the markets. He remarked some months ago that 20 years from now we will realize we killed more patients than we helped with some of the new medicines.

"Another thing which disturbs me is the type of literature the manufacturers put out to advertise these drugs. We doctors are supposed to have a superb education—spend many years learning our profession—and the material which the drug firms use in an attempt to brainwash the doctors is scaled to about the intelligence of a 6-year-old child. Personally I resent this type of advertising and yet it constantly burdens our mails. Under separate cover I am sending you some samples. For instance I once received one piece of advertising in the shape of an oil can filled with capsules and carrying the caption 'Oil Up Your Patient's Joints.' The preparation is largely aspirin. Another annoying feature of the drug advertising these days is the ads which are set up to look like news items. I think there must be some payola involved with the magazines and newspapers which put out these items.

"We surely appreciate the work that you are doing along this line."

From a doctor in California:

"Reports reaching me over the radio indicate that the drug manufacturers claim to have very high expenses due to the necessity of inducing doctors to use their new products and brands.

"As an old general practitioner in private practice as well as more recently practicing in a State institution, I want to state emphatically that the mass of advertising literature, 'free samples' propaganda by manufacturers' representatives and other more or less subtle promotions of drugs, all claimed to be wonderful improvements, is simply staggering and must indeed be a big factor in the cost of medications and medical cost in general. To me as well as to many of my physician friends this activity of the drug companies is repulsive, embarrassing, unscientific, unethical and against our better knowledge of what constitutes good practice of medicine.

"Our wastebaskets are filled daily with unsolicited literature and samples—mostly trash, wasting our time and adding to the cost of healing. As far as I am concerned, I fight this propaganda by dumping all unsolicited mail and getting my information from legitimate journals, including our AMA's. I am strongly in favor of stopping all advertising of medications, including vitamins, by radio, TV and newspapers, and having the industry instead submit all their new products to the American Medical Association laboratories for unbiased examination and trial before the final report to the profession. This testing should be reinforced by Government inspection and legal enforcement and necessary subsidy.

"Such a policy would cause a tremendous improvement in peoples' health and would save billions of money that now is wasted on drug propaganda, patent medicines, and outright quackery. But of course, 'this is a free country,' free for every manufacturer and producer to poison or defraud people if he chooses to. * * *

"I am no fanatic, religious, or moral. I am just an old general family 'doc' trying to promote good health and commonsense, much as you are trying to, I am sure."

From a doctor in the South:

"I have been very much interested in your committee's inquiry into the high cost of antibiotics and other wonder drugs.

"I observe that I can buy 20 mg. aureomycin tablets put up by Lederle Co. at the

feedstore for \$1.57 per 100 tablets, but at the drugstore they charge for 50 mg. tablets \$11.90 per hundred tablets put up by the same firm, Lederle Co. Why do they charge almost four times as much to treat a human being than they do to treat hogs and cows? "Wishing you success in your investigation."

From a doctor in the Far West (whose wife is also a doctor):

"May I commend you for the conduct of your recent inquiry into pricing practices of the American pharmaceutical industry. If your inquiry results in any substantial lowering of prices you will have aided medical practice in this country immeasurably.

"My wife and I are practicing physicians in a rural area in Idaho. Most of our patients are people with limited incomes. For the past several years we have been increasingly aware of several cold economic facts. The drugs that we use most have not decreased in price to any observable extent. There is little or no competition as regards price from manufacturer to manufacturer.

"We are well able to control our own fees. In cases where people require our services and are actually unable to afford them it's a very simple matter to charge what they can afford. When we start to write the prescription however it's a very frustrating feeling. We know that our patients simply cannot afford the drugs for the period of time we wish them to have them.

"So in many, many cases the diagnosis is a very simple and straightforward affair. Then we move on to a very difficult problem. What is the absolute minimum of drug we can get by with in this case. All too frequently we prescribe inadequate amounts for insufficient periods of time simply because of the cost of the drugs.

"So as we read the accounts of your inquiry we were as interested as we would have been had you been bringing to light some new scientific discovery. What you are doing is a very real and tangible aid to every practicing physician.

"I am sure that many aspects of your work are discouraging. Undoubtedly there are tremendous pressures directed against you as you focus the light in uncomfortable places. Just remember if you will that your work will indirectly save as many lives and advance medical practice as much as many of the great research experiments that are presently underway. Each time I write a prescription I feel like shaking your hand."

From a doctor in Ohio:

"Congratulations on your excellent job of investigating the exorbitant costs of many of the cortisone derivative drugs. I strongly urge you to follow up with a thorough investigation of the antibiotics, the so-called wonder drugs—tetracycline and oxytetracycline groups of drugs so essential to control severe infections. These are marketed under the trade names of achromycin, panmycin, steclin, and so forth, and have been available now for at least 5 years. The capsule still sells for 50 cents per capsule, which I feel is prohibitive in cost to many patients, since four a day are necessary, and at least in my line of work has to be taken over many weeks. I say without equivocation that many patients are denied adequate medical care because of excessive costs of drugs. Keep up the good work. What you are doing now is a long neglected investigation. I hope that as a result of your study and hearings that many people whom I now see who cannot afford to buy the 'mycin' drugs, will be able to secure them at a more reasonable cost."

From a doctor in California:

"I wish to express my appreciation to you and your subcommittee for publicly exposing the outrageous pricing policies of the drug manufacturers. I hope that some effective Federal legislative controls will be forthcoming in the latter portion of this session of Congress.

"As an individual physician, my daily mail is dominated by drug advertisements and samples, which I merely throw away. In addition, in the office I am besieged by salesmen from the same companies trying to impress upon me the advantages of their new products, most of which are either unnecessary additions to a cluttered market, too new to be relied upon for general patient use, or actually hazardous.

"I believe that Congress could remedy one aspect of the advertising situation by (1) eliminating the present postal subsidy for advertising matter by adjusting postal rates for such material to reflect their actual cost to the Post Office Department for handling and (2) placing a ceiling upon the amount and/or proportion of corporate earnings that may be deducted for tax purposes when expended for advertising and promotion."

From a doctor in New York:

"You have once again performed a fine public service in your responsible investigation of the drug industry. There is one aspect of the problem I have not yet read about in the newspapers: The extent of the Government subsidy to these companies by means of lower-than-cost postal rates for their advertising brochures.

"It is a rare day when I do not get 5 to 10 pieces of mail about drugs. These advertisements contain dramatic and misleading claims for drugs whose usefulness is open to real question on any scientific grounds. Do you know of any reason the Government, via the Post Office Department, should encourage this sort of thing?

"At a time when the Postmaster General says he is operating at a huge deficit and is going to ask for raise in postal rates, I think this kind of subsidy to the drug companies is poor public policy. Would it not be better either to eliminate the subsidy, require them to make only validated statements concerning the drugs, or, perhaps, much better, find means to encourage them to test the drugs more adequately before they are foisted on a relatively ignorant medical public."

From a doctor in the South:

"First of all I want to take this opportunity to commend you on your investigation of the pharmaceutical industry. This investigation is needed and can do a tremendous amount of good.

"Some of the points which I as a practicing physician feel should be corrected have to do first of all with names of drugs. Drugs have a chemical name but often the chemical name is long and complex and it is obvious that a simple title is often required to designate the particular drug in question. The confusing thing is that often several companies will make the same product available and each company will use a different name to designate it. After a few months, this new product will be combined with well-known fundamental drugs and given still another name. The combination frequently adds nothing desirable to the product. Then as time goes on the product is changed by adding an element which frequently adds nothing to the activity of the product but a new name is again necessary. The result is that a particular drug often has an unbelievably complex name. In self-defense the physician picks one of the 'names' given by a manufacturer and uses this name in prescribing this drug, possibly influenced by the amount of advertising done by the manufacturer.

"The voluminous literature that we receive from the various drug companies and which we see in ads in our medical journals and medical newspapers tells us many things about the products which tend to confuse particularly if we compare what the different companies say about their own products.

"The practice of medicine has become increasingly complex and it is more and more

difficult for a sincere physician to keep up with newer drugs and newer procedures without the addition of so much needless confusion. Then, too, such a method of introduction causes needless expense to the public. It would be much simpler to have the drugs, such as aspirin, designated by the manufacturer so that one could specify aspirin (Bayer), etc.

"In order to illustrate the amazing extent to which these products are advertised to the physicians, I have taken the liberty of sending you a couple of days' collection of literature sent to me by several pharmaceutical concerns. Since my special interest is internal medicine and tuberculosis, you can see that I am possibly not designating as much literature as the average physician in general practice. Obviously the drug companies feel that many of these doctors are too busy to read the medical literature and will prescribe a drug after seeing it in one of these advertisements.

"Again I want to take this opportunity to congratulate you on the wonderful investigation that you are making."

From a doctor in Michigan:

"In evaluating the findings of the drug price investigation, a bit of history should be kept in mind.

"Before the Second World War most pharmacological research was done in academic centers. During that period the drug companies began to expand research activities, and many brilliant men joined their staffs. The reasons included the lack of academic research funds, low salaries, and a great increase in the cost of the studies required. The drug companies had the financial resources, and used them profitably.

"During the war this trend was accelerated by Government contracts.

"Since the war this situation has grown out of hand. Now there is too much talk of covering the high cost of research by the price of the drug. This cost should not be borne solely by the sick fraction of the public. It is in the interest of us all. Profit is not the ultimate valid reason for research, and a shift in the emphasis on research spending ought to be encouraged.

"But it's not all the fault of the drug companies. We praised this trend when it began."

From a doctor in the Southwest:

"A few months prior to the opening of my practice in April 1952, the so-called broad spectrum antibiotics represented then by aureomycin, terramycin, and chloromycetin all cost \$1 per 250-milligram capsule. By April 1952 the first and last reduction in cost, known to me, was made, lowering the cost to 50 cents per capsule. This reduction obtained for the three antibiotics mentioned. A few years later the chlorine and hydroxy groups were deleted from the structural formula. The drug companies performing this major surgery claimed better gastrointestinal tolerance and better absorption of the medication. The price remained the same for these now chemically termed tetracyclines. When Upjohn & Co., and Squibb & Co., marketed the tetracyclines I felt this would effect a reduction in the cost, but, no, it remained quite fixed.

"Later I felt this must be because Pfizer & Co., Bristol Laboratories, Lederle, and the Olin-Mathieson Co., are the only manufacturers of these tetracyclines antibiotics. This appeared to me to be a real togetherness on price determinations. It is my understanding that these companies state that they all price the antibiotics and other medications at the same price so as to be competitive with one another. This may be commendable from the view of a professional esprit de corps amongst the drug firms, but hardly can be termed competitive in the real old American sense of the term.

"Competition to me means that one markets a new product or the same product

at a lower price than existing products. My patient's average prescription cost for any of the broad spectrum antibiotics in this area is \$12 to \$15, and often it is \$25 or \$30. This may sometimes be twice the physician's fee. If the detail men calling on physicians would give them samples of these antibiotics only when they requested them, a considerable saving could be effected by the drug firms. Also the curtailment of the giving away of these expensive medications via the mails would produce an additional saving.

"The firms would lose nothing by merely reducing the price of these medications, because doctors would simply prescribe them more often and in greater quantity. I most often use sulfonamides with many patients because of the cost of these antibiotics.

"As for hypertensive and certain cardiac medications, I know well that many of my patients go without these very important drugs because they simply cannot afford them. Again whatever the drug firms might lose by price reduction of the steroids would be more than offset by greater use of them in more persons who could then afford them. I use very little in the way of tranquilizers for the simple reason that I do not feel that they are as effective, if effective at all, as represented. I have had the impression that they are only placebos. And speaking of placebos it would be such a fine thing if the Food and Drug Department would require the drug firms to perform the double blind placebo tests for all the new compounds meant for human consumption before detailing them to physicians and extolling them to the high heaven as a panacea for all human misery.

"In summation may I say, the prices of antibiotics, hypertensives, and steroid drugs appear to me to be much higher than is necessary to render a fair return to the druggist and the manufacturer. The status quo high plateau of the prices of antibiotics since 1952 is symptomatic to me of harmonious concert, if not outright collusion. Finally, of all drugs to appear in the past 10 years, tranquilizers are the most overrated."

From a doctor in California:

"I want to thank you for the work that you are doing in your investigation of the drug companies. I am sure that you have already saved some of my patients money. Schering Co. sent me a telegram recently saying that they had dropped the price of Griseofulvin by 35 percent. I and several of my friends have done a lot of complaining about the high price of this drug. We were aware that it was selling in England for 7 to 9 cents per tablet while here in the United States the wholesale price was 19 to 20 cents per tablet. They were retailing for 35 to 38 cents per tablet.

"It always seemed a shame that the antibiotic drugs which retail here for 55 to 65 cents per capsule sell in foreign countries for 25 cents each. A doctor told me recently that on the island of Guam he could purchase U.S. manufactured antibiotics less expensively than he can buy them here. In Guam, of course, the price is reduced to meet the competition from Italian or other companies. If they can meet the competition there, why can't the price be dropped here?

"I heard a brief mention on the news about your investigation including the drug Prednisone. I surely hope that it brings the price of that down because it doesn't make sense that the name brands have to sell at 16 to 17 cents per tablet wholesale while the nonname brands sell at 2 cents each wholesale.

"I did want to take time to thank you again for your investigation and also to give you a belated thank you for your crime investigations which you carried out several years ago. There is no question that we should be more grateful to our Government for the protection that it provides from the many unscrupulous elements about us."

From a doctor in Pennsylvania:

"As a physician I have long been concerned with the increasing cost of drugs and have heard innumerable complaints from patients. I have watched the pharmaceutical houses expanding their promotional activities until I now consider them outrageous. It is therefore most appropriate that an important governmental committee such as yours is finally bringing to light some of these practices.

"I hope you will delve deeply into every facet of this situation. They speak lightly of their promotional efforts but I wonder if your committee members and investigators realize what this phrase includes? Month by month they have increased their advertising budgets, their battalions of detail men, the storms of printed paper, their television programs and so on. Now I realize that a certain amount of advertising is necessary in every business and is part of the American way of life. But I also feel that this can be carried to absurd extremes, with consequent harm to many people who can stand it least—people who are ill and unable to earn a livelihood, people with chronic diseases, old people living on a very limited income and poor people generally. One example, which may be multiplied many times, is an ad for an antibiotic which is not particularly new. The Lederle Laboratories Division of the American Cyanamid Co. used eight color pages on special paper to introduce Declomycin in the November 28, 1959, issue of the Journal of the American Medical Association. I maintain that such extravagance is completely unnecessary. Among other results it leads to the accusation that the medical profession is in league with the pharmaceutical manufacturers to mulct the public. Obviously such expenditure helps to underwrite the cost of the Journal at the same time as the patient is forced to pay very high prices for the drugs he needs.

"Another of their expenses which should be closely scrutinized is their 'research.' Although some of their work along this line is useful, most of it consists of attempting to find some minor variation of a competitor's drug, a task which is fairly easy for the highly trained organic chemist of today. This 'discovery' is then patented and given a registered name. The new product may or may not be better than those produced by the other firms; but if the multitudes of detail men can persuade the practicing physicians to use this particular product, the manufacturer will have the patients at his mercy. This is why they are so intent on having the professional workers in the health field—physicians, pharmacists, nurses, etc.—use only their product and no other possible equivalent.

"As I said before, every single phase of their activities should be carefully scrutinized by authorities competent to evaluate their claims. It is not surprising that in the last few years the shares of pharmaceutical houses have bounded up on the stock exchanges. I am certain that the curbing of the abuses by these firms, probably aided by legislation and less liberal interpretation of expenses by the Internal Revenue Service, would reduce the cost of drugs by at least 50 percent.

"I hope your committee will take the time to probe this important matter as thoroughly as necessary."

From a doctor in Michigan:

"I have the greatest admiration for your efforts to date in the investigation of drug prices and the operation of the drug industry. It has been annoying to me, however, to note that no mention has been made of the enormous amount of nuisance 'detail' mail which every doctor receives daily. This mail is sent at bulk rate at a great expense to the Post Office Department. It is useless to the doctor and passes immediately to the incinerator, at some inconvenience and expense to the doctor. I receive about three

bushels of such mail each week. My mailman frequently brings my mail by private car in the morning before he starts his rounds of the neighborhood.

"Drug company representatives and 'detail men' have told me that this mail is sent for 'saturation effect,' to use Madison Avenue terminology.

"Senator, certainly this nuisance of the postal authorities, the postman, and the doctor should be brought out and emphasized. I am very tired of sifting through this heap of advertising material each day in the mail in order to sort out the important mail. My secretary supports me in this complaint. It is also very aggravating to us to hear of requests for further advances in postal rates and to have to pay the already very high rates when such material engulfs us at bulk rates."

From a doctor in California:

"Help, help, help. Being a physician of a modest practice, I am, with others, being deluged with tons of letters, pamphlets, boxes, and cartons a year chiefly from the advertising activities of the many varied drug companies.

"I have to haul out at least two bushels of these items per week and throw out a great quantity of sample drugs of many descriptions.

"Some of the packages are small, some large, many very fancy, even plastic types and no doubt expensive.

"If we could be spared all this and get acquainted with their product through the medical journals which we normally subscribe to, it would save our time and patience, as well as untold millions of dollars which should go to the reduction of price of these drugs. Many people are unable to get our prescriptions filled, due to the terrific prices charged. We simply cannot practice medicine properly if we have to deprive our patients of some of the necessary drugs. In addition, it is my belief that the Post Office Department should well be able to operate in the black with the discontinuation of this third-, fourth-, and fifth-class mail. At any rate, please do something to get this problem off our back and help our patients. Too many drug firms and retail pharmacies are trying to get rich too quickly at the expense of our long suffering patients."

From a doctor in Missouri:

"As a doctor, I feel that the outrageous cost of most drugs is a most important issue which should be investigated thoroughly.

"Probably one of the most important reasons for the high price of drugs today is the employment by the various firms of an army of 'detail men.' These men appear at the doctor's office on the average of six times a day and attempt to influence the physician to use a certain drug through constant exposure to advertising claims, and small favors or gratuities.

"You would probably be appalled, if you knew how many times I have been invited, along with all the other resident physicians in St. Louis, to steak dinners, luncheons, and other functions given by the drug firms to promote their products. In 1 year the average physician will receive about 200 pounds of extravagant advertising matter, ballpoint pens, beautifully illustrated but almost worthless pseudoscientific publications, and free samples.

"These practices are just as unethical, in my opinion, as payola, lobbying, and any other activity where a person's opinion may be influenced by gratuities.

"Probably the simplest way of helping this situation would be to provide legislation to make the various firms sell a product under its generic name rather than under the multitude of trade names that now confound us. If this would ever be achieved, the detail men, the gratuities, and so forth, would all gradually disappear and the prices of drugs would necessarily fall to a competitive level."

From a doctor in the Northeast:

"For many years I was a practicing physician prescribing drugs, and for the past 5 years I have been a public servant administering a medical assistance program in the State of — and spending tax money. With the exception of penicillin, all the new wonder drugs have come on the market with an exorbitant retail price. All the new drugs either for convulsive disorders, tranquilizers, or stimulants, which appear to be in great demand, are unreasonably priced. I firmly believe that there is a collusion among the large manufacturing pharmaceutical houses to maintain the high prices on these drugs.

"Also the drug houses claim that high prices are necessary in order that they may continue research. I think that you will find that very much more money is spent by these houses in promotion of their product than is spent on their entire research program. Every physician in the United States receives bales of literature, which in most cases is not read and every physician keeps several drugs detail men waiting in his office for hours every day. In addition to these expenditures the dividends paid by manufacturing drug-gists seem to indicate a very unreasonably high profit. In my opinion this situation has become so out of control at the expense and discomfort of the American public, that it is time for the Federal Government to step in and control the price of drugs."

From a doctor in Indiana:

"I have heard on the radio and television, and have read with interest, the accounts in the newspapers of your committee's investigation into drug pricing. I am happy to hear of your committee's activities and heartily congratulate you for your perspicacity, awareness, and vigilance in the interest of the great American public.

"I am shocked and appalled to read some of the falsehoods which have been submitted to your august body in the name of scientific advancement. May I point out to you, as a medical educator and practitioner of internal medicine, that the current costs of drugs are appalling and represent a perpetration of a malicious influence for the purpose of individual gain under the guise of research education and medical advancement.

"May I categorically state that, if 90 percent of the publications dispatched by the drug companies to the doctors would cease tomorrow, there would not be one iota decrease in the current quality of medical care. Most of this material takes the time of the doctor or his assistant to open and sift it from essential communications, and then it is consigned to the wastebasket immediately. Much of this expensive material reaches the wastebasket without ever being opened. Not only does this waste the doctor's and his assistant's time, but it burdens the U.S. postal service, which already has multitudinous duties to perform.

"With regard to the myth of detail men, or so-called medical service representatives, during the past 6 years I have personally spent more time getting rid of these monsters than I have listening to anything valuable that they have to say. I will agree that the drug companies spend fortunes paying these men, but in most instances they spend hours waiting to see a doctor to foist upon him information he neither wants or already knows. These individuals set themselves up as teachers to the medical profession, yet all well-qualified and competent physicians learn their medicine from journals and scientific meetings—not from prejudiced drug company propaganda.

"Lastly, the so-called millions spent on research could be reduced to thousands if there were not multiple reduplications of research projects conducted by many drug companies solely for the purpose of outmaneuvering their competitors with some medical advancement. These self-same companies give not one tinker's dam for the health and

welfare of the average citizen, but merely strive to fatten the pockets of their respective shareholders.

"I trust that you are not taken in by their fictitious arguments and will hold to your course in exposing the fictitiousness of their claims. Again, I commend you for your admirable vigilance in exposing and investigating the inequities contrived by these companies to further their gain at the expense of the average citizen whom we, as physicians, daily serve and treat in the course of our medical practice."

From a doctor in Missouri:

"I realize that Senate investigations are usually necessary and helpful. On the whole I believe they have done a great deal of good. I do believe, however, that the criticism rendered against the ethical pharmaceutical companies and their representatives, which appeared in the newspapers and television has been somewhat unfair. Doctors, including myself, have not been brainwashed or seduced by the intelligent detail man who calls our offices. For many years I have instructed my secretary to admit all representatives of the ethical pharmaceutical companies, including Pfizer. I know you are fair enough to read the defense bulletin put out by Merck & Co.. Nobel Prize winners do not make untruthful statements. I believe your final report will be fair to all concerned."

From a doctor in Texas:

"It came to mind after the recent publicity of your investigation of the drug industry that you might be interested in the enclosed reprint from the Dallas Morning News. Of course, the main news item as the result of your investigation was 7,000-percent profit in one drug, implying a huge profit on all drugs to the unperceptive reader. (Remember 90 percent of our population are not perceptive or thinking readers.)

"It would seem to me that a man of your stature as a public servant would be interested in policies and publicity upholding the American free enterprise system instead of allowing isolated releases which subtly tend to undermine this system. I am sure from your investigation that you and your committee must conclude that the American drug industry is doing a marvelous job. How about a statement from your committee commending the drug industry and circulated and publicized to the same extent that the isolated adverse item was."

Mr. KEFAUVER. Mr. President, the commentary in the Nation's press on the drug price investigation being conducted by the Antitrust and Monopoly Subcommittee has included a number of articles which deal in an exceptionally perceptive manner with the subject. One of them was written by Gene Graham, of the Nashville Tennessean staff, and was published in that newspaper on April 10. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Nashville Tennessean, Apr. 10, 1960]

DRUG COST PROBE RESUMES TUESDAY AMID NEW FIGHT—KEFAUVER-LED GROUP CHECKING INTO BROAD AREA OF MONOPOLIES, "PRICE ADMINISTERED" INDUSTRY

(By Gene Graham)

This week Senator ESTES KEFAUVER will call his Senate Antitrust and Monopoly Subcommittee back into session in Washington to continue its probe of high drug prices.

The investigation has already created a considerable furor across the Nation. It has also triggered a Republican effort to gag the subcommittee, an offshoot of the Senate Judiciary Committee.

The sessions scheduled to resume Tuesday are apt to kick up a similar fuss. In fact, so heated has been the drug price argument that sight has almost been lost of the larger nature of the Kefauver investigation—a probe of such breadth that drug prices occupy but a corner of the canvas, of such length that it has been going on, intermittently, for 7 years.

Insofar as the gangling senior Senator from Tennessee is personally concerned, the drug price row has given rise to charges that he is only stirring the issue to help himself at the polls this summer.

And this despite a record on the central theme—administered prices—which goes back almost to the beginning of his tenure in Congress.

Ten years ago, shortly after entering the Senate, KEFAUVER coauthored an amendment to the Clayton Act, an antitrust measure, intended to strengthen the enforcement program against big business mergers and acquisitions. His action was in line with the thinking of many of the Nation's reputable economists who view with alarm the growing number of mergers which have typified the postwar period.

CENTRALIZE WEALTH

Mergers of this sort, these economists argue, tend to centralize wealth, to concentrate production and marketing in the hands of a few to such a degree that they can rewrite the law of supply and demand. Or, as KEFAUVER puts it, "administer" whatever price they want.

The drug industry, he contends, is one of those in which this power is already consolidated to a dangerous degree.

That such a trend has been growing is indicated in many economic studies. For example:

At the end of 1952, a few corporations having more than \$100 million of assets each owned 51.5 percent of all the assets of the manufacturing concerns in the United States. Three years later, this percentage had grown to 57.1 percent.

Federal Trade Commission reports in 1957 showed that about one-fifth of 1 percent of the manufacturing corporations in the United States had 60 percent of sales made by all manufacturing concerns.

Four steel companies today produce 58.7 percent of all this basic commodity made in the United States.

MEANS SQUEEZEOUT

The result of this concentration, KEFAUVER contends, is a fallout of higher consumer prices—on automobiles, on refrigerators and stoves, on mammoth electric generators which must be paid for through consumer light bills, and on drugs.

It also means the squeezeout of small business and manufacturing concerns, a situation that seems to be indicated by the growing number of business failures among the small and medium sized.

In the spring of 1957, when he became chairman of the subcommittee, the Tennessean set the tone of the investigation he promptly launched when he insisted in a Senate speech, "The high cost of living is due in no small part to the upward manipulation of prices by big companies in administered price industries."

He has not wavered from that theme in investigations which have since dug into pricing practices in steel, automobiles, bakery products, petroleum, heavy electrical equipment, and now drugs.

The drug hearings began last December 7. Perhaps no other has created more controversy, nor touched more directly the consumer wallet.

Critics of the subcommittee have centered their heaviest fire on an exhibit which showed that the Schering Corp. was marking up its products from 1,118 percent to 7,079 percent. This exhibit, argued Minority

Leader EVERETT MCKINLEY DIRKSEN, "seemed calculated to make headlines and front-page stories, when the fact was that Schering was operating on a 12- to 16-percent profit after taxes."

ACTION LIMIT TRIED

DIRKSEN became so enraged that he subsequently tried to limit the action of the subcommittee by requiring a unanimous vote of the parent committee before the group could act. There are, of course, Republicans on the Judiciary Committee. This falling, DIRKSEN succeeded in delaying the drug hearings until the civil rights issue was settled.

KEFAUVER, countering in a Senate speech last month, insisted that the subcommittee staff studiously pointed out that the 7,000-percent markup figure did not represent profit, but markup on production costs. He said the exhibit noted that distribution and selling costs, along with promotion, advertising, and research expenses were not included.

It is considered likely that the committee will center much of its attention when the sessions resume on the amounts spent by drug companies in promotion, advertising, and research.

Where these costs are not so applicable—in Government sales—the committee has found drug prices "are sometimes one-fifth, one-sixth, or one-seventh of the price to retail druggists," the Senator says. Incidentally, the committee also found that supposedly competitive bids on Government sales are usually identical, to the fraction of a penny.

AMA TO BE QUIZZED

In connection with drug promotion costs, the subcommittee is also expected to ask the American Medical Association what it is doing, if anything, to encourage its physician members to prescribe drugs by generic rather than trade names.

KEFAUVER says a lot of his mail concerning the drug hearings has come from doctors who deplore the vast difference in price between drugs expressed in prescription by generic name and identical medicines sold under a trade name.

"Nonetheless," says KEFAUVER, "the large companies, by their advertisements and their representations to doctors, have convinced many physicians that there may be something superior in quality or efficacy in their product. This is a matter the committee is going to examine at greater length."

There is evidence that drug manufacturers have concentrated the major portion of their promotion program upon selling doctors. This is understandable since the public frequently is barred from purchasing drugs without prescription. And in many States a retail druggist would violate the law if he sold the customer a drug he knew to be identical to the one prescribed by the physician under a trade name, even though he knew the price of the drug would be less than half of the trade name brand.

UNUSUAL STATUS

"The drug industry," says KEFAUVER, "is unusual in that he who buys (the customer) does not order, and he who orders (the doctor) does not buy."

Just how heavily the pharmaceutical industry has concentrated on physician relations was indicated in an address by Dave Cox, president of Ross Laboratories, at a luncheon of the New York Pharmaceutical Advertising Club. The address, excerpted in the June 1958 number of M.D., medical news magazine, contained this statement:

"Physician and pharmaceutical house have a mutuality of interest. The independence of both from constricting bureaucratic control and political dictation is imperative for imaginative progress in the development of new drugs and new techniques of therapy."

In the same issue of the magazine, under the heading Public Relations, Musical Windfall, there appeared this announcement:

"Offered free to the practicing physicians throughout the United States this month by a pharmaceutical firm is a rare, high-fidelity, long-playing recording of these chamber music works by the late Viennese composer, Richard Strauss. Aim of this musical largess by Bristol Laboratories is to make available to physicians collectors' items of music seldom or never before recorded. The Strauss record was made privately for Bristol by Boston Records."

SIMILAR PROMOTION

Such promotional salesmanship is not rare in other fields, of course. But it is an indication of the type promotion the drug industry is conducting among members of the medical profession.

It would be ridiculous, KEFAUVER says, to suggest that competition does not exist in the drug industry. And, as the San Jose (Calif.) News said in an editorial critical of the subcommittee's work: "No one as yet in this capitalistic democracy has established what is a fair markup."

Too, it is true that the industry has contributed much in research. It is also probable that its mass-production methods have brought prices down in comparison with the overall cost of living rise. The industry, for example, claims that in 1939 the average prescription cost was \$1.11—1 hour and 45 minutes of work for the average wage earner. Today, it says, it is \$3.08—1 hour and 27 minutes of work.

The basic questions to be explored in the drug query resuming Tuesday, then, are identical to those explored in the other subcommittee probes:

Is competition in drugs confined to promotion and advertising? Is there no price competition, which many economists claim is basic to survival of the free enterprise system? Are the big drug firms, through pre-arrangement or otherwise, administering their prices to retail druggists, thence to the consumer? Are they squeezing out smaller competitors by promotional methods directed at physicians?

In steel, the Kefauver group found that net profits after taxes have advanced steadily since 1947, despite reduced production. Supply and demand does not dictate prices in this industry, it concluded, and the result has been an "upside down" situation.

LITTLE RELATIONSHIP

In automobiles, the subcommittee found little relationship between manufacturers' prices and supply and demand during a period which has seen independents driven to the wall.

The economic probes, however one views them, have produced some telling results:

Identical bids among large electric equipment suppliers stopped, and both Chattanooga and Nashville electric power boards took note of substantial savings not to mention the Tennessee Valley Authority.

One electric company president acknowledged that certain executives of his firm had been conferring with those of other companies in advance of bidding. He said the executive staff had been shuffled, and promised it would happen no more.

The Department of Justice has been stirred to antitrust action in two instances, both related to identical bids. One indictment was brought in the drug industry, the other in the electric industry. The Eisenhower administration denied KEFAUVER's disclosures prompted the legal actions, but both came during the course of investigations.

Another result has been the Republican effort, led by DIRKSEN, to call a halt to KEFAUVER's activities. This is an ironic circumstance since the threat of unhealthy wealth and manufacturing concentrations was originally recognized on a bipartisan basis.

The Republican controlled 83d Congress created the subcommittee in 1953. Placed at its helm was the late Senator William Langer, of North Dakota, a maverick noted for his willingness to cross party lines. But that Congress attempted to put a rein on Langer by refusing his committee funds.

PRESSED BY LANGER

Langer used his own office staff for clerical help and took money allocated to his senatorial office to employ Sidney Davis, a New York lawyer, to handle the subcommittee's first full-scale investigation—the Dixon-Yates scandal. KEFAUVER was named the ranking Democrat.

Tennesseans are familiar with the outcome. After the group disclosed the dual role of Adolph Wenzell—Dixon-Yates advisor to the Budget Bureau while his own investment firm was underwriting the Memphis private power project—the President canceled the deal, admitting that it was illegal.

When the Democrats regained control of the Senate in 1955, an appropriation was made for the first time and the late Senator Harvey Kilgore, West Virginia Democrat, became chairman of the full Judiciary Committee and of the subcommittee.

Following Kilgore's death in 1956, KEFAUVER became chairman. He completely reorganized the staff, employed some crack antitrust lawyers and investigators. Paul Rand Dixon, a Vanderbilt law graduate and former attorney with FTC, was named chief counsel.

Since that time, the group has been hammering away at the fixed price theme. And the drug probe is nothing but a part of the whole.

ADDRESS BY SENATOR JOHNSON OF TEXAS AT THE JEFFERSON-JACKSON DAY DINNER IN SALT LAKE CITY

Mr. MOSS. Mr. President, one of the greatest of the many talents of the majority leader, Senator LYNDON JOHNSON of Texas—and we here in the Senate know that he has talents in abundance—in his consummate knowledge of, and his concern for, the people and problems of every region of our country. He also has great ability to speak penetratingly and with authority about these problems.

Never has he demonstrated this talent to better advantage than he did on his recent visit to Salt Lake City, where he was the principal speaker at the Jefferson-Jackson Day dinner. He did so well, in fact, that he won from the Salt Lake Tribune, one of the Intermountain West's leading dailies, one of the most glowing editorials I have ever read in its columns.

Senator JOHNSON's masterly analysis of the problems of the West, as well as of the problems of the Nation as a whole, brought into focus what is being denied to us by the policies of this administration. I ask unanimous consent to have the Tribune editorial printed in the RECORD at this point, and thereafter to have printed in the RECORD the entire text of the challenging speech the majority leader delivered to the largest Jefferson-Jackson Day dinner in Utah's history.

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

[From the Salt Lake Tribune, Apr. 25, 1960]

A WESTERNER TALKS ABOUT NEEDS OF WEST

When LYNDON JOHNSON speaks "he really says something," a Salt Laker commented last weekend.

The majority leader of the U.S. Senate and a leading contender for the Democratic nomination for President—had a great deal to say to Utah Democratic Party delegates in Salt Lake City. The amiable Texan demonstrated again his dedication to progress, imagination and unity. He emphasized again his familiar theme of responsibility. His overriding mission has been to present his party as the instrument to preserve the security and prosperity of the country. During his Utah visit he also stressed the need for larger and more programs to make best use of the West's natural resources.

Senator JOHNSON said he would not make his announcement until Congress adjourns, but he gave every indication of being an active seeker of the Presidency. Though temperate for the most part, he hit hard at the opposing party.

LYNDON JOHNSON showed a refreshing personal knowledge and enthusiasm for water development and related projects needed by the fast-growing West and he pointed out his native State of Texas is allied in many ways with the other distant and arid States of the West.

He spoke with clear conviction and considerable knowledge of the need for accelerating the reclamation program.

He predicted that someday pipelines will transport fresh water from the sea to fertile but arid valleys of Utah and neighboring States. He called the shortage of water the greatest single problem of the 17 Western States, and he criticized the Nation's lag behind the State of Israel in research to remove salt from sea water. More effort needs to be made to find a desalting process which is economically feasible, he emphasized.

The Senate's Democratic leader for the last 7 years spoke disparagingly of delays in launching public works projects. "River after river, development after development are shackled because of lack of daring and imagination—yes, even because of the lack of the desire to make our resources work for us," he charged. And he quoted the report of Senator Moss' committee to the effect that the Soviet Union is making great strides in water and power developments while we stand pat.

The West is the playground of the Nation and our responsibility is clear to husband and make best use of the natural resources.

Senator JOHNSON said, "I am not afraid of America and I am not afraid for it. If crisis comes we'll meet it with full knowledge of our unlimited powers. When it comes to protecting this country there are those who are more appalled by the cost than the threat."

Indicating his interest in and knowledge about foreign affairs, Senator JOHNSON reported he had urged Chancellor Adenauer, of West Germany, and Prime Minister Macmillan, of Britain, to contribute more in cooperation with the United States, toward helping underdeveloped nations help themselves. He said he would invite the Russians to let their scientists join those of the free world in fighting disease, in opening up knowledge of outer space, in bringing fresh water to arid lands and in ending hunger and shortages wherever they occur.

Senator JOHNSON made an excellent impression in Utah, as he has on previous visits. He has a pleasing personality. And his charming wife and daughters added to the picture of the family man, warm and uncomplicated, with a sincere desire to serve his party, the American people and the free world, with the genius which has marked his leadership in Congress.

ADDRESS BY SENATOR LYNDON B. JOHNSON, JEFFERSON-JACKSON DAY DINNER, SALT LAKE CITY, UTAH, APRIL 23, 1960

VISION OF THE WEST

Talking to Democrats about the qualities of our party—and the shortcoming of the

opposition—is like the preacher telling the people who are already in their pews what a sin it is not to come to church.

You often hear it said that people do not know why they belong to the party they do. This may be true in some cases, but I do not believe for a moment that it is generally true.

I know why I am a Democrat, and I think most of you know why you have chosen to be members of the Democratic party.

For the benefit of any strays present who may be of the other political persuasion—or who belong to that great group, the “undecided,” who give pollsters and politicians nightmares—may I tell you why I am a Democrat.

A PARTY OF SERVICE

I am a Democrat because I believe, and I have found it to be true over the years, that the Democratic Party has served my community, my State, my region, and this Nation better and more faithfully than has the opposition. I think it is closer to the ground, more attuned to the voice of distant people than the other party.

And I would like to call your attention to the fact that we in Texas, as well as you in Utah and in all your neighboring States, are distant people.

We have this in common: We live far from Washington, far from the centers of finance and population, and it is not difficult for us to be forgotten, or even occasionally neglected, in those distant centers.

I could not cast my lot with a party that forgets me, or forgets my region and yours because we are far away—except, of course, in election years. To tell you the truth, right now the great body of the people, North, South, and West, feel that they are distant people so far as the Republican party is concerned. And in their feeling of being neglected, they have turned to the party that we call our own.

The Democrats today constitute the big majority of the voters of this Nation, and this is a fact that worries the other party no end. If the Republicans do not know why the people have done this, then they have less sense than I am willing to believe they have. I hold with Jefferson, Jackson, and Woodrow Wilson that the people's judgment is very good indeed on the big issues, once they are understood.

THE AMERICAN WEST

There is another reason, besides distance, why the West needs in Washington a government that understands it and is in sympathy with the problems of the region. The American West, as any observant person knows, is a distinct region, so different from the American East as to be almost unbelievable. As you fly west you can see the change from a humid, heavily forested country with much rainfall and many running streams to a land with few trees, little rainfall, and few rivers.

When, near the middle of the 19th century, the westbound American pioneers left the humid eastern woodland and invaded the open plains of Texas, Kansas, Nebraska, and the Dakotas, and then the arid mountain States of Utah and its neighbors, they undertook the greatest and most difficult task of their pioneering experience.

Herbert Quick, in describing the movement of his family out of the woods and into the open arid country, said, “It was the end of book I of our history.”

I need not dwell on the fact that the Mormons were the leaders in this migration, nor remind you that they made the move under difficulties which were not shared by others who invaded the same country at about the same time. Their story—that of the Mormon migration—has been told in all its heroism and suffering by the many books that have come from the descendants of those who experienced the ordeal.

THE PROBLEM OF WATER

The major domestic problems the Mormons met and still face in Utah are the same major domestic problems faced by the people in all the 17 Western States.

The primary domestic problem in all the Western States is water. That has always been the problem, and now that the great cities are growing up, it is increasing rather than decreasing in importance. It is my belief that that problem can in large measure be solved, and that it ought to be solved as soon as possible.

Through ordinary projects of reclamation much has been done, and more should be done with the floodwaters that escape down the rivers. The Democrats are already committed to such a program.

But this is still not enough. The only sources of water now available come from rain, and since rainfall is deficient in this arid and semiarid climate, all sources dependent on rainfall are too soon exhausted.

The only other source of water is the sea, and that is the source we should be tapping, as soon as possible. We already know how to take the salt out of water, but we still have to learn to do it cheaply enough so that it can be used for industrial and agricultural purposes.

FOOD AND FIBER

The time is coming when this Nation is going to need the food and fiber that can be produced in the great arid valleys in Utah and elsewhere in the West. These flatlands, now covered with sage and creosote, are lands of unbelievable fertility, which are not productive because of the lack of water.

The time is coming when there will arrive in these fertile valleys great pipelines bringing fresh water from the sea, bringing it in quantities unlimited to a thirsty land. We must speed that time. Then there will be water for cities, homes, farms, and industries.

Today this Nation is investing a pittance in the research needed to bring down the cost of desalting sea water. Even the tiny Republic of Israel is further advanced than we are in this scientific struggle to make more of the crowded earth habitable for mankind.

This is a program that requires imagination, a program to match the magnitude of the country, to match your mountains and your deserts.

NO FEAR OF THE FUTURE

You see, ladies and gentlemen, I am not afraid of America. I am not afraid for it. And I represent a party that has never been afraid of the future, afraid of an investment that will be returned manifold.

This country was built by investing in the future, and it is an axiom of economic history that the future has always paid off. We Democrats believe that it will pay off for a long time to come.

Certainly, here in the West, which has a short historical past, where resources are so abundant, and as yet hardly touched, the future should pay off enormously—if we have the courage and the foresight to invest in it.

It is only common sense for a businessman to invest in new machines, new processes, new plants, if he is to remain prosperous and strong. It is only common sense for a Nation to invest in its people and in its resources, if it is to remain prosperous and strong. Be sure that our rivals for world influence know this. Ted Moss can tell you of the enormous strides they are making.

A FIRM FOUNDATION

The West today is the playground, the vacation land of the Nation, and I am in favor of keeping it that way. I want the great national parks preserved and protected from all who would destroy them. I want

the soil protected and improved, and I want the increased wealth to lay a foundation for better schools and churches and hospitals and libraries, and such foundation can only be laid by prosperous people.

I can't give the people here credit for the marvelous natural wonders which make the West the playground of the Nation. God gave them to you, and He is not going to take them away—and don't you let the Republicans do it.

A moment ago I mentioned the fact that I am not afraid of America and I am not afraid for it. I have every confidence that we can take care of any crisis in foreign affairs that may arise, though we shall seek every reasonable way of avoiding the crisis. But if it comes in spite of us, we will meet it with the necessary courage and with all the confidence born of our sense of unlimited power. Again I am not afraid of America. I am not afraid for it.

This attitude is somewhat in contrast with that of the opposition party. When it comes to providing protection for this country, they are more appalled by the cost than by the menace. They seem to think that national survival can be discovered in a balance sheet, and they seem to be more afraid of a little red ink than they are of blood. I, and the Democrats in general, have no such fear. We know that this country is rich enough to pay for safety, and its people are courageous enough to demand it.

IMAGINATIVE STEPS

Beyond the great, constructive tasks which we can do at home—beyond new efforts for our country's safety and defense—we should be taking new and imaginative steps on the world scene. The work of the Mormons in their worldwide missionary endeavors and the dedication to this active effort which every Mormon shares hold a precious lesson for all Americans, if we value the friendship of the peoples of the world, if we seek to help them help themselves.

The time has come for us to invite the other nations of the world to join in mutual self-help projects through which the underdeveloped lands may lift themselves up, feed their hungry and clothe their naked, give hope and new meaning to the lives of their multitudes who now have none, help the new nations which have won their independence and now face the new challenges which freedom and self-government create, to achieve the human aspirations of their people.

And let us not shut out the world beyond the Iron Curtain in this joint effort.

RIVALRY TO COOPERATION

We should invite the Russians to let their medical scientists join with those of the free world in an attack by all mankind—regardless of ideology—on the diseases that ravage the bodies and the minds of the people of the whole earth.

We should invite the Russians, who have made such vast strides in rocketry and satellite techniques, to join the scientists of the free world in developing communications satellites that will open up our knowledge of outer space.

We should invite the Russians to join with the free world to find the way to bring fresh water to those arid regions of the earth where men fight for water—to pursue joint projects so that all men may expand their knowledge of that promising agriculture of the future, the farming of the seas.

As far ahead as man can see, the free world and the Communist world will be rivals. Let us turn some of that rivalry into cooperation to conquer disease and destroy hunger, the enemies of all mankind, and to expand man's knowledge of the universe.

A new approach to the fabulous decade we have entered, a new will, a new energy to grasp neglected opportunities and to make new opportunities—the same will and energy that took and built the West—these we need today.

The Democratic Party is the only party equipped to lead the Nation forward to fulfill our hopes for ourselves and the world. In thinking this I am with the majority—a majority that will increase in November and return a responsible Democratic Congress to Washington, and place a progressive Democratic President in the White House.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

RESOLUTION OF WESTERN NEW YORK ACCIDENT & HEALTH ASSO- CIATION, INC.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Western New York Accident & Health Association, Inc., of Buffalo, N.Y., relating to increased benefits for the aged, under the Social Security Act.

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

RESOLUTION OF THE WESTERN NEW YORK ACCI- DENT & HEALTH ASSOCIATION, INC.

Whereas there is now pending before the Congress H.R. 4700 known as the Forand bill, to amend the Social Security Act to provide payments, and to finance this new program by increasing the social security tax by an additional one-fourth of 1 percent on each employer and a like increase on each employee, and an increase of three-eighths of 1 percent on each self-employed person; and

Whereas of the 16 million people over 65, more than 4 million are not covered or eligible for social security. In this group are those most in need of assistance; and

Whereas medical indigence is not a matter of age, and the Forand bill does not attempt to deal directly with the basic problem of how best to aid the medical indigent irrespective of their age, and this problem is one which can best be met at the local and State level and not through insurance, voluntary or compulsory; and

Whereas under present law social security taxes are scheduled by 1969 to rise to 4.5 percent of the first \$4,800 of earnings, such rate to be paid by the employee and also by his employer, thus making a total of 9 percent, and to 6.75 percent of a self-employed person's first \$4,800 of earnings, and there is a practical limit beyond which the American taxpayer, faced with the problem of paying his Federal income tax and various State and local taxes, cannot go; and

Whereas experts estimate that the tax increase proposed in the Forand bill will be grossly inadequate to pay the cost of the new program so that passage of the Forand bill could well imperil the future financial stability of the entire social security system; and

Whereas free choice of physician and hospital would be denied with a resultant decline in the quality of medical care; and

Whereas since 1952 insurance companies and service organizations have doubled the number of older people covered; now insure more than 50 percent of this group;

and will cover 90 percent by 1970 with adequate benefits at reasonable premiums:

Now, therefore, the Western New York Accident & Health Association, Inc., and its members hereby resolve that the public interest requires the Forand bill should be rejected; hospital service organizations and insurance carriers should continue their programs of expanded health coverages to senior citizens with all possible encouragement from Federal and State legislatures to develop a program for meeting the problem of medical indigence irrespective of age at the State level, with the aid of Federal funds, if necessary; and be it further

Resolved, That a copy of this resolution be sent to Senator JACOB JAVITS, Senator KENNETH KEATING, and to all Members of the House of Representatives from this State.

PENSIONS FOR WORLD WAR I VETERANS

Mr. MORSE. Mr. President, I have received a letter from William J. Radakovich, acting adjutant of the Willamette Heights Post No. 102, the American Legion, of Portland, Oreg., transmitting a resolution adopted by that post, relating to pensions for World War I veterans. I ask unanimous consent that the letter and resolution be printed in the RECORD.

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

THE AMERICAN LEGION,
WILLAMETTE HEIGHTS POST NO. 102,
Portland, Oreg., April 15, 1960.

HON. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: World War I veterans are grateful for your interest in their welfare; therefore, I am sending you a copy of a resolution adopted by Willamette Heights Post No. 102, the American Legion. It was passed at our regular meeting March 21, 1960.

It was the consensus that World War I veterans should have a pension separate and apart from that granted veterans of later wars in which the United States has been involved. I have heard that other Legion posts have passed similar resolutions which would indicate that the grassroot members are not in accord with sentiments expressed by national leaders of the Legion.

Wonder if it would be possible to have this resolution published in the CONGRESSIONAL RECORD.

With kindest regards, I am,
WILLIAM J. RADA KOVICH,
Acting Adjutant.

Whereas veterans of the First World War did not participate in the generous post-war benefits afforded veterans of World War II and Korea, nor comparably in social security or retirement, health, and insurance plans which were not generally available prior to World War II; and

Whereas it does not seem fair to such veterans of World War I now of an average age level of 65 years, that they be lumped together with the younger veterans of later wars in a single pension program that does not take into consideration their particular needs as is the case with War Veterans Pension Act of 1959; and

Whereas the veterans of the First World War now number only a small segment of the total retired veterans of all wars, approximately 2 million out of 22 million, many of whom are already receiving small and inadequate pensions or compensation allowances: Therefore be it

Resolved, That Willamette Heights Post No. 102, the American Legion, hereby goes on record as supporting the principle that a Federal pension program should be provided for veterans of World War I, separate and apart from that provided for veterans of the United States later wars, and with such liberalization of pension benefits as may be justified in relation to the fiscal welfare of our Nation; and be it further

Resolved, That a copy of this resolution be sent to each member of the Oregon delegation in the Congress of the United States, and a copy to State headquarters, department of Oregon, the American Legion, for consideration at the 1960 State convention of said department.

ADDITIONAL BILL INTRODUCED

Mr. MORSE, by request, by unanimous consent, introduced a bill (S. 3467) to amend the District of Columbia Teachers' Salary Act of 1955, which was read twice by its title, and referred to the Committee on the District of Columbia.

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

AMENDMENT OF DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1955

Mr. MORSE. Mr. President, by request I introduce a bill to increase the salaries of the officers and teachers of the District public schools. This draft of the bill with one minor change is the bill as approved by the Board of Education.

The one change to which I refer is the reference requiring teachers to maintain a satisfactory rating. All of us want standards maintained, but in the proposal approved by the Board were the words "satisfactory or better." I have stricken the words "or better" lest these words become the excuse or even the basis for reestablishing a rating system. Teachers and practically all truly professional school officers everywhere oppose a rating scale—other than satisfactory or nonsatisfactory for professional personnel. Our Congress, several years ago by unanimous vote wiped out the so-called "superior class" for Washington teachers, and I do not want to go back to it now.

I am introducing this bill, by request, even though earlier in the session I co-sponsored a teacher's salary bill with my good friend, the Senator from Maryland [Mr. BEALL], because this bill represents a meeting of the minds of many groups. I shall do all I can to obtain early and, I hope, favorable consideration of a teacher's pay bill.

I ask unanimous consent that the bill be appropriately referred, and that the text of the bill be printed in the RECORD.

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

The bill (S. 3467) to amend the District of Columbia Teachers' Salary Act of 1955, introduced by Mr. MORSE, by request, was received, read twice by its title, referred to the Committee on the

Subsection (a) of section 2 is amended by striking from the third sentence "December 31, 1957" and inserting in lieu thereof "June 30, 1960"; by striking from the fourth sentence the words "counselor in the vocational high schools, counselor in the junior high schools," and the words "school social worker, research assistant," and by inserting immediately before the period at the end of the same sentence the following: "; and except that a person not possessing a master's degree who was appointed on probationary or permanent status before July 1, 1960, to a position as a nonshop teacher in the vocational education program, or counselor in the vocational high schools, or counselor in the junior high schools, or school social worker, or research assistant may continue to be employed in such a position, and except that a person not possessing a master's degree who was on the list of eligible candidates for any such posi-

tion before July 1, 1960, may continue to be eligible for such position until the expiration of such eligible list"; and by striking from the fifth sentence "December 31, 1957" and inserting in lieu thereof "June 30, 1960".

Subsection (b) of section 2 is amended by striking the figure "18" wherever it appears and inserting in lieu thereof the figure "15".

Section 4 is amended to read as follows: "Each teacher, school officer, and other employee in the service of the Board on July 1, 1960, who occupies a position held by him on June 30, 1960, under the provisions of this Act shall be placed in a salary class covered by section 1 of this Act as indicated at the end of this section. Any employee in group A, B, or C of his salary class on June 30, 1960, shall be assigned to the same letter group of the class to which he is transferred on July 1, 1960."

class 15 on July 1, 1960, who on June 30, 1960, were on service step 11 or a higher step shall be assigned to service steps for their respective groups as follows: An employee who prior to July 1, 1960, has completed 11 years but less than 15 years of creditable service shall be assigned to service step 11; an employee who has completed 15 years but less than 20 years of creditable service shall be assigned to service step X; and an employee who has completed 20 years of creditable service shall be assigned to service step Y. In determining the eligibility of employees for assignment to service steps X and Y, credit shall be given for previous service in accordance with the provisions of Act governing the placement and advancement of employees who are newly appointed, reappointed, or reassigned to positions in salary class 15. Beginning on July 1, 1961, each permanent employee in salary class 15 who has not yet reached service step 11 for his class and group under this Act shall advance one such step each year until he reaches service step 11; each employee having reached service step 11 shall advance to service step X for his class and group on July 1 following the completion of 15 years of creditable service; and each employee having reached service step X shall advance to service step Y for his class and group on July 1 following the completion of 20 years of creditable service; except that the Board of Education may, on the written recommendation of the Superintendent of Schools, order such salary advancement to be discontinued for the year immediately following any year in which the employee fails to receive a performance rating of 'satisfactory' from his superior officer.

"(b) On July 1, 1960, each permanent employee assigned to salary classes 2 to 14 inclusive in accordance with sections 1 and 4 of this Act who on June 30, 1960, was not at the highest numerical service step for his class and group in the salary schedule then in effect shall be assigned to the numerical service step on the schedule for his class and group under this Act next above the service step occupied by him on June 30, 1960, except that no such employee shall be assigned to a lower numerical service step than he would have occupied on July 1, 1960, if this Act had been in effect throughout his period of service in the District of Columbia public schools. Beginning on July 1, 1961, each permanent employee in salary classes 2 to 14 inclusive who has not yet reached the highest service step for his class, or class and group, under this Act shall advance one such step each year until he reaches the highest step for his class, or class and group, except that the Board of Education may, on the written recommendation of the Superintendent of Schools, order such salary advancement to be discontinued for the year immediately following any year in which the employee fails to receive a performance rating of 'satisfactory' from his superior officer."

Subsection (a) of section 7 is amended by striking the figure "18" wherever it occurs and inserting in lieu thereof the figure "15", by striking the figure "16" and inserting in lieu thereof "13", by striking the figure "13" and inserting in lieu thereof "11", and by striking the figure "17" and inserting in lieu thereof "14".

Subsection (a) of section 8 is amended by striking the period at the end thereof and inserting the following: "; except that the Board of Education may, upon the written recommendation of the Superintendent of Schools, order such increase in salary not to be paid for the year immediately following any year in which the employee fails to receive a performance rating of 'satisfactory' from his superior officer."

Title and class of position on June 30, 1960

Title:	Class
Superintendent of schools.....	1
Deputy superintendent.....	2
Assistant superintendent.....	3
President, teachers college.....	3
Dean, teachers college.....	4
Executive assistant to superintendent.....	5
Psychiatrist.....	5
Dean of students, teachers college.....	5
Director, Department of Food Services.....	6
Director.....	7
Administrative assistant to deputy superintendent.....	7
Registrar, teachers college.....	7
Chief examiner.....	7
Principal, senior high school.....	7
Principal, vocational high school.....	7
Professor, teachers college.....	8
Supervising director.....	8
Principal, junior high school.....	8
Principal, Americanization School.....	8
Principal, elementary school.....	9
Principal, Capitol Page School.....	9
Director, department of school attendance and work permits.....	9
Assistant principal, senior high school.....	10
Assistant principal, vocational high school.....	10
Assistant director, department of food services.....	11
Assistant principal, junior high school.....	12
Assistant principal, Americanization School.....	12
Associate professor, teachers college.....	13
Assistant principal, elementary school.....	14
Assistant director.....	15
Statistician.....	15
Assistant professor, teachers college.....	16
Chief librarian, teachers college.....	16
Assistant.....	16
Chief attendance officer.....	16
Supervisor.....	16
Clinical psychologist.....	16
Psychiatric social worker.....	17
Attendance officer.....	18
Census supervisor.....	18
Child labor inspector.....	18
Counselor.....	18
Instructor, teachers college.....	18
Librarian.....	18
Research assistant.....	18
School psychologist.....	18
School social worker.....	18
Teacher, elementary and secondary school.....	18

Title and class of position on July 1, 1960

Title:	Class
Superintendent of schools.....	1
Deputy superintendent.....	2
Assistant superintendent.....	3
President, teachers college.....	2
Dean, teachers college.....	4
Executive assistant to superintendent.....	5
Psychiatrist.....	5
Dean of students, teachers college.....	5
Director, Department of Food Services.....	6
Director.....	7
Administrative assistant to deputy superintendent.....	7
Registrar, teachers college.....	7
Chief examiner.....	5
Principal, senior high school.....	7
Principal, vocational high school.....	7
Professor, teachers college.....	8
Supervising director.....	8
Principal, junior high school.....	7
Principal, Americanization School.....	7
Principal, elementary school.....	7
Principal, Capitol Page School.....	9
Director, department of school attendance and work permits.....	9
Assistant principal, senior high school.....	9
Assistant principal, vocational high school.....	9
Assistant director, department of food services.....	10
Assistant principal, junior high school.....	9
Assistant principal, Americanization School.....	9
Associate professor, teachers college.....	11
Assistant principal, elementary school.....	9
Assistant director.....	12
Statistician.....	9
Assistant professor, teachers college.....	13
Chief librarian, teachers college.....	13
Assistant.....	13
Chief attendance officer.....	13
Supervisor.....	13
Clinical psychologist.....	13
Psychiatric social worker.....	14
Attendance officer.....	15
Census supervisor.....	15
Child labor inspector.....	15
Counselor.....	15
Instructor, teachers college.....	15
Librarian.....	15
Research assistant.....	15
School psychologist.....	15
School social worker.....	15
Teacher, elementary and secondary school.....	15

Subsections (a) and (b) of section 6 are amended to read as follows:

"(a) On July 1, 1960, each permanent employee assigned to salary class 15 in accordance with sections 1 and 4 of this Act shall

be assigned to the numerical service step on the schedule for his class and group under this Act next above the numerical service step occupied by him on June 30, 1960, except that employees assigned to salary

Subsection (a) of section 13 is amended by striking everything after the second sentence and inserting in lieu thereof the following pay schedules:

Classification	Step 1	Step 2	Step 3
	Per diem		
Summer schools (regular):			
Teacher, elementary and secondary schools, and instructor, teachers college.....	\$16.89	\$19.34	\$21.79
Assistant professor, teachers college.....	20.71	22.89	25.06
Associate professor, teachers college.....	23.97	26.15	28.33
Professor, teachers college.....	27.24	29.42	31.60
Assistant principal, elementary and secondary schools.....	26.15	28.33	30.51
Supervising director.....	26.15	28.33	30.51
Principal, elementary and secondary schools.....	28.33	30.51	32.69
Veterans summer high school centers: Teacher.....	25.34	28.01	32.69
	Per period		
Evening schools:			
Teacher.....	4.69	5.01	5.64
Assistant principal.....	6.77	7.34	7.90
Principal.....	7.34	7.90	8.46

Subsection (b) of section 13 is amended by striking the phrase "January 1, 1958" and inserting in lieu thereof "July 1, 1960".

Section 14 is amended by striking the figure "18" and inserting in lieu thereof "15", by striking the figure "16" and inserting in lieu thereof "13", and by striking the figure "13" and inserting in lieu thereof "11".

Section 15 is amended by striking the phrase "January 1, 1958" and inserting in lieu thereof "July 1, 1960", by striking the figure "17" and inserting in lieu thereof "14", by striking the words "Chief examiner," by striking the figure "11" and inserting in lieu thereof "10", by striking the figure "13" and inserting in lieu thereof "11", by striking the phrase "statistician, in class 15;" and inserting the words "and statistician" immediately after the phrase "Director, Department of School Attendance and Work Permits," and by striking the figure "16" and inserting in lieu thereof "13".

Section 16 is amended by striking the phrase "January 1, 1958" and inserting in lieu thereof "July 1, 1960", by striking the figure "18" and inserting in lieu thereof "15", and by striking the figure "14" and inserting in lieu thereof "13".

Section 2 of the amendatory Act entitled "An Act to amend the District of Columbia Teachers' Salary Act of 1955", approved August 28, 1958 (72 Stat. 1004) is hereby repealed.

Subsection (a) of section 4 of the amendatory Act entitled "An Act to amend the District of Columbia Teachers' Salary Act of 1955", approved August 28, 1958 (72 Stat. 1104) is hereby repealed.

The effective date of this Act shall be July 1, 1960.

AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—AMENDMENT

Mr. LONG of Louisiana submitted an amendment, intended to be proposed by him, to the bill (H.R. 10809) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment,

and for other purposes, which was ordered to lie on the table and to be printed.

ADJOURNMENT

Mr. MOSS. Mr. President, in accordance with the order previously entered, I move that the Senate now stand in adjournment.

The motion was agreed to; and (at 8 o'clock and 9 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Tuesday, May 3, 1960, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate on May 2, 1960:

FEDERAL MARITIME BOARD

Vice Admiral Ralph E. Wilson, of Maryland, to be a member of the Federal Maritime Board for a term of 4 years expiring June 30, 1964, vice Clarence G. Morse.

FEDERAL POWER COMMISSION

Paul A. Sweeney, of Maryland, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1963, vice John B. Hussey, deceased.
Thomas James Donegan, of New York, to be a member of the Federal Power Commission for the term of 5 years expiring June 22, 1965, vice William R. Connole.

U.S. MARSHAL

Fred S. Williamson, of Alaska, to be U.S. marshal for the district of Alaska for the term of 4 years, vice a new position.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Robert C. Barnes, Daleville, Ala., in place of T. P. Marchman, deceased.
Travis B. Edmondson, Woodland, Ala., in place of R. T. Yarbrough, retired.

CALIFORNIA

Margaret M. Kennedy, Twentynine Palms, Calif., in place of R. J. Bloodgood, transferred.

COLORADO

Malcolm R. Loesch, Montrose, Colo., in place of F. H. Buskirk, deceased.

CONNECTICUT

Ralph W. Farnum, North Stonington, Conn., in place of C. E. Gray, retired.

HAWAII

Sachiko M. Toyofuku, Alea, Hawaii, in place of F. L. Fernandez, retired.

ILLINOIS

Margaret C. Sallenger, Glenarm, Ill., in place of L. H. Clark, deceased.
Gerald C. Miles, Pocahtonias, Ill., in place of H. F. Mounger, transferred.

IOWA

Raymond J. Donovan, Bernard, Iowa, in place of W. F. Dunn, retired.
Thomas J. Hamilton, Epworth, Iowa, in place of S. J. Callahan, retired.
Haldene W. Gurney, Tracey, Iowa, in place of E. D. Johns, resigned.
Irene I. Long, Whitten, Iowa, in place of J. F. Thompson, retired.

KANSAS

Paul H. Penner, Hesston, Kans., in place of H. R. McFarlane, resigned.
Ward A. Hutchinson, Logan, Kans., in place of M. R. Donahey, transferred.

Raymond Goodman, Wheaton, Kans., in place of L. A. Smith, retired.

KENTUCKY

James E. Morris, Neon, Ky., in place of J. M. Caudill, resigned.

MASSACHUSETTS

Richard E. Samuelson, Brockton, Mass., in place of J. F. Condon, deceased.
Ruth I. Morey, South Lincoln, Mass., in place of Rosella Webb, retired.

MICHIGAN

Lewis H. Walls, Galien, Mich., in place of C. H. Renbarger, retired.
Lorraine W. Gardner, Hartland, Mich., in place of W. W. Gardner, retired.

MINNESOTA

James R. Dingwall, Lowry, Minn., in place of Vern Weaver, deceased.

Alton E. Davis, Oakland, Minn., in place of M. W. Cole, transferred.

John A. Butson, Vernon Center, Minn., in place of R. G. Champlin, retired.

MISSISSIPPI

Geard L. Dykes, Stringer, Miss., in place of J. G. Ishee, retired.

MISSOURI

Curt J. Meinz, Altenburg, Mo., in place of A. W. Mueller, retired.

MONTANA

Edson G. Hedges, Park City, Mont., in place of J. E. Oliver, retired.

NEW HAMPSHIRE

Gordon M. Smith, Barnstead, N.H., in place of F. A. Burnell, resigned.
Ada E. Widman, East Hampstead, N.H., in place of L. M. Tait, retired.

NEW YORK

Royden W. McCullough, Wyoming, N.Y., in place of G. F. Powers, Jr., transferred.

NORTH CAROLINA

James A. Rouse, Hubert, N.C., in place of J. N. Starling, resigned.
John F. Mewborne, Kinston, N.C., in place of E. R. Wooten, resigned.

OHIO

Robert W. Meyers, Cleves, Ohio, in place of M. C. Dick, retired.

OKLAHOMA

Robert C. Martin, Chattanooga, Okla., in place of Margaret Cummins, retired.

PENNSYLVANIA

Henry F. Zerbe, Bernville, Pa., in place of E. T. Zerby, deceased.
Carl F. Hynek, Jr., Willow Grove, Pa., in place of H. T. McEvoy, removed.

PUERTO RICO

Juan Sanchez De Jesus, Vega Baja, P.R., in place of R. O. Colon, removed.

SOUTH CAROLINA

Paul H. Wilkes, Chester, S.C., in place of C. C. Wilkes, retired.
Elbert E. Rivers, Mount Croghan, S.C., in place of M. P. Gale, retired.

SOUTH DAKOTA

Carolyn E. Baler, Camp Crook, S. Dak., in place of G. N. Collins, retired.

TENNESSEE

John W. Simonton, Brighton, Tenn., in place of M. D. Phillips, retired.
James F. Miller, Brownsville, Tenn., in place of J. A. Hudson, deceased.

WASHINGTON

Samuel R. Campbell, Tieton, Wash., in place of A. R. Schooler, retired.