H.R. 1699. A bill for the relief of Nick George Boudoures; to the Committee on the Judiciary.

H.R. 1700. A bill for the relief of Jaime Abejuro; to the Committee on the Judiciary.

H.R. 1701. A bill for the relief of Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn; to the Committee on the Judiciary.

H.R. 1702. A bill for the relief of Jovito Batas Bacugan; to the Committee on the Judiciary.

H.R. 1703. A bill for the relief of Maximo B. Avila; to the Committee on the Judiciary.

H.R. 1704. A bill for the relief of Lee Shee Won; to the Committee on the Judiciary.

H.R. 1705. A bill for the relief of Yee Tip Hay; to the Committee on the Judiciary.

H.R. 1706. A bill for the relief of Adela Michiko Flores; to the Committee on the Judiciary.

H.R. 1707. A bill for the relief of Victoria M. Poquiz; to the Committee on the Judiciary.

H.R. 1708. A bill for the relief of Fung Kai Wing; to the Committee on the Judiciary.

H.R. 1709. A bill for the relief of Rosalinda Tacdol; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 1710. A bill for the relief of Narinder Singh Somal; to the Committee on the Judiciary.

H.R. 1711. A bill for the relief of Mrs. Maria Zondek; to the Committee on the Judiciary.

H.R. 1712. A bill for the relief of Elsabetta Rosa Colangecco Di Carlo; to the Committee on the Judiciary.

H.R. 1713. A bill for the relief of Wiktor Golik and Jozsef Kelemen; to the Committee on the Judiciary.

H.R. 1714. A bill for the relief of Nicholas J. Katsaros; to the Committee on the Judiciary.

H.R. 1715. A bill for the relief of Joseph Michael Stahl; to the Committee on the Judiciary.

H.R. 1716. A bill for the relief of Giorgina Raniolo Infantino and her children, Georgio Infantino, Angelo Infantino, and Giovanni Infantino; to the Committee on the Judiciary.

H.R. 1717. A bill for the relief of Angelo Li Destri; to the Committee on the Judiciary.

H.R. 1718. A bill for the relief of Jaime E. Concepcion; to the Committee on the Judiciary.

H.R. 1719. A bill for the relief of Mrs. Suad J. Khuri; to the Committee on the Judiciary.

H.R. 1720. A bill for the relief of Paul Vassos (Pavlos Veizis); to the Committee on the Judiciary.

By Mr. WILSON of California:

H.R. 1721. A bill for the relief of Mrs. Susie Lacacio and her son, John Peter Lacacio; to the Committee on the Judiciary.

H.R. 1722. A bill for the relief of Joao Ferreira and Maria Ercilia Machado; to the Committee on the Judiciary.

By Mr. BROYHILL:

H. Res. 65. Resolution for the relief of Mrs. Estelle A. Waller; to the Committee on House Administration.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1. By the SPEAKER: Petition of the president, Free Federation of Labor of Puerto Rico, San Juan, P.R., petitioning consideration of their resolution with reference to the sugar industry in Puerto Rico and in other American territories; to the Committee on Agriculture.

2. Also, petition of Luis Bada, Cabangan, Zambales, Philippine Islands, relative to supporting House Resolution 30 from the State of California, relating to compensating the Philippine Scouts for their servces rendered in World War II; to the Committee on Armed Services.

3. Also, petition of Dr. Santiago S. Calo, Butuan City, Philippines, relative to a grievance relating to the roster of guerrilla units which was processed upon liberation of the Philippines; to the Committee on Armed Services.

4. Also, petition of Elealeh Kern O'Toole, Paradise, Butte County, Calif., relative to a redress of grievances regarding all Federal, State, and educational loyalty oaths; to the Committee on Education and Labor.

5. Also, petition of the secretary, the Society of the War of 1812 in the State of Maryland, Baltimore, Md., relative to opposing the deletion of the Connally amendment from the United Nations Charter; to the Committee on Foreign Affairs.

6. Also, petition of the chaplain, Veterans of Foreign Wars of the United States, Department of the District of Columbia, Washington, D.C., conveying a message of gratitude and commendation for the late Congresswoman Edith Nourse Rogers of Massachusetts; to the Committee on House Administration.

7. Also, petition of representatives of city of Alpine, Chamber of Commerce and Brewster County, Tex., petitioning consideration of their resolution, with reference to establishing a transportation system between Alpine, San Antonio, and El Paso, Tex.; to the Committee on Interstate and Foreign Commerce.

8. Also, petition of George Allen and others, Sherman, Tex., relative to opposing all pay TV schemes and proposals as being contrary to the public interest; to the Committee on Interstate and Foreign Commerce.

9. Also, petition of Mrs. A. M. Davis, Sr., and others, Denison, Tex., relative to opposing all pay TV schemes and proposals as being contrary to the public interest; to the Committee on Interstate and Foreign Commerce.

10. Also, petition of J. E. Rodgers and others, Belton, Tex., relative to opposing all pay TV schemes and proposals as being contrary to the public interest; to the Committee on Interstate and Foreign Commerce.

11. Also, petition of Mr. and Mrs. C. C. Bee, Jr., and others, Dallas, Tex., relative to opposing all pay TV schemes and proposals as being contrary to the public interest; to the Committee on Interstate and Foreign Commerce.

12. Also, petition of Paul Rush and others, Dallas, Tex., relative to opposing all pay TV schemes and proposals as being contrary to the public interest; to the Committee on Interstate and Foreign Commerce.

13. Also, petition of Vonda Chandler and others, Dallas, Tex., relative to opposing all pay TV schemes and proposals as being contrary to the public interest; to the Committee on Interstate and Foreign Commerce.

14. Also, petition of Clifford Crail, Cincinnati, Ohio, relative to a grievance as to why the House of Representatives has not given him any relief in regard to a criminal conspiracy and attaching a copy of a letter to the Honorable John F. Kennedy, President-elect; to the Committee on the Judiciary.

15. Also, petition of J. Milton Edwards Post No. 2238, Veterans of Foreign Wars, Shreveport, La., petitioning consideration of their resolution with reference to demanding that Judge J. Skelly Wright be tried by a court of proper jurisdiction for treason; to the Committee on the Judiciary.

16. Also, petition of Harold Elsten, Cortland, N.Y., relative to a grievance relating to an appeal for personal damages award; to the Committee on the Judiciary.

17. Also, petition of Theodosia Terwilliger, Portland, Oreg., relative to the proposed removal of the regional post office from Portland, Oreg.; to the Committee on Post Office and Civil Service.

18. Also, petition of Victor Lyon and others, Portland, Oreg., relative to the proposed removal of the regional post office from Portland, Oreg.; to the Committee on Post Office and Civil Service.

19. Also, petition of Robert J. White, and others, Hillsboro, Oreg., relative to the proposed removal of the regional post office from Portland, Oreg.; to the Committee on Post Office and Civil Service.

20. Also, petition of John Hughes and others, Hillsboro, Oreg., relative to the proposed removal of the regional post office from Portland, Oreg.; to the Committee on Post Office and Civil Service.

21. Also, petition of Wiley W. Smith, and others, Portland, Oreg., relative to the proposed removal of the regional post office from Portland, Oreg.; to the Committee on Post Office and Civil Service.

22. Also, petition of the president, the Woman's Club of Westfield, Inc., Westfield, N.J., relative to commending the work of the House Committee on Un-American Activities and urging the Congress to enlarge rather than curtail its activities; to the Committee on Rules.

23. Also, petition of the president, Westfield Women's Republican Club, Westfield, N.J., relative to commending the work of the House Committee on Un-American Activities and urging Congress to continue the committee; to the Committee on Rules.

24. Also, petition of Mrs. William E. Stilwell, Jr., and others, Glendale, Ohio, relative to the continuation of the House Committee on Un-American Activities; to the Committee on Rules.

25. Also, petition of Martin Weiss and others, Elmont, N.Y., relative to endorsing the petition by Dr. Alexander Meiklejohn relating to a redress of grievance pertaining to the House Committee on Un-American Activities; to the Committee on Rules.

26. Also, petition of Harriet Levine and others, New York, N.Y., relative to endorsing the petition by Dr. Alexander Meiklejohn relating to a redress of grievance pertaining to the House Committee on Un-American Activities; to the Committee on Rules.

27. Also, petition of H. L. Thatcher and others, Auburn, Calif., relative to the citizens of Auburn and Placer County, Calif., urging the influence of Congress against the purging of certain Democratic Congressmen; to the Committee on Rules.

SENATE

WEDNESDAY, JANUARY 4, 1961

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

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

Our fathers' God, bowing at this wayside shrine which our fathers reared, we bring to Thee the stress and strain of these testing times, praying that our jaded souls may find in Thy presence the peace of green pastures and the still waters of the spirit.

We acknowledge that the wise provision of those who knelt about the cradle of our liberty, regarding the separation of church and state, did not decree the separation of religion and the state, knowing that spiritual verities are the very breath of the Republic.

In all the tangles of living together in the maze of human relationships through which, in legislative halls, those here chosen by the people grope their way,

teach us anew by this moment of devotion that at its heart every great issue of life is spiritual.

Grant to Thy servants in the ministry of public affairs the will to match vast needs with mighty deeds. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of Tuesday, January 3, 1961, was dispensed with.

ATTENDANCE OF A SENATOR

J. WILLIAM FULBRIGHT, a Senator from the State of Arkansas, attended today.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATE OF APPOINTMENT OF JUNIOR SENATOR FROM TEXAS

The VICE PRESIDENT. The Chair lays before the Senate the certificate of appointment of the junior Senator from Texas [Mr. BLAKLEY]. Without objection, the certificate will be read and placed on file.

The certificate of appointment was read, as follows:

CERTIFICATE OF APPOINTMENT

JANUARY 3, 1961.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Texas, I, Price Daniel, the Governor of said State, do hereby appoint WILLIAM A. BLAKLEY a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the resignation of LYNDON B. JOHNSON, is filled by election as provided by law.

Witness His Excellency our Governor, Price Daniel, and our seal hereto affixed at Austin this 3d day of January in the year of our Lord 1961.

PRICE DANIEL,
Governor of Texas.

By the Governor:

[SEAL] ZOLLIE STEAKLEY,
Secretary of State.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that a quorum of the House of Representatives had assembled, and that SAM RAYBURN, a Representative from the State of Texas, had been elected Speaker, and Ralph R. Roberts, a citizen of the State of Indiana, Clerk of the House of Representatives of the 87th Congress.

The message also informed the Senate that a committee of three Members had been appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make.

The message announced that the House had agreed to the concurrent resolution (S. Con. Res. 1) to provide for the counting on January 6, 1961, of the electoral votes for President and Vice President of the United States.

The message further informed the Senate that pursuant to the provisions of Senate Concurrent Resolution 1, the Speaker appointed Mrs. KELLY of New York and Mrs. BOLTON of Ohio as tellers on the part of the House to count the electoral votes on January 6, 1961.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 1) that effective January 3, 1961, the joint committee created by Senate Concurrent Resolution 92, 86th Congress, continue and have same powers as conferred by said resolution, in which it requested the concurrence of the Senate.

The message communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Thomas C. Hennings, Jr., late a Senator from the State of Missouri.

The message also communicated to the Senate the intelligence of the death of Hon. Edith Nourse Rogers, late a Representative from the State of Massachusetts, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. Keith Thomson, late a Representative from the State of Wyoming, and transmitted the resolutions of the House thereon.

REPORT OF JOINT COMMITTEE ON NOTIFICATION TO THE PRESIDENT—MORNING BUSINESS

Mr. MANSFIELD. Mr. President, the joint committee appointed by the Senate and the House of Representatives yesterday to notify the President that quorums of the two Houses have assembled, and are ready to receive any communication he may desire to make, have performed that duty, and now report that the President will submit in writing his annual message to the Congress on January 12, 1961.

Mr. President, I ask unanimous consent, in view of the fact that the message will not come up until some time next week, that, beginning tomorrow, we permit morning business, and allow for the introduction of bills.

I have discussed this matter with the distinguished minority leader [Mr. DIRKSEN], and I believe he is agreeable.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield gladly.

Mr. DIRKSEN. I see no benefit in deferring until January 12 the introduction of bills, in view of the fact that in the House of Representatives bills are being introduced at the present time; and since the message from the President will not come to the Congress until some time next week, it would work an undue restriction if we withheld introduction of bills and delayed them until the message from the President came to the Congress.

Mr. CLARK. Mr. President, will the majority leader yield, so that I may propound an inquiry?

Mr. MANSFIELD. I yield.

Mr. CLARK. I think what is proposed would be the sensible thing to do, but I think it is very important that those of us who are interested in getting changes in rules brought to a conclusion should understand that such transaction of morning business would not be taken as indicative of our acquiescence in the present rules of the Senate.

I wonder if the Vice President is prepared to rule that we may agree to the transaction of morning business without having acquiesced in the present rules.

The VICE PRESIDENT. That is the Chair's ruling, in view of the fact that it is a unanimous-consent request the majority leader has propounded.

Mr. TALMADGE. Mr. President, on the basis of the statements made, I am prepared to object.

The VICE PRESIDENT. Objection is heard.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 2]

Aiken	Ervin	Miller
Allott	Fulbright	Monroney
Anderson	Goldwater	Morse
Bartlett	Gore	Morton
Beall	Gruening	Moss
Bennett	Hart	Mundt
Bible	Hartke	Muskie
Blakley	Hayden	Neuberger
Boggs	Hickenlooper	Pastore
Bridges	Hickey	Pell
Burdick	Hill	Prouty
Bush	Holland	Proxmire
Butler	Hruska	Randolph
Byrd, Va.	Humphrey	Robertson
Byrd, W. Va.	Jackson	Russell
Cannon	Javits	Saltonstall
Carlson	Johnston	Schoeppel
Carroll	Jordan	Scott
Case, N. J.	Keating	Smathers
Case, S. Dak.	Kefauver	Smith, Mass.
Chavez	Kerr	Smith, Maine
Church	Kuchel	Sparkman
Clark	Lausche	Stennis
Cooper	Long, Mo.	Symington
Cotton	Long, Hawaii	Talmadge
Curtis	Long, La.	Thurmond
Dirksen	Magnuson	Wiley
Dodd	Mansfield	Williams, N.J.
Douglas	McCarthy	Williams, Del.
Dworshak	McClellan	Yarborough
Eastland	McGee	Young, N. Dak.
Ellender	McNamara	Young, Ohio
Engle	Metcalf	

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART] and the Senator from Hawaii [Mr. FONG] are absent because of illness.

The VICE PRESIDENT. A quorum is present.

ASCERTAINMENT OF ELECTORAL VOTES

The VICE PRESIDENT. Pursuant to Senate Concurrent Resolution 1, the Chair appoints the Senator from Arizona [Mr. HAYDEN] and the Senator from

Nebraska [Mr. CURTIS] as tellers on the part of the Senate to count the electoral votes for President and Vice President.

PROPOSED AMENDMENT OF CLOTURE RULE

The VICE PRESIDENT. The Chair lays before the Senate Senate Resolution 4, which will be read for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the third paragraph of subsection 2 of rule XXII of the Standing Rules of the Senate is amended by striking out the words "two-thirds" and inserting in lieu thereof "three-fifths".

Mr. ANDERSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me without losing his right to the floor?

Mr. ANDERSON. First I should like to modify the resolution.

Mr. President, I modify the resolution by striking out everything after the resolving clause and substituting language which is shown on page 18 of the RECORD for yesterday, amending the entire rule XXII.

I so modify my resolution.

The VICE PRESIDENT. The Senator's resolution will be modified as requested.

Mr. DIRKSEN. Mr. President, for information, may we have the resolution as modified read to the Senate in its entirety?

The VICE PRESIDENT. The clerk will state the resolution, as modified by the Senator from New Mexico.

The LEGISLATIVE CLERK. It is proposed to strike out all after the resolving clause and to insert in lieu thereof the following:

2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. HUMPHREY. Mr. President, I offer on behalf of myself, the senior Senator from California [Mr. KUCHEL] and other cosponsors who are listed on Senate Resolution 5, an amendment as a substitute for the amendment of the Senator from New Mexico [Mr. ANDERSON] as modified, and I ask that the amendment designated "1–3–61—A" be read for the information of the Senate.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out all after the resolving clause and insert in lieu thereof the following:

That rule XXII of the Standing Rules of the Senate is amended by adding a new section, as follows:

"4. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays and legal holidays) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea and nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. HUMPHREY. Mr. President, first, I ask unanimous consent that the name of the Senator from Utah [Mr. Moss] be added as a cosponsor in any further printing of the amendment and that it be so noted in the RECORD.

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

Mr. HUMPHREY. Mr. President, on behalf of myself and the other sponsors of the pending amendment to Senate Resolution 4, I ask that the amendment be modified to have the resolving clause read:

Resolved, That rule XXII of the Standing Rules of the Senate is amended by adding a new section to read as follows:

And on line 3 inserting "4" in place of "3".

The PRESIDING OFFICER. The amendment will be modified accordingly.

The amendment as modified is as follows:

Resolved, That rule XXII of the Standing Rules of the Senate is amended by adding a new section as follows:

"4. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays and legal holidays) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without futher debate, submit to the Senate by a yea and nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. HUMPHREY. Mr. President, this is what we call the majority-rule amendment. It has been offered in the nature of a substitute for the amendment offered by the Senator from New Mexico [Mr. ANDERSON].

I understand that the majority leader wishes to make some announcements to the Senate, and I should like to yield to the majority leader without losing my rights to the floor, if that is agreeable.

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

MORNING HOUR

Mr. MANSFIELD. Mr. President, on behalf of myself and the distinguished minority leader I renew my request that there be a morning hour tomorrow for routine morning business and the introduction of bills. I do so because of the fact that the President's annual message will not be sent to the Congress until a week from today.

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

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

Mr. MANSFIELD. I yield.

Mr. CLARK. Of course, I have no objection; but I should like the RECORD to show again that the proposed action on the unanimous consent request does not involve any acquiescence in the present rules of the Senate.

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

INAUGURATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the present consideration of House Concurrent Resolution No. 1.

The PRESIDING OFFICER. The clerk will read the concurrent resolution.

The legislative clerk read the concurrent resolution (H. Con. Res. 1) as follows:

Resolved by the House of Representatives (the Senate concurring), That effective from January 3, 1961, the joint committee created by Senate Concurrent Resolution 92, of the Eighty-sixth Congress, to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1961, is hereby continued and for such purpose shall have the same power and authority as that conferred by such Senate Concurrent Resolution 92, of the Eighty-sixth Congress.

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

Mr. JAVITS. Mr. President, reserving the right to object may we have a ruling from the Chair on the following parliamentary inquiry: In view of the fact that the proposed rules changes are now at issue and are subject to amendment, will the Chair rule that any intervening business now transacted, whether by unanimous consent or otherwise, does not change the situation as ruled upon by the Vice President preliminarily, and that we are proceeding under the Constitution insofar as those rules changes are concerned rather than under the rules of the Senate?

Mr. HOLLAND. Mr. President, I should like to be heard upon that request, if I may.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. HOLLAND. I would have no objection whatever to having such consent given with respect to the business now proposed, but to have it given in the general and broad terms suggested and requested by the Senator from New York would, I think, be entirely inappropriate, and I would not agree to it because, as stated by him, the provision would be that any business of any kind intervening would not be ruled to be business transacted under the rules. I trust that the Senator realizes his request is much too far reaching for us to be able to agree to it.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. I withdraw the resolution.

The PRESIDING OFFICER. The resolution is withdrawn. The Senator from Minnesota [Mr. HUMPHREY] has the floor.

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

Mr. HUMPHREY. I yield.

Mr. HOLLAND. If the majority leader will postpone his withdrawal, I should like to add that the Senator from Florida was not objecting in any way to the request of the majority leader nor to any reasonable request that would exempt action upon the resolution offered by the majority leader, but was objecting to the general and all-inclusive terms of the request made by the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I have the floor; is that not correct?

The PRESIDING OFFICER. The Senator from Minnesota still has the floor, but has yielded to the Senator from New York, who is recognized at the moment.

Mr. JAVITS. Mr. President, I wish to make clear that I was not making a unanimous-consent request. There appears to be a misapprehension on the part of my friend from Florida.

The PRESIDING OFFICER. It is the understanding of the Chair that the Senator from New York was propounding a parliamentary inquiry.

Mr. HOLLAND. The Chair, of course, is correct, as is the Senator from New York. But the objection made by the Senator from Florida is just as valid when made to the parliamentary inquiry as it would have been if it had been made to a unanimous-consent request. This is because the Senator from New York, whether knowingly or otherwise, had predicated the words used upon such a general statement as to foreclose the raising of any question as to whether any business being transacted, no matter what kind, comes under the rules of the Senate, if it intervened between now and the passage on the pending business.

The PRESIDING OFFICER. In view of the withdrawal of the resolution, does the Senator from New York withdraw his parliamentary inquiry?

Mr. JAVITS. I do.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

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

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. I again submit the concurrent resolution and ask for its immediate consideration.

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

Mr. RUSSELL. May the concurrent resolution be read?

The PRESIDING OFFICER. The concurrent resolution will be read again.

The concurrent resolution (H. Con. Res. 1) was read as follows:

H. Con. Res. 1. Concurrent resolution that effective January 3, 1961, the joint committee created by Senate Concurrent Resolution 92, Eighty-sixth Congress, continue and have same powers as conferred by said resolution.

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

Mr. JAVITS. Reserving the right to object, I propound the following parliamentary inquiry: Will the adoption of this resolution in any way change the procedural situation before the Senate in respect of the resolution to change rule XXII and any substitute therefor?

The PRESIDING OFFICER. Does the Senator from Florida wish to discuss the answer to the parliamentary inquiry?

Mr. HOLLAND. I merely wish to state that my prior remarks, addressed to the generality of the former request of the Senator from New York, have no application to the present request, which is specific and not objectionable, as was the former request.

The PRESIDING OFFICER. The present occupant of the Chair would rule that consideration of the resolution offered by the distinguished Senator from Montana [Mr. MANSFIELD] would change the situation in regard to the rules of the Senate, unless there is a unanimous-consent agreement entered into that it shall not do so. The present occupant of the Chair must in frankness inform the Senate that for the first time in his 6 years of service he is making a ruling from the Chair which is not entirely in accord with the advice of the Parliamentarian, who is inclined to believe that because this resolution is in the nature of a privileged resolution, having to do with the inauguration of the President, it might not have that effect. However, the occupant of the Chair does not dare to make that ruling. The ruling of the occupant of the Chair, unless it is overruled by the Senate, is that, in the absence of an agreement, this would change the situation.

Mr. MANSFIELD. Again I withdraw the resolution.

The PRESIDING OFFICER. The resolution is withdrawn.

Mr. RUSSELL. Mr. President, a parliamentary inquiry. Will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Georgia.

Mr. RUSSELL. Has not the resolution offered by the distinguished Senator from New Mexico [Mr. ANDERSON] been duly laid before the Senate as business coming over from the previous day, under rule XL?

The PRESIDING OFFICER. It has been so laid down.

Mr. RUSSELL. Then how is the question raised with reference to that resolution, when it is already before the Senate? It seems to me we are engaging in vigorously kicking a dead horse.

The PRESIDING OFFICER. The Chair is not clear as to what resolution the distinguished Senator from Georgia has reference to. Is he referring to the resolution which was submitted and withdrawn by the Senator from Montana?

Mr. RUSSELL. I am not. I am referring to the resolution submitted by the Senator from New Mexico [Mr. ANDERSON].

The PRESIDING OFFICER. That is what the Chair understood. That resolution is before the Senate.

Mr. RUSSELL. It is now pending before the Senate. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. RUSSELL. Having been laid down as business coming over from the previous day, under rule XL. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. RUSSELL. Again I utterly do not understand the parliamentary inquiry propounded by the Senator from New York [Mr. JAVITS]. We are belaboring a dead issue and kicking a dead horse.

The PRESIDING OFFICER. This has to do with a different resolution.

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

Mr. HUMPHREY. I yield to the Senator from Florida.

Mr. HOLLAND. It seems to me that the privileged resolution twice advanced by the distinguished majority leader and twice withdrawn is of such a privileged nature and so necessary in connection with the inauguration that it ought to be considered under unanimous consent and should not change in any way the status of the pending situation now before the Senate. The Senator from Florida seriously suggests to the majority leader that such course is open and available. The Senator from Florida, by raising the question he raised a moment ago, did not in any way want to be considered as interrupting or interfering with the adoption of the necessary resolution in connection with the approaching inauguration. I am sure that the Senator from New York also would not wish to interfere with it in any way.

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

Mr. HUMPHREY. I yield.

Mr. JAVITS. I do not believe that one has to play games on the floor of the Senate. Therefore I should like to respond to the observation made by the distinguished Senator from Georgia. The point, Mr. President, is this: This resolution would be entirely in order today under rule XL. The question which will pinch will come up when there is an effort made to close debate, and the question will be, Do the rules of the Senate apply, or are the rules to be applied by the Chair, because this is a procedure under the Constitution? It is at that time that the real issue will arise, which can be laid before the Senate as a constitutional question. Then every technical question will arise, including whether the Senate has or has not transacted other business; or whether it is that we comply very thoroughly with the advisory opinion given by the Vice President now for the third time—1957, 1959, and 1961.

So long as I am on the floor, whether or not other Members might think that this is unnecessary, I shall seek to protect those rights. That was the only purpose of my parliamentary inquiry.

The PRESIDING OFFICER. The Chair has ruled that if the distinguished Senator from Montana [Mr. MANSFIELD] asks unanimous consent, it will not alter the situation. If he does not do so, the Chair adheres to the ruling that it might affect the situation before the Senate.

Mr. RUSSELL. In view of the statement of the Senator from New York, I will endeavor to be as objectionable as he has tried to be. I object to the consideration of the resolution by unanimous consent.

The PRESIDING OFFICER. The resolution has been withdrawn.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the resolution (S. Res. 4) to amend the cloture rule by providing for adoption by a three-fifths vote.

Mr. HUMPHREY. Mr. President, until we have time to clarify this rather confusing situation, it might be well to proceed with something that is a rather noncontroversial subject, such as the proposed change in the rule relating to extended debate in the Senate.

It seems to me that this will be a very much more understandable subject than the one we have just discussed.

I am very happy and proud to be one of the sponsors of the amendment in the nature of a substitute for the proposal of the Senator from New Mexico.

The present rule XXII, starting with section 2, provides:

> 2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:
>
> "Is it the sense of the Senate that the debate shall be brought to a close?"
>
> And if that question shall be decided in the affirmative by two-thirds of the Senators present and voting then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

What that technical language really boils down to is simply this: That upon a cloture petition having been filed, and 2 days thereafter, two-thirds of the Senators present and voting may terminate debate.

The amendment which has been presented by the Senator from California [Mr. KUCHEL], one of the outstanding leaders of the Republican Party, and the senior Senator from Minnesota, together with a number of other Senators, would alter this situation by providing that a majority of Senators duly qualified and sworn, commonly referred to as a constitutional majority, could—15 days after filing a motion for cloture—bring the debate to a close.

We do not provide for repeal of section 2. Section 2 provides for a 2-day period after the filing of a motion for cloture, and then for two-thirds of the Senators present and voting.

The amendment now before the Senate provides that after a 15-day period, a majority of Senators duly qualified, chosen, and sworn shall be able to terminate debate. In other words, this is the second stage, so to speak, in providing an effective means of terminating debate. Then, of course, we provide for 1 hour of debate for each Senator—100 hours of debate—after the 15 days have elapsed.

So if in 100 hours of debate, plus 15 days after the filing of a cloture petition, it is not possible to bring debate to a close without having denied any Senator who has something which he would like to offer to the motion the opportunity to speak, then, indeed, the question must be more complex than discoveries in outer space.

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

Mr. HUMPHREY. I yield.

Mr. SALTONSTALL. Is my understanding correct that 16 Senators who wish to ask for cloture can either debate the measure under section 2 and go forward in that way, which is according to the present rule, or can file a motion under subsection 3, which is the amendment which the Senator from Minnesota is now suggesting? Can the 16 Senators proceed on one or the other basis, by adopting the second subsection procedure or the third subsection procedure?

Mr. HUMPHREY. They have a choice.

Mr. SALTONSTALL. They have a choice. If they fail on the first one, or subsection 2, then I assume they could go forward under subsection 3, which is the new section.

Mr. HUMPHREY. It is actually subsection 4, because it is not proposed to repeal subsection 3, which relates to rule VIII. The proposal before the Senate would be the second position.

Let us assume a situation where there was extended debate. Several Senators might say, "We ought to bring the debate to a close." Suppose 16 Senators then signed a cloture petition, which would be before the Senate for 2 days. Then suppose an attempt were made to bring the debate to a close. The Presiding Officer would place the question before the Senate, and the yeas and nays would be called for. Then suppose two-thirds of the Senators present and voting said it was the sense of the Senate that the debate should be brought to a close. That would be it. The debate would be brought to a close.

Mr. SALTONSTALL. Suppose the motion failed?

Mr. HUMPHREY. If it failed, it would be necessary to wait 15 days after the signing of a petition by 16 Senators before a vote could be taken to make cloture by a constitutional majority of the Senate.

Mr. SALTONSTALL. That would have to be a new petition, would it not?

Mr. HUMPHREY. That would have to be a new petition.

Mr. SALTONSTALL. So an alternative procedure is provided, and 16 Senators can proceed under whichever plan they prefer.

Mr. HUMPHREY. The Senator from Masachusetts is correct.

Mr. SALTONSTALL. If they are defeated on the first procedure, then they may use the other procedure.

Mr. HUMPHREY. The Senator is correct. Subsection 4, or the new proposal being offered, does not, I repeat, repeal anything in the existing Senate rule. The existing Senate rule would remain as it is, to be applied at the discretion of the Members of the Senate. What we are seeking to provide by the new subsection is a further method of terminating debate, but recognizing that 15 days are added following the filing of a cloture petition. That means that much more debate is allowed, and therefore, the number of Senators required to bring that debate to a close would be reduced from two-thirds of those present and voting to what is called a constitutional majority.

Mr. SALTONSTALL. If the resolution being offered by the Senator from Minnesota as a substitute for the resolution offered by the Senator from New Mexico prevails, then the resolution of the Senator from New Mexico cannot be voted on. If the substitute offered by the Senator from Minnesota fails, then there can be a vote on the Anderson substitute.

Mr. HUMPHREY. The Senator from Massachusetts is again correct. While I surely have no special right to explain the purposes of what, for simplicity, we might call the Anderson resolution, the Anderson resolution does not add a new subsection. The Anderson resolution is a rewriting of the existing subsection 2.

In substance, what it does is to change the arithmetic from two-thirds of the Senators present and voting to three-fifths of the Senators present and voting.

The amendment offered by the Senator from California [Mr. KUCHEL] and many of his colleagues on his side of the aisle, and the Senator from Minnesota and many of his colleagues on the Democratic side of the aisle, would leave section 2 as it is, and would add a new section, section 4, which would provide an alternative method of concluding debate on a question on which there has been very extended debate.

I raise the point again that our proposal requires that after a cloture petition has been filed by 16 Senators, under the rules of the Senate 15 calendar days must elapse before the Presiding Officer can place before the Senate the question: Is it the sense of the Senate that the debate should be closed?

Mr. SALTONSTALL. The justification for the reduced number of Senators necessary to bring the debate to a close is the 15 days of debate plus the length of time which must elapse after the motion has been made.

Mr. HUMPHREY. The Senator is again correct. His comments and questions have been very helpful in explaining the proposal. So that there will be no misunderstanding, let me make it clear, so that those who may take part in the argument or may be in opposition will understand the position of the proponents of the amendment, we are not seeking to gag the Senate. As a matter of fact, the procedure which is established makes it mandatory that 15 days elapse after the cloture petition, signed by 16 Senators, has been filed; and that after 15 days, 100 hours more of debate shall be available. So I repeat that the 15 days plus the 100 hours of debate—the latter amounting to approximately 4 more days of 24 hours each, or 12 days of 8 hours each, or whatever number of days it is desired to break the hours into—would provide a tremendous amount of time to explore and explain fully the issue before the Senate.

Mr. SALTONSTALL. Theoretically, the provision of 100 hours is to enable each Senator to speak for 1 hour.

Mr. HUMPHREY. Yes.

Mr. SALTONSTALL. Could any Senator speak more than twice under this proposal?

Mr. HUMPHREY. Under the proposed amendment, each Senator shall have 1 hour on the measure, motion, or other matter pending before the Senate. He is entitled to speak only 1 hour. He may possibly speak twice in that 1 hour. It does not mean that he may speak only once. He may divide his time.

Some other suggestions have been made. I may say that the distinguished Senator from New York [Mr. KEATING] very favorably impressed me with a suggestion he made on a television or radio program, or in a press interview. I presume he may later want to speak on this subject himself. The Senator from New York attempted to afford a little more flexibility in the allocation of time, and to make it absolutely certain that one-half of the time would be allotted to the proponents of a particular proposal and one-half of the time for the opponents, regardless of the number of Senators who might participate in the debate. Do I correctly understand the proposal of the Senator from New York?

Mr. KEATING. Mr. President, will the distinguished Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. KEATING. The Senator is correct. I appreciate his comments. It has always seemed to me that the present rule providing for 1 hour for each Senator after cloture is illogical. It has no historical basis and does not make sense. There might be many Senators who would want to use less than an hour, whereas there might be Senators, particularly in the minority, who might want to consume more than the 1 hour allotted to each Senator.

Therefore, it has seemed to me that it would be more reasonable both to the minority on the particular issue and to the orderly procedures of the Senate if the time were divided between the majority leader and the minority leader and if, under the rule, they in turn were required to allocate their time among those who favored and those who opposed the particular issue before us.

At the appropriate time I intend to offer my proposal as an amendment to the pending substitute. I would like to propound a parliamentary inquiry to the Chair, if the Senator from Minnesota will permit me to do so.

The PRESIDING OFFICER. Does the Senator from Minnesota yield for the purpose of the propounding of a parliamentary inquiry?

Mr. HUMPHREY. I do.

Mr. KEATING. Mr. President, do I correctly understand that the substitute offered by the Senator from Minnesota, the Senator from California, and several other Senators is open to amendment?

The PRESIDING OFFICER. It is open to amendment.

Mr. KEATING. I thank the Chair.

I say frankly to the Senator from Minnesota that I would not be inclined to press my proposal if it were highly controversial; as the Senator knows, I do not wish to do anything to interfere with our principal effort. This proposal is a little off the beaten track; but while we are considering this subject, perhaps we should act on its other aspects. It may be that my suggestion would appeal to all sides here. It really is in the nature of an effort to compromise our differences. It seems to me that those who were in the minority on a particular issue would prefer to have the time divided equally between those who favored their position and those who favored the majority position, instead of having each Senator be permitted to speak for 1 hour.

I appreciate the comments of the Senator from Minnesota, and I shall be prepared to offer this as an amendment at whatever seems to be the appropriate time.

Mr. DWORSHAK. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I am happy to yield.

Mr. DWORSHAK. Does the 1-hour restriction also apply to the majority whip; or will he be permitted to use the unused time allotted to other Senators?

Mr. HUMPHREY. I am happy to respond to my friend. Of course we believe in equal treatment under the rules; and although it would be unfortunate for the majority whip to be restricted to 1 hour, because I am sure I shall be able to edify my friend considerably, nevertheless I shall try to be brief and to give my friend a concentrated, consolidated dose on the issues in a limited period of time. [Laughter.]

Mr. KEATING. Mr. President, if the Senator will yield, let me say that in making my suggestion I had in mind not only the minority Senators, but also, and specifically, the Senator from Minnesota. In fact, we would be glad to have him use 50 percent of the available time. [Laughter.]

Mr. HUMPHREY. The Senator from New York is extremely kind; and it is the solicitous attitude on his part that endears him to me. I want him to know that I shall always be responsive to such treatment.

Mr. KEATING. I appreciate the Senator's statement.

Mr. HUMPHREY. In fact, I would be agreeable to having only one-half of the 50 percent. [Laughter.]

Mr. President, I believe the proposal of the Senator from New York has great merit, and I hope he will offer the amendment.

The reason why the present amendment in the nature of a substitute did not go into that matter was that we had presented the same amendment in the nature of a substitute 2 years ago, and

we did not have time to contact every sponsor before it was drawn up this time. So it seemed to me that it might be better to have this open discussion about the Senator's amendment here on the floor. Therefore, I think that at that time his amendment will be proper, and I think it is a very desirable one.

Mr. KEATING. I agree entirely with the Senator's views. Again I say that I would not be disposed to press this matter if there were great opposition from any side. The amendment is really intended to promote the acceptability of majority rule and not to complicate the issue.

Mr. HUMPHREY. I thank the Senator from New York.

Mr. President, I desire to make only one or two other observations.

The general argument used against the majority rule provision to apply a limitation to debate is that it would limit free speech, that it would gag the Senate, that it would constitute a denial of full opportunity for expression. But, Mr. President, the duty of the Congress, under the Constitution, is to act and to do business. In the constitutional article which relates to the Congress, almost the first words of section 5 are these: "A majority of each shall constitute a quorum to do business."

Mr. President, we are here to do the business of the Government, to represent the interests of our people, and to conduct the business of the legislative branch of the Government.

Furthermore, although I am sure that some of my colleagues will go into this matter in a more scholarly manner and with great research, if my memory is correct most of the great parliamentary bodies of the world have a way to terminate debate by majority rule, after extended debate.

Let me say that many of the State legislatures—in fact, the legislatures of many of the States which are so ably and effectively represented here by some of our colleagues who support what we call the filibuster or extended debate—have rules pertaining to their State senate or their State house of representatives to bring debate to a close by majority rule. In other words, this is no great innovation or no radical departure from tradition in our legislative bodies. It is not what I might even call very far on the new frontier, I say to my friends on the other side. It is really old, established ground; and the Senate should be catching up with what I believe to be well-established tradition in many legislative bodies.

Furthermore, I want it to be very, very clear that before a cloture petition ever is filed in this body, Senators are reluctant to sign such a petition. Every Senator is jealous of his rights. My good friend, the Senator from Idaho, was concerned about the amount of time I might wish to utilize on one of these issues; and that is a justifiable concern, let me say, in light of the extended service we have had here. I can appreciate that people might have some reason to be concerned about that. I can assure my colleagues that under no circumstances would I wish to sign a cloture petition until there had been plenty of time properly to discuss any issue before the Senate. Every Senator feels very keenly about this matter.

So we are relying, first of all, on the tolerance, the understanding, the experience and, I believe, the sense of fair play of every Senator. Certainly if there is anything that characterizes the Senate, it is fair play. Whatever may be any Senator's view on any issue, before any cloture petition would ever be signed by 16 Senators, to be presented to the Presiding Officer, even under the existing rule XXII, many days of debate would have been had.

My colleagues will recall our experience with this matter a year ago. Long debate was had on the question of the civil rights issue; and in the history of the Congress there has been long debate on issues relating to a host of subjects—not only civil rights, but also matters of national security, tariff, and finance. We do not propose to change the rules in order to have the Senate pass any one piece of legislation. Instead, we are discussing a proper change of rules in order to insure more effective, responsive, and responsible operation of the Senate.

So I repeat that we have that background of tradition which restrains us in terms of any premature cutting off of debate. We have that background of experience and tradition which restrains us from any premature filing of a cloture petition; and under the provisions of the amendment in the nature of a substitute, now before us, we provide for 15 days of debate after the petition has been filed before the Senate is asked the question, "Is it the sense of the Senate that debate should be brought to a close?"

If anyone deems that to be a denial of the right of free speech, then indeed I believe that person has extended the concept of free speech beyond what is the requirement for a responsible and effective legislative body.

Mr. President, there are going to be many other Senators who will want to be heard on this subject. I merely opened the debate in order to place it before the Senate.

I wish to thank my colleagues who have joined in the cosponsorship of the proposal. They are men who have given considerable thought to this particular situation. Many of the Members of the Senate who have joined as cosponsors are Senators who in the past have not always looked upon this proposal with favor. They have come to an understanding of its acceptability and its need through experience in this body.

I want to pay particular thanks to my colleague from California [Mr. KUCHEL], with whom I have had the privilege of working on this matter; and, if I may, to all those Senators on both sides of the aisle who have given so much time to the subject.

I would be remiss if I did not thank the Senator from Illinois [Mr. DOUGLAS] and the Senator from Pennsylvania [Mr. CLARK], who have done, really, all the basic research, insofar as this side of the aisle is concerned, on this particular matter; and the two Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from New Jersey [Mr. CASE], and the Senator from California [Mr. KUCHEL].

I know I leave out other Senators, but those four will be the leaders in the effort to modify, in a sensible, responsible, and moderate manner, the rules of the U.S. Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator yield?

Mr. HUMPHREY. I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Can the Senator from Minnesota tell me when last a majority voted to shut off debate, and that debate was not cut off for lack of a two-thirds vote?

Mr. HUMPHREY. No, I cannot; I am sorry. I shall be more than happy to ascertain if that situation ever prevailed. I am not prepared to give the Senator an answer.

Mr. LONG of Louisiana. Is it not correct that during the last 6 years there has never been a case where a majority of the Senate has voted to end debate?

Mr. HUMPHREY. May I say to my friend, who, I have a suspicion, may not enthusiastically vote for this proposal—I do not think he is going to vote for it at all, enthusiastically or not—he has resolved some of his own doubts because he may now be able to give us a vote if he feels a majority will not really be able to exercise the power which would be granted under the modification of rule XXII.

I say in all respect now that I do not think it is very important whether or not, in the last 6 or 8 or 10 years, a majority has curbed or limited debate in the Senate after the filing of a cloture petition. I do not believe that is the issue. I think the issue is whether or not to have in our kit, in our rulebook, a rule that is fair, a rule that is workable, a rule that, if the situation so develops that it is needed, we shall have available to deal with the problem.

For example, the Government of the United States has spent billions of dollars on missiles, and they are supposedly for our defense. I might ask: Can any Senator show me that we have ever used any of these missiles in the defense of this country? Have we ever fired one at an opponent or an enemy? The answer, of course is "No." But that does not mean we should not have an arsenal of missiles. It does not mean we should rely on missiles; we should have an arsenal of a variety of weapons.

The analogy may be farfetched; but it is necessary that the rule book, the rules that govern the operations of the Senate, may be used for the purpose of orderly debate or discussion, in order to enable us adequately to meet whatever situation may develop, in order to properly process needed legislation.

I believe the Senator from Louisiana has given one of the best arguments we have in our favor, namely, that the Senate is, indeed, very reluctant ever to cut off debate. But I want to be sure that, in the critical days in which we live, if we have had weeks of time to properly discuss an issue and if there is a great

need to terminate debate, in the public interest, we have the equipment to do the job.

I respectfully point out that I do not recommend the repeal of section 2. I voted, as a second alternative, for the 66⅔ percent provision, that is, two thirds of Senators present and voting. I also stated that was an improvement over the previous rule. I felt that the majority leader of the Senate, soon to be Vice President, LYNDON JOHNSON did a great service for this body when he proposed a much advanced and improved rule that applied to every motion and measure before the Senate, even a motion to bring up a change in the rules. As Senators will recall, the old rule had a loophole in it which denied us an opportunity to apply cloture to any motion to bring up a change in the rules.

The then Senator from Texas, Mr. JOHNSON, gave us a new rule, with, of course, concurrence of the majority of the Senate. It did not go as far as I thought it should, but I said it was a substantial improvement. I received some criticism for being as complimentary as I was. But I expect that. A Senator is seldom able to satisfy anybody in this body. He is lucky to be able to satisfy himself. The minute a Senator makes an adjustment to reality, there is always someone ready to "clobber" him.

There are some who are always ready to say that the real test of a great man is to be able to say "No." I do not believe that. I think the great test is making progress. I think we made progress. Therefore, I do not believe in tearing down the house that we made. It was a good edifice, a good structure. It did not do everything I thought it ought to do, but it was a great improvement.

So the proposition advanced by the Senator from California [Mr. KUCHEL], the Senator from New York [Mr. KEATING], and the Senator from Illinois [Mr. DOUGLAS] does not abolish section 2 of rule XXII. We do not want to take the legislative excavator and rip up what we did. What we do is call upon the skilled craftsmen of this body to build a new and a better edifice that is required for possibly a new situation.

I think we have exemplified reasonableness. I believe our proposition is sound from every point of view. It destroys nothing. It contributes something. It may not be everything we shall want in the days ahead. But we build as we go along.

Mr. KEATING. Mr. President, will the Senator yield at that point? I have the figures before me.

Mr. HUMPHREY. Yes.

Mr. KEATING. The last date on which a majority voted for cloture was July 26, 1954. The issue at that time had nothing to do with civil rights, but, as the Senator has suggested, with an entirely different subject, the Atomic Energy Act.

Mr. HUMPHREY. Yes.

Mr. KEATING. That fact, to my way of thinking, adds importance to what the Senator from Minnesota is saying. There is a tendency to emphasize the issue of civil rights in this discussion. Actually, the action to which I have referred had to do with an entirely different subject; namely, atomic energy.

Mr. HUMPHREY. I thank the Senator. As I said before, he has done a great deal of research on this matter.

Mr. LONG of Louisiana. Mr. President, if the Senator will yield at that point——

Mr. HUMPHREY. I am happy to yield.

Mr. LONG of Louisiana. Does not the Senator recognize that one of the greatest services that has been performed in this body in the last 20 years was what started out to be an effort by a minority on this side of the aisle in opposition to a giveaway of the patent rights of this Government to private concerns under the Atomic Energy Act? Was not the battle won simply on that basis? There was a temporary majority. After the Members of the Senate heard the debate, the majority was no longer a majority. There was a majority seeking to ram its views down the throats of a minority. The minority held the floor for a while.

I believe the Senator from Minnesota was part of the minority which held the floor.

Mr. HUMPHREY. I was indeed. I was present on that particular occasion, in that particular situation, as I remember, for either 28 or 30 days. It was one or the other, either 28 or 30 days.

I wish to point out that before a cloture petition was filed, a month of debate had taken place. Incidentally, if one cannot teach Senators about the facts of life in a month, there must be too many slow learners in this body. I think we ought to be able to catch on in a month.

One may not wish to understand. One may have an entirely different philosophical point of view; and, therefore, from one's individual viewpoint one may not be able to be convinced, or to be convincing.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HUMPHREY. Will the Senator permit me to complete my statement? If we debate for 30 days before we have a petition signed by 16 Senators, who feel it is about time to draw the debate to a close, under the present rule 16 Senators can file a petition and 2 days later the Presiding Officer will have no choice, but must, from the Chair, ask the question stated in rule XXII, which is:

> Is it the sense of the Senate that the debate shall be brought to a close?

That is it. If two-thirds of the Senators who are present and voting say "Yes," the debate will stop.

What is the proposal before us, which we advance today as a substitute for the Anderson resolution? What would it do? It would provide that 16 Senators could file a petition, and 15 days after they filed the petition if a constitutional majority should vote to terminate the debate, then the issue would be voted upon after each Senator was allowed to utilize an hour in debate.

It would not say to Senators, "You are going to vote my way." It would simply say, "You have talked long enough. If you have not been able to explain the subject in the 2 months in which you have been arguing about it now, you will possibly never be able to come to any closer decision, so you should either say 'Yea' or 'Nay.' You do not have to vote 'Yea.' You do not have to vote 'Nay.' You may vote what your conscience and your enlightenment and your own perception of the issue tells you to vote."

I repeat: I remember the occasion. The Senator from Louisiana was very active in the atomic energy fight. The Senator did a great service for his country. I hope I did a little something, also.

I remember what was done by other Senators. The distinguished former Senator from Colorado, the former Governor, Ed Johnson, was very active, I remember, in that debate. I mention it because he used to sit in a chair near where the Senator from Louisiana is standing.

I remember very well how we battled for days in the Senate to protect what we thought was the public interest.

After weeks of the fight a cloture petition was presented. I have forgotten who initiated the cloture petition, but 16 Senators said, "Look, we have had enough. We are going to try to draw this debate to a close." Sixteen Senators signed the petition, and 2 days later it was laid down for a vote.

Under the Kuchel-Humphrey proposal, this bipartisan proposal we have before us today, we would not demand that Senators vote 2 days after the cloture petition was filed. We would say, "Very well. You have had 30 days to argue already. We will give you 15 days more. Anyone, during those 15 days, may say anything he wishes to say. Anyone may argue as much as he wishes to, or speak as long as he wishes to, during those 15 days. Then, after the 15 days, we will give 100 hours more."

I wish to say that the Senator from Louisiana can convince nearly anyone I know of of almost anything in less than 100 hours, or 15 days. I have great respect for the Senator. In fact, one of the worries I have had about this generous proposal is that if it were to be utilized by a man of such a sweeping intellect and charm as the Senator from Louisiana I am afraid he might talk me into something into which I should not be talked—but I will take the gamble.

Mr. LONG of Louisiana. If the Senator will yield briefly, I appreciate all of these high compliments, but I think it is well that those who are present in the galleries should know what the Presiding Officer well knows, which is that the rules will not let the Senator from Minnesota refer to me in any other respect. [Laughter.]

Mr. HUMPHREY. This is one of the reasons why I believe we ought to have good rules in the Senate.

Mr. LONG of Louisiana. Yes. The same thing is true with respect to the Senator's statement that Senators are not slow learners. The rules will not let a Senator say Senators are slow learners. The rules require that a Senator must always speak out with all deference and say nothing that any Senator could take offense at, which means a Senator has to be something of a mindreader when he does not agree with somebody.

I will say to the Senator that if the rule as advocated had been in effect when

this tremendous national service was effected for this country in 1954, the victory never would have been won. I take no credit for that. The Senator from Tennessee [Mr. GORE], I think, probably rendered the greatest service to this Nation at that time. The Senator from Minnesota [Mr. HUMPHREY] contributed mightily.

A great national service was provided, but that victory never would have been won, to preserve for the public the billions upon billions of dollars of investments, from special interests who wanted to grasp the patent rights to everything the Government had paid for for the benefit of the people, under a rule such as is advocated. That great victory was won because those who were trying to force this thing down the throats of an unwilling minority were compelled to recognize that the minority could carry on for quite a while, and there was no assurance the debate ever could be brought to a close unless there was recognized what was happening, which was that the minority had a case which had to be considered and that the majority was going to have to make some concession.

I believe, if the Senator will reflect he will recall perhaps the greatest accomplishment of that debate was the fact that an administration, fresh in power, with what was regarded as a mandate to do anything it pleased and anything it thought wise, was compelled to yield to the views of some who have been proved to have been right on a matter of enormous consequence to this country.

The Senator from Minnesota, I know, has never been in favor of the rule we have at present. The Senator may have voted to take it, on one occasion, as the lesser of a number of evils.

Mr. HUMPHREY. The Senator is correct.

Mr. LONG of Louisiana. I am curious to know what argument the Senator would direct to those of us who voted for the rule, to convince us that we should now move in a manner which, in my judgment, would do violation to the rules and to the traditions of the Senate? That is what would happen if we were to adopt a new rule without trying the old one.

The Senator made reference to a missile. I can see that a missile is necessary in terms of defense, but I would not be able to understand why, if we spent a great amount of our energy and wealth constructing a very fine missile, we should discard it without ever trying it to see if it worked. I would push the button to see.

Mr. HUMPHREY. I am not advocating discarding the missile of subsection 2 of the rule. Not at all. I say we will keep that. Apparently some Members of the U.S. Senate feel that is a very, very sound rule.

I wish to make the record clear. I think it was an improvement. I do not think it is as good a rule as we need.

I have been a supporter of majority cloture, and I believe a majority ought to be able to act in this body. The Constitution of the United States specifically provides those areas where a majority is not all that is required, where more than a majority is required, such as with respect to the approval of treaties and the overriding of vetoed bills and resolutions.

For a considerable period of the history of this country, in some of its greatest hours and in some of its greatest decades, a majority constituted a quorum for the purpose of doing business, including the shutting off of debate in the U.S. Senate.

We have had men like Daniel Webster, Henry Clay, John C. Calhoun, and other great men who lived under rules which provided a majority could cut off debate. I do not think it will do any damage to the U.S. Senate if we provide that a majority shall again apply for the purpose of cutting off debate, particularly if we require that 16 Senators, all of whom wish to have an opportunity to speak as long as they feel there is any need to speak, must sign a petition, and that petition must lie on the desk for 15 days, during which 15 days Senators can argue to their hearts' content, and then after 15 days have expired there shall be 100 hours more of debate permitted, so that each Senator will have a chance to participate in the debate. It seems to me, Senator, that the public interest will be well guarded.

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

Mr. HUMPHREY. I yield.

Mr. KUCHEL. I think the record should show that if at the time of the atomic energy discussion or filibuster, if my friend from Louisiana would prefer to use that word, the resolution which the Senator from Minnesota, I, and others are sponsoring now was a rule of the U.S. Senate, cloture would not have been invoked. Our rule would require a constitutional majority of 51. All that the proponents of cloture could muster in favor of their motion during the debate or filibuster on atomic energy was less than a majority.

Mr. HUMPHREY. Forty-four to forty-two.

Mr. KUCHEL. In my judgment, the argument of the Senator from Louisiana is not a reason to oppose the resolution.

Mr. LONG of Louisiana. What assurance can the Senator from Minnesota offer us, if his proposed amendment is adopted, that it will be the last we shall hear of the subject?

Since the day I first came to the Senate the first matter of business has always been an attempt to change the rules of the Senate to limit and restrict free debate in the Senate. What assurance do we have, if we should accept the proposed amendment of the Senators, that it would be the end of the discussion, and that we would not be again confronted with the same subject next year. It may lead to the kind of situation we have in the State legislature of my State, whereby a legislator could make his speech and move the question after a single speech had been made. It might be good practice for that legislature, but I do not think it would be good practice for the U.S. Senate.

Mr. HUMPHREY. There is no assurance that any Senator can give at any time anywhere that if the Senate should adopt the proposed rule embodying the majority principle which has been advocated first, I believe, by the Senator from Oregon [Mr. MORSE], former Senator Lehman, and many others, some other Senator may not come back later and say, "I think the rules should be changed." Perhaps some Senators will say, "We do not like the rule. Perhaps the rule should require a vote of three-fourths of those present and voting."

We cannot bind future Congresses. We must rely on the good judgment, restraint, and experience of Senators, the traditions of this body, and our understanding of the need of free and open discussion. I submit that the history of this country indicates that when we did not have a rule requiring a vote of two-thirds of the Senators present and voting, as the present rule requires, when there was a rule requiring a simple majority to cut off debate, there were great Senators, and great public issues were decided. The Republic was not destroyed. The Senate was a mighty institution.

I merely say there is good reason to believe that the existing body of rules known as the Senate rules which are now in the Senate manual ought to be amended, not to destroy what we have built, but to add an additional protection for what we call responsible representative government, in order to make it possible for a majority of Senators who have been elected by the people of the United States and the people of the respective States to do business, because the Constitution requires that a majority shall constitute a quorum for the purpose of doing business.

Mr. MORSE rose.

Mr. KUCHEL. I yield to the Senator from Oregon.

Mr. MORSE. I rise to confirm what the Senator from California [Mr. KUCHEL] said a few moments ago in regard to the filibuster on the atomic energy bill in 1954. The CONGRESSIONAL RECORD will show that I participated in that filibuster. In fact, I believe I am the only liberal in the Senate who admits he filibusters. The remainder of my liberal colleagues talk about prolonged debate. But I have never filibustered to prevent a vote from ever occurring on a piece of legislation, and I never shall. But sometimes liberals should filibuster long enough to see to it that the public is informed as to what the Senate is up to.

Sometimes we need a few watchdogs in the Senate to keep the public informed as to what the Senate is up to. On that particular occasion the Senate was up to defeating the rights of the American public by way of a steamroller which the then majority leader sought to impose upon the Senate that afternoon. I remember it as though it were yesterday.

He asked for a unanimous consent agreement to vote on that proposed bill on that day or we could start talking. The bill did not reach the floor of the Senate until that afternoon. My recollection is that the bill was about 110 pages long. I never start to filibuster without preceding it with an offer of the Morse antifilibuster resolution. The Morse antifilibuster resolution, which I have introduced year after year and will offer again this afternoon before adjournment or recess, provides for the

basic principles contained in the resolution which the Senator from Minnesota [Mr. HUMPHREY], the Senator from California [Mr. KUCHEL], and other Senators have offered on this occasion. I am a cosponsor of that resolution, too.

As the Senator from Minnesota has said, we should consider the various antifilibuster resolutions, whether it is the Morse resolution, the Lehman resolution, the Humphrey resolution, the Douglas resolution, the Javits resolution or any of the rest, and see that not only are the rights of the minority for full and adequate debate protected, but also that the American people are protected from the operation of a steamroller in the Senate that seeks to deprive the American people of their substantive legislative rights. That is exactly what was attempted in the 1954 atomic energy debate.

Instead of giving a unanimous-consent agreement that afternoon on that issue, we debated the subject for 13 days and 6 nights, as I recall; I have a pretty good recollection about it because I held down the "graveyard shift" through 2 long nights of that filibuster. We protected the American people and we protected the minority. We changed a minority into a majority on a series of amendments that were added to the atomic energy bill in 1954, not a single one of which would have been passed had we as a Senate surrendered that afternoon to the unanimous-consent agreement to pass the bill on the afternoon it came to the Senate. The House had received the bill that day and passed it, as I recall, after less than 2 hours of debate. Then it came through the door of the Senate, and the majority leader, after it was laid down in the Senate, suggested an immediate vote on the measure that afternoon.

I shall go along with a fight in this session of Congress to adopt antifilibuster legislation that will protect minority rights but, as the Senator from Minnesota has pointed out, what was good enough for Webster, Clay, Calhoun, and the Senators of that day ought to be good enough for the Senate in 1961. They were willing to operate under a majority-rule principle.

There has been much reference in debate over the years to the fact that we do not always have majority rule under our form of government and under our Constitution, but the Constitution specifies when majority rule shall not apply, and so the argument by analogy that is constantly being used in the Senate is a typical non sequitur fallacy.

I am often interested in the tendency of Senators to use an analogy in argument and think that they have drawn a sound conclusion because there are some similarities, overlooking the great differences that are involved almost every time they use an argument by analogy. This is a good example of it. The fact, in my judgment, that the Constitution made perfectly clear when majority rule should not apply raises a presumption, I believe, that we ought to follow the majority rule principle.

I am going to leave my liberal friends in the Senate on one facet of the debate; I am not going along with them on a 60-percent provision. There ought to be a prolonged debate on the subject. The American people ought to be educated on the proposal for a 60-percent vote in the Senate. I happen to think that it is better in the long-range interest of the American people that we stand firm on the majority vote principle and take our beating again this year, as I think we probably will if we stand for that principle, rather than to go along with what I consider to be the very unsound compromise that would follow a defeat on the majority rule, namely, a 60-percent proposal.

I shall not only vote against it, but I shall be very happy to educate the American people in regard to the importance of that provision. It may take some time to get that educational lesson across to the American people. I thought the Senator from Louisiana would be particularly interested in the position the Senator from Oregon is taking on that proposal. I shall continue in the Senate along these lines until I get the American people fully informed on the importance of their legislative rights and of the necessity that their rules be changed in the Senate.

These rules do not belong to us as Senators. They belong to the American people. Unless the American people understand the direct relationship between their substantive legislative rights and a denial of their procedural rights in the Senate, we will never get majority rule in the Senate.

I believe that we liberals have made an exceedingly poor record over the years in carrying this issue to the country. We have not succeeded in educating the American people on the issue and on the relationship between the rules of the Senate and the legislative rights of the people in the Senate. There have been liberals before us who did much better than we have done in educating the American people on great issues that confronted them in the Senate in their day. We had great liberals in the Senate, such as Hiram Johnson, William Borah, La Follette, and Norris, who used to take the record of the Senate out to the platforms of America and read the record to the constituency of America. Once they got the American people educated as to the need of a great piece of legislation, they got the legislation.

Those liberals, Mr. President, did not compromise their principles. Once they became satisfied that it was in the interest of the American people that a certain proposal be adopted in the Senate, they fought for it until they won. They did not shortchange the people with promises that set them back for decades.

If we adopt the 60-percent proposal in this session of Congress, we may never get a majority rule in our lifetime.

Therefore, Mr. President, I close by saying to my liberal friends that the time has come to rally round the standard for majority rule in the Senate, and to settle for nothing else. If we get beaten on the majority rule principle, then let us try again and again and again, until we win out.

When I make my speech on the issue as to the 60-percent proposal, I will be able to show that it does not make much difference whether it is 60 percent or 66 percent, as it now exists, as far as stopping filibusters in the Senate is concerned. The only time we will really be successful in stopping filibusters or at least in most instances, is when we bring to the floor of the Senate the basic principle of democratic government that a majority shall have the right to speak for the American people.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LONG of Louisiana. With all due deference to my great and able friend from Oregon, I would suggest that the rule he proposes fits very well the speeches of the Senator from Oregon and I suppose what most people stand for from where they are standing themselves.

The Senator from Oregon has spoken on the floor of the Senate longer than anyone else in the history of the Senate. I well recall that he was the most considerate and polite Senator in this body, on the occasion when he spoke for 22½ hours, because when he started he invited all Senators to go home and come back the next day, and that it would not be necessary for anyone to get up early the next morning; that we could come back in the afternoon, and the speech would still be going on.

I submit, however, that when we start tearing down and denying the rights of Senators and begin to control discussion, we cannot stop there.

Those who do not make long speeches would be inclined to say, "If 20 Senators are denied the right to make long speeches, then perhaps five or six long speakers will make speeches of 24 hours or longer."

Reference has been made to liberals like Johnson and Borah and La Follette. Those great liberals were in favor of free speech. They did not like some of the things that were going on in those days, and they were willing to fight against them. It was important to them, however, that the rules of the Senate should give them the right to carry on extended debate.

My father, Huey Long, made a great fight on the floor of the Senate, together with former Senator Elbert Thomas, on the preservation of the State banks of the Nation. He made the fight against what would have resulted in an entirely Federal system of banks. Today that is regarded as a very wise statute. I say to the Senator that if the rule the Senator is advocating here had been in effect at that time, it would have been possible to cut off debates at that time by this type of procedure.

The Senator has referred to the right of persuading other Senators. He knows as well as I do the difficulty all of us have in trying to get Senators to come to listen to a speech. The junior Senator from Louisiana made a fight on the floor of the Senate a year ago for a mental health program, when the Senator from Minnesota was kind enough to come to the Chamber to listen to a part of his speech, at least. The Senator knows what usually happens when once a unanimous-consent agreement is entered into to limit debate. Everyone

goes home. Everyone leaves the Chamber. No one remains in the Chamber except a Senator or two who is firmly against the point of view of the speaker and remains in the Chamber to see that the speaker does not get very far with his argument. At the present time there is only one Republican Senator on the floor. I was worried for a moment that the Republican Party did not have anyone on the floor during this debate. Other than those I have mentioned, there are usually only one or two doorkeepers present. Once a unanimous-consent agreement to limit debate is entered into, the debate is all over. There is just so much time remaining, and it is a matter, from then on, of merely going through the motions, so far as persuading anyone is concerned.

Does not the Senator agree with the junior Senator from Louisiana that once it is agreed that debate will be closed at a certain time and that the Senate will vote at a certain time, there is very little chance of persuading anyone?

Mr. HUMPHREY. I would say, honestly, that there is considerable validity in what the Senator has said. However, I might add that one of the reasons for the difficulty of having Senators come to the Senate when they know there is going to be extended debate is that they all know it is going to be extended. When we set a time of day when we are going to vote, say, at 2 o'clock on Friday, and we agree that time will be parceled out from 12 o'clock on Wednesday, for instance, then from Wednesday until 2 o'clock on Friday Senators are in the Chamber and they are listening and paying attention, and they are studying the subject under debate. The administrative assistants of the Senators are on the floor with the Senators, and they are earnestly trying to find out what the facts are.

The point the Senator is making is illustrated by what happened when the Senator from Louisiana spoke on his mental health program. He did a wonderful job on the floor of the Senate. I voted with the Senator. I did not know at first that I was going to vote with him. The Senator convinced me.

I remember also the great work done by the Senator from Oregon [Mr. MORSE], the junior Senator from Tennessee [Mr. GORE], and the senior Senator from Tennesee [Mr. KEFAUVER], as well as the Senator from New Mexico [Mr. ANDERSON], and the Senator from Rhode Island [Mr. PASTORE], on the atomic energy bill some years ago. One of the purposes of extended debate, which would include the 15 days that we provide for under the amended resolution, is not only to convince Senators by the logic of our own arguments, by our eloquence, but we are talking to the members of the Press Gallery, who will report the news to the constituents. We are talking to the citizens who fill these galleries to watch the business of government—sometimes, I gather, somewhat unhappily. Nevertheless, we are trying to get our message out to the American people. I venture to say that while Senators may have spoken in this Chamber when there has not been any other Senator present except a representative of the majority or of the minority and the Presiding Officer, those speeches may very well have provoked a reaction in the country which caused Senators or Members of the other body to change their minds, or at least to be alerted to an issue.

We are not here simply to debate with one another. The U.S. Senate is a great public forum. It provides an opportunity for those who have been elected by their fellow citizens in the respective States to be heard, not merely as individuals, but as a force or a voice or an articulation of a point of view.

I know of many times in this Chamber when no attention has been paid to a speech which was being made by a Member of the Senate. Yet his words were carried in the press, over the great news services, and on the radio and television and in publications. Almost immediately telegrams started to come into the office. The telephone started to ring. Letters began to come from home. Visitors came to the offices of Senators and said, "I heard on the radio that Senator So-and-So said the following. What is your reaction to it?" Or, "I am for what he said."

I should say that many times some of the important speeches in this body are made by Senators who are not orators, who have no audience, and who are not even looking for an audience, but who find an opportunty to use the forum of the U.S. Senate as a platform from which to pronounce their points of view or to alert the American people to a particular issue.

Many of the country's great resources have been saved in this forum. Public opinion has been aroused on a host of subjects because of this forum when not a corporal's guard of Senators were present.

Mr. PASTORE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the distinguished Senator from Rhode Island. Before doing so, I ask that the name of the senior Senator from Rhode Island [Mr. PASTORE] be added as a cosponsor of the amendment in the nature of a substitute.

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

Mr. PASTORE. In answer to those who express a strong desire to be heard at length on any issue which concerns the welfare of the American people, is it not true that one thing of which we are losing sight, and which I think is quite important, is that there will already have been prolonged debate even before a petition is circulated, let alone before the petition rests upon the desks of Senators?

Mr. HUMPHREY. The Senator from Rhode Island is correct. As he knows, we are not abolishing section 2 of the existing rules; we are providing a second step, which is that even after that prolonged debate and the filing of a cloture petition—and it is no small job to get 16 U.S. Senators to sign a cloture petition—it is necessary to have a pretty good case. It is necessary to have a mighty sound argument. It is necessary for Senators to be mighty tired and mighty worried before they will sign a petition which will say to their colleagues, which ultimately may say to us, and may again say to us, "No more debate."

Every one of us lives here on the sufferance of our colleagues. We treat each other as responsible, decent human beings, because that is the way we want to be treated. The rule of tolerance and the rule of "Do unto others as you would have them do unto you" certainly apply in this body. The minute any Senator violates those rules, he gets just what he deserves.

Mr. President, I believe a very strong case can be made, and has been made, and a better case will be made, for what we call majority rule, principally in the matter of closing debate.

I shall yield the floor now. Before doing so, I ask that the name of the distinguished junior Senator from Indiana [Mr. HARTKE] also be added as a cosponsor of the amendment in the nature of a substitute.

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

Mr. KUCHEL. Mr. President, the U.S. Senate, at very long last, has now an opportunity to eliminate an undemocratic and ugly practice which has long plagued its deliberations. Available to a majority of us is a vote to eliminate the filibuster.

The filibuster is an anachronism. In the 8 years that I have had the honor to represent, in part, the people of the State of California, I have seen many filibusters in this Chamber, when varying and divergent issues were before the Senate. I have seen the leadership of whichever party was in the majority compelled to keep Senators in constant session, 24 hours a day, day in and day out, in order, physically, to exhaust a minority of filibustering colleagues whose sole and only goal was to prevent the majority from having the opportunity to pass judgment upon and to approve the business pending before the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator from California yield?

Mr. KUCHEL. Not now.

Mr. LONG of Louisiana. The Senator has reflected on other Senators. I should think he would at least yield.

Mr. KUCHEL. I do not yield, Mr. President. I shall yield to my beloved friend a little later. I first wish to make some comments; then I shall be glad to yield to the Senator from Louisiana.

My first vote in the Senate, in 1953, 2 or 3 days after I took my oath of office, was with respect to this subject. In 1953 I voted against filibusters. Intermittently I have had additional opportunities to reflect upon that judgment, and my judgment has been constant.

It seemed to me, as I came into the Senate originally, that what I had heard about filibusters was true; that filibusters were evil; that the highest parliamentary body in the Government of the United States ought not to be stultified by them. Time has demonstrated, I think, the wisdom of that position.

It is not a very pretty picture, based on the theory of self-government in

America, to find the Senate compelled to remain in continuous session, never stopping, day in and day out, week in and week out, and to observe some Senators who are able to stand and speak for 10 hours, 15 hours, 20 hours, or more, simply to prevent the Senate from working its will.

In 1953 Senators filibustered on the subject of the tidelands controversy. That filibuster went on and on. Finally, through exhaustion, and because one of the Senators who opposed the measure was about ready to suffer a heart attack, the filibuster was finally broken, and the Senate passed the measure which was then pending.

Mr. President, during one of the previous debates I made a statement later read into the hearings of the special subcommittee of the Committee on Rules and Administration which was appointed to consider this subject during the 85th Congress. I said:

> What is a filibuster? My definition would be that it is irrelevant speechmaking in the Senate, designed solely and simply to consume time, and thus to prevent a vote from being taken on pending legislation. To my mind a filibuster is an affront to the democratic processes and to the intelligence of the people of the United States.

I believe that today. To see Senators answering a quorum call at midnight, at 2 o'clock in the morning, and at 4 o'clock in the morning; coming into the Chamber unshaved, unkempt, many of them without neckties, and bleary-eyed from lack of sleep, at 6 o'clock in the morning; knowing that they faced another 24-hour day, and one more, and one more, and one more after that, is a sad commentary on the ability of the people of the American Republic to represent themselves through elected legislators of their own choice.

Our opportunity today is a unique one. We can shear away a rule which permits regrettably extended talkathons. We can do it because of a courageous, logical, and constitutional opinion handed down on two occasions by the Vice President of the United States. When Vice President NIXON was first confronted with this problem in 1957, he had before him a set of rules which many Senators contended continued into the next Congress.

The PRESIDING OFFICER. The hour of 2 o'clock has arrived, and morning business is concluded; and the resolution goes to the calendar, under the rule.

Mr. JAVITS. Mr. President——

Mr. KUCHEL. Mr. President, do I lose the floor?

The PRESIDING OFFICER. No, the Senator from California still has the floor.

Mr. JAVITS. At this point will the Senator from California yield?

Mr. KUCHEL. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I ask my colleague to yield to enable me to propound a parliamentary inquiry; and I ask unanimous consent that he may not lose the floor.

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

Mr. JAVITS. My parliamentary inquiry is as follows: If we are proceeding, under the Constitution, to consider new rules for the Senate, and if there apply only such rules as do not inhibit that process, is it not then proper that the 2 o'clock rule shall not apply in this instance to this situation?

The PRESIDING OFFICER. Under the usual rule and the precedents of the Senate, a resolution of this type is, at the conclusion of the morning hour, placed upon the calendar, subject to being called up at a later time. However, it would be proper to request unanimous consent to proceed without regard to that rule.

Mr. JAVITS. I thank the Chair.

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of Senate Resolution 4, as modified.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

Mr. KUCHEL. Mr. President, will the Senator from Minnesota withhold his motion for a moment?

Mr. HUMPHREY. I withhold it temporarily.

Mr. KUCHEL. Mr. President, do I have the floor?

The PRESIDING OFFICER. Yes.

Mr. RUSSELL. Mr. President, the Senator from California cannot hold the floor and permit another Senator to make a motion.

Mr. KUCHEL. Mr. President, will the Chair explain the parliamentary situation? If I have the floor——

The PRESIDING OFFICER. The Senator from California has the floor, and may proceed if he desires to do so.

Mr. RUSSELL. Mr. President, the Senator from California cannot prevent me from suggesting the absence of a quorum after a motion is lodged before the Senate.

The PRESIDING OFFICER. Did the Senator from California yield to the Senator from Minnesota for the making of a motion?

Mr. KUCHEL. I yield to the Senator from Minnesota for that purpose.

Mr. RUSSELL. Mr. President, I reserve the right to object; and I shall object unless there is an agreement that we may have a quorum call after the motion is lodged—as is usually the case in the Senate.

Mr. KUCHEL. I have no objection, except that I am in the midst of some comments which I wish to make on this subject.

Mr. RUSSELL. There is nothing to prevent the Senator from California from proceeding with his remarks. He does not have to yield for this purpose. But if he yields and if a motion is made, it is certainly proper to suggest the absence of a quorum—if the Vice President has not declared that rule of the Senate unconstitutional.

Mr. KUCHEL. Then I am happy to yield to the Senator from Minnesota; and I ask that after the quorum call is had, I may be permitted to resume my remarks.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that after the quorum call, the Senator from California be permitted to continue his remarks.

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

Mr. HUMPHREY. Mr. President, I now move that the Senate resume the consideration of Senate resolution 4, as modified.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that further proceedings under the call of the quorum may be dispensed with, in order that the distinguished Senator from California [Mr. KUCHEL] may proceed with his remarks.

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

Mr. KUCHEL. Mr. President, in his first opinion on the capacity of the majority of the Members of the Senate to govern themselves by adopting rules at the beginning of each Senate session, the distinguished Vice President of the United States had before him the rules of the preceding Congress which had been adopted by the Senate to guide him.

With respect to the problem of full and free debate finally being concluded, so that Senators would have the responsibility of answering the rollcall on the merits of the pending issue, the Vice President had before him language of the prior Senate rules which would have prevented any type of cloture whatsoever with respect to a motion to change the rules—I repeat, no cloture whatever was available in those days—to prevent an endless talkathon against changing the rules.

But, in addition to that, the Vice President had before him a provision of the Senate rules which went on to say that cloture could not be invoked unless a constitutional two-thirds of the Senate voted in favor of the cloture.

The Vice President, however, had before him something else. He had before him the American Constitution, the basic law of this land, and he had particularly section 5 of article I, which, in part, provides:

> Each House may determine the rules of its proceedings, punish its Members for disorderly behavior and, with the concurrence of two-thirds, expel a Member.

Thereafter the distinguished Vice President of the United States said this to the Members of the Senate:

> It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.
>
> Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional.

I applaud the clarity and the courage of the Vice President of the United States in rendering that advisory opinion.

He further said:

It is also the opinion of the Chair that section 3 of rule XXII in practice has such an effect.

That, I observe parenthetically, Mr. President, was the provision by which the Senate rules purported to preclude any kind of cloture against a motion to change the rules.

I proceed further with the reading of the advisory opinion:

The Chair emphasizes that this is only his own opinion, because under Senate precedents, a question of constitutionality can only be decided by the Senate itself, and not by the Chair.

At the beginning of a session in a newly elected Congress, the Senate can indicate its will in regard to its rules in one of three ways:

First. It can proceed to conduct its business under the Senate rules which were in effect in the previous Congress and thereby indicate by acquiescence that those rules continue in effect. This has been the practice in the past.

Second. It can vote negatively when a motion is made to adopt new rules and by such action indicate approval of the previous rules.

Third. It can vote affirmatively to proceed with the adoption of new rules.

Turning to the parliamentary situation in which the Senate now finds itself, if the motion to table should prevail, a majority of the Senate by such action would have indicated its approval of the previous rules of the Senate, and those rules would be binding on the Senate for the remainder of this Congress unless subsequently changed under those rules.

If, on the other hand, the motion to lay on the table shall fail, the Senate can proceed with the adoption of rules under whatever procedures the majority of the Senate approves.

In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress in the opinion of the Chair remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the membership of the Senate to exercise its constitutional right to make its own rules.

Mr. President, I repeat: In my judgment the Vice President of the United States is eternally sound constitutionally in this opinion. He indicated with clarity what in his judgment the Constitution of the United States gives to the Senate in each Congress with respect to a right to adopt rules by which to govern its orderly parliamentary procedures, and to do it by majority vote.

Would it not be foolish, Mr. President, to argue that if one Senate years ago had ruled that the rules of the Senate could not be approved except by a unanimous vote that this would serve to handcuff all future Senates through all eternity? How foolish that would be. Is there anyone in this Chamber who would argue that a U.S. Senate in some prior Congress which adopted such rules could tie the hands of and manacle the Members of the Senate until doomsday against changing the rules, which all Members of the body might wish to approve with one exception? I do not think so.

Thus, we have at the opening of this new Congress a unique opportunity available to us to eliminate what I think may properly and accurately be called an ugly and undemocratic procedure by which Senators may talk indefinitely not for the purpose of adding one scintilla of wisdom to the debate on the pending issue, but simply to prevent Senators from exercising their constitutional duty of standing on this floor and voting up or down the pending question.

Mr. President, I think a point ought to be made in this debate that both great American political parties this past year in their national conventions promised the American people that democracy would prevail in the Congress of the United States.

Mr. President, I am proud that the Republican National Convention, meeting last year in the city of Chicago, said:

We pledge our best efforts to change present rule XXII of the Senate and other appropriate congressional procedures that often make unattainable proper legislative implementation of constitutional guarantees.

There is a firm commitment to the people of the United States by the great political party to which I have the honor to belong. It is a commitment promising that Republicans will seek to change rule XXII under which filibusters these many years have been conducted.

I congratulate those who gathered in the city of Los Angeles in my State of California representing the Democratic Party, for in its platform the Democratic National Convention said:

In order that the will of the American people may be expressed upon all legislative proposals, we urge that action be taken at the beginning of the 87th Congress to improve congressional procedures so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.

They also said:

To accomplish these goals will require Executive orders, legal actions brought by the Attorney General, legislation, and improved congressional procedures to safeguard majority rule.

Thus, it was, Mr. President, that some of us at the opening of this session of the Congress, some of us in the Senate on both sides of the aisle, believing devoutly that in this modern era filibusters have no place in orderly American Government, believing that the commitments made by the Republican and Democratic Parties to the American people represent something specific which ought to be done, have joined together to sponsor the resolution which is now before us on a motion that it be made the pending business.

Mr. President, by reason of the rules of the Senate as amended and as adopted in the last Congress, provision has been made for a cloture petition signed by 16 Senators to lie over at the desk for 2 days and then, if two-thirds of the Senators present and voting approve of it, debate shall be ended, except for an additional 100 hours to be parceled out 1 hour each to every Member of the Senate.

What some of us are urging the Senate to do now is to add an additional or an alternative means of eliminating long-drawn-out "talkathons" by providing for a cloture petition, to be likewise signed by 16 Senators, but providing further that if such petition lies on the desk of the Senate for 15 days and is thereafter approved by a constitutional majority of Senators—that is to say, 51—debate then will have to come to a close, subject again to 100 additional hours available, 1 each to every Member of the Senate. We retain the two-thirds provision after 2 days, but we add a 51-vote provision after 15 days, excluding Sundays and holidays.

Mr. KEATING. Will the Senator from California yield to me for the purpose of propounding a parliamentary inquiry on that subject?

Mr. KUCHEL. I am glad to yield to the Senator from New York for that purpose.

Mr. KEATING. I know that the distinguished Senator from California has correctly stated the intention of those of us who have offered the proposed amendment. It has come to my attention that perhaps there is a little confusion on the subject, and I therefore propound this parliamentary inquiry.

Does the proposal now made by the group of us headed by the distinguished Senator from California and the Senator from Minnesota, by its wording retain the existing provisions of rule XXII relating to the two-thirds requirement for cloture? Is it an addition to rule XXII or does it, in fact, repeal that rule and substitute the 51-percent requirement for the two-thirds requirement?

The PRESIDING OFFICER. The question which would be before the Senate when the resolution is up for consideration is the Humphrey amendment to the Anderson resolution as modified.

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

Mr. KEATING. I yield.

Mr. RUSSELL. Is it not a bit unkind, while the distinguished Senator from California is occupying the floor and pleading so fervently in behalf of the proposed amendment, that notwithstanding the list of Senators who coauthored the proposed amendment the Chair should refer to the amendment as the Humphrey amendment? I do not think the Chair should exclude the Senator from California. He is on his feet diligently urging the adoption of the proposed amendment. He appears as a coauthor. I believe he should be entitled to some little recognition. I do not think he is entitled to any credit, but I believe he is entitled to some recognition.

Mr. KUCHEL. Let us use the legal phrase "and others," Mr. President.

The PRESIDING OFFICER. The Humphrey "and others" is the proposed amendment.

Mr. KEATING. If the Senator will yield further, I respectfully request a ruling from the Chair on my parliamentary inquiry. I am aware of the fact that the Humphrey-Kuchel and others amendment is pending to the Anderson amendment.

Mr. RUSSELL. I did not mean to exclude the Senator from New York.

Mr. KEATING. I appreciate the unfailing courtesy of my friend from Georgia. My problem is this: The distinguished Senator from Minnesota [Mr. HUMPHREY] and the distinguished Senator from California [Mr. KUCHEL] have both pointed out that we are trying to add something to rule XXII without disturbing the old two-thirds section as it

now exists. It has been suggested, however, that because of the form of the substitute, we may in fact, be doing away with the two-thirds section. This most certainly is not the intention and I am seeking some clarification.

Mr. KUCHEL. I think I can allay the apprehension of my able colleague. I should like to state affirmatively that the resolution which pends before the Senate under a motion to make it the pending business refers to and seeks to amend section 3 of rule XXII, and we do not seek in any fashion, nor do we say that we seek, to amend section 2 of rule XXII.

Mr. RUSSELL. Mr. President, I desire to make a point of order that the question as to the effect of an amendment, strictly speaking, is not a parliamentary question. That is a legal question. I do not know that the Chair is in any way authorized to rule on the legal effect of an amendment. That is something upon which every Senator must pass for himself. Who is bound by a ruling of the Chair as to the legal effect of an amendment?

The PRESIDING OFFICER. In response to the question of the Senator from New York, the Chair will state that the Chair does not seek to interpret the meaning of an amendment.

Mr. KUCHEL. Mr. President, I am arguing in favor of what we seek to do. I wish affirmatively to say what the intent of the coauthors is. I think the language speaks for itself. The intent of our resolution, which is offered in the nature of a substitute, is to add a new section to rule XXII, and since the language does speak for itself, and since we have indicated that we do not, by the language of our substitute, touch subsection 2, but seek to amend section 3, I think it is perfectly clear what the intention of the sponsoring Senators is.

I wish to proceed, if I may.

Mr. KEATING. The Senator having yielded, I must ask the Chair either to rule or to decline to rule in the light of the representations made by the Senator from Georgia.

The PRESIDING OFFICER. The Chair will comment that the Kuchel-Humphrey, et al., amendment, as modified, adds a new section to rule XXII, which would probably be section 4.

Mr. KUCHEL. Can anyone believe that a future Senate can or should be restricted in its actions by the dead hand of a past Senate? Was it not a great Virginian, Thomas Jefferson, who queried:

> Can one generation bind another, and all others, in succession forever? I think not. The Creator has made the earth for the living, not the dead.

Students of government, Congress, and the Supreme Court have likewise recognized that no legislature can pass what Judge Cooley once described as "irrepealable laws." Thus, to permit a two-thirds requirement, such as that which exists in the present rule XXII, enacted by a previous Senate to hinder the expressions of a majority of a successor Senate would violate every canon of our Constitution and American political theory. A filibuster to prevent a change in the filibuster rule which itself was adopted by a majority vote would have such a result. This was the unreasonable situation in which the Senate found itself as a result of the rules changes of 1949. At that time, the Senate had ruled that there could be no cloture on any proposal to change the rules of the Senate. Although this section was eliminated in the 1959 revisions, a section with similar effect was added. Consequently, the present section 2 of rule XXXII reads:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Any attempt to sanction a filibuster under such a rule which would prevent a majority now from exercising its will must be unconstitutional under article I, section 5.

In the brief prepared for the Vice President we stated:

> A majority in 1959 cannot give a minority in 1961 the right to prevent the majority in 1961 from exercising its democratic will (pp. 24–25).

To believe otherwise is to reach the obvious extremes which would permit future amendments to the rules only by unanimous consent or to pass a rule that no equal-rights legislation could be considered for a specified number of years. To permit such a rule to survive is not to facilitate Senate business but to hinder it; in effect, it is to mask substance as procedure since its continuation would prevent majority action on substantive issues.

In prior years, a majority of the Senate adopted its own rules without being obstructed by actions and rules of an earlier Senate. For example, in 1819, a joint resolution authorized each House to choose the printer for the next succeeding House. Two decades later, in 1840, a Democratic Senate chose the firm of Blair and Rives as printer prior to being succeeded by a Whig Senate. Despite claims by Senators Allen of Ohio and Buchanan of Pennsylvania that the Senate could not dismiss the printer because, as a permanent and continuous body, it was bound by the Senate of an earlier Congress, the resolution to dismiss was adopted 26 to 18.

For 87 years from 1789 to 1876, the House and Senate had acquiesced in the continuation of various joint rules. In 1865, a rule concerning the method of counting the electoral votes was adopted. Four years later, the two Houses disagreed as to the rule's effect. The Senate, despite long accepted practice of continuing the rules without voting, now voted to reject a substitute resolution which treated the rules as in force and accepted the initial resolution which was based on the theory that no joint rules existed at the opening of the new Congress.

An analysis of the operations of the U.S. Senate shows that with the possible exception of the rules, all legislative and executive activity of the Senate begins again with a new Congress. And I submit that the adoption of the rules which are carried over is in reality a matter of convenience.

Mr. President, I ask unanimous consent that a chart entitled "Analysis of the Operations of the U.S. Senate" be included at this point in my remarks.

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

Analysis of the operations of the U.S. Senate

Activity	Senate acts anew in each Congress	Senate bound by Senate of preceding Congress	Comment
1. Introduction of bills	X		See Senate rule XXXII.
2. Committee consideration of bills	X		Do.
3. Debate on bills	X		Do.
4. Voting on bills	X		Do.
5. Election of officers	X		While the old officers carry over until new ones are elected, the carryover does not prove rules carry over. It is a mere convenience. Even in the House, the Clerk carries over until the new one is elected. Obviously this does not prove that House rules carry over; they do not.[1]
6. Consideration of validity of senatorial elections	X		Although credentials of a Senator-elect are often presented to the Senate prior to the beginning of his term, the validity of the credentials can only be considered by the Senate to which he was elected and not before.
7. Consideration of treaties	X		See Senate rule XXXVII(2).
8. Submission and consideration of nominations	X		See Senate rule XXXVIII(6).
9. Election of committee members	X		See Rule XXV. While old committees carry over until new ones are elected, the carryover does not prove rules carry over. It is a mere convenience. Even in the House, the Clerk carries over until the new one is elected. Obviously this does not prove that House rules carry over; they do not.
10. Adjournment	X		Adjourns sine die. When Congress ends at noon of a particular day, and a special session of the Senate of the new Congress is called, the Senate adjourns at noon, and 1 minute afterward opens the new session.
11. Rules	(?)	(?)	Past practice of Senate on rules is ambiguous. It can be explained as acquiescence in past rules, which can either be repeated at the opening of the Senate of any new Congress by beginning to operate under them or which can be refused by the adoption of new rules in whole or in part.

[1] Similarly, the fact that the President pro tempore carries over until there is a change of party control of the Senate is no evidence of rules carryover. On the contrary, the fact that an election of a President pro tempore automatically follows a shift in party control (see CONGRESSIONAL RECORD, vol. 99, pt. 1, p.9) is evidence that the Senate of each new Congress responds to the will of the majority of the Senate of that Congress.

Mr. KUCHEL. Mr. President, because two-thirds of the Senate carries over does not mean that the bills, resolutions, treaties, and nominations considered in the previous Congress carry over. They do not. But clearly the continuing nature of the Senate is irrelevant if its rules conflict with the Constitution. To assume that the rules carry over because two-thirds of the Senators do is to assume that the two-thirds carryover would always carry a majority in favor of the existing rules. Yet one-third of the Senate could conceivably be elected for the first time every 2 years, and still others could change their views in the meantime.

Perhaps the experience of the House of Representatives is pertinent here. Senators on both sides of the rules issue have admitted that the House is not a continuous body. Yet for 30 years between 1860 and 1890, the House acquiesced in past rules rather than formally adopting new rules at the beginning of each Congress. The rules were continued under a resolution which held that the 1860 rules would be in force unless otherwise ordered. As the result of Speaker Thomas Reed, a majority of Congress, operating under general parliamentary law at the beginning of a new Congress, adopted new rules. Acquiescence for 30 years did not prevent the majority from acting. Both the Senate and House organize their work on a 2-year basis. The difference is only in the length of terms of the Members.

The authority by which the House of Representatives first acquiesced in prior rules over many Congresses, and then in its determination that it would adopt new rules at the beginning of each Congress, stems from exactly the same language in the Constitution which the Vice President has applied in his advisory opinion to the Senate and which some of us hope will be appealing to a majority of the Members of the Senate, so that we can take action which was promised the American people by both political parties and which, in the judgment of many of us, is long, long overdue.

Furthermore, the present two-thirds requirement of rule XXII is in violation of the Constitution which established majority rule as the operating principle of our Government except in five specifically enumerated instances. The five include first, the power of Congress to override the veto; second, the ratification of treaties by the Senate; third, the initiation by Congress of constitutional amendments; fourth, the power of impeachment; and fifth, the expulsion of Members of either the House or Senate. The Constitutional Convention rejected efforts to impose the two-thirds requirement on questions of interstate and foreign commerce, navigation, and the attainment of a quorum.

Mr. President, in those unhappy and tragic instances when Congress has responded to the request of the Chief Executive to declare war, each House of Congress has acted under the Constitution, by which a declaration of war may be adopted by a majority vote of each House of Congress. That indeed is the general rule. The Presiding Officer and I and the other Members of the Senate, when we sit in judgment on such urgent matters as the amounts of money needed for America's defense, decide the issue by a majority vote, and no more.

When we determine all the important issues which come before us each year, as to what is necessary and what is in the interest of the American people, a majority vote is all that is required except in those five specific instances which I have previously noted.

During the past century there have been over 40 leading filibusters which have consumed endless days of Senate time. Some have been coordinated efforts by a group of Senators while others have been a more lonely crusade. The Senate has not always been plagued with this cancer. When the first Congress assembled in New York in 1789, the Senate adopted on April 16, rule IX, which permitted the previous question to be moved and seconded. Once done, the Presiding Officer queried: "Shall the main question be now put?" If the nays prevailed, the main question was not then put and debate continued. If it was in the affirmative, a vote was at once taken. When the Senate rules were revised in 1806, the previous question was omitted. It had been moved only four times and used only three times during the previous 17 years. Abuse as a result of its elimination was not immediately noted since the Presiding Officers were strict concerning the germaneness of speeches.

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

Mr. KUCHEL. I yield.

Mr. RUSSELL. Is the Senator aware of the fact that the previous question, to which he refers, was, in the First Congress, a debatable issue, and was debated? Does the Senator know that the minutes of the First Congress show that considerable debate took place, after the previous question was moved, as to whether or not the previous question should be voted on? I can get some of the original minutes of that Congress, if it is necessary to convince the Senator, to show that debate was held after the previous question was moved in the Senate under that original rule.

Mr. KUCHEL. If that is true, I did not know it. I thank the Senator from Georgia.

On the eve of America's entry into the First World War, a successful filibuster of the so-called armed-ship bill caused President Wilson to call the Senate into extraordinary session and resulted in the cloture provision similar to the present rule XXII, whereby two-thirds of the Senators present and voting could limit debate.

Both political parties in this period showed concern for the filibuster abuses. In 1916 and 1920, the Democratic platform stated:

> We favor such alteration of the rules of procedure of the Senate of the United States as will permit the prompt transaction of the Nation's legislative business.

In 1922, the Senate Republicans, in a party conference, voted 32 to 1 for majority cloture on revenue and appropriation bills. A resolution to that effect was offered in 1926.

In 1939 and 1945, an antifilibuster rule was made a part of the Reorganization Acts. Debate on a resolution to disapprove a Presidential reorganization proposal was limited to 10 hours.

In this instance, as in others, the Senate severely limited its right of free speech well in advance of any knowledge as to the issue. Between 1949 and 1959, cloture could only be invoked if a constitutional two-thirds agreed. Thus, during this period, it required a greater number of Senators to limit a Senator's speech than to expel him. In 1959, rule XXII was amended to two-thirds of those present and voting. But because of the high attendance on a vote as crucial as that of cloture, it was a relatively meaningless change.

Since 1917, there have been 23 cloture votes. A two-thirds majority was secured in four cases—the last being in 1927. On 9 occasions a majority of the entire Senate membership was obtained; while on 15, a majority of those present and voting was secured. Seven cloture attempts received the support of only a minority of those present and voting; and one resulted in a tie vote. Thus, cloture failed 19 out of 23 times. It is interesting to note that under a majority of the entire membership rule, which we are here advocating, cloture would have failed 14 out of 23 times.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks three tables entitled "Legislation Delayed or Defeated by Filibusters," "Later Action on 35 Filibustered Bills," and "Senate Votes, 1919–60, on Invoking Cloture Rule," prepared by the Legislative Reference Service of the Library of Congress.

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

(See exhibits 1, 2, and 3.)

Mr. KUCHEL. Mr. President, no one has claimed that State senators are undemocratic or do not protect minority rights. In the State senate in which I had the honor to serve before the war, we could proceed, by majority vote, to move the previous question. Forty-five of the forty-eight States forbid filibustering in the upper houses of their legislatures. In most cases, the limitation on debate is imposed by majority vote.

Listen to the words of the late Henry Cabot Lodge. They are as fitting today as when he uttered them several decades ago. Of the abuse of parliamentary discussion and legislative decorum which we know as the filibuster, he said:

> There must be a change, for the delays which now take place are discrediting the Senate, and this is greatly to be deplored. The Senate was perhaps the greatest single achievement of the makers of the Constitution, and anything which lowers it in the eyes of the people is a most serious matter. A body which cannot govern itself will not long hold the respect of the people who have chosen it to govern the country.

Mr. President, the late Senator Lodge, the grandfather of our distinguished former Ambassador to the United Nations, displayed a prescience which is as

applicable today to the Members of the U.S. Senate as it was in the hours in which he first uttered them.

The Senate, I regret to say, by the filibusters which have taken place in this Chamber during the few years I have been here and have seen them, has, in my judgment, lowered itself in the eyes of the American people.

Mr. President, I ask unanimous consent that I may incorporate at this point in my remarks the comments of the late Charles G. Dawes, Vice President of the United States, whose words I used in a prior session in discussing this subject.

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

I will state the principal objections to the Senate rules as they stand:

1. Under these rules individuals or minorities can at times block the majority in its constitutional duty and right of legislation. They are therefore enabled to demand from the majority modifications in legislation as the price which the majority must pay in order to proceed to the fulfillment of its constitutional duty. The right of filibuster does not affect simply legislation defeated but, in much greater degree, legislation passed, continually weaving into our laws, which should be framed in the public interest alone, modifications dictated by personal and sectional interest as distinguished from the public interest.

2. The Senate is not and cannot be a properly deliberative body, giving due consideration to the passage of all laws, unless it allots its time for work according to the relative importance of its duties, as do all other great parliamentary bodies. It has, however, through the right of unlimited debate surrendered to the whim and personal purposes of individuals and minorities its right to allot its own time. Only the establishment of majority cloture will enable the Senate to make itself a properly deliberative body. This is impossible when it must sit idly by and see time needed for deliberation frittered away in frivolous and irrelevant talk, indulged in by individuals and minorities for ulterior purposes.

3. The rules subject the people of the United States to a governmental power in the hands of individuals and minorities never intended by the Constitution and subversive of majority rule under constitutional limitation. In the words of Senator Pepper, of Pennsylvania:

"The Senate, by sanctioning unlimited debate and by requiring a two-thirds vote to limit it, has in effect so amended the Constitution as to make it possible for a 33-percent minority to block legislation."

4. The present rules put into the hands of individuals and minorities at times a power greater than the veto power given by the Constitution to the President of the United States, and enabled them to compel the President to call an extra session of Congress in order to keep the machinery of Government itself in functioning activity. The reserved power of the States in the Constitution does not include the power of one of the States to elect a Senator who shall at times control a majority or even all the other States.

5. Multiplicity of laws is one of the admitted evils from which this country is suffering today. The present rules create multiplicity of laws.

6. The present rules are not only a departure from the principles of our constitutional Government but from the rules of conduct consistent therewith which governed the U.S. Senate for the first 17 years of its existence and which provided for majority cloture.

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

Mr. KUCHEL. I yield.

Mr. RUSSELL. Has the Senator ever had occasion to read the views of one of his distinguished predecessors, the late Senator Hiram Johnson, on the statement by Vice President Dawes?

Mr. KUCHEL. No, but I should be very glad to see it.

Mr. RUSSELL. I shall be very happy to supply it for the RECORD. In those days, Senators were very proud of all the prerogatives of the Senate. Vice President Dawes evoked the unstinted criticism of not only the Democrats but also of Hiram Johnson, William Borah, George Norris, and, almost in a state of apoplexy, Senator Robert La Follette, of Wisconsin, who, in those days, were supposed to be liberals. However, the times and conditions have changed. The liberal position at that time was in favor of full and free debate. Now those who claim to be the real liberals in the country are in favor of very drastic limitations on debate.

Mr. KUCHEL. I thank the Senator from Georgia. In that connection, the only thing I recall about our late illustrious California Senator, the great Hiram Johnson, is that for many years he tried to obtain a vote in the U.S. Senate to approve proposed legislation which he sponsored to construct the great Hoover Dam. The bill was filibustered to death in the Senate again and again and again. The people of California were denied what a majority of the Members of the Sente were prepared to approve, until finally, years later, the late great Senator was able to overcome the filibustering opposition, and the Senate approved what the House of Representatives had approved, and the great dam at Boulder Canyon began to be constructed.

I do not remember—I have had no opportunity to know of—any comments which our late great California Senator may have made on this subject, but the recollection I have just related came to my mind.

Mr. President, I believe in full and free debate. I believe that minorities have rights which ought to be protected. I believe majorities have rights which, likewise, ought to be protected. The Senate ought to be able to have sufficient time in which to discuss, fully and relevantly, each great issue as it comes before us. But when the discussion and the debate, having been full and free, are replaced by speeches not designed to add wisdom to the listening Senators or to the country, but are designed exclusively for the purpose of preventing a vote from being taken, then the Senate ought to have the means by which to conclude debate and to go forward to the great responsibility we have of passing our own judgment, with our votes, up or down, on whatever question may be pending before us.

This is the sole opportunity for the next 2 years for a majority of Senators, under the opinion of the Vice President, to eliminate the filibuster and to go forward in the fashion in which some of us have urged in the resolution now before us.

Mr. President, I hope that what should have been accomplished by the Senate years ago will be accomplished now.

EXHIBIT 1

Legislation delayed or defeated by filibusters [1]

Bills	*Year*
Reconstruction of Louisiana	1865
Repeal of election laws	1879
Force bill (Federal elections)	1890–91
River and harbor bills (3)	1901, 1903, 1914
Tristate bill	1903
Colombian Treaty (Panama Canal)	1903
Ship subsidy bills (2)	1907, 1922–23
Canadian reciprocity bill	1911
Arizona-New Mexico statehood	1911
Ship purchase bill	1915
Armed ship resolution	1917
Oil and mineral leasing bill and several appropriation bills	1919
Antilynch bills (3)	1922, 1935, 1937–38
Migratory bird bill	1926
Campaign investigation resolution	1927
Colorado River bills (Boulder Dam project) (2)	1927, 1928
Emergency officers retirement bill	1927
Washington public buildings bill	1927
National-origins provisions in immigration laws, resolution to postpone	1929
Oil industry investigation	1931
Supplemental deficiency bill	1935
Work relief bill ("prevailing wage" amendment)	1935
Flood control bill	1935
Coal conservation bill	1936
Antipoll tax bills (4)	1942, 1944, 1946, 1948
Fair employment practices bills (2)	1946, 1950

[1] Thirty-six bills appear in this incomplete list, not including the many appropriation bills that have either been lost in the jam that resulted from filibusters or were talked to death because they failed to include items that particular Senators desired for the benefit of their States or because grants they made were considered excessive. Several successful filibusters have sought and achieved the enactment of legislation favored by the filibusters. Filibusters have succeeded not only in preventing the passage of legislation, but also in preventing the organization of the Senate, the election of its officers, and the confirmation of Presidential appointees. They have also succeeded in modifying the terms of legislation; in delaying adjournment of Congress; in forcing special sessions, the adoption of conference reports, of neutrality legislation, and of a ship subsidy; in postponing consideration of legislation, and in raising the price of silver. Legislation has also often been defeated or modified by the mere threat of a filibuster. All the bills listed above, however, except the force bill, the armed ship resolution, and the so-called civil rights bills, were eventually enacted, in some form.

Numerous appropriation bills. For a partial list of 82 such bills that failed from 1876 to 1916, see CONGRESSIONAL RECORD, June 28, 1916, pages 10152–10153.

Of the 36 measures listed above, all but 11 eventually became law, in some cases after compromises had been made in their provisions following the failure of cloture. The table below, prepared at the direction of Senator HAYDEN, shows the later action on 35 filibustered bills.

The 36th measure (the second FEPC bill) was filibustered in 1950, subsequent to the table that follows.

EXHIBIT 2

Later action on 35 filibustered bills

Bills	Filibustered	Passed	Not passed (10)
Reconstruction of Louisiana	1865	1868	
Election laws	1879	1909 (repealed)	
Force bill	1890–91		X
River and harbor bills (3)	1901, 1903, 1914	At intervals	
Tristate bill	1903	1907, 1912	
Colombian Treaty	1903	1903 [1]	
Ship subsidy bills (2)	1907, 1922–23	1936	
Canadian reciprocity bill	[illegible]	1911 [1]	
Arizona-New Mexico statehood	[illegible]	1912 (admitted)	
Ship purchase bill	1915	1916	
Armed ship bill	1917		X
Mineral lands leasing bill	1919	1920	
Antilynch bills (3)	1922, 1935, 1937		X
Migratory bird conservation bill	1926	1929	
Campaign investigation resolution	1927	1927 [1]	
Colorado River bills (2)	1927, 1928	1928 [1]	
Emergency officers retirement bill	1927	1928	
Washington public buildings bill	1927	1928	
Resolution to postpone national-origins provisions of immigration laws	1929	1929	
Oil industry investigation	1931	1935	
Supplemental deficiency bill	1935	1936	
Prevailing wage amendment to work relief bill	1935	1936	
Flood control bill	1935	1936	
Coal conservation bill	1936	1937	
Antipoll tax bills (4)	1942, 1944, 1946, 1948		X
FEPC bill	1946		X

NOTE.—Numerous appropriation bills—at intervals—passed in special or later sessions.

[1] In special or subsequent sessions.

Source: Limitation on Debate in the Senate. Hearings before the Committee on Rules and Administration. U.S. Senate. 81st Cong., 1st sess. On resolutions relative to amending Senate rule XXII relating to cloture. January and February 1949, p. 42.

EXHIBIT 3.—*Senate votes, 1919–60, on invoking cloture rule* [1]

No.	Congress	Session	Date	Subject	Senator offering motion	Yeas		Nays	Congressional Record		Cloture
						Number	Percent		Volume	Page	
1	66	1	Nov. 15, 1919	Treaty of Versailles	Lodge	76	82.6	16	58	8555, 8556	Yes.
2	66	3	Feb. 2, 1921	Emergency tariff	Penrose	36	50.7	35	60	2432	No.
3	67	2	July 7, 1922	Fordney-McCumber tariff	McCumber	45	56.2	35	62	10040	No.
4	69	1	Jan. 25, 1926	World Court	Lenroot	68	72.3	26	67	2678, 2679	Yes.
5	69	1	June 1, 1926	Migratory-bird refuges	Norbeck	46	58.2	33	67	10392	No.
6	69	2	Feb. 15, 1927	Branch banking	Pepper	65	78.3	18	68	3824	Yes.
7	69	2	Feb. 26, 1927	Disabled World War I officers retirement	Tyson	51	58.6	36	68	4901	No.
8	69	2	do	Colorado River development	Johnson	32	35.1	59	68	4900	No.
9	69	2	Feb. 28, 1927	Public buildings in District of Columbia	Lenroot	52	62.6	31	68	4985	No.
10	69	2	do	Customs and Prohibition Bureau's creation	Jones (Washington)	55	67.0	27	68	4986	Yes.
11	72	2	Jan. 19, 1933	Banking Act		58	65.9	30	76	2077	No.
12	75	3	Jan. 27, 1938	Antilynching (CR No. 1)	Neely	37	42.0	51	83	1166	No.
13	75	3	Feb. 16, 1938	Antilynching (CR No. 2)	Wagner	42	47.7	46	83	2007	No.
14	77	2	Nov. 23, 1942	Antipoll tax (CR No. 3)	Barkley	37	47.4	41	88	9065	No.
15	78	2	May 15, 1944	Antipoll tax (CR No. 4)	do	36	45.0	44	90	2550, 2551	No.
16	79	2	Feb. 9, 1946	FEPC (CR No. 5)	do	48	57.1	36	92	1219	No.
17	79	2	May 7, 1946	British loan	Ball	41	50.0	41	92	4539	No.
18	79	2	May 25, 1946	Labor disputes	Knowland	3	3.7	77	92	5714	No.
19	79	2	July 31, 1946	Antipoll tax (CR No. 6)	Barkley	39	54.1	33	92	10512	No.
20	81	2	May 19, 1950	FEPC (CR No. 7)	Lucas	52	61.9	32	96	7300	No.
21	81	2	July 12, 1950	FEPC (CR No. 8)	do	55	62.5	33	96	9982	No.
22	83	2	July 26, 1954	Atomic Energy Act	Knowland	44	51.2	42	100	11942	No.
23	86	2	Mar. 10, 1960	Civil rights (CR No. 9)	Douglas	42	44.2	53	106	5118	No.

[1] Many cloture petitions have also been withdrawn or held out of order since 1917.

COMMENTS

Number of cloture votes 1917–60, 23.

Number of successful cloture efforts, 4 (last time: Feb. 28, 1927). If the cloture rule had permitted debate limitation by simple majority action instead of ⅔, cloture would have been invoked 15 times; if the rule had required a constitutional majority, 9 times; if the rule had required 60 percent of those present and voting, 8 times; 60 percent of all Senators, 5 times; 55 percent of those present and voting, 12 times.

Number of civil rights cloture efforts, 9; successful, 0. If the rule had required a simple majority, 4 civil rights cloture efforts would have been successful; if a constitutional majority had been required, 2; if 60 percent of those present and voting, 2; if 60 percent of all Senators, 0.

The PRESIDING OFFICER (Mr. HART in the chair). The question is on agreeing to the motion to resume the consideration of Senate resolution 4, as modified.

Mr. RUSSELL rose.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, do I have the floor?

Mr. RUSSELL. Mr. President, I simply desire to suggest the absence of a quorum, in order to permit other Senators to come to the Chamber and hear the debate. If the Senator from Oregon desires to address the Senate, I shall be happy not even to claim the floor.

Mr. MORSE. I appreciate the attitude of the Senator from Georgia. Previously I requested permission to discuss another matter. I assure the Senator from Georgia that I shall be brief.

Mr. RUSSELL. I am sure we shall be glad to hear whatever the Senator from Oregon has to say.

Mr. MORSE. Only time will tell.

The PRESIDING OFFICER. The Senator from Oregon may proceed.

SEVERING OF U.S. DIPLOMATIC RELATIONS WITH THE GOVERNMENT OF CUBA

Mr. MORSE. Mr. President, last night the U.S. Government broke diplomatic relations with Cuba. I think it unfortunate that, insofar as I know, thus far there has been no comment in the Senate in regard to this matter since the action taken last night by the executive branch of our Government.

However, in my capacity as chairman of the Subcommittee on Latin-American Affairs of the Senate Foreign Relations Committee, I have received many inquiries as to my reaction. Therefore, I think it proper to inform the Senate that I have recommended that at a very early hour—today, if possible; but if not today, certainly tomorrow—the State Department be invited to attend a meeting of the Foreign Relations Committee at

least to brief the committee on the situation which led to the action the administration has taken.

Mr. President, I shall await the presentation of those facts before reaching any final evaluation of them.

However, I have served for 3 months as a member of the U.S. delegation to the United Nations; and on the basis of that experience I have feelings of great apprehension about the course of action our Government has followed in breaking diplomatic relations with Cuba.

It may very well be that course of action is very precipitous. It may very well be that there are very serious questions as to whether it was in the best longtime interest of U.S. relations in the Western Hemisphere. I say that because we must remember that we are dealing with a government which obviously is being administered by a top leader who gives every evidence of being very impulsive and very unstable, and obviously is surrounded by advisers and governmental officials who give every evidence of being much influenced by the totalitarian philosophy of communism.

AID TO BATISTA DAMAGED AMERICAN PRESTIGE

I believe these observations are justified, because in my capacity as a member of the Foreign Relations Committee, quite some time before the fall of the Batista government in Cuba, I opposed the support which the U.S. Government was giving to the Batista government. It was perfectly clear to me that the Batista government could not remain in power without the military assistance our Government supplied it, which enabled it to maintain the police-state control of that country that the Batista government maintained.

It was in January 1958, as I recall, that my subcommittee of the Foreign Relations Committee conducted public hearings dealing with the subject matter of Cuba, with particular reference to the Batista government. Those hearings brought from the State Department the admission that in all probability the Batista government could not remain in power without U.S. military assistance.

Following that, there was a persistent insistance on the part of many, including some members of the Foreign Relations Committee and other Members of the Senate, that a reappraisal be made of our support of the Batista government.

What was the final cause for the course of action the administration followed, I do not know; but I am inclined to assume that the constant calling of attention in the Halls of Congress to the support of the Batista government might have been helpful to the administration in reaching its decision in March 1958, when it announced that it was withdrawing any further support of the Batista government from the standpoint of military aid. I believe that was a wise decision, because I have no doubt that the U.S. support of the Batista government and other totalitarian regimes in Latin America had greatly injured the prestige and the standing of the United States among the masses of the Latin American people.

CASTRO SETS UP NEW POLICE STATE

No one could have been more shocked and saddened than I was when, once the new administration of Cuba came into power, it proceeded immediately to substitute one police state for another. From the very beginning, Dr. Castro demonstrated that he, too, would resort to the strong-arm tactics that are characteristic of police-state policy. Mr. President, you will recall that immediately upon Castro's coming into power, he proceeded with so-called military executions of hundreds of people in Cuba.

At first he professed that they were receiving military trials. However, the members of our subcommittee were well aware—based upon intelligence information supplied to us—that those victims did not receive the benefits of trials. In many, many instances, within 45 minutes to 1 hour after they were taken into custody by the rifle squads, they were corpses in trench graves.

My record is perfectly clear, Mr. President. Once I was satisfied I had my facts—and my facts were verified over and over again—I walked to this desk and made the first speech on the Castro administration in which I protested the blood baths of the Castro administration.

For that speech I was castigated and criticized by a substantial amount of the press of this country, particularly in my own State. There were those in the Congress who did not know the facts who proceeded to criticize that speech; and I answered the criticisms, again supporting the proposition that the Castro administration was adopting totalitarian, police-state methods.

Mr. President, I said on that occasion, and repeat again today, that it is not difficult to judge the forms of government that any administration adopts, if one gives heed to the procedures that are applied in administering the government; and the procedures of Dr. Castro, from the very beginning of his administration, were police-state procedures, bound to deny the fundamental rights of freedom and liberty to his people.

When he placed under house arrest President Urrutia, the first president of Cuba under his regime, I was satisfied in my own mind, Mr. President, that we could look for the kind of police-state procedures that subsequently followed. President Urrutia was a noted and distinguished judge of Cuba, a man with a distinguished legal record, a man who believed in guaranteeing to individuals basic procedural safeguards in determining guilt or innocence.

I mention this, Mr. President, because the record is perfectly clear that I have been critical, and still am critical, of the policies followed by Dr. Castro.

POSITIVE POLICY TOWARD CUBA NEEDED

Mr. President, our relations with Cuba have deteriorated sadly in the last 8 years; and I think it is unfortunate that, in the closing days of this administration, it goes out of office possibly leaving for the new administration a time bomb. If the facts so dictated that, in order to protect the honor of my country, it was necessary to break diplomatic relations with Cuba, I certainly would not propose that diplomatic relations be continued. But these are relative things, Mr. President. Our relations with Cuba have been exceedingly bad for some months.

I regret that the administration has not seen fit to present positive, affirmative proposals in an endeavor to demonstrate to the rest of the world that we were willing to submit all the issues that exist between Cuba and the United States to judicial procedures and processes either through the Organization of American States or the United Nations, and let those organizations pass an evalued judgment on the course of action that we should take.

It is pointed out in the press today that Peru has broken diplomatic relations with Cuba, and the newspaper stories indicate that possibly some other Latin American countries may do so in the future. Whether that action is offered as a rationalization or justification for a course of action on the part of the United States, I find it unacceptable unless we wish to suggest a joint action in regard to Cuba through the Organization of American States, as was done at Costa Rica in regard to the Dominican Republic.

CASTRO INFLUENCE IN LATIN AMERICA

What concerns me, as chairman of the Subcommittee on Latin American Affairs—speaking only for myself, Mr. President—is that, in my judgment, such a joint consultation might have been highly desirable prior to a unilateral course of action on the part of the United States. I would have the Senate keep in mind the fact that most of the people of Latin America have within their populations strong Castro followers, principally because they do not know the facts, principally because the Communist Party has done a tremendous propaganda job in many parts of Latin America.

Only 4 days ago I sat through a luncheon with a vice president of a Latin American country and his ambassador, and the day preceding I sat with the foreign minister of another Latin American country and his chief delegate to the United Nations, and I listened to their warnings as to what, in their opinion, would happen among the masses in many Latin American countries if the United States proceeded with a so-called unilateral course of action against Cuba. The vice president of that country said, "Senator, you know, many, many people in Latin America regard Cuba and the United States as they do David and Goliath."

Then I tried to argue with him, to get him to see what would happen if the philosophy of Castroism should spread throughout Latin America, to the free institutions of his own country. He said, "I understand that, but what many of you Americans do not seem to recognize is that the masses of our people do not understand it."

Then, too, I think we need to keep in mind the fact that there is a great difference between levels of public knowledge in Latin America and in the United

States, as a result of the great forces of enlightenment which we as free men and women are able to have. For example, illiteracy in the United States has almost been wiped out, whereas to the masses of the people of Latin America it is the common level of education. The overwhelming majority of them do not have very much education. In fact, in some parts of Latin America, the illiteracy of the whole population of a country is as high as 85 percent or more.

In Bogotá in September, when I was a delegate to the Bogotá Conference, in one of the discussions concerning educational problems in Latin America, justifying greater American assistance to educational projects in Latin America, it was pointed out by one of the Latin America spokesmen that an overwhelming majority of all the people in Latin America have less than a fourth grade education. That is a statistic difficult for me to accept, yet I understand from checking I have made upon it since coming back from Bogotá he probably is nearly correct.

I mention this because when the United States deals with Cuba it does not deal with Cuba alone. In a very real sense, when we deal with Cuba, we are dealing with a whole complexity of Latin American problems.

Therefore, I sincerely trust that an overwhelming case can be made in support of the course of action which has been taken in breaking diplomatic relations with Cuba.

None of us likes to be insulted, and Castro is a deliberate insulter. None of us likes to be even figuratively slapped in the face, but that is Communist stock in trade. That is part of the Communist technique.

I watched Castro in New York. I observed his antics. He was not making an appeal to the American people, any more than is Khrushchev. They do not hope to change our viewpoint. They are making their appeals to the masses of Africa, of Latin America, and of Asia. We had better not stick our heads in the sand and assume they are not making any converts. We have a tremendous job of educating people to an understanding of the preciousness of freedom and liberty and what it means to them as individuals.

Mr. JAVITS. Mr. President, does the Senator find it convenient to yield at this point?

The PRESIDING OFFICER (Mr. BLAKLEY in the chair). Does the Senator yield?

Mr. MORSE. On this subject matter?

Mr. JAVITS. On this subject.

Mr. MORSE. I yield.

Mr. JAVITS. I recall with the greatest of interest and with some quickening of pulse the fact that when the policy on Cuba was announced by President Eisenhower and Secretary Herter some months ago the Senator from Oregon, the chairman of the subcommittee of the Committee on Foreign Relations which deals with this area, arose and with, I think, very commendable statesmanship, because he had been a strong critic of the President, commended this expression of policy.

As I recall, the Senator from Oregon was especially pleased with the idea advanced in the policy that we would move in coordination with the other American states and would utilize the machinery of the Organization of American States to the full.

I feel, as does the Senator, about what has occurred, that it is almost impossible for us sitting here, without knowledge on the spot, to assess the validity or the invalidity of the rather drastic action which was taken. There are two points, as to which I should deeply appreciate the Senator's comments.

First, we, too, have a right to use our own techniques in order to call upon the outraged conscience of the world, as it were. If the way to do that is to break diplomatic relations, then within the context of modern times it may not have quite the implications it had in other days.

The question I should like to ask the Senator from Oregon is whether he would feel with me, that we ought to, at the earliest possible moment, repair to the forum of the Organization of American States in the effort to at least try to concert a policy with them in order to pursue this line of policy, which, as I recall, the Senator so much approved when it was announced some months ago?

Mr. MORSE. I thank the Senator from New York. The Senator will recall that I made exactly the speech to which he referred. The CONGRESSIONAL RECORD will show that in the speech I made the plea that the administration proceed to give consideration to a proposal I have made for quite some time—that all the issues which exist between us and Cuba ought to be turned over to a tribunal of the Organization of American States. If Castro is unwilling to do that, I would be willing to suggest that the issues be turned over to the United Nations. I have repeated that suggestion today. I am very much of the opinion that it ought to be our course of action.

That also carries with it the answer to the second part of the Senator's question.

What has happened has happened. I always ask myself the question: Where do we go from here?

Diplomatic relations have been broken. I think we ought to make it very clear—which would be very reassuring to the world—that we are working now to have this very delicate and difficult situation involving Cuba and the United States passed upon, as far as the judgment of others is concerned, either by joint action of the Organization of American States, as occurred at Costa Rica when the Dominican Republic issue was before the Costa Rican conference last summer, or by the United Nations, by setting up a tribunal to consider the matter there.

I stress that, Mr. President. I have not heard what has happened or what is happening at the Security Council today. I surmise that probably what Cuba is doing is what it attempted to do at Bogotá and what it attempted to do at the recent meetings of the General Assembly of the United Nations, which is to make a whole series of completely false charges against the United States, charging us with all manner of wrongdoings against Cuba, including a threatened invasion, because that is a good scare argument with the unenlightened.

If Cuba can create the impression in Latin America, in Africa, and in Asia that the little country of Cuba is standing up all alone against the "giant from the north," the "great colossus of the north," as we are referred to, "the great imperious tyrant of the north"—I use the phrases they used in attacks on the United States in the various international meetings occurring recently—they can make some "political hay," may we say, so far as international propaganda is concerned.

They are not going to fool the leaders of governments, because they are not fooling the leaders of the governments of Latin America at this very hour. Not only Peru, but five other nations in Latin America have broken diplomatic relations with Cuba. Others may soon do the same.

Mr. President, I wish to invite attention——

Mr. JAVITS. Mr. President, before the Senator leaves this subject, will he yield to me?

Mr. MORSE. I yield.

Mr. JAVITS. I wish to ask the Senator whether we agree that in international affairs there can be not only a tyranny of strength but also a tyranny of weakness?

It is this tyranny of weakness from which Castro is trying to profit. He has a little nation, and he says, "Come and beat me down." He loves the idea.

I thoroughly agree with the Senator that the other small nations are not going to be "taken in" by any such transparent subterfuge.

Mr. MORSE. The governments will not be, but I am not so sure the people will not be.

It is my understanding that Nicaragua, Guatemala, the Dominican Republic, Haiti, Paraguay, and Peru have already severed relations, and other countries are seriously considering doing so.

Mr. President, I wish to stress that Cuba cannot be contained—to use that term—except by joint action. Cuba cannot be contained by a unilateral course of action followed by the United States and other nations. Therefore, we should continue to look to the Organization of American States and to the United Nations to keep Castro from exporting his revolution, because I happen to think that is a great threat to the Latin American countries. For the time being, we have to try to keep him in isolation. That does not mean, Mr. President, that we should keep his people in isolation.

FRIENDSHIP WITH PEOPLE OF CUBA

I wish to dwell upon that distinction for just a moment. I am very much concerned about the people of Cuba. We all know that it is difficult to find a more friendly people. They are people with a basic love for the United States and our people. The people of Cuba know very well that their original independence from Spain was partly caused by the great friendship of the United States and

the people of the United States for Cuba, and I think we have a great reservoir of good will upon which we can draw within Cuba in spite of its present dictatorial leadership.

Before I was interrupted by the Senator from New York—and I welcomed the interruption—I was saying that none of us like to be slapped in the face, figuratively or otherwise. Such a tactic is a part of the Communist tactics. We saw it exemplified in the speeches of Castro in New York and at the United Nations. We have seen it in most of his speeches in Cuba. But what concerns me about the unilateral course of action outside of joint action within the Organization of American States or through the United Nations is what is going to happen to the people of Cuba. We must not forget that to rule a country under police state methods rulers need not have the support of a large percentage of the people. For many decades in Russia an exceedingly small percentage of the people have controlled, dominated, and subjugated the masses of the Russian people under a Communist regime, even though the total percentage of members of the Communist Party in Russia is a small percentage in comparison with the total population of Russia.

But if a ruler controls the armed forces of a state and the police, if the population is disarmed, and if the people are willing to follow a police state policy of liquidating the opposition, then rulers of such police states can remain in power for a long time. We see it in Red China, we see it in Russia, and we are seeing it today in Cuba.

What concerns me is whether or not, following the slap in the face that we received when Castro in effect said, "Reduce your embassy staff to 11," from the exaggerated number that he claimed, stinging as that insult was, we followed a wise course in a sudden break in diplomatic relations. A new administration is about to take office in the United States. The question arises whether we could not have withstood for a while longer that insult until we formally, at least, proposed to the Organization of American States or to the United Nations the joint action about which I speak.

In March tentative plans are that there will be a Latin American conference at Quito, Ecuador, and undoubtedly the whole program of what is happening in Latin America with regard to the spread of communism in Latin America will be a matter of great concern to the delegates participating in the Quito conference.

What worries me is whether or not this break in diplomatic relations will result in a tightening of the police-state methods in Cuba, and give Castro the excuse, the alibi, and the rationalization for greater brutality.

Furthermore, I would like to know what the facts are in regard to the implications of this action concerning Guantanamo Bay and our naval base there. When we deal with Communists, we deal with ruthless men. I happen to be of the point of view that Communists do not hesitate to follow a course of action that forces military action. We saw this in Korea.

In my judgment we are running great risks at the present time. We are greatly concerned now about the situation in Laos. We have not been briefed yet on the facts as to what is going on in Laos. We are led to believe that the French, the British, and perhaps some others are not enthusiastic about any course of action on the part of the United States that might be interpreted as unilateral action in Laos.

This can very well be another time bomb left by this administration for a new administration to deal with.

So I raise my voice this afternoon on the floor of the Senate urging caution, and point out some of the fears I have as to what might happen to the Cuban people as a result of this break in diplomatic relations.

We continually say that we wish to help the Cuban people. I am not sure that this course of action will help the Cuban people. It may result in imposing upon them greater and greater police-state restrictions and abuses. I am concerned with whether or not the leader of the Cuban Government, who I am satisfied is completely irresponsible in his international policy, might become so desperate as to take some action toward Guantanamo Bay that would give the impression to the world that we are resorting to military force in order to protect our rights.

It is difficult to discuss the subject matter such as the one which I am now discussing because someone may say, "Wouldn't you follow such a course if attacked?" My answer is, "Of course." But we ought to be very careful that we do not help to lay the groundwork for an attack upon us, knowing that we are dealing with desperate men who do not have the same high moral principles as to the value of human life that we have.

Do not forget that it was not so very many months ago that the head of Red China was reputed to have said something to the effect that they could lose many millions of people in a nuclear war and still survive. Human life means so little in the Communist philosophy that in dealing with Communists, we must remember that they might resort to some act of violence that would put us in a position where we would seem to have no other course of action but to use our military power to defend what we considered to be our international rights.

Therefore I sincerely hope that this administration will present to the American people, who, after all, own American foreign policy, and not this administration, and will present to the Congress of the United States, first, the facts that justify the action taken last night, and, second, present their plan for handling the Cuban situation. I certainly hope it will be a plan short of any proposal for military action, because if we become unilaterally involved in military action in Cuba, in my judgment we will create great difficulties for many friendly governments throughout Latin America.

Many Latin American governments are beginning to recognize that the social progress and reforms for which they are working are threatened by subversion from Cuba. They have been toughening their attitude toward Cuba.

But if the United States acts in just the way Castro has claimed we will, and as he may very well hope we will, these governments may find their people resurging to Castro's support.

We may be surprised at the sudden uprisings which will occur throughout Latin America in protest against a course of military action on the part of the United States against Cuba, bad as that situation is. We are a big, powerful nation. We are big enough and we are powerful enough, I believe, for a time longer to turn the other cheek until at least we have exhausted every procedure available to us in finding a solution to the Cuban problem short of unilateral action on the part of the United States.

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

Mr. MORSE. I yield.

Mr. JAVITS. The Senator from Oregon is addressing himself to a subject of the greatest importance to our people and our country. So often there exists the very condition we now observe in this Chamber, when a Member is addressing himself to an historic event of the greatest importance to our survival. Somehow or other there is not the attendance, and it does not receive the attention, at least here on the floor, which it deserves. I do not say that the Members of the Senate are at fault in this instance. This happens to be a very early day in the new Congress, and Members are very fully occupied. I am sure that our colleague's words will have the attention they deserve.

I should like to mark and underline his remarks for their importance. I hope that perhaps the Senator from Oregon, with whom I agree so much in respect of this great issue, will join me in what I am about to say.

There is always the danger that what he has said will be considered by the press of our country and perhaps by the press of other countries as some criticism, some disagreement, some sense of dissent from what is being done.

This is a problem of the greatest delicacy, and will require delicate handling in the next few weeks by this administration, which, whether it likes it or not, is here, and must act; and if any overt act is committed, such as at the base, it will have to act, no matter how unhappy everyone may feel that it should happen now, with the administration having only 1 or 2 weeks remaining in office.

Therefore, I would hope that the distinguished Senator from Oregon, whose words are listened to, in Latin America, too, might join in the certification of the fact that his views are cooperative and ancillary to what the administration is doing or trying to do, and that we are not—and there is no question about the fact—engaged in any hassle about American policy.

The Senator has every right, of course, to object strongly to what the administration has done. However, if he does not, and if he feels that what he is saying are words of direction, which is more than welcome and entirely justified, con-

sidering his position and knowledge, I do hope, before he sits down he will put the whole matter in proper focus, because I know there will be a reading of the lines and a reading between the lines as well.

Mr. MORSE. Mr. President, most of what the Senator from New York has just stated constitutes a lifting from the conclusion of my speech. I thank him for having put it in even better language than I had put it, or can put it. As I have stated, one cannot discuss a subject matter such as this without others getting the impression that one is criticizing the Government. I am not criticizing my Government. I am saying to my Government that I want it to come forward immediately with the facts about this matter, and what our future course of conduct is going to be in regard to our Cuban relationships.

I certainly need offer no defense for myself, as a member of the Committee on Foreign Relations, in cooperating with the administration time and again in connection with Latin American problems, and other foreign relation problems. I have on some occasions criticized the administration when I thought it was wrong.

All I purport to do is to say to the administration, "You must not stop with the breaking of diplomatic relations, because I am concerned with what that will do to the Cuban people. I am not sure it will result in helping them, but may impose further hardships on them by their masters."

I am also concerned as to what the leaders of Cuba might do out of desperation. I did not mention this point, but I am also concerned as to what the Communist Party around the world may seek to do in using the Cuban situation as a device to attack the United States and seek to push us into a position where we might be misunderstood in many areas of the world. We have to do a tremendous job in the next few years, in getting the people of Africa and Latin America and Asia to understand that they have everything at stake in the very cause that we are seeking to fight for them in this great contest between totalitarianism and freedom around the world.

I said earlier that we ought to be on guard against ruthless men following a course of action such as, for example, at Guantanamo, resulting from our use of military might.

One of the impressions I carried away with me from the General Assembly of the United Nations in New York was that Castroism did not get anywhere with the Western nations. However, if we think that Castroism is not making progress among the masses of many nations in the world, we are mistaken.

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

Mr. MORSE. I yield.

Mr. CHAVEZ. I am very glad that I have been able to listen to the argument of the Senator from Oregon. He is correct. There is reason to worry about the sufferings of the Cuban people under Castro. There is also reason to worry about what Castro will do about the matter.

The main point, in my opinion, when we are dealing with Latin America, is what people are thinking of Latin America. I think I know Latin America—I can say the Hail Mary in Spanish—and I believe I understand the Latin-American people. I compliment the Senator from Oregon for taking the time to discuss the matter.

The difficulty with Latin America and our standing in Latin America is this: It was not Latin America that first recognized Castro. After we stood with Mr. Batista and helped him for years and years, overnight we recognized Mr. Castro, instead of acting as sensible human beings and at least waiting 90 days or 6 months in which to form a judgment as to what Mr. Castro was doing. We did not do that. We were so anxious to recognize him that as soon as we were against Mr. Batista, overnight we recognized Mr. Castro. That is why Mr. Castro is now in Latin America. I hope Senators will not believe that there is communism in Latin America. The Communists take advantage of the situation.

I would advise the Senator from Oregon that hunger, poverty, and illiteracy have more to do with the thinking of the rank and file of Latin Americans than all the Communists in the world. Latin Americans are not by nature Communists. They do not want to be Communists; but the poverty and actual hunger in Latin America lend themselves to communism. They are factors which breed Communists. Of course, the situation could be improved by education and reason. But it is not possible to reason with a hungry body. It simply cannot be done.

Mr. MORSE. Mr. President, I thank the distinguished Senator from New Mexico. I pay tribute to him. He has been of help to me, time and time again, in my work on foreign relations, because he is a keen student of Latin-American affairs. I shall continue to rely very heavily upon his judgment.

I also thank the distinguished Senator from New York [Mr. JAVITS].

I shall yield to the Senator from Pennsylvania after I have made one more observation.

I hope I may be wrong in my evaluation, but I am inclined to think that it was mighty important to keep the Stars and Stripes flying over our Embassy in Habana, even though only 11 Americans were in the Embassy. I think it was important from many standpoints, but first from the standpoint of symbolism, to keep the great flag of freedom flying in an area where thousands upon thousands of people are being subjected to police-state methods. The very flying of the United States flag might very well have done more to inspire the Cuban people and given them more help than the breaking of diplomatic relations. It is with regard to that issue and others similar to it that I think the administration has the clear obligation to the American people to justify its course of action.

Let me say this by way of warning. An incident such as this is a start which may very well lead to greater and greater troubles in Latin America. We may find ourselves in the not too distant future plagued with uprisings throughout Latin America which will endanger the governments of many friendly nations because Communists are getting by with the charge that the United States seeks only to clothe them with materialism and policies of exploitation. We know that that is wrong, but I have listened to that harangue in the United Nations on the part of the Commies so much during the last 3 months that I think I owe it to the Senate to say that we had better take a look to see what actually is happening among the masses of the people of Latin America, and not play into the hands of the Communist apparatus by seeking to impose restrictions on Castro through the breaking of diplomatic relations which may make him a martyr in Latin America.

I yield to the Senator from Pennsylvania.

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

Mr. CLARK. I am happy to yield to the Senator from New Mexico with the understanding that I do not lose my right to the floor.

Mr. CHAVEZ. With that understanding, I should like to have 2 minutes.

I recommend to Senators, if they wish to understand the propaganda which is taking place in Cuba, the reading of a book written first in Spanish, and then translated into English: "El Tivuron y La Sardina"—"The Shark and the Sardine." The book points out that the United States is the shark and Latin America is the sardine which may be swallowed by the shark. I recommend its reading to all Senators who are interested in understanding the propaganda of communism in Latin America.

AMENDMENT OF CLOTURE RULES—RESOLUTIONS

Mr. CLARK. Mr. President, yesterday I sent to the desk notices of motions to make six proposed changes in the rules of the Senate. This material appears on pages 18 and 19 of the RECORD of Tuesday, January 3, 1961. However, my motions were not given Senate resolution numbers, nor have they been printed.

I now ask that each such proposed rules change be given a Senate resolution number and be printed, as was done with the comparable motions submitted by the Senator from South Dakota [Mr. CASE] yesterday, and go over under the rule.

The PRESIDING OFFICER (Mr. JOHNSTON in the chair). The request of the Senator from Pennsylvania will be granted; but he must first send the resolutions to the desk.

Mr. CLARK. They are already at the desk. I sent them to the desk yesterday. The identical text is there. Is it necessary for me to have them typewritten all over again? The Senator from South Dakota had his proposal printed without any difficulty. I do not wish to make a Federal case out of this. If the Assistant Parliamentarian wishes me to have them typed up again, I shall do so.

The PRESIDING OFFICER. If there is no opposition, they will be prepared in the correct form and will be printed in the RECORD.

Mr. CLARK. I thank the Senator from South Carolina for his characteristic courtesy.

The resolutions submitted by Mr. CLARK were received, ordered to be printed, and to lie over under the rule, as follows:

S. RES. 9

Resolved, That rule XXIV be amended by adding a new subsection to read as follows:

"3. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters in disagreement with the House of Representatives which occasion the appointment of the committee."

S. RES. 10

Resolved, That section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)), is amended to read as follows:

"(b) No standing committee of the House, except the Committee on Rules, shall sit, without special leave, while the House is in session."

S. RES. 11

Resolved, That rule XXV be amended in the following respects:

In paragraph (h) (dealing with the Committee on Finance) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "twenty-one"; and

In paragraph (k) (dealing with the Committee on the Judiciary) of subsection 1 of rule XXV, strike out the word "fifteen" on the first line of the said paragraph and insert in lieu thereof "seventeen."

S. RES. 12

Resolved, That rule III, subsection 1, be amended to read as follows:

"The Presiding Officer having taken the chair, and a quorum being present, motions to correct any mistakes made in the entries of the Journal of the preceding day shall be in order, and any such motion shall be deemed a privileged question, and proceeded with until disposed of. Unless a motion to read the Journal of the preceding day, which is nondebatable, is made and passed by majority vote, the Journal shall be deemed to have been read without actual recitation and approved."

S. RES. 13

Resolved, That rule XIX be amended by adding at the end thereof the following new subsection:

"8. During the consideration of any measure, motion or other matter, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate."

S. RES. 14

Resolved, That section 134 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)), enacted by the Congress in the exercise of the rulemaking power of the Senate and the House of Representatives be amended, to add the following new subsections at the end thereof, which shall be applicable with respect to the Senate only:

"(d) Each standing committee of the Senate shall meet at such time as it may prescribe by rule, upon the call of the chairman thereof, and at such other time as may be fixed by written notice signed by a majority of the members of the committee and filed with the committee clerk.

"(e) The business to be considered at any meeting of a standing committee of the Senate shall be determined in accordance with its rules, and any other measure, motion, or matter within the jurisdiction of the committee shall be considered at such meeting that a majority of the members of the committee indicate their desire to consider by votes or by presentation of written notice filed with the committee clerk.

"(f) Whenever any measure, motion, or other matter pending before a standing committee of the Senate has received consideration in executive session or sessions of the committee for a total of not less than 5 hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, or a petition signed by a majority of the committee is presented to the chairman, and a quorum is present, it shall be submitted immediately to the committee by the chairman, and shall be determined without debate by yea-and-nay vote. A previous question may be asked and ordered with respect to one or more pending measures, motions, or matters, and may embrace one or more pending amendments to any pending measure, motion, or matter described therein and final action by the committee on the pending bill or resolution. If the previous question is so ordered as to any measure, motion, or matter, that measure, motion, or matter shall be presented immediately to the committee for determination. Each member of the committee desiring to be heard on one or more of the measures, motions, or other matters on which the previous question has been ordered shall be allowed to speak thereon for a total of 30 minutes."

Mr. MANSFIELD. Mr. President, if there is no further desire on the part of any Senator to speak this afternoon, I ask, first, that the usual morning hour be held tomorrow.

Mr. CLARK. Mr. President, reserving the right to object, may I ask the Senator from Montana whether it would not be possible to get a vote on the pending motion this afternoon, so that we could continue to debate the matter which is really before us, and which is majority cloture. The reason why no other Senator wishes to speak this afternoon is, perhaps, that the motion should be disposed of before we speak further on the principal business before us. I regret having to make this comment on the floor.

Mr. MANSFIELD. If the Senator desires to proceed in that way, we can endeavor to do so; but I point out that the motion I am about to make protects the rights which are already inherent in the presentation of these resolutions. Many Senators wanted to leave at a reasonable hour this afternoon, some to hold meetings, some to honor other commitments. So long as this subject would be pending business once the morning hour was concluded, I thought this would be the easiest way out of a difficult problem.

Mr. CLARK. The Senator may well be correct. I had the idea—I could well be wrong—that if the pending motion were put to a vote, it would pass by a voice vote without any difficulty. I do not see in the Chamber any of our Southern friends who might enlighten us on the subject, but I would hazard a guess that what I have suggested might happen.

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

Mr. MANSFIELD. I yield.

Mr. JAVITS. So far as I know, there are no other speakers, on our side, on the motion to take up the resolution. It seems to me that the motion could be dealt with. I think the Senator from Pennsylvania is quite correct in saying that we might ascertain from our Southern friends if they intend to speak on the motion. I am certain that no Senator desires to foreclose them from doing so; but if they do not wish to speak, we would be at least one step further along in the progress of the debate.

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

Mr. MANSFIELD. I yield.

Mr. CLARK. If the present motion were to be adopted, as I hope it will be, I am prepared to speak this afternoon, even to an empty Chamber, on majority cloture, in the hope that by doing so the final disposition of the matter will be expedited.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; but before the roll is called, I ask the attachés of the Senate to notify all Senators that this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that tomorrow we have the usual morning hour.

Mr. JAVITS. Mr. President, reserving the right to object, will the Senator from Montana include in his unanimous-consent request an additional request that such an arrangement shall not effect any change in the pending business, which is the motion to take up these resolutions?

Mr. MANSFIELD. Mr. President, I wish to speak on that question. After discussing the matter with the Parliamentarian, that is clearly understood; and it is tied with the fact that I intend to request that today the Senate take a recess, rather than adjourn. If an adjournment were had, it would mean that the resolutions in their present form would die. But by taking a recess, they will remain, in their present form, in order in the morning hour.

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. Therefore, Mr. President, I ask unanimous consent that tomorrow we have the usual morning hour.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 1 minute p.m.) the Senate took a recess until tomorrow, Thursday, January 5, 1961, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 4, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

From the Book of Leviticus (26: 12) this promise of God: *I will walk among you and be your God, and ye shall be my people.*

Eternal and ever-blessed God, who hast opened unto us the gateway to a new year, may we hear and heed Thy voice of confidence and hope lest we meet our tasks and responsibilities with a paralyzing sense of fear and frustration.

Grant that we may accept and follow the leading of Thy divine spirit with humility of heart and simplicity of faith, assured that the future is as bright as the promises of God.

Give us the rapture of the forward look and help us to lay hold of the perplexing problems of each day with resolute determination and wholehearted dedication.

Hear us in the name of Him who is the Author and Finisher of our faith. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed the following resolutions:

S. RES. 7

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable THOMAS C. HENNINGS, JR., late a Senator from the State of Missouri.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate, at the conclusion of its business today, do adjourn.

S. RES. 8

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable KEITH THOMSON, late a Senator-elect from the State of Wyoming.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate, at the conclusion of its business today, do adjourn.

ADJOURNMENT TO FRIDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Friday next.

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

There was no objection.

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE CONSTITUTION

Mr. McCORMACK. Mr. Speaker, in behalf of the gentleman from Pennsylvania [Mr. BYRNE], and acting for him, I offer a bill he has introduced (H.R. 1723) and ask unanimous consent for its present consideration. I have discussed this with the minority leader. It has been screened and cleared by him.

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand this calls for no additional money?

Mr. McCORMACK. It does not. The purpose of the bill is to extend from the 3d of January to some date in June the time for the committee to make its report to Congress.

Mr. GROSS. But no additional money is involved?

Mr. McCORMACK. I am acting for the gentleman from Pennsylvania. It is my understanding there is no additional money involved.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the joint resolution of July 14, 1960, entitled "Joint resolution providing for the preparation and completion of plans for a comprehensive observance of the one hundred seventy-fifth anniversary of the formation of the Constitution of the United States" (Public Law 86–650), as amended by Public Law 86–788, is amended by striking out "January 3, 1961" and inserting in lieu thereof "June 28, 1961".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESIGNATION OF DAVID M. ABSHIRE

The SPEAKER laid before the House the following communication, which was read by the Clerk:

REPUBLICAN POLICY COMMITTEE,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 28, 1960.

The Honorable SAM RAYBURN,
Speaker of the House,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I hereby tender my resignation as an employee of the minority staff of the House of Representatives, and request that this resignation become effective as of the end of business on the last day of December 1960.

I was appointed to this position by House Resolution 218, approved March 19, 1959.

It has been a pleasure to serve in this capacity and to be associated with the Members and employees of the House of Representatives.

Sincerely,

DAVID M. ABSHIRE.

HON. OLIN E. TEAGUE OF TEXAS

The SPEAKER. The gentleman from Texas [Mr. TEAGUE] will present himself at the bar of the House and take the oath of office.

Mr. TEAGUE of Texas appeared at the bar of the House and took the oath of office.

THE LATE JOHN E. RANKIN

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ABERNETHY. Mr. Speaker, it is with sadness that I announce to the House the passing of the Honorable John Elliott Rankin. He departed this life at his home in Tupelo, Miss., on November 26, 1960, the victim of a heart attack.

For 32 years Mr. Rankin served in this body as the Representative from the First Congressional District of Mississippi. His length of service is a record for Members from my State and is surpassed by only a few from other sections of the country.

Our former colleague was born of humble but proud parentage in Itawamba County, Miss., on March 29, 1882. He was educated in the public schools of the county and graduated from the Law School of the University of Mississippi in 1910. He first entered the practice of law in West Point, Miss., but soon moved to Tupelo where he continued his practice and served as prosecuting attorney for the county.

In 1920 Mr. Rankin was elected to the 67th Congress and to each Congress thereafter through the 82d. He served here with distinction and was credited with many beneficial achievements for the good of his district, State, and country.

While interested in many programs and movements, his greatest interests were in the Tennessee Valley Authority and the Rural Electrification Administration. He vigorously fought for the passage of legislation creating these Federal agencies and for their perpetuation.

For years he served as chairman of the Committee on Veterans' Affairs, and was credited with having authored more legislation for the benefit of veterans, their widows, orphans, and dependents than any other Member of the House of Representatives.

He was a strong believer in the Democratic Party, in constitutional government, the perpetuation of our democracy and States rights. He fought communism wherever he found the slightest evidence of it, and was the proud author of an amendment to the rules of the House

creating the permanent Committee on Un-American Activities.

An eloquent debater, learned in the rules of the House, and a vigorous and fiery competitor, he was a colorful and effective Member. He gave no quarter and sought none. Small of stature but full of fire when attacked, he stood firmly for what he believed to be right even if he stood alone. He never gave ground—not an inch. He was a master in debate and most of those who dared to challenge him later wished they had not.

He was one of the best read men ever to serve in this great body. He was particularly well known as a student of poetry and literature. He filled the CONGRESSIONAL RECORD of his day with appropriate quotations lifted from the writings of the world's most noted authors. His retentive mind always amazed his listeners.

Although he retired from this body in January of 1953, his interest in the Congress, in national and international affairs, and in the progress and development of the area he served so long never ceased. Infirmity finally overtook him but as was characteristic of his long and illustrious career it was not without a struggle.

The memory of John Elliott Rankin will live with this body and among the people of my State for years and years to come. He left behind a record of accomplishment and achievement for the good of his fellow man.

Surviving are his lovely widow and a charming daughter. I am sure that every Member of this House, particularly those of you who served with Mr. Rankin, join with me in praising the service of our former colleague, mourning his passing, and in extending sympathy to his surviving loved ones.

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

Mr. ABERNETHY. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I wish to join with my colleague in paying tribute to the late John E. Rankin, of Mississippi, who passed to his reward in late 1960.

Mr. John, as we knew him, was a senior Member of this Congress when I came here and was one of the most active among us.

He was possessed of a bright and energetic mind and memory. A talented speaker, in debate he held the attention of this House perhaps better than any Member with whom I have served.

A strong advocate for the development of our own country, he did a great job for his district, his State, and Nation. John Rankin sincerely believed that to dissipate our resources over the world was to invite disaster. Truly, he could foresee our present unhappy and dangerous plight. Unfortunately, his warnings were largely ignored by the majority. Certainly he did his part.

On the home front, he, perhaps, more than anyone else, could foresee that appeal to minority votes would lead to instability and weakness. He firmly believed it would lead this country, both politically and economically, to the condition which plagues so many nations in South and Central America. The Committee on Un-American Activities is a lasting monument to his efforts.

John E. Rankin was a man of talent, a man of energy, one who had strong convictions, who made his contribution to this Congress and to his Nation.

To his fine wife and daughter, and other members of his family, we extend our deepest sympathy.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and that all Members be granted 5 legislative days in which to extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, during the recess death claimed one of the most colorful Members ever to serve in this body, former Representative John Elliott Rankin, who was chairman of one of the predecessor committees of the Committee on Veterans' Affairs from 1930 until his retirement from the Congress several years ago.

While I did not see eye to eye with Mr. Rankin on some veterans' legislation, I want to express at this time my real appreciation for his long and devoted service to the veterans of this Nation. He presided ably and well as chairman of the Committee on World War I Veterans' Legislation and also over the Committee on Veterans' Affairs which was organized at the beginning of the 80th Congress.

Surely he was one of the ablest parliamentarians ever to serve in the House. He was a many sided man. He could literally quote Shakespeare by the hour and the same was true of many passages from the Bible. All who knew him loved to hear him tell his amusing—and, on some occasions, side-splitting—stories.

The people of his district and of the South generally will ever be in his debt for what he did in connection with the legislation creating the Tennessee Valley Authority and the Rural Electrification Administration. The furnishing of electricity to his constituents and the people of his beloved Southland was a project which always merited his greatest concern and he was in the forefront to provide electricity for his people. I heard him remark once that when he came to Congress in 1920, 2 percent of his district was electrified and that when he left, slightly less than 99 percent had electrical power. Much of this advance was due to the legislation which Mr. Rankin sponsored.

A man of fierce loyalties, he served only briefly in World War I but that brief period of service made him always appreciate the problems which veterans had and continued to experience over the years. Any veteran who needed assistance could always count upon receiving a ready and sympathetic hearing from the gentleman from Mississippi. We who knew him will always cherish his memory.

Mr. COLMER. Mr. Speaker, regardless of party, I am sure that we were all grieved to learn of the recent passing of our former colleague, the Honorable John E. Rankin, of Mississippi. John Rankin was a Member of this body with many years' service when I came here as a freshman in 1933. Nature had endowed him with many talents which he had sharpened by his hard work and studious habits. While his colleagues did not always agree with him, they nevertheless respected his sincerity of purpose and his devotion to his State and his country. No man with whom I have served in this House had a better knowledge of parliamentary procedure or a more alert mind or quicker wit. At repartee he was unexcelled. Those who were bold enough to cross lances with him in debate rarely ever encountered him a second time.

John Rankin served a useful purpose in this House. His long service here will not soon be forgotten.

I join with my colleagues here today in paying tribute to his brilliant mind, his great service to his country and expressing anew my sympathy to his beloved wife and daughter.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the passing of our dear friend and former colleague, Hon. John E. Rankin, marked the end of an era in Mississippi's public affairs. Perhaps no man who ever represented my State in this body could point to a greater record of legislative achievement than Mr. Rankin. His monumental work in behalf of legislation creating both the TVA and REA programs will not be soon forgotten by the people of America. As a member of the old Dies committee, and later as the one most responsible for making the Un-American Activities Committee a permanent committee of the House of Representatives, he made his mark in history as a relentless fighter for America, and a formidable foe of everything un-American. As everyone knows, the veterans of America's wars had no better friend or benefactor than John Rankin. As an individual, he was one of the most colorful persons ever to serve in this distinguished body and, indeed, one of the most able. He was a gifted orator and had no peers in the art of rough and tumble debating. He was a master at repartee, and his knowledge of parliamentary rules and law was unsurpassed.

Mr. Rankin and I became fast friends when I first arrived to serve in this body some 14 years ago. Although he was then a senior Member and a highly respected leader of the House, he was never too busy to lend me a helping hand, nor to counsel with me on matters affecting my service here. I shall be indebted forever to John Rankin for the wonderful friend that I knew him to be.

I think it can be said truthfully that John Rankin was missed by every Member who had served with him in this body. Few Members make such a lasting impression on their colleagues.

Mr. Speaker, I have lost a dear friend, and America has lost a great leader in the passing of John Rankin. To Mrs. Rankin and their devoted daughter and grandchildren, I join their thousands of friends in extending deepest and most heartfelt sympathies.

Mr. Speaker, many times I have heard Mr. Rankin recite a favorite poem, "Invictus," which, in these words, describes him better, perhaps, than any other:

It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate:
I am the Captain of my soul.

Mr. WINSTEAD. Mr. Speaker, I join with my colleagues in paying respect to the memory of Hon. John Rankin, who served as a Member of this House from Mississippi for 32 years. His death marked the passing of a good, personal friend and one of the most courageous men I have ever known. He was truly one of Mississippi's outstanding citizens and one of the Nation's real statesmen.

Mr. Rankin will long be remembered by servicemen and veterans for his effective efforts in their behalf while he was chairman of the House Committee on Veterans' Affairs. Always alert to their rights and needs, Mr. Rankin never lost an opportunity to lead the fight for veterans' benefits.

As a stanch supporter of the Tennessee Valley Authority, he contributed in a remarkable way to the health, happiness and well-being of thousands of families throughout the South. His interest in people knew no bounds and he never lost his sympathetic regard for his fellow man. To him the welfare of the average man was of paramount importance.

He was at one time instrumental in preventing the abolishment of the House Un-American Activities Committee. As a member of this committee, he constantly fought for its existence as a safeguard against communism in this country.

The name of John Rankin will be long remembered—not only in Mississippi and the South, but throughout the Nation. I am certain that Mrs. Rankin, his loyal and devoted wife, and their lovely daughter, Annie Laurie, will find much comfort and consolation in the knowledge that he lived a full and worthwhile life.

Mr. VAN ZANDT. Mr. Speaker, the Honorable John Elliott Rankin, an illustrious Member of the House of Representatives for 16 consecutive terms, who died on November 26, 1960, will be remembered as one of the outstanding public servants of our time.

John Rankin represented with distinction the old First District of Mississippi for 32 years—years which were exceedingly critical in our country's history—years that literally reshaped the political and economic life of the United States.

Mr. Rankin will be remembered, with the late Senator George Norris, Republican of Nebraska, as coauthor of the bill that created the Tennessee Valley Authority. He served his constituents and his Nation with unselfish zeal.

There are innumerable enviable qualities to be found in the character of John Rankin, but I should like to emphasize two in particular which he exhibited with fiery courage.

I recall an incident in 1941 when an oil painting of Chairman John Rankin was presented to the Committee on World War Veterans' Legislation. There were numerous veteran organizations present and there were many words of praise offered to our illustrious chairman, John Rankin. But the response to those words of praise made by Mr. Rankin contained—among others—the two qualities in his character I wish to recall to our minds today.

First, he regarded the obligations of Congress toward our veterans as a sacred trust.

I quote Mr. Rankin's words of February 6, 1941, as follows:

This tribute is to the committee. It is to those Members who have fought with me, and who are still fighting with me for justice for the disabled veterans and their widows and orphans. We know it costs money. We do not deny that. We knew it would cost money when the war was over. It has always cost money. But, in my opinion, there is no greater investment America can make at any time than to take care of the disabled veterans and the widows and orphans of those veterans who fight in the defense of our country.

The second quality of our late colleague's character found in his response to the presentation in 1941 was his deep and abiding love for his fellow man. We all know that John Rankin's friendship departed from party lines. Again I quote from his remarks:

Someone has said that those friendships that spring up between the members of the two political parties in the Congress are the flowers that overhang the walls of party politics. I want to say to you that they afford some of the finest friendships I have known.

Mr. Speaker, therefore, I find myself in the position of believing that the finest tribute I can accord our deceased colleague is to repeat his own words.

I rejoice that it was my privilege to serve in the Congress and on the House Committee on Veterans' Affairs with John Rankin. He will be remembered with admiration and with affection. The courage with which he carried his convictions was exemplary, indeed. To his wife and daughter I extend profound sympathy in their great loss.

Mr. EVINS. Mr. Speaker, it was with much sadness that I learned during the recess of the Congress of the passing of our former colleague, the late Honorable John E. Rankin, of Mississippi.

Congressman Rankin served in the House of Representatives for 32 years before his retirement in 1953 and was one of the most colorful, forceful, and dedicated Members to serve in the House. John Rankin was a champion of the people of his area—the South—and a firm and devoted advocate of improving and bettering the way of life of the people of our Nation. The Tennessee Valley Authority and the Rural Electrification Administration were among his great interests. He was active in fighting for legislation to create these two important Federal agencies and always was a vigorous supporter for the full development of the TVA and the rural electrification program.

He served as chairman of the House Committee on Veterans' Affairs for many years and was a powerful and effective chairman. During my early years of service in the Congress, I was honored to serve on the Veterans' Affairs Committee while Congressman Rankin was chairman of this great committee. No Member of Congress ever surpassed Congressman Rankin in their stout advocacy and championship of the veterans of this Nation. He was a strong believer in adequate bneefits for all of our veterans, their widows, orphans, and dependents.

Congressman Rankin will long be remembered as one of our strong characters who served in this body and his achievements will continue to shine brightly.

I wish to join with the other Members of the House in conveying an expression of my most sincere sympathy to his widow and daughter and members of his family.

Mr. SMITH of Mississippi. Mr. Speaker, I wish to pay proper tribute to the late John Elliott Rankin, for 32 years a Representative in the Congress from the State of Mississippi. His entire adult life was spent as a servant of the State of Mississippi and the United States, both of which he served with dedication and distinction. His was a service of devotion to what he believed to be right, to his constituents, his State, and his country.

John Rankin's contributions to his State and Nation were many, but he will always be remembered as the "Father of TVA." He was always a champion of the TVA and REA which meant so much not only to his own section of the country but to our entire Nation. His efforts and work will remain a shrine, a living memorial to him for all of those who come after him.

I extend my deepest sympathy to Mrs. Rankin and his daughter.

Mrs. BOLTON. Mr. Speaker, so many good and true things have been said about the late John Rankin, of Mississippi, that it is difficult to add to these tributes. However, I must say a word, because John Rankin increased my knowledge and added to the joy that is mine as a Member of Congress.

I am especially indebted to him for the help he gave me in the matter of ridding our Great Lakes of the lampreys. His knowledge of communism and of the Communist infiltrations into this country were of inestimable help to me, and I shall never cease to be grateful for his generosity in all these matters.

Those who never heard him quote from everything, from the Bible and Shakespeare to some of the great speeches of the Congress have missed something rich and rare.

So today, Mr. Speaker, I want to join my colleagues in these few words of appreciation of a man who served here with all of his heart and mind. To his widow and his daughter do I extend my sympathy as they mourn his going, even though they rejoice that he has gone free.

Mr. BOYKIN. Mr. Speaker, our mutual dear friend, the Honorable THOMAS G. ABERNETHY, of Mississippi, paid a great tribute to our beloved colleague, who has gone to his reward, Congressman John Rankin, of Tupelo, Miss.

Well, I doubt if anything can be added to what TOM ABERNETHY had to say, but

I agree with TOM ABERNETHY that everything he said about our good friend and colleague, John Rankin, was true. I worked with him a quarter of a century and what a worker he was, and what a thinker. I remember one day somebody mentioned something on the Republican side about the mockingbird, and John Rankin just really popped up or shot up on our side of the aisle and went to the microphone and recited that great poem about the mockingbird. I still have it, and if I could find it right now, I would include it with these remarks. There are so many things and so many sayings, and so much poetry, so much that we could say about John Rankin. He did serve his district, he did serve his State and this Nation well, and for a long, long time. His wonderful wife and daughter were right here by his side, your side and my side, and we all loved and respected the great John Rankin from the wonderful, wonderful State of Mississippi.

THE HONORABLE MICHAEL J. KIRWAN

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I trust that my friends on the Republican side of the aisle will bear with me if I take a minute to pay a word of tribute to our incomparable campaign manager, chairman of the Democratic congressional campaign committee, the gentleman from Ohio [Mr. KIRWAN]. The large majorities which our party has been able to maintain in the House of Representatives have been due in no small measure to the political skill, hard work, good sense, and sound judgment of MIKE KIRWAN.

A great deal has been said about the fact that the Democratic Party lost a few seats in the last election. Yet I would like to point out that the majority which we have in this Congress is the third largest since the beginning of World War II, and that it has been 32 years since the Republican Party has sent a majority to the House of Representatives comparable to the Democratic Party majority in the 87th Congress. Our membership in the present Congress is identical with that enjoyed after the great Democratic victory of 1948. No one in the Congress or in the country is due more credit for this accomplishment than the chairman of the Democratic congressional campaign committee, Mr. KIRWAN and his committee, which in my opinion is the most effective and important political committee within the Democratic Party.

Every Member of the House knows that MIKE KIRWAN is not only a great campaigner, he is also a great legislator. He presides over the subcommittee of the Committee on Appropriations that probably has more to do with the development of American resources than any other committee on the Congress. His legislative service may be characterized as that of a great builder. Projects completed or under construction in every section of the United States attest to the constructive congressional service of the distinguished gentleman from Ohio, Mr. KIRWAN.

It may be truly said of the gentleman from Ohio that during his long years in this body he has rendered tremendous service to the great Democratic Party. More important still, he has rendered tremendous service to the United States of America.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. Mr. Speaker, I want to join the gentleman from Oklahoma, Mr. CARL ALBERT, in his great tribute to our colleague, MIKE KIRWAN of Ohio. MIKE has been a friend of mine for many years and has been a most loyal and able Democrat. He has never been too tired to take the trail again. There is no more loyal and capable Democrat in Congress than is our colleague, Mr. KIRWAN.

And MIKE has done all of this without shirking in any sense his congressional duties. In handling the affairs of a great Appropriations Subcommittee, he has provided for development projects of great interest to every section of the Nation. He has always been most readily available to his colleagues to fairly discuss and appraise any project throughout the Nation. He has done a great job in a legislative way and, at the same time he has not completely overlooked the political complexion of a legislative party that is dedicated to a two-party system.

Mr. ALBERT. I thank the gentleman.

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

Mr. ALBERT. I am happy to yield to the majority leader.

Mr. McCORMACK. Mr. Speaker, I am glad the gentleman from Oklahoma has made the remarks he has about our distinguished friend from Ohio [Mr. KIRWAN]. There is no more dedicated Member of the House of Representatives than MIKE KIRWAN. He is not only a great American, but he is also a great Democrat.

I know my Republican friends will not feel offended in any way when I pay tribute to MIKE KIRWAN from a party angle and say that the fact that there are so many Democrats on this side at this time and have been in past Congresses in the main is due to the leadership and the work of MIKE KIRWAN of Ohio.

Broader than that, as I have said, he is a great American and a dedicated legislator. He has made a marked contribution to the legislative history of our country. I am very happy to join with my friend from Oklahoma in the remarks he has made and which the gentleman from Ohio so properly deserves. He enjoys the respect of all Members of the House.

Mr. ALBERT. Mr. Speaker, I thank the gentleman. At this time I yield to the gentleman from Texas [Mr. PATMAN.]

Mr. PATMAN. Mr. Speaker, I desire to join my colleague from Oklahoma [Mr. ALBERT] in paying tribute to our distinguished colleague from Ohio, the Honorable MIKE KIRWAN, for the splendid work performed by him for the Democratic Party in the recent campaign.

Mr. KIRWAN is a highly respected Member of this great body. I do not know of anyone who is held in higher esteem and greater respect than the Honorable MIKE KIRWAN. He is particularly admired by the Democrats for the fine job he did last year. Certainly, by reason of his standing in this House and his standing in the country, he is entitled to great credit for the victory that was won by the Democrats in 1960.

Mr. ALBERT. I thank the gentleman from Texas. Mr. Speaker, at this time I yield to the gentleman from Utah [Mr. KING].

Mr. KING of Utah. Mr. Speaker, I join the gentleman from Oklahoma in paying tribute to the Honorable MICHAEL J. KIRWAN. I do not know whether it is generally known, but the Democratic congressional campaign committee came into existence some 120 years ago, and although I have not researched the matter, my impression is that this committee is the oldest political committee in the world today. I feel that its recent successes are in no small measure due to the outstanding work of the distinguished gentleman from Ohio [Mr. KIRWAN]. I include in this tribute also the work of his distinguished committee headed by Kenneth M. Harding, director. I feel that they have made a team which has been effective, and above all, which has been fair. They have many problems, of course, in allocating financial aid to various candidates. In doing this they must be fair, and they have been fair. In that fairness I feel lies the secret of their success. I therefore join in paying tribute to this distinguished gentleman, and to his committee.

Mr. ALBERT. Mr. Speaker I thank the gentleman from Utah. I yield at this time to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I am delighted to join my friend from Oklahoma and my colleagues who have said these kind words about MIKE KIRWAN. My reason for adding my tribute is not only because of his leadership in the recent campaign on behalf of the Democratic candidates for Congress, but because MIKE had the good judgment to be born and raised in my congressional district. He began when a small child as a slate-picker in our anthracite coal mines. He worked in the mines. Then he moved out to the beautiful State of Ohio where he became a distinguished statesman. Not only as a politician but as a statesman we admire him and respect him for his tremendous integrity, particularly as chairman of the Subcommittee for the Interior Department of the Committee on Appropriations. We all know that when MIKE KIRWAN goes down into the well of that House, if he is "agin" you you are in very bad shape. We admire MIKE and respect him and I am happy to add my tribute to the words of the

distinguished gentleman from Oklahoma, the whip on the Democratic side.

Mr. ALBERT. I thank the gentleman.

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

Mr. ALBERT. I yield to the gentleman from North Carolina.

Mr. BONNER. I should like to associate myself with the very fine compliments that have been paid to the distinguished gentleman from Ohio [Mr. KIRWAN]. He is a hard worker, loyal to the Democratic Party; but above all, may I say, having traveled with him, that he is one of the finest Christian gentlemen I have ever known. His loyalty to his church has been an inspiration to me.

Mr. ALBERT. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD regarding the gentleman from Ohio [Mr. KIRWAN].

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

There was no objection.

Mr. RAYBURN. Mr. Speaker, I am glad to join with my colleagues in this tribute to our colleague, MIKE KIRWAN, of Ohio.

I have known many men in the House of Representatives. I have never known a better or more effective Member of this House than is MIKE KIRWAN. When he brings in his bills before the House, he is capable of explaining them and letting the House know just exactly what is contained in the measures that he presents. He is deservedly popular in the House because he is a man of the highest character, faithful to duty and who loves and wants to serve his country.

Mr. MONTOYA. Mr. Speaker, may I wholeheartedly join with my good friend, the gentleman from Oklahoma, and my many other colleagues in paying tribute to the tireless and most effective efforts of MIKE KIRWAN in his capacity as chairman of the Democratic congressional campaign committee during the last election.

Chairman KIRWAN was not content only with paper work in his job, but he actually went all over the country in his quest for success. The reports on his efficiency and wonderful reception throughout the grassroots are well known to all of us. This was a tough campaign and all of us are deeply indebted to MIKE KIRWAN and to his exceptionally capable staff for an outstanding job.

Mr. HECHLER. I am honored to have this opportunity to join in a richly deserved tribute to our distinguished colleague, MIKE KIRWAN, for the outstanding job which he has done as chairman of the Democratic congressional campaign committee. It is highly appropriate that we call attention to these accomplishments on the floor of the House of Representatives because the very composition of Congress is determined by the relative vigor and effectiveness of the congressional campaign committees and those who man them. The noble profession of politics is what got us here, and as practitioners of the art of politics MIKE KIRWAN ranks with the best of them. He is fair, he is firm, he knows what he is doing, he is direct in his approach, and he always keeps his word. Most important, he produces results and to use a combat expression, "the battle is the payoff."

I want to pay tribute also to Ken Harding, who is following in the footsteps of his late father, the beloved "Cap" Harding. Ken and his efficient, charming staff help MIKE KIRWAN carry the ball and perform the effective work which the congressional campaign committee does.

Mr. ULLMAN. Mr. Speaker, I want to join the gentleman from Oklahoma [Mr. ALBERT] in paying tribute to a man who is not only a great Democrat, but a great American, MIKE KIRWAN, of Ohio.

His services as chairman of the Democratic congressional campaign committee have contributed a great deal to our party, and through it to the Nation. I know that the younger Democratic Members of this body are particularly grateful for his advice and assistance, not only in our campaigns, but in our work here in the Congress.

Those of us from the West are especially grateful to Congressman KIRWAN for his outstanding work on the Appropriations Committee, and particularly on the subcommittee dealing with Interior appropriations. He is one of our country's foremost authorities on resource development and he has proved himself a great friend of the West.

He has traveled in my own congressional district, and I know that he has traveled through most of our part of the country and that he has personal familiarity with our problems. He has drawn on his experience and his capabilities to render great service to the cause of multiple-purpose development of our land and water resources, and in these brief remarks I just want to express some of the appreciation of all of us from the West.

This, the opening week of the 87th Congress, is a most fitting time to pay tribute to this outstanding American, and I want to congratulate the gentleman from Oklahoma for his able remarks and to thank him for giving me this opportunity to associate myself with them.

Mr. EVERETT. Mr. Speaker, it is a real pleasure for me to join with my colleagues in paying tribute to one of the outstanding Members of the House, the Honorable MICHAEL J. KIRWAN, of Ohio, known to all affectionately as "MIKE." To pay tribute to MIKE is to pay tribute to the American way of life for he, more than anyone else I know, is a symbol of this way of life.

From a very modest beginning, through sheer determination, perseverance and hard work, MIKE has climbed the ladder of success. We honor him today for the great job he did as chairman of the congressional campaign committee. During the recent campaign he worked tirelessly to aid and assist Members running for reelection as well as candidates running for the first time. With MIKE at the helm we came through again with a resounding Democratic majority in the House of Representatives for the 87th Congress. He has been chairman of the congressional committee since 1947, and since he assumed the leadership of that committee only once—that short 2-year period between 1952 and 1954—have the Democrats not controlled the House. MIKE KIRWAN is not only a great campaigner, he is a distinguished legislator, having served in the House of Representatives since 1936, a member of the powerful Appropriations Committee since 1942 where he has served as chairman of the Subcommittee on Interior Appropriations. I salute you, MIKE, as a campaigner of renown; as a legislator with a reputation of accomplishment, a high-minded Christian gentleman and a truly great American.

Mr. SMITH of Mississippi. Mr. Speaker, I want to join in the congratulations and warm praise being given to our colleague, MIKE KIRWAN, for his outstanding work as chairman of the Democratic congressional campaign committee. The campaign in 1960 was perhaps more effectively organized than at any time in recent years. In a hard campaign in every section of the country, the work of the Democratic congressional committee resulted in Democratic victories in many close elections.

MIKE KIRWAN is one of the real statesmen in the House of Representatives. No Member has a greater respect for the priceless heritage of natural resources and has done more to aid in their sound development. MIKE KIRWAN is, of course, interested in the affairs of his own district in Ohio, but he sees all of our problems as national and he has given his great energy and valuable time in assisting others of us in all parts of the country in helping to properly develop these resources. Few men with whom we serve in the Congress have done more to benefit the sound development of our great country.

Mr. INOUYE. Mr. Speaker, I am pleased to join my many colleagues in paying tribute to one of the truly outstanding Members of the U.S. House of Representatives, the Honorable MICHAEL J. KIRWAN, of Ohio.

In paying tribute to MIKE KIRWAN, we are paying tribute to the "American promise" of unlimited opportunity to those who have the will, patience, and sweat to improve themselves. From a very humble beginning, MIKE KIRWAN has risen to great and deserving heights. But he, like all great Americans, has made greater effort to help others instead of himself. He has been a legislative father to many of us, especially the younger freshmen Members. He has been our adviser, our guide, and many times our conscience.

As chairman of the congressional campaign committee, MIKE KIRWAN has made it possible for many of us to conduct winning campaigns. I join others in thanking him for assisting us to receive the privilege of representing our constituencies in the Congress.

As chairman of the Subcommittee on Interior Appropriations, MIKE KIRWAN has always offered his sympathetic ear to the problems of Hawaii. I am certain that the grateful people of Hawaii join me in thanking MIKE KIRWAN for

his assistance in guiding the growth of Hawaii.

I salute you, MIKE KIRWAN—legislator, statesman, campaigner, gentleman, and great American.

Mr. BOYKIN. Mr. Speaker, this morning one of the great leaders in this House, and everywhere else he goes, the Honorable JOHN MCCORMACK, majority leader of the Democratic side of the House, made a speech. It is a wonderful speech, about another outstanding leader and another great and good friend, and last but not least, an everlasting, outstanding, true-blue Democrat, the Honorable MICHAEL J. KIRWAN, of Ohio. Well, of course, Mr. Speaker, you know MIKE KIRWAN; we all do. He is a very quiet man; he is a very hard worker; he is a very serious man; he is a deep thinker; he has a great brain and such an understanding heart; and he doesn't talk much on the floor or anywhere else, but when he does, like you, what he says counts.

Well, I just want to say that everything that my beloved friend and our leader on the Democratic side, the Honorable JOHN MCCORMACK, said was true—more than true—and I wish there were something else that we could add to that. But not only the Democrats, but the Republicans, know they can count on MIKE KIRWAN just as they can on you when you tell them anything. I have known him so long and so well, and I think it was so wonderful for our leader, JOHN MCCORMACK, to say the wonderful things that he had to say about our great colleague and leader, MIKE KIRWAN.

Again, I will say that MIKE KIRWAN has served his district, his great State of Ohio and this Nation well. Whatever he does, he does well, and wherever he goes and wherever he is known, and the people he works with, I mean all right-thinking people, will love and respect this great American, MIKE KIRWAN of Ohio.

CARDINAL CUSHING HONORED BY THE ORDER OF FRIAR HERMITS OF ST. AUGUSTINE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. LANE. Mr. Speaker, His Eminence Richard Cardinal Cushing of Boston is noted for his inspirational zeal and the good works that have flowed from it. "He has gone out among the people" and they have responded to his purposeful vision with the dynamic cooperation that has financed many charitable programs and has built many new hospitals and schools throughout Massachusetts.

One of his greatest achievements was the building of Merrimack College in North Andover, Mass.

Thirteen years from the day when he had presided at the mass opening the college, this tireless prelate was made an honorary member of the Order of Friar Hermits of St. Augustine in the Collegiate Church of Christ the Teacher, at Merrimack College.

Commenting on the progress of the college during that 13-year span, His Eminence said:

In this age of science and technology we all realized from the beginning the pressing need for a school of engineering under Catholic auspices. * * * There was no engineering school in all New England identified with any Catholic college. It is a splendid tribute to the courage and ingenuity of the Augustinian Fathers that they have developed a youthful, promising and modern engineering school that aspires to become one of the outstanding engineering schools on the eastern coast.

By his tremendous faith in education, Cardinal Cushing is doing a great service to his church, to the Commonwealth of Massachusetts, and to the Nation.

In recognition thereof, I include in the RECORD the following account of the cardinal's enrollment into the order, and the address he gave on that occasion. It is titled: "Cardinal Honored at Merrimack College" from the September 23, 1960 edition of the Lawrence Eagle-Tribune, published in Lawrence, Mass.:

CARDINAL HONORED AT MERRIMACK COLLEGE

"I have come to Merrimack College on many occasions, for various reasons and in behalf of many causes. None of these visits can compare with that of this day when we give thanks to Almighty God for the great blessings that He has bestowed upon me through my enrollment as a member of the Augustinian Order."

These were the opening remarks of His Eminence Richard Cardinal Cushing Thursday morning where, before a standing room crowd of students, laymen, and clergy in the Collegiate Church of Christ the Teacher, he was made an honorary member of the Order of Friar Hermits of St. Augustine, a ceremony said to be one of the most important in the 15-year history of Merrimack College.

Prior to the enrollment of the cardinal into the order, the procession of priests filed into the church following the entire student body and prominent members of the lay world. Very Rev. James A. Donnellon, O.S.A., prior provincial, Province of St. Thomas of Villanova, celebrated the Mass with Rt. Rev. Francis R. Rossiter acting as master of ceremonies and Rev. Edward L. Daley as assistant master of ceremonies.

During the Mass, the cardinal sat to the left of the altar flanked by Very Rev. Vincent A. McQuade, O.S.A., and Rev. John A. Klekotka, O.S.A., president of Villanova University.

Among those attending were: Rev. John Lane, North Reading; Rev. Edmund W. Croke, Wilmington; Rev. John A. Keegan, Haverhill; Rev. James Glennon, O.S.A., St. Mary's; Rev. Bernard O'Dowd, O.S.A., St. Augustine's; Rev. Alfred M. Natali, O.S.A., St. Augustine's; Rev. Cipriano Vicente, O.S.A., the following Merrimack College priests:

Rev. Mariano Arconada, O.S.A., Rev. Thomas A. Burke, O.S.A., Rev. Edward J. Burns, O.S.A., Rev. Donald X. Burt, O.S.A., Rev. William G. Cullen, O.S.A., Rev. Edward L. Daley, O.S.A., Rev. Ezra J. Fenton, O.S.A., Rev. Joseph A. Flaherty, O.S.A., Rev. Michael T. McGinnis, O.S.A., Rev. Henry J McIntyre, O.S.A., Rev. Henry J. Matthews, O.S.A., Very Rev. Arthur B. Maxwell, O.S.A., Rev. William T. Monahan, O.S.A., Rev. Joseph P. Murray, O.S.A., Rev. William Murray, O.S.A., Rev. Christian A. Retera, O.S.A., Rev. Patrick J. Rice, O.S.A., Rev. Paul C. Thabault, O.S.A., and Rev. Thomas F. Walsh, O.S.A.

M. Vale, representing St. Joseph's College in Maine; Sister Irene Marie of Anna Maria College, Paxton; Mrs. Doris Sterner Buonomo, Sister Mary Alice, president of Regis College, Rt. Rev. Msgr. Joseph P. Burke, J.C.D., pastor of St. Patrick's Church; Rt. Rev. Timothy F. O'Leary, Rt. Rev. Msgr. Joseph David, Ph. D., pastor of St. Anthony's Church; Rt. Rev. Msgr. Francis M. Juras, pastor of St. Francis Church; Rt. Rev. Peter T. Linehan, V.F.P.P., Rt. Rev. John J. Murray, Rt. Rev. M. P. Stapleton, St. John's Seminary, Brighton; Rt. Rev. John J. Twiss, Rt. Rev. William F. Reilly, Rt. Rev. Lawrence J. Riley, Brighton; Rt. Rev. L. A. Sikora, Rt. Rev. Msgr. Peter Abouzeid, B.S., pastor of St. Joseph's Church; Very Rev. Michael P. Walsh, S.J., Boston College president; Rev. Richard H. Sullivan, Stonehill College; Very Rev. Gerald F. McCarthy, O.F.B., prior, St. Anselm's Abbey, Manchester, N.H.; Rev. James E. Fitzgerald, Fairfield University; Rev. Clarence Laplant, O.F.M., St. Francis College, Biddeford, Me.; representing Very Rev. Raymond Swords, S.J., president of Holy Cross, was Rev. Patrick J. Higgins; Rt. Rev. John S. Seton. Very Rev. Henry B. Smith, O.S.A., St. Augustine's, Andover; Brother Hugh E. Sheridan, F.M.S., Central Catholic High School; Rev. Daniel G. Sullivan, Sacred Heart, Bradford; Rev. James A. Wenzel, O.S.A., St. Augustine's Andover; Very Rev. Charles E. Bauman, O.S.A., Jamaica, Long Island and Very Rev. Francis L. Dennis, O.S.A., Augustinian College, Washington.

Very Rev. John J. Coffey, O.S.A., Novitiate, Staten Island, N.Y.; Rev. Thomas Dillon, O.S.A., New Hamburg, N.Y.; Rev. Joseph A. Duffey, O.S.A., Villanova University; Very Rev. William T. Eagan, O.S.A., Bonner High School, Drexel Hill, Pa.; Rev. Daniel P. Falvey, O.S.A., Villanova University; Rev. Joseph J. Gildea, O.S.A., vice president in charge of academic affairs, Villanova; Very Rev. James M. Hurley, O.S.A., St. Nicholas of Tolentine, N.Y.; Rev. Denis J. Kavanaugh, O.S.A., St. Nicholas of Tolentine, N.Y.; Very Rev. C. C. McHale, O.S.A., representing Very Rev. John L. Seary, O.S.A., provincial of Chicago, Ill.; Rev. Edward V. Stanford, O.S.A., Villanova; Very Rev. Edward A. Moran, O.S.A., Chestnut Hill, Pa.; Rev. Ernest J. Autch, O.S.A., Church of the Assumption; Rev. Thomas J. Blessington, St. Mary's; Rev. C. F. Cahill, St. Joseph's, Salem, N.H.; Rev. James I. Carroll; Rev. John V. Casey, O.S.A., St. Mary's; Very Rev. Edward J. Carney, O.S.A., pastor of St. Mary's Parish; Brother Claver, Secred Heart School, Shawsheen; Rev. Samuel E. D'Angelo, O.S.A., St. Mary's; Rev. Francis J. Dinan, St. Patrick's; Rev. P. Forestier, S.M., chaplain, Bon Secours Hospital; Rev. James E. Hannan, O.S.A., St. Laurence's; Rev. James J. Hession, St. Michael's, North Andover; Rev. Francis J. Horgan; Very Rev. John Jadaa, rector, St. Basin's Seminary, Methuen; Very Rev. Paul M. Judson, O.S.A., pastor of St. Augustine's Church; Very Rev. Wilbert Kirk, O.S.A., St. Laurence's Church; Rev. Guy A. LeBel, S.M., St. Theresa's Church, Methuen and Rev. William A. Long, pastor of St. Michael's, North Andover.

Rev. James J. McCusker, O.S.A., St. Mary's; Rev. Louis A. McMenamin, O.S.A., St. Augustine's; Brother Gilroy, St. John's Preparatory School, Danvers; Rev. Eugene P. McNamara, St. Patrick's; Rev. Forrest S. Donahue, S.J., Campion Hall; Rev. Edward M. Sullivan, S.J., Campion Hall; Rev. William S. Mullen and Rev. John A. M. Walsh, O.S.A. of Holy Rosary Parish.

Highlights of the Cardinal's exceptional address:

"Through the kindness of the prior general at Rome, the Most Reverend Lucian Rubio, and the prior provincial of the Province of St. Thomas of Villanova, the Very Reverend James A. Donnellan, I have been invested with the habit of the Friar Hermits, thereby entitling me to a share of all the

spiritual merits and fruits of the works and prayers of Augustinians throughout the world.

"The father general and the father provincial have been most generous in expressing their gratitude for what we, as archbishop of Boston, have done for the Augustinians through our interest in Merrimack College. They have conferred upon me the greatest gift from their spiritual treasures. I shall cherish the honor for time and eternity.

"In undertaking the foundation of Merrimack College the Augustinians gave more than all others. They gave their heart's blood. Responding to my earnest appeal, they started from nothing and put into the erection of this institution of higher learning, their best administrators, their younger and most highly trained scholars and teachers. They have continued year after year to replace and increase the religious staff and to advance financial aid whenever necessary. This has involved many sacrifices on their part with the result that the Archdiocese of Boston is blessed with a higher institution of learning devoted to the special needs of Merrimack Valley and elsewhere.

"As cofounder of Merrimack College I recall that it was just 13 years ago today when I presided at the mass opening the college. On a rainy, chilling morning I proceeded over the rough roads to bless and dedicate the first classroom building. Then, as now, Merrimack College was eager to advance and to meet any program that called for prompt action. At that time there were 165 students in one building. It was a humble but courageous beginning. There were many difficulties to overcome, many obstacles in the way of success, but God blessed the endeavor and the infant institution developed and matured.

"The forward progress has been incredible, breathtaking in rapidity and brilliant in execution. The growth in the student body has been even more spectacular. It has increased almost twentyfold in a little more than a decade. Most significant of all, the high academic standards and scholastic achievements have not suffered in this unprecedented multiplication of physical facilities, but have increased and brought forth gratifying results. Some 1,500 men and women have been graduated from these halls; many of these have pursued advanced studies in the best universities of the country and have merited the highest degree of scholarship—doctorates in chemistry, medicine, biology, philosophy, economics and the arts.

"This is my great day at Merrimack when they honor me with the privilege of wearing in my own right the religious habit of their great order. But it is also their great day for without them there would be no Merrimack College.

"In this age of science and technology we all realized from the very beginning the pressing need for a school of engineering under Catholic auspices. We knew the academic requirements were stringent, the financial demands overwhelming—for no collegiate institution can support itself, let alone expand, on tuitions alone. Yet the need was there. There was no engineering school in all New England identified with any Catholic college. It is a splendid tribute to the courage and ingenuity of the Augustinian Fathers that they have developed a youthful, promising, and modern engineering school that aspires to become one of the outstanding engineering schools on the eastern coast. This accomplishment adds special lustre to the academic excellence of Merrimack College and augurs well for the prosperity of the future of this part of our country. I hope that as this school of engineering grows to full maturity, and strives to meet all the demands of modern scientific progress, it will merit the financial aid of business, scientific, and industrial corporations that have expanded throughout this area in recent years. The progress of Merrimack School of Engineering is associated with their progress.

"Ours is an age of science and technology. Communism today, shows what may happen when science and progress turns away from God. Men forget their loyalties, become enamored with materialism and its accomplishments, strive to become masters of their own destiny and conquerors of the world. We need scientists. We need technologists. We need engineers. But we need God loving and God fearing men who while plumbing the depths of scientific knowledge and enlarging the horizons of engineering accomplishments, know and realize that man is a creature of God, made to know love and serve God in this life and to be happy forever with Him in eternity. Well-trained, competent, able, and learned scientists and engineers are greatly needed today to meet the threats and force of materialism and atheism. Here at Merrimack they are trained to be saints as well as scholars; loyal citizens of the city of God as well as city of man.

"By recalling the spiritual and academic tradition of the Augustinian Order we can appreciate that Merrimack College, the joint enterprise of the Augustinian Fathers and the archbishop of Boston, has a parallel with the genius of St. Augustine. He was a bishop of one of the greatest dioceses in the early church, the diocese of Hippo in north Africa; he was an able administrator, the founder of a religious order to help carry out the divine mission of the church, signifying the close association of the Augustinians with the successors of the Apostles and in the present instance with the archbishop of Boston in carrying out the works which the diocese needed and for which they were specially qualified.

"The close association of the Augustinians with the work of the episcopate is characteristic of the Order of St. Augustine. Her missionary and academic labors in Mexico, Peru, Colombia, Brazil, Ecuador, the Philippines, Japan, China, India, Persia, Armenia, Georgia, Indochina, Malaya, Africa, Bolivia, and Australia are historic and heroic. Today, the most reverend prior general, rules over a total of over 3,800 Augustinians, distributed throughout 400 houses in 24 provinces and 10 vice provinces.

"Here in America over 700 Augustinians serve in 17 dioceses staffing 3 colleges, several seminaries, numerous high schools and parishes. They have sent missionaries to Japan and chaplains into the armed services. Locally the Augustinians have labored in the archdiocese of Boston for over a hundred years. Many of them such as Father James T. O'Reilly have contributed mightily to the religious life of the area. Merrimack College is but the latest flowering of the labors of many sons of Augustine who have labored in this area, true to the spiritual, academic and missionary tradition of their father, St. Augustine.

"It was Augustine, too, who said that there is no standing still; either we push upward or we go downward. And so while I look with great satisfaction at the truly herculean accomplishments of this college I see before us other tasks that call for action.

"The men of Merrimack and the ladies of Merrimack, those who have answered the appeals, all whom we embrace as benefactors. As cofounder with my brethren of the Augustinian Order, I wish to express my thanks and appreciation to all these and other friends of the college who have seen it grow from helpless infancy to a strong maturity. Their vision and encouragement, their confidence and generosity are prominent in my thoughts and prayer today. Let us all go forward. We are on the threshold of greater accomplishments. We must not stand still.

"Pray daily that God may continue to bless our endeavors, as I pray that He will bless and be with you and yours today and forever. Amen."

Rev. Joseph P. Murray, O.S.A. of Merrimack College, read the decree of affiliation in Latin and Very Rev. Vincent A. McQuade, O.S.A., Ph.D., president of the college read it in English. The decree was read as the cardinal changed from his habit to that of a member of the Order of St. Augustine.

The decree:

"The Most Reverend Lucia Rubio, prior general of the Order of Friar Hermits of St. Augustine to His Eminence the Most Reverend Cardinal Richard James Cushing, archbishop of Boston.

"It is fitting that we bestow upon those who have merited the praise and gratitude of our Augustinian family whatever extraordinary favors we are empowered to give.

"Wherefore by virtue of this decree, humbly imitating the perfect dispensers of God's manifold graces, and by virtue of the authority of our office, we affiliate you as one who has shown by special affection and love for our order. We welcome you to our brotherhood and consider you a spiritual guardian of Augustinians.

"By indult of the Holy See, we joyfully grant to you participation both in life and after death, in all the masses, prayers, fasts, in every spiritual work performed with God's help, by the brothers and sisters of our order, wherever they may be in the whole Christian world.

"Granted in Rome, at the general curia on the feast of Saint Augustine, August 28, 1960.

"Father LUCIAN RUBIO,
"Prior General, O.E.S.A.
"Father SALUSTIANUS MIGUELEZ,
"Secretary of the Order."

Rt. Rev. Francis R. Rossiter acted as master of ceremonies and Rev. Edward L. Daley, O.S.A., assistant master of ceremonies.

Following a talk by the cardinal which lasted close to an hour, the procession of visiting priests and clergy taking part in the colorful and solemn ceremonies, formed once again and proceeded to the new men and women's dormitories where they were blessed and dedicated by the cardinal.

AREA OF REDEVELOPMENT

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, yesterday I introduced in the House the new area redevelopment bill for the distressed economic areas of the Nation. This will be the new administration bill and will have the support of President-elect Kennedy, who has repeatedly urged the passage of this legislation.

Similar legislation was twice vetoed by President Eisenhower.

At high noon on the first minute of the first hour of the first day of the 1st session of the 87th Congress, in keeping with my pledge to do so, I introduced the new Flood-Douglas bill. Senator DOUGLAS will introduce the bill in the Senate today.

The bill, as is well known, deals with problems of areas of chronic unemployment. President-elect Kennedy said on January 2, 1961, upon receiving the report of the special committee named by

him to consider these problems, on which committee I served as adviser:

It would be a mistake to consider the problems of chronic unemployment and underemployment solely in the context of the areas directly affected. The entire Nation suffers when there is prolonged hardship in any locality.

After the long, hard fight of the past several years to pass the Flood-Douglas bill, I am more than happy now to sponsor the new bill with the approval of the President-elect and to feel certain that the bill will speedily pass the Congress and finally be signed into law. The bill, in its broad purpose, strikes at the desperate problems of chronic unemployment in specified areas of the Nation and, of course, applies directly to the situation in Luzerne County, Pa.

The bill is basically the same as the one passed twice by the Congress heretofore and twice vetoed by President Eisenhower.

The total amount called for is $389.5 million. It provides $100 million in the loan fund for private projects. The period of the loan will be for 25 years; the interest rate will average about 4½ percent, figured on the comparable rates of U.S. Government obligations of the long-range type of 10 years and over, plus one-half of 1 percent divided into one-quarter for administrative purposes and one-quarter for sinking fund generally intended to meet defaulting obligations. There is a second $100 million of loans for areas of underemployment with the term of the loan and the interest rates the same as set up for the loans for private projects. There is a third $100 million earmarked as loans for public facilities such as the development of industrial parks, which I believe, in the Luzerne County area, can be utilized for the filling of mine strippings and abandoned workings to be made suitable for industrial parks as well as acquisition of these sites and other sites to be cleared for industrial parks. This loan section will also include sewers, water lines, and other public utilities essential to industrial development under the strict conditions that have appeared in all former Flood-Douglas legislation.

A third provision is for $75 million, in this case, grants instead of loans, also for public facilities under very rigid restrictions to communities as spelled out in the bill.

The interest rate on the public facility loans is slightly different than on the other loan provision. The public facility interest rate will be computed on the basis of both the long-term and short-term comparable rates of such Government obligations and will come out at about 3¼ to 3½ percent, something like the so-called college rate on college loans.

There is another provision for technical assistance to plan and aid in planning for the depressed area communities, $4½ million annually, and another provision which, in my judgment, is one of the most important in the bill, a $10 million provision to retrain workers in the area and to train unskilled workers to take their places in the new plants and developments or in the expansion of existing facilities in the depressed areas.

I have every reason to believe that the Flood-Douglas bill will be the first of the so-called must bills of President-elect Kennedy's new administration and, I know, this will gladden the hearts of my people of Luzerne County, Pa., who have been hoping and praying for this recognition of Federal responsibility to help our people help themselves and to provide jobs for men who want to work.

Mr. Speaker, the new area redevelopment bill which I introduced today will be today introduced in the Senate by the distinguished Senator from Illinois [Mr. DOUGLAS], who served as chairman of the Task Force on Area Redevelopment, appointed, as you will recall, by President-elect Kennedy. The report was made to Mr. Kennedy, and as the result of that report this bill was prepared. It will be known as House bill No. 5. I will repeat the number, House bill No. 5.

I urge and request that my colleagues on both sides of the aisle join me in sponsoring this bill. You can obtain a copy of the bill at your leisure, but I will be grateful if as soon as possible as many of you as care to will get a copy of this new area redevelopment bill. I repeat, it is H.R. 5.

AMENDING THE SUGAR ACT OF 1948

Mr. BREEDING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. BREEDING. Mr. Speaker, I have joined the gentleman from Texas [Mr. ROGERS] and other Members in introducing legislation to amend the Sugar Act of 1948.

Briefly stated, the legislation would increase by about 250,000 acres the acreage allotment for domestic sugar beet producers, and provide an equitable formula for distributing the additional acreage among growers in old and new growing areas.

My concern, Mr. Speaker, is to provide additional acreage for domestic producers of our country.

Under the present legislation, we are, for all practical purposes, barred from expanding acreage.

Even with the removal of acreage controls on sugar beets we cannot look for any expansion. There simply does not exist the refining capacity to handle any additional production in our area.

I believe the permanent changes provided in this legislation will be an incentive for private companies to build new refining capacity. They need assurances of permanency in any changes. After all, they must know their large investments in new plants will not be jeopardized by a reduction of any new domestic acreage allotment to satisfy the demands of some foreign producers.

The Sugar Act expires on March 31 of this year. There is not much time. I hope the Agriculture Committee will get right to work on this difficult problem.

SMALL BUSINESS REPORTS AVAILABLE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, I would like to announce that the reports issued just recently by the Small Business Committee are now available for distribution to the Members and their constituents. One of these reports is the committee's final report which describes the results of the investigations and studies conducted by the committee during the 86th Congress. It is about 200 pages long but the conclusions and recommendations chapter is quite brief. It lists the committee's 29 recommendations in behalf of small business.

In addition to its final report, the committee has released eight additional reports, each of which deals with a specific type of problem facing small business at this time.

Copies of these eight additional reports are also available to the Members and their constituents. A listing and brief description of each of these eight reports follows:

LIST OF REPORTS IN ADDITION TO THE COMMITTEE'S FINAL REPORT ISSUED RECENTLY BY HOUSE SMALL BUSINESS COMMITTEE NOW AVAILABLE FOR DISTRIBUTION TO MEMBERS AND CONSTITUENTS

I. STATUS OF SMALL BUSINESS IN RETAIL TRADE

This is a staff report which describes how various types of small business retailers are faring in their efforts to compete against the chains. It shows that the chain organizations, and especially the big ones, have increased substantially their share of the total retail market in certain areas of retail trade. In 30 big cities, according to the report, the chains have captured from 80 to 90 percent of all retail business.

The report is highly objective and based upon data obtained within the past 2 or 3 months from the Bureau of the Census. It supplies interesting information concerning many different classes and types of retail trade.

II. CONCENTRATION IN BANKS AND SMALL BUSINESS

A staff report dealing with the transition that has occurred in the commercial banking business in this country from the traditional independently owned unit bank to the present dominance of chain banks and branch banks. It shows that concentration in commercial banking has climbed to a point where the independent unit banks have only about 30 percent of the Nation's total banking deposits and loans. In some States branch banks and holding company banks control more than 90 percent of the total commercial bank resources and loans. According to the report, 65 giant commercial banks control more than 40 percent of the deposits.

This report is highly objective and based upon data prepared within about the past 2

months by the Federal Reserve Board and the Federal Deposit Insurance Corporation.

III. SMALL BUSINESS PROBLEMS IN THE DAIRY INDUSTRY (H. REPT. 2231)

This report describes the competitive climate in which the Nation's small dairies are endeavoring to compete and survive. Pricing practices of the large chain organizations are documented together with other information showing that in many cases these pricing practices are threatening to make it impossible for a locally owned, hometown, small business dairy to remain in business. The report also explains why legislation is needed to afford relief to the hard-pressed independent small business dairy.

IV. THE ORGANIZATION AND OPERATION OF THE SMALL BUSINESS ADMINISTRATION (H. REPT. NO. 1252)

This report describes and explains the various duties of the agency and points out those areas in which it has discharged these duties in a (1) good, (2) acceptable, and (3) unsatisfactory manner. The report discusses and recommends the type of legislation believed to be needed to assist the agency to perform its various tasks. In the report emphasis is placed upon the new Small Business Investment Act and explains fully how this act can be of great benefit to small business. Part II of the hearings lists the number of loans granted by the agency in each congressional district.

V. PROPRIETARY RIGHTS AND DATA (H. REPT. NO. 2230)

This report provides a constructive discussion of problems associated with the protection of proprietary rights in design, technique, and know-how developed by small business concerns at their own expense. It shows how the procurement regulations of the Department of Defense disregard the proprietary rights in data of the small business concerns. One of the recommendations advanced calls for the creation of an ad hoc committee to revise the procurement regulations.

VI. SMALL BUSINESS IN THE ALUMINUM INDUSTRY (H. REPT. NO. 2232)

This document explains the plight of nonintegrated small business fabricators and processors in the aluminum industry. It explains the inequitable price structure between the basic metal and the finished or semifinished product. This alleged price squeeze is described as posing a serious threat to the small business members of this growing industry. The report explains also those problems stemming from the increased amounts of aluminum scrap being exported from the United States. In addition the report discusses the competitive impact felt by small business members of the industry as a result of the sale of molten aluminum to the large automobile manufacturers.

VII. SMALL BUSINESS PROBLEMS IN FOOD DISTRIBUTION (H. REPT. NO. 2234)

This report describes the results of a searching investigation and the related series of hearings at which testimony was developed from both small business and big business regarding the retail grocery trade. In the report emphasis is placed upon (1) the buying practices of big chains, (2) the acquisition of food processing plants, meatpacking plants, etc., by the big chains, and (3) legislation needed to remedy the competitive handicaps being faced by the small business members of the industry.

VIII. SMALL BUSINESS PROBLEMS IN THE PETROLEUM INDUSTRY (H. REPT. NO. 2233)

This two-page report, as approved by the committee, recites that further hearings should be held to resolve the conflicting testimony developed at recent hearings held by the subcommittee. Appended to the report, however, are two statements, one of which describes in some detail the individual views of the subcommittee chairman, Representative JAMES ROOSEVELT. The other statement describes fully the personal views of Representative WILLIAM H. AVERY, a minority member of the subcommittee. In this form the report deals primarily, and in some detail, with the alleged efforts of the major oil companies to require the lessee-operators of their stations to handle only those brands of tires, batteries, and accessories sponsored by the major oil company. As indicated, the testimony is in conflict but the entire document explores fully the problem presented.

MEDICAL AND HOSPITAL CARE

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. DULSKI. Mr. Speaker, I have today introduced a bill, known in the last Congress as the Forand bill.

I am so strongly convinced of the need for legislation of this type that I felt compelled to introduce Mr. Forand's bill in this session.

The whole question of medical and hospital care has taken on new significance in the light of rapidly increasing costs in this field. I am acquainted with friends and constituents who have suffered chronic illnesses necessitating extended hospitalization, and their entire life savings have been eaten up by these costs.

We are proud of our medical system—the greatest in the world. Our doctors are the most dedicated and among the best. They work under our free system, like nearly everyone else in our economy, and that is the way it should be.

In my humble opinion, the present social security benefits and the present voluntary medical insurance plans, most of which are too costly, cannot adequately discharge the ensuing obligation of providing proper medical and hospital care for most of our senior citizens.

This problem is also beyond the means of local and State governments. Therefore, Congress must consider some action to make certain that our American people will have adequate medical and hospital care without bankrupting themselves. We no longer can ignore the plight of our aged citizenry.

I earnestly hope that appropriate steps will be taken in this Congress to provide the help that is so urgently needed by the majority of our aged population.

BILLS TO HELP SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

BILLS TO HELP SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, as the 87th Congress opened yesterday, January 3, I introduced several bills designed to help small business. They are H.R. 11, H.R. 123, H.R. 124, H.R. 125, and H.R. 127.

AMENDMENT TO ROBINSON-PATMAN ACT

H.R. 11 contains the same provisions as a bill carrying that number and introduced by me in the 86th Congress and in the 84th and 85th Congresses. It reaffirms the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated antitrust laws, which among other things prohibit price discrimination. It will aid in intelligent, fair, and effective administration and enforcement, strengthen the Clayton Act as amended by the Robinson-Patman Act and the protection which it affords to independent business. The Congress reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity to all persons to compete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields.

These objects and purposes would be accomplished through an amendment to the Clayton Antitrust Act so as to provide that any person, partnership, or corporation selling goods, wares, or merchandise in interstate commerce at discriminatory prices would have an absolute defense to a charge that such discriminatory prices violate the Robinson-Patman Act unless the effect of such discriminatory pricing would be to substantially lessen competition or tend to create a monopoly in any line of commerce. This legislation has become necessary because the Supreme Court of the United States in the case of *Federal Trade Commission* v. *Standard Oil Company of Indiana* (340 U.S. 231), held that any large firm such as the Standard Oil Company of Indiana is immune from prosecution under our antitrust laws for discriminating in prices, even though the effect of such discriminations destroys small business and creates monopolies, so long as that large firm can show that it was discriminating in price to meet the prices of some small competitor.

SELLERS REQUIRED TO PUBLISH PRICES

H.R. 123 would amend section 2(a) of the Clayton Antitrust Act as amended by the Robinson-Patman Act, to provide for and require sellers of goods, wares, and merchandise in interstate commerce to publish their prices, terms, and conditions of sale. Many of the difficulties now faced by small business firms stem from the practices of certain sellers in granting and extending secret rebates, discounts, and other under-the-table benefits to certain customers in order to divert business from honest, competing small business firms. This practice has been particularly rampant in the sale and distribution of dairy products. House Report No. 2713 in the 85th Congress and House Reports No. 714 and No. 2231 in

the 86th Congress, as made by the Small Business Committee relating to small business problems in the dairy industry, have reported upon and emphasized how this practice of secret rebates, terms, discounts, and conditions of sale are destroying small business firms and creating monopolies to the detriment of producers, small business firms and the consuming public. For example, at page 79 of House Report No. 2231, issued by the House Small Business Committee on Small Business Problems in the Dairy Industry, December 22, 1960, is the recommendation of the Small Business Committee that appropriate legislative committees of the Congress consider the recommendations of independent dairymen of proposals for legislation to require publication of prices, discounts, rebates, allowances, commissions, loans and gifts by all sellers. It is believed that this legislation deserves serious and favorable consideration early in this term of the Congress.

CURBS COERCION BY BIG BUYERS

H.R. 124 would amend subsection (f) of section 2 of the Clayton Antitrust Act as amended by the Robinson-Patman Act so as to make it unlawful for any person engaged in commerce, in the course of such commerce, to receive, directly or indirectly, a price, payment, allowance, service or facility prohibited by other provisions of the Robinson-Patman Act where the person receiving such prices and payments knows, should know, or has reason to believe that such prices or payments are in violation of these other provisions of the law.

One of the principal provisions of the Robinson-Patman Act, as approved June 19, 1936, was the prohibition set forth in subsection (f) of section 2 of that law. It made it unlawful for any of the large buyers to induce or knowingly receive a price discrimination prohibited by other sections of the Robinson-Patman Act. That section of the law had been designed for use as a basis in proceeding against large and powerful buyers who were using their economic power to coerce small and even large sellers into granting them discriminatory pricing benefits not available to other customers. It was thought that this provision of the law would help make effective the Robinson-Patman Act where large buyers were involved and many small sellers had been coerced in violating the act. It was thought that through a few proceedings against the large buyers, much of the problem would be cleaned up. However, the Supreme Court of the United States in 1953 in the case of the *Federal Trade Commission* v. *the Automatic Canteen Co.* (346 U.S. 61), riddled and made ineffective that section of the law by imposing almost impossible burdens of proof upon the Government in proceedings under that section. In view of that no really important cases against large buyers in the food industry have been sustained under that section of the law.

The present bill, H.R. 124, would help remedy this situation by making the enforcement of subsection (f) of section 2 of the Robinson-Patman Act more effective and more easily enforcible by providing that the Government need only show that the person or firm receiving the discriminatory prices knows, should know, or has reason to believe that the prices, payments, and allowances received are in violation of the law.

SMALL BUSINESS GIVEN RIGHT TO SUE FOR DAMAGES

H.R. 125 would amend the Clayton Act so as to supplement existing laws against unlawful restraints and monopolies by providing that violations of the Robinson-Patman Act shall constitute violations of the antitrust laws. The Supreme Court of the United States on January 20, 1958, in the case of National Milk Co. against the Carnation Co., and Vance against the Safeway Co., by a 5 to 4 decision, held that section 3 of the Robinson-Patman Act is not available to small business firms as a basis for private litigation by them in suits for damages sustained from price discriminations and sales at unreasonably low prices, including those at levels below cost.

An important feature of the bill provides that small business concerns injured as a result of the things forbidden in the bill may proceed to enjoin the practices and sue for treble damages for injuries sustained. Today, small business concerns are not permitted to utilize section 3 of the Robinson-Patman Act against monopolistic pricing practices in private litigation (*Nashville Milk Co.* v. *Carnation Co.* (U.S. 373) and *Safeway Stores* v. *Vance* (355 U.S. 389)). Hence the first result through the enactment of H.R. 125 would be to remedy that situation.

SALES BELOW COST PROHIBITED

H.R. 127 would amend the Federal Trade Commission Act to strengthen independent competitive enterprise by providing that sales at unreasonably low prices, particularly those at levels below cost, are unfair methods of competition and in violation of section 5 of the Federal Trade Commission Act.

At the Federal level, what can be expected under existing provisions of other laws to help protect small business firms from the ravages and the devastation visited upon them as a result of these predatory practices of large, multiple-market operators in selecting first one area and then another in which to sell at prices below cost until all competition in each of such areas is eliminated? One time there was hope that section 5 of the Federal Trade Commission Act could be relied upon for help in that respect. However, largely because a Federal court in 1919 (see the case of *Sears, Roebuck & Co.* v. *Federal Trade Commission* (258 Fed. 307)), held that section 5 of the Federal Trade Commission Act was not applicable to sales at prices below cost, the Federal Trade Commission since that time has been reluctant to attack the practice unless it was shown to be coupled with a showing of intent to destroy competition. In other words, the Commission now considers that in applying that law to the practice we are discussing requires a standard of proof equivalent to the showing of criminal intent to destroy competition. The Commission and the Department of Justice do not consider that under the existing law they are authorized and empowered to proceed against the practice of selling at prices below cost simply upon the showing that the effects and results are the substantial lessening of competition and tendency to create monopoly.

Many of the States have enacted legislation to combat this practice of selling at prices below cost. The courts have upheld the State laws, but due to the fact that the law of any State does not reach beyond the State line, it can have no application to transactions in interstate commerce. The need for Federal legislation on the subject to fill this void is apparent.

This does not mean that a majority of our States have not tried to do their best to meet this problem. More than 30 of the States have laws on this subject. The statutes in only two or three States have been found to contain defects sufficiently for the courts to hold them invalid. Those in the other States which have been upheld have been applied in a number of instances. Officials of the States understand the need for effective action to meet this problem. For example, the Legislature of the State of Louisiana, in its action on a statute against sales at prices below cost, in 1958, stated:

> Whereas it is the intent of the legislature to prevent the economic destruction of many dairy farmers, dairy plants, ice cream dealers, and resale merchants as a result of discriminatory trade practices by certain business organizations financially strong enough to sell below their own costs for an extended period of time, which presents a situation detrimental to the health, welfare and economy of the people of this State, * * *

The Legislature of Oklahoma, in passing a similar statute, included the following statement:

> Legislative intent. The practice being conducted by many dairy processing, wholesaling, and distributing plants in Oklahoma, in the subsidization of retail dealers, through secret discounts, and the furnishing of equipment is forcing numerous dairy plants out of business, and is a practice which adversely affects the stable economy of Oklahoma. Such practice tends to reduce the price paid to the dairy producer, increase the price paid by the consumer, and is detrimental to welfare of the State.

Early this year, the Supreme Court of the State of Colorado rejected the contention that the Colorado law prohibiting sales at prices below cost was unconstitutional. It held that the terms "cost" and "cost of doing business," are not so indefinite and uncertain within the meaning of the appropriate rule as to provide no basis for the adjudication of rights.

On April 14, 1960, a release from the office of Gov. Foster Furcolo, statehouse, Boston, Mass., with reference to a decision made at that time by the Supreme Judicial Court of Massachusetts, questioning and invalidating the powers of the Massachusetts Milk Control Commission to absolutely fix the prices at which dairy products are to be sold, made the following statement:

> The question of the milk control commission's powers has been somewhat clarified, but we cannot sit by and see ruinous price

wars destroy the milk dealers, if such price wars are caused by unethical sales below cost. Such price wars inevitably result in monopolies and exorbitant prices to consumers. This has been well established by the Congressional Small Business Subcommittee. We have always maintained that the proper way to end price wars is by proper law enforcement.

Wisconsin's State attorney general, John W. Reynolds, in referring to criminal actions brought by his State under its own law against three large multiunit dairy processors, commented as follows:

There are many who feel that unless the illegal practices of some multiunit dairies can be stopped, most, if not all, of the independent dairies in Wisconsin will eventually be forced to sell out.

Communities which lose their independent dairies end up paying higher prices for milk. Jobs are lost, taxes are lost, and the right and power to make decisions which affect the welfare of that community are transferred to the distant centers where the capital of that industry is controlled.

Thus, we are informed by responsible officials who are members of legislatures, the chief legal officers, and high executives of our State governments, that legislation against the practice of selling at prices below cost is in the public interest. They point out that legislation preventing sales at prices below cost can serve producers, small business firms, and consumers through the preservation of our private competitive enterprise system. The House Small Business Committee on July 27, 1959, in House Report No. 714, 85th Congress, recommended early consideration by the appropriate legislative committees of the Congress of proposals which would, among other things, prohibit price discriminations having the effect of substantially lessening competition or tending to create a monopoly.

The practice of making sales at prices below cost was dramatically brought to light during the course of the hearings before the Special Subcommittee on Small Business Problems in the Dairy Industry, under the chairmanship of Hon. TOM STEED, and in hearings before Subcommittee No. 5 on Small Business Problems in the Food Industry, under the chairmanship of Hon. JAMES ROOSEVELT. It will be recalled that during these hearings one witness after another, as officials of big business firms, admitted using the great resources of their companies in making sales at prices below cost to the detriment of small business.

The practice continues unabated with devastating effects. Subsequent to the conclusion of the hearings before the House Small Business Committee's Special Committee on Dairy Problems, we received information that the large firms are continuing to make sales at prices below cost to eliminate small business firms. On May 14, 1960, a representative of small business complained to Members of the House that the National Dairy Products Corp.—Sealtest—was selling dairy products in Kentucky at unreasonably low prices, and, in that connection, stated:

The unreasonably low price at which these products are being sold would seem to be for the sole purpose of destroying competition, especially independent dairies such as ourselves. This can be very easily done by a large national concern such as Sealtest who operate in many different geographical localities and are able to finance and subsidize a price war against small dairies who sell in competition.

By using these unfair competitive practices they would in effect force us out of business within 30 to 60 days. Therefore, the urgency for action is of the most importance. We ask that you help us eliminate these unfair practices as quickly as possible by contacting Senator LYNDON B. JOHNSON, of Texas, and asking him to supply this information to Congressman WRIGHT PATMAN.

These charges by representatives of small firms are similar to complaints received from representatives of other small firms doing business in other parts of the country. In some of the areas where the nationwide distributors have gained monopoly control of prices, the public is paying higher prices than those which prevailed before competition was eliminated. Therefore, it should be emphasized that the proposals we are making for legislation have as their principal objective the maintenance of competition. Only through preservation of competition can the public be assured of the low prices provided through competition. Prices representing sales made temporarily at levels below cost provide the public only with temporary advantages. These advantages are paid for by other members of the public at the same time or by the same members of the public at other times. It is for that and the other reasons we are discussing that we favor legislation which would prohibit sales at prices below cost. We are against that monopolistic practice because it leads to monopoly controlled prices at high levels. In other words, by fighting for legislation which would prohibit sales at prices below cost, we are fighting against high prices as the inevitable result of monopoly control.

THE GOLD QUESTION—REPRESENTATIVE PATMAN ADDRESSES THE AMERICAN BANKERS ASSOCIATION; REPRESENTATIVES JOHNSON AND REUSS REPORT ON THEIR STUDY TRIP

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. REUSS. Mr. Speaker, the question of our gold outflow has continued to engage the attention of members of the House Committee on Banking and Currency.

During November and December 1960, a study trip to the major countries of Western Europe was undertaken by Representative Byron L. Johnson, of Colorado, and myself, as members of the House Committee on Banking and Currency, to inquire into the problems surrounding our balance of payments and gold outflow. Our report has been made, under date of December 22, 1960, to the gentleman from Kentucky [Mr. SPENCE], chairman of the House Committee on Banking and Currency. In the hope that the report and recommendations will contribute to the discussion of Members concerning this most important subject, the report follows:

DECEMBER 22, 1960.

Subject: Recommendations on our balance of payments and gold outflow.

To: Hon. BRENT SPENCE.

From: BYRON L. JOHNSON and HENRY S. REUSS.

In the past 3 weeks, we have talked to financial and monetary authorities, public and private, in the United Kingdom, France, West Germany, Austria, and Switzerland. From these talks, we conclude that fundamental confidence in the dollar, and in the potential strength of our economy, is not impaired.

Two extremes are to be avoided. On the one hand, intemperate talk and hysterical action concerning the dollar can only help to provoke a real crisis.

On the other hand, it will not do to regard our balance of payments and gold outflow as mere temporary phenomena, which will right themselves with no effort on our part. While recently public attention has been focused on short-term matters, such as the movement overseas of bank balances and the gold price flurry in London and Zurich, the main problem is a continuous one. Our persistent payments deficit over the last 7 years has been caused by the total size of U.S. capital investment abroad, tourism, and our military and economic aid programs.

In the short run, these payments can be financed by building up the dollar and gold holdings of other nations.[1] In the long run, however, they must be financed out of a surplus in our trade and service account.

If nothing is done, the situation could well get worse rather than better. With full employment at home, and with an increasing consumer taste for imports, our imports could well increase. The initial impact of the Common Market and the European Free Trade Association may well be to erect barriers against American exports to that area. If the current European boom levels off, so would our exports. The gap in productivity between ourselves and other manufacturing countries is considerably narrower than in recent years; thus our exports may encounter increased competition everywhere. Each one of these possibilities could increase our balance-of-payments deficit.

The following recommendations are designed to alleviate this continuing imbalance in our foreign economic relations. Obviously, no effort can be made to strike a perfect balance—the situation is much too fluid for that.

We emphatically do not recommend:

1. That we sacrifice maximum economic growth and maximum employment at home in order to combat balance-of-payments difficulties.

2. That we depart from our policy of an expanding liberalized world trade.

3. That we abdicate our international responsibility for defense and for economic development.

4. That we impose restrictions on American tourism abroad, or on the export of American capital abroad.

5. That we devalue the dollar. Indeed, we should indicate our determination that the value of the dollar be preserved, and accompany this by a broad program of action that will prove that we mean what we say.

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[1] It should be noted that the U.S. dollar and gold position is still the strongest in the world, and that at least some of our recent dollar and gold outflow has been necessary to improve the reserve position of other nations.

Our recommendations are as follows:

OUR BALANCE OF PAYMENTS

I. On current account

A. Controlling Our Outflow

1. Military commitments and assistance:

Our foreign military posture requires review on its own merits. The domestic budget has always been taken into account; now our foreign balance of payments must be considered, too. Certain questions need to be asked:

Are we relying as fully as we might on the economy of the host country for supporting personnel and services?

Have our troop dispositions been adjusted to changing technologies, and changing world circumstances? Have we examined the effects of our military support policies upon domestic political developments in the host country?

The question of the best organization and financial support for military requirements should be under recurring national and international review in every area of the world where we are committed. Undoubtedly patterns could be developed which would be more efficient and economical on their own merits, and at the same time reduce the pressure on our balance-of-payments position.

West Germany should not be singled out for special treatment. The question is global.

2. Foreign economic aid:

(a) We should step up our efforts, mostly by quiet but firm diplomatic pressure, to get other nations to contribute more than they are contributing today to the development of underdeveloped areas, in both grants and loans. The newly formed Organization for Economic Cooperation and Development offers a hopeful vehicle for spreading the developmental burden. Multilateral aid, particularly in areas such as Africa and Latin America, is usually to be preferred over unilateral aid; it tends to be more acceptable to the recipient country, and freer of political opportunism. Moreover, multilateral aid makes easier a clear comparison of the efforts made by each contributor.

(b) So long as a massive balance-of-payments deficit continues, the United States' main contribution may have to be in the form of goods, not in the form of foreign exchange or gold. Thus the Presidential order of November 23, 1960, tying foreign aid purchases wherever possible to American goods, seems justified at the moment. But we should make it very clear that we intend to untie our foreign aid as soon as our balance-of-payments position permits us to do so—in the interest of letting the borrower buy where it is cheapest. This, as our stated position, would help our efforts to induce other countries with balance-of-payments surpluses, which are embarking on foreign aid programs, not to retaliate by tying, but instead to permit their foreign aid purchases to be made in the United States.[2]

3. American tourism overseas:

We should not attempt to curtail our exchange of persons abroad. Two marginal balance of payments points, however, should be made:

(a) The "business expense" deduction under the Federal income tax needs to be tightened so as to disallow frivolous use of the entertainment deduction in any event. To the extent that this curtails offering a tax incentive for American travel abroad, it will help on our balance of payments.

(b) Congress some years ago increased the amount of duty-free purchases which an American abroad may bring home from $200 to $500, in order to diminish the dollar gap. Now that our surplus has become a deficit, we should consider reducing somewhat the $500 amount by further congressional legislation—exempting, however, purchases in countries which are willing to grant a similar exemption to their own nationals on purchases in the United States.

B. Increasing Our Inflow

1. Increasing exports:

Presently, our exports are running at the encouraging rate of more than $20 billion annually. Executive branch projections are for a slight decrease unless further steps are taken. The following steps are strongly recommended:

(a) Vigorous diplomacy at GATT to reduce foreign tariffs generally. Particularly, we must ask the Common Market and EFTA countries to adopt progressively lower external tariffs.[3] The United States in the postwar years has given more than reciprocity in liberalizing trade; it is now entitled to ask for more than reciprocity in return.

(b) Price increases in exports from the United States have been 8 percent since 1953, compared to a decline of 13 percent for Italy, 5 percent for France, and 2 percent for continental Europe as a whole.[4] This suggests that wage-price increases in heavily concentrated United States industries, such as steel, are mainly responsible for our unfavorable export price performance since 1953. Accordingly, we recommend the use of Presidential publicity to attack wage-price increases which are inconsistent with national economic stability. H.R. 6237, a bill to authorize such procedures, was favorably reported out of committee in the House of Representatives in June 1959, but has been denied consideration on the floor by the House Committee on Rules.

(c) A further way of increasing our exports is to accelerate the rate of productivity increase in the United States. Tax reform, with greater depreciation and obsolescence allowances for new plant and equipment, is indicated, with the lost revenue to be recouped by plugging income tax loopholes.

(d) Our American agriculture is potentially the most efficient industry of all. Rather than price ourselves out of the world market by high price supports, it would be advantageous to get prices of export commodities competitive on world markets, and improve the income of the family-sized farmer who practices sound conservation methods by direct production payments.

(e) Offer full cooperation of the executive branch to American industry to determine further steps to be taken to expand our exports on a continuing basis.

2. Increasing tourism:

We can and should vastly increase foreign travel in the United States. Foreigners are now spending around $900 million annually in the United States, compared with the almost $3 billion that American tourists spend abroad. Expanded United States tourism will require reduced travel costs, and very likely a new rate structure for off-peak airloads between Europe and the United States for European travelers. It will require accelerated programs for expanding our national parks and forests, which would be a mecca to Europeans. It will require simplifying our visa and customs restrictions. The bulk of the program should be borne by the private American tourist industry, with particular attention to hotels and to passenger travel by rail, road, and air. It is recommended that a high-level coordinator be appointed by Executive order, to get the program moving at once, and then suggest any needed legislation, which would include a vigorous U.S. Tourist Office.

II. On capital account

A. Controlling Our Outflow

1. Short-term movements:

While we should not become unduly upset by such movements, they should be held to a minimum.

The principal cause of flight of capital, we believe, is diminished confidence in the dollar. This stemmed in part from apprehension concerning the continuing deficit in payments, and in part from statements in the election campaign that Democratic policies would debase the currency. A fiscally sound policy by the new administration designed to create full employment without inflation is the best way to restore confidence in the dollar.

A contributing cause of the recent short-term capital outflow is the discrepancy in short-term interest rates between the United States and Western Europe, principally the United Kingdom and West Germany.[5] The remedy here is to reduce the discrepancy in short-term interest rates on both sides as far as possible without impairing the countries' ability to combat either recession or inflation. Thus we can do our part to narrow the present discrepancy. The doctrinaire insistence by the Federal Reserve System on its "bills usually" policy means that the short-term interest rate in the United States is lower than it would be, and the long-term interest rate higher than it would be, were the Fed to purchase U.S. securities (as it does at a time when it is expanding the money supply, as at present) without regard to maturities. Abandonment of the "bills usually" policy would tend to raise slightly the short-term interest rate, and thus inhibit the flight of short-term capital, while at the same time facilitate, by lower long-term interest rates, needed investment in homes, schools, and business plant, and thus combat our current recession.

As for our European friends, we should attempt—diplomatically—to get them to adopt interest rates as low as will be consistent with their efforts to arrest internal inflation, having in mind that a tight tax and fiscal policy may enable certain of them to adopt lower interest rates than would otherwise be the case.[6]

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[2] We are gratified at the assurances by West German authorities that their upcoming foreign aid program will be untied.

[3] It has been suggested that the Common Market, with a common external tariff, presents difficulties for American exports much greater than does EFTA, where each member retains its own external tariffs. The use of an average for the Common Market external tariffs will raise tariffs against us by some of our best European customers, such as the Benelux countries and West Germany. The barrier effect of this Common Market external tariff may be accentuated if the high tariff countries such as France and Italy succeed in keeping the Common Market external tariff higher than it would otherwise be. The Common Market will be under constant pressure from its high tariff members to keep the external tariff high. EFTA members, on the other hand, will be under pressure from its successful low tariff members to reduce their tariffs. In the light of our export needs, our evident preference for the Common Market over EFTA may need reexamination. A 13-nation European free trade area, without any raising of tariffs such as occurs under the Common Market, would certainly seem preferable from the standpoint of American exports.

[4] International Financial Statistics, IMF, November 1960. It should be noted that the United Kingdom's percentage increase during this period was 10 percent.

[5] That the discrepancy in interest rates is only a contributing cause is evident from the recent massive short-term capital movement to Switzerland as well, despite the very low Swiss bank rate of 2 percent.

[6] Recent helpful steps toward lower interest rates have been taken by the United Kingdom and Western Germany.

2. Long-term movements:

We should not attempt to limit American foreign investment abroad, except:

(a) No new Federal tax incentives for American foreign investment (except perhaps in underdeveloped areas) seem to be required. Indeed, the long overdue reexamination of our tax structure should inquire into the operation of our present tax provisions for American foreign investment, and for repatriation of earnings. These provisions now encourage aggressive and increasingly unwelcomed U.S. investment in heavily industrialized foreign countries, to the embarrassment of both our balance of payments (we lose exchange both on the original investment and on the failure to repatriate earnings) and of the host country's balance of payments (the capital inflow can be inflationary).

(b) Through diplomatic channels, we should urge those Western European countries where technology is advanced which offer special inducements for new industry, such as remission of local property taxes, or long-term, low-interest governmental loans, to refrain from offering such incentives to runaway American plants.

B. Increasing Our Inflow

1. Through diplomatic channels, we should endeavor to secure the repeal of clogs placed by foreign countries against investment by their nationals in the United States, both with respect to direct investment, and indirect investment by purchasing American securities in the United States.

2. A policy of maximum employment in the United States, plus a growth rate of 4 to 5 percent annually as contrasted with the 2.3 percent growth rate of recent years, will greatly contribute to attracting foreign investment in the United States.

THE GOLD OUTFLOW

I. Converting foreign-held dollar balances into gold

To the extent that foreign central banks keep larger balances in dollars, and convert them less into gold, our gold loss situation is improved. We believe, however, that the best way to induce foreign central bankers to adopt a ratio of gold purchases favorable to us is by vigorously pursuing the substantive measures here recommended. If we pursue them, foreign central bankers will surely want to do their part to maintain confidence in the dollar. Furthermore, since gold earns no interest, but dollar balances do, the maintenance of investor and banker confidence will make possible the reassertion of the desire to earn interest.

II. The 25-percent gold cover

Our present law requiring a 25-percent gold cover on currency and reserve deposits tends to immobilize almost two-thirds of our present gold supply. This restricts our gold reserve for international claims, and may act as an incentive for foreign central banks to convert dollar balances into gold. Since American citizens are forbidden to acquire monetary gold in any event, the gold cover law has limited meaning. Its repeal at an appropriate time would be generally welcomed abroad by responsible monetary authorities, as a method of expanding our gold reserves against international claims, and thus helping to maintain confidence in the dollar. Recently, officials of at least two important New York banks have publicly concurred.

As a practical matter, the administration should review our future domestic and foreign needs for gold, and submit to Congress its recommendations for legislation in this field. The timing of the change should be geared to significant accomplishment in improving our international payments position. We should be acting from a position of strength, so that modification or repeal of the gold cover law is not a substitute for more constructive steps, but is only a further step to improve international confidence. Otherwise, there could be panicky misinterpretation of the action.

The action would benefit the international trade position of the United States, for it would be under less strain as the supply of gold for international payments is increased. Our main trading partners, whose cooperation is essential if our goals are to be achieved, also benefit from the increased assurance of our capacity to honor all claims.

III. Treasury action and the price of gold

Flurries in the price of gold in the London and Zurich markets, such as the recent ones, hurt confidence in the dollar all out of proportion to their volume. The best way to prevent future flurries is by pursuing a balance of payments-gold outflow action program such as that here recommended.

But such a program should include an affirmation by the administration that it will not hesitate, in the event of another flurry, to use its legal powers to sell gold. We have confidence in the dollar. We should not hesitate to bet on it publicly and promptly.

GOVERNMENTAL MACHINERY FOR SUPERVISING BALANCE OF PAYMENTS

Our current balance of payment troubles suggest that a continuing review of our international payments be centralized in one place within the executive branch. Apparently, no one is currently responsible for this vital task. It is a responsibility long since assumed by other countries more accustomed than we to living with balance of payment problems. We recommend that responsibility for a continuing review of payment problems be centralized, perhaps in the Director of the Budget (who now supervises our flow of appropriations and revenues), or in the Secretary of the Treasury (working with the National Advisory Council), in order to help coordinate the affairs of the Departments of State, Treasury, Defense, Commerce, Agriculture, the International Cooperation Administration, the Federal Reserve System, the Council of Economic Advisers, and others.

The distinguished gentleman from Texas [Mr. PATMAN], also a member of the House Committee on Banking and Currency, made an important speech on the subject of gold to the evening meeting of the National and State Bank Divisions, American Bankers Association, at the Mayflower Hotel, Chinese Room, Washington, D.C., on December 5, 1960. The text of his speech follows:

Ladies and gentlemen, distinguished guests, two questions very much in the public mind today are, of course, the gold question and the question whether the incoming President will assume all of the executive powers, or only those powers which can be exercised without respect to monetary policies.

The pleasant aspect of talking with you about gold is that this is a subject on which everybody is manifestly an expert. Everybody makes proposals, and the diversity of the proposals being made is exhilarating, to say the least. On the subject of gold, a cat can look at a king, so perhaps a politician can amuse a distinguished gathering of bankers.

Last week Mr. Henry Alexander made a suggestion, at your meeting in Florida, that Federal law be amended to do away with any requirement that the Government store some quantity of gold in fixed proportion to the Federal Reserve's currency and deposit liabilities. Such an action would make available an additional $12 billion of gold for dollar sales to foreign central banks, over and above the quantities already available for this purpose.

It is fortunate that this suggestion has come from so distinguished a banker as the chairman of the Morgan Guaranty Trust Co. I am sure that it will receive careful consideration in Congress. The proposal will have my support, for what that may be worth. It is to be hoped that whether or not this proposal is accepted, we can find ways of bringing about a better distribution of the gold reserves among the Western nations and having the other nations share, on a continuing basis, more of the interest losses which holding the gold entails.

As you well know, the fractional gold requirement was never anything more than a psychological nest egg, and one which we never really needed. When this requirement was being proposed, in 1935, the House Committee on Banking and Currency naturally sought the views of the late Senator Robert L. Owen, one of the chief architects of the Federal Reserve Act, and a man whose banking experience then covered a span of 42 years. When asked what he thought of the requirement then being proposed, Senator Owen said, "I think it is a joke. * * * We do not need any gold behind our money."[1]

Senator Owen then added what we all know, which is that the value of the dollar rests, not on gold, but on the fact that it is the money of a great industrial nation. It will buy all kinds of goods and services, including gold, and including also the energy sources which will do the work formerly assigned to man and beast. By law, the dollar is good for the payment of debts and taxes, and that is backing enough.

During these past 25 years, gold has not only been sterilized from our money; it has also been sterilized from our thinking. In this period, our citizens could not exchange their dollars for gold, and would not have done so if they could have. In brief, we have demonstrated to everybody's satisfaction that the dollar is not on the gold standard, but gold is on the dollar standard.

In truth, our practical experience on this matter runs for a great deal more than 25 years. At no time in the several centuries past has any Western nation had a quantity of gold, or silver—or any other commodity—with which to convert more than a minute fraction of its money in circulation at the time. In these centuries, commercial bankers in the Western World have been creating money against pledges of all varieties of valuable assets—business inventories, productive machinery, consumer durables, and all other kinds of real wealth. The results have been most fortunate for all concerned.

Furthermore, the present fractional gold requirement does not serve to limit the expansion of our money supply—nor should it. We are agreed, I think, that the money supply must be decided on the basis of what seems appropriate to the volume of goods and services being produced and distributed—not on the basis of the quantity of any one commodity which we happen to have stored away.

The recent outflow of our gold is, of course, a symptom of some bad economic policies which should be, and must be, corrected.

On the other hand, I cannot, for the life of me, understand the reasoning which leads to the suggestion that our balance-of-payments situation has suddenly reached a crisis, or that it calls for hysterical measures. Such things as summoning the National Security Council to Augusta, ordering home the families of our troops abroad, and urgent missions to the governments of Europe, all create the impression that our Government is a great deal more concerned about its gold hoard than it has any right to be.

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[1] Banking Act of 1935, hearings before the Banking and Currency Committee, House of Representatives, 74th Cong., 1st sess., on H.R. 5357, pp. 559–560.

These dramatic and highly publicized moves will have very little effect on our balance of payments. On the other hand, they will have a temporary effect of undermining confidence in the dollar, thus causing foreigners to use their dollar holdings to purchase more of our gold than they otherwise would. This result, while evidently not intended, seems all to the good. We could wish, however, that the same result could have been brought about without causing hardships to the families of our military personnel. Frankly, I hope that the President's order will be carefully reconsidered.

The United States still holds about half the Western World's monetary gold. At the same time, we are paying to foreign holders of dollars a tremendous interest bill. Indeed, we are paying out about $400 million a year in interest charges to foreigners just on their holdings of Federal debt obligations. This is no small item in our balance-of-payments deficit. Foreign central banks wishing to exchange their interest-bearing dollar claims for gold should be encouraged to do so.

It occurs to me that in the new Congress one of the appropriate committees—perhaps the Joint Economic Committee—should explore the feasibility of adopting some method of settling international balances of payments which will make less use of gold. Considering the world problems with which we are faced, isn't it time to ask whether the nations of the Western World cannot, collectively, wean themselves away from faith in gold, just as most of these nations have already done individually in the conduct of their domestic affairs?

It would be distressing to see this great industrial Nation, blessed as it is with resources and know-how of all kinds, paralyzed in both its domestic and foreign policies by a resurgence of the ancient superstitions about gold. Why should any Western nation suffer convulsive fears of losing some of its store of metal which is in great surplus relative to any foreseeable economic use? So far, there are no signs that the requirements of the space age will place any large demand on gold.

There are signs, however, that if we continue our gold support policy, sooner or later we will be laying ourselves open to mischief from the Soviets.

There is every reason to think that we will win our contest with the Communist bloc if the contest continues, as it should, on the basis of production of real wealth. We would not like, however, to be forced into a position of having to put more of our productive resources into gold mining, simply because the Soviets might decide to put more of their resources into such a venture. Nor would we like the contest decided by the accidents of nature which may have placed greater quantities of this relatively useless metal on one part of the globe than the other. What the commercial price of gold would be if governments did not purchase half of the annual production at the artificially fixed floor price, and bury these quantities away, we cannot, of course, be sure. Some authorities estimate that the price presently fixed at $35 an ounce is about four times the true commercial price. Nor can we appraise the reports of the newly discovered gold field in Russia, but this could well prove to be one of the historic gold strikes.

In any case, let us ask ourselves this question: Is it wise to adhere to a policy which could enable the Communist countries to add to their productive equipment, possibly by as much as a billion dollars annually? Does it make sense to help the Sino-Soviet bloc obtain from the Western nations particular kinds of capital equipment which they could not obtain except for the fact that we support the price of Russian gold?

Is it wise to adhere to a gold policy which deters us from building up our own capital equipment? One suggestion for correcting our balance of payments which does not seem debatable is that we adopt policies to speed up modernization of our productive facilities and thus reduce costs. Where, then, will the incentives to modernize come from if we are to continue monetary policies which are at least halfway aimed at preserving our gold hoard?

By the traditional prescription of Lombard Street, when a nation is losing gold, the appropriate action for its central bank to take is to raise interest rates. According to the theory, increased interest rates will depress business and bring down prices, thus increasing exports and reducing imports. One might guess that the Federal Reserve policy we are witnessing today is one caught halfway between the theory of the past and the reality of the present. It is a policy which leaves us on dead center. It is neither preserving the gold, on the one hand, nor, on the other hand, is it permitting the modernization needed to correct the causes of the gold outflow.

Let us contemplate for a moment the possibility of pursuing the theory wholeheartedly, and we see what has been wrong all along with monetary policies as an instrument of economic regulation. Manifestly, the supposed efficacy of these policies hinges on a 19th century conception of the price system. Prices must be very sensitive to changes in supply and demand, much like the prices of farm products in an auction market, and wages must go up and down accordingly.

Obviously, this is not the kind of world in which we live. I suspect that you find that even in the banking business your lending rates are somewhat tardy in responding to changes in the supply and demand for credit.

Certainly, monetary policies have been given an exhaustive test during these past several years and the test has not demonstrated much success for these policies. Quite aside from human errors in timing, the monetary weapon has proved to be highly selective in its impact, and it has hit practically every target except those at which it has been aimed.

It is thus that the Federal Reserve authorities have not only overruled, at times, general policies adopted by the Congress and the President; they have, on occasions, vetoed specific programs adopted by the Congress and agreed to by the President. Laws have been enacted which were intended to make relatively more credit available to small business. Simultaneously, the Federal Reserve has pursued policies which resulted in relatively less credit for small business. Laws have been enacted to stimulate homebuilding. Simultaneously, monetary policies have been adopted which retarded homebuilding.

This raises a question whether those who entertain an ambition that we will have, practically speaking, two governments in the new administration, ought not to take a serious second look at that ambition. An independent Federal Reserve going in one direction, and the duly elected, constitutional Government going in the other direction, can lead only to chaos and a weakening of our position in world affairs.

Arguments for an independent Federal Reserve, deciding monetary policies without responsibility to, or coordination with, the rest of the Government seem to me to miss the mark by a wide margin.

In the first place, the Federal Reserve's powers are not great enough to checkmate the elected Government, assuming the elected Government actually did wish to embark on a program of inflation.

Second, the ancient banker notion of a populace clamoring for a raid on the Public Treasury and pressuring elected officials for inflationary actions to cancel out the debt which the debtor classes owe the creditor classes is at considerable odds with the mid-20th century.

It would be hard to find a practicing politician today who does not know that more votes are to be lost than gained by inflation. Indeed, the public has been willing to accept the high-interest policy of recent years, with its attendant redistribution of the income and high unemployment, only because popular and trusted leaders have assured the public that this policy is necessary to avoid inflation.

If important spending measures have been enacted despite frantic warnings of inflation, one of the reasons is that those who have appointed themselves spokesmen for the sound dollar have pitched their case on the proposition that we cannot have a stable dollar without large-scale unemployment, amounting to 4, 5—or as now—6 percent of the labor force, and perhaps more.

In short, the public and the Congress have been offered a choice between an unsound dollar and an unsound economic system. The voters in my part of the country, at least, are not persuaded that the economic system is so unsound as has been suggested.

Incidentally, there is a legal point which might be considered a minor detail in some quarters. It is that the Federal Reserve's authority to decide monetary policies has evidently been acquired through divine right, as this authority has never been given the system by any legislative enactment.

You may recall that the Federal Reserve Act of 1913 adopted what is sometimes called the full convertibility theory. This was the day of the 6-day workweek when bigger factories, taller skyscrapers, longer ocean liners, and bigger and better amounts of everything were waiting to be built. Conservatives of the day told auto drivers to get a horse, but there was then no thought that we might produce too much.

The idea that economic activity should be restrained by conscious manipulations of the money supply is a much newer idea than the 1913 Federal Reserve Act. This act anticipated that the money supply would be automatically determined by the amount of economic activity taking place. Member banks were to obtain whatever credit was required to meet the needs of industry and commerce, through advances and discounts of eligible paper with the 12 Federal Reserve banks.

Furthermore, in the compromise of the controversy over public versus private management of the system, the member banks were given the privilege of selecting the managements of the 12 Federal Reserve banks, but the management of the Reserve banks were not given control over the discount rate. This control was lodged in the Board of Governors.

The Federal Open Market Committee was first set up on an informal basis. It was sanctioned by law in 1933 and again authorized as it exists today by the more general revision of the act made in 1935. Yet even in 1935, it was not anticipated that a consciously determined money supply would replace an automatic money supply. Nor was it anticipated that open market operations would replace discount window activities and that practical control over interest rates would thus pass from the Board to the Open Market Committee.

The revised Federal Reserve Act contains no such terms as "monetary policy," or "monetary controls." It is devoid of any reasonably clear inference that monetary policies, as we understand the term, are to be used as a means of economic regulation, or even as a means of trying to stabilize prices.

It is Congress' prerogative to delegate its monetary powers, without doubt, either to the executive branch or to an independent

agency. But the Supreme Court has generally held unconstitutional enactments making other grants of the legislative powers where Congress has failed to spell out objectives and limitations to govern the use of these powers. There seems no doubt that if a legal challenge were ever raised to the Federal Reserve's monetary policies the courts would hold them unconstitutional.

Legal authority for "monetary policies," in the modern sense of the term, exists only in the Employment Act of 1946, not in the Federal Reserve Act. The 1946 act declares that it shall be a continuing responsibility of the Government "to coordinate and utilize all of its plans, functions, and resources" to the ends stated in the act. As House author of the Employment Act of 1946, it was my understanding that "to coordinate and utilize" all of the Government's "plans, functions, and resources" necessarily meant including the resources of the money system and the Government's plans and functions relative thereto. Indeed, monetary and other Government policies were coordinated at the time, and it seemed a foregone conclusion that they would continue so.

In any case, the language of the statute seems clear enough. Neither the Federal Reserve Board nor the Open Market Committee has the authority for determining monetary policy. The Chief Executive has the authority; and he has the responsibility, under article II of the Constitution, to "take care that the laws be faithfully executed."

How the President will carry out this responsibility is, of course, left to his judgment. Normally, however, we would expect the President to appoint a committee made up of the Cabinet officers and other top officials who are most concerned with fiscal, debt management, and monetary problems, as well as with overall economic policies, to recommend monetary policies to the President and carry out such monetary policies as he may direct. I would hope that such a committee would include the Secretaries of Treasury, Commerce, and Labor, the Budget Director, and the Chairman of the President's Council of Economic Advisers, as well as Federal Reserve officers.

Like all the other regulatory boards and commissions, the Federal Reserve has certain quasi-judicial powers and duties, and the decisions reached under these powers are reviewable only by the courts. But deciding monetary policies is not among these powers.

As I said at the beginning, a cat can look at kings and it has been my hope that a politician might amuse bankers.

LESS THAN HONORABLE DISCHARGE BILL

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

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

There was no objection.

Mr. DOYLE. Mr. Speaker, because inquiry was made of me on yesterday and today by Members as to whether or not I was going to file again in this 87th Congress the text of H.R. 88, which was passed unanimously by this House during the 86th Congress dealing with the subject of less than honorable discharges, I desire to state and give notice that I will file said bill on Friday, next. The text and content will be exactly the same as that of H.R. 88 which passed this House unanimously during the 86th Congress.

A bill was filed by me on this subject on January 3, 1961. But, by inadvertence, some language was contained therein which I had not intended to include. Because the House adjourned so promptly today, January 4, 1961, my secretary did not have time to make the corrections and prepare the revised bill in time for me to file it on January 4.

Therefore, to you, distinguished colleagues who have asked about it and expressed desire to file exactly the same bill as mine in your own names, although I cannot file it until Friday next, because the House will not be in session until Friday and I cannot tell you what the number thereof will be, I cordially invite you to take the same bill, as hereinafter set forth, and file it in your own names and join in a vigorous, meritorious effort in this 87th Congress to have this statutory provision enacted into law. This bill is intended to be for the benefit of several thousands of American veterans who have been administratively discharged for comparatively minor offenses while in the military; and yet, who have since receiving said less than honorable discharges without ever appearing before a court-martial, made outstandingly good in civilian life and achieved exemplary conduct for a period of more than 3 years. Yet, Mr. Speaker, they have found to their own sadness, and the sadness of their families and loved ones, and the community in which they live, that such less than honorable discharge received for such comparatively minor offenses while in the military have been like a stone around their necks and have made them economic liabilities without a chance to obtain dignified employment.

The Doyle bill, H.R. 88, in the 86th Congress, having passed the House unanimously reached the Armed Services Committee of the other body, and I can report that the chairman of that distinguished committee, I believe, has expressed vigorous and live interest in the merits thereof if such bill reaches that committee again.

The text of my corrected bill, which I will file on Friday next, is as follows:

A BILL TO AMEND CHAPTER 79 OF TITLE 10, UNITED STATES CODE, TO PROVIDE THAT CERTAIN BOARDS ESTABLISHED THEREUNDER SHALL GIVE CONSIDERATION TO SATISFACTORY EVIDENCE RELATING TO GOOD CHARACTER AND EXEMPLARY CONDUCT IN CIVILIAN LIFE AFTER DISCHARGE OR DISMISSAL IN DETERMINING WHETHER OR NOT TO CORRECT CERTAIN DISCHARGES AND DISMISSALS; TO AUTHORIZE THE AWARD OF AN EXEMPLARY REHABILITATION CERTIFICATE; AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 79 of title 10, United States Code, is amended as follows:

(1) Section 1552 is amended—

(A) by amending the first sentence of subsection (a) to read as follows: "Under uniform procedures prescribed by the Secretary of Defense, the Secretary of any military department, acting through boards of civilians of the executive part of that military department, may correct any military record of that department when he considers it necessary to correct any error or remove an injustice.";

(B) by adding the following new sentence at the end of subsection (a): "When it considers the case of any person discharged or dismissed, before or after the enactment of this sentence, from an armed force under conditions other than honorable, the board shall take into consideration the reasons for the type of that discharge or dismissal, including—

"(1) the conditions prevailing at the time of the incident, statement, attitude, or act which led to that discharge or dismissal;

"(2) the age of the person at the time of the incident, statement, attitude, or act which led to that discharge or dismissal;

"(3) the normal punishment that might have been adjudged had that incident, statement, attitude, or act occurred or been made in civilian life; and

"(4) the moral turpitude, if any, involved in the incident, statement, attitude, or act which led to that discharge or dismissal."; and

(C) by adding the following new subsections at the end thereof:

"(g) In the case of any person discharged or dismissed, before or after the enactment of this subsection, from an armed force under conditions other than honorable, the board may, with the approval of the Secretary concerned, issue to that person an 'Exemplary Rehabilitation Certificate' dated as of the date it is issued, if, after considering the reasons for that discharge or dismissal, including those matters set forth in clauses (1)–(4) of subsection (a), it is established to the satisfaction of the board that he has rehabilitated himself, that his character is good, and that his conduct, activities, and habits since he was so discharged or dismissed have been exemplary for a reasonable period of time, but not less than three years.

"(h) Applications and reapplications for correction of records under subsection (g) may be filed at any time, but not before three years after that discharge or dismissal.

"(i) For the purposes of subsection (g), oral or written evidence, or both, may be used, including—

"(1) a notarized statement from the chief law enforcement officer of the town, city, or county in which the applicant resides, attesting to his general reputation so far as police and court records are concerned;

"(2) a notarized statement from his employer, if employed, attesting to his general reputation and employment record;

"(3) notarized statements from not less than five persons, attesting that they have personally known him for at least three years as a person of good reputation and exemplary conduct, and the extent of personal contact they have had with him; and

"(4) such independent investigation as the board may make.

"(j) No benefits under any laws of the United States (including those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) accrue to any person to whom an Exemplary Rehabilitation Certificate is issued under subsection (g) unless he would be entitled to those benefits under his original discharge or dismissal. Except as otherwise provided in this section or section 1553 of this title, no Exemplary Rehabilitation Certificate may be issued except under subsection (g), and after a specific finding by the board that it is issued under that subsection.

"(k) The Secretary of Defense for the military departments, and the Secretary of the Treasury for the Coast Guard when it is not operating as a service in the Navy, shall report to Congress not later than January 15 of each year the number of cases reviewed by each board under subsection (g), and the

number of Exemplary Rehabilitation Certificates issued under that subsection."

(2) Section 1553 is amended to read as follows:

"§ 1553. Review of discharge or dismissal

"(a) The Secretary concerned shall, after consulting with the Administrator of Veterans' Affairs, establish boards of review, each consisting of five members, to review, under uniform procedures prescribed by the Secretary of Defense in the case of a military department, the discharge or dismissal of any former member of an armed force under the jurisdiction of his department upon its own motion or upon the request of such former member, or if he is dead, his surviving spouse, next of kin, or legal representative.

"(b) A board established under this section may, subject to review by the Secretary concerned, change a discharge or dismissal, or issue a new discharge, to reflect its findings.

"(c) A review by a board established under this section shall be based on the records of the armed force concerned and such other evidence as may be presented to the board, including those matters set forth in clauses (1)–(4) of section 1552(a) of this title. A witness may present evidence to such a board in person or by affidavit. A person who requests a review under this section may appear before such a board in person or by counsel or an accredited representative of an organization recognized by the Administrator of Veterans' Affairs under chapter 59 of title 38.

"(d) In the case of any person discharged or dismissed, before or after the enactment of this subsection, from an armed force under conditions other than honorable, the board may, with the approval of the Secretary concerned, issue to that person an 'Exemplary Rehabilitation Certificate' dated as of the date it is issued, if after considering the reasons for that discharge or dismissal, including those matters set forth in clauses (1)–(4) of section 1552(a) of this title, it is established to the satisfaction of the board that he has rehabilitated himself, that his character is good, and that his conduct, activities, and habits since he was so discharged or dismissed have been exemplary for a reasonable period of time, but not less than three years.

"(e) Applications and reapplications for correction of records under subsection (d) may be filed at any time, but not before three years after that discharge or dismissal.

"(f) For the purposes of subsection (d), oral or written evidence, or both, may be used, including those matters set forth in clauses (1)–(4) of section 1552(i) of this title.

"(g) No benefits under any laws of the United States (including those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) accrue to any person to whom an Exemplary Rehabilitation Certificate is issued under subsection (d) unless he would be entitled to those benefits under his original discharge or dismissal. Except as otherwise provided in this section or section 1552 of this title, no Exemplary Rehabilitation Certificate may be issued except under subsection (d), and after a specific finding by the board that it is issued under that subsection.

"(h) The Secretary of Defense for the military departments, and the Secretary of the Treasury for the Coast Guard when it is not operating as a service in the Navy, shall report to Congress not later than January 15 of each year the number of cases reviewed by each board under subsection (d), and the number of Exemplary Rehabilitation Certificates issued under that subsection."

SEVERING DIPLOMATIC RELATIONS WITH CUBA

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, 185 years ago a courageous group of men signed their names to a document that stands as an indestructible monument to the courage and fortitude of the American people. And in that Declaration of Independence the rights of life, liberty, and the pursuit of happiness were called inalienable rights and "that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security."

Mr. Speaker, at long last the President of the United States has seen fit, and properly so, to sever diplomatic relations with the modern-day Blackbeard, Fidel Castro.

I discussed in the House of Representatives, on June 25, 1960, the onrush of communism on the island of Cuba.

Previously, in the summer of 1958, I said that Fidel Castro was either a Communist, Communist-inspired, or the tool of the Communists.

Now, 2 years later, and within 90 miles of our own shores, we are confronted with Soviet-built equipment, Soviet-manned airfields, Soviet-trained technicians, and a Communist-trained Cuban Government dedicated to the concept that America must be eliminated as the leader of the free world.

To paraphrase the Cicero of ancient Rome, I say now, and I measure my words carefully—Castro must be destroyed. He must be destroyed, and all that he stands for must be blotted from the Western Hemisphere.

Certainly we have little cause to criticize other nations for Communist infiltration where there is a mote in our own eye.

Cuba stands as an insult to American prestige, a challenge to American dignity and a glaring refutation of our ability to constrain communism in its rampant march for world domination.

Mr. Speaker, I compliment President Eisenhower for his latest move in regard to Cuba, but I would be less than candid if I did not say that it comes very late in the season.

As far as I am concerned, we reached the limit to what the United States, in self-respect, could endure the day that bearded dictator seized American property in a country that was conceived by America, delivered by America, nurtured by America, educated by America and made a self-governing nation by America.

When ingratitude on the part of a nation reaches the point that it has in Cuba, it is time for American wrath to display itself in no uncertain terms.

And let us not be lulled into the complacent thought that this is simply a Castro-sponsored government. Someone beside Castro is supporting these diatribes that are emanating each day from the Pearl of the Caribbean.

So, Mr. Speaker, I hope we will not be too quick to forgive and forget when Castro finally receives his just reward.

I hope we will remember those who had the courage to throw the scoundrel out of Cuba, but I also hope that in our efforts to help those who overthrow Castro we do not adopt a massive forgive and forget general amnesty for those who have welcomed the initiation of communism in Cuba.

There are many Cuban refugees now in the United States. These are the men and women who forsook their native land, their occupations, and worldly possessions, to live in freedom in America. They represent the Cuba we once knew.

This is the Cuba that we should now recognize.

This is the Cuba that will bring about the demise of Fidel Castro and communism in the Western Hemisphere.

But if we continue to turn the other cheek to this depraved idiot who now rules Cuba with an iron fist, we shall only find the situation going from bad to worse. If we are so weak as to fear Russian retaliation when we clean the trash out of our own backyard, then we no longer deserve to live as a free nation.

I would rather see this Nation go down in defeat in one mighty blow rather than suffer the agonies of Communist cancer, which most assuredly will engulf the Nation if Cuba is allowed to fester as the cell from which this cancerous growth will spread.

Let us lance this pestiferous boil now by helping in every tangible and intangible way those Cuban nationals who represent the true Cuba, and who are willing and anxious to return to their native land to once again enjoy the inalienable rights of man that we vested in them in 1898.

A PERMANENT ORPHANS ACT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks in the RECORD at this point.

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

There was no objection.

Mr. RODINO. Mr. Speaker, on September 11, 1957, the Congress enacted the first orphans immigration law. This act provided for the issuance, on a temporary basis, of special nonquota immigrant visas to eligible orphans who had been, or were to be, adopted by a married American citizen.

Since that time the Congress has twice extended that act on a yearly basis.

Under the provisions of the Orphans Act over 6,000 orphans have been admitted to the United States. Many of them left backgrounds of deprivation and destitution to find refuge in the American homes of their adoptive parents. Some had been left homeless and friendless by the death or desertion of both their natural parents; others had only one remaining parent who, burdened by illness or poverty, was unable to give them proper care and attention. Because of the provisions of the Orphans Act they were all able to find new homes and a new future in the United States.

I can think of no provision of our immigration law which was more humanitarian in concept or more rewarding in practice than this Orphans Act of 1957, which has given fresh hope to so many homeless children. I believe it is time we put this law on a permanent basis.

The present system whereby Congress, in the last rushed days of the session, moves to extend the act for one additional year, is haphazard, uncertain, and unnecessary. Only last June, I was approached by a family which wished to adopt an orphan child in Poland; I had to advise that family that the applicable law was due to expire in a few weeks, and that unless Congress extended the law past June 30, 1960, there was no possibility of issuing the child a nonquota visa. Fortunately, we acted just before that date to extend the act for yet another year.

Where a law has proved as meritorious as this one has, I see no point in proceeding in this ad hoc manner. The Orphans Act was originally passed on a temporary basis because it was not then known how well it would work out in practice. The act has since passed its period of probation with flying colors, as is well demonstrated by the fact that the Congress has seen fit to extend its provisions with consistent regularity.

I believe we should make the Orphans Act a permament part of our immigration law, and I am therefore introducing a bill for this purpose today.

THE FORGOTTEN CITIES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks in the RECORD at this point.

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

There was no objection.

Mr. RODINO. Mr. Speaker, at least two-thirds of our population live today in urban areas. Rapidly increasing urbanization has brought with it a host of new problems which were unknown and unheard of by our rural ancestors. These problems have become too vast and too complex to be dealt with on the municipal level; they cross local and State lines and are truly national in scope and implication.

Although a number of Federal programs have evolved in response to some of the most pressing urban needs, our urban population is seriously underrepresented in the Federal Government. There is no central activity to which urban needs can be presented, at which they can be evaluated and assessed, and for which long-term solutions can be developed. There is no central agency to coordinate these pressing problems or to insist that they receive the attention they require from the Federal Government.

The obvious answer is one which has been made many times during the last decade: The establishment of a Department of Urban Affairs. I am introducing a bill for this purpose today in the hope that this long-overdue step will yet be taken during the current session of Congress.

Under my proposal, the new Department would undertake to deal with the whole gamut of urban problems: Elimination of blight, problems of mass transportation, solutions to air and water pollution, water supply, and others.

All the functions of the various agencies concerned with housing and urban renewal would be transferred to the new Department.

Incorporated in this Department, also, would be the interests of the consumer, who now has no spokesman anywhere in the executive department and who now often loses out in comparison with other, more fairly represented groups. A vital function of the Secretary of Urban Affairs, in my opinion, would be to press for greater consumer recognition in the competing activities and policies of the Federal Government.

INTERSTATE COMMERCE ACT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ROSTENKOWSKI] may extend his remarks in the RECORD in one instance.

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

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, I would like to introduce two bills—one to repeal section 203(b)(6) of the Interstate Commerce Act, as amended, relating to the so-called motor-carrier agricultural commodities exemption, and the second to amend the Interstate Commerce Act so as to extend to the railroads a condition exemption from economic regulation comparable to that provided for motor carriers when engaged in the transportation of ordinary livestock, fish, or agricultural commodities.

It will be seen immediately that these bills embody objectives that directly clash with one another. They are intended to do so. And I offer them not to confuse my colleagues but to give you a clear choice as to which path to choose in eliminating a grave inequality of treatment as between different modes of transportation which exists in the present law.

These bills are being introduced because it is believed that this exemption from regulation has been extended far beyond its original and only justifiable purpose, which was to help the farmer by exempting from economic regulation the initial movement of his products from the farm to the first market.

Because of the steady broadening of this exemption to include even factory processed products moving in commercial channels, regulated carriers such as the railroads find themselves severely handicapped in competing for traffic in agricultural commodities. Their rates are rigidly controlled and are required to be openly published, while the rates of exempt motor carrier haulers are not subject to any control and need not be made public. The regulated carriers thus have no clear idea of the kind of competition that they are up against—though the exempt hauler precisely knows. As a consequence, large, and ever-growing volumes of important traffic have been diverted to exempt carriers. And the impact on the Nation's basic carrier—the railroads—grew more and more serious as the courts expanded still further the scope of this exemption.

Proposals to remedy this situation have been advanced by a number of public interests, including the Interstate Commerce Commission and various shipper groups. These suggestions were discussed during the course of hearings conducted in 1958 by the Subcommittee on Transportation and Communications of the House Committee on Interstate and Foreign Commerce. As a result the Transportation Act of 1958 included a provision which amended that section 203(b)(6) to halt further expansion of the exemption and to return to economic regulation the transportation of frozen fruits and vegetables and imported agricultural commodites.

This was constructive action. But it was only one short step forward. While the 1958 amendment presumably has halted further significant expansion of the agricultural commodities exemption list, the widespread diversion of traffic in products already exempted from regulated carriers to exempt carriers continues.

There are two ways to resolve this intolerable, unequal competition. One is to repeal the exemption outright and allow the traffic by all carriers to be regulated equally. The other is to extend to the railroads the same kind of exemption from economic regulation now granted exempt motor carriers now engaged in the transportation of ordinary livestock, fish, or agricultural commodities. I offer separate bills to accomplish each of these objectives.

I originally entered these two bills during the 2d session of the 86th Congress; however, no action was taken. Since that time the situation has become more critical. The loss of weekly carloadings to regulated carriers has increased unemployment. In the railroad industry alone at the end of 1960, employment has dropped below 800,000, which is the lowest ever experienced.

I shall ask the House Interstate and Foreign Commerce Committee to schedule early hearings on this legislation and I urge that the House of Representatives give these proposals every consideration in the interest of establishing conditions of fairplay and equal opportunity for all transport competitors.

PROPOSED CONSTITUTIONAL AMENDMENT FOR A BALANCED BUDGET

Mr. NELSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ALGER. Mr. Speaker, no more important issue will come before this Congress than the matter of fiscal responsibility. We are fast reaching a point where there will simply be no additional sources to tap for revenue to run the Government. Congress must face up to this problem and adopt whatever means necessary to control spending while, at the same time, making it possible to perform the necessary functions of government. Spending must be controlled. We must live within our means. This is just commonsense.

In former Congresses it has been my privilege to introduce a bill to force a yearly balanced budget and I do so again now. I cannot predict what the progress of the bill will be through the House, but I can predict financial disaster for our country unless we take concrete steps to hold down inflation, protect the solvency of the dollar, and make it possible to give tax relief to our people. This bill would accomplish these purposes. This bill in no way endangers national defense, nor those necessary services which the Government must render the people. It does provide the means by which much conspicuous waste and unnecessary spending may be eliminated. Short of war, or national emergency, this bill forbids Congress to spend more money in any fiscal year than it anticipates taking in.

It is as simple as that. It is doing as a Government what we must do as individuals and as families—just live within our income.

The bill does not limit spending as such. If Congress wants to appropriate more money than the Government expects to receive in taxes, this amendment would not allow Congress to adjourn until it levied the additional taxes necessary to provide the money. It is a much more honest approach to our fiscal problems than by spending without regard to income and then passing the burden on to future generations.

I believe in a balanced budget. I hope the incoming administration believes in a balanced budget. To prevent any administrators from yielding to the temptation of deficit spending in order to impress voters, this bill should be passed. Administration programs may then be planned according to what we can properly expect to be able to pay and the people will know exactly what their Government is costing them because the bills will be paid every year.

I hope my colleagues will share my concern with fiscal responsibility and will join in this move to have a forced balanced budget as a constitutional amendment.

COMMUNITY JUNIOR COLLEGE CONSTRUCTION ACT

The SPEAKER. Under the previous order of the House, the gentleman from Oregon [Mr. ULLMAN] is recognized for 10 minutes.

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. ULLMAN. Mr. Speaker, in 1958 I introduced into the 85th Congress a proposal for Federal assistance to the States to expand community junior colleges. The response to my proposal from educators and college administrators across the country, as well as from others concerned with this vital field of higher education, was extremely gratifying. Early in the 86th Congress, I again introduced this proposal and I was very pleased that the Special Education Subcommittee of the House Education and Labor Committee found time in its busy schedule to have 1 day of hearings on the proposal. The response of these able members to my proposal was encouraging. Yesterday, I again introduced for the consideration of my colleagues this proposal to provide a 5-year program of assistance to the States in expanding their community junior college facilities.

The 2-year college movement is growing faster than any other branch of U.S. education. It has been estimated that more than 750,000 young men and women and adults are currently receiving training in the liberal arts and technology at 677 such junior colleges. Dr. James B. Conant has called for a very considable number of 2-year community colleges so that advanced education may be widely available throughout the Nation. It is because I share Dr. Conant's concern that advanced training be more widely available to our young people and because I agree with him that community junior colleges furnish an important means of achieving that goal, that I continue to press for Federal action in this field.

Junior colleges are not a replacement for 4-year colleges, nor are they the only answer to our educational needs. They are, however, an important part of the answer in my opinion. Community colleges are generally economical to attend, being located close to the homes of their students and having, as a rule, moderate tuition fees. They are responsive to local needs and provide a flexible but thorough program of studies. Through their adult study programs they furnish an important opportunity for continuing education.

Junior colleges help to ease the pressure on our 4-year institutions, but the more important point, in my estimation, is that they encourage more of the Nation's high school graduates to pursue further education. They furnish training beyond the high school level to thousands of young people who would not otherwise receive it. Junior colleges thus make educational opportunity more democratic and result in the greater utilization of that most fundamental resource, the human mind.

The bill which I have introduced would provide financial assistance to participating States for the initial establishment and the expansion of existing community junior colleges. It combines a flat grant with a matching fund grant, the latter to be allocated among the various States on the basis of their secondary school enrollment—which is a measure of the need for higher education facilities. No issue of Federal control is involved since participating States will plan the program of expansion for their own junior college systems. The bill requires that consideration be given to areas remote geographically from other State colleges and universities and exhibiting a desire for junior college facilities together with an effort commensurate with their financial abilities. Within these broad guidelines, the planning of the program would rest with the States. Naturally, the actual administration of the colleges established would continue to be in accordance with the laws of each State.

Mr. Speaker, I commend this proposal to my colleagues. It is a sound proposal in an area which is, I know, of vital concern to all of us: education in the United States in the challenging years ahead. I sincerely hope that further hearings on this measure can be scheduled in this Congress and that full consideration will result in action along the lines I have outlined in my bill. It is, I believe, a good bill and it represents a sound and forward-looking concept. I seek constructive consideration of my proposal and hope that the 87th Congress will act upon it.

In conclusion, Mr. Speaker, under unanimous consent, I include the following article from a recent edition of Look magazine to be made a part of my remarks. It answers a number of frequently raised questions about junior colleges and I believe that my colleagues will find it of interest:

[From Look, Dec. 6, 1960]

WHO SHOULD GO TO JUNIOR COLLEGE?—QUESTIONS AND ANSWERS ABOUT THE FASTEST-GROWING BRANCH OF U.S. EDUCATION

As our college-age population explodes, the junior college becomes more and more the best hope for higher education of many high-school graduates in the 1960's.

The 2-year-college movement is growing faster than any other branch of U.S. education. Right now, 677 2-year colleges—both private, independent institutions like Christian College and the so-called "community colleges"—are educating more than 750,000 young men and women and adults in the liberal arts and technology. More than $650 million in public and private funds has been invested in them. And their number is likely to continue growing.

Dr. James B. Conant has called for a "very considerable number of 2-year community colleges so that advanced education may be widely available throughout the Nation." All this should encourage parents and high-school students to consider the junior college as an alternative to the senior-college admissions rat race, and inspire young people who might not otherwise go to college to look into the junior college in or near their local community. (If there isn't one, they might well ask their elders why.)

Still, the notion that junior-college education is second best, if not second rate, persists in many parts of the country. The following questions and answers clarify some misconceptions:

What is a junior college? It is an institution of higher learning, usually covering 2 years, whose tuition can be as high (Christian College tuition is $1,900) or as low (many community colleges are free) as tuition at a 4-year college. Faculty, facilities, and student bodies can, and often do, compare favorably with many senior colleges at the freshman-sophomore level. The size of junior colleges, in general, is often thought to be small, but some of them are incredibly big—Long Beach City (junior) College in California has about 40,000 students. Thus, junior colleges can only be defined in terms of the services offered to students. And these services are what parents and students should consider in deciding whether or not a junior college meets their needs.

What services do junior colleges provide? First, junior colleges provide general education for high school graduates who want 2 additional years and no more.

Second, junior colleges provide the equivalent of freshman and sophomore liberal arts education for high school graduates who intend to transfer into the third year of senior college and work for bachelor's degrees.

(Community colleges, which now educate the bulk of our junior college students, also make a valuable contribution to adult education in many localities. Moreover, some junior colleges offer 3-year nursing courses, and others provide 1-year business curriculums.)

Who are the terminal students? The young man who seeks a semiprofessional career, and the young woman who frankly states that marriage is her ultimate goal, will find that junior college can provide a rewarding general education after high school. Besides, the courses at many junior colleges are designed so that a terminal student can change his mind and decide to become a transfer student.

The technological demands of industry in the sixties and beyond can only increase. The young man who expects to take advantage of the demand will find that junior college training can be invaluable.

For young women, junior college offers preparation for careers, community service and marriage, as well as laying the groundwork for continuing study in a chosen field when their children are grown.

There are emotional benefits for terminal students too. Junior colleges award degrees—associate in arts, associate in science, etc.—and give students the pleasure of a graduation that can be shared with family and friends. Compare this to the experience of the student who drops out of a senior college after 2 years—for work or marriage—and who often has little to show for his efforts.

Who are the transfer students? Young people who benefit from a guided transition into senior college work are perhaps the core of the junior college movement. They are often, as President Kenneth Freeman of Christian College describes them, "the academically talented who might not otherwise go to college." Some are, like Patti O'Berg, in search of direction and feel they have a better chance to find themselves in the atmosphere of the junior college. Many from lower-income families take advantage of low tuition rates at community colleges and the opportunity to live at home; their savings in 2 years enable them to go away to school for their degrees. Others turn to the junior college as a last resort, having used poor strategy in applying to senior colleges and hoping to make a record that will open the doors in the third year.

In general, what are the advantages for both terminal and transfer students? Two years well spent at a junior colleeg can help mature a youth, enabling him to handle a job or a university situation that he might otherwise fumble. Those who are undecided about careers may find that the counseling services of junior colleges are often superior to those at senior colleges or that are otherwise available in the community.

What are the advantages for the U.S. system of higher education? In educating transfer students, the junior colleges assume some of the burdens of the 4-year colleges. They help to relieve pressures that afflict university faculties and facilities by sending on students with a strong foundation for doing good work in their third and fourth years, while weeding out those who would drop out by the third year anyway.

Many 2-year graduates develop leadership qualities and a sense of responsibility that make them more valuable citizens of the senior-college campus. Many, during their junior-college life, go through the agonizing appraisal of their lifetime goals and are ready, when they arrive at the 4-year institution, to move ahead more decisively.

How good are the junior colleges? In many 2-year institutions, the student has a real advantage over his peers in some of the smaller colleges and State universities. Small 4-year colleges often have less funds than junior colleges to maintain adequate faculties for freshmen and sophomores. (Of course, there is a shortage of well-trained teachers almost everywhere.) State universities, on the other hand, often use inexperienced instructors to teach the lower classes. Many junior colleges, however, hire only teachers with master's degrees, which results in their students having better teachers sooner than their counterparts in 4-year schools.

The relative academic equality of junior colleges with universities at the freshman-sophomore level has been indicated by studies in California (where nearly half of all junior-college students are enrolled), Minnesota and other States. In 1953, 50,000 students were graduated from junior colleges in California. Of those who went on to the University of California, 4,800 could have entered as freshmen, but chose the junior-college experience instead. When they were graduated from the university, their grade-point average was higher than that of the students who had attended the university for 4 years. Some 7,200, who would not have been eligible as freshmen, also entered at the junior year. Over 80 percent were graduated, and their grade-point average was a respectable C-plus.

Who should go to junior college? Anyone whose needs can be fulfilled by at least 2 years of education beyond high school. The junior college is a place where young people can make intelligent decisions about the future. More and more students are seeking its advantages. Perhaps it is an omen that last year Christian College had 1,500 applicants for its freshman class of 250. Community colleges are crowded too. Unless Dr. Conant's plea for more 2-year colleges is answered, the question may soon be not who should go, but, once again, how to get in.

MASON DAM PROJECT

Mr. ULLMAN. Mr. Speaker, I want to turn now to a project of particular importance to my district. I also introduced yesterday a bill to authorize the construction and operation of the upper division of the Baker Federal reclamation project in Baker County, Oreg. I take this opportunity to comment briefly on this important project.

The proposal embodied in this bill has been under study for amost 30 years. It has the strongest local support and interest and the Bureau of Reclamation is currently preparing its report on the proposal. I confidently expect that the Secretary of the Interior will recommend to the President favorably on it at an early date and that this favorable report will be in the hands of the Congress early in this session.

The irrigation features of the project will furnish water for a total of about 18,000 acres. In addition, the projected 100,000 acre-feet of storage will provide substantial flood control benefits, important recreational benefits, and improved fish and wildlife conditions. The proposed 180-foot rock and earth-fill Mason Dam will provide sufficient storage for complete control of the Powder River and will be a major step toward comprehensive development of the valley. The project has a benefit-to-cost ratio of 1.24 to 1. My bill provides that the portion of the irrigation costs which are not within the financial ability of the water-users to repay within a 50-year period will be met from surplus power revenues from the Bonneville system.

As I have indicated, the people in the Baker Valley have been working for this project a long time. It is of great importance to their economy and its supporters are understandably anxious to see their years of effort and waiting bear fruit. It is a worthwhile project and fully consonant with our established and traditional policies of resource development on multiple-purpose lines. I commend the proposal to the consideration of my colleagues in the House and urge that early and favorable consideration be given to this measure.

Under unanimous consent, I include the text of my bill as a part of my remarks, and that similarly, the following letters of support from local people be made a part of the RECORD:

A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONSTRUCT, OPERATE, AND MAINTAIN THE UPPER DIVISION OF THE BAKER FEDERAL RECLAMATION PROJECT, OREGON, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of providing irrigation water, controlling floods, conserving and developing fish and wildlife, and providing recreational benefits, the Secretary of the Interior, acting pursuant to the Federal reclamation

laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the facilities of the upper division of the Baker Federal reclamation project, Oregon. The principal works of the project shall consist of a dam and reservoir, pumping plants, and related facilities.

SEC. 2. The period provided in subsection (d), section 9, of the Reclamation Project Act of 1939, as amended (43 U.S.C. 485h), for repayment of the construction cost properly chargeable to any block of lands and assigned to be repaid by irrigators, may be extended to fifty years, exclusive of any development period, from the time water is first delivered to that block or to as near that number of years as is consistent with the adoption and operation of a variable repayment plan as is provided therein. Costs allocated to irrigation in excess of the amount determined by the Secretary of the Interior to be within the ability of the irrigators to repay within the repayment period determined under the provisions of this section shall be returned to the reclamation fund from net revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration, which are over and above those required to meet any present obligations assigned for repayment from such net revenues.

SEC. 3. (a) The Secretary of the Interior is authorized, in connection with the upper division of the Baker project, to construct minimum basic public recreation facilities and to arrange for the operation and maintenance of the same by an appropriate State or local agency or organization. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

(b) The Secretary may make such reasonable provision in the works authorized by this Act as he finds to be required for the conservation and development of fish and wildlife in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661–666c, inclusive), and the portion of the construction costs allocated to these purposes and to flood control, together with an appropriate share of the operation, maintenance, and replacement costs therefor, shall be nonreimbursable and nonreturnable. Before the works are transferred to an irrigation water user's organization for care, operation, and maintenance, the organization shall have agreed to operate them in a manner satisfactory to the Secretary of the Interior with respect to achieving the fish and wildlife benefits, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

(c) The works authorized in this Act shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army pursuant to section 7 of the Flood Control Act approved December 22, 1944 (58 Stat. 887).

SEC. 4. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as will be necessary to carry out the purposes of this Act.

RESOLUTION ON THE PROPOSED UPPER DIVISION IRRIGATION PROJECT

Baker County's Soil Conservation District supervisors representing the four districts encompassing the entire land area favor the immediate development of the upper division irrigation project with the construction of Mason Dam on Powder River. This facility will provide a reservoir for water storage extending water supplies season long for irrigation of 20,000 acres of agricultural lands located in Baker Valley. This project will not contribute to the production of surplus crops nor will it provide irrigation water for land not now irrigated.

This development contains all of the multiple use principles of resource development. It contains in addition to irrigation, flood control, recreation, domestic, game and wildlife uses.

The dam is located high in the drainage system and will contribute to the principle of controlled stream flows.

We therefore request your support and urge you to extend your efforts to secure this much needed water resource development.

WILLIAM H. TRINDLE,
Chairman, Baker Valley Soil Conservation District.
WALTER SHAMWAY,
Chairman, Burnt River Soil Conservation District.
W. W. ANDREWS,
Chairman, Keating Soil Conservation District.
JOHN M. MCCORMICK,
Chairman, Eagle Valley Soil Conservation District.

BAKER, OREG., *February 19, 1960.*

Hon. ALBERT C. ULLMAN,
Congressman, Second District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: The city of Baker believing that the construction of the Mason Dam on Powder River in Baker County will be of great benefit to the entire county and State, urges you to use your best efforts to introduce legislation authorizing its construction in accordance with Bureau of Reclamation reports.

PAUL R. REVIS,
City Manager.

BAKER JAYCEES,
Baker, Oreg., February 16, 1960.

Hon. ALBERT C. ULLMAN,
Congressman, Second District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: The Baker Junior Chamber of Commerce believing that the construction of the Mason Dam on Powder River in Baker County will be of great benefit to the entire county and State, urges you to use your best efforts to introduce legislation authorizing its construction in accordance with Bureau of Reclammation reports.

Very truly yours,
KEITH A. STUBBLEFIELD,
Secretary.

POWDER RIVER SPORTSMEN'S CLUB, INC.,
Baker, Oreg., February 16, 1960.

Hon. ALBERT C. ULLMAN,
Congressman, Second District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: The Powder River Sportsmen's Club, Inc., believing that the construction of the Mason Dam on Powder River in Baker County will be of great benefit to the entire county and State, urges you to use your best efforts to introduce legislation authorizing it's construction in accordance with Bureau of Reclamation reports.

Very truly yours,
ROBERT C. WICKAM,
President.

ANTHONY LAKES POST 3048,
VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
February 15, 1960.

Hon. ALBERT C. ULLMAN,
Congressman, Second District, State of Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: Anthony Lakes Post 3048, Veterans of Foreign Wars, United States, believing the Mason Dam on Powder River in Baker County will be of great benefit to the entire county and State, urges you to use your best efforts to introduce legislation authorizing its construction in accordance with Bureau of Reclamation reports.

Very truly yours,
WALTER C. MCGUIRK,
Post Commander.

BAKER, OREG., *February 12, 1960.*

Hon. ALBERT ULLMAN,
U.S. Congress,
Washington, D.C.:

We urge you use influence to secure authorization Baker Valley project. Project will not add to surplus crops. Will contribute much toward strengthening overall economy. Benefits will extend water supplies for irrigation of forage and pasture crops to season-long basis utilized by beef cattle and sheep. Will also control spring floods this area.

LEROY C. WRIGHT,
Secretary, Baker County Livestock Association.

BAKER, OREG., *February 12, 1960.*

Hon. ALBERT ULLMAN,
Congressman, Second District, Oregon,
Washington, D.C.:

DEAR CONGRESSMAN ULLMAN: The Baker County Retail Credit Association, a local organization, represents 90 leading Baker merchants. This group believes that the construction of the Mason Dam on Powder River in Baker County will be a great benefit to the entire county and State, urges you to use your best efforts to introduce legislation authorizing its construction in accordance with Bureau of Reclamation reports.

RUSSELL L. BRADEN,
Secretary-Treasurer, Baker County Retail Credit Association.

BAKER, OREG., *February 12, 1960.*

Hon. ALBERT ULLMAN,
House of Representatives,
Washington, D.C.:

I feel that the Mason Dam will benefit Baker County and the State at large by providing needed irrigation, drainage, and flood control. I fully recommend it.

RIVES WALLER.

BAKER, OREG., *February 12, 1960.*

Hon. ALBERT ULLMAN,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: We hope you will be able to secure passage of the bill to build the Mason Dam. Nothing could happen in Baker County that would add as much to the economy of the farmers under the project or to the county as a whole over a long period of time as furnishing full supply of water to land within the district.

For many years past all water for irrigation is completely gone by July 1. That leaves 70 days of our best growing season without any water. The flood control feature of this project will be of great benefit, not only to the lands under the Baker Valley Irrigation District but land under the Thief Valley project. Two to three years out of every five, flood waters stand on large portions of the farmlands 1 to 3 feet deep and from 1 to 3 weeks at a time, doing thousands of dollars damage to crops. This water coverage kills all clovers and other good grasses, and only leaves the sour-water grasses which are very low in protein.

As you know our project is not one that will grow surplus crops. Practically all farm income in the valley comes from livestock, hay, and pasture. There are not to exceed 300 to 400 acres of wheat grown on the project. That is grown on a rotation plan and would only be in wheat every fourth or fifth year.

The project will not face problems experienced by many new projects where they are

unable to finance themselves until they get started. These landowners have their buildings and livestock and are going concerns.

You must have had several letters by this time from various groups in Baker and Baker County favoring the project, as some 20 different groups and organizations have volunteered their desire to go along with the building of the dam.

Practically all groups are participating, including banks, merchants associations, civic clubs, county court, in fact everyone is taking an active part in the project.

The Baker Production Credit Association has furnished funds to 90 percent of the land owners under the project for their annual operation expenses for the past twenty five years. They have always liquidated their obligations. Not one of them has defaulted. They are deserving people and are entitled to stored water from Mason Dam.

We hope you will be able to get an appropriation as well as approval of the project.

Thanking you for your assistance in the matter we are,

Respectfully yours,

F. A. PHILLIPS,
President, Baker Production Credit Association.

BAKER, OREG., *February 11, 1960.*

Hon. ALBERT C. ULLMAN,
Congressman, Second District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: The Baker Lions Club believing that the construction of the Mason Dam on Powder River in Baker County will be of great benefit to the entire county and State, urges you to use your best efforts to introduce legislation authorizing its construction in accordance with Bureau of Reclamation reports.

Very truly yours,

GEORGE E. COOK,
Secretary, Baker Lions Club.

CALIFORNIA-PACIFIC UTILITIES CO.,
Baker, Oreg., February 11, 1960.

Hon. ALBERT C. ULLMAN,
House of Representatives, Washington, D.C.

DEAR AL: We have been informed by Mr. F. A. Phillips, chairman of the irrigation committee for the Baker County Chamber of Commerce, that the proposed Mason Dam has been approved by the Bureau of Reclamation at Boise and Denver and is now before the Commissioner of Reclamation at Washington, D.C.

We urge that you do everything possible to get the project approved this session of Congress.

This irrigation project will not only be beneficial to the farmers of Baker Valley but will improve the economy of our entire area.

Yours truly,

L. G. GRAY,
District Manager.

BAKER, OREG., *February 9, 1960.*

Hon. ALBERT C. ULLMAN,
Congressman, Second District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: The Baker Rotary Club believing that the construction of the Mason Dam on Powder River in Baker County will be of great benefit to the entire county and State, urges you to use your best efforts to introduce legislation authorizing its construction in accordance with Bureau of Reclamation reports.

GEORGE W. GWILLIAM,
President, Baker Rotary Club.

BAKER COUNTY CHAMBER OF COMMERCE,
Baker, Oreg., February 9, 1960.

Hon. ALBERT C. ULLMAN,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: It is the understanding of the merchants committee of the Baker County Chamber of Commerce that legislation is being considered in the form of a bill which you will introduce into the House, authorizing construction of the Mason Dam in Baker County.

We know of no one project which would do more for the city and county of Baker than this dam.

We understand this project, according to bill being drafted by you and the Bureau of Reclamation, would receive power revenue from either McNary or John Day Dam, which would make it feasible from the standpoint of payment by the farmers coming under the project.

We urge your continued effort in the passage of this bill, and that you work toward an appropriation for the building of Mason Dam.

Very truly yours,

RICHARD KIRBY,
Chairman, Retail Merchants Committee.

BAKER, OREG., *February 8, 1960.*

Hon. AL ULLMAN,
Representative, Second Congressional District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: We have been advised that your office is drafting a bill for the authoriation of the Baker Valley project. We are delighted to hear that this legislation has a chance of being considered by the present Congress and wish to advise that if you need any assistance from this board in furnishing information or other help, please advise us.

Very truly yours,

BAKER VALLEY IRRIGATION DISTRICT.
CONRAD ALLEN.
CLYDE WARD.
CHAS. M. CAETON.

BAKER KIWANIS CLUB,
PACIFIC NORTHWEST, DIVISION NO. 17,
Baker, Oreg., February 8, 1960.

Hon. ALBERT C. ULLMAN,
Congressman, Second District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: The Baker Kiwanis Club by vote of its directors believes that the construction of the Mason Dam on the Powder River in Baker County will be of great benefit to the entire county and State, and urges you to use your best efforts to introduce legislation authorizing its construction in accordance with Bureau of Reclamation reports.

Yours very truly,

LYLE L. BARE, *President.*

KEATING, OREG., *February 6, 1960.*

Representative AL ULLMAN,
House of Representatives, Washington, D.C.

DEAR AL: The Lower Powder Irrigation District would like to go on record as heartily favoring the Mason Dam and Baker Valley project.

As you already know, we suffer a great deal of flood damage in lower Powder every spring. The submerging of our meadows for so prolonged a period has killed out the clovers and more palatable grasses until many of the meadows are of doubtful value either for hay or pasture. The main canals are often broken or filled. As the flood ebbs the fields are littered with debris and unwanted silt. All of this plus erosion adds to a large sum over a period of years. There is no question that the Mason Dam would be of great help in controlling this damage.

With Baker Valley irrigated, we would also derive benefit from their waste waters, supplemental water in late summer for our present storage system.

Sincerely,

JAMES S. WEBER,
President Lower Powder Irrigation District.

BAKER, OREG., *February 5, 1960.*

Hon. ALBERT C. ULLMAN,
Congressman, Second District, Oregon, Washington, D.C.

DEAR CONGRESSMAN ULLMAN: The county court of Baker County believes that the construction of the Mason Dam on Powder River in Baker County will be beneficial to our economy. This will bring a greater production to some 19,000 acres, thereby increasing the tax basis of our county. We, therefore, urge you to introduce legislation to authorize the construction of the Mason Dam.

Sincerely,

BAKER COUNTY COURT OF THE STATE OF OREGON,
LLOYD REA,
County Judge.
R. M. PHIPPS,
County Commissioner.
GILL C. WRIGHT,
County Commissioner.

PANAMA FLAG OVER CANAL ZONE RAISES CONSTITUTIONAL QUESTION

The SPEAKER. Under the previous order of the House the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, when addressing this body on August 31, 1960, about the San José Conference of American States, which had been attended by Secretary of State Herter and Foreign Minister Moreno, of Panama, I expressed the following view:

> That the minute this Congress adjourns sine die there will be an Executive order issued by the President of the United States upon the recommendation of the Secretary of State to permit the Republic of Panama to fly its flag * * * over the Panama Canal Zone.

On two previous occasions, June 25 and 28, I had made this same prediction.

Were these prophecies fulfilled? It is indeed a barren satisfaction to state that they were and under circumstances that are incredible, and with which you no doubt are familiar. Nevertheless, the facts bear repetition.

On September 17, 1960, a day officially designated as Constitution Day, the President, on advice of the Department of State and against the mandates of the Congress, signed an Executive order authorizing the formal display of the Panama flag at one place in the Canal Zone as visual evidence of Panamanian titular sovereignty over the zone.

The people of the United States were truly shocked at this symbolic surrender of our position of exclusive sovereignty over the constitutionally acquired territory of the Canal Zone. Not only that, hundreds of our citizens from various parts of the Nation and abroad have written strongly worded criticisms of the flag-raising order to the President, the Secretary of State, and to Members of the Congress, both House and Senate. Moreover, many of the writers have sent me copies of their letters.

As any competent student of the subject could foresee, this ill-advised surrender to mob-dictated demands in Panama has not had the desired effect of ending anti-U.S. agitations in Panama or elsewhere, but rather just the opposite.

In Panama, it has been taken as a complete reversal of the U.S. position on the question of sovereignty and as formal recognition of Panamanian basic sovereignty over the Canal Zone; also, as supplying a lever for wringing additional future concessions of major character from the United States.

In other countries, it has made the United States a diplomatic laughing stock. It encouraged Premier Castro of Cuba in his arrogant demands for possession of our naval base at Guantanamo and forced our Government to take precautionary defense measures.

These measures, Mr. Speaker, included the planting of mine fields around the naval base, increase of its garrison, and establishment of a strong Caribbean naval patrol force.

When one ponders recent Caribbean events in the perspective now possible and in the light of clarifications made to the Congress over a period of years, it is truly tragic that our Government failed to take a definite stand on the Panama situation, which has been simmering since 1956.

As it now stands, Mr. Speaker, the precedent set on September 17, 1960, in defiance of officially expressed views of the Congress, raises constitutional issues of the gravest importance for the future conduct of our foreign policy and the rights of our people to govern themselves without dictatorship.

In addition, the President's action on September 17 brings up the question of the identity of the influences that led him to sign the flag-raising order against the wishes of the Congress and view of important elements in the Defense and other executive departments.

So far the persons responsible have not been determined but a start has been made on this task in the form of an inquiry by the Committee on Government Operations into subversive activity in the State Department. This inquiry, Mr. Speaker, should be pressed with vigor until the situation in that Department is fully clarified, the influences identified, and corrective actions taken.

In this connection, let me now repeat what I have so often said on this floor: that the exclusive sovereignty over the Canal Zone conferred by treaty on the United States was in nowise a coercive action but was deemed and found to be absolutely necessary for the construction, maintenance, and operation of the canal by the United States. What has been true for more than half a century of canal history must likewise prove true so long as the United States continues to exercise the responsibility of maintaining, operating, and protecting the canal. A divided or diluted sovereignty would bring utter confusion and chaos. This may be the goal sought by communistic influences but can never be the desire or purpose of the free nations of the world.

Because of their bearing on the situation, three of my press releases, September 21, October 5, and December 3, 1960, are quoted as parts of my remarks:

SEPTEMBER 21, 1960.

Congressman DANIEL J. FLOOD, Democrat, of Pennsylvania, commenting on President Eisenhower's order authorizing the flying of the Panamanian flag in the Panama Canal Zone, made the following statement in Washington today:

"The voluntary and unilateral action of President Eisenhower on September 17, 1960, on the eve of Premier Khrushchev's arrival, in ordering the flag of Panama to be flown with the flag of the United States in the Canal Zone is a disregard of the limits of the President's power under our law and of the rights of our people to govern themselves without dictatorship. The chairman of the Senate Republican policy committee, Senator STYLES BRIDGES, as quoted from his home in New Hampshire, was surprised and deeply shocked and saw 'absolutely no valid reason for the flag-flying order.'

"It is a cowardly yielding on the part of the Executive to the pressure of mob rule in Panama comparable to hoisting the Soviet flag on U.S. territory. The ill-advised step, taken with the hope of placating Panamanian radicals, can only incite them to increase their demands. Furthermore, it is a contemptuous defiance of the Congress and a flagrant ignoring of the advice of the executive departments most directly concerned with the heavy responsibilities of maintaining, operating, and protecting the Panama Canal, the lifeline of our country.

"The Congress has been long aware of the fact that subversive influences are in control of important areas in our Department of State. It is the gradual growth and spread of this subversive influence that has alarmed the Congress.

"The Communist-inspired demand that the Panama flag be flown in the Canal Zone was designed to appeal to emotional nationalism of Panamanian radicals. It has had that effect.

"Associated Press dispatches from Havana, dated September 20, 1960, make it clear that Acting Prime Minister of Cuba, Raul Castro, notorious Communist brother of Prime Minister Fidel Castro, who is now at the United Nations in New York with other Red leaders, declared: 'It is within our possibilities in a determined moment to reclaim that piece of our national territory, the U.S. naval base at Guantanamo Bay in eastern Cuba.' This is the first effect of the chain reaction set in motion with the President's authorization on Panamanian sovereignty in the Canal Zone.

"Now we have here the case of one man without the power of any authority taking an action which is in betrayal of the vital interests of our Nation in defiance of the expressed will of the people. Thus, we have one more example of the spread of the power of these subversive influences.

"It is especially to be noted that the Congress, in the exercise of its constitutional powers, in the Gross amendment, provided that no part of the Department of Commerce appropriations should be used for the formal display of the Panama flag in the Canal Zone.

"In addition, the House of Representatives, on February 2, 1960, in House Concurrent Resolution 459 passed by the overwhelming vote of 381 to 12, took the stand that acceding to Panamanian demands for display of the Panama flag in the Zone would be a 'major departure from established policy' and 'should not be accomplished through Executive fiat' but 'only pursuant to treaty.' (See H. Rept. 2218, 86th Cong., Aug. 31, 1960.)

"The use, occupation, and control of the Canal Zone was granted by Panama in the 1903 Hay-Bunau-Varilla Canal Convention to the United States 'in perpetuity' in order to induce the United States to construct the Panama Canal and to undertake its perpetual maintenance, operation, and protection. As a further inducement, the 1903 Convention granted all the rights, power, and authority within the zone which the United States would possess and exercise as if it were sovereign. Moreover, this Convention, by specific terms, provided for the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority.

"It is inconsistent with the sovereign powers of any nation to fly the flag of another nation under duress or pressure. The extortionate demands upon the United States do not come from the fine citizens of Panama who are noted for their high sense of honor and restraint in dealing with the rights of others, but has been fanned by well-trained agents of international Communist influences as part of a general corrupting program to tear down the moral fiber of all free nations.

"In this connection, we should recognize that an inexcusable policy of compromise and placation has made our Canal Zone the tinderbox of the Caribbean. We are dealing with a Soviet-organized plan for conquest of the Caribbean, which has the Panama Canal as its key objective. Such conquest by the Soviets would be but a prelude to their intended conquest of the United States.

"The situation presented by the President's order, which, in effect, will aid and abet these subversive influences toward their prime target, represents a challenge to the sovereign people of the United States and their Congress that must be met if our Nation is to remain independent and its people are to remain free.

"The President's order has lifted the lid to a Pandora's box. After having acceded to mob rule demands in 1959 and 1960, what answer shall we give to further demands for concessions not supported by treaty? Also our failure to stand up now for our undiluted sovereignty in the Canal Zone when the issue is clear cut, opens the door to the final loss of the Panama Canal through the machinations of these international forces.

"As an example, the following is a quotation as translated from the front page of the Panamanian newspaper, La Hora, of September 12, 1960:

" 'We will not rest in our struggle toward our sovereignty over the Canal Zone, that is a fact, real and unquestionable, and it shall be full and effective in all of its multiple aspects such as the fiscal, the juridical, the political, and the economic, and at the same time we demand that our flag shall fly in the Canal Zone as a juridical symbol of that sovereignty, and that the Republic be recognized as participating equally and justly in the profits of the canal, one who has all of the right as one of the two nations who made its construction possible.'

"Certainly, the timing of the President's order immediately prior to the arrival in this country of prominent Communist leaders for conferences has a significance that is most impressive as emphasizing a surrender of national pride and a jesture of yielding to dedicated enemies of our system of government.

"This feverish surrender by Mr. Eisenhower bodes ill for the administration's standing up for America in the face of Khrushchev and the other heads of Communist governments in the coming weeks. The congressional inquiries into subversive activities in the Department of State, which are now under way, should be pressed with increased vigor to the end that these influences may be identified and corrective actions taken by the Congress to repudiate the President's ill-advised action of surrender. I appeal to the people of the

United States to make their views on this crucial issue known to their Senators and Representatives."

OCTOBER 5, 1960.

Congressman DANIEL J. FLOOD, Democrat, of Pennsylvania, said today that the recent addresses by Soviet Premier Khrushchev and Cuban Prime Minister Fidel Castro before the United Nations General Assembly "are powerful appeals for world revolution, tending to obscure the crucial situation in the Caribbean."

FLOOD stated that the program for Communist conquest of that strategic portion of the Western Hemisphere, with the Panama Canal as its key target, "is well advanced."

"Cuba is a Soviet satellite, Venezuela a beachhead for subversion, and the Panama flag is flying in the Canal Zone with agitations already started in Panama for additional concessions," FLOOD emphasized.

"It is indeed strange that the President of the United States, when authorizing display of the Panama flag over the Zone, chose Constitution Day (September 17, 1960) as the occasion for issuing his unconstitutional flag display order, counter to mandates of the Congress," FLOOD pointed out.

"Since that ill-advised action by the President, the situation in the Caribbean has continued to deteriorate with a submarine base under construction at Cayo Largo in Cuba, and Soviet technicians and organizers arriving in alarming numbers in the Republic of Haiti, just as they did in Cuba prior to the Communist takeover of that island country.

"As stated by me to the House of Representatives on August 26, 1960, Soviet China and the Kremlin have already selected and indoctrinated their candidates for supreme power in Haiti and the adjoining Dominican Republic. The last, which is strongly anti-Communist, is now under political attack by leftist Latin-American governments and the United States, creating a far more serious dilemma.

"The grave questions facing Haiti and the Dominican Republic will be solved through the aid of friendly representative governments or we shall have two more Castros installed and two new staging areas for subversion and an all-out assault on the Panama Canal.

"The international conspiratorial plan is clear: It is encirclement of the Caribbean by pro-Communist governments as a prelude to the intended conquest of the United States.

"While the people of the United States must not relax in respect to the grave situation of the Congo they should also focus on matters closer at home in the Caribbean. I appeal to our people to make known their views on Caribbean and isthmian questions in the strongest possible terms to their Senators and Representatives in the Congress and to the President."

DECEMBER 3, 1960.

Congressman DANIEL J. FLOOD (Democrat, of Pennsylvania), a member of the Department of Defense Subcommittee of the House Committee on Appropriations and one of the Nation's leading authorities on Caribbean policy questions, warned today that unless this country takes drastic countermeasures to stem the Communist-led drive by Castro's Cuba in Central and South America, the United States "may find the Red-dominated areas extended to the borders of the Panama Canal," the vital waterway which the United States operates and controls, under treaty, in perpetuity.

FLOOD is considered by his colleagues to be the foremost congressional defender of this Nation's sovereign position in the Canal Zone, and has repeatedly sounded the warning that our position at Panama is becoming steadily and increasingly weakened because, he has said, "we have not stood firm and have continuously made concessions to the radical elements in Panama which we should not have made."

FLOOD's formal statement on the crisis in the Caribbean follows:

"The action of the Navy Department, on orders of the President, in establishing a Caribbean patrol force has attracted national attention to what has become a fourth front of the international Communist conspiracy against the United States.

"It is fortunate for all nations of the Western Hemisphere that Presidents Ydigoras of Guatemala, Somoza of Nicaragua, and Chiari of Panama, are keenly aware of the perils of the Communist beachhead in Cuba and are courageous defenders of their countries against Bolshevist invasions.

"President Somoza has recently warned that the United States should take heed of the Red threat in Central America if our Government does not wish to find the borders of Communist-dominated areas extended to the banks of the Panama Canal.

"Current revolutionary operations in Guatemala and Nicaragua, hatched in Fidel Castro's Cuba on orders from Moscow to subvert Central American governments, are the first phase in a program for isthmian conquest.

"The final objectives of this program are twofold: (1) A large-scale Communist invasion of Panamanian territory from Costa Rica and, (2) provocation of intervention in Panama by U.S. forces now protecting the Panama Canal.

"All of these developments are inevitable consequences of the President's opening a Pandora's box of diplomatic difficulties when, on September 17, 1960, under pressure of communistic-inspired demands of radicals in Panama, and in a contemptuous defiance of mandates of the Congress, he directed the formal raising of the Panama flag over our constitutionally acquired Canal Zone territory.

"This notorious action in striking the flag of the United States, taken on advice of the State Department, has aided and abetted the subversive forces behind the current program for Caribbean conquest. In this, the Panama Canal has long been the prime target of Bolshevist attack.

"The difficulties in the Caribbean, now erupting violently in Venezuela, are following the well-established pattern of Castro-Kremlin intervention in Latin-American affairs. Because of this they raise serious questions as to the identity and extent of the subversive influences in the State Department responsible for the long-continued failures in our Caribbean policies.

"The mounting gravity of the situation, which has already required the strengthening of our defenses at Guantanamo Bay and other measures, demands that our people should be fully alerted to the possibility of dramatic events. We should remember the *Maine*, sunk in Havana Harbor by external explosion obviously in an effort to involve the United States in a war with Spain, and take forthright countermeasures.

"I appeal to our people to write their views on Caribbean and isthmian questions in the strongest possible terms to their Senators and Representatives, urging full inquiry into the subversive influences in our Government that must be held accountable for the deplorable situation that now exists."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BAILEY, for 20 minutes, on Monday, next.

Mr. ULLMAN, to address the House for 10 minutes, today, and to include extraneous matter and to revise and extend his remarks.

Mr. FLOOD (at the request of Mr. MCCORMACK), to address the House for 30 minutes, and to revise and extend his remarks and include therein extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WEAVER.

Mr. TEAGUE of Texas.

Mr. O'HARA of Illinois and to include extraneous matter.

Mr. DENT.

At the request of Mr. MCCORMACK, the following Members were granted permission to revise and extend their remarks in the RECORD and to include extraneous matter:

Mr. KEOGH.

Mr. ANFUSO.

Mr. GILBERT.

Mr. CELLER.

(At the request of Mr. NELSEN, and to include extraneous matter the following:)

Mr. KEITH.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 32 minutes p.m.) the House, pursuant to its previous order, adjourned until Friday, January 6, 1961, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

185. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the approporiation to the Department of Health, Education, and Welfare for "Salaries and expenses, Bureau of Old Age and Survivors Insurance," for the fiscal year 1961, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

186. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Treasury Department for "Salaries and expenses, Division of Disbursement," for the fiscal year 1961, had been reapportioned indicating a need for a supplemental estimate of appropriation for increased pay costs, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

187. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes"; to the Committee on Armed Services.

188. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to amend section 1037 of title 10, United States Code, to authorize payment of costs for certain U.S. nationals before foreign tirbunals"; to the Committee on Armed Services.

189. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to provide for more effective participation in the Reserve components of the Armed Forces, and for other purposes"; to the Committee on Armed Services.

190. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-records clause"; to the Committee on Armed Services.

191. A letter from the Deputy Director, Legislative Liaison, Department of Air Force, transmitting the U.S. Air Force Flying Pay Report for the 6-month period March 1 through August 31, 1960, pursuant to Public Law 301, 79th Congress; to the Committee on Armed Services.

192. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes,' approved March 1, 1899, as amended"; to the Committee on the District of Columbia.

193. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the District of Columbia Traffic Act, 1925, as amended"; to the Committee on the District of Columbia.

194. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced"; to the Committee on the District of Columbia.

195. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to provide for the taking of a school census in the District of Columbia, and for other purposes,' approved February 4, 1925"; to the Committee on the District of Columbia.

196. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

197. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes,' approved May 1, 1906, as amended"; to the Committee on the District of Columbia.

198. A letter from the vice president, the Chesapeake & Potomac Telephone Co., transmitting the annual report of the Chesapeake & Potomac Telephone Co. for the year 1960; to the Committee on the District of Columbia.

199. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation entitled "An act to authorize payment to the Government of the Philippines"; to the Committee on Foreign Affairs.

200. A letter from the Deputy Coordinator for Mutual Security, Department of State, transmitting a report for the fiscal year 1960 on changes in the mutual security program from the program presented for approval to the Congress, pursuant to section 513 of the Mutual Security Act of 1954, as amended; to the Committee on Foreign Affairs.

201. A letter from the Chairman, Outdoor Recreation Resources Review Commission, transmitting a draft of proposed legislation entitled "A bill to extend the time in which the Outdoor Recreation Resources Review Commission shall submit its final report"; to the Committee on Interior and Insular Affairs.

202. A letter from the Secretary of the Army transmitting a draft of proposed legislation entitled "A bill to provide for the withdrawal from the public domain of certain lands in the Granite Creek area, Alaska, for use by the Department of the Army at Fort Greeley, Alaska, and for other purposes"; to the Committee on Interior and Insular Affairs.

203. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to provide for the withdrawal of certain public lands 40 miles east of Fairbanks, Alaska, for use by the Department of the Army as a Nike range"; to the Committee on Interior and Insular Affairs.

204. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to amend the act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries"; to the Committee on Interior and Insular Affairs.

205. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to provide for the withdrawal from the public domain of certain lands in the Big Delta area, Alaska, for continued use by the Department of the Army at Fort Greely, and for other purposes"; to the Committee on Interior and Insular Affairs.

206. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to reserve for use by the Department of the Army at Fort Richardson, Alaska, certain public lands in the Campbell Creek area, and for other purposes"; to the Committe on Interior and Insular Affairs.

207. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to provide for the withdrawal from the public domain of certain lands in the Ladd-Eielson area, Alaska, for use by the Department of the Army as the Yukon Command training site, Alaska, and for other purposes"; to the Committee on Interior and Insular Affairs.

208. A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation entitled "A bill to provide for the restriction of certain areas in the Outer Continental Shelf for defense purposes, and for other purposes (Matagorda Water Range)"; to the Committee on Interior and Insular Affairs.

209. A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation entitled "A bill to provide for the withdrawal and reservation for the Departments of the Air Force and the Navy of certain public lands of the United States at Luke-Williams Air Force Range, Yuma, Ariz., for defense purposes"; to the Committee on Interior and Insular Affairs.

210. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's 26th annual report to the Congress; to the Committee on Interstate and Foreign Commerce.

211. A letter from the Secretary of Commerce, transmitting an interim report, pursuant to the provisions of Public Law 657, 80th Congress; to the Committee on Interstate and Foreign Commerce.

212. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers"; to the Committee on Interstate and Foreign Commerce.

213. A letter from the Secretary of Commerce, transmitting a report entitled "Maximum Desirable Dimensions and Weights of Vehicles Operated on the Federal-Aid Systems," pursuant to the Federal-Aid Highway Act of 1956, as amended by section 2 of the act approved August 28, 1958; to the Committee on Public Works.

214. A letter from the Administrator, General Services Administration, transmitting copies of certificates of ascertainment, pursuant to section 6, title 3, United States Code; to the Committee on House Administration.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of Pennsylvania:

H.R. 1723. A bill to amend the joint resolution providing for observance of the 175th anniversary of the Constitution; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 1724. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. ASHLEY:

H.R. 1725. A bill to establish a program of scholarships for students in science and education at institutions of higher education, and for other purposes; to the Committee on Education and Labor.

H.R. 1726. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large enterprises engaged in retail trade or service and of other employers engaged in activities affecting commerce, to increase the minimum wage under the act to $1.25 an hour, and for other purposes; to the Committee on Education and Labor.

H.R. 1727. A bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of loyalty and allegiance; to the Committee on Education and Labor.

By Mr. BAILEY:

H.R. 1728. A bill to prohibit the charging of a fee to view telecasts in private homes; to the Committee on Interstate and Foreign Commerce.

By Mr. BATES:

H.R. 1729. A bill to designate a Veterans' Administration hospital in Boston, Mass., as the Edith Nourse Rogers Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

H.R. 1730. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the admissions tax in the case of events for the benefit of a society for the prevention of cruelty to children; to the Committee on Ways and Means.

H.R. 1731. A bill to amend section 6, title 18, United States Code, with respect to transportation of water-hyacinths and seeds; to the Committee on the Judiciary.

H.R. 1732. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

H.R. 1733. A bill to authorize adjustments in accounts of outstanding old series currency, and for other purposes; to the Committee on Banking and Currency.

H.R. 1734. A bill to validate certain payments in settlement of unused accrued leave heretofore or hereafter made to certain members of the Army and the Air Force, and for other purposes; to the Committee on Armed Services.

H.R. 1735. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard; to the Committee on Armed Services.

H.R. 1736. A bill to extend further the periods during which elections may be made under the Uniformed Services Contingency Option Act of 1953 by active members of a uniformed service; to the Committee on Armed Services.

H.R. 1737. A bill to amend section 302 of the Soldiers and Sailors Civil Relief Act of 1940 with respect to the method of foreclosure of mortgages, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOW:

H.R. 1738. A bill to create a body corporate known as Daughters of Union Veterans of the Civil War; to the Committee on the Judiciary.

H.R. 1739. A bill to amend the Railroad Retirement Act of 1937 to provide that certain individuals entitled to an annuity thereunder shall receive an increased annuity if they have a child in care; to the Committee on Interstate and Foreign Commerce.

H.R. 1740. A bill to strengthen State governments, to provide financial assistance to States for educational purposes by returning a portion of the Federal taxes collected therein, and for other purposes; to the Committee on Education and Labor.

By Mr. BREEDING:

H.R. 1741. A bill to designate the Tuttle Creek Reservoir, Kans., as the Willard J. Breidenthal Reservoir; to the Committee on Public Works.

By Mr. CELLER:

H.R. 1742. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

H.R. 1743. A bill providing for the design of the flag of the United States; to the Committee on the Judiciary.

H.R. 1744. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Ways and Means.

H.R. 1745. A bill to control the future expansion of bank holding companies; to the Committee on Banking and Currency.

H.R. 1746. A bill to authorize the establishing by the Surgeon General of an aftercare, posthospital treatment program for drug addiction; to the Committee on Interstate and Foreign Commerce.

H.R. 1747. A bill to amend the Elkins Act, as amended, to prohibit expressly rebates to oil pipeline shipper-owners by the payment of dividends; to the Committee on Interstate and Foreign Commerce.

H.R. 1748. A bill to amend the Communications Act of 1934, to strengthen the effectiveness of the Federal Communications Commission in assuring that broadcast licensees, filing renewal applications, continue to operate in accordance with the public interest; to the Committee on Interstate and Foreign Commerce.

H.R. 1749. A bill to amend the Fair Labor Standards Act of 1938 so as to increase the minimum hourly wage from $1 to $1.25; to the Committee on Education and Labor.

By Mr. CHELF:

H.R. 1750. A bill to increase from $600 to $900 the income tax exemption allowed each taxpayer, each dependent, and $1,200 for a dependent child (until said dependent reaches 24 years of age) while attending any accredited business school, college, or university; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 1751. A bill to amend the National Housing Act to assist in providing rental housing specially tailored to the needs of elderly persons under a program which is separate and distinct from the regular rental housing program contained in section 207 of that act; to the Committee on Banking and Currency.

H.R. 1752. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. CHENOWETH:

H.R. 1753. A bill to amend the National Labor Relations Act with respect to collective-bargaining contracts which have been in existence for a continuous period of 25 years or more; to the Committee on Education and Labor.

By Mr. CURTIN:

H.R. 1754. A bill to amend sections 1461, 1462, 1463, and 1465 of title 18 of the United States Code to provide mandatory prison sentences in certain cases for mailing, importing, or transporting obscene material; to the Committee on the Judiciary.

H.R. 1755. A bill to amend the act of August 21, 1935, to provide for a determination of whether certain sites, buildings, or other objects are of national historical significance, and to prohibit the use of Federal funds for highway purposes which damage or destroy national historical sites, buildings, or other objects; to the Committee on Interior and Insular Affairs.

H.R. 1756. A bill to provide that compensation of an individual for services performed while engaged in commerce, or as an officer or employee of the United States, shall be subject to State and local income taxes only in the State and political subdivision in which such individual is domiciled, and for other purposes; to the Committee on Ways and Means.

H.R. 1757. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1758. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 1759. A bill to provide a 1-year moratorium on FHA-insured and VA-guaranteed mortages, with the Federal Government assuming the required mortgage payments (both principal and interest) for mortgagors in economically depressed areas who are unemployed and unable to make such payments through no fault of their own, and for other purposes; to the Committee on Banking and Currency.

H.R. 1760. A bill to amend section 744 of title 38, United States Code, to provide that where a veteran has paid in premiums an amount equal to or greater than the face value of a policy of U.S. Government life insurance, the policy of such insurance shall be paid up; to the Committee on Veterans' Affairs.

By Mr. JAMES C. DAVIS:

H. R. 1761. A bill creating a Commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 1762. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1763. A bill to save and preserve, for the public use and benefit, certain portions of shoreline areas of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1764. A bill to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 1765. A bill to amend the Social Security Act and the Internal Reyenue Code so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 1766. A bill to amend section 4107 of title 38, United States Code, to provide for payment of an additional allowance to certain physicians assigned to duty at Veterans' Administration facilities where it is difficult to recruit or retain physicians; to the Committee on Veterans' Affairs.

By Mr. FERNÓS-ISERN:

H.R. 1767. A bill to extend and amend the National Housing Act, as amended, to provide mortgage insurance for individually owned units in a multifamily structure, and for other purposes; to the Committee on Banking and Currency.

H.R. 1768. A bill to convey certain properties to the Commonwealth of Puerto Rico; to the Committee on Government Operations.

By Mr. HAGEN of California:

H.R. 1769. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mr. HALEY:

H.R. 1770. A bill to amend the Budget and Accounting Act, 1921, to provide for the retirement of the public debt by setting aside the first 5 percent of the budget receipts of the United States for each fiscal year for the sole purpose of retirement of obligations counted as part of the public debt; to the Committee on Government Operations.

H.R. 1771. A bill to provide for the designation of a highway from Tampa, Fla., to Miami, Fla., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 1772. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds at Bay Pines, Fla.; to the Committee on Veterans' Affairs.

By Mr. HIESTAND:

H.R. 1773. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 1774. A bill to amend section 312 of the Immigration and Nationality Act so as to exempt certain additional persons from the requirements relating to understanding the English language; to the Committee on the Judiciary.

H.R. 1775. A bill to prohibit the discharge of members of the Armed Forces under conditions other than honorable except pursuant to the sentence of a court-martial; to the Committee on Armed Services.

By Mr. HOLLAND:

H.R. 1776. A bill to provide for the gathering, evaluation, and dissemination of information, and for the formulation of plans, which will aid in the maintenance of a high level of prosperity in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. HULL:

H.R. 1777. A bill to amend title 18 of the United States Code to prohibit the counterfeiting of State obligations in certain cases, and for other purposes; to the Committee on the Judiciary.

H.R. 1778. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war, national disaster, emergency, or economic depression, and to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 1779. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

H.R. 1780. A bill to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing; to the Committee on House Administration.

H.R. 1781. A bill to provide for the stockpiling, storage, and distribution of essential foodstuffs and other essential items for the sustenance of the civilian population of the United States, its territories, possessions, and the District of Columbia in the event of enemy attack or other disaster; to the Committee on Armed Services.

By Mr. INOUYE:

H.R. 1782. A bill to adjust the retirement benefits of certain retired district judges for the district of Hawaii; to the Committee on the Judiciary.

H.R. 1783. A bill to provide cost-of-living allowances to judicial employees stationed outside the continental United States or in Alaska and Hawaii; to the Committee on the Judiciary.

H.R. 1784. A bill to provide that the people of Guam shall be represented by a Resident Commissioner in the House of Representatives of the United States; to the Committee on Interior and Insular Affairs.

H.R. 1785. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

H.R. 1786. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

H.R. 1787. A bill to provide that the Secretary of State shall investigate and report to the Congress as to the feasibility of establishing a Pacific International House on Sand Island, Hawaii; to the Committee on Foreign Affairs.

H.R. 1788. A bill to amend the Federal Flood Insurance Act of 1956 to provide insurance against volcanic eruption damage; to the Committee on Banking and Currency.

H.R. 1789. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 1790. A bill to repeal certain provisions of the Federal Employees Health Benefits Act of 1959 to eliminate the distinctions in such act with respect to dependent and nondependent husbands, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1791. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct for income tax purposes certain special assessments and other charges made against him or his property under local law without regard to whether they tend to increase the value of such property; to the Committee on Ways and Means.

H.R. 1792. A bill relating to the income tax treatment of cost-of-living allowances received by certain caretakers and clerks employed by the National Guard outside the continental United States, or in Hawaii; to the Committee on Ways and Means.

H.R. 1793. A bill to provide that in determining the amount of retired pay, retirement pay, or retainer pay payable to any enlisted man, all service shall be counted which would have been counted for the same purposes if he were a commissioned officer; to the Committee on Armed Services.

H.R. 1794. A bill to provide for the conveyance of certain real property of the United States situated in Hawaii and to the city and county of Honolulu, Hawaii; to the Committee on Armed Services.

H.R. 1795. A bill to authorize the appropriation of $200,000 for use toward the construction of a U.S.S. *Arizona* Memorial; to the Committee on Armed Services.

H.R. 1796. A bill to provide a method of regulating and fixing wage rates for ungraded employees in the State of Hawaii; to the Committee on Armed Services.

H.R. 1797. A bill to provide for a study and investigation of the desirability and feasibility of establishing and maintaining a national tropical botanic garden; to the Committee on Agriculture.

H.R. 1798. A bill to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii; to the Committee on Agriculture.

H.R. 1799. A bill to amend the Bankhead-Jones Farm Tenant Act, as amended, and title V of the Housing Act of 1949, as amended, so as to authorize the Secretary of Agriculture to make financial assistance available under such acts to persons holding leasehold interests in lands in the State of Hawaii and for other purposes; to the Committee on Agriculture.

H.R. 1800. A bill to amend the Agricultural Act of 1949, as amended, in order to provide a price-support program for coffee produced in the State of Hawaii; to the Committee on Agriculture.

H.R. 1801. A bill to restore the size and weight limitations on fourth-class matter mailed to or from Alaska and Hawaii which existed prior to their admission as States; to the Committee on Post Office and Civil Service.

H.R. 1802. A bill to authorize the use of air carriers to facilitate the expeditious transportation of first-class mail to and from Hawaii, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1803. A bill to provide a price support program for coffee produced in the State of Hawaii based upon a moving 5-year average of the prices received by the producers of such coffee; to the Committee on Agriculture.

H.R. 1804. A bill to amend section 601 of title 38, United States Code, to restore to certain veterans in Alaska or Hawaii the right to receive hospital care; to the Committee on Veterans' Affairs.

By Mr. JENNINGS:

H.R. 1805. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 1806. A bill to amend the Internal Revenue Code to permit corporations to qualify as real estate investment trusts; to the Committee on Ways and Means.

By Mr. KOWALSKI:

H.R. 1807. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

By Mr. LAIRD:

H.R. 1808. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

H.R. 1809. A bill to provide financial assistance to the States by returning to the States a portion of the Federal income taxes collected therein; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 1810. A bill to amend the Tariff Act of 1930 to provide for the establishment of country-by-country quotas for the importation of shrimps and shrimp products, to impose a duty on all unprocessed shrimp imported in excess of the applicable quota, and to impose a duty on processed shrimp and prohibit its importation in excess of the applicable quota; to the Committee on Ways and Means.

By Mr. LOSER:

H.R. 1811. A bill to amend chapter 35 of title 38, United States Code, relating to war orphans' educational assistance, in order to permit eligible persons thereunder to attend foreign educational institutions under certain circumstances; to the Committee on Veterans' Affairs.

By Mr. MARTIN of Massachusetts:

H.R. 1812. A bill to amend paragraph 1102 of the Tariff Act of 1930, as amended, with respect to the duties on hair of the Cashmere goat; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 1813. A bill to amend section 507 of the Classification Act of 1949 so as to extend in certain cases the provisions of such section which provide salary protection in cases involving downgrading actions; to the Committee on Post Office and Civil Service.

H.R. 1814. A bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes; to the Committee on Public Works.

H.R. 1815. A bill to amend the veterans' regulations to provide additional compensation for veterans having the service-incurred disability of deafness of both ears; to the Committee on Veterans' Affairs.

By Mr. MOSS:

H.R. 1816. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN:

H.R. 1817. A bill to amend the Federal Trade Commission Act to provide for the issuance of temporary cease-and-desist orders to prevent certain acts and practices pending completion of Federal Trade Commission proceedings; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H.R. 1818. A bill to provide additional compensation for employees in the postal field service required to qualify on scheme examinations; to the Committee on Post Office and Civil Service.

H.R. 1819. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

H.R. 1820. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. POAGE:

H.R. 1821. A bill for the retirement of the public debt; to the Committee on Appropriations.

H.R. 1822. A bill to adjust the amount of funds available for farm operating loans made pursuant to section 21(b) of the Bankhead-Jones Farm Tenant Act, as amended; to the Committee on Agriculture.

By Mr. ROSTENKOWSKI:

H.R. 1823. A bill to amend the Interstate Commerce Act, as amended, so as to extend to the railroads a conditional exemption from economic regulation comparable to that provided for motor carriers engaged in the transportation of ordinary livestock, fish, or agricultural commodities; to the Committee on Interstate and Foreign Commerce.

H.R. 1824. A bill to provide for the economic regulation of certain motor vehicles

heretofore conditionally exempt therefrom under the provisions of section 203(b)(6) of the Interstate Commerce Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHADEBERG:

H.R. 1825. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHERER:

H.R. 1826. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. SILER:

H.R. 1827. A bill to amend the Internal Revenue Code of 1954 to exempt a corporation from the corporate income tax where its operations are carried on in an economically depressed area and provide employment for a specified minimum number of persons in that area; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 1828. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 1829. A bill to increase the personal income tax exemptions (including the exemptions for dependents and the additional exemptions for old age and blindness) to $1,000 for 1959 and succeeding years; to the Committee on Ways and Means.

H.R. 1830. A bill to amend title II of the Social Security Act to reduce from 65 to 60 the age at which old-age and other monthly insurance benefits shall be payable thereunder; to the Committee on Ways and Means.

H.R. 1831. A bill to authorize and request the President to undertake to mobilize at some convenient place in the United States an adequate number of outstanding experts, and coordinate and utilize their services in a supreme endeavor to discover means of curing and preventing cancer; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H.R. 1832. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

H.R. 1833. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise by providing for fair competitive acts, practices, and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIMBLE:

H.R. 1834. A bill to make the evaluation of recreational benefits and wildlife development resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1835. A bill to promote greater equity in the administration of the pay systems of employees in the Veterans' Administration under prevailing rate schedules by providing for certain adjustments in the compensation of such employees; to the Committee on Post Office and Civil Service.

H.R. 1836. A bill to allow additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level; to the Committee on Ways and Means.

H.R. 1837. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; to the Committee on Ways and Means.

H.R. 1838. A bill to include as creditable service, for purposes of the Civil Service Retirement Act, certain unused sick leave to the credit of an employee; to the Committee on Post Office and Civil Service.

H.R. 1839. A bill authorizing the modification of the general plan for the comprehensive development of the White River Basin to provide for additional hydroelectric power development, for the control of floods, and for other purposes; to the Committee on Public Works.

H.R. 1840. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. VAN PELT:

H.R. 1841. A bill to amend section 1478, title 10, United States Code; to the Committee on Armed Services.

H.R. 1842. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 1843. A bill to amend the Civil Service Retirement Act to eliminate the reduction in annuity elected for a spouse when such a spouse predeceases the person making the election; to the Committee on Post Office and Civil Service.

H.R. 1844. A bill to authorize adjustments in accounts of outstanding old series currency, and for other purposes; to the Committee on Banking and Currency.

H.R. 1845. A bill to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war; to the Committee on Un-American Activities.

By Mr. WILSON of Indiana:

H.R. 1846. A bill for the establishment of a Commission on Federal Taxation; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 1847. A bill to authorize purchase of certain bonds issued by States and local units of government to finance the development by such States and local units of government of facilities to transport water for domestic, municipal, industrial, and other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1848. A bill to authorize the Secretary of State to enter into agreements with friendly Latin American countries for the indemnification of lenders in those countries against loss arising out of mortgage loans made on residential or farm property; to the Committee on Foreign Affairs.

H.R. 1849. A bill to amend section 704 of the Foreign Service Act of 1946 to provide that the Secretary of State shall provide special monetary incentives for Foreign Service personnel who acquire proficiency in esoteric foreign languages, and for other purposes; to the Committee on Foreign Affairs.

H.R. 1850. A bill to amend the U.S. Information and Educational Exchange Act of 1948 to provide for a program of exchange visits from Latin American countries of labor leaders, college professors, and persons in news media; to the Committee on Foreign Affairs.

H.R. 1851. A bill to amend the Budget and Accounting Act, 1921, to provide for the retirement of the public debt by setting aside the first 5 percent of the budget receipts of the United States for each fiscal year for the sole purpose of retirement of obligations counted as part of the public debt; to the Committee on Government Operations.

H.R. 1852. A bill to amend the Sugar Act of 1948 to provide that future increases in sugar quotas will be allocated to domestic beet sugar producers in a manner which will assure new growers a fair share of such increase; to the Committee on Agriculture.

H.R. 1853. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1854. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax for a taxpayer with one or more children in college; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 1855. A bill to amend the act of October 9, 1940, to provide that the 10-year statute of limitations applicable to claims against the United States shall not bar the payment of such claims where they are filed with an appropriate agency of the United States during such 10-year period; to the Committee on Government Operations.

By Mr. BATES:

H.J. Res. 88. Joint resolution designating the first Sunday in June of each year as Teachers Day; to the Committee on the Judiciary.

By Mr. BOW:

H.J. Res. 89. Joint resolution providing for the revision of the Status-of-Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

H.J. Res. 90. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 91. Joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives; to the Committee on the Judiciary.

H.J. Res. 92. Joint resolution to establish a commission on the legal status of women in the United States, to declare a policy as to distinctions based on sex, in law, and administration, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 93. Joint resolution to authorize the Attorney General to establish an Institute of Corrections for the training and instruction of corrections personnel selected by States and their municipal subdivisions in the field of correctional methods and techniques; to the Committee on the Judiciary.

H.J. Res. 94. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment thereto; to the Committee on the Judiciary.

H.J. Res. 95. Joint resolution to give the consent of the Congress to interstate compacts or agreements dealing with juveniles and delinquent juveniles, and for other purposes; to the Committee on the Judiciary.

By Mr. CHELF:

H.J. Res. 96. Joint resolution proposing an amendment to the Constitution so as to make former Presidents of the United States Members of the Senate; to the Committee on the Judiciary.

By Mr. CURTIN:

H.J. Res. 97. Joint resolution proposing an amendment to the Constitution of the United States to establish a Commission to determine the inability of a President to discharge the powers and duties of the office of President; to the Committee on the Judiciary.

H.J. Res. 98. Joint resolution proposing an amendment to the Constitution of the United States empowering the Congress to authorize the President to approve and disapprove separate items or provisions in appropriation bills; to the Committee on the Judiciary.

H.J. Res. 99. Joint resolution designating the American marigold (tagetes erecta) as the national floral emblem of the United States; to the Committee on House Administration.

By Mr. JAMES C. DAVIS:

H.J. Res. 100. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. LOSER:

H.J. Res. 101. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 102. Joint resolution authorizing and requesting the President to set aside and proclaim the Tuesday following the second Monday in June of each year as "National Fraternal Day"; to the Committee on the Judiciary.

By Mr. SILER:

H.J. Res. 103. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H.J. Res. 104. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.J. Res. 105. Joint resolution to create a Federal Committee on Tariff Revision; to the Committee on Ways and Means.

H.J. Res. 106. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. BAILEY:

H. Con. Res. 35. Concurrent resolution to create a Joint Committee on a National Fuels Policy; to the Committee on Rules.

H. Con. Res. 36. Concurrent resolution expressing the sense of Congress with respect to the transportation of explosives and other dangerous articles in interstate commerce; to the Committee on the Judiciary.

By Mr. BATES:

H. Con. Res. 37. Concurrent resolution declaring the sense of Congress on the use of a Great White Fleet in support of American foreign policy; to the Committee on Armed Services.

By Mr. CLARK:

H. Con. Res. 38. Concurrent resolution to create a Joint Committee on a National Fuels Study; to the Committee on Rules.

By Mr. WALTER:

H. Con. Res. 39. Concurrent resolution to create a Joint Committee on a National Fuels Study; to the Committee on Rules.

By Mr. WICKERSHAM:

H. Con. Res. 40. Concurrent resolution to create a Joint Committee on a National Fuels Study; to the Committee on Rules.

By Mr. BATES:

H. Res. 66. Resolution creating a select committee to conduct an investigation and study of methods for developing and expeditiously carrying out an effective program of civil defense shelter construction; to the Committee on Rules.

By Mr. CELLER:

H. Res. 67. Resolution to amend the rules of the House of Representatives; to the Committee on Rules.

H. Res. 68. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. CURTIN:

H. Res. 69. Resolution to authorize the Committee on Agriculture to conduct a study of the issuance of milk marketing orders; to the Committee on Rules.

By Mr. DAWSON:

H. Res. 70. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI (8) incurred by the Committee on Government Operations; to the Committee on House Administration.

By Mr. FULTON:

H. Res. 71. Resolution to authorize payment from the contingent fund of the House for procurement of a marble bust of Speaker Sam Rayburn, of Texas, and for other purposes; to the Committee on House Administration.

H. Res. 72. Resolution to authorize payment from the contingent fund of the House for procurement of a marble bust of former Speaker Joseph W. Martin, Jr., of Massachusetts, and for other purposes; to the Committee on House Administration.

H. Res. 73. Resolution to rename and dedicate: The House Office Building to the Honorable Joseph Cannon, the New House Office Building to the Honorable Nicholas Longworth, and the additional House Office Building to the Honorable Sam Rayburn; to the Committee on Public Works.

By Mr. MAILLIARD:

H. Res. 74. Resolution to provide for a flag for the Members of the House of Representatives; to the Committee on House Administration.

By Mr. MURRAY:

H. Res. 75. Resolution to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 76. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 75; to the Committee on House Administration.

By Mr. SHELLEY:

H. Res. 77. Resolution to provide for a flag for the Members of the House of Representatives; to the Committee on House Administration.

By Mr. VINSON:

H. Res. 78. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; to the Committee on Rules.

H. Res. 79. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 78; to the Committee on House Administration.

By Mr. WALTER:

H. Res. 80. Resolution authorizing the printing of additional copies of the report "Communist Target—Youth—Communist Infiltration and Agitation Tactics"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H.R. 1856. A bill to include as Spanish-American War service under laws administered by the Veterans' Administration certain service rendered by Stephen Swan Ogletree during the Spanish-American War; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 1857. A bill for the relief of Aleksander Dabrowski; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 1858. A bill for the relief of Sp4c. Florencio R. Villarba, Jr.; to the Committee on the Judiciary.

By Mr. BOW:

H.R. 1859. A bill for the relief of Aurelia Bitu; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 1860. A bill for the relief of Jovenal Gornes Verano; to the Committee on the Judiciary.

By Mr. CURTIN:

H.R. 1861. A bill for the relief of Moussa Cohanim and Farzaneh Cohanim; to the Committee on the Judiciary.

By Mr. JAMES C. DAVIS:

H.R. 1862. A bill for the relief of James G. Baldwin, Sr., to the Committee on the Judiciary.

H.R. 1863. A bill for the relief of Robert A. Moore; to the Committee on the Judiciary.

H.R. 1864. A bill for the relief of Watson B. Jackson; to the Committee on the Judiciary.

H.R. 1865. A bill for the relief of Thomas Hoffman; to the Committee on the Judiciary.

H.R. 1866. A bill for the relief of Efstratios Handrinos; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 1867. A bill for the relief of Bishara Hanna Iqal; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 1868. A bill for the relief of Anna Guerra and Amata Guerra; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 1869. A bill for the relief of Sun Lok Yen (also known as Pauline Sun); to the Committee on the Judiciary.

H.R. 1870. A bill for the relief of Nolan Sharp; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 1871. A bill for the relief of Min Ja Lee; to the Committee on the Judiciary.

H.R. 1872. A bill for the relief of Petronella Mundhenk; to the Committee on the Judiciary.

H.R. 1873. A bill for the relief of Anna Stanislawa Ziolo; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 1874. A bill for the relief of Dorothy and Douglas Williams; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 1875. A bill for the relief of Sih Chuen Liu; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 1876. A bill for the relief of Alberto Rodriquez; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 1877. A bill relating to the effective date of the qualification of Plumbers Union Local No. 12 pension fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 1878. A bill for the relief of Peter Ernst Fritze; to the Committee on the Judiciary.

H.R. 1879. A bill for the relief of Mrs. Wong Ship Shee; to the Committee on the Judiciary.

H.R. 1880. A bill for the relief of Taman Toufie Korban; to the Committee on the Judiciary.

H.R. 1881. A bill for the relief of Georgios Dastamanis; to the Committee on the Judiciary.

H.R. 1882. A bill for the relief of Francesco Pagano; to the Committee on the Judiciary.

H.R. 1883. A bill for the relief of Emilia Suppa; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 1884. A bill for the relief of Wilhelmina Ginteburg Schleifer; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 1885. A bill for the relief of Antonio Selvaggi; to the Committee on the Judiciary.

By Mr. SCHENCK:

H.R. 1886. A bill for the relief of Panagiotis Sotiropoulos; to the Committee on the Judiciary.

By Mr. SCHERER:

H.R. 1887. A bill for the relief of Helen Tilford Lowery; to the Committee on the Judiciary.

H.R. 1888. A bill for the relief of Tomislav Lazarevich; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 1889. A bill for the relief of Leonila Tolentino and Gloria Tolentino; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H.R. 1890. A bill for the relief of Kui Bor Woo; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.R. 1891. A bill for the relief of En1c. William J. Stevens; to the Committee on the Judiciary.

H.R. 1892. A bill for the relief of Mrs. Faye E. Russell Lopez; to the Committee on the Judiciary.

H.R. 1893. A bill for the relief of Eduardo S. Molarte; to the Committee on the Judiciary.

H.R. 1894. A bill for the relief of Sp4c. Adriano P. Principe; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.R. 1895. A bill for the relief of Henry and Edna Robinson; to the Committee on the Judiciary.

By Mr. WILSON of California:

H.R. 1896. A bill for the relief of the Maritime Museum Association of San Diego; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 1897. A bill for the relief of Maria Varkanis; to the Committee on the Judiciary.

H.R. 1898. A bill for the relief of Isabel Brown; to the Committee on the Judiciary.

H.R. 1899. A bill for the relief of Stavros Mourkakos; to the Committee on the Judiciary.

H.R. 1900. A bill for the relief of Giuseppe Gaetano Fiore; to the Committee on the Judiciary.

H.R. 1901. A bill for the relief of Georgia J. Makris; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 1902. A bill for the relief of Louis Lewis; to the Committee on the Judiciary.

H.R. 1903. A bill for the relief of Mrs. Amina Youssif Cosino (nee Simaan); to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 1904. A bill for the relief of Alfonso Talamantes-Leon; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 1905. A bill for the relief of Desiderio Camarillo; to the Committee on the Judiciary.

H.R. 1906. A bill for the relief of Dr. Hyun Mo Kwak; to the Committee on the Judiciary.

H.R. 1907. A bill for the relief of Arsenia C. Baltazar; to the Committee on the Judiciary.

H.R. 1908. A bill for the relief of Mrs. Taka Iwanaga; to the Committee on the Judiciary.

H.R. 1909. A bill for the relief of Florante M. Dulay; to the Committee on the Judiciary.

H.R. 1910. A bill for the relief of Francisco P. Pascua; to the Committee on the Judiciary.

H.R. 1911. A bill for the relief of Ricaredo Bernabe Dela Cena; to the Committee on the Judiciary.

H.R. 1912. A bill for the relief of Mrs. Crisanta Cabanting; to the Committee on the Judiciary.

H.R. 1913. A bill for the relief of Mrs. Rufina Cabebe; to the Committee on the Judiciary.

H.R. 1914. A bill for the relief of Tamie Shimoko; to the Committee on the Judiciary.

H.R. 1915. A bill for the relief of Mrs. Sode Hatta; to the Committee on the Judiciary.

H.R. 1916. A bill for the relief of Unta Shimabukuro; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 1917. A bill for the relief of Jose R. Marquez, M.D.; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 1918. A bill for the relief of John D. Morton; to the Committee on the Judiciary.

H.R. 1919. A bill for the relief of Hideo Iwasaki; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 1920. A bill for the relief of Dr. Sabri Sami; to the Committee on the Judiciary.

By Mr. BATES (by request):

H. Res. 81. Resolution favoring the advancement to the grade of captain of Commander Edward White Rawlins, U.S. Navy (retired); to the Committee on the Armed Services.

EXTENSIONS OF REMARKS

National Seashore on Cape Cod

EXTENSION OF REMARKS
OF

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1961

Mr. KEITH. Mr. Speaker, I have reintroduced today legislation to create a national seashore on Cape Cod.

Senator SALTONSTALL, President-elect Kennedy, and I spent several months drafting the bill prior to its introduction in the last session, and came up with, in my opinion, an excellent piece of legislation.

Upon introduction of this bill early in September of 1959, I explained that in dealing with Cape Cod, we are not concerned with the usual, relatively undeveloped national park area. Several well-developed and prosperous communities are involved in this proposal. Therefore, any legislation creating a national seashore on the Cape must recognize the unique character of the area and its problems.

I believe that our bill does this. It is more than a statement of the principle that preserving shoreline areas deserves our Nation's support. It embodies a knowledge of the distinct nature of the area, the people, and the character of the Cape.

Of course, I do not have to tell the Congress that there is tremendous national interest in reserving for future generations the scenic, historic, and scientific treasures of our Nation. Cape Cod provides rich opportunities for appreciation of these values, but it is a compact area, containing communities developed to a greater degree than is usual in national parks.

In drafting our original legislation, therefore, we took pains to spell out in detail our provisions—many of them unique in park legislation—unique in order to satisfy an unusual situation. We are hopeful that our proposal will serve to enhance the establishment of other national seashores in the future, for it recognizes many of the problems inherent in the conserving of areas of national significance in this era of tremendous population growth.

Following the introduction of our bill, the Department of the Interior sent to the Congress a report which recommended changing or eliminating some of its essential features.

At this time I would like to say a few words about the Department's recommendations which I feel could create rather than resolve problems.

Our original bill provided that, in order to keep the six towns involved in the proposal self-sufficient and dynamic, 10 percent of the land taken in each town would be returned to that community as needed for its normal expansion and growth.

The Department of the Interior has recommended that this provision be stricken. Furthermore, there was some feeling among the bill's sponsors and the towns that the administration of the clause would be cumbersome.

The towns, recognizing that the provision would be stricken from the bill in all probability, have requested, therefore, that a small amount of the land be eliminated from the area of the seashore prior to enactment of the legislation. The officials of each of the six towns presented their cases very effectively to the House Subcommittee on Public Lands last month. The subcommittee came down to the Cape in December, toured the area, and conducted extensive and thoughtful hearings. I know that the committee is giving careful and conscientious study to the views of the town officials, and I hope that my colleagues will also give this testimony their serious consideration.

In several of these towns a very substantial portion of the revenue-producing property is recommended for inclusion within the park. The sponsors of the bill feel very strongly that the towns need the revenue from this property in order to maintain their economies; and, therefore, provided for Federal payments in lieu of taxes. Although the Department of the Interior recommended against such payments, we have retained this provision.

Our bill provides for an advisory commission to help the Federal Government in its policy decisions affecting the park and the surrounding towns. This would permit and encourage the proposed seashore's administrator and the town governments to exist harmoniously and act in unison. The Department's recommendation that the Commission be terminated after 10 years tends to destroy its very purpose—long-range cooperation. I hope the Congress will give serious attention to making the Commission permanent.

The Department of the Interior also recommended the elimination of a clause in our bill which would allow expediency in the acquiring of property from landowners who would want to sell to the Federal Government as soon as possible. I feel very strongly that this clause should be retained, and hope my colleagues here will support my view.

There are some who fear that our bill may have overemphasized recreation. I want to make it clear, for the record, that the major intent of the sponsors is conservation. Last year, the National Park Service furnished a report on how the area would be administered. This statement confirmed our long-standing belief that the Park Service would only intend to make recreational activity available within controlled areas—that the major emphases would be on conservation and preservation. I would like to call this report to the attention of my colleagues.

I feel very strongly that the original principle written into legislation by Senator SALTONSTALL, President-elect Kennedy, and myself must not be sacrificed. I am hopeful that the Congress will agree that the major provisions and purposes of our bill should be enacted into law.

The cape is a growing community. Its population has increased almost 50 percent in the last 10 years. There is, therefore, considerable pressure to develop, both commercially and residentially, that area which we are here seeking to preserve. These pressures were anticipated by the sponsors of the legislation by a provision in the bill that property developed subsequent to September 1959 could be subject to condemnation by the Secretary of the Interior. In spite of this provision, there has been some commercial development within the area of the proposed seashore. Delay by the Congress will further impair the quality of a national seashore on the cape, and will cause further hardship to the residents of the area.

The House subcommittee has visited the site of the proposed seashore, and is acquainted with its problems and the need for prompt action. I hope, therefore, that this legislation will be taken up early in this session.

Twenty Elections in the Second District of Illinois

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 4, 1961

Mr. O'HARA of Illinois. Mr. Speaker, with the convening of the 87th Congress there has come to me, due to the generous and appreciated graciousness of my constituents at election times, the distinction of representing the Second District of Illinois in this historic body longer than any Representative in its history with the sole exception of the Honorable James R. Mann, who served from 1897 to his death in November of 1922.

At the special election to fill the Mann vacancy the Honorable Morton D. Hull was the successful Republican nominee. I was the unsuccessful Democratic nominee. Mr. Hull served with great distinction in five Congresses. He died in 1937. It was not until 11 years after his death that I came to the Congress. It is with a sense of humility and deep gratitude that I contemplate that good health, good fortune, and the warm friendships of my fine constituents had extended my tenure as the Representative of the Second District to a period second only to that of Congressman Mann.

In 1924 Congressman Hull, a Republican, was reelected with a majority of 75,867. In 1960, I, a Democrat, was reelected with a majority of 51,507. These are the 2 highest majorities given winning nominees in the last 20 elections in the Second District. For such interest as they may hold to students of election trends and statistics, I am extending my remarks to include the official vote cast in the Second District of Illinois in these elections, 1923–60, as furnished me by the Honorable Charles F. Carpentier, secretary of state of Illinois.

Representation in Congress, 2nd District

Year	Republican candidate	Vote	Democratic candidate	Vote	Winner's majority
1923 (special)	Morton D. Hull	56,355	Barratt O'Hara	42,427	13,928
1924	do	113,349	Frank A. Wright	37,482	75,867
1926	do	71,750	Michael C. Walsh	37,518	34,232
1928	do	126,005	do	76,909	50,096
1930	do	76,665	do	63,341	13,324
1932	P. H. Moynihan	113,447	Victor L. Schlaeger	102,099	11,348
1934	do	81,034	Raymond S. McKeough	104,479	23,445
1936	do	130,197	do	163,198	33,001
1938	Noble W. Lee	108,483	do	129,620	21,137
1940	P. H. Moynihan	146,927	do	155,698	8,771
1942	Thomas J. Downs	106,552	William A. Rowan	110,069	3,517
1944	do	138,579	do	186,089	47,510
1946	Richard B. Vail	156,697	do	148,995	7,702
1948	do	85,119	Barratt O'Hara	91,648	6,529
1950	do	83,023	do	71,945	11,078
1952	do	89,080	do	94,253	5,173
1954	do	49,970	do	80,016	30,046
1956	George B. McKibbin	69,892	do	86,386	16,494
1958	Harold E. Marks	34,203	do	75,691	41,488
1960	Bernard E. Epton	52,028	do	103,535	51,507

A Bill To Change the Name of the Present Air Force Base at Lincoln, Nebr., to the George W. Norris Air Force Base

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 4, 1961

Mr. WEAVER. Mr. Speaker, under leave to extend my remarks, I would like to call to the attention of my colleagues in the House a bill which I have introduced changing the name of the present Air Force base at Lincoln, Nebr., to the George W. Norris Air Force Base. I am making this move in a bipartisan spirit in an effort to commemorate the late, internationally known, Senator from Nebraska.

There is not a single major military installation nor a single major Federal installation in the State of Nebraska which bears the Senator's name. To me this is a grave oversight, that in his own home State of Nebraska there should be no such installation bearing Senator Norris' name. The bill I have introduced, if favorably considered by the Congress, would remedy that.

Mr. Speaker, Senator George W. Norris devoted his life to the development of our natural resources on a nationwide scale. His far-sighted and often controversial views on resource development commenced previous to World War I. This has made it possible to a large extent for the Middle West and Far West to play the important role they have played in the development of our industrial might during and since World War II.

Without the water and power resources which have evolved in this vast area of the country, the United States would have been poorly prepared to undertake the great industrial push required to win World War II and place us in the commanding role we now hold as leaders of the free world in the continuing struggle against world communism.

Senator Norris began early in his 40-year career in the Congress to fight for the orderly, logical and complete development of our natural resources. He was interested in water not only for irrigation purposes but as a source of competitively priced power as well. He fought for this goal year by year, often against great odds.

It seems to me highly appropriate that a major Federal installation in his home State of Nebraska, such as the Lincoln Base, should be named in his memory.

The Lincoln Army Air Force Base, as it was originally called, was established early in 1942. The decision to place a major military installation just to the northwest of Lincoln, Nebr., was reached on January 20 of that year. By May 9, 1942, the base was under construction and it was activated 9 days later. The Lincoln base started out as an Air Force mechanics' school and, during the World War II period of operation as such, more than 31,000 men were trained. Meanwhile, other functions were assigned to the base and it was used for processing pilots and aircraft.

As with many other bases, after World War II the Lincoln base dwindled in size and activity. But with the resurgence of our military preparedness program early in the last decade, the Air Force once more entered Lincoln and it has become a Strategic Air Command base of vital importance to our Nation's defense posture.

Increasingly important missions have been assigned to Lincoln with the advent of our intercontinental ballistic missile program. It has become the site for an Atlas missile squadron which is now under construction and which will become operational in the not-too-distant future.

Just as Senator Norris played a major role in the development of our national economy so has the Lincoln base played a major and increasingly important role in our national defense posture.

A military base of such major importance deserves an illustrious name. The bill I have introduced, changing its name to the George W. Norris Air Force Base, would accomplish just that.

The Captive Sales Finance Company—Threat to Free Enterprise

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1961

Mr. CELLER. Mr. Speaker, I introduce, for appropriate reference, study, and consideration by Members of this session of Congress, a bill to supplement the antitrust laws of the United States against restraint of trade or commerce by preventing manufacturers of motor vehicles from handling the retail installment sales contracts and insurance of their products.

The purpose of this bill is to divorce General Motors Acceptance Corp. from General Motors Corp. and to restore free competition to the American automobile market.

My study of the automotive industry convinces me that General Motors Corp. has tremendous monopolistic powers, some of which stem from the corporation's ownership and use of General Motors Acceptance Corp. My study shows that these monopolistic powers operate to the detriment of the U.S. economy, to the detriment of the automotive industry and to the detriment of the American car-buying public.

The only way to remove these monopolistic powers of General Motors Corp. is to divorce this giant from its finance subsidiary, General Motors Acceptance Corp., and to let the finance company operate as an independent sales finance company in a completely free market.

Enactment of my bill will accomplish the following important objectives among others:

Restore free competition in the U.S. automobile market.

Reduce automobile prices to the car-buying public by removing the powers which General Motors has to establish price patterns for the entire industry.

Reduce finance charges. The entry of General Motors Acceptance Corp. into the free market, as an independent finance company, would stimulate the competition which keeps prices to car buyers at the lowest possible levels.

Restore the United States to its leading position in the world automobile market.

Restore full employment to the U.S. automobile industry.

Let me make it clear that this bill is not an attack on big business. I have never said or implied that bigness is necessarily badness. My concern is with the monopolistic powers which are now held by General Motors Corp. and its finance subsidiary, General Motors Acceptance Corp. Separate these two giants and our entire economy will benefit. Consumers, whether they buy Chevrolets or Cadillacs, Fords or Lincolns, Plymouths or Imperials, Ramblers or Larks, will save money and have a greater freedom of choice when they buy automobiles.

For the benefit of the Members of the House, I would insert in the RECORD at this point an address made by me on November 11, 1960, before the American Finance Conference. The address is entitled "The Captive Finance Company—Threat to Free Enterprise":

It is a privilege to be the guest of the American Financing Conference and to address the members of an industry that has made such a truly significant contribution to American free enterprise. Even as competition is the life of trade, so credit is its lifeblood. Our economy in all its impressive proportions owes a great debt to the independent sales finance companies. Their enterprise and vision have made possible many new businesses and a greatly expanded consumer credit system. Nowhere is this more graphically illustrated than in the history of the greatest of all our basic industries—that of the automobile.

We have come a long way since the days, in 1907, when a new car cost the equivalent of 3 years' earnings of an average worker. In those days, car manufacturers lacked the means to sell on credit; dealers, too, required cash; banks were unable or unwilling to lend money for the purchase of cars. Car ownership was the privilege of the wealthy. It was the independent finance companies that bridged this gap. By lending money to dealers for their purchase of cars from the factory and by purchasing from dealers at a discount the installment obligations incurred by car buyers, they brought the automobile within the reach of the people and thus made possible the miraculous economies of mass production. These have remained the functions of sales finance companies over the years, and today the total consumer credit outstanding for financing the sale of automobiles exceeds $16 billion.

But you have not assembled today to hear your praises sung. You are here, I suspect, to take stock and to discuss ways and means for improving and expanding the services which your industry renders. And I am here not primarily to praise, but to warn that there are forces at work in our economy which, left unchecked, must end by destroying our American free enterprise system and annihilating the vital segment of the American financial community for which your conference speaks.

I refer to the threat of monopoly and monopolization by which the very largest of our American corporations have been swallowing competitors and taking on ever new functions—functions formerly performed by independent specialists.

Grover Cleveland in his message to Congress in 1888 said:

"As we view the achievements of aggregated capital, we discover the existence of trusts, combinations, and monopolies, while the citizen is struggling far in the rear or is trampled to death beneath an iron heel. Corporations, which should be the restrained creatures of the law and the servants of the people, are fast becoming the people's masters."

How prophetic. We must remove that iron heel. We must wave back these giant corporations and make them the servants, not the masters of the people.

Recent years have seen unprecedented growth of concentration in the American economy. We must ever bear in mind that giant monolithic operators which result from mergers and consolidations are imitators—they do not originate. The giants claim that efficiency, mass production, and the division of labor require them to be as big as they are—but this is not true. Almost every one of them owes its size to the fact that it acquired and took advantage of the means, in one way or another, to expand. What is more, giant monopoly is a threat to democracy. It subordinates individuals, sacrifices the free market, establishes industrial totalitarianism. Its repeated mergers and consolidations throw men out of work, create ghost towns, and work havoc among the suppliers and customers of merged enterprises.

Today I want particularly to stress the drive toward concentration of the manufacturing and banking functions in the automobile industry—a drive long recognized, but most difficult to control. I refer to the practice of General Motors since 1919—only this year resumed by Ford—of automobile manufacturers maintaining their own captive sales finance companies.

This practice, I am convinced, is not only disastrous to the independent sales financing industry, but spells trouble for many other economic groups and for the entire competitive system. It is destined, unless checked, to impair competition in the automobile manufacturing industry, competition which is already at a low ebb, with only five significant manufacturers of passenger cars in the market. It must further depress the condition of ostensibly independent retail dealers to one of economic serfdom and ever-growing dependency on the factories. It subjects the consumer to manipulation by concealed but fluctuating credit charges, to the point where he is ever less able to determine how much he is paying for credit and whether he can afford the obligations he assumes. It is, in short, a practice whose indulgence makes big business the foe of economic freedom.

Adequate appraisal of the consequences of factory-controlled car financing requires a brief review of its history. In 1919 General Motors established a wholly owned subsidiary, General Motors Acceptance Corp., to finance the sale of GM products at both the wholesale and retail levels. Ford and Chrysler followed suit by acquiring financing associates of their own. Independent finance companies normally discount dealers' installment paper without recourse. Factory affiliated sales finance companies, by contrast, normally retain dealer responsibility in case of default. In 1925, to tighten its control of the financing of GM products, GMAC inaugurated a dealer reserve for repossession losses. Under this technique, the dealer imposes a charge on the customer to defray the cost of defaults. He also participates in the financing profit by pocketing the amount by which this reserve exceeds losses actually experienced."

It is notorious that this reserve has always exceeded losses by a wide margin and has thus become an added source of dealer profit. Indeed, over the years GMAC distributions to dealers from this reserve have equaled $3,000 for each car repossessed. This is extremely useful to General Motors in holding dealers, although, as A. P. Sloan, president of GM, himself admitted, any appreciable excess over actual repossession losses is unfair to competing finance companies. With the approach of the depression, manufacturers tended to force delivery of cars to dealers. To move these cars, dealers were forced to grant excessive used car trade-ins. In an attempt to recoup their losses they frequently resorted to loading or packing their finance charges to consumers, that is, increasing this charge beyond the actual cost of financing, even including the reserve for losses.

Some independent nonrecourse companies attempted to meet the competition of GMAC's dealer reserve by paying a bonus to dealers for their business. Reputable independents, however, regarded both the repossession loss reserve and the bonus as forms of commercial bribery, and in 1933, during the NRA, your conference was formed to protect the legitimate interests of the independents.

In the 1930's, also, the financing practices of automobile manufacturers began to cause concern among law enforcement agencies. In 1939, the Federal Trade Commission ordered General Motors to cease and desist from advertising as a "6-percent plan" a plan of financing that actually cost almost twice that sum in simple interest. Ford, Chrysler, and other manufacturers, had agreed to cease and desist from this practice, and the order against General Motors was upheld on appeal.

Meanwhile, automobile manufacturers' practices affecting finance companies and car dealers engaged the attention of the Department of Justice. In 1938 antitrust indictments were obtained against the Big Three and their financing affiliates, charging coercion of dealers at both the wholesale and retail levels in a conspiracy to monopolize financing. It was alleged that in order to compel dealers to use captive financing, the manufacturers resorted to cancellation or threat of cancellation of franchises and a whole catalog of discriminatory practices against uncooperative dealers and independent finance companies. Here again Ford and Chrysler submitted to consent decrees, but General Motors insisted on a trial. In 1940, after General Motors and four affiliates had been convicted of conspiracy and their convictions and fines upheld on appeal, the Government started a civil suit to require GM to divest itself of GMAC. World War II interfered with the prosecution of the case. In 1952 this litigation was settled without divestiture, a result which the Government recognized as inadequate, but to which it submitted because of the difficulty of proving activities then 14 years old. As is often the case, time had come to the rescue of monopoly. There the matter has rested, with General Motors in undisturbed possession of its captive financing subsidiary. Recently, however, Ford has reentered the field of factory-controlled car sales financing, claiming that it no longer can do without the advantages which GMAC affords General Motors. Ford, in other words, also desired the fruit of a poisoned tree. Thus, in 1960, the independent sales finance companies are confronted with a well-entrenched competitor, owned by the largest automobile manufacturer in the world, and by a newly founded finance company owned by the second largest.

The domination of the automobile manufacturing industry is well known. Three concerns, General Motors, Ford, and Chrysler, divide more than 90 percent of the market. General Motors alone accounts for about 50 percent of all new car sales. It has been noted that there are only a few States in the Union that have gross income comparable to that of General Motors—a gigantic, privately controlled, economic state, with self-perpetuating officers and directors, that has just announced it is about to spend a billion and a quarter dollars in a single year. In this dominated market environment, the business of GMAC—that of financing General Motors' products—has had a continuous growth. To illustrate: in 1958 GMAC financed more than 80 percent of all new car installment contracts sold by General Motors' dealers to finance companies—as compared to less than 50 percent in 1941. It purchased about 40 percent of the installment contracts sold by all dealers to finance companies in 1957 and 1958—as compared to less than 30 percent in 1952. GMAC's retail credit extensions in 1957 were 106 percent greater than in 1952; those of independents only 16.6 percent greater. In the period from 1953 to 1956, the percentage growth of GMAC's share of the car financing market was 41.7, or almost double the 21.7 increase in General Motors' share of total car sales.

GMAC's steady growth has brought phenomenal profits to General Motors. During the years from 1950 to 1957 GMAC averaged 18.7 percent net profit after taxes on stockholders average investment. By 1954, the company's total current assets exceeded $2½ billion and its net income exceeded $33 million. In 1957 GMAC reported net income after taxes of $46 million. This income to General Motors from GMAC alone, amounted to more than one-half of Ford's earnings from all operations.

But profit, however large, is but one of the great unnatural advantages which General Motors' ownership of GMAC gives the combination—both in the finance business and in the automobile business. Comparison of the operations of GMAC with those of independent sales finance companies reveals the important respects, not explainable by size alone, in which this financial giant enjoys special privileges, largely by virtue of its GM parentage.

The more borrowed money a finance company uses in its business—in addition to using its own capital—the greater is the ability to compete and the greater will be the profits on its common capital. A company with a large barrowings-to-capital ratio can accept a much smaller net return on volume and still profit on its own investment as much as or more than its competitors. In this borrowings-to-capital ratio, or leverage as it is called, GMAC's parentage has given it an unequaled position. Major insurance companies and institutions have entered into an agreement which allows GMAC to issue subordinated debt to an amount equal to 200 percent of its capital, but only as long as General Motors remains its owner. If General Motors ownership were to end, the ratio would be reduced to 133 percent, the agreement provides. This privilege is double that of most independents. In consequence of this privilege, not available to any other finance company, GMAC has had outstanding between 1953 and 1958 subordinated debt ranging between 129 and 166 percent of its capital and surplus. On the strength of this subordinated debt, which operates like capital as a cushion for senior debt, GMAC has been able to achieve a total debt-to-common equity ratio in excess of 20 to 1—more than double the ratio enjoyed by its three largest competitors. Without General Motors ownership, this unnatural competitive advantage in access to risk capital would have been impossible. Under the 52 percent Federal corporate income tax, a company holding an exclusive borrowing privilege which is double that of its competitors, as is the case with GMAC, is in the same competitive posture as if it, alone, were exempt from income tax.

Apart from the financial power given by this leverage, GMAC appears also to have been able to borrow money at interest rates lower than those paid by the sales finance industry generally. Little wonder that GMAC's net profits have far exceeded the industry's average.

The unparalleled financial position of GMAC, due in large part to its ownership by General Motors, has not only enabled it to saturate the market but also to offer the most attractive terms to General Motors' dealers. At both the wholesale and the retail level its interest and discount charges are measurably less than those of its competitors. But this does not necessarily reflect efficiency. In the first place, GMAC requires dealers to remain responsible for payments and to share in the function of evaluating credit, while most independents assume the entire credit responsibility and function. Beyond this, GMAC's low rates are a natural consequence of the unparalleled leverage and uniquely favored credit position enjoyed by GMAC through its affiliation with General Motors. Indeed, it has been stated that General Motors, through GMAC, could still further reduce the cost of credit and further extend its domination of the market, but is deterred by the fear that this would destroy the existing oligopoly among car manufacturers.

The monopolistic advantages of GMAC in competition with independent sales finance companies do not end with plentiful available risk capital, profitability, and low rates. An invaluable additional advantage that also arises out of its ownership by General Motors is GMAC's favored position in acquiring business. To a General Motors dealer, the factory is the source of supply on which he depends for survival and growth. GMAC's position as General Motors' chosen instrument for financing time sales is very clear to him. His response to this preference has been firmly conditioned by an elaborate system of rewards and punishments which had their origin in 1925, when General Motors adopted the principle that the factory should control the dealers' wholesale and retail financing practices and that GMAC should share financing income with the dealer. From the beginning, as I have noted, General Motors resorted to coercive practices to bring its dealers in line with these principles so that they would do business with GMAC exclusively. Risk of loss of the valuable General Motors franchise has been a prime deterrent to would-be defectors. The consent decree of 1952, lacking provisions for divestiture, failed utterly to protect against these abuses, much less to undo the results of their coercive thrust.

Persuasion and rewards, too, have played a large part in providing GMAC with a ready market among General Motors' dealers. Dealers in General Motors' products typically enjoy five separate sources of income: the retail mark-up in the price of the car; the dealer reserve for repossession loss; commission on car insurance; repair and parts business when an insured car suffers damage; and, finally, loading or packing of finance charges. Two of these sources—the dealers' reserve and the repair and parts business—are deferred in nature and thus serve to deter dealers from switching to other makes of car on pain of losing these profit elements. Loading or packing, tolerated if not expressly recommended by GMAC, is the practice of adding a financing charge over what the dealer pays which is immediately returned to the dealer when GMAC purchases the installment contract at a discount. Information in my possession indicates that the newly formed Ford financing affiliate similarly enables its dealers to exact excessive

financing charges and thus to augment their immediate profit. The peculiarly entrenched position of GMAC, however, lies in the fact that it does not need to make expenditures to acquire business. Business of General Motors dealers is almost automatically directed to it.

The advantages of these arrangements to the parent General Motors Corporation are manifest. Through its captive finance company General Motors is enabled to maintain ostensibly independent but actually captive sales organizations of General Motors dealers. There are upward of 10,000 automobile dealers, classified as independents, who are actually under the absolute domination of General Motors, which fixes their costs, selling prices, quotas, investments, and sales practices. General Motors also retains the capacity to manipulate car sales credit as an aspect of its sales policies. These advantages necessarily increase its dominance in the industry, give it an inestimable advantage over its competitors, and inevitably lead to monopoly. As GMAC itself has declared: "It must be obvious that the parent corporation can hardly justify investment of its capital in a corporation designed primarily as a competitive discounting or financing agency, fundamentally designed as an independent aid to distribution and sales." GMAC is, and has always been, an instrument of General Motors factory sales policy.

Against this background of substantial monopolistic advantages to GMAC and General Motors, which arise from their affiliation, may be viewed the injury and competitive disadvantage suffered by other elements of the automotive and financing industries and by the economy as a whole. Manufacturers, unable to compete with the glitter of the five separate profit pockets which GMAC affords its dealers, must ultimately suffer impairment of what is left of their share of the market or must, like Ford, resort to similar expedients. Dealers tend more and more to become economic serfs, totally dependent on and responsive to the dictates of the factory. The economy, as a whole, faces the monopolization of its largest industry. Independent finance companies are forced more and more to abandon automobile time sales financing. When this happens, the economy as a whole will be at the mercy of the manufacturing oligopoly—more interested in sales and profits than in the safety of credit extensions. A recent story in the Chicago papers dealing with the credit dilemma of J. I. Case, a great farm machinery manufacturer, illustrates the danger of overloading when the manufacturer finances sales through its own finance company. Ninety-one banks had to agree to a standstill agreement to avert disaster.

The time has come to realize that it is impossible for the time sales financing industry to survive part free and part slave. We are at a crossroad. One alternative will produce an automobile oligopoly in which each manufacturer is forced to maintain its own financing affiliate, and the independents are driven out of the industry altogether. The other envisages the elimination of captive financing and the restriction of automobile manufacturers to the business of making and selling cars. Under this alternative the contribution of independent finance companies whose interest is in the safety of investments as well as profits will be restored to the industry. GMAC and the Ford financing subsidiary would become independent—their resources made available to all dealers and to the financing of products of new and resurgent manufacturers. The second is the only alternative consistent with our antitrust policies and traditions. In the 86th Congress I introduced H.R. 4256, a bill to prevent manufacturers of motor vehicles from financing or insuring the sales of their products. Similar bills were introduced in the Senate. In the coming Congress it is essential that legislation of this kind be pressed to an early enactment. At the opening of the new session I shall reintroduce my bill. It should become the new bill of rights of the automobile sales finance industry, restoring competition to that industry and freeing it from monopolistic engulfment. Existing antitrust laws have proved themselves wholly inadequate to cope with this problem. Congress must act. Prompt divestiture by General Motors and Ford of their finance subsidiaries and prohibition of the institution of similar arrangements by other manufacturers are, I am convinced, of first priority if we are to preserve free enterprise competition in this great industry.

Congress Should Act To Implement Kennedy Program

EXTENSION OF REMARKS
OF
HON. JACOB H. GILBERT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 4, 1961

Mr. GILBERT. Mr. Speaker, on the opening day of the 87th Congress, I introduced numerous bills to implement the domestic program recently reindorsed by President-elect Kennedy.

After the frustrations and disappointments suffered in the 86th Congress, the sabotaging of vitally needed legislation, and the ever-present threat of a presidential veto, I look forward to serving and working in the 87th Congress, with the bold, strong leadership we are certain to have under our Democratic President. I predict that the 87th Congress will establish an enviable record of hard work and constructive, beneficial legistion enacted.

Legislation providing for medical care benefits for the aged under social security, Federal aid to education, school construction and increase in teachers' salaries, aid to economically depressed areas, housing—including construction of additional public housing units—increase in the minimum wage to at least $1.25, is of prime importance, and I have introduced bills covering these benefits, which are long overdue our people.

My bill providing for medical care for the aged under the social security program is comprehensive and liberal. Living costs are at an all-time high; increased rents and cost of necessities impose real hardship upon those existing on their small social security benefits and they cannot afford necessary medical care. Their plight must be recognized and relief must be given them without further delay.

The civil rights bill which was passed last year accomplishes very little in the light of the great evils of discrimination which exist, and which are a blot upon our honor as a democratic nation. I have reintroduced my bills which would eliminate discrimination because of race, color, creed, or national origin, and shall continue to strive for passage of strong, effective, civil rights legislation.

There are millions of underpaid workers in our country today who are merely existing under substandard conditions. Those in the low-wage brackets cannot meet their family obligations in the face of high-spiraling living costs, high taxes, increased medical costs. I shall push passage of my minimum wage increase bill.

I have also introduced bills providing for revision of our immigration laws, tax relief, to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under the Social Security Act, to assist our youth and help control juvenile delinquency, to assist our veterans, to assist our government employees, as well as other bills necessary to the well-being of our people.

I believe that the prospects of great progress nationally and internationally, and in the interest of peace, under the Democratic administration ahead, have given our people new hope and courage.

I, for one, as a Member of the 87th Congress, pledge my untiring and best efforts in behalf of our people. I urge that the Congress take swift, favorable action on our new President's recommendations and on all legislation providing necessary assistance to those who must rely upon us for help.

Prestige

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 4, 1961

Mr. DENT. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to include the following article entitled "Prestige":

PRESTIGE

During the campaign we heard many arguments pro and con on the question of prestige. Let's just examine some of the issues that have led us to this new level of world prestige. First of all, as your Representative, you know where I have stood since my first few days in Congress on the questions of trade and aid as it is now instituted and administered. I have contended all along that you cannot buy prestige, friendship, or peace. I have contended that we cannot build competitive industry abroad to sell in both our foreign as well as our domestic market without wrecking our own economy.

How true this is can best be proven by the wild and panicky actions of our Government since election, in issuing come home orders to the families of GI's in foreign countries and the futile mission of Secretary Anderson, Under Secretary of State Dillon, to Germany, France, and England pleading with them to bail us out of the gold mess we are in. How did this all come about? It takes too long to cover the whole course followed by our Government to get to this sorry state, but a few of the main routes can be explained. Let us start by admitting the worthiness and soundness of the original proposals for foreign aid and reciprocal trades agreements. Simply stated, foreign aid was established under a plan devised by Congress to help our Allies to get back to the same economic position they were in prior to World War II. This was done for a dual

purpose. One was to keep the Communists from gaining ground in the so-called free nations because of economic conditions. The second was the realistic view that unless these nations were helped to get back to their normal economic states, both industrially and agriculturally, they would never be able to compete in the free world as free nations. Foreign aid was born as an aftermath of World War II, the Communist threat made it sound logical; people were, and are, sick of catastrophic world wars and were willing to make most any sacrifice short of military service to buy peace. It sounded good, and in reality it really worked for a while. We watched devastated nations, like Germany, Japan, Italy, France, England, all their friends start to provide jobs, grow their own food supplies, and to resist communistic infiltration. Then we found out that nations are just like people everywhere. Long after we had passed the goal set by Congress when it enacted the first foreign aid bill, we found our friendly Allies demanding more and more and with the help of the mistaken group in our State Department, the whole program became virtually a grab bag with almost every civilized country on earth getting some cut out of the American taxpayers. As it became apparent that this program was a free for all and more permanent than temporary in nature, some of the former opponents of the legislation became interested and from then on the real problem started to develop.

Some of our big industries, urged on in some cases by a desire to lessen the union pressures at home, found that they could very advantageously join with German, Japanese, and other manufacturers who could get low interest, easy credit money from one or more of the many agencies set up by this Government for construction and expansion of foreign dominated industries. Suddenly we find the President of the United States calling upon Congress to make it easier and taxwise beneficial for Americans to invest overseas. In his message to Congress, the President held out the promise of reduced taxes here in America if we could get more American private enterprises to invest in foreign countries.

American industries were coaxed by the ICA to build plants all over the world with taxpayers' moneys with 90 percent guarantees against losses under certain conditions. In the meantime, all of our know-how, patents, trade marks, and trained manpower was being made available to foreign competitors who soon were able, with American money, know-how, and their cheap labor, to not only take away our foreign markets, but they started to flood our own domestic home market with consumer goods at sums we could not touch.

Although both candidates shied away from the subject, I have said before and repeat now that the balance was so close between the two candidates that if either one would have come out flatfooted on the question of importation of cheap made goods in competition with our standard of living, the election would have been a landslide. I predict now, that short of war, this is the issue that will make or break the incoming administration. It isn't a question of whether we want to live alone or that we are not aware of our obligations as a member nation in our free world society, it's a question of survival in an economic jungle where nations have become the tools of powerful groups whose interests are high and whose principles are gold.

For instance, the farmer is sold on foreign aid because it is supposed to provide the money to foreign countries that buy his farm products. What he isn't told is that in most cases, it is bought with money provided by the farmer himself as a citizen taxpayer, and when any nation gets to where it produces its needs, we cannot even give our products away without being accused of flooding the markets. Right now, at this moment our friendly allies, the Canadians, are working on a plan to increase the duty and tariff on American fruits and vegetables shipped into Canada from the U.S. farms. One of the largest American soup canning companies is building the largest canning plant in the world in Mexico. With help from our foreign aid programs, the Mexicans are growing more and cheaper vegetables than we can produce here in the United States. What is even more serious is that these canned foods will be shipped to the United States to be sold in our markets with the American trade name prominently displayed.

The American worker is sold the foreign aid program on two promises, one that it means world peace, and another that we export more than we import and it means more jobs for us than we lose. Of course statistics can prove anything, but even a second grader knows that if you sell $100 million worth of cotton to Japan and you buy back $100 million worth of dresses, pajamas, nightgowns, and hundreds of their consumer items you are not even in man hours, payrolls, or market basket money in the housewives' pockets. On the high level of international banking we have been told we had made a good deal. You can buy two packs of cigarettes for $1 and get a Japanese lighter for free, although the lighter itself made in America would cost between $1 and $1.50. You cannot have Canada putting an additional $300 tariff on an American made automobile and still allow Canadian goods to come in under the tariff wall. You cannot allow Japan to sell automobiles in the United States while at the same time place an embargo on American cars in Japan.

Mexico has joined the rest of our friendly neighbors and allies and is rapidly forcing every American company to produce in Mexico or be shut off by either an embargo or a prohibitive tariff wall.

The trouble with us is that we have lost sight of the real purpose of passing both Foreign Aid and Reciprocal Trades Acts. "Reciprocal trade" means just what the name implies. We are supposed to buy what we need and can get from countries who have things we cannot make or mine for ourselves at the free trade counter, and other countries are supposed to get the same from our manufacturers and producers. What has really happened over the past decade though has been a complete perversion of the whole program. We are importing goods that we have in surplus, and in many instances goods that are made by the same manufacturer operating both here and abroad. No other nation actually has lowered its tariff walls except in the instances where our price was so high our competition was not practical.

For instance almost every American car producer produces cars overseas either by actual manufacturers or by manufacturing and/or sell agreements. The argument advanced is that our wages are too high, our taxes are too high, our transportation, our everything is too high. In fact, the argument is growing that our standard of living is too high. Is this true in the sense that it is used by our American industries? They say we cannot compete because of this high cost of living so they are forced to go abroad to produce for the foreign market. Of course, they fail to say that wage differentials always existed between foreign and American labor. They fail to say that our standard of living has always been higher and that you cannot compete with yourself and stay in business. As one merchant friend said to me, "This will be the moniest and merriest Christmas the Japanese ever had if we sell all the stuff made in Japan that is on our shelves."

How do we correct the situation? What do we do? Do we build tariff walls and let the American producer gouge the American housewife, do we withdraw all of our foreign aid and let the Communists gobble up every nation, do we build a wall around us and cut ourselves off from the world? These are the questions that are hurled at any critic who questions foreign aid and trade. In my humble opinion, we should answer all questions on these subjects with common sense and moderation. We should never build up prohibition tariffs walls. We should, and sooner or later must, build up cost of production protections for both American labor and American industry. This would take into consideration mandated costs of production such as Federal, State, and local taxes, social security, workman's compensation, unemployment compensation, welfare and health programs. It would give consideration to basic wage and man-hour production differentials just as most of our competing foreign countries do right now.

Did you know that one of our ally nations doesn't allow an American TV set to come in even as a gift because they are trying to build up their own TV industry? We must stop the taxbreak for runaway American industries and investors. You cannot sell American products made in America in competition with American products made in foreign countries. American industry must get every consideration in its needed expansion and modernization. Lower rates of interest on needed capital, better programs taxwise for amortization of costs and more realistic depreciation rules. No American producer must be allowed to sell foreign-made goods here in America under American trade names. It is a pipe dream on the part of those in Government who believe we can recapture the foreign market. The foreign market now belongs to a great extent to some Americans, bankers, investors, importers, exporters, and industries, but not to the American merchant who some day will be a natural goat because he will have a store full of foreign made products and a street full of foreign made unemployment. A merchant in Jeannette cannot sell much to a Tokyo glassworker, and if the window glass plant stays closed in Jeannette while our merchants sell foreign made glass how do we get the money to buy the glass? Some say, well, the rubber works will buy it. That is true until the unemployed glassworker has to let his car stand in the garage and cannot buy tires and the tire plant shuts down.

If our wages are higher than they are in Japan and Europe, remember they always were. The most important item is that our production has always been able to take care of the higher wages until the importation of foreign made goods produced by cheap labor, low taxes, and low interest rates caused a breakdown in the relationship between what was paid to produce goods and what the producer could get for the goods. This goes deeper than the housewares and consumer goods. We now find American suppliers of tool steel and fabricating tools, machinery and equipment faced with the same dilemma that has caused the almost complete liquidation of the American watch, lighter, bicycles, clothing, tile, glassware, binoculars, cameras, and other consumer goods industries.

It will get worse before it gets better. Some say, "Are you for a high tariff to protect our high economy and high costs of living?" I can only answer simply but truthfully. I am for anything that will maintain our way of life. If we are satisfied to live like the Japanese workers, then of course we can compete on the wage level. However, I don't believe the American worker or the American employer wants to go back to the days of sweatshops, child labor, long hours, and low pay.

Let's look at the problem from the viewpoint of what we started out to accomplish. We started out to help our allies gain their

former economic stature as of the pre-World War II days. We have gone beyond that. We have made not only our allies, but also our former enemies stronger economically than we are ourselves. If this isn't so, why are we pleading for help to pay our overseas bills to which we have committed ourselves? We started out to make ourselves so well liked that all the nations in the world would run to our side in case of trouble with Russia. Have we succeeded? Ask Castro, Lumumba, Mobutu, and Kasavubu. Check on Laos, Nepol, the Philippines, Indonesia, South and Central America, in fact, everywhere in the world we find the chant "Go Home Yank." Why? Simply because we have dealt with the money-hungry leaders, instead of the people. We were right at first, we gave seed, trucks, tractors, and even industrial machinery to help those people get back economically and agriculturally. What happened now is that too many of our own people have joined with foreign exploiters and are doing what we fought against so long and so hard in this country. They are making exorbitant profits with underpaid workers. When we measure our prestige, measure it in the masses of the peoples, not the directors' rooms of the international bankers and trusts.

Another handicap that is seldom mentioned that confronts the American manufacturer and the American worker is foreign government ownership. In this country a loud protest is raised against Government producing goods for sale in competition with private enterprise. No one seems to care about Americans having to compete with enterprises abroad owned or controlled by foreign government. In this country we have antitrust and antimonopoly laws, but no one seems to mind the fact that Americans have to compete with countries whose major production is by trusts and monopolies.

Some say this is the way to raise wages in foreign countries and will eventually make things right. Whom are we kidding? Labor unions are not kidding themselves on this score. We have only 17 million organized in America out of a potential of 50 million or more. We have migrant workers who are working under conditions that are considered a shame in some States and areas. We have millions of conditions here in America after all our strife, strikes, lockouts, legislation, and a liberal Constitution, how can anyone honestly say we can in the near future raise the standards to make competition reasonable between import and domestic products.

I once supported, and still believe, in aiding countries to make them self-sufficient. I think it is good to help Japan produce refrigerators, cars, clothing, and the nicer things of life for the Japanese people, but I think it is an economic joke, better still a tragedy, to help them produce these things for our use when we have a surplus of all these items. How do we raise these standards if their workers cannot even earn enough to buy a reasonable amount of their own production? Insofar as building a wall around us in the area of trade, we needn't worry about that too much. It is being done for us by others. The wall is made out of cheap labor, American capital, American know-how and in many cases, the American domestic market. Those fearful of gouging by American producers must not believe what we have been told about competition, antimonopoly, and antitrust laws that protect the American citizen from profiteers and exorbitant prices.

One thing we must also do in the not too far distant future and that is to establish some kind of ground rules on stock splits, options, and dividends. If 100 men put $1,000 each into a plant producing 100,000 units a year employing 1,000 men and later expand with borrowed money or company profits to produce 10,000 units with 3,000 men, increase the wages of the workers 50 percent while at the same time vote themselves two shares of stock for every one they had, pay the same or an increased dividend, is this an equitable portion of profit for industry and for labor? If in a 10-year period this process is repeated four more times and the stockholder now has 10 shares for every 1 while the labor is producing 20 percent more units per man and has received pay raises to where he is receiving three times as much as before, is this still equitable and is labor forcing Americans out of the foreign market? On the other hand, is corporate profit, paper, or real driving us out of the market?

I don't know the answer, but it might be interesting for the new President's advisors on such matters to look into these phases of our economy: Original investment, original wages, original selling prices, original taxes, stock splits, dividend relationship to original cost.

This isn't meant as a criticism since the case just given is a hypothetical one and just posed to get an answer, if we can, to our growing dilemma of American made versus foreign made, American trade versus foreign trade, and American dollars versus counterpart or foreign currency.

I am a profound believer in our American way. I believe in freedom of enterprise to make a realistic profit. I believe in freedom of labor to join together to bargain for a full day's pay for a full day's work. I believe each of us has a right to protection by our Government in all matters, militarily, economically, legislatively, administratively, and judicially.

It is time we remove our rose-colored foreign-made glasses and start looking through American-made bifocals at the small print in our economy.

It might surprise some of us to find out how bad a contract we have with our friendly allies.

Hon. Edith Nourse Rogers

EXTENSION OF REMARKS
OF
HON. EUGENE J. KEOGH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 4, 1961

Mr. KEOGH. Mr. Speaker, it is with a saddened heart that we pay tribute to a lovely and gracious lady who died on September 10, 1960, in Massachusetts.

Representative EDITH NOURSE ROGERS was elected to the House in 1925 to fill the vacancy caused by the death of her husband, Representative John Jacob Rogers who had served the Fifth District of Massachusetts for six terms. She was the first woman ever sent to Congress from New England, and the only woman to have served 35 years in the Congress.

Mrs. ROGERS served with the American Red Cross overseas in World War I, and since that time her greatest concern was the welfare of our veterans. During World War II Mrs. ROGERS was one of the prime movers in pressing for legislation which later become known as the GI bill of rights. She also introduced the measure which set up the Women's Army Corps during the period of World War II. At the time of her death, she was ranking minority member of the Commitee on Veterans' Affairs, and had previously served as chairman of the committee. She was the first woman to receive the Distinguished Service Cross of the American Legion.

Mrs. ROGERS was an outstanding legislator, a loyal and dedicated friend, and a generous and noble lady. May she now rest in peace.

A Milestone in Service by the Disabled American Veterans

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 4, 1961

Mr. TEAGUE of Texas. Mr. Speaker, I would like to take this opportunity to call to your attention and to the attention of my colleagues of the House of Representatives a new milestone in service to the disabled victims of our Nation's wars.

The Disabled American Veterans has now passed the 1,500,000-case mark in the number of veterans who have benefited directly and individually from the nationwide service program of the DAV, since the end of World War II.

As you may know, the DAV maintains a staff of fully trained service officers, thoroughly experienced in every facet of veterans' legislation, in Veterans' Administration regional offices throughout the Nation. This staff, the largest such supported at the national level by any national veterans organization, is maintained at an annual cost to the DAV in excess of $1 million.

These skilled and dedicated attorneys-in-fact in the complex field of veterans law, meet with individual veterans and their families or survivors, to examine the facts of each case—often possible only through lengthy research and voluminous correspondence—and to prepare and properly document claims for hospitalization, compensation, survivor benefits, pensions, medical care and other badly needed rehabilitation services.

Without their skilled and patient services hundreds of thousands of disabled veterans would, in all probability, have been entirely unable to document and prove their right to the well-deserved benefits which they now enjoy and which they need so badly for their own well-being and for the happiness and economic security of their families.

Nor is this the end of the many free services provided by this unique, congressionally chartered service organization.

The DAV is one of the few national service-charitable organizations to provide distinct and valuable service for everyone to whom they turn for financial support.

The DAV's unusual and hard-working Idento-Tag miniature license plate program, which annually provides key-chain-sized replicas of individual auto licenses to nearly 40 million American motorists, is solely responsible for the

return of nearly 50,000 sets of lost keys and thousands of dollars in other valuables to their rightful owners each year. In all, since the beginning of the Indento-Tag program, the DAV has returned more than 1,500,000 sets of lost keys to motorists throughout the Nation.

But, perhaps, the greatest service to the Nation provided by this service-conscious organization is an indefinite and indirect one, directly beneficial to the American taxpayer, which is not easily apparent to the casual observer.

For it is impossible to estimate the enormous amount of processing work in the Veterans Administration—and the consequent expense to the taxpayers—which has been eliminated by the skill and competence of DAV service officers.

Each day thousands of veterans with tens-of-thousands of questions, each a possible claim for veterans' benefits, turn to DAV service officers for advice and assistance. If it were not for these capable and experienced men—who are themselves all disabled veterans—the VA would be forced to provide a great number of additional personnel to deal with this added influx of daily visitors at, of course, a great additional cost to the U.S. taxpayer.

Nearly half of the problems brought to DAV service officers, never even reach the VA for processing. They are handled directly by these competent intermediaries through their own vast experience with all applications of the laws and regulations governing veterans' benefits. Those cases that are passed onto the VA for action have been carefully prepared and thoroughly documented for easy and rapid processing, saving the VA—and the taxpayer—enormous additional amounts of time and expense that would be necessary to screen, research, prepare and process these claims if they had been presented by individual veterans, inexperienced in the preparation of such material.

And, finally, the DAV works conscientiously and steadily with the House Veterans' Affairs Committee in the preparation and consideration of veterans' legislation. Recognizing that there is only a limited amount of money which can be allocated to all veterans' benefits, the DAV, as the official spokesman for all disabled veterans, works—not so much for increased expenditures—but, rather, to insure that every dollar spent for veterans' benefits is spent as wisely as possible to bring the maximum aid to the largest number of disabled veterans at the lowest possible cost to the Government.

Much of this outstanding record of service is well known by my colleagues, many of whom, like myself, take great pride in our life membership in this dedicated service organization.

But it is, perhaps, not known that this remarkable record of service is now in grave and growing jeopardy.

The DAV is in dire financial straits.

For many years it has been the financial policy of the DAV to support its administrative expenses from the dues of its member and to rely on its Idento-Tag program to provide the funds to support its million-dollar-a-year service program. It receives no Federal funds for the free service it offers to all veterans.

The DAV's Idento-Tags are manufactured in, and mailed from, the DAV's own plant, staffed almost entirely by disabled veterans and their dependents, widows, and orphans. All of the net proceeds—over and above the cost of manufacturing and mailing—are used by the DAV to support its million-dollar-per-year service program.

These proceeds are, however, not enough. The DAV has been caught in a vicious pinch between ever-rising costs of operation and steadily shrinking revenue.

The natural tendency of Americans to forget the horrors of war and the grimness of the sacrifices which it demanded from those who served, has greatly reduced the public response to this very worthy cause, placing the future of the DAV's valuable and vital service program in grave doubt, at a time when it is needed more than ever before since the days immediately following World War II.

Statistics available to my Veterans' Affairs Committee show that the average age of veterans of World War I, is now 66. This means that this aging group is now entering a period when they are becoming progressively less able to cope with their handicaps and must rely more heavily on their veterans' benefits and on the DAV service officers who help them with their problems.

There is no doubt in the minds of those who know of the magnificent work that has been done, that the DAV is an organization with an inherently noble and unselfish role to play—a role that is of growing importance to millions of disabled veterans.

The DAV is, I am personally convinced, one of the soundest, most efficient and most competently operated of our national service organizations.

Yet the very future of the DAV hangs in the balance.

The DAV needs two things: a wider membership base, and a greater share of the traditional generosity of the American people.

At the present time 200,000 disabled veterans are members of this organization. This number must be increased in the years ahead.

The DAV needs an increased return from its Idento-Tag program; it needs the sympathetic attention of the Nation, at a level equal to that shown while the horrors of war were fresh in our minds.

There is, of course, nothing that this body can, or should, do as a group to solve the problems of this vitally important institution which was organized under a charter from the Congress of the United States.

There is, however, much that we can do as individuals of some influence in our own areas and on the national scene.

Many of us in these Chambers today are members of the DAV. Many more are eligible. All of us have thousands of constituents who have benefited directly and indirectly from the services of the DAV.

We cannot, I firmly believe, allow this essential program of service for those who gave so much in their Nation's defense, to falter and die at a time when it is needed most.

Let us cooperate with each other and with DAV leaders to bolster this organization of those who sacrificed so much in the Nation's defense to its rightful position as the proud, self-sufficient spokesman for, and servant of, our war disabled.

A Legislative Program for Astronautics

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 4, 1961

Mr. ANFUSO. Mr. Speaker, on December 7, 1960, I was privileged to participate in a panel discussion at the 15th annual meeting of the American Rocket Society, held at the Shoreham Hotel here in Washington. The subject of my talk was "A Legislative Program for Astronautics," which aroused a good deal of comment and interest.

Sooner or later, we in Congress will have to devote more time to this subject, to keep abreast of developments in this field, and to legislate as the need arises. For this reason, I feel that my colleagues will be interested to know what is currently under consideration. I am, therefore, inserting the text of my address before the American Rocket Society and commend it to the attention of my colleagues:

A LEGISLATIVE PROGRAM FOR ASTRONAUTICS
(By Hon. VICTOR L. ANFUSO, Member of Congress, New York)

In discussing astronautics as a legislator, I should like to begin by taking a broad view of the subject. Astronautics is not an isolated activity. Its roots and offshoots are certain to reach into nearly every corner of national and personal life. It will draw on its vital juices from almost every domain of science—and, indeed, from many fields of knowledge that are not regarded as scientific at all.

In the following remarks, therefore, I desire to stress the unity of science and astronautics. Effective legislative support of astronautics must include scientific research and education on a wide scale.

As you may know, the House Committee on Science and Astronautics, of which I am a member, has always taken an appropriately broad view of its responsibilities. The resolution creating the committee states that its jurisdiction shall include not only astronautics in the strict sense but the regulation of activities in outer space, science scholarships and scientific research. It is fortunate that Congressman JOHN W. MCCORMACK, and others who led the way in legislative support of astronautics, were able to exercise so much foresight and to make provisions for an effective legislative program.

Many Members of Congress have received letters from young people asking how they can get started on a career in astronautics. An honest answer—though vague and probably not what the questioners have in mind—would be that they could very well start almost anywhere, according to their own talents and inclinations. The point

can be made by reading a partial list of the subjects and occupations already involved in astronautics:

Acoustics, aerodynamics, aeronautical engineering, astronomy, astrophysics, biochemistry, biophysics, ceramics, crystallography, electrical engineering, electronic engineering, gyroscopics, hydraulics, information theory, inorganic chemistry, mathematics, mechanical computation, mechanical engineering, medicine, metallurgy, nuclear physics, oceanography, organic chemistry, physical chemistry, psychology, solid-state physics, and thermodynamics.

The list that I have just read could easily be extended to several times its present length.

The unity of science and astronautics can be seen, also, in the reciprocal relation between space experiments and many, many fields of scientific research and development.

In the present stage of astronautics, space vehicles are still primarily research tools for gathering scientific and technical information. The recent ionosphere satellite, Explorer VIII, launched on November 3, 1960, provides a good example. Explorer VIII is gathering data needed for space communications and for the design of nuclear and ion rockets. It carries a micrometeorite experiment that will help solve the problem of dissipating heat from nuclear and ion rockets in space. The radiators that cool such rockets must be designed for protection against micrometeorites. In addition, the ionospheric measurements made by Explorer VIII will add to our knowledge of how radiowaves are carried around the earth, and so help us choose frequencies for long-range space communciations.

From this example of Explorer VIII, it is apparent that scientific and technical knowledge determines the planning of space experiments, and, in turn, depends on them for its own further progress.

There is current evidence of the recognition and support given by Americans to the national space effort and especially to its scientific basis and payoff. In an opinion survey of nearly 2,000 business executives, Prof. Raymond A. Bauer of the Harvard Business School found that most of them want a vigorous space program even if it means higher taxes. Eighty-nine percent see no limit on what the space program can achieve. I am happy to say that 59 percent believe politicians who favor a bigger space program put scientific progress ahead of political profit.

The most interesting result of the survey, from the standpoint of our present discussion, reveals what people expect as the payoffs from the space program. Five general reasons for supporting the space program are listed: (1) Political and military considerations; (2) economic payoffs (in the survey, more than 50 percent regard accurate long-range weather forecasts and improve communications as almost certain); (3) the sense of adventure; (4) the increase of knowledge; and (5) competition with the Soviet Union. In order of priority, pure science is listed as the single outstanding reason for space research.

With this background, it is easy to understand the need for better and more broadly available education as a part of our national space program. The need is emphasized by our lag compared with the USSR in the annual number of graduates in engineering and even in many fields of science. In 1959, for example, the U.S.S.R. produced about three times as many graduate engineers as the United States. The figures given by our National Science Foundation show 48,000 graduating in the United States, compared with 106,000 in the U.S.S.R. More surprising still, the United States is lagging even in the total number of professional engineers: 850,000 compared with the Soviet figure of 894,000. In graduates specializing in purely scientific studies, apart from engineering, the only field in which we lead the U.S.S.R. at the present time is the physical and mathematical sciences.

Early in the last Congress, I introduced a bill (H.R. 4602) to establish a National Science Academy. The subcommittee of which I am chairman conducted hearings on the bill in May of 1960.

The proposed Academy would offer four years of training in science and engineering. Graduates would be required to spend at least five years in the civilian or military service of the United States. A limited number of foreign nationals from friendly countries would be eligible to attend. The bill would also establish a Scientific Career Service to attract and retain qualified scientific and technical personnel. The Scientific Career Service would be open to graduates of other institutions as well as the Science Academy.

As chairman of the subcommittee, I opened the hearings with the following statement:

"A National Science Academy would provide additional incentives for our young people to pursue careers in science and engineering. It could focus public attention, arouse interest, and stimulate career motivations. Perhaps this is the most important step this country can take to make up the present shortage of qualified personnel for science teaching and for Government service in the natural sciences and engineering.

"A Science Academy would also extend the opportunities for higher education in these fields to many able students of both sexes who now, for economic reasons or otherwise, fail to complete such training under our present educational system."

It was never my intention that the Science Academy should exclude or even restrict additional scholarships, fellowships, and loan funds, or compete with further direct aid to existing educational institutions. The Science Academy is proposed as only one of many concurrent ways of meeting our pressing national problems in science and engineering education. No one should suppose that it could solve the entire problem by itself.

As a result of the hearings, I intend to revise the Science Academy bill, and to reintroduce it in the next session of Congress. Several of our distinguished witnesses recommended that the Science Academy provide instruction on the graduate level, and establish a research center and research institutes in order to attract and hold a first-rate faculty. Accordingly, I will propose the founding of a "science city" with ample facilities and opportunities for research including advanced research institutes.

We were told that some 10,000 more scientists and engineers are needed each year than our schools are graduating. Yet nearly 100,000 high school graduates of college ability fail to enroll in college every year for financial reasons, and perhaps an additional 100,000 do not enter college because of lack of interest. By providing additional opportunities and incentives, a Science Academy would help substantially to fill this critical gap in our national life.

A major new incentive for scientific achievement was created last year, when the President signed a bill (H.R. 6288) to establish a National Medal of Science. This was my bill. I feel proud and happy that it has become a law, and I believe it will greatly encourage our people to undertake training and careers in science and engineering. However, the original bill authorized the President to make money awards, not to exceed $10,000, to each individual awarded the Medal of Science. Congress eliminated this provision. It is my earnest conviction that the Medal of Science awards will provide far greater incentives in support of our continued national progress and supremacy in science and engineering, if the honor of the award is reinforced by a substantial payment of money. For that reason, I plan to introduce, during the next session of Congress, a bill which would authorize the President to make such payments. Should the Congress again reject this provision, I hope that American commerce and industry, in their own interest, will make the necessary funds available.

Next, I should like to discuss some other requirements of a legislative program for astronautics. In the interests of brevity, I will confine myself to two: adequate authority and organization in the executive branch of the Government; and the level of funding.

During the last session of Congress, the Committee on Science and Astronautics held extensive hearings on a bill (H.R. 12049) introduced at the request of President Eisenhower to make certain amendments to the National Aeronautics and Space Act of 1958. Although reported favorably by the committee and passed by the House, the bill was never brought up in the Senate. There is little doubt that some of its major provisions will be reconsidered when the new Congress convenes next January.

First, the bill abolished the National Aeronautics and Space Council and the Civilian-Military Liaison Committee. These organizations were created to bridge the gap between the separate civilian and military space programs authorized by the National Aeronautics and Space Act. The Council had the still broader purpose of integrating our national space policy with our national policy as a whole. It was the intended function of both organziations to facilitate the planning and conduct of space activities so as to avoid duplication, coordinate areas of common interest, identify problems and exchange information. In my judgment, these coordinating and integrating functions are essential. The only question is whether the Space Act provided appropriate machinery.

In practice, as many witnesses have testified, the Eisenhower administration made little use of either the Space Council or the Liaison Committee. It did, however, establish a new liaison committee to replace the one created by statute—thereby acknowledging the importance of the function.

Without venturing to predict whether the Kennedy administration will keep, abolish or change the Space Council or the Liaison Committee, I believe steps will soon be taken to ensure that their intended integrating and coordinating functions will be properly performed. During his campaign, President-elect Kennedy made the following statement:

"We must have more effective centralized direction and coordination of our missile and space programs, which would assign goals to the various military and civilian agencies concerned, clarify their roles, and integrate research and development into overall national planning in the light of overall national needs. This coordination of effort would combat waste, duplication, and confusion, and would provide the programs with the impetus, heretofore lacking, which only intelligent direction can supply." (As reported by Space Age News on Oct. 24, 1960.)

Secondly, the proposed National Aeronautics and Space Act Amendments of 1960 would have relaxed the present provisions relating to patents. Under the present law, the Administrator is required to take title to inventions made in the performance of research and development contracts, unless he determines that a waiver of the Government's rights would serve the best interests of the United States. Clearly, the present law puts its emphasis on taking title. The proposed amendment would give the NASA a greater measure of discretion.

I favor this change, because it would enable the NASA to adapt its patent policies

and practices to suit particular circumstances. There may be cases where Government ownership will be necessary—for example, a scientific breakthrough or a medical discovery that should be available to everybody. On the other hand, the NASA should be free to enter into research and development contracts, on terms attractive to the contractor, where the interests of the Government do not require acquisition of title.

Under the proposed amendment, the Government would retain a royalty-free license to use all inventions made in the course of NASA contracts. Furthermore, whenever the Administrator found that the national security or the public interest so required, he could take full title to the patent rights. At the same time, however, private enterprise would have greater incentives to enter into NASA contracts, and to develop inventions and discoveries that might be patentable. I believe this amendment would protect both the public interest and the equities of the contractor.

Now I should like to mention a third, relatively minor, feature of the National Aeronautics and Space Act amendments. The provision authorizing the NASA to conduct a program of international cooperation in astronautics would be made mandatory. I favor such a change. It is true that the NASA has conducted a program of international cooperation. But there have been doubts, which I share, whether the program was adequately conceived or carried out. The proposed change would emphasize the intent of Congress that the NASA should conduct a vigorous and effective program of international astronautics.

Lastly, we come to the question of funding. As you know, the current NASA budget is almost $1 billion. In the 10-year budget forecast which the NASA presented to Congress during the last session, the projected average level of funding is roughly $1.5 billion a year. Only the future can tell us for certain whether this amount will be large enough. However, many qualified observers believe that the 10-year goals set by NASA—the schedule of events—may be too modest and too conservative. For example, Congressman OVERTON BROOKS, the chairman of the Committee on Science and Astronautics, has said that "Federal funding of the space program must of necessity increase year by year"; and has described the NASA 10-year budget forecast as unrealistic "(the Place of Government in the Utilization of Space," address at the University of California, Los Angeles, April 13, 1960). My personal view is that the level of funding projected by the NASA will prove to be too low either to meet our Soviet competition or to exploit the possibilities of advancing technology.

In conclusion, let me once more stress the unity of science and astronautics. Many people are used to thinking that astronautics merely competes with other fields of science for money and resources. But astronautics and the basic sciences also reinforce each other. For example, the director of the Smithsonian Astrophysical Laboratory has said that more astrophysical information was gathered during the first few weeks of the space age than had been accumulated in the preceding century. Let us therefore take counsel of the ancient faith that the universe we live in is all one piece, and that what we learn about any part of it will help us understand the whole. By promoting astronautics we will inevitably promote all science and, to a significant extent, all knowledge.

SENATE

THURSDAY, JANUARY 5, 1961

(Legislative day of Wednesday, January 4, 1961)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore (Hon. CARL HAYDEN, a Senator from the State of Arizona).

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

O God, our Father, who art love and light and truth, we turn unfilled to Thee. In a world where the very foundations seem to be shaken, we cherish this hushed and hallowed moment which so long ago the Founding Fathers set apart as an altar of prayer at the day's beginning.

Here, with contrite hearts, we would be sure of Thee and of spiritual resources before facing the high solemnities of waiting tasks. Grant that those who in this fateful day by the people's choice have been called to high places of state, facing responsibilities as heavy as the servants of the commonwealth have ever borne, may be filled with the spirit of wisdom and understanding, the spirit of knowledge, and the fear of Thee.

In an hour when such vast issues are at stake for all the world, may those who here serve, conscious of the great tradition in which they stand, rise to greatness of vision and soul, as the anxious eyes of all the nations are fixed upon this Chamber.

Together, with full purpose of heart, in Thy might unafraid, send us forth to meet the issues of this crucial year as in the name of the Lord, our God, we set up our banners. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 4, 1961, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 1723) to amend the joint resolution providing for observance of the 175th anniversary of the Constitution, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 1723) to amend the joint resolution providing for observance of the 175th anniversary of the Constitution, was read twice by its title and referred to the Committee on the Judiciary.

ADDITIONAL REPORT OF A COMMITTEE SUBMITTED SUBSEQUENT TO SINE DIE ADJOURNMENT (S. REPT. NO. 1948)

Under authority of the order of the Senate of August 26, 1960, Mr. WILLIAMS of New Jersey, on December 30, 1960, from the Select Committee on Small Business, submitted a report entitled "Government Competition With Business: Refrigerated Warehousing"; which was printed.

REPORT ENTITLED "GOVERNMENT COMPETITION WITH BUSINESS: REFRIGERATED WAREHOUSING," SUPPLEMENTAL VIEWS—PART 2 OF REPORT NO. 1948

Mr. SPARKMAN. Mr. President, I ask unanimous consent for the printing of the attached views of Senator ANDREW F. SCHOEPPEL, a member of the Senate Select Committee on Small Business, which views are supplemental to Senate Report 1948, "Government Competition With Business: Refrigerated Warehousing," and that the views be made part 2 of this report and be dated December 31, 1960.

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

MEETING OF THE TWO HOUSES FOR OFFICIAL COUNT OF ELECTORAL VOTES

Mr. MANSFIELD. Mr. President, I wish to announce to the Senate that pursuant to Senate Concurrent Resolution 1, adopted on Tuesday, the Senate and the House will meet in the Hall of the House of Representatives at 1 o'clock on Friday, for the official count of electoral votes.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the unanimous-consent order entered yesterday, there will be a morning hour for the introduction of bills and the transaction of routine business. At the conclusion of morning business, the Senate will return to the consideration of the business before it when it took the recess on yesterday—the motion of the Senator from Minnesota [Mr. HUMPHREY] that the Senate resume the consideration of Senate Resolution 4, Senator Anderson's resolution, as modified. Pending before the Senate is the Humphrey-Kuchel substitute for the Anderson resolution.

Mr. President, I assume that, as usual, the 3-minute limitation will be observed during the course of the morning hour.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I assume that, impliedly, that is a unanimous-consent request.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that any discussion during the course of the morning hour be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection——