Its materialism is a lowering of man's sights and hopes to rewards that would not make men happy, even if he could get them, which he cannot by the Communist conspiratorial methods.

Religion—Christianity, the revolution of the spirit of man is the real forward movement in the world.

This is the courage that knows no defeat even in prison or in the grave.

This is the spirit that holds through death and disaster, through hardship and warfare and victory, to the Christian virtues of faith, hope, and charity.

These are no armor against communism, they are no weapon against communism.

Let those who scorn religion, like the Communists, presume to make use of religion as a tool and a weapon, to hide behind it and to smash down their enemies with it.

It is for us to serve our religion, to fight for it and under its banner, to order our lives by its direction.

It is for us to strive impartially and unselfishly for the rule of law and justice in our own lives—in the affairs of our country, and in the affairs of nations.

It is appropriate as we gather to worship in this house of God this morning and by doing so give public homage to our Creator that we should prayerfully invoke His divine aid in repelling the forces of world communism who denounce religion as being the opium of the people and hope to banish it from the face of the earth.

As we dedicate this church flag depicting our faith in God and this new Star-Spangled Banner which symbolizes the liberty and freedom of 50 States in one Union, inseparable and indivisible, under God, let us rededicate ourselves to the spiritual values represented by these banners, love of God, love of church, and love of our country.

Let us regard these flags with love and reverence for they are emblems of our religious faith and of the loyalty and respect we owe to our beloved country.

As we gaze upon Old Glory let us resolve in our hearts to renew our allegiance to God and country saying in all sincerity to our glorious national emblem—"Dear old flag, we fling thee afresh to the breeze and say, 'three cheers for the red, white, and blue,' and we shall place above thee but one symbol 'neath God's shining sun the cross of His only begotten Son and under the inspiration of the cross and the flag we shall march to the moral, the mental, and the spiritual mastery of mankind."

SENATE

MONDAY, JANUARY 9, 1961

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

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

Our Father, God, amid the seething strife that mars the earth which could be so fair, we turn from ourselves and all the vexatious problems which press upon us to the supreme spiritual verities which cannot be shaken, which abide forever, and on which in the end our very salvation depends.

As members of Thy family on this shrinking globe, may we be gripped and guided by the realization that we are indeed our brother's keeper.

Deliver us from complacent satisfaction, as in an impoverished world we gaze upon its misery from the ivory towers of our own privilege.

By the saving grace of true penitence, may we speedily cleanse our land of betrayals which cut across and deny our high profession.

Open our ears to the imperative voice which sounds across the ages, saying, "I was hungry, You fed me; I was imprisoned, You came unto me," as an ancient parable becomes today's soundest politics and policies.

In the Master's name we lift our prayer. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of Friday, January 6, 1961, was dispensed with.

ATTENDANCE OF A SENATOR

HOMER E. CAPEHART, a Senator from the State of Indiana, attended today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. HUMPHREY. Mr. President, under the usual morning hour for the introduction of bills and the transaction of routine business, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

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

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

The Chief Clerk proceeded to call the roll.

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON RESERVE FORCES

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, the annual report of the Secretary of Defense on Reserve Forces, for the fiscal year 1960 (with an accompanying report); to the Committee on Armed Services.

COMPENSATION OF ACADEMIC DEAN OF NAVAL POSTGRADUATE SCHOOL

A letter from the Assistant Secretary of the Navy (Personnel and Reserve Forces), Department of the Navy, transmitting a draft of proposed legislation to amend title 10, U.S. Code, to provide that the Secretary of the Navy shall prescribe the compensation of the Academic Dean of the Naval Postgraduate School (with an accompanying paper); to the Committee on Armed Services.

REPORT ON SPECIAL HELIUM-PRODUCTION FUND

A letter from the Administrative Assistant Secretary of the Interior, reporting, pursuant to law, on the special helium-production fund, for the fiscal year ended June 30, 1960; to the Committee on Armed Services.

REPORT ON PROGRESS OF FLIGHT TRAINING PROGRAM

A letter from the Deputy Director, Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report of the Secretary of the Air Force on progress of the flight training program, dated January 1961 (with an accompanying report); to the Committee on Armed Services.

REPORTS ON ARMY, NAVY, AND AIR FORCE PRIME CONTRACT AWARDS TO SMALL AND OTHER BUSINESS FIRMS

A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), Washington, D.C., transmitting, pursuant to law, reports on Army, Navy, and Air Force prime contracts awards to small and other business firms, during the month of October 1960 (with accompanying reports); to the Committee on Banking and Currency.

REPORT OF GOVERNMENT OF DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report on the government of the District of Columbia, for the fiscal year 1960 (with an accompanying report); to the Committee on the District of Columbia.

AMENDMENT OF ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE IN DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925 (with an accompanying paper); to the Committee on the District of Columbia.

DISCHARGE BY BOARD OF PAROLE OF DISTRICT OF COLUMBIA OF CERTAIN PAROLEES

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation 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 (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF ACT RELATING TO SMALL CLAIMS AND CONCILIATION BRANCH OF MUNICIPAL COURT, DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation 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 (with an accompanying paper); to the Committee on the District of Columbia.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, Washington, D.C., transmitting, pursuant to law, a report of that Council, for the 2-year period April 1, 1958–March 31, 1960 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON EXAMINATION OF AIR FORCE CONTRACT WITH ALLISON DIVISION, GENERAL MOTORS CORP.

A letter from the Comptroller General of the United States, transmitting, pursuant to

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

law, a report on the examination of the prices negotiated for J-71-A-11 aircraft engines under Department of the Air Force Contract AF 33 (600)-23143 with Allison Division, General Motors Corp., Indianapolis, Ind., dated January 1961 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF AUTOMATIC DATA PROCESSING DEVELOPMENTS IN THE FEDERAL GOVERNMENT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of automatic data processing developments in the Federal Government, dated December 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF CERTAIN PORTIONS OF DEPARTMENT OF THE NAVY CONTRACT WITH BROWN-RAYMOND-WALSH FOR SPANISH BASE CONSTRUCTION PROGRAM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of conversion from cost-plus-a-fixed-fee basis to fixed-price basis of certain portions of Department of the Navy Contract NOy-83333 with Brown-Raymond-Walsh (a joint venture) for the Spanish base construction program, dated December 1960 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF EDUCATION AND TRAINING PROGRAMS FOR KOREAN CONFLICT VETERANS AND WAR ORPHANS, VETERANS' ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of education and training programs for Korean conflict veterans and war orphans, Veterans' Administration, fiscal year 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RESEARCH PROGRESS AND PLANS OF U.S. WEATHER BUREAU

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on research progress and plans of the U.S. Weather Bureau, fiscal year 1960 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year July 1, 1959, to June 30, 1960 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF ATTORNEY GENERAL

A letter from the Attorney General, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1960 (with an accompanying report); to the Committee on the Judiciary.

COURT OF CLAIMS OPINION IN CASE OF CLAUDE S. REEDER *v.* THE UNITED STATES

A letter from the clerk, United States Court of Claims, Washington, D.C., transmitting, pursuant to law, the court's opinion in the case of *Claude S. Reeder* v. *The United States,* dated January 6, 1961 (with accompanying papers); to the Committee on the Judiciary.

DRAFTS OF PROPOSED BILLS

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting two drafts of proposed legislation to amend section 15 of the Clayton Act to provide for temporary injunctions and restraining orders in merger cases, and to amend section 7 of the Clayton Act to provide for prior notification of certain mergers (with accompanying papers); to the Committee on the Judiciary.

REPORT ON SCIENTIFIC OR PROFESSIONAL PERSONNEL, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Assistant Administrator for Congressional Relations, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on scientific or professional personnel of that Administration, for the calendar year 1960 (with an accompanying report); to the Committee on Post Office and Civil Service.

ANNUAL REPORT OF JOINT COMMITTEE ON DEFENSE PRODUCTION (S. REPT. NO. 1)

Mr. CAPEHART. Mr. President, from the Joint Committee on Defense Production, I submit the 10th annual report of that joint committee, with material on mobilization from departments and agencies. I ask that the report may be printed, with illustrations.

The PRESIDENT pro tempore. Without objection, the report will be received and printed, as requested by the Senator from Indiana.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. BUTLER:

S. 226. A bill to provide for the appointment of additional district court judges for the District of Maryland; and for the appointment of additional circuit judges for the Fourth Circuit Court of Appeals; to the Committee on the Judiciary.

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

By Mr. MANSFIELD:

S. 227. A bill to provide for the reimbursement of political parties for their radio and television expenditures in presidential election campaigns; and

S. 228. A bill to establish a Federal Presidential Election Board to conduct preference primaries in connection with the nomination of candidates for President; to the Committee on Rules and Administration.

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

By Mr. WILEY (for himself and Mr. BENNETT):

S. 229. A bill to provide for denial of passports to supporters of the international Communist movement, for review of passport denials, and for other purposes; to the Committee on Foreign Relations.

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

By Mr. BURDICK (for himself and Mr. YOUNG of North Dakota):

S. 230. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

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

By Mr. PROXMIRE:

S. 231. A bill for the relief of Helga G. F. Koehler;

S. 232. A bill for the relief of Dragomir Popovich;

S. 233. A bill for the relief of Sonja Dolata;

S. 234. A bill for the relief of Krystyna Ratajczak;

S. 235. A bill for the relief of Evagelos Mablekos;

S. 236. A bill for the relief of Dr. Ya-Pin Lee;

S. 237. A bill for the relief of Chieh-Hsia Mao and his wife, Rose Tung-Pei Mao; and

S. 238. A bill for the relief of Aharan Rotholz and Dan Rotholz; to the Committee on the Judiciary.

By Mr. ENGLE (for himself, Mr. BARTLETT, Mr. BIBLE, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARROLL, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. CHURCH, Mr. COOPER, Mr. GRUENING, Mr. HART, Mr. HUMPHREY, Mr. JACKSON, Mr. KEFAUVER, Mr. LONG of Hawaii, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MCCARTHY, Mr. METCALF, Mr. MOSS, Mr. MORSE, Mrs. NEUBERGER, Mr. RANDOLPH, Mr. SPARKMAN, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio):

S. 239. A bill to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mrs. NEUBERGER:

S. 240. A bill for the relief of Donald Herbert French;

S. 241. A bill for the relief of Haralambos Agourakis; and

S. 242. A bill for the relief of Mary Dawn Polson (Emmy Lou Kim); to the Committee on the Judiciary.

By Mrs. NEUBERGER (for herself, Mr. MORSE, Mr. KEFAUVER, Mr. HUMPHREY, Mr. YARBOROUGH, and Mr. PROXMIRE):

S. 243. A bill to prohibit discrimination because of age in hiring and employment of persons by Government contractors; to the Committee on Labor and Public Welfare.

(See the remarks of Mrs. NEUBERGER when she introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 244. A bill to provide for the free entry of an electron microscope for the use of Wadley Research Institute of Dallas, Tex.; to the Committee on Finance.

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

By Mr. LONG of Hawaii:

S. 245. A bill for the relief of Kam Yung (Lee) Chong;

S. 246. A bill for the relief of Robert O. Lillie; and

S. 247. A bill for the relief of Dr. Herman Piet Kramer and Marie Kramer; to the Committee on the Judiciary.

By Mr. LONG of Hawaii (for himself, Mr. JOHNSTON of South Carolina, Mr. FONG, Mr. BARTLETT, and Mr. GRUENING):

S. 248. 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.

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

By Mr. ERVIN:

S. 249. A bill for the relief of Margrit Binder; to the Committee on the Judiciary.

By Mr. BUSH:

S. 250. A bill to provide for the appointment of two additional district judges for the district of Connecticut; and

S. 251. A bill to provide for the holding of terms of the district court for the district of Connecticut at Bridgeport; to the Committee on the Judiciary.

By Mr. BEALL:

S. 252. A bill for the relief of Ioannis Tassou; and

S. 253. A bill for the relief of Mrs. Stamata Vergyri; to the Committee on the Judiciary.

By Mr. BEALL (for himself and Mr. BYRD of Virginia):

S. 254. A bill to amend the Hatch Act so as to permit certain political activity by Federal employees residing in Maryland or Virginia and employed in the District of Columbia or surrounding counties of such States; to the Committee on Rules and Administration.

By Mr. ELLENDER (for himself and Mr. LONG of Louisiana):

S. 255. A bill for the relief of John T. Knight; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 256. A bill amending the Fair Labor Standards Act of 1938, as amended; to the Committee on Labor and Public Welfare.

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

By Mr. KEATING:

S. 257. A bill to amend section 46, title 18, United States Code, with respect to transportation of water-hyacinths and seeds; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 258. A bill directing the Secretary of the Interior to convey certain property in the State of Mississippi to the heirs of H. A. McNemar;

S. 259. A bill for the relief of Willie Lee Young and Minnie May Kees;

S. 260. A bill to direct the Secretary of the Interior to issue a patent to certain land situated in the State of Mississippi to Cyrus Hugh Covington and Mrs. Mildred Covington; and

S. 261. A bill directing the Secretary of the Interior to convey certain property in the State of Mississippi to J. P. Carter; to the Committee on Interior and Insular Affairs.

S. 262. A bill for the relief of Constantinos Georgiou Stavropoulos;

S. 263. A bill for the relief of Guisseppe Glorioso;

S. 264. A bill for the relief of Mr. and Mrs. Franklin Leong;

S. 265. A bill for the relief of Ante Gulon;

S. 266. A bill for the relief of Georgios Tzotzolas;

S. 267. A bill for the relief of Mrs. Chou Kwoon Tai; and

S. 268. A bill for the relief of Hok Yuen Woo; to the Committee on the Judiciary.

By Mr. CLARK:

S. 269. A bill for the relief of Alexander Wyon;

S. 270. A bill for the relief of Mrs. Telisa Prendic de Milenovic;

S. 271. A bill for the relief of Richard A. Hartman;

S. 272. A bill for the relief of Alino Torri;

S. 273. A bill for the relief of Hratch Samiel Arukian;

S. 274. A bill for the relief of Hajime Asato;

S. 275. A bill for the relief of Maria Lombardo;

S. 276. A bill for the relief of Douglas Der-Young Tang; and

S. 277. A bill for the relief of Erica Barth; to the Committee on the Judiciary.

By Mr. HILL:

S. 278. A bill to amend title II of the Vocational Education Act of 1946, relating to practical nurse training, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. HILL (for himself and Mr. CLARK):

S. 279. A bill to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems; to the Committee on Labor and Public Welfare.

By Mr. CAPEHART:

S. 280. A bill for the relief of Chiang Chen Chi; and

S. 281. A bill for the relief of Mr. and Mrs. Mervin L. Cotterell; to the Committee on the Judiciary.

By Mr. MOSS:

S. 282. A bill to provide for the establishment of a national cemetery on Fort Douglas Military Reservation in the State of Utah; and

S. 283. A bill authorizing the Secretary of Agriculture to convey certain property owned by the United States to Brigham Young University, Provo, Utah; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself and Mr. CARROLL):

S. 284. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 285. A bill for the relief of Alpo Fransila Crane; to the Committee on the Judiciary.

By Mr. MORSE:

S. 286. A bill to authorize the Commissioners of the District of Columbia to refund certain tuition payments of former nonresident students in the public schools; to the Committee on the District of Columbia.

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

By Mr. MORSE (for himself and Mr. BIBLE):

S. 287. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

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

By Mr. MANSFIELD:

S.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relating to term of office of President and Vice President, and providing for election of candidates for President and Vice President by popular vote; to the Committee on the Judiciary.

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

By Mr. KEATING:

S.J. Res. 24. Joint resolution designating the fourth Sunday in September of each year as "Interfaith Day"; to the Committee on the Judiciary.

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

By Mr. DIRKSEN (for himself, Mr. HICKENLOOPER, Mr. WILEY, Mr. HRUSKA, Mr. COTTON, Mr. DWORSHAK, Mr. BUSH, Mr. KEATING, Mr. AIKEN, Mr. PROUTY, Mr. BENNETT, Mr. SCOTT, Mr. BRIDGES, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mrs. SMITH of Maine, Mr. CASE of New Jersey, and Mr. CARLSON):

S.J. Res. 25. Joint resolution to provide for a commission to study and report on the influence of foreign trade upon business and industrial expansion in the United States; to the Committee on Interstate and Foreign Commerce.

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

By Mr. McGEE:

S.J. Res. 26. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

JOINT COMMITTEE ON NATIONAL FUELS STUDY

Mr. RANDOLPH (for himself and Senators BYRD of West Virginia, DOUGLAS, DIRKSEN, HUMPHREY, COOPER, MORTON, HARTKE, MOSS, BARTLETT, YOUNG of North Dakota, PASTORE, LONG of Hawaii, METCALF, CHAVEZ, KEFAUVER, LAUSCHE, YOUNG of Ohio, MCNAMARA, HICKEY, SALTONSTALL, CLARK, MORSE, BEALL, WILEY, GRUENING, and GORE) submitted a concurrent resolution (S. Con. Res. 4) relating to a Joint Committee on National Fuels Study, which was referred to the Committee on Interior and Insular Affairs.

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

MODERNIZE THE MONROE DOCTRINE TO MEET THE THREAT OF COMMUNIST IMPERIALISM IN LATIN AMERICA

Mr. BUSH submitted a concurrent resolution (S. Con. Res. 5) to modernize the Monroe Doctrine to meet the threat of Communist imperialism in Latin America, which was referred to the Committee on Foreign Relations.

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

RESOLUTION

AMENDMENT OF RULE RELATING TO CLOTURE

Mr. MORSE submitted a resolution (S. Res. 24) amending the so-called cloture rule of the Senate, which was referred to the Committee on Rules and Administration.

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

ADDITIONAL DISTRICT COURT JUDGES FOR DISTRICT OF MARYLAND

Mr. BUTLER. Mr. President, in the 85th and 86th Congresses I introduced proposed legislation which called for the appointment of one additional judge in the U.S. District Court for the District of Maryland—S. 1142 in the 86th and S. 697 in the 85th Congress.

Despite the need for this judge, the Democratic-controlled Congress nevertheless chose not to act. Since that time, however, several years have passed and the Judicial Conference has published the results of at least two comprehensive studies of the overcrowded docket conditions existing in the Federal system and its recommendations for additional district and circuit judges needed to adequately cope with the crowded docket. I have therefore, in the bill I am now in-

troducing, changed the language of my previous bills so as to conform to those Judicial Conference recommendations as they pertain to the State of Maryland. Those recommendations provided for the appointment of at least two additional judges to the district court bench and two additional judges to the bench of the Court of Appeals for the Fourth Circuit.

I have many times in the past publicly stated my views on the need for these additional judges and the need grows greater with each passing day.

The present caseload of the two courts, according to the Judicial Conference's reports, is much higher than the national average. Those statistics reveal a phenomenal increase in civil cases filed since the end of World War II in Maryland's U.S. district court. For the 7-year period from 1946 through 1952, the average annual civil filings were 571.

In the succeeding 7-year period, from 1953 through 1959, they rose to 892, an overall increase of 56 percent with no increase in judge power. The average number of civil cases commenced per judgeship in 1959, 418, was almost twice the national average of 215.

The situation is also critical with respect to the criminal caseload which in 1959 was more than 60 percent above the national average of 108 per judgeship. Nevertheless, the median time for disposing of cases in the district of Maryland—10.4 months in 1959—is consistently below the national median—15.3 months in 1959.

An analysis of the court records of the fourth circuit will reveal that the need for the additional two judges recommended for that court is equally great.

The nationwide need for additional Federal judges has been repeatedly brought to the attention of the Democratic controlled 85th and 86th Congresses by the Attorney General who has long been concerned with overcrowded docket conditions.

The drastic need has also been recognized by President Eisenhower, who in an effort to get the Congress to act, promised to split the appointments to newly created judgeships equally among the two major political parties. That was indeed a generous bona fide gesture made in an effort to get action. The President was, nevertheless, ignored.

Mr. President, I doubt that the present administration will make the same generous offer, but whether it does or not, I strongly urge that this Congress take action not only on my request for additional Federal judgeships in my jurisdiction but on all recommendations of the Judicial Conference as well.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 226) to provide for the appointment of additional district court judges for the district of Maryland; and for the appointment of additional circuit judges for the Fourth Circuit Court of Appeals, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on the Judiciary.

LEGISLATIVE PROPOSALS FOR CHANGES IN THE PRESIDENTIAL ELECTORAL SYSTEM

Mr. MANSFIELD. Mr. President, weeks have passed since the presidential election. In its immediate aftermath there was a vast outpouring of public indignation from every State of the Union over the patent inadequacy, the creaky antiquity and the glaring inequity of the entire presidential electoral system from beginning to end.

Today, the inadequacy remains; the antiquity remains; the inequity remains. But I wonder, Mr. President, how much of the public indignation remains. It is a long time from November to January and, somehow, we have once again muddled through a presidential election which has managed, more by accident than design, reasonably to reflect the views of the voters in the selection of the President and the Vice President of the United States.

The flaws in the electoral system are still there; but is the will to do something about them still there? As the Senate well knows, after every major election which, in one manner or another, highlights the outrageous weaknesses in the system, there is a clamor for change. The attempt to improve the system has been made before, many times. Rarely have the attempts met with success and many times they have failed. These failures notwithstanding, it seems to me that the attempt must be made again and again so long as the flaws remain. The attempt must be made and, someday, it must succeed if we are to insure the continued vitality of the basic political machinery of the Nation.

It has sometimes taken great catastrophies in other areas of our social life to end inertia and to produce significant changes in practices, as, for example, in fire prevention, in banking, and in many other matters. I hope that it will not require anything so drastic to produce significant changes in the basic but outmoded instrumentalities of our political freedom—that for selecting the President of the United States so as to encourage the best possible choice as well as the continued responsiveness of the Office to the people of the Nation.

During the last political campaign I announced that I would present for the consideration of the Senate, certain measures for dealing with what appeared to me to be significant flaws in the presidential electoral system. That is what I shall do, today, after these explanatory remarks have been completed.

The significant flaws, as I see them, the flaws requiring priority consideration, are the following:

First. The out-of-date unrepresentative, and on occasion completely irresponsible, electoral college system.

Second. The long interregnum or transition when the administration remains in the hands of the incumbents from early November to late January—in hands which have, in reality, already been cut off from their source of power.

Third. The brutal length of presidential campaigns and its brutalizing effect on the level of debate and discussion.

Fourth. The costs of campaigns and the methods of financing them.

Fifth. The nomination of presidential candidates by the major parties under the present convention system.

Today I wish to introduce three legislative measures which are designed at least to begin to cope with these five categories of flaws. They are not the first legislative word, and I am sure, not the last word on any of these problems. They represent one Senator's thinking—aided in its legal expression by the experts of the Library of Congress and the office of the Senate legislative counsel. They are an attempt to find a legal road out of the morass of confusion, inequity, and irresponsibility which characterizes the present system of presidential selection.

The first of the three measures, Mr. President, is a proposal to amend the Constitution of the United States. This measure represents a complete departure from the present electoral college system. It does not seek to patch up that system; it seeks to end it.

The proposed amendment calls, simply, for the election of the President and Vice President by direct popular vote. It would give to every vote—wherever it may be cast in the Nation—an equal value with all others cast. In short, it would write into the Constitution the principle that one American voter equals one vote—no more, no less, in the selection of the President and Vice President of the Nation.

This approach is not new, Mr. President. It has been tried time and again since the very beginning of the Republic. In recent years, the distinguished majority whip, the able Senator from Minnesota [Mr. HUMPHREY] and other Members have fought well but without success to bring about this change.

It remains to be seen whether a renewal of the effort at this time will meet with any results. I must confess that I am not sanguine in my expectations. The issue is not simple and even if it were, constitutional changes are not easily or quickly made, nor should they be. Nevertheless, it seems to me most desirable that we test periodically in the Congress these propositions: First, we have reached that point in our continuing constitutional evolution in which Americans should express their unity as a people, beyond State divisions, by selecting by equal vote throughout the land the President of the United States; and second, we have reached, as a people, that point of political enlightenment and maturity at which Americans are competent to fill the Presidential office by direct vote, without the faceless intermediaries of the electoral college.

My experience with my fellow Americans, not only in Montana but throughout the Nation, leads me to subscribe to both propositions. It is for that reason that I will introduce this proposed amendment. It is for that reason that I have considered but rejected alternative proposals for changes which would, in essence, seek to amend or to patch up rather than abolish the electoral college system. No matter how it may be

changed, so long as the institution remains, we will not conform to the basic principle of one American voter—one vote in the selection of the President. All significant measures short of this, so far as I can see, can act only as a rejockeying of inequities, as efforts to shift advantages as between large States and small States, between rural areas and urban areas. I, for one, can see no real national purpose in exchanging the inequities which exist in the present system for the unknown inequities which various halfway measures may substitute for them.

To the only significant argument which still serves to underwrite the electoral college system, that is, that it is a part of the Federal system and as such must be preserved, I can only reply that, in my opinion, the Federal system is not strengthened through an antiquated device which has not worked as it was intended to work when it was included in the Constitution and which, if anything, has become a divisive force in the Federal system by pitting groups of States against groups of States. As I see the Federal system in contemporary practice, the House of Representatives is the key to the protection of district interests as district interests, just as the Senate is the key to the protection of State interests as State interests. These instrumentalities, and particularly the Senate, are the principal constitutional safeguards of the Federal system, but the Presidency has evolved, out of necessity, into the principal political office, as the courts have become the principal legal bulwark beyond districts, beyond States, for safeguarding the interests of all the people in all the States. And since such is the case, in my opinion, the Presidency should be subject to the direct and equal control of all the people. That is what this proposed constitutional amendment, if it is approved, will help to do. And may I add that under its terms the proposition would be put, not to the State legislatures for ratification, but as also provided for in the Constitution and as was done in the case of the repeal of the 18th amendment, to the direct and specific consideration of amending conventions chosen by the people in the States solely for that purpose.

This amendment, as now proposed, will do one thing more. It will speed the day for the assumption of office by a President-elect from January 20 to the December 1 prior. In short, this provision will reduce the lame-duck Presidency by several weeks and thereby cut the dangerous drift in national leadership during periods of administrative changeover. At the same time it will give the new President a greater opportunity to shape his program more effectively to action by permitting him more time to gain control over the continuing processes of the executive branch before the meeting of the new Congress.

Let me turn next, Mr. President, to the first of two bills which I shall also introduce today along with the proposed amendment. This bill, Mr. President, is aimed, simultaneously, at two flaws in the present electoral system—the cost of campaigns and their brutal and brutalizing length. I need hardly explain to Members of this body that the costs of political campaigns—particularly presidential campaigns—has reached enormous levels. If all the expenditures from all sources are totaled, the cost runs into tens of millions of dollars—no one really knows exactly how much. Money is clearly a factor in all campaigns and, in close campaigns, it may be the decisive factor.

I do not think that it serves the interests of the entire Nation when elections can be influenced significantly or even decided by the question of which candidate can raise the most money. I do not think it serves the national interests when the expenses for those who campaign to serve all the people must be financed by a relative handful of people and organizations which make large contributions directly or indirectly. I do not think it adds to the dignity and vitality of the nation's political life when another major source of political finance is the patently unsatisfactory practice of selling $2 steaks at $100-a-plate dinners. I do not think it serves the national interest when political campaigns which begin as instruments of public enlightenment end in a crescendo of weary repetition and name calling as the length of the campaign exhausts the candidates and forces of hate and malicious gossip are emboldened to join in a final chorus of distortion and defamation at the close of the campaign.

Let me say, Mr. President, that I do not criticize the loyal adherents of any party in these comments. They work hard for their candidates.

They raise money as best they can because money is essential in political campaigns. They do the best that they are able to do. But I do believe all of us, in the Congress, and in the Nation, share reponsibility for the neglect and inertia which makes a most vital instrument of freedom dependent for its financing on a system less equitable and less rational than the fundraising devices of obscure charities. I do believe both parties share responsibility for persisting in campaigns whose length is more attuned to the age of drum signals in the jungle than to the age of instant and full national electronic communications.

This bill which I am about to introduce, Mr. President, acts to supplement in a limited way, out of public funds the resources of the major parties so that they will become more dependent in a financial sense on all the people rather than on a relative handful of contributors. I would hope that the bill will be seen as complementary to the kind of legislation proposed by our late colleague, Senator Hennings, during the last session. His interest in this subject was intense, and he sought to bring about a rational approach to the limitation on expenditures by all parties.

The bill that I am about to introduce, Mr. President, seeks to isolate a principal cost of modern presidential campaigns—TV and radio broadcasting which have become the most important single devices of public discussion of the issues. It would have the Nation underwrite out of the Treasury $1 million of the cost of such broadcasting for each party. This would pay for roughly a total of less than 10 hours of a full national network coverage on radio and TV. It would do this, however, only if the parties held their nominating conventions for President and Vice President after September 1. In other words, Mr. President, the people would cover with public funds a part of the cost of a presidential campaign but only if the parties in turn agree to shorten their campaigns which, in effect, they would do if they held off their nominating until September 1.

Finally, as I noted, the bill would also act to simplify and to make more equitable the conditions of nomination of candidates in the party conventions. For to be eligible for the financial aid provided under the measure, a party's convention would not only have to be held after September 1 but votes at the convention would have to be allotted on the same basis as congressional representation and no fractional voting would be permitted. Convention delegates, thus, would have to be chosen in rough proportion to population. Conventions would consist uniformly of about 600 delegates rather than the many more who now participate, and we would see an end to that curious convention phenomenon whereby some delegates are worth half a body while others are whole and full of value.

I turn now to the second of the two bills which I shall introduce today. This bill is concerned with the question of the use of the direct primary as a device for the nomination of presidential candidates. Let me say at the outset, that in preparing this bill, I have drawn heavily on the original work of the distinguished Senator from Illinois, Mr. Douglas; the able Senator from Wisconsin, Mr. Proxmire; and our late and dedicated colleague from Oregon, Mr. Neuberger.

I considered for a long time the possibility of a direct national primary. For constitutional reasons as well as those of practicality, I have now come to the conclusion that something along the lines of the approach of the Senator from Illinois [Mr. Douglas], which would not require a constitutional amendment, would be most practical at this point. What is proposed, then, is a modification and elaboration of a bill presented by him in the 82d Congress. It would give Federal assistance at a set rate to States to help them finance the conduct of preferential primaries for nominees for the Presidency. In short, it is an effort to encourage States to use this device so that when the conventions do meet they will have before them a far more extensive grasp of popular sentiment as expressed through preferential primaries than is now the case, a sentiment which they would ignore at their own peril. In short, the bill is designed to help bring the nominating processes out from behind the closed doors and to encourage wider popular participation in them. The bill attempts to meet objections which were raised against the original Douglas legislation, and it goes further

in providing some financial assistance to serious candidates for the nomination for the Presidency in each party.

That, Mr. President, completes my presentation of the three measures affecting the electoral system which I am about to introduce. I present them to the Senate only after the most careful study of the problem and with a full awareness that changes in the basic political machinery of the Nation ought never to be lightly undertaken. I introduce them with the expectation that they will be carefully considered by the appropriate committees along with other motions on this subject.

By the same token, I introduce them in the belief that action to modernize the electoral machinery for the Presidency and to introduce a measure of greater dignity and public responsibility into political campaigns is long overdue, I introduce them in the belief that more equitable conditions for the selection and consideration of candidates and more direct popular control will better serve the present needs of our people and help to revitalize and encourage greater popular participation in the most important single expression of political freedom in this Nation—the election of the President and Vice President of the United States.

Mr. President, I send to the desk for appropriate referral the following:

A proposed amendment to the Constitution providing for the direct popular election of the President and Vice President.

A bill to authorize the appointment of a Federal Presidential Election Board to conduct preferential primaries for the nomination for President.

A bill to reimburse political parties for radio and television expenditures in presidential election campaigns.

Mr. President, these thoughts are presented for the consideration of the Senate and, particularly, for the study of the appropriate committees. Any or all of them—on the basis of further study—may prove to have some merit. Any or all of them may not. They have been introduced for the purpose of bringing about consideration of a set of electoral problems of serious proportions. The proposals are presented in the hope that the responsible committees will weigh them along with other proposals and come up with some effective answers to these electoral problems.

Let me say finally that not a little of what has been proposed and much of what has been said can be found in legislation previously introduced by Members of the Senate and the House, both Democrats and Republicans. I have borrowed heavily from other colleagues and, if there is any credit in these suggestions, they, the Legislative Reference Service of the Library of Congress, and the Senate legislative counsel, deserve most of it.

Mr. President, I ask unanimous consent that the joint resolution and bills I have introduced may be printed in the RECORD.

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

The joint resolution and bills, introduced by Mr. MANSFIELD, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on the Judiciary:

S.J. Res. 23. Joint resolution proposing an amendement to the Constitution of the United States relating to term of office of President and Vice President, and providing for election of candidates for President and Vice President by popular vote.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

"ARTICLE —

"SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during a term of four years, and, together with the Vice President, chosen for the same term, shall be elected by votes cast by the people of the several States. No person constitutionally ineligible for the office of President shall be eligible for that of Vice President of the United States.

"The Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year in which the regular term of the President and Vice President, as herein provided, is to begin.

"The persons voting in each State in such election shall have the qualifications requisite for persons voting for members of the most numerous branch of the legislature of that State. The places and manner of holding such election shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations. The candidates for the offices of President and Vice President shall be selected in such manner as the Congress shall by law provide. The names of the candidates so selected shall be placed on the ballot in each State, and shall so appear thereon that a single vote will be cast by each voter for the candidate of a political party for the office of President and the candidate of the same party for the office of the Vice President.

"SEC. 2. Within two weeks after such election, the chief executive of each State shall make distinct lists showing the number of votes cast in such State for the candidates of each political party for the offices of President and Vice President, which lists shall be signed, certified, and transmitted under the seal of such State to the seat of the Government of the United States directed to the President of the Senate.

"On the twenty-first day following such election the President of the Senate shall open all certificates in the presence of the Speaker of the House of Representatives and the Chief Justice of the United States, and the votes shall then be counted. The candidates of a political party for the offices of President and Vice President having the greatest number of votes shall be President and Vice President, respectively. If the candidates of two or more political parties shall have an equal number of votes for President and Vice President, and the candidates shall be deemed elected who shall have received the greatest number of the votes in each of the greatest number of States. The Congress may by law provide for the case wherein one or more of the persons referred to in the first sentence of this paragraph are unable to be present on the day fixed for the opening of the certificates, declaring who shall act in their places.

"SEC. 3. The terms of the President and Vice President shall end at noon on the first day of December in the fourth year of their term; and the terms of their successors shall then begin.

"SEC. 4. The first, second, third, and fourth paragraphs of section 1, article II, of the Constitution, the twelfth article of the amendment to the Constitution, that part of section 1 of the twentieth article of amendment to the Constitution which refers to the terms of the President and Vice President, and section 4 of the twentieth article of amendment to the Constitution are hereby repealed.

"SEC. 5. This article shall take effect on the first day of June following its ratification.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in three-fourths of the several States, as provided in the Constitution, within seven years from the date of its submission to the States by Congress."

To the Committee on Rules and Administration:

S. 227. A bill to provide for the reimbursement of political parties for their radio and television expenditures in presidential election campaign.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of reimbursing political parties for their expenditures for radio and television broadcast time in aid or support of the election campaign of their candidates for President and Vice President, the Secretary of the Treasury shall pay, with respect to each presidential election, from the sums appropriated pursuant to section 4:

(a) A sum not to exceed $1,000,000 to each political party whose candidates for President and Vice President receive 10 per centum or more of the total popular vote in such election; and

(b) A sum not to exceed $100,000 to each political party whose candidates for President and Vice President receive more than 1 per centum but less than 10 per centum of the total popular vote in such election.

SEC. 2. Notwithstanding the foregoing provisions of this Act, a political party shall not be eligible for reimbursement under such provisions unless—

(a) Such political party submits to the Secretary of the Treasury, within — days after the date of the election, an application for reimbursement accompanied by a correct and itemized statement of the expenditures with respect to which it seeks reimbursement; and

(b) The candidates of such political party for President and Vice President in such election shall have been nominated at a convention—

(1) which was convened on or after the first day of September of the year in which such election is held, and

(2) in which (i) the number of votes allotted to each State was equal to the number of Senators and Members of the House of Representatives from such State, (ii) the number of votes distributed among the other areas under the jurisdiction of the United States did not exceed six, and (iii) fractional voting was not permitted.

SEC. 3. In any case in which the candidates of any political party for President and Vice President are also the candidates of one or more other political parties, reimbursement under this Act shall be made only to whichever one of such political parties received the greatest number of popular votes.

SEC. 4. This Act shall apply to the presidential election to be held in 1964 and to each such election thereafter.

SEC. 5. There is herby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

To the Committee on Rules and Administration:

S. 228. A bill to establish a Federal Presidential Election Board to conduct preference primaries in connection with the nomination of candidates for President.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to encourage the use of preferential primaries for the purpose of suggesting nominees for President to the major political parties, there is hereby established the Federal Presidential Election Board (hereinafter referred to as the "Board") which shall consist of the following members:

(1) Two members to be appointed by the President of the United States;

(2) Two members to be appointed by the Chief Justice of the United States;

(3) Two members to be appointed by the Speaker of the House of Representatives;

(4) Two members to be appointed by the President of the United States from each political party which polled more than 10 per centum of the total popular vote in the next preceding presidential election, such appointment to be made from among names submitted by the national committees of such parties; and

(5) One member to be appointed by the President from each political party which polled more than five but not more than ten per centum of the total popular vote in the next preceding presidential election, such appointment to be made from among names submitted by the national committees of such parties.

(b) Members of the Board shall be appointed for terms of four years beginning on March 1 of the year following a presidential election except that (1) any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first appointed after the enactment of this Act shall commence on the dates of their respective appointments and shall end on February 28, 1965. Vacancies shall be filled promptly by appointment as provided in subsection (a) of this section. After the appointment of the first members of the Board, and at the beginning of each four-year term thereafter, the Chief Justice of the United States shall designate one of the members of the Board to call a meeting of the Board at which the first order of business shall be the election of a chairman and vice chairman.

SEC. 2. (a) The Board is hereby authorized to enter into agreements with the several States, through their appropriate officials, to conduct preferential primaries for suggesting nominees for President to each political party which polled 10 per centum or more of the Nation's total popular vote in the next preceding presidential election.

(b) The Board is hereby authorized to compensate each State with which an agreement is made for use of its facilities and services, but such compensation shall not exceed in any State an amount equal to twenty cents multiplied by the total number of votes cast in the preferential primary held in that State.

SEC. 3. (a) No person shall be a candidate for nomination in a preference primary under this Act unless there shall have been filed with the Board—

(1) a petition on behalf of his candidacy signed by at least 1,000 citizens of each of three-fourths of the States who are registered or otherwise qualified to vote in their respective States; and

(2) a bond in the sum of $25,000 which shall be forfeited if such person fails to poll at least 3 per centum of the total vote in all States in which preferential primaries are held under the provisions of this Act.

(b) Whenever the Board shall receive a petition which appears to qualify the name of a candidate for President, it shall forthwith in writing notify the prospective candidate of such petition and shall advise him that, unless he informs the Board of the withdrawal of his name from the ballot within ten days after receipt of such notice, or unless there is a failure to comply within such time as may be fixed by the Board therefor with the provisions of subsection (a) (2), his name shall appear on the ballot of his party in such presidential preference primary in all States which entered into agreements therefor with the Board.

SEC. 4. (a) Except as provided in subsection (b), each candidate whose name appears on the ballot in a preference primary held under the provisions of this act shall be eligible for reimbursement by the Board in an amount not to exceed $250,000 for expenditures made by him or by any person for him with his knowledge and consent in aid or support of his primary campaign.

(b) The reimbursement authorized by this section shall not be paid to any candidate unless—

(1) the candidate shall file with the Board, within 20 days after the last preference primary has been held, a correct and itemized account of each such expenditure together with the name of the person to whom such expenditure was made, except that only the total sum of expenditures for items specified in section 309(c) of the Federal Corrupt Practices Act, 1925 (2 U.S.C. 248 (c)), need be stated; and

(2) the candidate polls at least 3 percent of the total vote in all States in which primaries are held under the provisions of this act.

SEC. 5. The Board shall by regulation specify the time within which the petitions referred to in section 3 shall be filed, the dates of such preference primaries, and other details necessary and proper to effectuate the purposes and provisions of this act, but no such preference primary may be held later than August 1 of any presidential election year.

SEC. 6. As used in this Act, the term "State" means one of the several States. The Board may, however, in its discretion, conduct preferential primaries in other areas under the jurisdiction of the Government of the United States, either independently or in conjunction with local officials.

SEC. 7. Each member of the Board shall receive the sum of $50 for each day or part thereof spent in the performance of his official duties. The Board shall appoint and fix the rate of compensation of such other employees as it may from time to time find necessary for the proper performance of its duties. All of the expenses of the Board, including all necessary travel and subsistence expenses incurred by the members or employees of the Board under its orders, shall be paid out of appropriations therefor, and there is hereby authorized to be appropriated to the Board in each presidential election year not to exceed the sum of $10 million to carry out the purposes of this Act.

Mr. KEATING subsequently said: Mr. President, with the approval of the Senator from Montana [Mr. MANSFIELD], the able majority leader, I ask unanimous consent that my name may be added as a cosponsor of the joint resolution (S.J. Res. 23) proposing an amendment to the Constitution of the United States relating to term of office of President and Vice President, and providing for election of candidates for President and Vice President by popular vote, introduced by him earlier today.

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

LIMITING THE TRAVEL OF COMMUNISTS

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill, sponsored by myself and by the Senator from Utah [Mr. BENNETT], which would give to the Secretary of State the power to withhold passports from persons who seek to travel abroad to further the international Communist conspiracy.

I have noticed with considerable concern recent statements by the Director of the Federal Bureau of Investigation, and others, that the Communist Party is revitalizing its internal structure; that the party apparatus is being strengthened; that recruiting campaigns are underway.

We have known for some time that a major objective of the Communist Party is the complete and utter destruction of our security system. Recently, the party has been particularly active in its assault on the State Department's passport program.

On June 16, 1958, the Supreme Court held by a 5-to-4 opinion in the Kent-Briehl and Dayton cases that the Secretary of State did not have authority to deny passports even when he had evidence that the persons concerned were going abroad knowingly and willfully to advance the Communist movement. I propose to give the Secretary of State the legislative authority the Supreme Court found lacking.

I believe it is absolutely essential that the Congress enact legislation authorizing the Secretary of State to deny passports to active proponents of the Communist conspiracy. I do not feel that "freedom to travel" is compromised in any real sense by legislation necessary for our national safety, any more than freedom to drive a car down Main Street is violated by a regulation keeping from behind the wheel the blind or the insane. The bill I am introducing seeks to strike a balance between the rights of the individual and the requirements of national safety necessary for the protection of the public interest.

The bill I am introducing today is identical with S. 2315 which I introduced in the first session of the 86th Congress. Unfortunately, no action was taken on that bill. I feel it is very important that we take action on this matter very soon.

This bill should not be misunderstood as one seeking to reverse any holding of the U.S. Supreme Court. It merely seeks to supply the statutory authority the Court found lacking.

Representatives of the Department of State have testified before committees of this body, and have stated in public pronouncements that the Communists have been quick to take advantage of this breach in our defenses. Communists are flocking to the State Department to get their passports while the getting is good. There is no longer any deterrent whatsoever to the free movement of Communist agents and couriers to whatever country

their subversion might be most effective in dismembering the free world.

Couriers are essential to carrying out the international Communist conspiracy. We do not allow Communist couriers to enter this country. Why, then, should we allow homegrown Communist couriers to leave it and travel freely abroad? We must give the Government the power so it does not remain helpless to prevent American Communists, including national leaders and officials of the Communist Party of America, from going abroad to conspire against the very Government which must facilitate their travel.

I request unanimous consent that the bill lie on the table for a week to enable other Senators who wish to do so to join in sponsoring this measure.

Mr. President, I ask unanimous consent that the bill be printed at this point of my remarks in the RECORD.

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

The bill (S. 229) to provide for denial of passports to supporters of the international Communist movement, for review of passport denials, and for other purposes, introduced by Mr. WILEY (for himself and Mr. BENNETT), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DENIAL OF PASSPORTS TO SUPPORTERS OF THE INTERNATIONAL COMMUNIST MOVEMENT

SECTION 1. The Congress finds that the international Communist movement of which the Communist Party of the United States of America is an integral part, seeks everywhere to thwart United States policy, to influence foreign governments and peoples against the United States, and by every means, including force and violence, to weaken the United States and ultimately to bring it under Communist domination; that the activities of the international Communist movement constitute a clear, present, and continuing danger to the security of the United States, and seriously impair the conduct of the foreign relations of the United States; the travel by couriers and agents is a major and essential means by which the international Communist movement is promoted and directed; that a United States passport requests other countries not only to permit the holder to pass freely and safely but also to give all lawful aid and protection to the holder and thereby facilitates the travel of such holder to and in foreign countries; and that in view of the history of the use of United States passports by supporters of the international Communist movement to further the purposes of that movement, the issuance of a passport to, or the possession of a passport by, persons described in section 2 is inimical to the security and to the conduct of foreign relations of the United States and therefore passports should not be issued to or held by such persons.

SEC. 2. (a) In accordance with the findings in section 1, the Secretary of State is authorized to refuse to issue a passport, or to revoke a passport already issued, to any person as to whom it is determined on substantial grounds that he knowingly engages in activities for the purpose of furthering the international Communist movement, unless such person demonstrates to the Secretary, by clear and convincing evidence, that his activities abroad would not further the purposes of such movement.

(b) The Secretary shall consider as evidence of activities in furtherance of the international Communist movement, within the meaning of subsection (a)—

(i) present membership in the Communist Party or former membership terminated under circumstances which reasonably warrant the conclusion that the person continues to act knowingly in furtherance of the interests and under the discipline of the Communist Party;

(ii) activities under circumstances which reasonably warrant the conclusion that a person, regardless of the formal state of his affiliation with the Communist Party, is knowingly acting under the discipline of the Communist Party, or as a result of the direction, domination, or control exercised over him by the international Communist movement;

(iii) other facts which reasonably warrant the conclusion that the person is going or staying abroad to conduct activities for the purpose of furthering the interest of the international Communist movement.

SEC. 3. The Secretary of State may require, as a prerequisite to the issuance, renewal or extension of a passport that the applicant subscribe to and submit a written statement duly verified by his oath or affirmation as to whether he is or has been within ten years prior to filing his application a member of the Communist Party.

SEC. 4. The provisions of this title shall continue in effect until the termination of the national emergency established by Presidential Proclamation Numbered 2914, December 16, 1950 (64 Stat. A 454).

TITLE II—PROCEDURE FOR PASSPORT DENIAL AND REVIEW

SEC. 5. Upon application therefor, duly completed, and upon compliance with any requirement under the provisions of section 3 of title I of this Act, a passport shall be issued to any person qualified under section 212 of title 22 of the United States Code (32 Stat. 386), or the applicant shall be informed in writing of a denial thereof, within ninety days after the receipt of such application. If a passport is denied, revoked, or restricted for any reason other than noncitizenship or geographic restrictions of general applicability, the passport applicant or holder shall be informed in writing of the reason, as specifically as is consistent with considerations of national security and foreign relations, and of the right to a hearing before the Passport Hearing Board in accordance with the provisions of this title. Notice of the denial or revocation of a passport under the terms of title I of this Act shall specify the paragraph or paragraphs of section 2(b) of title I on the basis of which the passport is denied or revoked.

SEC. 6. There shall be established within the Department of State a Passport Hearing Board consisting of three officers of the Department to be designated by the Secretary of State. This Board shall have jurisdiction in all cases wherein a hearing is requested in writing within thirty days after notification of the denial, revocation, or restriction of a passport, for any reason other than noncitizenship or geographical restrictions of general applicability. The Board shall hold a hearing within ninety days after the receipt of the request unless such time limit is extended at the request of the party. The officers who present the case of the Department of State to the Board shall not otherwise participate in the deliberations or recommendations of the Board.

SEC. 7. (a) The Secretary shall establish and make public rules which shall accord to the individual in proceedings before the Board the following rights:

(1) To appear in person and to be represented by counsel;

(2) To testify in his own behalf, present witnesses, and offer other evidence;

(3) To cross-examine witnesses appearing against him at any hearing at which he or his counsel is present and to examine all other evidence which is made a part of the open record;

(4) To examine a copy of the transcript of the open proceedings or to be furnished a copy upon request.

(b) In order to protect information, sources of information, and investigative methods, disclosure of which would have a substantially adverse effect upon the national security or the conduct of foreign relations, the Board may at any time consider oral or documentary evidence without making such evidence part of the open record. Prior to completion of its proceedings, the Board shall furnish to the individual a résumé of any such evidence, and shall certify that it is a fair résumé. The Board shall take into consideration the individual's inability to challenge information of which he has not been advised in full or in detail or to attack the credibility of sources which have not been disclosed to him.

SEC. 8. Within sixty days after completion of its proceedings, the Board shall make written findings, conclusions, and recommendations, which shall be transmitted with the entire record to the Secretary of State who shall make the final administrative determination. If the recommendation of the Board is adverse to the individual, a copy of the recommendation and of the findings and conclusions which are based upon the open record or upon the résumé of any evidence not made part of the open record, shall be furnished the individual, who may within twenty days following the receipt thereof submit to the Secretary written objections thereto. The Secretary shall base his determination upon the entire record submitted to him by the Board, including all findings and conclusions, and upon any objections submitted by the individual. In appropriate cases, the Secretary may remand a case to the Board for further proceedings. In the event he takes action adverse to the individual, the Secretary shall make appropriate written findings and conclusions.

SEC. 9. The United States District Court for the District of Columbia shall have jurisdiction to review any final determination of the Secretary of State under section 8 of this Act to determine whether there has been compliance with the provisions of this Act and of any regulations issued thereunder. In any such proceedings the court shall have power to determine whether any findings which are stated to be based upon the open record are supported by substantial evidence contained in that record, or, in the case of a résumé of evidence which was not made part of the open record in conformity with section 7(b) of this Act, are supported by the résumé of such evidence, duly certified by the Board under said section 7(b).

SEC. 10. The provisions of the Administrative Procedure Act, as amended (5 U.S.C., ch. 19), shall not apply to proceedings under this title.

TITLE III—REGULATIONS

SEC. 11. The Secretary of State is authorized to prescribe regulations to carry out the provisions of this Act.

TITLE IV—SEPARABILITY

SEC. 12. If any provision of this Act is held invalid, the remaining provisions shall not be affected.

TITLE V—EFFECTIVE DATE

SEC. 13. This Act shall take effect immediately upon its enactment.

CONSTRUCTION OF GARRISON DIVERSION UNIT, NORTH DAKOTA

Mr. BURDICK. Mr. President, on behalf of my colleague [Mr. YOUNG] and myself, I introduce, for appropriate reference, a bill to reauthorize the construction of the Garrison diversion unit in North Dakota. This project was authorized by the 1944 Flood Control Act, as a part of the Missouri River Basin development. Although over half a million acres of North Dakota land have been taken for reservoir purposes in carrying out the many objectives of the 1944 act, no appropriation was ever made by the Congress for the Garrison diversion unit. Because of the lapse of time and changes in engineering in the project, this reauthorization is sought.

This project would divert water from the Garrison reservoir for various purposes, including irrigation and municipal water supply. It would be in keeping with the overall development of the Missouri River.

Mr. President, I ask unanimous consent that the text of this legislative proposal be printed at the conclusion of these remarks.

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

The bill (S. 230) to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior, introduced by Mr. BURDICK (for himself and Mr. YOUNG of North Dakota), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general plan for the Missouri-Souris unit of the Missouri River Basin project, heretofore authorized in section 9 of the Flood Control Act of December 22, 1944 (58 Stat. 887), as modified by the report of the Secretary of the Interior contained in House Document Numbered 325, Eighty-sixth Congress, second session, is confirmed and approved under the designation "Garrison diversion unit," and the construction of works recommended therein by the Secretary shall be prosecuted by the Department of the Interior substantially in accordance with such modified general plan.

SEC. 2. In connection with the carrying out of the plan for the Garrison diversion unit, the Secretary is authorized to make provision for the conservation and development of the fish and wildlife resources of the area in accordance with the authorities and procedures of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661, and the following).

The Secretary is authorized to construct recreational facilities essentially as described in aforesaid House Document Numbered 325, and to withdraw or acquire by such means as he considers in the public interest additional lands required therefor if the State of North Dakota, or a political subdivision thereof, or a public entity agrees to operate and maintain such recreational facilities for a period of at least twenty years. After twenty years of State or local operation and maintenance, the Secretary is authorized to convey to the State, or to a political subdivision thereof, or to a public entity, without monetary consideration, the recreation facilities, including land therefor, to be used, operated and maintained by the State, or political subdivision, or public entity exclusively for public use purposes. Except for works and areas which will be administered by an agency of the Department of the Interior, provision of specific facilities for these purposes shall not be undertaken by the Secretary until suitable agreements have been made with State or local agencies respecting, among other things, administration and the bearing or sharing of appropriate operation and maintenance costs. Appropriate shares of the Federal costs of constructing, operating, and maintaining the Garrison diversion unit shall be allocated to the purposes specified in this section and shall be nonreimbursable and nonreturnable as are certain other purposes of the project under the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof and supplementary thereto).

SEC. 3. Notwithstanding the existence of any reservation of right-of-way for canals under the Act of August 30, 1890 (26 Stat. 371, 391, 43 U.S.C. 945), the Secretary is authorized to pay just compensation to the owners of private lands west of the one-hundredth meridian, for all lands or interest in lands required for right-of-way purposes for the Garrison diversion unit.

SEC. 4. The Garrison diversion unit shall be integrated physically and financially with the other Federal works constructed or authorized to be constructed under the comprehensive plan approved by section 9 of the Act of December 22, 1944, as amended and supplemented. The Secretary shall give consideration to returning to the Missouri River to the fullest extent practicable such of the return flows as are not required for beneficial purposes.

THE RESOURCES AND CONSERVATION ACT OF 1961

Mr. ENGLE. Mr. President, I wish to offer a bill to be known as the Resources and Conservation Act of 1961. I have the honor to include as cosponsors of this legislation 30 of my distinguished colleagues from both sides of the aisle. They are Senators BARTLETT, BIBLE, BURDICK, BYRD of West Virginia, CANNON, CARROLL, CASE of South Dakota, CHAVEZ, CHURCH, COOPER, GRUENING, HART, HUMPHREY, JACKSON, KEFAUVER, LONG of Hawaii, LONG of Missouri, MAGNUSON, MCCARTHY, METCALF, MOSS, MORSE, NEUBERGER, RANDOLPH, SPARKMAN, SYMINGTON, WILLIAMS of New Jersey, YARBOROUGH, YOUNG of North Dakota, and YOUNG of Ohio.

It long has been my conviction that we need to work out a declaration of national policy on this matter in the Congress. And I feel strongly that our natural resources programs need better coordination at a high executive level. That is why I was especially interested in the last Congress in Senator Murray's bill, S. 2549, of which I was a cosponsor. The bill that I offer today with the support of so many colleagues has the same basic objectives as the Murray bill.

This legislation offers a declaration of national policy on resources conservation and utilization, and proposes to establish effective coordinating mechanism in the Executive Office of the President in the form of a permanent Council of Resources and Conservation Advisers.

This proposal is in line with the natural resources plank of the 1961 Democratic platform. It also is in line with repeated declarations of policy by Senator Kennedy during the campaign.

I think the words of President-elect Kennedy best describe the objectives of my bill. At the Western Water and Power Consumers Conference at Billings, Mont., in September, Senator Kennedy said:

> As our needs mount and as population grows, it will become increasingly essential that we consider all our resources in the light of their relationship to each other—as well as to the economy as a whole, and the needs of our people. That is why I support efforts to establish a Council of Resources and Conservation Advisers in the Office of the President—a council which will engage in overall resource planning and policy—which will assess our national needs—and recommend national programs to meet them. With such a council, working in cooperation with a joint congressional committee, we can have a continuous appraisal of our resource needs, and up-to-date inventory of our resource potential, and a resource development program which can be shaped to fit all the needs of a growing economy and an expanding population.

It is with a feeling of honor and a deep sense of responsibility that I propose the Resources and Conservation Act of 1961. I ask, Mr. President, that it be held at the desk for a week for the addition of the names of other Senators who may wish to join in sponsoring this legislation.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD; and, without objection, the bill will lie on the desk, as requested by the Senator from California.

The bill (S. 239) to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes, introduced by Mr. ENGLE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Resources and Conservation Act of 1961."

DECLARATION OF POLICY

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government, with the assistance and cooperation of industry, agriculture, labor, conservationists, State and local governments, and private property owners, to use all practicable means including coordination and utilization of all its plans, functions, and facilities, for the purpose of creating and maintaining, in a manner calculated to foster and promote the general welfare, conditions under which there will be conservation, development, and utilization of the natural resources of the Nation to meet human, economic, and national defense requirements, including recreational, wildlife, scenic, and scientific values and the enhancement of the national heritage for future generations.

RESOURCES AND CONSERVATION REPORT OF THE PRESIDENT

SEC. 3. (a) The President shall transmit to the Congress not later than January 20 of each year (commencing with the year following enactment of this Act) a conservation report (hereinafter called the "Resources and Conservation Report") setting forth (1) the condition of the soil, water, air, forest, grazing, mineral, wildlife, recreational, and other natural resources with particular reference to attainment of multiple purpose use; (2) current and foreseeable trends in management and utilization of the aforesaid natural resources; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation; (4) a review of the conservation programs and activities of the Federal Government, the State and local governments, and nongovernmental entities and individuals with particular reference to their effect on full conservation, development, and utilization of natural resources; (5) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the Resources and Conservation Report, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

(c) The Resources and Conservation Report, and all supplementary reports transmitted under subsection (b), shall, when transmitted to Congress, be referred to the joint committee created by section 5.

COUNCIL OF RESOURCES AND CONSERVATION ADVISERS TO THE PRESIDENT

SEC. 4. (a) There is hereby created in the Executive Office of the President a Resources and Conservation Council (hereinafter called the "Council"). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret natural resource policy, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national resource policy to promote conservation, development, and utilization of natural resources. Each member of the Council shall receive compensation at the rate of $ per annum. The President shall designate one of the members of the Council as Chairman and one as Vice Chairman, who shall act as Chairman in the absence of the Chairman.

(b) The Council is authorized to employ, and fix the compensation of an executive officer and such staff assistants and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the civil service laws and the Classification Act of 1923, as amended, and is authorized, subject to the civil service laws, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the Classification Act of 1923, as amended.

(c) It shall be the duty and function of the Council—

(1) to assist and advise the president in the preparation of the Resources and Conservation Report;

(2) to gather timely and authoritative information concerning natural resource conservation and development trends, both current and prospective, to analyze and interpret such information in the light of the policy declared in section 2 for the purpose of determining whether such development and trends are interfering, or are likely to interfere, with the achievement of such policy, and to compile and submit to the President studies relating to such developments and trends;

(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote conservation, development, and utilization of the natural resources of the Nation to meet human and economic requirements, including recreational, wildlife, and scenic values.

(5) to make and furnish such studies, reports thereon, and recommendations with respect to matters of Federal resource policy and legislation as the President may request.

(d) The Council shall make an annual report to the President in December of each year.

(e) In exercising its powers, functions, and duties under this Act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, conservationists, State and local governments, and other groups, as it deems advisable;

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided.

(f) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and the salaries of officers and employees of the Council) such sums as may be necessary. For the salaries of the members and the salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding $ in the aggregate for each fiscal year.

JOINT COMMITTEE ON RESOURCES AND CONSERVATION

SEC. 5. (a) There is hereby established a Joint Committee on Resources and Conservation, to be composed of eight Members of the Senate, to be appointed by the President of the Senate, and eight Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of matters relating to the Resources and Conservation Report;

(2) to study means of coordinating programs in order to further the policy of this Act; and

(3) as a guide to the several committees of the Congress dealing with legislation relating to the Resources and Conservation Report, not later than May 1 of each year (beginning with the year following the enactment of this Act) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Resources and Conservation Report, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed twenty-five cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

(e) There is hereby authorized to be appropriated for each fiscal year, the sum of $, or so much thereof as may be necessary, to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman.

AGE DISCRIMINATION BARRED

Mrs. NEUBERGER. Mr. President, I introduce today, for appropriate reference, a bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors.

I introduce this measure, Mr. President, because unless we have leadership from the Congress with relation to the hiring practice of Government contractors, this cruel and wasteful practice will continue unabated.

This practice is cruel because all arbitrary discrimination is cruel. And it is arbitrary to judge any group of people by a single attribute, be it age, race, sex, religion, or country of origin.

The wastefulness of discrimination because of age has been well documented by the report prepared by the senior Senator from Michigan, the chairman of the Subcommittee on Problems of the Aged and Aging. In his report, Senator MCNAMARA indicates the fallacy of the productivity argument frequently used against older workers. He also points out that the safety and absenteeism record of older workers is the same as for younger employees, while the turnover and discharge rates are even lower.

A further waste is the failure to use the skills and experience of older workers. No real price can ever be placed on skill and experience. Those qualities of maturity and judgment that older workers have are irreplacable, and as our technology and means of production become ever more complex, these qualities become increasingly valuable.

The Department of Labor has developed data to show that discrimination against older workers is persistent, widespread, and irrelevant. The economy loses billions of dollars annually in productivity. There is no measure for the suffering and humiliation of those thousands classed under the hearing "Personnel, Obsolete."

Congress has already taken action in this field. The Yates amendment prohibits the imposition of age restrictions as a qualification for direct employment with the Federal Government. My bill would extend, in essence, this valuable policy to Government contractors. With the Federal Government as the Nation's largest customer, we will be taking an important step forward to end this unjust practice.

I am introducing this bill for myself and my colleagues, Senators MORSE, KEFAUVER, HUMPHREY, YARBOROUGH, and PROXMIRE.

I ask unanimous consent that the bill be printed in the RECORD.

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

The bill (S. 243) to prohibit discrimination because of age in the hiring and employment of persons by Government contractors, introduced by Mrs. NEUBERGER (for herself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936, as amended (41 U.S.C. 35–45), is amended (1) by striking out "and" following the semicolon in subsection (d), (2) by striking out the period at the end of subsection (e) and inserting in lieu thereof "and", and (3) by adding at the end thereof a new subsection as follows:

"(f) That the contractor will not expressly or in practice impose any requirement or limitation of maximum age with respect to the hiring or employment of persons, except such requirements or limitations, in accordance with regulations prescribed by the Secretary of Labor, relating to specific jobs or types of employment as are reasonably designed to protect older workers from tasks which they could not ordinarily because of their age be expected to perform safely or efficiently."

FREE IMPORTATION OF ELECTRONIC MICROSCOPE FOR USE OF WADLEY RESEARCH INSTITUTE, TEXAS

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference a bill authorizing the free importation of an electronic miscroscope for the use of the Wadley Research Institute of Dallas, Tex. This institute is a nonprofit research organization carrying out significant work on the causes and cures of leukemia and other diseases. The institute presently owns an electronic microscope, but new research needs are requiring it to attempt to secure a much more powerful machine, available only abroad.

Mr. J. C. Robbins, Jr., of Longview, Tex., a public spirited citizen, is engaged in raising the money for the purchase of the machine in view of the possible significance of the humanitarian results which can flow from the use of the new machine by the Wadley Research Institute. The cost is about $40,000, and about $20,000 has already been raised.

I introduce the bill to aid in the acquisition by allowing the duty free importation of the microscope, which can be obtained only in Holland. Unless the cost can be held at a minimum, it is possible the research institute may have to forego purchase of the machine. The research institute has been on the waiting list for about 3 years.

The Wadley Institute is located adjacent to the famous Baylor Hospital in Dallas, Tex., and was established through the generosity of J. K. and Suzie L. Wadley, of Texarkana, Tex.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 244) to provide for the free entry of an electronic microscope for the use of Wadley Research Institute of Dallas, Tex., introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Finance.

LIMITATION OF SIZE AND WEIGHT ON FOURTH-CLASS MAIL MATTER TO OR FROM ALASKA AND HAWAII

Mr. LONG of Hawaii. Mr. President, I introduce, for appropriate reference, a bill to restore the size and weight limitations on parcel post packages mailed to or from Hawaii and Alaska, as those limits existed prior to statehood.

As territories, residents of what are now the 49th and 50th States could send packages through first-class post offices up to 100 inches in length and girth, and weighing up to 70 pounds. However, statehood brought both Hawaii and Alaska under the tighter limitations which apply to the States of the mainland. These are 72 inches and 20 pounds for first-class post offices, as in Honolulu.

Obviously, the needs of Alaska and Hawaii for more adequate parcel post shipments are related to their geographical positions, and not to their status as territories or States. Until bridges with a span of more than 2,000 miles can be constructed, we in Hawaii cannot enjoy railroad or truck service from the mainland. Such service to Alaska across the wide open spaces of western Canada is severely limited. Both States need the broader parcel post limits. Enacting them would do no economic harm to the public carriers.

A measure identical to this now offered was passed by the Senate at the last session. I hope that we will again pass it at this session, in time for favorable consideration by the House.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 248) 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, introduced by Mr. LONG of Hawaii (for himself and other Senators), was received, read twice by its title, and referred to the Commitee on Post Office and Civil Service.

AMENDMENT OF FAIR LABOR STANDARDS ACT OF 1938, RELATING TO MINIMUM WAGE

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill to increase the minimum wage. I do so with some misgivings, because I am rather fearful of the impact of such an increase upon the economy at a time when there are, admittedly, soft spots in the economy. I am one of the first, very candidly, to concede that fact.

I think, from the studies of the Secretary of Labor heretofore, when the minimum wage question was raised, it was expressed in terms of a further diminution in the number of available jobs. I think the last time it accounted for, probably, a loss of some 40,000 jobs. That accounts for my misgivings.

The House passed a minimum wage bill which included extended coverage, and so did the Senate. The matter was before the Committee on Labor and Public Welfare for a long time. I sat in the conference on the question, and we could come to no resolution of the question. In the bills which were then pending—the Senate bill particularly—were a number of what I regarded as highly offensive proposals. They would have modified—in fact, completely nullified—the commerce clause of the Constitution of the United States, and would have stretched the long hand of the Federal Government over almost every business, large and small, whether retail or wholesale, and whether engaged in interstate commerce or intrastate commerce.

We provided, however, one of those interesting gimmicks that we frequently encounter; that is, having taken jurisdiction of the whole business, we then provided some cutoffs. We said the law does not apply to retail business if the volume is less than $1 million a year; it does not apply to laundries and cleaning plants if the business gross is less than $250,000 a year. However, the fact is that the jurisdiction of the Federal Government was established over businesses which have no interstate character, and any subsequent Congress can then lower the ante from $1 million to $500,000, to $250,000, and finally sponge it altogether. Then there will be complete jurisdiction over every field of business activity in the country, whether interstate or intrastate, which will make the Federal Government the sole master in that field. That is a little too much for my rather rural soul to accept. I was brought up as one who had a great devotion to the Constitution of the United States. And in the absence of highly persuasive data to the contrary, I intend to continue that devotion.

So, Mr. President, the bill I have introduced today, together with a statement and a report in the nature of an economic analysis, which I asked the Board of Economic Advisers to the President to make, is a simple measure. It provides for some additional coverage and it provides for a $1.10 wage, so the impact will not be too great at an unseemly time; and, generally speaking, it copies the format of the bill we passed in 1938, when I was a Member of the House

of Representatives and participated in the proceedings on that occasion.

So, Mr. President, I introduce the bill and submit the statement and the report, and ask unanimous consent that they be printed in the RECORD.

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

The bill (S. 256) amending the Fair Labor Standards Act of 1938, as amended, introduced by Mr. DIRKSEN, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fair Labor Standards Amendments of 1961".

SEC. 2. Section 3(m) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(m) 'Wages' paid to any employee includes tips and the cost to the employer of furnishing such employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employees: *Provided*, That the Secretary is authorized to determine the fair value of such facilities and tips based on average tips and average cost to employers similarly situated of furnishing such facilities or other appropriate measures of fair value and such determinations shall be used in determining the wage paid to any employee where adequate records of the actual amount of tips received or actual cost of furnishing such facilities are not available.

SEC. 3. Section 3 of such Act is further amended by adding at the end thereof the following:

"(p) 'American vessel' includes any vessel which is defined as a 'vessel of the United States' in title 18, United States Code, section 9, or which is documented or numbered under the laws of the United States or any State.

"(q) 'Secretary' means the Secretary of Labor, United States Department of Labor.

"(r) The terms in sections 6, 7(a), and 12(c) describing the employees to whom these sections apply shall, without limiting their present application, include any employee engaged or employed in the activities of any enterprise having one hundred or more employees and doing business in commerce to a substantial extent except employees referred to in clauses (1), (6), (7), (10), or (14) of section 13(a). For the purpose of this Act—

"(1) 'Enterprise doing business in commerce to a substantial extent' means any enterprise which purchases merchandise, materials, or supplies that move directly across State lines to its place or places of business and have an aggregate annual dollar value of $1,000,000 or more, as determined by their aggregate dollar value for the preceding calendar or fiscal year, or in the case of an enterprise in existence for less than one year, by their aggregate dollar value for the period of its existence.

"(2) 'Enterprise' shall mean the related activities performed by any person or persons for a common business purpose of providing goods or services, or the products thereof, or a combination of them, to others, and shall include all such activities whether performed in one or more establishments or by one or more corporate or other organizational units.

"(3) An 'enterprise having one hundred or more employees' shall mean an enterprise having an average weekly employment of one hundred or more employees as determined by the number of employees during the last preceding calendar or fiscal year or, in the case of an enterprise in existence for less than one year, by the number of employees during the period of its existence.

"(s) 'Restrictive work practices' include failing or refusing to perform any work in an efficient and economical manner, and requirements that unnecessary work be performed or unnecessary positions of employment created or continued."

SEC. 4. Section 6(a) of such Act, as amended, is amended—

(a) by striking the amount "$1" and inserting in lieu thereof the amount of "$1.10"; and

(b) by striking out the period at the end of paragraph (3) therein; inserting a semicolon in lieu thereof; and adding the following new paragraph (4):

"(4) if such employee is employed as a seaman on an American vessel not less than an amount which will provide wages equal to compensation at the minimum hourly rate prescribed by paragraph (1) of this subsection for all hours the employee was actually on duty. Such hours shall not include off-duty periods which are provided pursuant to the employment agreement or periods aboard ship when the employee was not on watch and was not, at the direction of a superior officer, either performing other work or standing by."

SEC. 5. Section 13 of such Act is amended as follows:

(a) The portion of subsection (a) which precedes the paragraph numbered (1) is amended to read as follows:

"(a) The provisions of sections 6 and 7 shall not apply (except to the extent provided by section 3(r)) with respect to".

(b) Clause 14 of subsection (a) is amended to read as follows:

"(14) any employee employed as a seaman on a vessel other than an American vessel."

(c) Following subsection (f), the following new subsection (g) is added:

"(g) The provisions of sections 6 and 7 of this Act shall not apply to an employer if any of his employees through collective action (including inaction) or any labor organization representing such employees or officer or agent thereof directly or indirectly engage in, urge, seek, or promote any restrictive work practices."

The statement and report submitted by Mr. DIRKSEN are as follows:

MINIMUM WAGE STATEMENT BY SENATOR DIRKSEN

At this time I introduce for appropriate reference a bill to increase the minimum wage.

I do this with some misgivings, because I am fearful of the impact which such an increase in the minimum wage will have on our economy at this time. This point has been forcefully made by many authorities in the financial field.

Be that as it may, I am persuaded to introduce a bill to raise the minimum wage at this time, because I believe that assistance should be given to those who receive the minimum wage. I therefore propose an increase in the minimum wage to $1.10. This is a moderate increase, not as much as some would like and more than others think is wise, but in this world we must seek to follow the middle path and to compromise our differences. While we must provide today for the needs of those who live and work today, we must not drain off the lifeblood of our economy by imposing a wage so high that there are no funds left in our economy for growth to provide jobs for those who are born today to live and work tomorrow. Perhaps we must even sacrifice a little today to make possible a better tomorrow. My good colleagues across the aisle claim that the last election was a mandate for sacrifice, and if this be so, I offer them a bill especially suited to their taste.

The dangers of raising the minimum wage are many. The cost of goods can get too high. There is a limit to what people will pay. When it is reached, the wheels and machines of industry stop turning and pink slips take the place of weekly paychecks.

We cannot let this happen, but certain it will be, if we let ourselves be carried away on the gossamer wings of that rarefied idea that the higher prices are, the more money people must be paid. This idea is as thin as the air it floats on. Its facts and figures spiral ever upward to the heavens, and we all know that an economy based on cloud 9 way out yonder just will not work.

The bill I now introduce tries to keep the economy based right here on earth. It does not offer pie in the sky, but more dollars in the pocket. It was these dollars in the pocket which Congress said were necessary to maintain a minimum standard of living necessary for the health, efficiency, and well-being of workers when it passed the first minimum wage bill in 1938, and the same was true of the amendments which increased the minimum wage to 75 cents in 1949 and to $1 in 1955. I now propose to increase it 10 percent, to $1.10. That increase is greater than the 7½-percent increase given Government workers in the last session after much consideration.

Because of the dangers of such an increase it must be limited to those who receive the minimum wage. They need it most. It must not be an excuse for a spiraling round of inflation in which everyone gets a 10-percent increase and everything goes up 10 percent. The responsible people in our labor movement must exert their energies to insure that this increase in the minimum wage is not used for the purpose of increasing wages to create or maintain a wage differential for the benefit of those earning more than the minimum wage. The purpose of this bill is to increase the minimum wage, and the increase should stop there.

Increasing wages is not the only way wage costs can spiral, however. Today wages are being inflated by the failure or refusal of some groups to do a day's work for a day's pay. This includes cutting down on the work done in a day and also requiring the creation or continuation of unnecessary jobs. I call this restrictive work practices, and the bill provides that workers who collectively engage in such practices shall not enjoy the benefits of the law. Those who are not willing to work to the best of their energy and ability should not benefit from a wage-hour law at the expense of the consumer who has to pay the cost of their wages. In the time in which we are now living, with all its complexities, stresses and strains, and all of its costly armament, we cannot forget the consumer—the taxpayer who pays the bill for it all. He, too, has an interest which must be protected.

What of the workers to be covered by this increased minimum wage? Federal control over wages and hours is based on the power of the Federal Government to regulate interstate commerce. According to a bill introduced last session by my Democrat colleagues, they would like to expand the concept of interstate commerce to include almost every business in every nook and cranny of these United States except the mom and pop store. They would like to include activities affecting commerce. Not just in commerce, but affecting commerce. I want to emphasize that.

Some things should be beyond the reach of the labyrinthian powers of the Federal Government. Local business is one of them. Over two decades of experience with the original law have made it crystal clear that the onerous burden of such a law falls on

the little fellow—the small employer who may earn less than his employees and must burn the midnight oil to keep a vast multitude of records for the Federal Government. We must keep this in mind when we are told that the coverage of the act must be increased. We have done so in this bill by extending the coverage of the act only to businesses having more than 100 employees and doing business in commerce to a substantial extent. Thus, we have tried to impose the burdens of the act where they can be best borne.

This bill, therefore, takes the middle road. There are grave dangers in any increase in the minimum wage. There are also areas in which there may be a valid need for an increase. The problem must be studied with great care, so that what is done does good rather than harm. In that study I trust that this proposal will receive careful consideration and that it will point the way to a solution of the problem.

STATEMENT ON THE ECONOMIC IMPACT OF THE MINIMUM WAGE

One of the principal questions with which this session of Congress will have to deal is what changes, if any, are to be made in the Fair Labor Standards Act under which a $1 minimum wage requirement is currently applicable to close to 25 million wage and salary workers in private industry.

The action taken by Congress on the minimum wage will affect the welfare of several million individuals with respect to the opportunities for employment that are open to them as well as to the wages that they receive. It will also affect the welfare of many thousands of businesses, especially small businesses, and, it is safe to say, will affect the economic health of our Nation as a whole. It is of the utmost importance, therefore, that action be taken only after a thorough and deliberate evaluation of the probable impact on jobs and on wages of the various proposals for increases in the minimum permissible wage and extensions of coverage that will be made.

A good deal can be learned about the probable effect of an increase in the minimum wage at this time from the economic impact of the increase from 75 cents to $1 on March 1, 1956. At that time, about 2.1 million of the 24 million workers then covered by the act were being paid less than $1 an hour. Most of these 2.1 million workers received an increase in their wages as a result of the act, as did many workers whose pay was already above the minimum requirement. But a large number of workers did not benefit from the higher minimum wage; on the contrary, they lost their jobs. Evidence presented in the report submitted to the Congress by the Secretary of Labor in February 1960, in accordance with the requirements of section 4(d) of the Fair Labor Standards Act, shows that the 1956 increase in the minimum wage had a seriously adverse effect on employment in many industries.

In 12 of the industries in which special studies were made by the Department of Labor, it was found that employment fell by nearly 10 percent from 1955 to 1957. These 12 industries employed a sizable percentage—more than 10 percent—of the workers paid less than $1 in 1956; their total employment was 400,000 and the decline in jobs reached 37,000. The largest employment declines occurred in the South, notably among sawmills, tobacco stemming and redrying plants, and in mills for the production of seamless hosiery and wooden containers.

Clearly, the adverse effects of an increase in the minimum wage tend to be felt most heavily by small businesses and by industries in which there is extensive employment of relatively low-wage workers. Characteristically, many such businesses are located in the southern areas of the country; they are high-cost industries which, for one reason or another, have difficulty meeting the competition of newer, more advanced, and lower-cost plants. While there is no direct evidence on this point in the February 1960 report of the Secretary of Labor, it would appear that many businesses were forced to discontinue operations altogether as a result of the 1956 minimum wage increase.

Also in this connection, it is useful to recall testimony given by the Secretary of Labor before the Senate Committee on Labor and Public Welfare, May 19, 1959, as follows:

"I think it fair to conclude from the available evidence that the increased wage costs connected with the minimum wage had an adverse effect on employment in the low-wage industries, which cannot be explained in terms of general weakness in the overall economic situation or adequately explained in terms of long-run or special circumstances in the low-wage industries involved."

The question to which we should address ourselves at this time concerns the impact that might follow in 1961 from an increase in the minimum wage. Whatever benefit there might be to those who get a higher wage without loss or reduction of employment, there are two reasons for believing that a minimum wage increase at this time would have an adverse effect on jobs that would be greater, proportionately, than the adverse effect created by the 1956 increase.

First, because a larger percentage of workers covered by the Fair Labor Standards Act are receiving wages at this time that are at or close to the minimum than was the case in 1956, an increase in the minimum wage would affect a larger proportion of covered workers and a larger number of jobs than in 1956. The reason for this is that when the minimum wage is raised, one of its effects is to compress the range of wage payments and to place a larger percentage of covered workers at or near the minimum. After a time, wages above the minimum are increased, earlier wage differentials are reestablished, and the range and distribution of wage rates tends to return to its former pattern. However, this process takes time, and the evidence suggests that wage differentials have not as yet adjusted themselves fully to the 1956 increase. As a result, an increase in the minimum wage at this time, whether by 15 or 25 cents, would have an impact on wages and employment that is greater, proportionately, than what was produced by the 1956 increase.

Second, the adverse effect on employment of an increase in the minimum wage at this time would be greater than in 1956 because at that time the economy was expanding at a rapid rate whereas employment is currently tending to decline, especially in manufacturing, which is most affected by the Fair Labor Standards Act.

No one can say precisely what difference these two circumstances would make in the adverse impact on employment of a minimum wage increase, but it is safe to say that if the 25-cent increase in 1956 had the effect of reducing employment by 10 percent in low-wage industries, a 25-cent increase at this time would reduce employment in these industries by far more than 10 percent. In other words, the times are far from propitious for governmental action that would raise the costs of maintaining jobs and creating new ones. Certainly, if the minimum wage is to be increased at all, it ought to be increased by only a moderate amount and the increase ought to be effective no sooner than July 1, 1961. It would be a grave mistake, in any case, to increase the minimum wage to $1.25 an hour at this time, and even an increase to $1.15 would be a very difficult one for many businesses to absorb.

Extension of the coverage of the minimum wage law also presents serious difficulties. Bills were introduced and debated last year in both Houses of the Congress that would have extended coverage by anywhere from 700,000 to as much as 4 million additional workers. All major proposals would have extended coverage to retail trade but it should be noted that employment in trade lines has been declining recently—from 8,611,000 in August to 8,492,000 in November (seasonally adjusted). In this connection, it is well to recall the caution expressed in the January 1954 Economic Report of the President: "* * * We should undertake adjustments of the minimum wage at a time when economic activity can take them in stride, thereby minimizing the risk of unemployment of the less productive workers whose welfare the minimum wage seeks to aid."

The merits of different proposals on changes in the Fair Labor Standards Act will be studied carefully during the present session, but this much can be said at this time. The minimum wage made applicable to workers brought under coverage of the act in 1960 should be the $1 minimum presently in effect for covered workers. If the minimum for presently covered workers should be raised to $1.15, effective in 1961, the minimum wage applicable to newly covered workers should be phased up to the $1.15 level over a period of time, say, over 2 years. This would permit time for the affected businesses to make the adjustments that would reduce the adverse effect on employment to a minimum.

Mr. DIRKSEN. Mr. President, I also ask that the bill be permitted to lie at the desk for a period of 2 days, in case there are other Senators who share my conviction in this field and who would care to be cosponsors.

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

Mr. DIRKSEN. Mr. President, if my distinguished friend, the Senator from Minnesota [Mr. HUMPHREY], will permit me to do so, I should make an apology for sending forward a bill and suggesting cosponsors, when at the same time I have pending a resolution outlawing the entire business of cosponsorship. I think it is wicked; I think it is evil; I think it is unjustified; I think it is unwarranted; and if someone will hand me a copy of Roget's Thesaurus, I shall pick about 100 other words to use in emphasizing my belief that cosponsorship of measures in the Senate is wrong; and I believe I could make a good and lucid argument against the practice. However, so far as it now obtains, I may just as well become a part of that inequity and ask for cosponshorship. [Laughter.]

Mr. HUMPHREY. In this connection the Senator from Illinois does not endorse sin, as I understand, but only the practice of cosponsorship.

Mr. DIRKSEN. Let us say just that specific sin. [Laughter.]

AUTHORITY TO REFUND DISTRICT SCHOOL TUITION

Mr. MORSE. Mr. President, I introduce, for appropriate referral, a bill designed to empower the Commissioners of the District of Columbia to refund tuition payments under certain circumstances when in their judgment, and upon showing of good cause, such refund is deemed equitable.

My attention was called to the fact that under existing law, once tuition

payments have been made—although the child, or children, may not subsequently attend District of Columbia schools for the full period for which the payment was made—a refund for the portion of a semester unused, cannot be made.

Mr. President, I wish to emphasize that by introducing this bill I am in no way seeking to prejudge the issue in any particular case. My bill seeks only to provide the Commissioners of the District of Columbia, or their delegates, with a power they now lack and a procedure which they do not have, which, in equity, they ought to possess.

The effective date of the bill is made retroactive for the purpose of permitting such relief as it will afford to be available to those who have felt aggrieved by a situation which should have been remedied at an earlier time. However, I can appreciate that administrative difficulties might be encountered were there not a definite cutoff date.

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

The bill (S. 286) to authorize the Commissioners of the District of Columbia to refund certain tuition payments of former nonresident students in the public schools, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on the District of Columbia.

DESIGNATION OF FOURTH SUNDAY IN SEPTEMBER OF EACH YEAR AS INTERFAITH DAY

Mr. KEATING. Mr. President, I introduce for appropriate reference a joint resolution designating the fourth Sunday in September of each year as Interfaith Day.

The development and growth of our great Nation are directly attributable to the mutual respect, understanding, and cooperation which have to an extent permeated most of our society. I am sure all will agree that when these precepts are cast aside, it is, in the last analysis, to cast aside the very principles of our national origin.

The creation of Interfaith Day would seek to unite individuals of all faiths behind a common purpose—the extension and preservation of individual dignity. By attempting to achieve this goal, which Godless nations bent upon world domination have purposely omitted from their philosophy, we are further enunciating the human instincts and religious beliefs forming so large a base in our national life.

Furthermore, at this crucial juncture in world history, it is important that Americans do everything within their power to display the lamp of freedom to people throughout the world who are yearning for the rights and guarantees enjoyed by our citizens. Interfaith Day could be one outward manifestation of these principles embodied in the framework of our Constitution and Bill of Rights.

It is my hope that this joint resolution will be acted upon expeditiously and affirmatively. As many of my colleagues may recall, the Senate during the 86th Congress acted favorably upon this joint resolution; however, failure of the House Judiciary Committee to act on this proposal prevented its passage during the last session.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The joint resolution (S.J. Res. 24) designating the fourth Sunday in September of each year as Interfaith Day, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the United States of America was founded on the firm basis of freedom of thought and conscience; and

Whereas the fomenting of antagonism between Americans on a basis of sectarian creed is contrary to American traditions and to the spirit of the guarantees of freedom of worship embodied in the Constitution of the United States; and

Whereas it ought to be, and is hereby declared to be, the policy of Congress to encourage the mutual understanding of all people of good will; and

Whereas the program of the interfaith movement offers a practicable means for encouraging such mutual understanding: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth Sunday in September of each year is hereby designated as "Interfaith Day", and the President of the United States is authorized and requested to issue annually a proclamation calling on the people of the United States to observe such day, and urging the participation of all Americans and all religious groups in the United States, regardless of sect or creed, to participate in the observance of such day by such means as they may deem appropriate.

COMMISSION TO STUDY INFLUENCE OF FOREIGN TRADE ON BUSINESS AND INDUSTRIAL EXPANSION IN THE UNITED STATES

Mr. DIRKSEN. Mr. President, on June 13 of last year I, for myself and numerous Senators, introduced Senate Joint Resolution 208 to provide a Commission to study and report on the influence of foreign trade upon business and industrial expansion in the United States. I am reintroducing that joint resolution on behalf of myself and Senators HICKENLOOPER, WILEY, HRUSKA, COTTON, DWORSHAK, BUSH, KEATING, AIKEN, PROUTY, BENNETT, SCOTT, BRIDGES, SALTONSTALL, SCHOEPPEL, Mrs. SMITH of Maine, CASE of New Jersey, and CARLSON, for we feel that increasing competition of foreign-made goods in the American market has become one of the growing challenges of our time. A close examination of the reasons for the growing invasion of the American market can be found in the advanced wage rate, the use of industrial technology, which we have so freely exported, Government aid to producers abroad in the form of larger depreciation allowances, export aids, and so forth. The lure of a very lush American market coupled with the above created a dilemma, which must be resolved. We, however, cannot very well urge the lifting of quotas on trade restrictions abroad on other countries and then in the same breath urge similar restrictions on our own market. There are several other key questions that must be resolved. To best ascertain the answers would be to have an objective study and survey of the whole problem by trained and competent persons, mainly outside of Government, who have a vital concern in the problem.

To that end, I now introduce for appropriate reference this joint resolution, and I ask that during the remainder of today and for tomorrow that it lie on the desk for the purpose to permit those Senators who wish to cosponsor to do so.

I ask unanimous consent that the joint resolution be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Illinois.

The joint resolution (S.J. Res. 25) to provide for a commission to study and report on the influence of foreign trade upon business and industrial expansion in the United States, introduced by Mr. DIRKSEN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

Joint resolution to provide for a commission to study and report on the influence of foreign trade upon business and industrial expansion in the United States

Whereas the broad objective of the foreign economic policy of the United States is to advance the national interest and to improve the security and well-being of the United States and its people, and to promote the economic strength of the United States and of the rest of the free world; and

Whereas in achieving the objectives of its foreign economic policy the United States Government has stressed the importance of expansion of foreign trade in both goods and services and of private investment in and mutual assistance to the lesser developed nations of the free world; and

Whereas the President, by special message to the Congress on March 17, 1960, has directed that a comprehensive program for the expansion of United States exports be undertaken through the coordinated efforts of various governmental agencies; and

Whereas it is deemed to be in the public interest that a commission be appointed by the President to study and report concerning the influence upon business and industrial expansion in the United States of foreign trade, and related matters concerning the foreign economic policy of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a commission to study the influence of foreign trade upon business and industrial expansion in the United States. Such Commission shall be known as the Commission on International Trade, and is hereinafter referred to as the "Commission".

SEC. 2. (a) The Commission shall consist of twelve members, appointed by the President, broadly representative of the public

generally, including industry, labor, agriculture, trade, and Government.

(b) The President shall designate the Chairman and Vice Chairman of the Commission.

(c) Vacancies on the Commission shall be filled by the President.

(d) The members of the Commission who are in the service of the Government shall serve without compensation in addition to that received for their services in that capacity, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(e) The members from private life shall each receive $50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

SEC. 3. In its study, the Commission shall, to the extent that it finds appropriate, survey and make a factual report on the following:

(a) The impact of foreign trade in goods and services upon the American economy;

(b) Differentials in labor and other costs, for selected commodities, between domestic and foreign producers;

(c) Prices, in the United States and abroad, of certain major goods and services which move in international trade;

(d) Aid rendered by the United States and foreign governments to the export trade;

(e) Protection provided by the United States and foreign governments against the importation of goods and services;

(f) The effect of regional market arrangements upon the foreign trade of the United States;

(g) Present procedures under the Trade Agreements Act and the various extensions thereof;

(h) American investment abroad, and the relation of such investment to the foreign economic policy of the United States;

(i) Policies and practices with respect to United States and foreign government purchase of goods and services; and

(j) Subjects related to the foregoing, which may, in the opinion of the Commission, be relevant to the foreign economic policies of the United States.

SEC. 4. (a) The Commission shall maintain its principal office in the District of Columbia and may establish working offices abroad. Members of the Commission and staff are authorized to travel both at home and abroad.

(b) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

SEC. 5. Not later than July 31, 1962, the Commission shall file a final report with the President for transmittal to Congress. With the filing of its final report, the Commission shall cease to exist.

SEC. 6. There is authorized to be appropriated not to exceed the sum of $1,000,000 for the work of the Commission.

JOINT COMMITTEE ON NATIONAL FUELS STUDY

Mr. RANDOLPH. Mr. President, for myself, my colleague from West Virginia [Mr. BYRD], the senior Senator from Illinois [Mr. DOUGLAS], the junior Senator from Illinois and minority leader [Mr. DIRKSEN], the senior Senator from Minnesota and assistant majority leader [Mr. HUMPHREY], the senior Senator from Kentucky [Mr. COOPER], the junior Senator from Kentucky [Mr. MORTON], the junior Senator from Indiana [Mr. HARTKE], the junior Senator from Utah [Mr. Moss], the senior Senator from Alaska [Mr. BARTLETT], the senior Senator from North Dakota [Mr. YOUNG], the senior Senator from Rhode Island [Mr. PASTORE], the junior Senator from Hawaii [Mr. LONG], the junior Senator from Montana [Mr. METCALF], the senior Senator from New Mexico [Mr. CHAVEZ], the senior Senator from Tennessee [Mr. KEFAUVER], the senior Senator from Ohio [Mr. LAUSCHE], the junior Senator from Ohio [Mr. YOUNG], the senior Senator from Michigan [Mr. MCNAMARA], the junior Senator from Wyoming [Mr. HICKEY], the senior Senator from Massachusetts [Mr. SALTONSTALL], the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Maryland [Mr. BEALL], the senior Senator from Wisconsin [Mr. WILEY], the junior Senator from Alaska [Mr. GRUENING], the junior Senator from Tennessee [Mr. GORE], and the senior Senator from Nevada [Mr. BIBLE] I submit for appropriate reference a concurrent resolution which proposes creation of a Joint Committee on a National Fuels Study.

I recognize that conflicting interests will inevitably bring about difference of opinion on any subject as complex as that relating to our great store of natural fuels. This is to be expected.

What disturbs me, however, is the idea I have heard expressed that we should not study the energy fuels and that we should not make an effort to inform ourselves as fully as possible on a matter so vital to our national security and our future economic development.

It is my opinion that a joint congressional committee to study our country's energy fuels is clearly indicated; it is essential.

The resolution I have introduced does not seek to legislate for or against any fuel or any segment of the economy. It does seek to enable the Congress to procure full information, through study, concerning the fuels of the Nation and to present to the appropriate standing committees of the Congress findings and recommendations. It would be my hope that out of this data a national fuels policy might appropriately be formulated and considered for congressional enactment.

The proposed Joint Committee on a National Fuels Study would make its report not later than January 1, 1963, and cease to exist thereafter.

To suggest what the findings of this joint committee will be is not possible, but a search for truth is a most desirable endeavor and should envisage giving assurance to our country that the energy fuels will be available to the greatest number of our citizens for the longest possible time.

We have a chaotic fuels-marketing condition in this country, and, in my judgment, it has led to great waste and has depressed substantial elements of our economy. But all of us would be in a much better position to judge conditions with more accuracy if the entire problem were to be subjected to a detailed study and report.

The confused fuels situation has caused many coal mines to be closed and has curtailed exploration for new oil and gas fields. My esteemed colleague from West Virginia, Senator BYRD, feels as do I in this statement.

Perhaps an inadequately informed person might say: "That is no problem. Open the closed mines and drill more oil and gas wells."

But such a statement is unrealistic when the fact is recognized that a mine which has been closed is quite often doomed, unless a very substantial amount of money is available and spent to maintain it. Who can afford the maintenance costs of a nonproducing mine?

In most cases it is more economical and safer to open a new coal mine than to reopen an old one, notwithstanding the capital investment requirements and the time factors involved in opening a modern coal mine.

In either instance, much time and money would be needed before production could begin, and there must be available trained manpower, large quantities of material and equipment, and substantial capital resources to make this development possible.

Concerning oil and gas wells, it is an established fact that exploration and drilling are slow, costly, and often fruitless procedures. Here, too, trained manpower, expensive materials and equipment, and much capital are essential to successful production.

Furthermore, if we continue to depend extensively on foreign imports, as we do at this time, our domestic fuels industries are certain to continue to decline.

If a national emergency should develop, very conceivably we might face in this country a period when our domestic industries would be paralyzed by a lack of fuel. Truly, this would be a paradoxical situation in view of the fact that there are in the United States immense supplies of untapped natural fuels.

It is my opinion—and this is substantially the reason why I am introducing this legislation—that we should study our energy fuels field and, subsequently, seek to bring about a coordination of the policies affecting all fuels within the framework of an adequate and effective national fuels policy.

I ask unanimous consent to insert in the RECORD the text of the concurrent resolution.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 4), submitted by Mr. RANDOLPH (for himself and other Senators), was received and referred to the Committee on Interior and Insular Affairs, as follows:

Whereas adequate supplies of fuel and energy resources in all forms are essential to the continued welfare of the Nation, to its industrial development, to the consuming public, and to the national security; and

Whereas authoritative estimates forecast that by 1980 the population of the United States will increase to two hundred and fifty million and that the consumption of fuel

and energy resources will have increased by nearly 100 per centum; and

Whereas a study of our national fuel and energy resources, and their reserves will determine the amounts and availability of all of our fuel and energy resources; and will determine the limitation of reserve of certain fuels; and

Whereas maintenance of the basic fuel industries, together with adequate facilities for the transportation of fuel and energy resources and the necessary manpower and machinery to make these resources available, is essential to national defense, to national security, to the general economy of our Nation, and to the stability and prosperity of the basic fuel industries; and

Whereas in view of these and other considerations it appears that a joint congressional committee study is desirable and necessary to determine if the establishment of an overall national fuels policy is advisable and needed; and

Whereas, the Congress, in connection with the development of such a national fuels policy, should have the necessary data and recommendations presented for its consideration by the joint congressional committee making this study: Now, therefore, be it

Resolved by the Senate (The House of Representatives concurring), That there is hereby established a joint committee which shall be known as the Joint Committee on a National Fuels Study (hereinafter referred to as the "joint committee") and shall be composed of eight Members of the Senate to be appointed by the President of the Senate, and eight Members of the House of Representatives to be appointed by the Speaker of the House of Representatives.

The party representation on the joint committee shall reflect, as nearly as may be feasible, the relative membership of the majority and minority political parties in the Senate and the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(b) The joint committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the Joint Committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The joint committee shall—

(1) Make a full and complete investigation and study (including the holding of public hearings in appropriate parts of the Nation) of the available fuel and reserves of the United States and the present and probable future rates of consumption thereof; and make a report of findings, together with recommendation, to the appropriate committees of the Senate and the House of Representatives for their consideration and action in formulating a national fuels policy; and

(2) Consider the importance and reasons for the possible formulation of an overall national fuels policy to assure the availability of fuels adequate for an expanding economy and for the security of the United States, taking into account the investment necessary for the maintenance of efficient and adequate fuels and necessary related industries, and the necessity for the maintenance of an adequate force of skilled workers.

(b) In carrying out the provisions of subsection (a) of this section the joint committee shall, in addition to such other matters as it may deem necessary, give consideration to—

(1) the proved and predicted availabilities of our national fuel and energy resources in all forms;

(2) projected national requirements for the utilization of these resources, both to meet immediate demands and to provide for future expansion of the economy;

(3) technological developments, in progress and in prospect, including desirable areas for further exploration and technological research designed to supplement decreasing natural reserves of certain fuels;

(4) governmental programs and policies now in operation, including not only their effect upon the individual industries so regulated, but also their impact upon related and competing fuels and their interaction with other regulatory programs; and

(5) the need, if any, for legislation designed to effectuate recommendations in accordance with the above and other relevant considerations, including proposed amendments to such existing laws as the Federal Power Act, the Natural Gas Act, and the Atomic Energy Act of 1954 necessary to integrate existing laws into the national fuels program.

(c) The joint committee shall report to the Senate and the House of Representatives the results of its study and investigation, together with its recommendations, at the earliest practicable date, but not later than January 1, 1963. Upon the submission of such report, the joint committee shall cease to exist and all authority conferred by this resolution shall terminate.

SEC. 4. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times as it deems necessary, to hold such hearings, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony on any matters not specifically listed, as it deems advisable.

SEC. 5. The joint committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

SEC. 6. The expenses of the joint committee, which shall not exceed $200,000 per year, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

Mr. RANDOLPH. Mr. President, I also ask unanimous consent that the resolution may lie on the desk until the close of business on next Friday, January 13, in order that other Senators who may desire to do so may join as sponsors. Several of our colleagues have indicated their support.

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

Mr. COOPER subsequently said: Mr. President, today I joined with the distinguished Senators from West Virginia [Mr. RANDOLPH and Mr. BYRD], and other Senators in introducing a concurrent resolution to establish a joint committee of the Congress to study the fuel and energy resources of the Nation. Last year I was cosponsor of this resolution, and I am glad that it is being introduced at the opening of this session of the Congress so that it may receive early consideration.

Both the Democrat and Republican platforms adopted last year expressed in substance their approval of the fuel study proposed by this resolution, and I believe that members of both parties will approve its early passage. The resolution expresses the need of a study of our fuel and energy resources in the interest of national security, the economy of our country, and the stability of our basic fuel industries. It is in the national interest to establish a joint committee to determine whether a national fuel policy is advisable, and for this reason, above all, I urge the early consideration and approval of this concurrent resolution.

MODERNIZE THE MONROE DOCTRINE TO MEET THE THREAT OF COMMUNIST IMPERIALISM IN LATIN AMERICA

Mr. BUSH. Mr. President, I submit a concurrent resolution and ask that it be printed at this point in the RECORD, and lie at the desk until the close of business Thursday of this week so that other Senators may become cosponsors if they so desire.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk, as requested by the Senator from Connecticut.

The concurrent resolution (S. Con. Res. 5), was referred to the Committee on Foreign Relations, as follows:

Whereas intervention by the world Communist movement directly or indirectly in the affairs of any of the independent nations of the Western Hemisphere would threaten the sovereignty and political independence of that nation and other such nations; and

Whereas the free and independent nations of the Western Hemisphere have long since ceased to be objects for domination, control or colonization by other powers; and

Whereas the direct or indirect intervention by the world Communist movement, by whatever means such intervention might be disguised, in any American nation, would constitute in effect such domination, control or colonization by a non-American power, and would violate the sovereignty and political independence of an American nation; and

Whereas any such intervention by the world Communist movement in the affairs of any nation situated in the Western Hemisphere would constitute a threat to the peace and safety of the United States and the other nations of that hemisphere;

Whereas the American republics have condemned emphatically intervention or the threat of intervention even when conditional from an extra-continental power in the affairs of the American republics; and

Whereas the intervention of the Sino-Soviet powers in the American Republic of Cuba is threatening hemisphere unity and jeopardizing the peace and security of this hemisphere; and

Whereas in the rapidly evolving atomic age the threat presented by any such intervention might develop with such rapidity that there would not be time to assemble a meeting of the Inter-American Organ of Consultation to provide for joint action to repel the danger: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That (a) if one or more of the high contracting parties to the Inter-American Treaty of Reciprocal Assistance should be threatened in any manner with domination, control or colonization through the intervention of the world Communist movement, any other such party would be justified, in the exercise of individual or collective self-defense under article 51 of the Charter of the United Nations, in taking appropriate steps to forestall such intervention and any domination, control or colonization of any nation of the Western Hemisphere by the world Communist movement.

(b) If any such defensive measures are taken by any defending nation of the Western Hemisphere, such nation should report promptly the action so taken to the Inter-American Organ of Consultation, to the end that an emergency committee, established in the manner provided by the Convention of Havana of 1940, may be organized to provide for the provisional administration of the nation so defended, pending its restoration to a government of the people, by the people, and for the people.

Mr. BUSH. Mr. President, the purpose of my concurrent resolution is to reaffirm and reinforce the Monroe Doctrine and bring it up to date to meet the new conditions created by modern Communist imperialism. It would serve emphatic notice upon the Soviet Union and Red China that the United States and her Latin American allies will not tolerate domination, control, or colonization of any Western Hemisphere nation by the world-Communist movement.

Mr. President, I ask unanimous consent that the following materials may be printed in the RECORD after these remarks:

First. An announcement I have made concerning the resolution.

Second. An article entitled "A Way To Stop the Reds in Latin America" by my constituent, the distinguished authority on Latin America, Prof. Samuel Flagg Bemis, of Yale University, to whom I am indebted for much of the language in the resolution. This article appeared in the U.S. News & World Report for December 28, 1959.

Third. A press release by the Department of State entitled "Arms Buildup in Cuba," dated November 18, 1960.

Fourth. The introduction to a State Department document entitled "Responsibility of Cuban Government for Increased International Tensions in the Hemisphere," dated August 1, 1960.

Fifth. The text of the act of Bogatá, outlining measures for social improvement and economic development in Latin America.

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

PRESS RELEASE BY SENATOR PRESCOTT BUSH

WASHINGTON, January 9.—U.S. Senator PRESCOTT BUSH called upon Congress today to serve notice upon the Soviet Union and Red China that the United States and her Latin American allies will not tolerate domination, control or colonization of any Western Hemisphere nation by the world Communist movement.

The Connecticut Senator said he would introduce this week a resolution which he described as intended to "reaffirm and reinforce the Monroe Doctrine and bring it up to date to meet the new conditions created by modern Communist imperialism."

Senator BUSH, a member of the Senate Committee on Armed Services who recently returned from a tour of Central American countries, said the need for congressional action to strengthen the Monroe Doctrine has been increased by intensified Communist activity in Latin America during the past year.

"I regret that a similar resolution I introduced in January 1960, was not acted upon by the Committee on Foreign Relations," he said. "Since then, the world Communist movement has sent to Cuba increasing numbers of so-called technicians and heavy shipments of tanks, machineguns, planes, and other weapons. Cuban soil is being used for the export of Soviet communism to other American Republics. Propaganda and subversive activities have been accelerated in all Latin America."

Senator BUSH said he hoped that his resolution would be to justify any American Republic in regarding a threat of Communist domination of another nation in the Western Hemisphere as a threat to itself, and to collective security. It could then take defensive measures, reporting promptly to the Organization of American States.

Senator BUSH said he hoped this his resolution would be used as the vehicle for a "full-scale review" by the Senate Committee on Foreign Relations of the events leading to Fidel Castro's takeover in Cuba, and the intensification of Communist activities in all Latin America.

"I hope hearings and a thorough study by the committee will lead to comprehensive recommendations for strengthening our position in Latin America," he said. "Defensive measures against the spread of Sino-Soviet influence are not enough. We must have constructive action to improve the lot of the people of the Latin American countries, many of whom live in conditions of appalling squalor.

"We have made a good start with the ICA's self-help housing program in Guatemala and Nicaragua. This has created much good-will for us in these countries, and should be extended to others among our neighbors to the south.

"By this and other means, as suggested in the Act of Bogota, we can join with our Latin American allies in a far-reaching attack on the poverty, illiteracy, and lack of social justice which afflict so many people in these nations."

[From the U.S. News & World Report, Dec. 28, 1959]

A WAY TO STOP THE REDS IN LATIN AMERICA

(By Samuel Flagg Bemis)

Prof. Arnold Toynbee—in a recent, 1958, brilliant study of "The Eve of War, 1939"—has called attention to the fact that in 1940 no power was threatened on more than two fronts, east and west, whilst now, 1959, each of the two surviving power groups—U.S.A. and U.S.S.R.—is threatened on three fronts, east, west, and north, "a first-class revolution in international affairs * * * that is not easily grasped or taken into account."

Now suppose the United States should be threatened on all four fronts, including south as well as north, from the Caribbean, as well as the Arctic? Instead of an expansive and friendly ally like Canada stretching for thousands of miles between us and Soviet jet, submarine, and missile bases, with a double line of distant early warning trips, we suddenly become exposed to such bases almost within sight of our southern coastal cities, and right athwart our naval communications from Atlantic to Pacific by the Panama Canal? Would this not tip the balance of power fatally against the United States in the present deadly crisis of power and politics which we call the cold war?

Since 1934, the first line of our defense has shifted from Panama to Europe and Asia. In this geopolitical framework the strategical paths over the Arctic regions have indeed become of more immediate significance than the Caribbean. It has even been argued by some strategists that, in the atomic age, the Panama Canal is no longer a lifeline for the defense of this country; that we could well afford to have it neutralized under an international authority, so great is the danger that one atomic bomb could neutralize—i.e., paralyze—it by knocking it out.

Scarcely anything, short of withdrawal of American forces from Europe and the Asiatic littoral, or the dissolution of NATO (North Atlantic Treaty Organization) or SEATO (Southeast Asia Treaty Organization) would please the Red imperialists more than the neutralization of the Panama Canal or the transfer of its control and defense to the Republic of Panama, like the Suez Canal to Egypt. It would split our present global strategy into a two-ocean strategy and prevent the Panama Canal's being used by the West as a substitute for a blocked Suez Canal, or to relieve the burden on our flagging railway system in case of war.

The Communist conspiracy is on its toes today in Panama trying to dislodge the United States from control of this still-vital American lifeline.

The United States should make it clear to the world that in the Panama Canal Zone it will continue to act as if it were sovereign, as, indeed, it has an explicit treaty right so to do, and to stick beyond any cavil to the military defenses of that waterway.

MORE THAN THE CANAL CAN BE LOST

Much more than the canal, and all that means to American defense, can be lost. If international communism is allowed to jump the Atlantic and set up a rule in a state of the New World, the way it recently tried to leapfrog over Turkey into Syria and Lebanon, it would mean not only effective neutralization of the hemispheric lifeline in a strategic sense; it would create an active fourth front for the defense of the United States. We simply cannot allow that to happen.

Latin American Communists schooled in Moscow have studied just how to set up their system in the Americas. They tried it once already in Guatemala, while the United States stood by with arms folded around the doctrine of nonintervention, awaiting the uncertain action of a conference of foreign ministers which, thanks only to the counter-revolution of Carlos Armas, never had to meet.

When, finally, the diplomatic doctors did an autopsy on the fallen Arbenz regime in Guatemala, they found the disease of international communism to be far more deep-seated than they had suspected. In fact, it still lingers as a cancer in the body politic of honest liberalism, not only in Guatemala but in all the States of Central America and the Caribbean. It is festering now in Cuba, in Panama, in Venezuela where they spat on Vice President NIXON. The cancer is spreading.

What is there, within the inter-American peace system—pledged as it is to the doctrine of nonintervention—to prevent such a disaster in the New World?

Nonintervention is the keystone of the inter-American peace structure, put into place by the good neighbor policy. In numerous treaties since 1933—subject to honorable denunciation by any of the parties on 1 year's and, in some cases, 2 years' notice—the American Republics have declared inadmissible the intervention of any one of them (1933, 1936) or group of them (1948) directly or indirectly or for whatever reason, within the internal affairs of another American State.

There is, however, one outstanding exception to this sweeping pledge: It does not affect existing treaty obligations. For example, it would not affect the existing treaties of the United States with Panama or Nicaragua by which the United States guarantees the protection of the Panama Canal and the Nicaraguan canal site; it would not affect our treaty with Cuba giving us the naval base at Guantanamo; it would not affect the provisions of the Inter-American Treaty of Reciprocal Assistance, of Rio de Janeiro, of 1947.

The Rio pact—the first regional alliance of the diplomatic revolution which now binds the United States to defensive alliances today with some 46 countries of the globe—

provides for joint intervention, if two-thirds of the American States shall agree to assist in meeting an armed attack against an American State—the group acting within the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations. The treaty also provides, article 6:

"If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack, or by an extracontinental or intercontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation (of the Organization of American States) shall meet immediately in order to agree on the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent."

The Rio Pact of 1947 is the same bond which brought inter-American diplomatic intervention to stop local wars between Haiti and the Dominican Republic, and between Nicaragua and Costa Rica. It is the same bond and principle which animated the meeting of the ministers of foreign affairs last August, in Santiago de Chile, invoked by four republics, including the United States—that gentle pan-American huddle which weakly empowered the Inter-American Peace Commission to watch and study military movements in the Caribbean and report to the next (11th) Conference of American States at Quito, Ecuador, in February 1960.

This is the same casus foederis (a case within the provisions of a treaty) to which appeal had been made, upon the insistence of Panama, in the case of Guatemala in 1954, for a meeting of foreign ministers of American States to consider the crisis of Guatemala, but did not meet because of Carlos Armas' successful counterrevolution.

Today it is very doubtful whether the Organization of American States, through its Organ of Consultation, could muster the necessary two-thirds majority of the high contracting parties quickly enough to give a mandate, under the terms of the Rio Pact of 1947, for joint intervention to suppress a Latin-American government gone Communist by infiltration of a popular-front government or capture of a liberal revolution, and thereby threatening the peace and security of the American Continent.

It might be tried, but, if it failed, what then?

UNITED STATES CAN EXERCISE THE INHERENT RIGHT OF SELF-DEFENSE

There remains the Monroe Doctrine, which declares that interposition by any European powers to extend their system to any region of this hemisphere is dangerous to our own peace and safety. There remains the inherent right of self-defense, both individual and collective, even if it is not agreed on by a two-thirds majority of American States.

"We owe it [therefore] to candor," pronounced President Monroe in his famous message of December 2, 1823, "and to the amicable relations existing between the United States and those [European] powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere, as dangerous to our peace and safety—we could not consider any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as a manifestation of an unfriendly disposition toward the United States"—which would induce measures on the part of the United States "indispensable to their security."

An important corollary to the Monroe Doctrine since its origin—indeed, a vital dictum of the doctrine since 1869—prohibits the transfer of any colony in the New World from one European sovereign to another—lest such an occurrence upset the balance of power against the security of the United States in this hemisphere.

This no transfer principle has been bound up in the Monroe Doctrine throughout its history. President Grant officially proclaimed it a part of the doctrine in 1869.

A 1940 PRECEDENT FOR ACTION

As Hitler's armies were overrunning Western Europe and threatening to take over French, Dutch, and British colonies in the Western Hemisphere—i.e., Guadalupe, Martinique, Bermuda, the Bahamas, Jamaica, Trinidad, British Honduras, the Guianas, Aruba, etc.—a joint resolution of the U.S. Congress of June 18, 1940, signed by President Franklin D. Roosevelt, implementing the sense of an earlier declaration by a meeting of the Foreign Ministers of the American Republics at Panama in September 1939, at the beginning of the war, stated:

"(1) That the United States would not recognize any transfer, and would not acquiesce in any attempt to transfer any geographic region of this hemisphere from one non-American power to another non-American power; and

"(2) That if such transfer or attempt to transfer should appear likely, the United States shall, in addition to other measures, immediately consult with other American Republics to determine upon the steps which should be taken to safeguard their common interests."

Shortly thereafter, a special conference of Foreign Ministers of the same Republics, facing the danger of Nazi conquest of Europe and England, gave a mandate to any one or more American Republics, in case of the imminent danger of transfer of colonial territory in the American Continents from one European sovereign to another, to step in and act quickly to forestall such a transfer. A special convention provided for an inter-American committee to administer the government of the rescued region, pending its restoration to its inhabitants upon the return of peace.

But the Havana mandate of 1940 looks only to the actual transfer of an existing colony in America from one European sovereign to another European sovereign. It does not explicitly envisage the case of a European sovereign in fact, if not in name, extending its Communist system to a Republic of the American system a la Guatemala—and will it be a la Cuba, a la Panama, a la Venezuela?

The Pact of Rio of 1947 does anticipate such a "fact or situation" endangering the peace and security of any Republic of the New World, but it requires a two-thirds vote of the 21 Republics to give a mandate to one or more Republics to act in time to stop the danger.

It would be nice if there could issue from the 11th meeting of American states, to meet at Quito, Ecuador, in February 1960, a declaration on the lines of the Act of Havana of 1940, giving a mandate for individual or joint action to prevent the international Communist system of the Old World extending itself to an American state, directly or indirectly, and thereby threatening the peace and security of the American republics.

It is not known whether our Department of State is endeavoring to put such a business on the agenda for the Quito of Conference. It ought to be a major goal of our Government to secure this kind of declaration. Such a proposal, incidentally, would be a touchstone to reveal the degree of Communist power within the various delegations.

However, it is not likely, in the present condition of inter-American relations, that such a declaration would be accepted by even a bare majority of the states—and the emergency may be upon us even before the meeting at Quito next February. Already the Cuban dictatorship has announced its intention to buy jet planes from inside the Iron Curtain.

The dilemma of our Latin American policy today is whether, on the one hand, to interpret the inter-American doctrine of nonintervention so as to permit a non-American power to extend its revolutionary system to the New World by capturing a republic in the Caribbean or Central America, now within easy bombing range of the United States and of the Panama Canal; or, on the other hand, to prepare some anti-interventionist action within the framework of the inter-American peace structure that would really prevent the intervention of international communism. That is: Inter-American intervention to prevent non-American intervention, one horn of the dilemma; or the other horn of absolute nonintervention to permit the intervention of international communism to establish its system in the Western Hemisphere.

LET SOMETHING BE DONE NOW TO DETER COMMUNIST INROADS

In 1940, the Congress acted promptly in the face of the danger arising from the war in Europe. Let it now pass an analogous resolution, to make it clear to our friends and enemies, all over the globe, that this Government is determined within its inherent right of self-defense, and within the purview of the pristine Monroe Doctrine, and indeed of the Pact of Rio and the inter-American peace structure, not to permit the intervention of international communism to endanger the peace and security of the United States, and of all the Republics of this hemisphere—indeed, the balance of power for freedom against slavery in the entire globe.

Such a resolution against the intervention of international communism—couched in the language of the Monroe Doctrine, the Rio Pact, and the nonintervention declarations of Washington (1951) and Caracas (1954), and the recent Declaration No. XI of Santiago (1959)—should provide for the administration of the state thus defended or rescued, by the same inter-American authority and machinery set up in the Havana Convention of 1940 for the provisional administration of European colonies and possessions in America threatened by a transfer of sovereignty.

Thus stipulated, there need be no apprehension on the part of our good neighbors that the United States would be reverting to the old system that characterized the interventions against European imperialist intervention in this hemisphere during the first quarter of our century.

Such a policy would protect the doctrine of nonintervention against the new technique of intervention by international communism, and would do so within the spirit of the inter-American peace and defense treaties. It would not wait for the accomplished fact of a leap of the Communist revolution across the Atlantic to uproot the Monroe Doctrine in the New World, as it has already destroyed the open-door policy in China. By thus assuming the initiative in the New World, we can also defend the global balance of power on which the peace and security of the United States and of our sister Republics of America in the world must depend during the coming decade.

WHY WAIT FOR THE BLOWS TO FALL?

It is too much the practice of the United States, in the continuing world crisis of our time, to let the initiative rest with the enemy, to wait for the blows to fall and only then endeavor to improvise some action to fend them off.

Let something be done now, before it is too late, to deter the action. Congress ought, at the beginning of the next session in January, immediately, on the eve of the Quito Conference, to pass a joint resolution analogous to that of June 18, 1940, explicitly pointed at the present fact or situation.

If the Quito Conference doesn't back it up, then the United States, acting under the pristine Monroe Doctrine, must do so. The act of faith known as the good-neighbor policy, and the freedom of the New World—but, most essentially, the security of the United States and the blessings of liberty invoked in our Constitution—are now at stake.

DEPARTMENT OF STATE PRESS RELEASE, NOVEMBER 18, 1960

ARMS BUILDUP IN CUBA

In a note addressed to the Secretary General of the Organization of American States on October 28 (Department of State Press Release No. 622), the U.S. representative to the Council of the Organization of American States stated that the Cuban Government has been receiving substantial quantities of arms from various sources. In response to numerous queries as to the nature of this arms buildup, the Department is making public information on this subject which has been compiled from a number of sources which are considered to be reliable.

Since Fidel Castro came into power, Cuba has created and armed a military force 10 times the size of that of ex-President Fulgencio Batista and far larger than any army in Latin America.

Added to the arms already held by the 26th of July movement (approximately 8,000 men) upon Castro's assumption of power, the regime took over materiel sufficient for an army of 25,000 men. These supplies provided a formidable arsenal for the Castro government at its outset. In addition, the Castro regime accepted delivery of considerable ammunition contracted for by the Batista government and also sent special missions to Europe for the purpose of purchasing even more war materiel.

Cuban arms purchases include not only sufficient small arms, according to Fidel Castro's own announcement, to equip Cuba's militia, whose numbers now total more than 200,000 persons, with late model weapons but also large quantities of heavy equipment of a variety of types.

The tempo of arms deliveries to Cuba has stepped up noticeably since the seventh meeting of foreign ministers in August of this year and Castro's subsequent rejection of the San Jose resolution, which condemned extracontinental intervention in the affairs of the hemisphere and the acceptance by an American Republic of an extracontinental offer of intervention. Significantly, recent arms shipments to Cuba have originated exclusively in Iron Curtain countries. Spokesmen of the Cuban Government have clearly indicated its intention to continue to depend upon the Sino-Soviet bloc nations, principally the U.S.S.R. and Czechoslovakia, to build their war materiel stocks. The bloc nations apparently desire to contribute to Caribbean tensions by burdening the Cuban economy with excessive arms purchases and by supporting the aggressive policies of the Cuban Prime Minister.

At least 12 Soviet ships have delivered arms and ammunition to Cuba since July of this year, the most recent being the *Psow* which unloaded approximately 6,000 tons of arms at the port of Preston, Cuba on November 7, 1960. Total Soviet bloc arms provided to the Castro government amount to at least 28,000 tons.

Attached is a tabulation of arms and ammunition estimated to have been imported into Cuba since Castro assumed power on January 1, 1959.

Estimate of items included in military imports by Castro government

	Soviet bloc sources	Other sources	Total
Automatic rifles:			
Czech	45,000		
Other types		48,000	
Total			93,000
Submachine guns	10,000	1,000	11,000
Machineguns (including .50 caliber)		200	200
Flamethrowers		7	7
Mortars	150	104	254
Tanks	40	15	55
Assault guns	10		10
Armored personnel carriers	60		60
Field guns	25		25
Howitzers	55	16	71
Rocket launchers	30	70	100
Antitank guns	60		60
Antiaircraft guns	80		80
Helicopters, Soviet	10		10
Mobile radar, Soviet model	15		15
Mig aircraft	8		8
Ammunition (rounds):			
Assorted ammunition (pounds)	12,000,000		12,000,000
Rifle		44,734,000	44,734,000
Machineguns		1,000,000	1,000,000
Hand grenades		20,000	20,000
Artillery shells		[1] 43,735	[1] 43,735
Rockets, 3.5-inch		8,000	8,000

[1] Plus 835 boxes.

RESPONSIBILITY OF CUBAN GOVERNMENT FOR INCREASED INTERNATIONAL TENSIONS IN THE HEMISPHERE

INTRODUCTION

The present document is submitted to the Inter-American Peace Committee in response to the committee's requests addressed to the American Governments for information and points of view which would aid the committee's study of Caribbean tensions. In this document, the United States presents certain information and viewpoints which are additional to those presented to the committee on June 27, 1960, in a memorandum entitled "Provocative Actions of the Government of Cuba Against the United States Which Have Served To Increase Tensions in the Caribbean Area." The present document deals principally with two additional subjects of major concern: the relations between the Revolutionary Government of Cuba and the Sino-Soviet bloc; and the emergence of a dictatorial pattern of political control in Cuba. The document also categorically rejects Cuban imputations and charges that the United States has violated, or contemplates any action which would violate, principles which are consecrated in the United Nations Charter and the various inter-American agreements to which it is signatory.

1. Relations between Cuba and the Sino-Soviet bloc

International tensions in the Americas have been heightened by the nature of the relations that have developed during the past year between the revolutionary government of Cuba and the Governments of the Soviet Union, Communist China, and other countries belonging to the Sino-Soviet bloc. The maintenance of commercial and other normal relations by the Cuban Government with the countries belonging to the Communist bloc might not of itself cause concern to other countries. However, the increasingly intimate relationships established between the revolutionary Government of Cuba and the Governments of the Soviet Union and the Peoples Republic of China and other countries associated with them, are such as to create a deep concern on the part of other American Governments because of the growing evidence of the intention of the Communist powers to exploit these relationships for the purpose of actively intervening in the affairs of the American Continent.

Statements of Soviet Russian and Communist Chinese leaders indicate that the Sino-Soviet powers are attempting to use the Cuban revolution as an instrument of foreign policy with the objectives of increasing world tensions, undermining hemispheric solidarity and carrying forward their aggressive attacks against the free world, and especially the United States. The Communist powers, moreover, not only support the revolution in Cuba itself, but openly espouse it as a dictatorial pattern that should be applied to all of Latin America.

In May 1960, Premier Nikita Khrushchev expressed approval of the Cuban revolution:

"I can but welcome the events in Cuba, where the people proudly and courageously rose up under the banner for the struggle for their independence. I am convinced that other Latin American countries will also rise up in the struggle and applaud their successes in this fight."

On June 22, 1960, Peng Chen, a member of the Politburo of Communist China, spoke in similar terms:

"Enjoying the sympathy and support of the Socialist camp, the correct fight of the people of Asia, Africa, and Latin America against imperialism and its lackeys is rapidly developing and has become an historical uncontrollable torrent. The valiant people of Cuba have given a brilliant example for the peoples of Latin America * * * Only through * * * waging a resolute fight against the American imperialists and their lackeys and isolating the American imperialists to the maximum, can the war be prevented and world peace defended."

On July 9, 1960, Premier Khrushchev added to a statement of support a military threat:

"We shall do everything to support Cuba in her struggle. We will help our Cuban brothers fight an economic blockade and the blockade will be a failure. Now the United States is not so unreachable as it once was. Speaking figuratively, in case of necessity, Soviet artillerymen can support with rocket fire the Cuban people if aggressive forces in the Pentagon dare to start intervention against Cuba."

Cuban leaders have acknowledged the statements of the Sino-Soviet leaders with expressions of friendship and gratitude.

Captain Antonio Núñez Jiménez, Director of the National Agrarian Reform Institute, on June 8, 1960, said that Cuba was "the Soviet Union's greatest and most loyal friend." On July 10, 1960, President Osvaldo Dorticós, saying that the economic war had begun and that "tomorrow there may be armed war," stated:

"Tonight we hail the message of solidarity spoken by the Prime Minister of the Soviet Union and coming to us in our most difficult hour. But of course this solidarity, which is a guarantee of world peace, must not diminish our efforts of preparation. We must prepare ourselves better than ever every day, more peasants in the militia, more students in the militia, more workers and women and men in the militia." (Dr. Castro gave substance to the statement of President Dorticós by stating on July 26, 1960, that "this is the last time that the militia will have to march without rifles. The arms for the militia are already here, in the national territory." Dr. Castro has stated that Cuba will arm a militia of 100,000 men.)

The same day, Dr. Ernesto Guevara, pointing out that "We are practically the arbiters of world peace," stated:

"The people of the world are with us and against North American imperialists. The Prime Minister of the U.S.S.R. has said that if the United States invades Cuba, it will mean not only death and destruction in

Cuba, but also the launching of tremendous destructive force from the U.S.S.R. against Cuba's aggressor. They must be careful, those sons of the Pentagon . . . who up to now have been flaunting their arrogance throughout America. Let them take thought. We are defended by one of the most powerful military forces in history."

On July 21, 1960, Major Raúl Castro stated that the Soviet Union would "use all means at its disposal to prevent an armed intervention of the United States against the Republic of Cuba," and that Cuba was profoundly grateful for "the political and moral support the Soviet Union is giving the Cuban people."

High officials of the Cuban Government, in concert with the statements of Soviet and Chinese Communist leaders, have frankly stated their desire that the Cuban revolution be taken as a model for similar revolutions throughout Latin America. Dr. Castro said on July 26, 1960: "We promise to continue making the nation the example that can convert the Cordillera of the Andes into the Sierra Maestra of the American Continent." In Alexandria, Egypt, on July 27, 1960, Raúl Castro said that Cuba would "defend * * * the revolution of 200 million Latin Americans that consider the Cuban revolution as their own revolution."

In a speech before the Latin American Youth Congress in Havana on July 29, Dr. Guevara called upon the Latin American nations to choose sides as "friend or foe." The friendship of the Sino-Soviet bloc, he said, "can be the basis for the carrying out of the American revolution."

The threatened intervention of the Soviet Union—to the extent of suggesting missile warfare—has been based upon the alleged intention of the United States to intervene in Cuba with military force. The complete lack of foundation for such allegations was discussed in the memorandum presented to the Inter-American Peace Committee by the United States on June 27. Cuban officials have, while hailing the offers of military support from the Soviet Union, conveniently disregarded the repeated assurances expressed by the President, the Secretary of State, and other high officials, that the United States, far from having any aggressive designs, intends fully to live up to its inter-American and other international commitments which obligate it to refrain from any form of intervention or aggression and to seek the solution of international controversies by peaceful means.

2. Emergence of a dictatorial pattern of political control in Cuba

The close association between the revolutionary government of Cuba and the Sino-Soviet bloc, and the encouragement by the communist powers of revolutionary movements patterned on the Cuban model in other Latin American countries, give particular grounds for concern over developments in Cuba that have a bearing upon principles and objectives of the American Republics set forth in the charter of the Organization of American States.

The revolutionary government of Cuba came to power with the sincere applause and good wishes of the peoples of the United States and other friendly countries, who were impressed by the valor of the revolutionaries and by the lofty aims professed by the 26th of July movement. The almost immediate recognition granted to the new government made evident the sincere desire of other governments in the hemisphere to give it all possible friendly support.

Many of the pronouncements and initial acts by leaders of the 26th of July Movement gave hope that Cuba would assume the position of a leader in the common struggle of the peoples of America for freedom and representative democracy, and for the economic and social reforms necessary to build a better human life. Dr. Castro was acclaimed as a new figure on the American scene who was genuinely interested in the welfare of his people, who was dedicated to a program of democracy and economic betterment, and who would seek ways of strengthening the bonds of hemispheric solidarity by giving renewed vigor to principles and objectives which underlie the Inter-American system.

Unfortunately the opposite has taken place with reference to the political structure being erected in Cuba by the revolutionary government. Instead of building upon the basic elements of a democratic system as set forth in the declaration of Santiago, the Cuban Government has increasingly followed practices and adopted formulas, typical of dictatorial political systems.

In the declaration of Santiago certain of the main principles of the democratic system in this hemisphere were set forth, with no attempt to be complete, "so as to permit national and international public opinion to gage the degree of identification of political regimes and governments with that system, thus contributing to the eradication of forms of dictatorship, despotism, or tyranny, without weakening respect for the right of peoples freely to choose their own form of government." A recital of the facts of political developments in Cuba in relation to the principles of the declaration of Santiago is included in the body of this document. These developments have all been publicly proclaimed. The record clearly demonstrates, among other factors, the absence of any move to hold elections, the virtual prohibition of political opposition, the practical elimination of freedom of the press and other violations of fundamental human rights.

Repeated statements by Prime Minister Castro and his associates have impugned the value of democratic elections and have indicated a clear intent not to hold elections in the foreseeable future. Thus, the revolutionary government of Cuba perpetuates itself in power without an electoral mandate or any fixed term of office.

Political opposition has been virtually eliminated. All opposition parties have been driven underground or eliminated and many of their leaders have sought asylum in other countries. Only the Partido Socialista Popular (Communist Party) is permitted to act openly.

Freedom of the press, radio, and television has been virtually extinguished. There exist in Cuba today almost no independent organs of public opinion. Newspapers and radio and television stations have been taken over; and editors and publishers who did not conform to the official views of the revolutionary government have been forced to seek asylum and flee to other countries. Outstanding among these was the recent case of Miguel Angel Quevedo, editor of the internationally known magazine Bohemia, who had been one of the most enthusiastic and powerful supporters of the revolution. The text of the impressive statement made by Dr. Quevedo when he sought asylum in the Venezuelan Embassy in Habana is included in the body of this document.

Individual liberties have been suppressed by military trials and summary executions, imprisonment for political activities, forced exile and the arbitrary imposition of penalties for crimes vaguely described as counter-revolutionary which has generally meant any opposition to the revolutionary government. Anticommunism has been defined as counterrevolutionary. The labor movement has also been deprived of its democratic character and converted into an instrument of control by the revolutionary government in disregard of the expressed will of the membership of labor organizations.

The course of political developments in Cuba outlined above, and described in detail in the body of this document, has had an inevitable effect upon the standing of Cuba in the inter-American community. Increasing numbers of exiles have sought refuge in foreign lands. In the beginning, most of these were persons associated with the previous regime. The last several months have, however, seen an increasing flight of exiles who had been actively associated with the revolution in its early days but whose independence or difference of opinion had resulted in danger to their personal safety. Former Provisional President Manuel Urrutia and Maj. Huber Matos, one of the chief military lieutenants of Dr. Castro in the revolutionary movement, are now political prisoners. Dr. José Miró Cardona, first Prime Minister of the Revolutionary Government, has sought asylum in the Embassy of Argentina in Havana. The presence of opposition leaders in other countries has been accompanied by intensified complaints by the Government of Cuba against other governments, particularly the United States, for harboring what it terms "war criminals."

The developments in Cuba outlined above are a particular cause of concern on the part of the Government and people of the United States because of the relationship between these developments and the growing Communist influence on Cuban policy. This influence has been reflected in the emergence of the Communist Party (Partido Socialista Popular) as the main political organization in Cuba. Like other Communist parties, it is of course responsible to the dictates of the Soviet Union.

Communist influence existed in the early days of the Cuban revolution, but its growth since that time has been rapid and continuous. With the active cooperation of Raúl Castro and Ernesto Guevara, whose sympathy for Communist purposes and methods is well known, Communists have been placed in key positions throughout the revolutionary government where they are now deeply involved in remodeling Cuba along dictatorial lines. By July 17, 1959, Communist control was sufficiently strong to force the resignation of Provisional President Manuel Urrutia because he had criticized Communist influence in the government. By October of that year, the Communists had seized control of the Cuban Confederation of Labor and the Federation of University Students at the University of Habana. (In July 1960, the federation took control of the university.) Also in October 1959, Communist control of the armed forces was accelerated by the appointment of Raul Castro as Minister of the Revolutionary Armed Forces.

In June 1960, it was possible for Captain Antonio Núñez Jiménez to state in Moscow that "The Communist Party of Cuba is the party whose members are receiving the benefits of the revolution." A few days later Dr. Castro confirmed that "anticommunism is counterrevolutionary." On July 9, 1960, Fauré Chomón, who has been named Cuban Ambassador to Moscow, stated:

"I wonder if you have ever thought about what political party is now ruling Cuba. We all know that the revolution is led by a group of revolutionary comrades. But what party do they represent These comrades belong to the revolutionary party. Little by little we have been forming a revolutionary party. The several revolutionary groups have united in order to make the revolution a success. Our revolutionary party is composed of the active members of the 26th of July movement, the Socialist (Communist) Party, the Revolutionary Directorate and the other groups."

When it is considered that most of the non-Communist leaders of the 26th of July movement are "inactive" and others have defected and been forced into exile, and that

the revolutionary directorate has only nominal existence, the Communist Party emerges as the sole remaining member of the ruling groups mentioned.

From the above, it is therefore clear that not only is Cuba under its revolutionary government being transformed rapidly into a dictatorial political state, but a state in which the reins of political control are increasingly being concentrated in the hands of the Communist Party, thereby contributing to the general subversive of the revolutionary government of Cuba to the purposes of the Sino-Soviet bloc. These developments cannot fail to increase international tensions not only in the Caribbean area but throughout the American Continent and place in jeopardy the cooperation of the American States as well as the purposes and principles of their Organization.

ACT OF BOGOTÁ

MEASURES FOR SOCIAL IMPROVEMENT AND ECONOMIC DEVELOPMENT WITHIN THE FRAMEWORK OF OPERATION PAN AMERICA

The Special Committee To Study the Formulation of New Measures for Economic Cooperation,

Recognizing that the preservation and strengthening of free and democratic institutions in the American Republics requires the acceleration of social and economic progress in Latin America adequate to meet the legitimate aspirations of the peoples of the Americas for a better life and to provide them the fullest opportunity to improve their status;

Recognizing that the interests of the American Republics are so interrelated that sound social and economic progress in each is of importance to all and that lack of it in any American republic may have serious repercussions in others;

Cognizant of the steps already taken by many American Republics to cope with the serious economic and social problems confronting them, but convinced that the magnitude of these problems calls for redoubled efforts by governments and for a new and vigorous program of inter-American cooperation;

Recognizing that economic development programs, which should be urgently strengthened and expanded, may have a delayed effect on social welfare, and that accordingly early measures are needed to cope with *social needs*;

Recognizing that the success of a cooperative program of economic and social progress will require maximum self-help efforts on the part of the American Republics and, in many cases, the improvement of existing institutions and practices, particularly in the fields of taxation, the ownership and use of land, education and training, health and housing;

Believing it opportune to give further practical expression to the spirit of Operation Pan America by immediately enlarging the opportunities of the people of Latin America for social progress, thus strengthening their hopes for the future;

Considering it advisable to launch a program for social development, in which emphasis should be given to those measures that meet social needs and also promote increases in productivity and strengthen economic development,

Recommends to the Council of the Organization of American States:

I. MEASURES FOR SOCIAL IMPROVEMENT

An inter-American program for social development should be established which should be directed to the carrying out of the following measures of social improvement in Latin America, as considered appropriate in each country:

A. Measures for the improvement of conditions of rural living and land use:

1. The examination of existing legal and institutional systems with respect to—

(a) Land tenure legislation and facilities with a view to insuring a wider and more equitable distribution of the ownership of land, in a manner consistent with the objectives of employment, productivity, and economic growth;

(b) Agricultural credit institutions with a view to providing adequate financing to individual farmers or groups of farmers;

(c) Tax systems and procedures and fiscal policies with a view to assuring equity of taxation and encouraging improved use of land, especially of privately-owned land which is idle.

2. The initiation or acceleration of appropriate programs to modernize and improve the existing legal and institutional framework to insure better conditions of land tenure, extend more adequate credit facilities, and provide increased incentives in the land tax structure.

3. The acceleration of the preparation of projects and programs for:

(a) Land reclamation and land settlement, with a view to promoting more widespread ownership and efficient use of land, particularly of unutilized or underutilized land;

(b) The increase of the productivity of land already in use; and

(c) The construction of farm-to-market and access roads.

4. The adoption or acceleration of other Government service programs designed particularly to assist the small farmer, such as new or improved marketing organization; extension services; research and basic surveys; and demonstration, education, and training facilities.

B. Measures for the improvement of housing and community facilities:

1. The examination of existing policies in the field of housing and community facilities, including urban and regional planning, with a view to improving such policies, strengthening public institutions and promoting private initiative and participation in programs in these fields. Special consideration should be given to encouraging financial institutions to invest in low-cost housing on a long-term basis and in building and construction industries.

2. The strengthening of the existing legal and institutional framework for mobilizing financial resources to provide better housing and related facilities for the people and to create new institutions for this purpose when necessary. Special consideration should be given to legislation and measures which would encourage the establishment and growth of:

(a) Private financing institutions, such as building and loan associations;

(b) Institutions to insure sound housing loans against loss;

(c) Institutions to serve as a secondary market for home mortgages;

(d) Institutions to provide financial assistance to local communities for the development of facilities such as water supply, sanitation, and other public works.

Existing national institutions should be utilized, wherever practical and appropriate, in the application of external resources to further the development of housing and community facilities.

3. The expansion of home building industries through such measures as the training of craftsmen and other personnel, research, the introduction of new techniques, and the development of construction standards for low- and medium-cost housing.

4. The lending of encouragement and assistance to programs, on a pilot basis, for aided self-help housing, for the acquisition and subdivision of land for low-cost housing developments, and for industrial housing projects.

C. Measures for the improvement of educational systems and training facilities:

1. The reexamination of educational systems, giving particular attention to:

(a) The development of modern methods of mass education for the eradication of illiteracy;

(b) The adequacy of training in the industrial arts and sciences with due emphasis on laboratory and work experience and on the practical application of knowledge for the solution of social and economic problems;

(c) The need to provide instruction in rural schools not only in basic subjects but also in agriculture, health, sanitation, nutrition, and in methods of home and community improvement;

(d) The broadening of courses of study in secondary schools to provide the training necessary for clerical and executive personnel in industry, commerce, public administration, and community service;

(e) Specialized trade and industrial education related to the commercial and industrial needs of the community;

(f) Vocational agricultural instruction;

(g) Advanced education of administrators, engineers, economists, and other professional personnel of key importance to economic development.

D. Measures for the improvement of public health:

1. The reexamination of programs and policies of public health, giving particular attention to:

(a) Strengthening the expansion of national and local health services, especially those directed to the reduction of infant mortality;

(b) The progressive development of health insurance systems, including those providing for maternity, accident and disability insurance, in urban and rural areas;

(c) The provision of hospital and health service in areas located away from main centers of population;

(d) The extension of public medical services to areas of exceptional need;

(e) The strengthening of campaigns for the control or elimination of communicable diseases with special attention to the eradication of malaria;

(f) The provision of water supply facilities for purposes of health and economic development;

(g) The training of public health officials and technicians;

(h) The strengthening of programs of nutrition for low-income groups.

E. Measures for the mobilization of domestic resources:

1. This program shall be carried out within the framework of the maximum creation of domestic savings and of the improvement of fiscal and financial practices;

2. The equity and effectiveness of existing tax schedules, assessment practices and collection procedures shall be examined with a view to providing additional revenue for the purpose of this program;

3. The allocation of tax revenues shall be reviewed, having in mind an adequate provision of such revenues to the areas of social development mentioned in the foregoing paragraphs.

II. CREATION OF A SPECIAL FUND FOR SOCIAL DEVELOPMENT

1. The delegations of the governments of the Latin American Republics welcome the decision of the Government of the United States to establish a special inter-American fund for social development, with the Inter-American Development Bank to become the primary mechanism for the administration of the fund.

2. It is understood that the purpose of the special fund would be to contribute capital resources and technical assistance on flexible terms and conditions, including repayment in

local currency and the relending of repaid funds, in accordance with appropriate and selective criteria in the light of the resources available, to support the efforts of the Latin American countries that are prepared to initiate or expand effective institutional improvements and to adopt measures to employ efficiently their own resources with a view to achieving greater social progress and more balanced economic growth.

III. MEASURES FOR ECONOMIC DEVELOPMENT

The special committee, having in view resolution VII adopted at the seventh meeting of consultation of ministers of foreign affairs expressing the need for the maximum contribution of member countries in hemisphere cooperation in the struggle against underdevelopment, in pursuance of the objectives of Operation Pan America, expresses its conviction—

1. That within the framework of Operation Pan America the economic development of Latin America requires prompt action of exceptional breadth in the field of international cooperation and domestic effort comprising:

(a) Additional public and private financial assistance on the part of capital exporting countries of America, Western Europe, and international lending agencies within the framework of their charters, with special attention to:

(i) the need for loans on flexible terms and conditions, including, whenever advisable in the light of the balance of payments situation of individual countries, the possibility of repayment in local currency,

(ii) The desirability of the adequate preparation and implementation of development projects and plans, within the framework of the monetary, fiscal, and exchange policies necessary for their effectiveness, utilizing as appropriate the technical assistance of inter-American and international agencies,

(iii) The advisability, in special cases, of extending foreign financing for the coverage of local expenditures;

(b) Mobilization of additional domestic capital, both public and private;

(c) Technical assistance by the appropriate international agencies in the preparation and implementation of national and regional Latin American development projects and plans;

(d) The necessity for developing and strengthening credit facilities for small and medium private business, agriculture, and industry.

Recommends: (1) That special attention be given to an expansion of long-term lending, particularly in view of the instability of exchange earnings of countries exporting primary products and of the unfavourable effect of the excessive accumulation of short- and medium-term debt on continuing and orderly economic development.

(2) That urgent attention be given to the search for effective and practical ways, appropriate to each commodity, to deal with the problem of the instability of exchange earnings of countries heavily dependent upon the exportation of primary products.

IV. MULTILATERAL COOPERATION FOR SOCIAL AND ECONOMIC PROGRESS

The special committee, considering the need for providing instruments and mechanisms for the implementation of the program of inter-American economic and social cooperation which would periodically review the progress made and propose measures for further mobilization of resources, recommends:

1. That the Inter-American Economic and Social Council undertake to organize annual consultative meetings to review the social and economic progress of member countries, to analyze and discuss the progress achieved and the problems encountered in each country, to exchange opinions on possible measures that might be adopted to intensify further social and economic progress, within the framework of Operation Pan America, and to prepare reports on the outlook for the future. Such annual meetings should begin with an examination by experts and terminate with a session at the ministerial level.

2. That the Council of the Organization of American States convene within 60 days of the date of this act a special meeting of senior government representatives to find ways of strengthening and improving the ability of the Inter-American Economic and Social Council to render effective assistance to governments with a view to accepting the objectives enumerated below, taking into account the proposals submitted by the delegation of the Republic of Argentina in Document CECE/III-13:

(a) To further the economic and social development of Latin American countries;

(b) To promote trade between the countries of the Western Hemisphere as well as between them and extracontinental countries;

(c) To facilitate the flow of capital and the extension of credits to the countries of Latin America both from the Western Hemisphere and from extracontinental sources.

3. The special meeting shall:

(a) Examine the existing structure of the Inter-American Economic and Social Council, and of the units of the Secretariat of the Organization of American States working in the economic and social fields, with a view to strengthening and improving the Inter-American Economic and Social Council;

(b) Determine the means of strengthening inter-American economic and social cooperation by an administrative reform of the Secretariat, which should be given sufficient technical, administrative, and financial flexibility for the adequate fulfillment of its tasks.

(c) Formulate recommendations designed to assure effective coordination between the Inter-American Economic and Social Council, the Economic Commission for Latin America, the Inter-American Development Bank, the United Nations and its specialized agencies, and other agencies offering technical advice and services in the Western Hemisphere.

(d) Propose procedures designed to establish effective liaison of the Inter-American Economic and Social Council and other regional American organizations with other international organizations for the purpose of study, discussion and consultation in the fields of international trade and financial and technical assistance.

(e) And formulate appropriate recommendations to the Council of the Organization of American States.

In approving the Act of Bogotá the Delegations to the Special Committee, convinced that the people of the Americas can achieve a better life only within the democratic system, renew their faith in the essential values which lie at the base of western civilization, and reaffirm their determination to assure the fullest measure of well-being to the people of the Americas under conditions of freedom and respect for the supreme dignity of the individual.

AMENDMENT OF RULE RELATING TO CLOTURE—AMENDMENT

Mr. KEATING. Mr. President, I send to the desk for printing—and it may be that this matter will be reached during the debate today over rule XXII, but, at least, if it is not reached until tomorrow, it will be helpful—an amendment which I shall offer to the amendment in the nature of a substitute submitted by the Senator from Minnesota [Mr. HUMPHREY] and other Senators, to Senate Resolution 4, submitted by the Senator from New Mexico [Mr. ANDERSON], providing for adoption by a three-fifths vote.

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

AID TO DISTRESSED AREAS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 5, 1961, the names of Senators SCHOEPPEL and YOUNG of North Dakota were added as additional cosponsors of the bill (S. 9) to assist areas to develop and maintain stable and diversified economies and create new employment opportunities, and for other purposes, introduced by Mr. DIRKSEN (for himself and other Senators) on January 5, 1961.

EXPANSION OF SALINE WATER CONVERSION PROGRAM—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 5, 1961, the names of Senators BIBLE, MUNDT, KUCHEL, and LONG of Missouri were added as additional cosponsors of the bill (S. 22) to expand and extend the saline water conversion program under the direction of the Secretary of the Interior to provide for accelerated research, development, demonstration, and application of practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes, introduced by Mr. CASE of South Dakota (for himself and other Senators) on January 5, 1961.

SALINE WATER CONVERSION PROGRAM—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 6, 1961, the names of Senators YARBOROUGH, CLARK, MOSS, WILLIAMS of New Jersey, CHURCH, BIBLE, CARROLL, SMATHERS, KERR, MCGEE, CANNON, JACKSON, SYMINGTON, and HUMPHREY were added as cosponsors of the bill (S. 109) to expand and extend the saline water conversion program under the direction of the Secretary of the Interior to provide for accelerated research, development, demonstration, and application of practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes, introduced by Mr. ANDERSON (for himself and Mr. GRUENING) on January 5, 1961.

PROGRAM OF WATER POLLUTION CONTROL—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 5, 1961, the names of Senators BENNETT, RANDOLPH, YARBOROUGH, LONG of Missouri, and HART were added as additional cosponsors of the bill (S. 120) to amend the Federal

Water Pollution Control Act to provide for a more effective program of water pollution control, introduced by Mr. KERR (for himself and other Senators) on January 5, 1961.

EVALUATION OF RECREATIONAL BENEFITS FROM CONSTRUCTION OF FEDERAL WATER RESOURCES PROJECTS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 5, 1961, the names of Senators MORSE, RANDOLPH, YARBOROUGH, LONG of Missouri, FULBRIGHT, and HART were added as additional cosponsors of the bill (S. 121) to make the evaluation of recreational benefits resulting from the construction of any Federal water resources project an integral part of project planning, and for other purposes, introduced by Mr. KERR (for himself and other Senators) on January 5, 1961.

SPECIAL MILK PROGRAM FOR CHILDREN—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 5, 1961, the names of Senators RANDOLPH, NEUBERGER, PELL, and MORSE were added as additional cosponsors of the bill (S. 146) to extend and increase the special milk program for children, introduced by Mr. PROXMIRE (for himself and other Senators) on January 5, 1961.

NATIONAL WILDERNESS PRESERVATION SYSTEM—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 5, 1961, the names of Senators JACKSON, KUCHEL, LAUSCHE, HUMPHREY, NEUBERGER, RANDOLPH, BYRD of West Virginia, PROXMIRE, SCOTT, WILLIAMS of New Jersey, DOUGLAS, WILEY, and CLARK were added as additional cosponsors of the bill (S. 174) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, introduced by Mr. ANDERSON on January 5, 1961.

NOTICE OF HEARING ON EXPECTED NOMINATION OF DEAN RUSK TO BE SECRETARY OF STATE

Mr. FULBRIGHT. Mr. President, as the Senate knows, it is the intention of President-elect Kennedy to nominate Mr. Dean Rusk, of New York, as his Secretary of State. The Committee on Foreign Relations proposes to hear Mr. Rusk in open meeting at 10 o'clock Thursday morning, January 12, in room No. 4221, New Senate Office Building. Interested Senators who wish to attend will, of course, be welcome.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows.

By Mr. WILEY:

Letter from him to Bureau of Budget concerning study of Great Lakes water level.

BIRTHDAY OF VICE PRESIDENT NIXON

Mr. DIRKSEN. Mr. President, I do not wish to preclude the introduction of bills, but I do wish to take occasion to observe the fact that today is the 48th anniversary of the natal day of the Vice President of the United States, RICHARD NIXON.

Apropos of that anniversary, let me say, first, that the U.S. Presidency is probably the choicest gift within the bestowal powers of the people of any country on the face of the earth; and any person who is nominated and who begets the esteem, the confidence, the trust, and the admiration of his fellow citizens and his fellow associates in the common political cause becomes outstanding by that fact in itself. And then to have an opportunity to go before the people of the country and present his cause, and to have those efforts rewarded by a great outpouring of his fellow citizens, and to fall behind by only one-tenth of 1 percent, is a magnificent tribute to a young man who today is 48 years old.

He has had a rich, fruitful, and constructive public career, particularly at the Federal level. First, it was his privilege to serve in the House of Representatives; second, in the Senate of the United States; third, for 8 years as Vice President of the United States; and then he became the candidate of his party for the Presidency and received so great a tribute from the American people.

Mr. President, never was he more magnificent, never was he more superb, than on last Friday, after we marched to the Hall of the House of Representatives for the purpose of complying with the Constitution and statutes of the United States, to count officially the electoral vote and to determine formally and officially who was the President-elect of the United States. As Vice President NIXON then pointed out, not within 100 years has it happened that the loser should stand in his place, presiding over a joint session of the House of Representatives and the Senate—and, insofar as I know, it is the only time when the Vice President does preside at a joint session, there to become the initiating officer in having the vote counted—and then comply with the statute, and announce the winner, and then extend his felicitations. It was done in such rare grace and under such—shall I say—emotional circumstances, that it was a double tribute to his poise, to his understanding, and to the fact that he would have been magnificent in victory, as he was even greater in defeat.

So today we mark the 48th birth anniversary of a great American, the Vice President of the United States, RICHARD NIXON.

Mr. SALTONSTALL. Mr. President, as one of the Republican Members of the Senate who has had the opportunity to sit beside the Vice President of the United States in the weekly meetings at the White House during the past 8 years, I desire to join our minority leader in wishing Vice President NIXON a very happy birthday on this, his 48th birth anniversary.

I have always appreciated the wisdom of his remarks, his ability to understand quickly the problems which face us, and the very helpful suggestions he has made from time to time—not only suggestions for the good of the country, but also suggestions of a more personal character, when we have met with him.

I join our minority leader in all the remarks he has made about Vice President NIXON.

What commends RICHARD NIXON so highly to all of us in this time is his great spirit of sportsmanship, as so ably demonstrated by the manner in which he has taken a very close defeat and the manner in which he has conducted himself for the good of the Nation. RICHARD NIXON has always set an outstanding example of high character and excellent personal conduct throughout his career, and in a way that has been particularly notable since November 8.

So, Mr. President, I join in wishing Vice President NIXON a happy birthday and great opportunities, in the days to come, for future use to the country. Today we salute both Vice President NIXON and his lovely wife, who has been so fine a helpmate to him.

Mr. WILEY. Mr. President, I am happy to join all Americans in wishing a happy birthday to a great American, a great patriot, public servant, model husband and father—the Vice President of the United States, Mr. NIXON.

As an outstanding young man in American political life, serving in the House of Representatives, the U.S. Senate, and as Vice President, DICK has written a splendid record.

As a pillar of the great Eisenhower administration, DICK has drawn new respect and esteem, not only to himself, but to the Vice Presidency.

He is a man of broad experience, capability, and knowledge in domestic and international problems, and a veteran of the Second World War.

He is a man of high principle and integrity—a statesman within the definition of Edmund Burke: "One who has the disposition to preserve and the ability to improve."

He is a family man, reflecting the highest standards to which Americans aspire in homelife, family relationships, and public service.

He is a warm human being, attuned to the needs of our people at all economic levels and of all ages.

His career reflects the "poor boy to success" story, according to the best traditions of America.

True, he is a fighter. In these times of trial and challenge, however, the country needs fighters who are guided by real principles and high morality.

Last Friday, as I sat in the front row in the House of Representatives, and observed DICK NIXON as he presided at the meeting as the electoral votes were counted, there came to my mind a statement that I heard about him years ago when I was in California, right after his

election to the Senate. Someone said, "The Senator is a man who is equal to any emergency."

At that time, in victory, he was humble and calm. Friday, while he was counting himself out, he also was calm, pleasant, manifesting a sense of humor and a wonderful smile. I thought, as I observed him, of the day after Caracas, when the House passed a resolution praising his courage and dignified conduct.

It was Cicero who said, "A man of courage is full of faith." DICK manifested this same spirit when he was in Russia talking to Khrushchev. No one who observed him as he presided last Friday—unless he knew it—would have said: "He is the defeated candidate."

A man who can keep his calm and his poise like he has, after the experience he went through, is not a defeated candidate. He has again demonstrated victory out of defeat, or, as the House resolution put it, "Courage and dignified conduct."

In optimistically facing the future, DICK continues to reflect the Christian attitude and greatness of soul which have marked his career in public life.

Upon his 48th birthday, we—all America—extend heartfelt wishes not only for a happy anniversary, but also warm affection to his wife, Pat, and his wonderful family.

Our best wishes come to him in the knowledge that his career, as an outstanding American will, I am confident, continue to make a unique contribution to the Nation he has served so well.

Mr. President, I ask unanimous consent that there may be printed in the RECORD, following my statement, an editorial from the Washington Sunday Star of January 8, 1961, entitled "Mr. NIXON's Farewell."

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

MR. NIXON'S FAREWELL

Very few men like to lose, and RICHARD NIXON, one may be sure, is not to be counted among their number. Still, there is such a thing as a genuine good loser, and the Vice President's name ranks high on this list.

Mr. NIXON demonstrated that he could smile and accept the bitter disappointment of defeat in his little talk to party workers in Los Angeles on the morning after the election—in the weary hours when it became apparent that Mr. Kennedy had won the election. And he demonstrated it again in his farewell remarks to Friday's joint session of Congress.

There are those, of course, who can see nothing good in anything done by Mr. NIXON. With these people, sniping and cynicism have become a way of life. But they are in the minority. Most Americans, we are sure, will credit the Vice President with sincerity when he stood before the Congress to extend his best wishes to the winners. And why best wishes? Because these winners now must work "in a cause that is bigger than any man's ambition, greater than any party—the cause of freedom, of justice, and peace for all mankind." This is not just a form of words, not merely a pious expression from a man play-acting in the role of good loser. It happens to be true. And Mr. NIXON, whatever his implacable detractors may think, has done well to rise above personal disappointment and set the example of good will and best wishes to those upon whom the heavy burdens of victory soon will descend.

Mr. AIKEN. Mr. President, I realize there is little that I can add to what has been said and what will be said concerning the character of RICHARD NIXON. I consider DICK NIXON as the personification of the spirit of good sportsmanship, for which our country is well known.

I was in New York, at the United Nations, a few days after our Vice President met with the President-elect in Florida. It appeared to some of the representatives from countries in distant parts of the world that this was a rather unusual circumstance, and some of them did not seem to think it real that a defeated candidate for the Presidency could be with the winner in such amicable circumstances. So I felt called upon to tell them that in the United States, after a free election—and we still do have free elections—the defeated candidate did not go into exile, but, instead, helped carry on the affairs of the country, to the best of his abilities.

Mr. President, we are sorry to have DICK NIXON leave this body—at least, I am sorry, and I know a great many of us here are sorry to have him leave the post of Presiding Officer. But as he goes back to California and to private life, we realize that his interest in the welfare of his country will not be lost to us.

So I want to join with all others in wishing him the best for the future on this his 48th birthday.

Mr. BUSH. Mr. President, I join my colleagues in wishing the Vice President many happy returns on his birthday, and at the same time I wish to express my deep appreciation of the leadership he has shown to the Republican Party and to the United States, particularly during the past 8 years. I can hardly think of a Republican political leader who has been under more severe attacks than has DICK NIXON. At all times he has shown great courage, iron nerve, and a determination that has been at times magnificent.

I have a profound admiration for this man, and I look upon his retirement in the immediate future with extreme regret. I wish him health and happiness for the future.

Mr. KEATING. Mr. President, I take the deepest personal pleasure in extending to Vice President NIXON the best of good wishes on this memorable occasion. It has been my high privilege to serve with the Vice President both in the House, to which I was elected at the same time and in the Senate. In the course of this long and valued friendship I have unfailingly been impressed by the great qualities of mind and heart that he has brought to every task, to every problem, to every challenge with which he has been confronted. The preeminent gifts of intellect and of leadership that he possesses were given their full and due recognition in 1960 when he was chosen by his party as Republican candidate for the Presidency of the United States. By a hairline margin DICK NIXON was defeated in the November election. It must, however, be the supreme pride of his life that so many millions of his fellow citizens demonstrated the depth of their belief in this outstanding American by making him their choice to assume the leadership of our great Nation. Almost unique in our history is the tribute of more than 34 million American voices speaking out their faith in one man.

It has been said that the mark of a great man is the humility with which he wears the laurel wreath of success. No less a mark of greatness lies in the dignity and grace with which a man accepts the bitter taste of defeat.

Last Friday afternoon DICK NIXON gave to the Congress of the United States one of its finest hours—yes, gave to this Nation one of its finest hours—when it fell to his lot to announce the election to the Presidency of his distinguished rival and our deeply esteemed former colleague in the Senate, President-elect John F. Kennedy. What could have been a difficult moment he turned into an historic moment. In words which deserve to be remembered he revealed to us not only the grandeur of our cherished democratic process, but also an example of the kind of man whose heart and mind and spirit form a part—a timeless, precious, indispensable part—of that national grandeur.

The Vice President will soon depart from this Chamber, but he will never depart from the hearts and memories of those who proudly lay claim to his friendship.

It is my fervent hope—a hope I know is shared by all who know him—that in the years to come DICK NIXON will always know the deep inner happiness and contentment by which life best rewards the man who gives the best of himself to life.

Mr. BOGGS. Mr. President, I should like to join with those expressing congratulations and best wishes to Vice President RICHARD M. NIXON on the occasion of his 48th birthday.

Since January 1947, when we both first entered the U.S. House of Representatives, I have watched as a friend his outstanding and distinguished public service. It has been intelligent, courageous, and in the very best American concept. His vigorous leadership and great ability have been a source of strength for our Nation and free people everywhere.

His public service is greatly appreciated and valued.

He is still a young man, yet seasoned to meet great challenges and to serve his fellow man. As he moves into the future, I wish for him and his lovely wife and children the most satisfying and rewarding experiences.

Mr. CAPEHART. Mr. President, it is a great pleasure for me to join with my colleagues in paying highly deserved tribute to our esteemed Vice President on his 48th birthday. He has been with us, and by that I mean with the legislative branch of the Government since the 80th Congress, following his election to the House of Representatives on November 5, 1946. His service has included some time in the Senate and as Vice President since 1953.

Mr. President, while the record of this young man is a matter of pride to all of us it is something more than that to Members of Congress from Indiana since

the maternal side of his family stems from good old Hoosier stock. His mother, Mrs. Hanna Nixon, was born in Jennings County, Ind.

Perhaps no other man in American political history, at age 48, has had such an interesting, intensive and responsible career as has our friend, DICK NIXON.

His service in the House of Representatives is outstanding. He made a name for himself there.

When he moved to the Senate his great energy drove him to further heights and certainly we all know his record as Vice President is one that has been unequaled in that position in American history.

Then he barely missed, and I mean barely, the highest office in the land. The tribute paid to him by the American people in the last election speaks louder than anything else.

I know that all of us wish for him and his fine family continued success, health, and happiness.

Mr. BEALL. Mr. President, I should like to join my colleagues who are today marking the birthday of the President of the U.S. Senate, Vice President RICHARD M. NIXON, by offering words of praise and appreciation.

Here, in RICHARD NIXON, we have the kind of greatness which has become a symbol of American opportunity and achievement. Here we have one born to humble surroundings. He worked in his father's general store. Early in life he learned the lessons of hard work, thrift, and the kind of life which build moral character. Like most American boys, he attended public schools. From early in life, RICHARD NIXON had high ideals and, like the typical American boy, high ambition. His story is a Horatio Alger story.

One cannot talk about RICHARD NIXON without mentioning his wonderful wife, affectionately called Pat. Pat Nixon worked in hospitals and department stores to gain a college education, and, after her marriage to DICK, taught school to help him through his law course.

By their own efforts, the Nixons rose in esteem and prominence. While still quite young, RICHARD NIXON was elected to the U.S. House of Representatives, then to the Senate, and then to the Vice Presidency.

He is still a young man. I am sure the best part of his life is ahead. He has much to offer a troubled world. The world is going to hear a lot about RICHARD M. NIXON for years to come. Of that, I feel sure.

To RICHARD NIXON, whom I am proud to call a friend, I say "Happy birthday and many more."

Mr. KUCHEL. Mr. President, I pay my sincere respects and offer hearty congratulations to the Vice President of the United States on the occasion of his birthday. The people of California, I have no doubt, would wish to join their representation on both sides of the aisle in the Senate and in the House in warmly felicitating the Vice President on this day of his natal celebration.

California has honored the Vice President of the United States on many occasions. So have the people of the United States. So, too, has the political party—the Republican Party—to which he and I and millions of others, belong.

On this occasion, as we celebrate his birthday, and when the Senate is involved in a debate of far-reaching and transcendent importance on rules of procedure, I am particularly pleased to observe that it is Vice President NIXON, the Presiding Officer of the U.S. Senate, who with courage and with clarity has laid before the Senate an opinion concerning the power and responsibility of its Members. It is an excellent guide for good government in America and for good and orderly procedure in this House of Congress.

Shortly, the Vice President of the United States will return to his native State. Behind him is a record of honorable service in the legislative and executive branches of the Government of our country. He takes with him the best wishes of all of us in Government, Democrat and Republican alike, for the devotion to duty which he has displayed in all the multitudinous and important official labors by which he has served his Nation.

Mr. COOPER. Mr. President, I wish to associate myself with other Members of the Senate in congratulating the Vice President of the United States on his 48th birthday. I congratulate him for all he has accomplished during his life.

To have served in the House of Representatives, in the U.S. Senate, and as Vice President of the United States for 8 years, to have been chosen by his party as its candidate for President, and to have received the vote of almost one-half of the voters in the recent campaign—all of these facts are eloquent testimony of the success he has achieved as a leader of this country. But I think, in a deeper sense, we must recognize that it is a record which has been based upon the confidence of the people of his State and of his Nation.

In his life, we know he has been criticized, as are all men who work and take strong positions.

I think it was Arthur Guiterman who wrote:

> For some are born to set things right,
> While some are built for sneering,
> And he that likes to work and fight
> Must never mind the jeering.

I think the great majority of the American people would agree that today the Vice President holds the respect and affection of the people as few men have held that respect and affection.

I do not know what the Vice President is going to do, but I am sure, whatever he does, he will take to his task the same ability, patriotism, and devotion to his country that he has evidenced throughout his life.

In many ways, I think the career of RICHARD NIXON has been typical of the best traditions of his country. He has been an American epic, as has the life of his wife. So today, in this very humble and inadequate way, I express my own congratulations to the Vice President for what he has meant to our country, and for what I am sure he will mean in the future.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished Senator from Kentucky in the remarks he has just made about the birthday of the Vice President of the United States. The Vice President, with whom I had the honor and privilege of serving in both the House and the Senate, has indeed grown in stature and in understanding. I want to state again that I think he has shown an awareness of what our Government means, and what democracy really is. He proved that by the magnificent speech he made at the conclusion of the counting of the electoral votes on last Friday.

The Vice President will leave the Senate shortly for other duties. I wish him and his family well, because I believe that they have made real contributions to the welfare of this country, and that by what they have done they will long be remembered.

Mr. MILLER. Mr. President, I should like to add my comments to those which have been expressed about the distinguished Vice President of the United States. The people of Iowa have deep love and affection for our Vice President. I take this opportunity to extend him a happy birthday greeting on behalf of the people of my State, and to wish him Godspeed in his future activities of service to his country.

Mr. SCOTT. Mr. President, today marks the birthday of the Vice President of the United States, and, with his many friends on both sides of the aisle and throughout the United States, as well as in the still unliberated areas of the world, areas which greeted him with such wild and enthusiastic acclaim as the symbol of freedom and of the unserving devotion of our country to that cause, on this day I congratulate him on the observance of another birthday.

I should like to pay tribute to him for his patriotism, his courage, his devotion to the public interest; the fact that, whether in these Halls or on the campaign trail, or in any other situation which he has confronted during his vigorous life, he has, first of all, put the welfare of the United States and of its people first. He has conducted himself in this Chamber with fairness. He has at all times gained the respect and the admiration of the Members of the Senate. He has on the campaign trail demonstrated the kind of sincerity, fairness, decency, and uprightness which won the respect of the entire country and the support of very nearly half of it in the recent election.

Mr. President, the Vice President of the United States goes now to other fields of activity. Wherever they may lead him, I know that all of us join in wishing for him enjoyment, serenity—by comparison with the turbulent days of the recent past—further opportunities to be of use to his country, and above everything else, the thanks of the American people for having demonstrated that, as he did once again so recently, the country is more important and the welfare of its people is more important than the ambition of any man; that we must at all times demonstrate at home and abroad that we are a united people and that, having established our differences, it becomes ever so much more important to establish our union

as a free people, devoted to a common cause, the security of the United States, its welfare, its advancement, and its standing in the good opinion of men of good will through the world.

So I congratulate DICK NIXON, as well as his lovely and most popular helpmate, Pat, upon his birthday, and I wish for them long life, happiness, and continued opportunities for devotion to the good of their fellow man and, if he shall so desire it, for continuance in public service.

Mr. CASE of New Jersey. Mr. President, I, too, rise in observance of the birthday of DICK NIXON. I think all the things that could be said have already been said, and I do not want to burden him or my colleagues with undue repetition. But over the years, since we first met in the House, the Vice President and I have been very close, and I believe our association has been one of mutual respect and affection, as well. It goes very deep.

On this occasion of his birth date anniversary, I should like to point out only one thing which I think is deeply typical not only of DICK NIXON at his best, but of DICK NIXON when he is truest to himself. Only last week, in the joint session of the Senate and the House, which met for the purpose of receiving the ballots of the electors in the recent presidential election, our former colleague, and now Vice President, presided. The gracious manner in which, in the unusual circumstances then prevailing, he conducted himself, his words, not only gracious, but very deeply moving, were typical of the kind of maturity, insight, and deep understanding of America and the things that hold us together.

I think it was most appropriate that, just before the anniversary of his birth, he had occasion to conduct himself in that significant and moving manner. For that, and all else, and particularly on a personal basis, I, along with my other colleagues, wish him the warmest and best greetings on this anniversary of his birth date.

Mr. YOUNG of North Dakota. Mr. President, today marks the birthday of one of our most distinguished Americans, Vice President RICHARD M. NIXON.

His is truly a remarkable record commencing early in life. He came from a family of very modest means, and had to work his way through college. Both in undergraduate school and in law school he was an outstanding student. He acquitted himself with much credit during World War II as an officer in the U.S. Navy. Soon after the conclusion of World War II he was elected to the House of Representatives where he obtained national renown and acclaim as an investigator. It was largely through his efforts that Alger Hiss, one of America's most notorious traitors, was brought to justice.

Because of his fine record in the House the people of California sent him to the Senate where it was my privilege to be closely associated with him. During the past 8 years he has served with great honor and distinction as Vice President of the United States. I doubt if any Vice President in the history of the United States has been assigned more important tasks or has fulfilled these assignments with greater distinction than has DICK NIXON.

As the Republican Party's candidate for President of the United States, he conducted himself in an able, honorable, and commendable manner. He has endeared himself to millions of Americans in a durable way, and he will long be remembered. DICK NIXON has gone a long way in this world, and I hope and pray that his future will be even brighter. There is great need in this country for men in public office of the personality, character, and integrity of DICK NIXON. The Republican Party is most fortunate in having him as a leader in the years to come.

I wish to join his innumerable friends in extending my greetings and best wishes on this his 48th birthday.

BELATED BIRTHDAY CONGRATULATIONS TO SENATOR DIRKSEN

Mr. BEALL. Mr. President, on Thursday of last week, January 5, I had been called off the floor of the Senate just prior to the tribute paid by several of my colleagues to the minority leader, the Senator from Illinois, on the occasion of his birthday. Belatedly, I wish to add my congratulations to the distinguished Senator.

I have had the pleasure of knowing the minority leader for many years, dating back to the time when we were both Members of the House of Representatives. I have the highest regard for him as a man, as well as our party's leader in the Senate. He is a strong leader, and, at the same time, he has made many stanch friends, on both sides of the aisle.

One of the bright spots in my experience in the Senate is the constant friendship and consideration of the Senator from Illinois.

I desire to join with those who wished him well on his birthday. I congratulate him, and wish for him many more birthdays to come.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while the majority leader is in the Chamber, I should like to inquire as to what may be expected today so far as any action in respect to rule XXII is concerned. I gained the impression somehow, somewhere, that probably no action would be forthcoming until Tuesday, but in any event I am sure Senators would like to have an expression from the majority leader as to how the program will unfold for the next several days.

Mr. MANSFIELD. Mr. President, it is not the intention to have a vote today. It is possible there will be a vote tomorrow, and certainly by Wednesday at the latest. It is the hope of the leadership that those Senators who have something to say on this most important subject will use the time today to make their views known and will be prepared to vote on the resolutions beginning tomorrow, or, at the very latest, the next day.

Mr. DIRKSEN. I thank the majority leader.

AMERICAN MARIGOLDS NAMED "ALASKA"

Mr. BARTLETT. Mr. President, I am not one for flowery speech but last week I received as a gift a beautiful bouquet of flowers from the W. Atlee Burpee Co. With the flowers came a card informing me that these flowers were a new species of American marigolds named "Alaska" in honor of our great State. As I gazed upon these beautiful flowers I was captured by their brillant yellow hue and long graceful stems. The sight was a feast for one's eyes.

While I viewed this gorgeous spectacle my mind began to reflect on the significance of this flower. Its size is meaningful because it is at least three times the size of an ordinary American marigold. The blossom's brillant yellow reminded me of Alaskan sunsets that last far into the cool summer nights and of the glitter thrown off by well-washed nuggets that stud our many streams. This enduring gift is most significant of all because like Alaska this flower also has a bright future and will go on and on to grace these United States. I want to express my gratitude to the W. Atlee Burpee Co. for honoring Alaska in this way. I might add that Alaska's State flower is the forget-me-not, and surely we have not been forgotten in the naming of a new species of marigolds.

TELEVISION'S GREAT CONTRIBUTION TO AMERICAN DEMOCRACY

Mr. PROXMIRE. Mr. President, in the past I have frequently been a critic of television. There is still too much trivia on the air, in my opinion, especially in the prime evening hours, when the largest potential audiences are able to listen.

But there is another side to this story. In the past few months many of us have become aware of the tremendous job television can do when it aims high. There has been an impressive succession of genuinely outstanding programs. During the national political campaign we had the now historic great debates in which the two presidential candidates met face to face in verbal combat while as many as 80 million viewers looked on. What a magnificent contribution this was to genuine democratic participation in our huge Nation. This was an indication of what television can do.

The coverage of the campaign, and the election brought more Americans into closer contact with the meaning and excitement of politics than ever before, as the personalities and policies of the candidates and the parties were revealed in painstaking detail. Thanks to television this was the best informed electorate in my judgment in our history.

On the night of the election, the networks brought the details of the nationwide vote count to an enormous audience that stayed up to watch what surely must have been the most prolonged cliff hanger since the end of "The Perils of Pauline."

Other broadcasts have continued this high level of television programing. A

moving study of the problem of migratory labor in this country drew wide attention. This program moved many to express their concern to me in many ways. I was traveling in Wisconsin then. From the response in my State, I am sure that America's heart was deeply moved by this great development. There have been programs on the U–2 affair, on the sit-ins, on the world refugee problem, and on other subjects of equal importance. These programs have had an immense impact on tens of millions of Americans, providing a vast increase in understanding.

I think that one must recognize that the television networks' elbowroom is limited by certain factors. The need to find financial sponsorship for programs among a fairly small number of advertisers inevitably places an overall restriction on the scope and nature of programing. The established tastes and viewing preferences of most Americans are likely to remain fairly stable. The much-maligned ratings continue to provide a persuasive link between the desire of a potential sponsor to reach a maximum audience, and the nature of the program which will accomplish this with the greatest degree of reliability.

These hard facts of life in the television industry being what they are, it is all the more worth taking time out to praise the networks for putting on a very substantial number of outstanding programs in recent months. The merits of these shows deserve recognition. Those responsible for the broadcasts should be praised and encouraged to continue their working efforts.

During the next few days I intend to place in the RECORD the actual transcripts of some of these outstanding broadcasts. The bare script of a television broadcast hardly does justice to the total impression achieved by a program, but it may serve as an indication, in permanent form, of how good television can be at its best.

I think it is time that the Congress recognize how this magic medium transforms our democracy. And just in the nick of time. Many of us have feared that the problems of our democracy have been becoming too vast, too remote, and too complicated with the impact of technology shrinking the contact size of a world becoming always more complex with burgeoning population and multiplying independent nations.

Now television has come along and it is at last possible for the great majority of us Americans to develop a far better understanding of our responsibilities, and how massive and challenging a job we face. In many ways American television is beginning to do part of that job.

Today I wish to list a number of these network programs by title.

The list is by no means exhaustive and does not attempt to be. Rather, it may serve as a sketch of the broad panorama of fine programs that have been offered in recent months, particularly in the field of news features. The list of programs follows:

NBC: "U–2 Affair," "Sit-In," "The Working Mother," "The Cold Woman," "Nigeria," "Minuteman Missile," "Birth Control," "Algeria," "Cuba," "Federal Aid to Education."

CBS: "Harvest of Shame," "The Influential Americans," "Money and the Next President," "Turmoil in Tokyo," "Berlin—End of the Line."

ABC: "The Man and the Mandate," "The Money Raisers," "Yanki No," "Featherbedding?" "Down the Road," "The Rag Tent."

THE DEMOCRATS AS POOR WINNERS

Mr. TALMADGE. Mr. President, of all the able journalists who have reported the deliberations of this body over the years, none has evidenced greater perception of the constitutional role of the Senate than has the distinguished columnist William S. White. Time and again in his articles and books he has pointed out and emphasized that the Senate was created to function as one of the checks and balances of our republican form of government, and that interference with that function does a grave disservice to the rights of all Americans. In his column of January 6, as published in the Washington Evening Star, Mr. White pulls no punches in exposing the disservice being done our Nation and its citizens by the current efforts of certain willful Members of the body to force it into an arbitrary mold of their own self-serving design. Mr. White's forceful conclusions commend themselves to the serious consideration of every Member of this Senate, and I ask unanimous consent, Mr. President, that the text of his column be printed herewith in the RECORD.

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

THE VICTORS: POOR WINNERS?—DEMOCRATS ARE VIEWED AS SHOWING LESS THAN FULL TRUST IN JOHNSON

(By William S. White)

The Democrats are proving again, that, because of the ultraliberals and the ultrasuspicious and righteous among them, their party as a whole has a hard time withstanding prosperity. They are not so much poor losers—as the Republicans sometimes are—as they are very poor winners.

A visitor to the Democratically controlled Senate might suppose he was seeing a party which has just lost, not won, a national election and so was now embittered, one against the other.

Some of the time the ultraliberal and ultrasuspicious group howls itself hoarse in accusing other Democrats of not having done enough for the Kennedy ticket. The rest of the time this faction occupies itself in two curious enterprises both of which would demonstrably harm the new Kennedy administration.

One of these projects has been an absurdly extreme—and thus foredoomed—scheme which in spirit would alter the whole constitutional structure. This was a demand that a bare majority of the Senate be allowed to halt all debate, after a stated period, on any matter. Because some filibusters are bad, all filibusters—or rather any delaying action which a simple, momentary majority might call a filibuster—were to be put under the gag.

This proposal was solemnly pressed in an institution whose very existence is a denial of the principle of absolute majority rule. If the Constitution had put that kind of rule in force for Senate membership, some States of little population would have not two Senators but the irreducible one. And others would have now not 2 Senators but 20 or more. The Senate, of course, was explicitly made to restrict mere majority rule.

Thus some of those loudly demanding absolute rule by a majority-of-one would thereby sink into oblivion in a vastly enlarged Senate sea—and the interests of their home States along with them.

More importantly, the effect of this extraordinary project would be indefinitely to delay if not permanently to endanger the whole legislative program of the new administration to which these same men so endlessly declare their attachment.

The second historic activity of the ultras was to make certain that the two leaders most vital to the success of the Kennedy administration were put in a poor light from the start.

First, more than a dozen of this faction opposed a motion—which all the same carried by 3 to 1—to have Vice-President-elect LYNDON JOHNSON sit as chairman of Democratic conferences when invited by the new leadership to do so.

Now, of course, this small courtesy will neither increase nor decrease Senator Johnson's influence at the Capitol. He will, after all, be there anyhow, as the Senate's presiding officer. And it is not improbable that even if he had been denied security clearance to attend the caucuses he still might have been able to talk to Democratic Senators, anyhow.

The ultras moved from this historic demonstration to a series of equally humorless "demands" upon the man just unanimously chosen as their new Democratic leader, MIKE MANSFIELD of Montana. First, they called upon him to give up the standing right of a leader to make certain committee appointments. Next they agreed reluctantly to let him go on making these choices—if he would promise to put them before all Democratic Senators for approval. (He was, of course, going to do this, anyhow.)

The unavoidable implication of all this earnest charging about was this: Certain Democrats were publicly expressing something considerably less than full trust in a new Democratic Vice President—who cannot be cut down without injuring Mr. Kennedy, too—and a new Democratic Senate leader.

Old Senator Tom Connally once made a memorable description of this kind of mentality. "When I invite a man to dinner," he said, "I do not search him before he leaves the table to make sure he hasn't stolen the spoons."

FAILURE OF VOICE OF AMERICA IN LATIN AREAS

Mr. HUMPHREY. Mr. President, I noticed in this morning's Washington Post an article entitled "America Fails To Raise Single Voice in Latin Areas." This is a feature article of the Associated Press, and was written by Endre Marton. The article begins:

Despite Cuba's drift into the Communist camp and the break in United States-Cuban relations, the Voice of America has no plans now to keep America's image before the Cuban people through special broadcasts, it was learned yesterday from Government sources.

At the same time, an analysis available at the State Department showed the Voice beams only 31½ hours a week to Latin America, less than half in Spanish. There are no such U.S. broadcasts in Portuguese, Brazil's tongue.

By comparison, the Communist bloc nations are bombarding Latin America with more than 174 hours of special broadcasts

weekly in Spanish, Portuguese and their own languages, apparently intended for eastern Europeans living there.

The assigned mission of the U.S. Information Agency, which controls the Voice's policy, is to keep this country's image before the world, to interpret U.S. life and culture for foreign peoples.

The USIA issued a report on 12 years of Communist broadcasting worldwide, 1948–1959, saying "radio propaganda is not popular in Latin America."

Mr. President, I ask unanimous consent that the remainder of the article be printed at this point in my remarks.

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

Red broadcasts to Latin America, the report said, lag behind those to any other major area.

The USIA said Communist propaganda broadcasting increased 500 percent in that 12-year span, reaching a total of almost 3,000 hours a week in 55 languages. At the same time, U.S. broadcasts rose about 250 percent, to 565 hours in 36 languages.

The separate analysis, reflecting the situation now, shows that the Voice programs 14 hours a week of news, features, and commentary in Spanish, plus some music. In addition, the United States beams 2½ hours daily in Spanish—a program the Voice claims is very popular.

While the Voice has no program in Portuguese, the state-controlled radios of Moscow, Peiping, Prague, and Bucharest blare Communist propaganda in that tongue to Brazil, largest, and most populous country of South America.

Moscow tells its version of the truth through 24½ hours weekly to South America and 14 hours weekly to Central America, Mexico, and the Caribbean area in Spanish, and 17½ hours weekly to Brazil in Portuguese—a total of 56 hours every week.

Red China beams 31½ hours a week (21 hours in Spanish, 10½ hours in Portuguese); Prague 37½ hours (20 hours Spanish, 17½ Portuguese). Other Communist stations join in to make up the overall total of 174¾ hours in broadcasts to South America.

Voice officials said 125 South American radio stations in 13 countries pick up Voice material and rebroadcast it for their listeners.

Further, the Voice is confident it scores with its recorded programs carried by South American stations. These programs, taped in Washington and flown to the different countries, were used by South American radio stations during 160,000 program hours last year, a figure officials call impressive.

Mr. HUMPHREY. Mr. President, my point in bringing this article to the attention of the Senate today is that on June 29 of last year I addressed the Senate on the subject "The New Communist Propaganda Assault." At that time I pointed out, for example, that Red China had tripled her Spanish-language broadcasting to Latin America in the last year. She also had tripled the number of delegations invited from Latin America, with all expenses paid, to Peking. I pointed out also that Communist countries had established strong radio transmitters which beamed broadcasts all over Central and South America and throughout the Caribbean.

I am not at all certain what the budget message will include for the Voice of America. However, I hope that when the new administration comes into power, one of its first objectives in the field of our foreign policy will be to strengthen, to improve, and to modernize our programs of information and education to the Latin American areas. Certainly we have had plenty of indication that the image of the United States in Latin America has been terribly distorted. Our message is not getting through. While some may say, as the Voice of America report indicated, that radio broadcasting is not popular in Latin America, this is no longer the case. The Communists have even gone to the point of distributing receivers. They have placed large receiving sets in public squares, and small radios have been made available to the populace at a very reasonable price, some of them as grants or gifts, so that the propaganda of the Communist bloc countries can be heard throughout the Latin American area.

It is my hope—and I shall surely be vigilant about the realization of that hope—that the Voice of America will be a voice that can be heard and understood; a voice that really speaks the spirit and the philosophy of the United States, and the purpose of the United States, into Latin American areas.

Mr. President, I ask unanimous consent that a newsletter I have prepared entitled "The Communist Challenge," citing such areas as the Soviet economic offensive, the rising tensions between Red China and the Soviet Union, Communist propaganda, the Soviet education challenge, and other items, be printed at this point in the RECORD, together with the text of my news release of June 29, 1960, which sets forth what I consider to be an analysis of the Soviet propaganda offensive, not only in Latin American areas, but elsewhere.

I ask unanimous consent also that a special newsletter on Latin America be printed at this point in my remarks.

There being no objections, the items were ordered to be printed in the RECORD, as follows:

THE COMMUNIST CHALLENGE

(Newsletter from Senator HUBERT H. HUMPHREY, September 15, 1960)

We shall make a terrible mistake—perhaps a fatal mistake—if we think of the Communist challenge primarily as a military challenge. It is a military chellenge—but the challenge is also political, economic, ideological, and in the deepest sense, religious. The Communist ideology is a direct challenge to the fundamental beliefs of our Judeo-Christian heritage and to our tradition of individual freedom and human dignity.

Some philosophers of history seriously ask whether Western civilization and the moral values we cherish can survive the complex, profound crisis which we are now going through. I am not a pessimist on this question. I believe the United States of America can inspire and lead the way toward a bright future—helping to banish poverty, disease, hunger and ignorance and helping to create new opportunities for personal freedom, dignity and individual achievement.

But there is nothing automatic or predestined about the survival of the free world. We will have a future only if we pay the price of survival and leadership—only if we understand the crisis we confront and meet the challenge with courage and imagination—and with full awareness of the dangers and opportunities before us.

We must keep in mind that the challenge of world communism is not our only problem. We are also faced with the challenge of modern technology and the new revolution of rising expectations. Fantastic achievements of modern science and technology now put mankind within reach of eliminating stark poverty and starvation. Yet, ironically, modern technology also enables mankind to exterminate the human race in a nuclear holocaust.

And the revolution of rising expectations underway among the peoples of the economically less developed areas of Asia, Africa, and Latin America is testing our good will and capacity to help downtrodden peoples break out of the vicious circle of hunger, disease, poverty, and ignorance. If these people are to resist the false promises of Communist agitators, we must make it very clear to them that we will give them long-term economic aid and technical assistance—not just because we are opposed to the evil threat of communism but because we are sensitive to their needs—because we are genuinely concerned about people, peace, and progress.

During my 12 years in the Senate of the United States, I have repeatedly called attention to the menace of international communism. In recent Senate speeches I have urged action by the United States to counteract the Soviet economic offensive, to overcome the propaganda gap, to meet the Soviet education challenge, to examine rising tensions between Communist China and Soviet Russia, and to initiate and carry out a genuine works of peace program.

THE SOVIET ECONOMIC OFFENSIVE

The Soviet economy is growing rapidly—and we should be seriously concerned about the growth of our own economy. Soviet production is roughly 40 percent as great as American production but the growth rate of the Soviet economy is two to three times bigger than ours. For the past 8 years the American economy has been limping along with a growth rate of 2½ to 3 percent while the Soviet economy has been growing at a rate of 6 to 9 percent a year.

Just as we relate our military power to the security needs of the free world, so we must relate our great wealth and economic productivity to the needs of the less developed, uncommitted countries. The Soviet Union and Communist China are stepping up trade and aid penetration into strategic areas where the Communists hope to establish a firm political foothold. Premier Khrushchev boasts that Soviet Russia will overtake the United States and eventually win the world to communism by victory in the field of peaceful production. America's lagging growth rate is wasteful and dangerous. We must step up our economic growth or we will eventually fall behind in the race for economic supremacy and world leadership.

RISING TENSIONS BETWEEN RED CHINA AND SOVIET UNION

It would be wrong to underestimate the strength of the Sino-Soviet alliance, but deep-seated frictions have developed in the last few years, and it is reasonable to expect that these tensions will increase rather than lessen. I am convinced that the bonds now holding Red China and the Soviet Union together are stronger than the differences which divide them but it would be foolish to ignore existing tensions in formulating our foreign policy toward these two Communist giants.

Population

By 1975 Red China will have approximately 1 billion human beings. Although parts of western China are still sparsely populated, by 1975 there are going to be tremendous population pressures. It is no secret that Soviet officials are very apprehensive when they think about the 3,500-mile border between Red China and Soviet Asia. The population of China is increasing between 15 and 25 million a year while the Soviet Union,

which now has a population of about 200 million, has an annual increase of only 3 or 4 million.

Prestige rivalry

The Communist empire formerly had only one center in Moscow. Now it clearly has two centers—Moscow and Peking. Moscow cannot be happy that its previous unquestioned leadership of the Communist movement has been challenged.

Red China is now operating its own foreign propaganda and economic aid program in competition with both the United States and the Soviet Union. Red China is now operating in sales territory that the Russians used to think was their own. And the Chinese in their propaganda feel free to take positions which differ from the line of the Soviet Union.

Another worry for the Russians is Red China's increasing attempts to influence East European Communist satellites. The Stalinist leaders of some of the satellites such as Walter Ulbricht of East Germany are ideologically closer to Communist China than to Soviet Russia.

Policy disagreements

In spite of efforts to gloss over policy disagreements, policy tensions are growing. The most serious disagreement is about the inevitability of war. The Soviet theorists seem to think that the Communists can win the world through propaganda and political subversion and economic means, short of all-out war.

In Red China, however, the relatively low level of economic development and the large population appear to make the consequences of miscalculation and general war less disruptive and less horrifying than in the Soviet Union. Soviet Russia has more to lose now that its people have tasted the fruits of bourgeois luxury and the pleasures of rising production of consumer goods. The leaders of Red China face serious domestic difficulties in their efforts to build new industries and to speed modernization of Chinese agriculture.

Because of these internal pressures and what they consider a national insult in the so-called American occupation of Taiwan across the Formosa Straits, the Red Chinese leaders in Peking find the policy of peaceful coexistence less attractive than do the Russian Communists.

The commune system is one of the proudest accomplishments of the Chinese Communist revolution but the Russian Communists consider this experiment too radical. Naturally the Chinese Communist leaders resent this attitude. They resent also the Russian reluctance to share nuclear weapons and the Russians' unwillingness to provide more economic aid for China's industrial development.

Another tension stems from the Chinese regard for Mao Tse-tung as the top-ranking Communist theoretician, whereas Khrushchev considers himself to be the foremost interpreter of Marxism-Leninism. Russia has considered itself to be the prophet of communism for such a long time that the Kremlin leaders resent being challenged in the ideological realm by the Chinese Reds who claim to have a "purer" communism. And finally, the Chinese—whether Communist or not—are anti-foreign, anti-Western, and anti-imperialist. To the Chinese, Soviet Russia—even though Communist—is still foreign, Western, and imperialist.

COMMUNIST PROPAGANDA

Winning the minds and the hearts of men is the most important business of the 20th century and yet America, with the best ideas to offer, seems to be losing the propaganda war to the Communists who are busy exploiting every possible channel of radio, television, books, magazines, cultural and educational exchanges and a wide variety of people-to-people contacts. We Americans are too much inclined to neglect the vital importance of information and education in winning uncommitted peoples and giving hope to those who seek freedom.

The Sino-Soviet bloc stepped up its international broadcasting 400 hours a week last year to about 3,000 hours a week—more than five times as much as the United States' 590 hours a week. And Communist transmitters are four times more powerful, on an average than ours, so their signals come through much more clearly. India is getting 162 Communist periodicals and 120 of these come from Russia and China. We are distributing only four publications in India. The Russians spent more on one propaganda gimmick, the Moscow Youth Festival, than the yearly appropriation for the U.S. Information Agency.

We are the greatest advertising country in the world but in the most important advertising campaign of all—advertising ourselves and the democratic way of life—we are a poor second to the Russians. The Communist bloc spends as much on propaganda in Latin America as we spend on our entire worldwide information program.

It is time to wake up to the propaganda challenge and put our information and cultural programs and our student exchange efforts into high gear.

THE SOVIET EDUCATION CHALLENGE

Thoughtful Americans are concerned about the missile gap, the space gap, the lag in our capacity for limited war, the lag in our economic growth rate. I am very concerned about these problems but I am even more concerned about the education gap. The Soviet Union is building up a tremendous stockpile of highly trained brainpower that presents a far greater challenge to the United States than any Soviet stockpile of fissionable materials for atomic power.

The real threat to America's world leadership comes not from Soviet rockets—but from Soviet schools. The success of Soviet conquest is pegged to the progress achieved by Soviet education. This is the new Soviet power. If we ignore this challenge, Soviet education can make the United States a second-class power in less than 10 years.

Soviet Russia is spending 7 or 8 percent of its gross national product on education—double the rate of education spending in the United States—although the actual amount of money is about the same in both countries. So a country only half as rich as we are is spending just as much on education as we do.

Before the Communist revolution in 1917, Russia was 75 percent illiterate. Now illiteracy is almost completely wiped out. Here we are struggling to achieve and maintain a student-teacher ratio of 30 to 1. Yet the Soviet Union reports they have achieved a student-teacher ratio of 17 to 1.

If you wonder why there is no teacher shortage in Russia, I can give two simple reasons—money and prestige. Compared to American teachers, the Russian teacher is poorly paid. But the beginning teacher in the Soviet Union earns as much as beginning doctors and engineers. Top Soviet professors get salaries equivalent to $35,000 or $50,000 a year. Furthermore, the Russian people respect the teaching profession. There is so much competition to attend teachers' institutes that only one out of five applicants can be accepted.

Is it so surprising that the Soviet Union threatens to outperform us in scientific and technological progress? There are twice as many science teachers in the Soviet Union as there are in the United States. And 12,000 of America's 23,000 high schools do not even offer a course in physics, a basic science in the atomic age.

I am aware of the progress underway in secondary school teaching of physics and mathematics in the United States and I support these efforts. We have made much progress, but much remains undone. There is still a bad education gap—and it will get steadily worse unless we take very decisive steps to change our aimless, careless attitude toward education in America.

And just think what this education gap will mean 10 or 20 years from now. To whom will the emerging nations of Asia, Africa, and Latin America look for scientific and technological leadership and assistance?

Soviet Russia now has a manpower reserve of 974,000 professional engineer graduates—or one-third more than we have in the United States. Furthermore, they expect an annual increase of 125,000 in the next 5 years—three times as many engineers as we expect to add to our supply of engineers. And every high school graduate in Russia has studied a second language for 6 years. Only 15 percent of America's high school students study a foreign language, and many of these study the foreign language for only 2 years. There are 10 million Russians studying English—and only 10,000 Americans studying Russian.

Less than 1 percent of our high school students study ancient history which many educators consider essential for understanding modern history, including American history. Russian students get a thorough indoctrination in Marxism-Leninism. How do we expect our young people to understand the great traditions and principles of freedom and democracy if they do not even have a nodding acquaintance with Athenian democracy or our wonderful Judeo-Christian heritage?

Our educational system must reflect our own national character, our own hopes and aspirations. We must not imitate the Communists—but where we can, we should learn from them. Now I do not want to let anyone think that education in America is no good. It is good. Our teachers are competent, self-sacrificing, and dedicated. And there is a tremendous difference between an educated man in a free society and an educated man in a slave society.

In America, we educate for freedom. In Russia they are training people for service to an all-powerful, totalitarian Communist state. They want engineers and scientists. We, too, want engineers and scientists—but we also want philosophers and poets, historians and theologians, and all the other people whose creative freedom and originality give meaning to the democratic way of life.

We are going to need all the brainpower we can muster in the years ahead if we are to meet the challenge of Soviet competition. Yet half of the top 5 percent of our high school graduates never go on to college. Right now we are wasting priceless brainpower that we will need desperately in the coming decades. Yes, brainpower is our most valuable resource and we should be developing it up to the very limit of our capacities. We should be investing more money in schools, more money for teachers' salaries, more money for college scholarships, more money for college housing, libraries and laboratories.

It is false economy to shortchange America's young people in education. It is first-rate foolishness to give our boys and girls a second-rate education in a world of competitive coexistence. It is a national scandal that we spend more on alcohol and tobacco than we spend on all elementary and secondary education put together. And we spend three times as much for advertising as we do on higher education. We spend millions of dollars on military projects which have less than a 50–50 chance of success. And millions of dollars go down the drain every time we have a fizzle or a flop at Cape Canaveral. But education is an investment where we know every dollar spent will help our youngsters and will help America.

WORKS OF PEACE

We are engaged in a long, hard competition with an aggressive Communist empire which is fully aware of the value of education and propaganda—and is investing heavily in both. Our free society can meet the Communist challenge—but we will not meet the challenge with piecemeal, finger-in-the-dike, off-again-on-again hasty improvisations. We must have intelligent long-range planning and we must have the determination and the endurance to translate our long-range planning into effective action for peace and progress.

Behind a shield of military strength, we must move forward with the works of peace to strengthen the free world and to break the demoralizing pattern of poverty and disease, hunger and ignorance in the uncommitted and emerging countries of Asia, Africa, and Latin America. We must help the people of these less developed nations not just because we want them strong enough to resist communism but also because they are God's children and because poverty and ignorance are seedbeds for war and revolution. And we can help by using our God-given farm abundance wisely in a true food for peace program for the benefit of mankind.

Only in a unity of peoples who want to prosper and to be free can we find an enduring peace. We can build that unity by sharing with others our own heritage of freedom and progress.

HUMPHREY TELLS STORY OF NEW COMMUNIST PROPAGANDA ASSAULT

(Newsletter from Senator HUBERT H. HUMPHREY, June 29, 1960)

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, today documented before the Senate what he described as "the dramatic new acceleration of the Communist propaganda assault" and then suggested a program to respond effectively to the challenge.

"Why is it," HUMPHREY asked, "that the country with the best case seems to be losing the propaganda war, and the countries with the worst case seem to be winning it?"

HUMPHREY stressed the recent step-up in propaganda from Red China as "a new force in the world situation."

"Communist China," he said, "is moving to the forefront—speaking a strident and aggressive message, reaching out with a propaganda effort which sends words and people to all parts of the world."

He also outlined the new efforts of Castro's Cuba "which must be included in any discussion of anti-American propaganda."

"Castro's government is spending more than $100 million on propaganda in Latin America, and the Communist bloc is spending a like sum in that area.

"The Cuban campaign is directed by Che Guevara, generally acknowledged as a solid Communist. Cuba's shortwave and mediumwave broadcasts are beamed to about 40 stations in Central and South America. Further, the Cuban press service reaches every Latin American country.

"The Soviet Union will open its Embassy in Havana in August, and once Russia is established in Cuba, she intends to use that country as a major base from which to bombard Latin America with propaganda."

HUMPHREY listed these elements of the Communists' bold new emphasis on propaganda:

"Red China has tripled her Spanish-language broadcasts to Latin America in the last year. She has also tripled the number of delegations invited, with all expenses paid, from Latin America to Peking.

"The Sino-Soviet bloc's international broadcasting increased 400 hours per week last year—for a total of approximately 3,000 hours. This is more than five times as much as the United States' 590 hours a week.

"Equally important, the Communist transmitters are, on the average, four times as powerful as our own, so that signals come through much clearer.

"India receives 162 Communist periodicals, 120 of which come from Russia and China. We distribute four publications in India, which is exactly one-thirtieth of what the Chinese and Russians are doing.

"The Communist bloc participated in approximately 200 international trade fairs last year. Our budget allowed us to be in 12.

"Last year, Red China received about 440 delegations, which was about 200 more than in the previous year. The Soviet Union has doubled the delegations it has received every year since 1954. Last year, 1,207 delegations visited Russia, 90 percent of which came from Africa, Asia, and Latin America.

"Russia is making a strong bid to take the lead from us in training the future leaders of the emerging nations. Next fall, the Soviet Union will open the University of Friendship, which will offer full tuition, transportation, as well as room, board, and spending money for 4 years to 4,000 students from Asia, Africa, and Latin America.

"The Communists are making Africa and Latin America major target areas. Russia now broadcasts 76 hours a week to Africa, as compared to 3½ hours a few years ago. The Communist bloc spends as much on propaganda in Latin America as the United States spends on its worldwide information program."

In suggesting the American response to the Communist cultural and propaganda offensive, the Minnesota Democrat said:

"Propaganda cannot stand on its own two legs. In order for it to be effective propaganda, it must have a constructive policy to espouse. Words must be linked to deeds."

Senator Humphrey suggested that some of the "deeds" would include: America's cleaning up its own house in the area of civil rights so that "we can demonstrate that when our information service talks about freedom, we want it not only for export, but also for domestic consumption"; formulating a foreign policy in which "we initiate instead of react—in which we see opportunities and not only problems"; and in putting the search for a meaningful and fully controlled disarmament plan "at the very heart of American foreign policy."

Senator Humphrey stressed that America must invest more in its information effort. Noting that the Communists spend between 15 and 30 times as much on propaganda as the United States does and that the Russians spent more on a single propaganda gimmick—the Moscow Youth Festival—than the yearly United States Information Agency appropriation, he said:

"We are the greatest advertising country in the world. We spend more on advertising and public relations for goods and services than the rest of the world combined. And yet in the most important advertising campaign of all—that of advertising ourselves and the democratic way of life—we are a poor second to the Russians. We spend $10 billion a year advertising our products, which is 100 times as much as we spend advertising our system.

"We invest one-quarter of 1 percent of the amount that we spend on defense on our information budget. I support a solid defense posture, but we often treat the ideological war as sort of a preliminary bout to a military struggle. What I am suggesting is that the final bout—the championship match—may well be in the ideological arena. Indeed, let us pray that it is.

"This decade of the sixties may well be the most critical in our entire history. It is time to wake up to the propaganda challenge. It is time to put our information and cultural programs into high gear. It is time for the country with the best case to start winning the propaganda war."

LATIN AMERICA

(Newsletter from Senator HUBERT H. HUMPHREY, August 26, 1960)

Behind the headlines telling of turmoil in Cuba or dissension in the Organization of American States, the nations of Latin America are rushing into a tremendous social revolution. The revolution of rising expectations is under way—with brighter hopes for an end to the misery, poverty, hunger, and ignorance which degrade human nature and blight the future for more than 180 million men, women, and children south of the border.

These people want an end to semifeudal conditions with 5 percent of the people owning 90 percent of the land—with a handful of fabulously wealthy families living in luxury while the vast majority live in squalor on the thin edge of starvation. Many thousands of Latin Americans have risked exile, imprisonment, torture, and death to achieve responsible government, responsive to the needs and the hopes of a better life for their people.

In the midst of this social upheaval, the United States too often has appeared callous and indifferent to Latin America. In our eagerness to stop the spread of Communist subversion and tyranny, we have too often in past years appeared unconcerned about such home-grown despotism as the Trujillo regime in the Dominican Republic. Cuba was ripe for revolution when the Castro coup toppled Batista—and now the Communists are twisting the revolution to their own purposes. But all over Latin America the same sources of discontent and revolution threaten to interfere with democratic political, economic, and social development.

After World War II our concern with problems in Europe, the Middle East, and Asia resulted in neglect of our 20 fellow American republics. We gave billions of dollars—generously and wisely—to restore the economy of Western Europe. But the cumulative 14-year total of economic aid to Latin America under mutual security comes to only $564 million. We told the Latin American nations, desperately seeking aid to modernize their primitive economies, that they should seek private investments and private enterprise to develop their economic potential.

Now we in the United States like our system of free enterprise. It has worked well for us, although not in the pure way that some people like to pretend. But Latin Americans still have bitter memories of "robber baron" exploitation which we long ago refused to permit in the United States. Furthermore, private enterprise usually is reluctant to make the long-term, low-return investments in a foreign country's economic "infrastructure," the roads, powerplants, schools, hospitals, and sanitation facilities which are essential for sound economic development. Latin Americans tell us they cannot stop their revolution of rising expectations while waiting for trickle-down prosperity.

After almost 8 years of indifference and inaction on the needs of Latin America, the President recently requested Congress to authorize $600 million in economic aid for Latin America. For 8 years responsible citizens and Members of Congress have been calling for a genuine, realistic, adequate, long-range program of assistance for economic development in Latin America—but the light seems to dawn in the White House only when Cuba is well down the Communist path.

I believe the President's request shows a basic misunderstanding of the way to approach Latin America's economic development problems. Senator FULBRIGHT, chairman of the Senate Foreign Relations Committee, calls it frankly a stopgap measure, designed to bolster our diplomats at the September economic conference in Bogotá, Colombia. The Washington Post called it

vague to the point of despair. I voted for this authorization—not because I want to give this administration a blank check for reckless spending, but rather with the thought that the next resident at the White House will know what is needed.

And what is really needed at this stage in Latin America is not money—but planning. The success of the Marshall plan in Europe was due largely to cooperative planning by the nations which were to receive economic aid. We need the same kind of cooperative regional planning for economic development in Latin America. We must encourage the countries of Latin America to cooperate—and we must join them not as the boss, not as "Mr. Moneybags," but as a partner and good neighbor. The mechanism for this kind of cooperative effort exists already in the Organization of American States.

A coordinated program along the lines of the Marshall plan would give Latin Americans new hope of achieving bread and freedom, a better life with new dignity as human beings. We should not be ashamed of humanitarian motivations. We should not be ashamed of our interest in helping downtrodden peoples break out of the vicious circle of hunger, disease, poverty, and ignorance. Nor should we be embarrassed when our humanitarian interests coincide with our national interest in strengthening the underdeveloped countries of Latin America to resist the tempting promises of the Communists.

As population expands, as industrial development spreads, as hope and impatience mingle, Latin America will be a cauldron of competing ideologies. We should welcome this development, not fear it. We should prepare for it wisely, not expect blank check gifts or loans to buy friendship.

Last year in Puerto Rico I outlined a 9-point program to improve relations between the United States and Latin America. Here are the points I made:

1. We must step up economic aid to Latin America. These countries must speed their economic development—or misery and discontent will make them Communist camping grounds. We must encourage cooperative, coordinated planning through the Organization of American States.

2. We should speed and strengthen technical assistance in agriculture, health, education, vocational training and public administration. When President Truman first announced this "bold new program" of point 4 aid, he got a tremendously enthusiastic response from our Latin American friends. This program pays big dividends in good will and progress for a relatively small investment of money and manpower.

3. We should support moves to establish regional markets in Latin America, thus broadening markets for new low cost mass production and encouraging healthy diversification in the Latin American economies.

4. We should review our trade and tariff policies to see how they affect Latin America. It is a waste of time to give economic aid and then nullify the good effects by shortsighted trade restrictions. Of course, if American industries are injured, we must help the people and the communities affected. I have sponsored a Trade Adjustment Act for just this purpose.

5. Investment in health is the cheapest, most effective way we can help build for the future in Latin America. Disease is an economic loss as well as a human tragedy. We must give more support to the work of the Pan American Sanitary Organization which carries out activities along the lines of my health for peace proposals.

6. We must step up student and cultural exchange with bold and imaginative programs. Too often we exclude just those young Latin Americans who would benefit the most—the so-called leftists or those who doubt our good intentions.

7. American press, radio, and TV should give broader and better-balanced news coverage to Latin American affairs. These countries have tremendous, complex problems in pulling themselves up by their bootstraps. They need understanding as well as economic aid and technical assistance.

And we must step up our own information program to Latin America. Red China and the Soviet Union are pouring five times as much radio broadcasting into Latin America—and their transmitters are four times stronger than ours. We are falling behind in the war of words to win the hearts and the minds of the Latin American peoples.

8. We must reappraise our military assistance program in Latin America. We should not promote an arms race among these countries—and we should not give arms to a dictator to intimidate or tyrannize his own people. Castro still reminds the Cubans that the United States supplied arms to Batista.

9. We should press for regional disarmament in Latin America. The Organization of American States already provides fine machinery for peaceful settlement of disputes. I believe Latin America can be an international showcase of disarmament—with clear evidence that transfer of resources from weapons of war to economic development contributes to world peace.

With our food abundance, with our technical know-how, with our rich, productive economy, with our sympathy and understanding, we can help our Latin American friends put an end to the ancient enemies of mankind—hunger, disease, poverty, and ignorance—and we can build an atmosphere in which peace and freedom flourish.

YOUTH PEACE CORPS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Youth Corps Panel Asks Rigid Tests." The article was written by Carroll Kilpatrick and appears in the Washington Post of today.

I now read part of the article:

Rigid standards should be established for selecting young men and women for the Peace Corps, which President-elect Kennedy proposed in the campaign, and they should be paid salaries in local currencies at going rates in the countries where they serve, a task force report today said.

Prof. Max F. Millikan, of the Massachusetts Institute of Technology, delivered the report to Mr. Kennedy in Washington Saturday, and it was released here today.

Mr. President, one point about the article to which I wish to call the attention of the Senate is that in making public the report, there was an indication of some change in earlier thinking in regard to the draft status or selective service status of the young men who may be included in this corps. Some of the original proposals had included a suggestion that these young men be exempt from selective service, but eligible for the Reserve requirements, and, of course, eligible for universal military training and recruitment in case of national emergency or war.

The Millikan report does not suggest exemption from selective service; but, rather, it suggests deferment. I am very much pleased, Mr. President, first of all, that the President-elect, Mr. Kennedy, appointed the task force to study this worthy proposal; and second, that the task force report has been made available.

As the Senate will recall, part of the Mutual Security Act of last year called on the Government to make a study of the possibilities and feasibility of a so-called Youth Peace Corps. That study is supposed to be available not later than March 31 or April 1. I hope the study will be received early enough so it can be carefully studied by the Congress itself.

I mention this point because it is my hope that once the administration has decided upon the policy it wishes to pursue in connection with this matter, at least I shall be given the privilege of being one of the sponsors or at least a cosponsor of this particular measure, because I am strongly in support of it, and back on June 16, 1960, I introduced a bill which provided for a very modest program for the so-called Youth Peace Corps, limited to 500 young Americans who would become the first enrollees in the first year of the Youth Peace Corps, which would be designed to expand our technical assistance program.

I ask unanimous consent that excerpts from the article published on January 9 in the Washington Post and a release I submitted in the Senate, dated June 16, 1960, be printed at this point in the RECORD.

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

YOUTH CORPS PANEL ASKS RIGID TESTS

(By Carroll Kilpatrick)

NEW YORK, January 8.—Rigid standards should be established for selecting young men and women for the Peace Corps, which President-elect Kennedy proposed in the campaign, and they should be paid salaries in local currencies at going rates in the countries where they serve, a task force report today said. Prof. Max F. Millikan of the Massachusetts Institute of Technology delivered the report to Mr. Kennedy in Washington Saturday and it was released here today.

In making it public, the President-elect had no comment about the recommendation that his proposal for draft exemption for persons serving in the Peace Corps be abandoned.

The lengthy document said extreme care should be exercised in starting the program, that it should be begun on a modest scale and that universities should be responsible in part for carrying it out.

* * * * *

The Millikan report recommended the establishment of an international youth service agency to administer the Peace Corps. The agency should operate mainly through contracts with private nonprofit organizations such as universities, the report said.

The agency itself should not administer programs in the field. "The program should be launched on a limited pilot basis with no more than a few hundred members employed on tasks now known to be clearly vital to the recipient countries," the report said.

"Tough criteria of both academic and personality qualifications should be required by international youth service administration; participants should be required to commit themselves for at least 2 years, and should all have at least a bachelor's degree."

Youth Corps members should work for the country to which they are assigned but be under the general supervision of a senior American official. In no country should more than a limited number of members be

assigned, for they should be spread in small numbers in the host country, the report said.

In discussing the draft problem, the report recommended draft deferment rather than exemption.

"There is abundant evidence that draft exemption is not required as a bait to induce an adequate number of applications to permit the selection of a first-class group," the report said. Moreover, the numbers to be selected will be small in the early years of the program.

The report warned that unless the whole program were carried out with the greatest care it could be brought into disrepute in the early stage.

"It should be recognized from the beginning that there will inevitably be some failures and some mistakes," it said. "These will not be fatal if they are limited to parts of the program and counterbalanced by some notable successes.

"It is essentially for this reason that we recommend a variety of differing contracts with private organizations each of which will bear principal responsibility for its own program rather than a massive centrally organized Government effort."

HUMPHREY CITES PEACE CORPS AS MAJOR CONTRIBUTION TO AMERICAN FOREIGN POLICY

Under legislation introduced Wednesday by Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, 500 young Americans would become the first enrollees next year in a Peace Corps designed to greatly expand our technical assistance program overseas.

The Humphrey bill calls for an eventual corps of 10,000 volunteers, enlisted for 3-year terms, to teach basic agricultural and industrial techniques, literacy, vocational education, the English language, and sanitation and health procedures in Asia, Africa, and Latin America. One year of the first enlistment would consist of an intensive language- and area-study program.

Citing the experience of the International Voluntary Service, a private nonprofit organization which has pioneered in the use of young American men in technical assistance programs under contract with the International Cooperation Administration, Senator Humphrey pointed out "these idealistic, talented young men, oriented toward the people-to-people approach, have enjoyed extraordinary success."

The Minnesotan gave as an example of IVS successes the work of a team of eight IVS specialists who set up an experimental station in Laos. The IVS men developed a fiber that would bring in $1,500 per acre, in a country where per capita annual income is less than $100 per year. The Laotian Government, Humphrey said, was so impressed that it has requested 11 more teams—1 for each Laotian province.

In Egypt, Senator Humphrey pointed out, one of the first requests made to the U.S. Government by the Egyptians after the Suez crisis had subsided was to send back 2 IVS men who had been operating a 33-acre experimental farm—"and another 10 just like them."

Humphrey said that the IVS experience demonstrates the "particular value" of utilizing young men without families, able to spend most of their spare time with the local populace and to participate in community cultural affairs.

"They can be real 'grass-roots ambassadors' in the villages and towns," he said, "and can give a tremendous impetus to our people-to-people effort."

"We need many more such young men—far more than any private organization can manage," Senator Humphrey declared. "There is a great body of idealistic and talented young men in this country who are longing to work for their country in constructive ways. The Peace Corps would tap those vital resources."

Senator HUMPHREY pointed out an added dividend in the Peace Corps investment: "the development of a large pool of experienced men, trained in some of the more remote languages and with detailed knowledge of the emerging areas of the world—a pool from which our Foreign Service, ICA and USIA can profitably draw."

The Minnesotan said that service in the Peace Corps at a modest rate of pay, under his bill would be considered the equivalent of 3 years of active duty with the armed services, although upon discharge from the corps the young men would still be liable under UMT to be called to military service in times of war or national emergency.

MEDICAL CARE FOR THE AGED

Mr. HUMPHREY. Mr. President, one of the most important gatherings of recent years takes place in Washington this week. Twenty-eight hundred delegates, from every State of the Union, as well as the District of Columbia, Puerto Rico, and the Virgin Islands, will participate in the White House Conference on Aging. Three hundred national voluntary organizations will be represented.

I should like to take this opportunity to welcome all the distinguished persons who are to take part in this significant conference, and to express to them my wishes for a productive and successful meeting. I wish to extend a special welcome to the Minnesota delegation and its Chairman, Dr. Arnold M. Rose.

The White House Conference is a device that has been used successfully in the past to bring into the national spotlight subjects deserving widespread discussion and debate. Unfortunately, the work done at these meetings has not always been followed up, and the usefulness of some of the conferences has therefore been dissipated.

The able Representative from the State of Rhode Island, Mr. FOGARTY, who introduced in the other body the legislation initiating the Conference, has stressed that:

> The Conference was not intended to be a goal in itself, but a "launching platform" for new, strengthened and expanded programs.

The purpose of the White House Conference is to bring together lay individuals interested in the field of aging, as well as professionals and experts, to allow them to meet and talk. The Conference should facilitate an exchange of views and a cross-pollination of ideas. Out of it should come new plans, new goals, and new directions. It should be looked at as only a starting point in building up on every level of government solid programs on aging.

DEMOCRATS TOOK INITIATIVE

Mr. President, the fact that this Conference is taking place in the waning days of the present administration has led some persons to believe that it is a "lameduck" conference. The idea for this meeting, however, came from Democrats who were concerned that the Eisenhower administration was taking insufficient action in this area. The legislation setting up the Conference was passed by a Democratic Congress. It is unusual, moreover, for Congress to initiate a White House conference; normally the executive branch takes the lead in proposing such a meeting.

On the other hand, a Republican President signed the law and a Republican Secretary of Health, Education, and Welfare was responsible for the machinery which brought the Conference into being. A distinguished former Member of Congress, Robert W. Kean, also a Republican, is Chairman of the National Advisory Committee for the Conference.

The White House Conference on Aging comes at a particularly appropriate time. Not for a generation has there been such intense interest in the problems of the older members of our society. The reasons for this widespread concern are not hard to find. The age structure of our country has shifted markedly in this century, and there are far more aging persons now living than there have ever been before. In 1900 there were only 3 million Americans over 65; today we have 16 million. They now constitute more than double the percentage of the population they did then. We now have fully 6 million persons over 75, and more than 2 million over 80.

Mr. President, one would expect that this development—the lengthened span of life, made possible by the remarkable achievements of medical science—would be greeted with universal joy and deep thanksgiving. However, as all of us know, this is not the case. The host of problems brought by the larger number of older people among us has not been met. For far too many older persons, prolonged life means simply prolonged misery.

LOW INCOME OF ELDERLY

We hear a great deal these days about underdeveloped countries and underprivileged peoples; but we do not need to look outside our country to find a shockingly underprivileged group. The average annual income of persons over 65 is less than $1,000 a year. Only about one in five has a paying job. The large majority live on meager pensions, savings, social security benefits, or welfare. Social security benefits were never meant to be sufficient to live on. Yet hundreds of thousands of oldsters do just that; their sole income is their OASI check, which averages $72 a month for individuals and $125 for couples.

Mr. President, even persons in the prime of life who are active and working, often have a difficult time meeting the staggering costs of modern medical care. The health problems encountered by the aged are far more serious than those of younger persons. Illness comes more often and lasts longer. Such serious diseases and problems as heart disease, arthritis, cancer, and high blood pressure occur in a much higher proportion in older persons, as do numerous other crippling, long-term afflictions. Individuals over 65 spend, on the average, over twice as much time in hospitals as do persons under 65. A study made by the Health Information Foundation of New York found that the average yearly medical expenditures for persons over 65 were more than double those of the rest

of the population, even when nursing-home expenses, paid primarily by the elderly, were excluded.

Heavy medical expenses, which can be ruinous even to a young man or woman, are often disastrous to old folks who are more likely to have them, and who are far less likely to be financially able to meet them.

RISING MEDICAL COSTS

We are all aware how fast medical costs have climbed in recent years—faster, in fact, than any other item in the family budget. Since the war, the cost of medical care has risen twice as much as the average increase in the Consumer Price Index. In the last 10 years alone the cost of medical care has gone up 44.5 percent, and hospital rates have risen 87 percent.

The costs of long-term illness are especially destructive. Last year, Secretary Flemming told the Finance Committee that $6,000 is a conservative estimate of medical expenses incurred by a person ill for an entire year. There are thousands of aged persons who are in this situation—needing medical or health care for months or years.

The way in which most Americans protect themselves against the vast damage that illness can do to the pocketbook is to purchase insurance against the cost of medical care. Today, 67 percent of Americans have some degree of protection against the costs of hospital care. Sixty-two percent have a measure of protection against the costs of surgery.

ELDERLY DO NOT HAVE ADEQUATE INSURANCE

However, when it comes to older persons, it is another story entirely. The latest and most reliable figures that are available—they were released in December by the Public Health Service—indicate that among persons 65 and over, only 46 percent have any form of hospitalization insurance, and only 37 percent have any kind of surgical insurance.

The costs of insurance against hospital and surgical expenses have naturally risen along with the expenses themselves. The price of hospitalization insurance has gone up by 110 percent in the last decade. It is especially difficult for old people, because the insurance companies consider them bad "risks." Often they cannot get any insurance at all. When they can, the costs are very high and the policies are filled with restrictions and limitations. Often they are cancellable after a major illness, and benefits are inadequate. A large number of commercial insurance companies refuse to sell medical insurance to anyone over 65, under any conditions.

The commercial plans available to the elderly clearly do not "fill the bill." A mere glance at most of them shows that they are completely beyond the means of the vast majority of aged persons. The benefits of one typical policy, which costs $72 a year, are limited to $10 a day for 31 days, up to $200 for the cost of surgery, and half of miscellaneous hospital costs up to $125. Payments for the same or related illness can be made again only after 6 months. Mr. President, for $72 the elderly man or woman who buys this particular policy is getting very little. The average cost of a hospital room is double the $10 allowed. Miscellaneous expenses add up quickly in a modern hospital, and often exceed the cost of room and board. One-third of all patients over 65 who enter a hospital stay over 31 days.

SOCIAL SECURITY APPROACH IS BEST

Mr. President, those of us who have maintained an interest in this field over the years are aware that many and varied solutions have been proposed to the health needs of the aged. I have studied this problem many times. I am convinced that one type of proposal is far better suited to meet the needs than any other. I refer to the so-called social security approach.

This is the approach backed by the President-elect.

It is the approach called for in the platform of the Democratic Party, which promises—

> An effective system for paid-up medical insurance upon retirement, financed during working years through the social security mechanism, and available to all retired persons without a means test.

It is the approach that was approved by the State Governors at the Governors' conference in Montana, on June 29, 1960, by the lopsided vote of 30 to 13.

It is the approach that has been endorsed by dozens of experts in the field, including three former Commissioners for Social Security—Mr. Arthur Altmeyer, Mr. John Tramburg, and Mr. Charles Schottland. Both Mr. Tramburg and Mr. Schottland, incidentally, served under the Eisenhower administration.

SOUND FINANCING

Many other nationally known experts in the field of government finance and social security—Prof. Wilbur J. Cohen, of the University of Michigan; Prof. Seymour Harris, of Harvard; Prof. Herman Somers, of Haverford College; and Dean J. Douglas Brown, of Princeton University, to name only four—have spoken in favor of the social security approach.

Mr. President, the use of the social security system to provide health benefits to the aged is by all odds the most equitable, practicable, and efficient method that I am aware of. By using an experienced and proven administrative mechanism that already is in existence, incalculable savings can be made. Records, statistics, administrative know-how, and trained personnel preclude the need to establish an entirely new governmental agency. The savings and convenience of a large overall system of insurance, administered by Social Security, would be lost under a system run individually by States or under a cumbersome system of subsidizing private insurance carriers.

The social security system—unlike all private plans, which must depend on the current payments by the aged themselves—spreads the burden among the young and active members of the community. There is no cost after retirement, the time when payments are most difficult to meet.

NO MEANS TEST

There are other advantages to the social security approach: Since payments are deducted from payrolls, payments are not required to be made when an individual is unemployed. Deductions from the payrolls are taken as a percentage of income—up to the maximum of $4,800. Commercial insurance costs the same, no matter what the worker's income is. If insurance is paid for through payroll deductions, it cannot be lost through nonpayment, through changes in residence or place of employment, or through unilateral action on the part of the insurer, as often happens in the case of commercial insurance. Above all, the social security approach avoids use of a means test. The elderly person who receives medical benefits gets them as a matter of right, for he paid for them while he was working. The tinge of charity which hangs over the public assistance program and makes it humiliating to many aged persons who are forced to resort to it would not touch the benefits received under social security.

I want to mention one other great good that would come about if medical insurance were made a part of the social security system: An enormous burden would be lifted from private commercial and nonprofit insurance plans and it would be possible to provide health insurance for younger people at rates lower than those presently required.

Local welfare agencies, hospitals, and private charities which now pay for free or reduced care for elderly persons with insufficient personal means would also be relieved of a heavy burden. Similarly, the Federal Government, which now spends over one-third of a billion dollars on medical care for the aged, through public assistance and veterans programs, would save substantial sums from its general revenues.

Today, I do not want to get into a discussion of specific benefits that should be included in a social security medical bill. I only wish to point out that on this subject there is room for differences of opinion. We already have much knowledge on this issue, and much evidence has been taken. It is time now to sit down and work out an acceptable answer. The people of this country have waited long enough. They expect us to come up with a good bill this year.

EARLY ACTION NEEDED

Mr. President, aging is a problem that is of immediate concern to every American. Everyone has relatives and friends who now are faced with the grave problems of the retirement years. Maintaining good health is only one of these. There are many others—social isolation and loneliness, the maintenance of income, keeping busy through gainful employment or satisfying leisure-time activities, proper housing, and so on.

All these problems are important, and present us with a great challenge. Without doubt, the financing of good health care in the retirement years is the most immediate question to be settled. It must be given very high priority in our legislative schedule. It is one of the great unfinished tasks of this affluent society. Here is a human need. We have an obligation to meet this need with compassion and wisdom.

THE COATESVILLE DECLARATION

Mr. SCOTT. Mr. President, 85 prominent businessmen recently signed the Coatesville Declaration of Economic Freedoms, a statement of principles drafted on the occasion of the 150th anniversary of the Lukens Steel Co. in Coatesville, Pa.

An engraved stainless steel plaque embodying the declaration and the names of the endorsers was presented to President Eisenhower at a White House ceremony on December 13, 1960. The President was deeply interested in the 10 economic freedoms in the declaration and indicated that greater means of communication should be used to spread the principles contained in this important statement.

I ask unanimous consent to insert in the CONGRESSIONAL RECORD a copy of the Coatesville declaration, the list of those who endorsed it, and an article about the presentation ceremony which appeared in Newsweek magazine of December 26, 1960.

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

THE COATESVILLE DECLARATION

We, who are charged with responsibility for producing much of this Nation's strength, hold this to be the decade of decision.

We believe the choice before the world is between slavery and freedom.

We believe the foes of freedom are formidable, but only as freedom is not fully understood.

We therefore dedicate this declaration to such an understanding.

We hold the core of liberty to be free choice, no less in economics than in politics; and that economic liberty has made of this Nation a true arsenal of democracy—not merely with bombs and missiles, but with food for the hungry, aid for the needy, and spiritual inspiration for free men the world over. It is an economic system—however imperfect—in which no man is a slave.

We see at the core of this system these economic freedoms:

1. Freedom of competitive private enterprise, the keystone, which assures maximum production of goods and services under private ownership of the tools and facilities of production, and holds as its highest goal the opportunities for self-fulfillment for every man and woman.

2. Freedom of choice of occupation, which offers every person a choice of opportunity according to his interest and capacity, and makes every citizen independent in a society that is dependent on him.

3. Freedom of voluntary organization for private enterprise, which guarantees to all individuals the right to engage in and conduct the businesses of their own choosing.

4. Freedom of contract, whereby two or more parties—buyer and seller, employer, employee—labor union—may enter into voluntary agreement—a fundamental guarantee at the core of this Nation's personal and economic activities.

5. Freedom to own property and to pass it on to one's heirs, a major incentive toward the functioning and the generation of ownership responsibilities in a society of free enterprise.

6. Freedom to produce, buy or sell in free markets at free prices without government interference—except to prevent abuses.

7. Freedom of competition, which permits, within reasonable limits, the growth and prosperity of the individual under the American enterprise system, and makes for higher wages, lower prices and better products.

8. Freedom to trade, which with few limitations, sets neither boundaries nor barriers on the flow of commerce across State and Nation, nor in the way of each man's pursuit of success.

9. Freedom to make profits, which are the rewards for economic risks undertaking, and which support the undertaking of further risks and the further enrichment of all enterprise.

10. Freedom of money, whereby a sound currency is dominated by economic rather than political forces, ensuring the proper functioning of a free enterprise society.

We believe these freedoms to be the essence of economic liberty, and a bulwark of political freedom.

We, therefore, post this declaration for all men, who would be free, to see and know.

COATESVILLE DECLARATION ENDORSERS

C. R. Smith, president, American Airlines; Thomas L. Perkins, chairman, American Cyanamid Co.; B. F. Fairless, president, American Iron & Steel Institute; Paul M. Hahn, president, the American Tobacco Co.; Logan T. Johnston, president, Armco Steel Corp.; Clifford J. Backstrand, president, Armstrong Cork Co.

Charles H. Percy, president, Bell & Howell Co.; Arthur B. Homer, president, Bethlehem Steel Corp.; Robert S. Ingersoll, president, Borg-Warner Corp.; Lee H. Bristol, chairman, Bristol-Myers Co.; W. S. Cutchins, president, Brown & Williamson Tobacco Corp.

Arthur H. Motley, president, Chamber of Commerce of the United States; Barry T. Leithead, president, Cluett Peabody & Co., Inc.; Wm. E. Robinson, chairman, the Coca-Cola Co.; Joseph V. Santry, chairman, Combustion Engineering, Inc.; Alfred C. Neal, president, Committee for Economic Development; R. O. Hunt, president, Crown-Zellerbach Corp.

Raymond F. Evans, chairman, Diamond Alkali Co.; Earl W. Bennett, chairman, Dow Chemical Co.; C. H. Greenewalt, president, E. I. du Pont de Nemours & Co.

Thomas J. Hargrave, chairman, Eastman Kodak Co.; James F. Oates, Jr., chairman, Equitable Life Assurance Society of the United States.

John F. Gordon, president, General Motors Corp.; M. G. O'Neil, president, General Tire & Rubber Co.; Dan Gerber, president, Gerber Products Co.; John L. Collyer, chairman, the B. F. Goodrich Co.; E. J. Thomas, chairman, Goodyear Tire & Rubber Co.

Arthur B. Sinkler, president, Hamilton Watch Co.; Meyer Kestnbaum, president, Hart Schaffner & Marx.

Joseph L. Block, chairman, Inland Steel Co.; Louis Ware, chairman, International Minerals & Chemical Corp.; Henry S. Wingate, chairman, International Nickel Co.; Henry H. Rand, president, International Shoe Co.; Harold S. Geneen, president, International Telephone & Telegraph Co.

H. F. Johnson, chairman, S. C. Johnson & Son, Inc.

C. R. Cox, president, Kennecott Copper Corp.; Fred C. Foy, chairman, Koppers Co., Inc.

C. D. Jackson, publisher, Life magazine; Charles L. Huston, Jr., president, Lukens Steel Co.

R. A. O'Connor, chairman, the Magnavox Co.; H. B. Maynard, president, Maynard Research Council, Inc.; John A. Barr, chairman, Montgomery Ward & Co.; Charles Allen Thomas, chairman, Monsanto Chemical Co.; Robert W. Galvin, president, Motorola, Inc.

Rudolph F. Bannow, president, National Association of Manufacturers; Lee S. Bickmore, president, National Biscuit Co.; Stanley C. Allyn, chairman, National Cash Register Co.; Melvin H. Baker, chairman, National Gypsum Co.; William E. Blewett, Jr., president, Newport News Shipbuilding & Dry Dock Co.

Thomas S. Nichols, chairman, Olin Mathieson Chemical Corp.; William C. Scott, president, Outboard Marine Corp.; J. P. Levis, chairman, Owens-Illinois Glass Co.

Herbert L. Barnet, president, Pepsi Cola Co.; Philip W. Pillsbury, chairman, Pillsbury Co.; E. T. Asplundh, chairman, Pittsburgh Plate Glass Co.

John L. Burns, president, Radio Corp. of America.; Charles M. White, chairman, Republic Steel Corp.; Bowman Gray, chairman, R. J. Reynolds Tobacco Co.

Thomas B. McCabe, president, Scott Paper Co.; Charles H. Kellstadt, president, Sears Roebuck & Co.; Ernest Henderson, president, Sheraton Corp. of America; Grant G. Simmons, Jr., president, Simmons Co.; H. E. Churchill, president, Studebaker-Packard Corp.

J. Doyle DeWitt, president, Travelers Insurance Co.

John I. Snyder, Jr., chairman, U.S. Industries, Inc.; Alexander Calder, chairman, Union Bag-Camp Paper Corp.; Howard S. Bunn, president, Union Carbide Corp.; Henry E. Humphreys, Jr., chairman, U.S. Rubber Corp.; S. W. Antoville, chairman, U.S. Plywood Corp.; Roger M. Blough, chairman, U.S. Steel Corp.

Walter L. Morgan, president, Wellington Management Co.; W. P. Marshall, president, Western Union Telegraph Co.; Elisha Gray II, chairman, Whirlpool Corp.; Hobart C. Ramsey, chairman, Worthington Corp.

John L. Mauthe, chairman, Youngstown Sheet & Tube Co.

THE PRESIDENCY: IKE LOOKS BACK

By long tradition, delegations of many sorts descend on the White House to be received by the President. One such last week was a group of industrialists who came bearing the Coatesville Declaration of Economic Freedoms, a statement of principles signed by 85 top businessmen to mark the 150th anniversary of Lukens Steel Co. in Coatesville, Pa.

To the outside world, these visits seem to be rather formal affairs; but this time, Mr. Eisenhower was intimate and relaxed. Here, from one who was present, is a description of a visit with the President.

Pushing way back from his desk in the Oval Room of the White House, Dwight David Eisenhower slumped low in his chair, his legs stretched straight out in front of him. He had just been presented a plaque embodying the Coatesville declaration, and the President was in a pensive mood.

"I have read this declaration, and I think it's fine," he said to the group seated around his desk. "But it brings to mind this question—how do we explain to people just what we're trying to do? I have a feeling that too much of our talking in this country is done on a horizontal basis—we talk to people who agree with us, when we should be communicating vertically to all the people.

"You think that you're getting your message across, that people are listening and agreeing with what you're saying. But then, along comes the time when they go to the polls, and you find out that they haven't really heard you at all."

The President seemed to have two groups particularly in mind—the Negro voter and organized labor. For the Negro voter, he said, his administration had paved the way for great progress—total integration in the Armed Forces and in the District of Columbia, and a right-to-vote law enacted. The President also pointed out that Vice President NIXON headed a commission for fair employment on Government contracts. Yet when the election came around, it seemed to the President that what the Negroes voted on was not the gains in such broad

social areas but the number of people unemployed, the amount and duration of unemployment benefits, the paycheck, and the like.

As for organized labor, the President said that the GOP got 47 percent of its vote in 1952 and far less than that this time. Somewhere, somehow, he said, there was a failure to communicate.

FREEDOM OF CHOICE

Turning to the Coatesville declaration, which outlines some basic American freedoms, the President said he agreed with it—as far as it went. But wasn't there a basic freedom involved in a man being able to work whether he joins a union or not? This was not to argue against unions, he added, or to argue which side is right. But wasn't this, he asked, an area of controversy that should be discussed?

Mr. Eisenhower told his audience that his own political doctrine—or philosophy—went back to Jeffersonian principles. He recalled that Jefferson's party was called Republican in those days, and his principles remain good ones. The United States, Mr. Eisenhower went on, has got to get away from the idea of a welfare state—and if some people think of that word as a good word, he himself thinks of it as a bad word. What this country needs, he reiterated, is to get back to the idea of frugality and self-dependence.

As the visit ended, the President thought for a moment and said he would always remember a saying he picked up in Washington, some 40 years ago: "Nobody is qualified to work in Washington unless he has his bag packed at all times and is ready to leave." If a man's job has become so important to him that he can't leave it, the President said, then he has no place here; he has lost some of his self-respect.

DELAWARE STATE HIGHWAY DEPARTMENT

Mr. WILLIAMS of Delaware. Mr. President, today I have the unpleasant task of calling the attention of the Senate to a deplorable situation which exists in the Delaware State Highway Department.

This is an agency which not only has the responsibility of handling millions of dollars for the Delaware taxpayers, but also is directly responsible for the disbursement of many millions of Government funds under the Federal highway program.

While this is primarily a State problem, nevertheless, in view of the fact that this agency does handle such a large amount of Federal funds, and since there is a strong possibility that Federal laws as well as State laws may have been violated, I feel that these situations should be called to the attention of the U.S. Senate as well as be referred to the appropriate department for action.

In this report I shall call attention to the manner in which the chairman of the Delaware State Highway Commission has been using the power of his office to negotiate and direct contracts to many companies in which he has the controlling interest.

Through his personally controlled companies, he has been leasing office space and making sales of equipment and supplies to the State agency with which he is working as well as selling equipment and supplies to construction firms who are bidding on these State and Federal contracts.

Under his chairmanship, the highway department has been turned into a source of revenue to finance the political party with which he is affiliated, and he has allowed the power of this agency to award contracts, approve overruns, and make purchases to be used as an inducement in the solicitation of heavy political contributions.

I shall point out that the chief engineer of the Delaware State Highway Department not only has cooperated in and supported these activities of the chairman, but also has been the recipient of lavish entertainment and substantial gifts of cash and merchandise from these same contractors with whom he has been negotiating.

I shall outline specific charges against one other member of the highway commission who is presently under indictment in the Delaware State courts for having accepted kickbacks from a contractor with whom he as a member of the commission negotiated a lease. This man is still serving as a qualified member of the commission because the Delaware Legislature has refused to confirm his successor.

There has been plenty of evidence developed to show that, in addition to these three men named, there has been a widespread practice among the lesser employees—inspectors, and so forth—to accept gifts of merchandise and cash at periodic intervals from the many contractors and suppliers doing business under the road construction program.

All these charges should and will be carefully examined and taken care of, but an agency cannot be cleared of corruption without starting at the top; therefore, I shall confine my remarks today to specific charges against the three men aforementioned, and I am suggesting that the time is long past due when all three should be removed from office.

Before making this report, I wish to compliment the attorney general of our State, Mr. Januar D. Bove, Jr., for the excellent job which he has done thus far in exposing the scandalous conditions in this State agency. For the past several months he has been conducting an investigation of alleged irregularities in the State highway department. This investigation is still underway, but it has already developed some alarming facts.

As I direct criticism against two members of the highway commission and the chief engineer, the question may well be asked as to why the Governor of Delaware has not acted more forcibly.

The fact is that the Delaware Legislature several years ago, through "ripper legislation," overrode the Governor and enlarged the membership of this State commission, even going so far as to name the members of the commission in order that their political party might control the patronage and decisions of this important agency.

This "ripper legislation" was enacted by a Democratic-controlled legislature and passed over the veto of the Governor.

Since that time the terms of many of the members of this commission have expired, but the same politically controlled legislature has arrogantly refused to confirm the Governor's appointees.

Under Delaware law, the old members of the commission continue to serve until such time as their successors are confirmed.

This "ripper legislation" was opposed by the then Governor of our State, Mr. Boggs; it was opposed by the present Governor of our State, Governor Buckson; and it was also opposed by our Governor-elect, Mr. Carvel.

In fact at the time this arrogant procedure was adopted by the legislature, Governor-elect Carvel was serving as chairman of the Democratic State committee, and in that capacity strongly opposed the action by the legislative members of his own party.

This "ripper legislation" is subject to severe criticism, and the manner in which the legislature in its bills named the members of the highway commission, thereby usurping the appointive powers of the Governor, is indefensible. It does not mean, however, that all the members of the commission were political stooges. There were some good men on this commission, but the fact remains that the commission was deliberately politically loaded.

As further evidence of his concern, a special committee of outstanding citizens of Delaware has been appointed by the Governor-elect with the request that it survey the charges which have been leveled against this agency and submit to him its recommendations for correction.

I point this out lest my remarks be interpreted as criticism of the good intentions of the past Governor, the Governor-elect, or his committee; however, this is a problem involving not only our State, but also the integrity of men who are handling millions of Federal funds.

To emphasize the seriousness of this situation I quote from Attorney General Bove's interim report to the State highway commissioners under date of November 1960:

MORAL LAXITY

Perhaps most important is the fact that our investigation has already laid bare the existence in the highway department of a moral laxity which is incompatible with the honest management of large sums of money. The low standards of conduct are perhaps best exemplified by the common practice that State highway department employees from the highest office on down receive gifts in cash or in kind from those persons doing business with the highway department. Perhaps even more shocking is the apparent ignoring, in at least one instance, of crime by the members of the commission, or at least some of them, even after the facts had been fully disclosed. Further, there exists a recognized acceptance of self-dealing. In this atmosphere, petty graft appears to flourish luxuriantly and clearly there is no will on the part of highway department employees to withstand political or other pressures. Control over the disbursement of funds is inevitably lost.

More specifically, the charges against these men are as follows:

The chief engineer of the Delaware State Highway Department, Mr. Richard A. Haber, frankly admits accepting lavish gifts from 125 contractors and operators doing business with the State highway department.

These gifts range from a bottle or cases of whisky and cash items of $20 to $100 up to gifts with a valuation in excess of $500.

This is a top employee of the department and one who has the responsibility of recommending the awarding of contracts and the payment of overruns involving millions of State and Federal funds to these same contractors.

When Mr. Haber was asked by Attorney General Bove, how widespread is this practice at this time, he answered, "I would say that of our 1,100-odd employees, at least 1,050 of them will have received a gift of some sort every year."

When asked, "And are those gifts in cash and also in the form of presents?" Mr. Haber replied, "Yes, sir."

Mr. Haber admitted having personally accepted two gifts upon which he placed a valuation of around $500 each.

One gift to Mr. Haber came from the contracting firm, Greggo & Ferrara. This company gave to Mr. Haber's wife a silver tea set, upon which he placed a valuation in excess of $500. This contractor does substantial business with the State of Delaware, and Mr. Haber as the chief engineer is in the position to recommend approval or disapproval of his contracts or overruns.

Another sizable gift was a portable bar installed in 1956 in his new home by Henry C. Eastburn & Son, a contractor who not only does substantial road building construction for the State, but also has had unusually large overruns approved by Mr. Haber—at least one of which had been previously rejected by the highway commission.

Mr. Haber also admits receiving numerous other items of cash and merchandise from 125 contractors and suppliers doing business with the State of Delaware, and there is plenty of evidence that he was a party to using the power of this agency in urging or practically demanding that these contractors and suppliers make substantial contributions to his political party.

In fact, one of these contractors, Henry C. Eastburn & Son, who had installed the bar in Mr. Haber's home, also wrote two checks totaling $15,000 payable to the Democratic State committee—all during the same period in which they were being given approval for large overruns on State contracts.

These two political contributions are identified as follows:

One check was for $9,000 (check No. 2658) made payable to the Democratic State committee and signed by Henry C. Eastburn & Son, Inc., Newark, Del.

The second check was for $6,000 (check No. 655) also made payable to the Democratic State committee but drawn on the account of the Newark Construction Co., Inc., of Newark, Del. This company is controlled by Henry C. Eastburn & Son, Inc.

Both checks were drawn on the respective corporation's accounts in the Equitable Security Trust Co., of Wilmington, Del., and the checks were delivered to Mr. Garrett Lyons (now deceased), then the Democratic State chairman.

Mr. Haber admits that perhaps Mr. Lyons had discussed this previously rejected claim of the Henry C. Eastburn construction company with him.

When the chief engineer, Mr. Haber, was asked what significance he would attach to the payment of the Eastburn previously rejected claim and the two political contributions, he replied that "you would put two and two together."

I shall not take the time of the Senate at this time to document more than this one specific case wherein political contributions are involved; however, I will state that there are many such instances which we do have fully documented and which clearly establish that there has been a widespread practice condoned by the chairman of the commission and the chief engineer to help finance the Democratic State Party through solicited or forced contributions from these respective contractors and suppliers.

Not only are the contractors being solicited, but also this investigation has established that many of the employees of the Delaware State Highway Department are being forced to contribute a part of their paycheck to the Democratic State committee.

To make this charge even more serious, both the kickbacks from the employees and the solicitations from the contractors have been collected by employees of the State highway department while on official duty and on occasions even when using a State car.

Both the solicitation and payment of these political contributions by the numerous corporations and companies who have been doing business with the State and Federal Governments is unquestionably a violation of the Federal law.

In addition to condoning the solicitation of political contributions from these contractors, the chairman of the Delaware State Highway Commission, Mr. J. Gordon Smith, has flagrantly abused his authority as chairman of the commission to divert a substantial volume of purchases being made by the Delaware State Highway Department to companies directly controlled by himself or members of his immediate family.

Through his ownership or control of the Kent County Motors, numerous office buildings, and equipment agencies, Mr. Smith as chairman of the Delaware Highway Commission has been negotiating with himself rather lucrative deals.

He as chairman of the Delaware State Highway Commission has negotiated for office space in buildings which he and members of his immediate family own.

As an automobile dealer he has enjoyed profitable sales of cars and trucks to the Delaware State Highway Department, and many of these purchases were without bids.

As an agent for various types of equipment used by the State of Delaware and equipment used by these same road-building contractors and suppliers he has used the power of his office in the furtherance of his sales.

The most flagrant example of Mr. J. Gordon Smith's abuse of the power of his position as chairman of the State highway commission is exemplified by the manner in which the Delaware State Highway Department purchased the present site of the new State police headquarters, north of Dover.

In 1956 the commissioners of the Delaware State Highway Department were interested in procuring a site for the new location of headquarters for the Delaware State police.

As chairman of the State highway commission, Mr. Smith was aware of this interest and knew the location desired.

There was a property of approximately 200 acres lying on U.S. Highway 13, north of Dover, owned by Mrs. Mary Attix and her husband and other heirs.

Mr. Smith obtained an option on this property to purchase the entire tract for $80,000, with the option containing a proviso that the deed or deeds would be made to him or his nominees.

Immediately after obtaining this option a meeting of the Delaware State Highway Commission was called by him as chairman.

Upon his recommendation the commission without any knowledge of Mr. Smith's option was told that a small corner of this property—about 3 to 5 acres—could be obtained for $40,000 from Mrs. Attix and others, and upon his recommendation the purchase was authorized.

He then instructed his attorney to request two deeds—one wherein the small tract would be deeded direct to the State of Delaware, and the other showing the remainder of the tract to be deeded to him.

In payment for the transaction he presented the $40,000 check of the State of Delaware and his own check for the balance. This made the transaction appear on the highway department books as a direct purchase from the original owners.

This is but one example of the arrogant manner in which Mr. Gordon Smith has used the power of his office as chairman of the Delaware State Highway Commission, and when this abuse of power for personal gain is considered in conjunction with the manner in which he has condoned the open solicitation or demands upon these road building contractors that they finance his political party, most certainly it demonstrates that the time is long past when Mr. Gordon Smith should be removed from public office.

Mr. Robert D. Thompson, of Rehoboth, is another member of the Delaware State Highway Commission who has used the power of his office to enrich his own personal fortune.

Mr. Thompson is presently under indictment in our State courts for accepting kickbacks on a contract, but notwithstanding this fact, as a result of the failure of the Delaware Legislature to confirm his successor, he is still serving as a member of the Delaware State Highway Commission and charged with the responsibility of spending millions of State and Federal funds.

Mr. Thompson is specifically charged with having accepted a $6,500 annual kickback from Mr. Alvin Simpler, who

was holding a contract for a State concession near the Indian River inlet.

The significant point in this instance is that this particular contract was negotiated on behalf of the Delaware State Highway Department by Mr. Thompson in his official capacity as a member of the commission.

In negotiating this contract upon which Mr. Thompson was to get a kickback he agreed on behalf of the State highway department that the space for trailers would be enlarged and that the rentals could be raised from $30 to $50.

Also, under the agreement the State highway department was to furnish the materials for the enlargement of the bait stand.

The highway department also promptly furnished a deep well which was needed and which had been requested by an earlier tenant but not provided.

These are the major concessions which had not been extended to the previous tenants although they had paid exactly the same rent as provided for in Mr. Simpler's contract.

This particular kickback was being paid to Mr. Thompson on a contract which involved only State property and, therefore, the Federal Government is not involved except that it does show the caliber of one of the commissioners of the Delaware State Highway Department, which department is presently spending not only State but also Federal funds.

However, even here there is a question as to whether the Federal income tax has been paid on this kickback by Mr. Thompson, and also the Treasury Department will be interested in knowing whether or not the kickbacks paid by the contractor were charged off as business expenses.

Payments to public officials of bribes or illegal kickbacks are not deductible items for income tax purposes.

As stated earlier there are many other instances of unwarranted acceptance of gifts and entertainment on the part of numerous employees, inspectors, and so forth, of the Delaware State Highway Department, each of which requires appropriate action; however, before beginning to clean up the improprieties of certain lesser employees it is essential that we start right at the top and get rid of those officials who not only have condoned these improper practices but also who by their own actions have set a very low standard of morals as to the responsibility of public officials.

Only recently the financial world was shocked when the directors of one of our large corporations fired the president of that company because he was found to have been directing some of the procurement for the corporation to companies with which he was affiliated.

This drastic action was supported by the entire business world. Certainly we are not going to establish a lower code of ethics for the conduct of public officials than that which is being enforced in private industry.

Just as the directors of this corporation removed their officer, so, too, must Mr. J. Gordon Smith, Mr. Richard Haber, and Mr. Robert Thompson be removed.

These charges cannot be ignored by the U.S. Government on the basis that they are solely a State problem. Many of the contracts awarded by this agency carry Federal participation of from 50 percent to 90 percent. Therefore, the Federal Government does have a direct responsibility in any question raised regarding the character or integrity of the men who are administering these funds. It is a very serious situation when we find that the men who have the responsibility of awarding contracts and inspecting the work of the road construction companies have been receiving substantial gifts from the same contractors.

Many questions of impropriety remain to be followed through, with appropriate action to be taken in regard to both State and Federal laws which may have been violated.

I am hoping that with the cooperation of the Delaware State Legislature these men, should they refuse to resign, will be fired; however, should the legislature refuse to cooperate with the Governor-elect and Attorney General Bove in cleaning up this agency, there is one further step which can be taken—a step which I hope will not be necessary. But if necessary I shall not hesitate to introduce in the Senate a resolution requesting that the Bureau of Public Roads be instructed to withhold all further Federal funds under the Federal highway participation programs until such time as the appropriate action has been taken to clean up this department.

I close my remarks today by emphasizing that while I have had the unpleasant task of making charges against citizens of my State and an agency of my State, I do not want my remarks to be construed as a blanket indictment against all of the officials or employees of the Delaware State Highway Department.

I know that the overwhelming majority of the officials and employees of this agency deplore this situation just as much as I; however, with this corruption existing at the very top and being condoned by high political officials they have been handicapped as long as these men remain in power.

At the same time, I want to point out also that while the information that has been called to the attorney general's and to my attention thus far has involved political contributions made to the Democratic State committee, we have been cautioned that if we persist in this investigation we may find similar contributions to the Republican Party.

My answer to this suggestion is that it makes no difference—it is still wrong, and we are requesting that if anyone knows of any improper political contributions to either party we would appreciate having such information, and it will be dealt with accordingly.

AMENDMENT OF CLOTURE RULE

The PRESIDING OFFICER. (Mr. BURDICK in the chair). Is there further morning business?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Senate Resolution 4.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

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.

The PRESIDING OFFICER. The question is on agreeing to the Humphrey, Kuchel, and others, amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and may I call to the attention of the attachés of the Senate that it will be a live quorum, so all Senators may be notified.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 4]

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

Mr. HUMPHREY. I announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Missouri [Mr. LONG], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Missouri [Mr. SYMINGTON], the Senator from South Carolina [Mr. THURMOND], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from New York [Mr. JAVITS] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. BLAKLEY. Mr. President——

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

Mr. BLAKLEY. Mr. President, it is with reluctance and humility that I rise to address the Senate so short a time after taking the oath of office as a Member of this body.

I recognize my position as a freshman Member and fully respect and appreciate my senior colleagues.

It is to be doubted that any issue that may arise during this session of Con-

gress will be of more far-reaching importance than the subject now under discussion to change the rules of the Senate, specifically rule 22, respecting the limitation of the right of debate.

The question involved has to do with the fundamental liberties guaranteed us under our U.S. Constitution.

Senators far, far better equipped than I have discussed this question during the last few years.

I cannot hope to rise to their standards.

Yet, feeling so strongly about this issue, I could not remain silent and be true to my convictions. I could not remain silent and keep faith with the people of the great State I represent.

I must speak even though I cannot do so with the eloquence or the wisdom of those who have preceded me.

Mr. President, we have been told by able and distinguished Senators that this is a majority-rule amendment to the Senate rules that we are considering.

That has a fine sound to it.

But let us analyze exactly what it means.

We are told that the will of the majority should prevail. We are told that it is in the American tradition that a majority should prevail.

Yes.

And yet, the minority also has rights that should be respected.

While a majority may govern, in our Nation a majority does not rule. There is no more divine right to majority rule than there is divine right to monarchy.

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

Mr. BLAKLEY. I yield.

Mr. TALMADGE. I commend my friend from Texas for the fine speech he is making. Is it not true that if a majority had ruled, Andrew Johnson would have been impeached as President of the United States for upholding law and the Constitution?

Mr. BLAKLEY. The Senator is correct.

Mr. TALMADGE. If a rule XXII had been in force in the German Reichstag, is it not true that Adolph Hitler probably would never have seized all power in Germany?

Mr. BLAKLEY. The Senator is absolutely correct.

Mr. TALMADGE. Is not also the same comment true with reference to Mussolini in Italy?

Mr. BLAKLEY. Yes, indeed.

Mr. TALMADGE. Is it not true that as long as we have freedom of debate and strong and determined and courageous Senators, we can protect the rights of minorities from being trampled upon by a majority at any given moment?

Mr. BLAKLEY. That is the purpose of the uniqueness of the U.S. Senate.

Mr. TALMADGE. I thank the able Senator.

Mr. BLAKLEY. Our governmental design is not that the minority should be ruled by the majority. Governed yes, but ruled never.

Our Constitution and the representative government with which we are blessed provide a great multitude of safeguards for the protection of minority rights.

The focal point, the very center, of this carefully planned system of safeguarding minority rights is the U.S. Senate, with its tradition of full and free debate on all issues.

I would not willingly see this changed.

I believe any change that would lessen the protection now given minority rights would be a tragic backward step in the unceasing struggle to maintain individual freedom of this Nation.

We have before us a proposal that, according to those who favor it, would place only a reasonable limit on free speech.

I am forced to reject the term.

I cannot believe there is such a thing as reasonable limitation of free speech.

Either speech is free or it is not free. Either a man has the right to have his say or he does not have that right.

The proponents of this proposal—and I do not for a moment impugn their motives or question their good intentions—state they are simply seeking a means of preventing filibusters in the Senate.

I am frank to say that the word "filibuster" does not frighten me in the least.

Those who speak of filibusters are those who want to make it easier to impose cloture, which means limitation of debate, which means gag rule.

If we are going to use scare words, the opposite number of filibuster is gag rule. I would much rather take a chance on the former than on the latter.

It is not talk that threatens freedom. The threat comes from enforced silence.

The right of full freedom of speech somewhere in our lawmaking process is essential to the maintenance of all the other freedoms with which Americans are blessed. The forum of all forums for exercise of that right traditionally has been the U.S. Senate—and by express design of the authors of the Constitution.

Mr. President, we cannot afford to vote away that right.

The right of unlimited debate in the Senate is a potent protection of the right of all the American people to complete information regarding all decisions finally made by the Congress.

It is a protection against the destruction, whether accidental or purposeful, of the important constitutional separation of powers between the legislative branch and other branches of the Government.

It is a protection to Senators themselves—and, of course, to the people they represent—against hasty action or ill-advised action based on incomplete information.

I have not been in this body for long. But Senators who have been here for many years will testify that few, indeed, are the good laws that were written in haste—few the poor laws written deliberately and with full consideration given to all factors involved.

Mr. President, we act here for 180 million people as Americans. We also act for them as citizens—in some, many; in some, comparatively few—of 50 sovereign States.

Each of these States is equally represented in the Senate. The most populous State has no more votes in the Senate than the least populous. Each of the 50 speaks here with as loud a voice as any other.

Why, then, should Senators view with approval a majority-rule amendment as applied to the procedures of the Senate?

Why should it be made possible for a majority of the Senate, conceivably representing a minority of the American people, to cut off discussion of legislation affecting all the people?

Is not the present two-thirds rule a sufficient restraint available for use against a single Senator who is backing a last desperate fight for the preservation of freedom?

The majority-rule amendment argument falls of its own weight.

Mr. President, the United States lives and has its being in a system based on freedom—individual freedom, freedom of enterprise, freedom in government.

Each of these freedoms depends on the other. None could stand alone. If one falters, the others inevitably are weakened.

These are the freedoms we must maintain—the essentials guaranteed by the Constitution and the Bill of Rights. They are the freedoms that sustain and strengthen us in times of trouble. They are the freedoms that give us sound reason, in times of adversity, to put aside gloom and to look with confidence to the future.

Two components of these basic freedoms would be directly weakened by the proposals we are now considering. The remaining one would be subject to consequent erosion.

The right of individual freedom of expression would be weakened.

Freedom in government, depending basically on unhampered consideration of all proposed legislation, would be weakened.

And, of course, this whittling away of individual freedom and freedom in government would adversely affect freedom of enterprise.

This is what happens when you start tampering with our freedom system.

If we grant power that makes it easier to impose gag rule in the Senate, we have to assume that, at some time or another, the power is going to be used.

We need not be concerned with how this power might be used to do no harm to the liberties of the people. If no harm is involved, we do not have any need for this proposal to reduce the right of free speech in the Senate.

But we do need to concern ourselves with considering—carefully and prudently—how such a grant of power might be used to do harm, deep and lasting harm, to the liberties of the people.

It is of the majority-rule amendment that they speak to us.

But, Mr. President, simple majority rule is not at all the basic principle of the U.S. Constitution and its Bill of Rights.

The authors of the Constitution assumed that the rights of the majority would hardly be abridged. These rights

would be taken care of by simple force of numbers.

The authors of the Constitution were more concerned—and properly so—with the rights of the minority.

Thus they provided that the Constitution itself must be ratified by three-fourths of the original States.

Thus they provided that the Constitution could be changed not by a simple majority but only through ratification of proposed changes by three-fourths of the individual States.

This was done deliberately by the Founding Fathers—and their purpose was to insure deliberation when constitutional changes were proposed.

The President's veto of a measure passed by Congress cannot be overriden by a simple majority—no, not by a three-fifths majority, either.

Treaties must be approved by a two-thirds vote of Members of the Senate present and voting.

Mr. President, the first settlers came to America to escape oppression. When they founded a new nation, the wisest among them drew up a Constitution that established a Government under which freedom flourished.

Under this system of freedom, a strong and vigorous society sprang into existence. America became the promised land to Europe's teeming millions, and they came here because this was a good place to live and a good place to make a living. Eventually, we had to enact laws to control the flow.

Strangely, there were those among this new population who began to call for changes in the very system that made the United States so attractive to them. Some among us are too prone to feel that the Constitution should be changed to meet some immediate desire. Some are impatient with the restrictions the Constitution places on government.

But those restrictions are important and necessary. If government is not restricted, it becomes the master, rather than the servant of the people.

That is something which might well be kept in mind by those who may be deluded by past experience with lawmaking bodies where simple majorities decide every issue.

The U.S. Senate is different. It was meant to be different—a forum where every State is equal to every other State.

Just as the Constitution itself provides a method for changing the Constitution, so do the rules of the Senate provide a method of changing the rules.

And, of course, the rules have been changed—a number of times. There is no roadblock to changing the rules of the Senate. That is not the issue here, although efforts are put forth to make it seem the issue.

Mr. President, I said a little while ago that I am not frightened by the word "filibuster." I repeat that statement.

Filibuster is a word used by opponents of full and free debate in an attempt to cow and shame those who believe wholeheartedly that, in the U.S. Senate at least, there should be no hesitancy about exploring completely any issue that arises.

There are those of us who will not be cowed, who will not be shamed, when this word filibuster is hurled at us as an epithet.

It is a word that, when its essential meaning is clear, may be regarded as a badge of honor.

If to filibuster means to stand up—and to stand up for a long time, if that is necessary—for the right of a minority viewpoint to be presented fully and adequately, then I for one shall not hesitate to speak out, to filibuster, if you please—when the occasion demands.

If to filibuster means that the Nation's lawmakers must avoid the temptation to legislate only from day to day, ignoring the lessons that the past hold for the future, then we must have lawmakers who are willing to say, "On this issue I take my stand and I will strive to inform my colleagues and the American people."

Mr. President, I believe, deeply and wholeheartedly, that the freedom to debate on matters affecting the welfare of our people is basic. I believe this freedom is indispensable if we are to maintain our other freedoms.

If I did not believe this, I would not be in the Senate at all.

It is easy to say that if we accept the proposals now being presented to us, we would be giving up only a little.

That is what the Arab said when the camel first thrust his nose inside the tent.

Soon the camel had the tent. The owner of the tent was outside in the cold of the night.

Mr. President, it is impossible to subtract a little freedom here and say the loss will be made up there.

Lost freedom is gone. It does not reappear. It is not compensated for elsewhere.

Even after listening to the discussion here since the Senate convened, I cannot keep from feeling a sense of surprise that the issue involved should be presented as one of—and I will have to place the words in quotation marks—"liberals" versus "conservatives."

It is not, I submit, a correct presentation. For the terminology indicates that "liberals"—quotation marks again—favor gag rule of the Senate and "conservatives" oppose gag rule of the Senate.

No. This could not be true.

Mr. President, it is not liberal to facilitate cutting off debate in the U.S. Senate on matters affecting the people of all the 50 States represented here.

Is it, then, that only the conservatives are to speak out freely on behalf of free speech?

At bottom, this issue does not have anything to do with liberalism or conservatism. But if defending the rights of minorities is to be regarded as conservatism, then I accept—I grasp—the designation, conservative.

Conservatively, if that is the word to be used, I believe the rights of minorities must be preserved.

Conservatively, I go along completely with the 10th amendment to the Constitution, which provides that rights not delegated to the Federal Government remain with the States or with the people.

Conservatively, I hold to the concept that, in the Senate of the United States, each one of the 50 sovereign States is the equal of any other.

Conservatively, I stand for freedom of the individual; for freedom of enterprise; for freedom in government.

I hope, as I believe, that this kind of conservatism is Americanism as sound and valid in the second half of the 20th century as it was when some wise men met in Philadelphia and wrote a document that formed the basis for a new and free nation.

Mr. President, I succeeded to the Senate seat left vacant by the resignation of a great American, Lyndon B. Johnson, Vice-President-elect of the United States. Almost 12 years ago, when Lyndon Johnson was beginning his Senate career, he delivered an address here entitled, "Unlimited Debate: The Last Defense of Reason."

It was a truly outstanding speech, one that foretold the brilliant career that lay ahead of this man. I should like to quote the final paragraph of that address by a then freshman Senator. Here it is:

> This freedom we debate, Mr. President, is fundamental and indispensable. It stands as the fountainhead of all our freedoms. If we now, in haste and irritation, shut off this freedom, we shall be cutting off the most vital safeguard which minorities possess against the tyranny of momentary majorities. I do not want my name listed as one of those who took this freedom away from the world when the world most needed it.

Mr. President, whatever may be my privilege of service in this, the greatest deliberative body in the world, it is with the deepest of gratitude that I have been permitted this presence here today, to raise a voice in defense of freedom.

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

Mr. BLAKLEY. I yield.

Mr. EASTLAND. I desire to congratulate the distinguished junior Senator from Texas. He has made one of the ablest and finest speeches on this subject that has been delivered in the Senate since I have been here, and I have been a Member more than 18 years, and have heard this subject discussed over the years. The junior Senator from Texas has made a very outstanding address.

Mr. BLAKLEY. I appreciate very much the comment of the senior Senator from Mississippi.

Mr. STENNIS. Mr. President, will the Senator from Texas yield to me?

Mr. BLAKLEY. I yield.

Mr. STENNIS. I wish to commend the Senator from Texas for a very fine address. It represents sound thinking and, I know, very sincere thinking. It also represents a very fine understanding of the most practical side of the problem we have here to be decided on the floor of the Senate.

I commend the Senator from Texas very highly; and I believe that his words of caution and sound wisdom will have influence both here and elsewhere in the Nation. So I am one of the Members of the Senate who appreciate very much the real contribution he has made.

Mr. BLAKLEY. Mr. President, I thank the Senator from Mississippi for his comment.

Mr. RUSSELL. Mr. President, will the Senator from Texas yield to me?

Mr. BLAKLEY. I yield to the senior Senator from Georgia.

Mr. RUSSELL. Mr. President, I wish to commend very heartily the distinguished junior Senator from Texas for the eloquent speech he has made in defense of the fundamentals of Americanism that have enabled this country to achieve its present greatness.

Many years ago a distinguished British scientist and able author came to this country and studied our institutions of government. After concluding his study, he said, "I see nothing so remarkable about the Constitution of the United States, because it is all sail and no anchor." He went on to say that in the years to come, mobs would arise and would take over this country on the impulse of the moment, and that we would, therefore, have our institutions of government destroyed. He also said that the American Republic would be as fearfully plundered as the Roman Empire was in the sixth and eighth centuries, but that the Huns and Vandals would be generated within our own institutions. But, Mr. President, he overlooked the great anchor that has provided stability to these United States through all the years since the Constitution was adopted in 1789; that anchor has been the Senate of the United States, and the rules of the Senate which permit the representatives of the several States to stand upon this floor and speak. That anchor has been the refusal of the Senate to gag its Members as every other parliamentary body has done. In my opinion, the one great stabilizing factor that has preserved our form of government through all the years has been the right of discussion in the Senate.

So, I am reassured, Mr. President when from the great State of Texas there comes to this body a Senator who rises and makes so eloquent a statement in defense of the fundamentals upon which we must rely if this country is to continue to grow and expand, as has been done by the distinguished junior Senator from Texas; and I congratulate him.

Mr. BLAKLEY. I thank the Senator from Georgia.

Mr. ERVIN. Mr. President, will the Senator from Texas yield for an observation?

Mr. BLAKLEY. I yield.

Mr. ERVIN. I wish to commend the junior Senator from Texas for his very able statement. He has made a great contribution to the present debate. He has also emphasized a fact stated by the Supreme Court of the United States in one of its great decisions—that "the Constitution in all its provisions looks to an indestructible union composed of indestructible States." A point which sometimes I fear the American people are losing sight of is that there will no longer be a government under the Constitution if the Federal Government becomes so strong that it swallows up the States.

The able and distinguished Senator from Texas pointed out exceedingly well the fact that there is danger in the tyranny of a majority. He has emphasized the fact that the value of the Senate to our system of government lies in the fact that the Senate has always recognized as a most valuable attribute the power of unlimited debate.

I have always liked the expression which has been attributed to Voltaire:

> I disagree with what you say, but I will defend to the death your right to say it.

Mr. President, it is a fact of American history that time and time again the Senate, through the exercise of its right of unlimited debate, has been able to educate not only the country but also the Members of the Senate itself as to the implications of proposed legislation of a dangerous nature; and time and time again a minority of the Senate, by reason of the right of unlimited debate secured to Members of the Senate by Senate rules, has been able to convince a majority of the Senate and a majority of the country of the unsoundness of the views which a majority of the Members of the Senate was seeking to impose upon the American people in the guise of law.

I think the junior Senator from Texas has made a great contribution, not only to this debate, but also to the preservation of one of the fundamentals of American government, in emphasizing the necessity of having the Senate continue to be a body in which a minority will have a reasonable opportunity to convince a majority of the errors of the ways of the majority, and thus protect the country against unwise legislation.

I find it rather strange, Mr. President—and I am glad the able and distinguished junior Senator from Texas shares this view—that any group of men would wish to silence other men, for fear that the ones they wish to silence might be able to persuade them that they are in error.

So I wish to commend the Senator from Texas for striking a powerful blow in favor of preservation of the thing that makes the Senate so valuable to the Nation, namely, the right of a minority not to be gagged by a majority. I agree with the Senator from Texas and with the elder Senator Robert M. La Follette that whenever there comes a time in the Senate when a majority of one can silence the minority, that moment will sound the death knell of constitutional liberty in America.

So I commend the Senator from Texas on the great contribution he has made by emphasizing these points.

Mr. STENNIS. Mr. President, today I wish to address the Senate with reference to the pending matters concerning rule XXII, including points with reference to the ruling of the Vice President as to the alleged invalidity of rule XXXII, particularly the amendment to that rule enacted in 1957.

The effect of that ruling, as I understand it, Mr. President, is that the Vice President, through that ruling alone, as to amendment of the rules of the Senate at this particular time in the session, would set up a new system of rules that would include the previous question being operative on the floor of the Senate, more than a century after its being outlawed, and providing that the previous question could be decided by a mere majority vote, and could be decided even without debate.

Mr. President, I dislike to raise the question, at the beginning, of civil rights, but I believe if the ruling were not tied in, in a general way, with the atmosphere of the so-called civil rights question, already there would have been great indignation expressed on the floor of the Senate. I believe many, many, many—far more than a majority—of the Members of the Senate already would have risen up against the ruling to protect this institution.

I say that with all deference to the Vice President or to anyone else who has a position on this matter.

Mr. President, only 2 short years ago, almost to a day, in very plain, simple, concise, understandable language, the Senate, when it had the question before it, adopted an amendment to rule XXXII, which is only two and a third lines long. I quote now section 2 of rule XXXII of the Standing Rules of the Senate:

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

Mr. President, the hard fact we must face is the simple, straightforward language, based upon the plain provisions of the Constitution. Article I, section 5, says in part, "Each House may determine the Rules of its Proceedings."

The decision was given in the face of this language and the unbroken precedents through all the decades of history. There is significant language in the solemn declaration of the Constitution and of the Senate rules. We have an unbroken practice of more than a century.

One man, who is not a Member of this body but is a constitutional officer, the Vice President, has made a ruling. Can he by one ruling as to one of the rules in particular, or as to any of them which have to do with amending the rules, sweep aside things which are considered sacred and essential in our law, in our Constitution, and in our customs? Will he be permitted to do this, and thus to an extent destroy this body as a great institution of American Government?

I am reminded of a story I heard about a soldier in western Europe, some time after World War II had ended. The soldier was on a sightseeing trip. He was taken to observe a burning taper or light of some kind in a sacred religious shrine, and he was told that the light, in one form or another, had been burning 400 continuous years. He said, "Did you say 400?" The reply was "Yes." He said, "Well, that is too long. I am going to blow the darned thing out." And he did.

I cannot find any better reason or a better fact on which to base the ruling than simply to say, "Well, it has been in effect too long; I am going to blow it out."

That soldier destroyed the light with his breath, but I do not believe any one ruling by any one man, whatever is his position, is going to be permitted to modify the Senate as an institution of government.

Mr. President, I have before me a brief historical review, with some comments

thereon, covering the history of the operation of the Senate rules. They are rules which distinguish this body from all other bodies in the American Government. I do not say they make it any better, but it is different. They distinguish this body from all other bodies in the self-governing nations of the world. I do not say it is better, but it is different. I say it has functioned well to meet our numerous problems, nationwide, decade after decade and century after century.

I believe every Member of the Senate, from the President pro tempore, who has been here the longest, to the most recently sworn Member, has a positive duty to fully weigh and fully consider the import of the question we have before us, without being carried away by any subject matter, regardless of what it may be, tied in directly or indirectly with this grave question.

I am one of those who happen to believe the Senate and this Nation will not go so far. I do not believe we will do so, yet.

Mr. President, I believe a grave disservice is being done to the Senate as an institution and to the country when questions are raised and seriously considered on the floor of the Senate concerning the nature of this deliberative body, without having the utmost deliberation by a committee, after study by experts, those who have had experience over the years.

The Senate has been referred to as the greatest deliberative body in the world. Those of us who love the Senate and its customs and institutions cherish the esteem in which it has been historically held.

Since I came to the Senate some 13 years ago I have seen emerge a very divisive question as to the continuity of the rules of the Senate, which strikes at the heart of the concept of the continuity of the Senate itself. This is now consuming important time, when the Senate organization should be our pending business, and it is now delaying consideration of other pressing business, also. I shall enumerate some of the items later.

If such a question is to be seriously considered on constitutional grounds, it is my view that the question was decided as a constitutional issue by a decisive vote of the Senate, 72 to 22, on January 12, 1959. By action taken at that time the Senate wrote into its own rules the rule XXXII, the long-accepted understanding that the Senate rules continue from year to year and from Congress to Congress unless amended or changed in accordance with the procedures prescribed therein.

Mr. President, through what door could anyone come to say that the decision of the Senate, made as recently as 2 years ago, by a vote of 72 to 22, does not apply? One might say the Senate did not know what it was doing. One might argue the Senate made a mistake. How can it be argued, with logic and as a practical matter, that the rule simply does not apply? I say anyone making such an argument comes in through a very narrow door, when it is said that, after all, the rule does not apply to questions which concern a proposal to adopt different rules.

For continuity, Mr. President, I quote again section 2 of rule XXXII from the Standing Rules of the Senate, as follows:

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

Mr. President, it is therefore both disappointing and alarming to me to see that the Senate is now attempting to dissect itself, to separate itself from the established rules and precedents which have been a part of the Senate since the first Congress. I believe a great disservice is being done to the Senate and to the States we represent. I certainly hope that when this issue is resolved the decision will again be that the Senate is a continuing body in all respects and that the rules continue in all respects as provided therein.

In effect, the Vice President's ruling provides that history is incorrect, that the Senate is not a continuing body; and, further, that the Senators, by a vote of 72 to 22, cannot declare the Senate to be a continuing body; and even that the rules cannot be made to apply until amended as set forth therein. The practical effect of it all is that damage is being done also to the States.

Mr. President, the President of the United States represents the Nation as a whole. His primary responsibility runs to the people themselves. The executive branch and the vast army of Federal employees are not responsible to the States.

Most of the officials in the executive branch have never been elected to any office, nor are they selected by the electoral process. The people cannot bring about their removal, and the complicated administrative procedures for removal and impeachment are admittedly difficult. These are the only ways by which an official may be punished for misconduct by separation from public service, and in neither of these ways do the people or the States have a chance to act directly. Members of the House of Representatives are elected directly by the people. Since the adoption of our Constitution they have been selected from geographical subdivisions of the State and are responsible to the voters of their districts. While all of them, of course, have a certain loyalty to their States, it is not in the House of Representatives that the States are represented directly.

The Federal courts certainly do not represent the States and, in fact, recent decisions of the Federal judiciary have shown an increasing disregard of the reserved rights of the States and of all the people which are protected by the 9th and the 10th amendments.

There is only one place in the Federal Government where the States are represented directly, and that is here on the floor of this Chamber. Therefore the Senate is the only direct defender of their rights and powers, and within this body each State stands, regardless of size, section, economic interest, or population, on an equal voting basis with its sister States. This is their only forum in the Federal Government. It is the principal place where the powers of the States and the rights of the people, reserved by the 9th and 10th amendments, find their protectors.

Now, if these premises are true—and they are true—then it must follow that the Senate as an institution, and the Senators elected from their States, are the trustees of the States powers and rights under our Constitution.

The Constitution itself expressly provides that that body, including the Senate, shall have the power—and that means the sole power—to make its own rules; and no one can set those rules aside, either by interpretation or by ingenious ways of finding an open door in the idea, after more than a century and a half, that all the rules continue and the body continues, all except the one proposition of the continuity of the rules themselves.

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

Mr. STENNIS. I yield.

Mr. ANDERSON. If the Senator from Mississippi believed that the Presiding Officer did not rule correctly, could he not submit the question to the Senate?

Mr. STENNIS. I am arguing now that he did not decide the question correctly. He was thoroughly incorrect under the Constitution and the rules of the Senate. One of the effects of that ruling, if it is allowed to stand, would be to submit every question to majority rule, and in that way I say it is an attack upon the Senate.

Mr. ANDERSON. Did I correctly understand the Senator to say that he believes an attack upon majority rule is an attack upon the Senate?

Mr. STENNIS. Yes; I certainly do.

Mr. ANDERSON. The Senator does not believe there has been an attack on the Senate?

Mr. STENNIS. The Senator from Mississippi did not say anything like that.

Our argument is based upon the provisions of the Constitution of the United States. If anyone can point out any provision in the Constitution to the effect that the Senate must decide its rules by majority vote or can set aside its existing rules by majority vote, I will stand with the Senator from New Mexico on the question.

Mr. ANDERSON. The Constitution provides that each House may determine the rules of its procedures.

Mr. STENNIS. Correct.

Mr. ANDERSON. Each House may punish its Members for disorderly behavior.

Mr. STENNIS. I have already cited that provision.

Mr. ANDERSON. With the concurrence of two-thirds of the Members it may expel a Member.

Mr. STENNIS. That is correct.

Mr. ANDERSON. If each House can determine the rules for its procedure, it certainly can do so by majority vote, can it not? If it does not, it is not determining its rules.

Mr. STENNIS. I believe the argument of the Senator from New Mexico is highly academic. All the precedents and customs of history are against his posi-

tion. If the Senate wished to adopt a rule of that kind, it would be satisfactory. Our argument is against permitting a Presiding Officer to place the Senate in a position where it would not have any choice.

Mr. ANDERSON. But the Senate has a remedy. If the question is a constitutional one, it may be submitted to the Senate, and a majority of the Senate can either uphold the ruling of the Chair or not uphold the ruling of the Chair.

Mr. STENNIS. The question was submitted to the Senate 4 years ago and decided by a vote of 72 to 22.

Mr. ANDERSON. The Senator would not wish to say that the discussion occurred 2 years ago, would he?

Mr. STENNIS. Yes. It was 2 years ago.

Mr. RUSSELL. Both 2 years ago and 6 years ago.

Mr. STENNIS. I knew it had been more than 2 years ago that that question was before the Senate.

Mr. ANDERSON. Periodically we have discussed the question. There is an old saying to the effect that no question is settled until it is settled correctly. The Senator has said several times that the question can be studied by committees. It has been studied by committees at least since 1915. Is not 45 years long enough?

Mr. STENNIS. The Senator from Mississippi is familiar with arguments of the kind which the Senator from New Mexico is making. We have in the Senate new Members who have only recently been sworn in.

Mr. ANDERSON. Precisely; and we seek to give those Senators an opportunity to participate in the making of the rules.

Mr. STENNIS. I do not question the Senator's motives, but my point is that the proposed method of setting aside an established rule that was written and adopted a few years ago by an overwhelming vote is ingenious, and it is academic to make the argument now that every question should be decided by a majority vote. That is one of the points against which I am arguing. The Senator was not present when I made my opening remarks, in which I pointed out the distinctions between this body and others.

I respect the Senator from New Mexico and the arguments he has made; but with all deference to him I submit again that it is highly misleading to say that the principal point, much less the only point involved here, is merely a question of whether or not the Senate shall decide questions by majority vote. It is very true that we already decide by a majority vote certain questions. The question here is whether rules that have already been decided by an overwhelming vote shall be set aside by a ruling of the Chair that might be temporarily agreed to by a majority of the Senate, some Members of which have been here only a few days.

If these premises are true—and they are true—it must follow that the Senate as an institution and the Senators elected from their States are the trustees of the States' powers and rights under our Constitution.

None of us here had anything to do with creating these rights. Those rights were created when the Bill of Rights was adopted. I cannot enlarge upon those rights except by following the constitutional provision for amendment of that organic charter.

I think we do have a definite responsibility, whenever a Federal legislature anticipates the creation of a new Federal power and a corresponding diminution of States powers, to see that the State is protected. We have a duty to support corrective legislation when executive prerogatives, particularly in the field of Executive orders and regulations, are carried too far and infringe upon State jurisdiction. By the same token, we have the same responsibility to protect the executive branch of the Government, the judicial branch, and the legislative branch; and one of the ways we do it is by adopting our own rules. I believe we have a high duty to support corrective legislation and restore to the States the rights and powers they lost, many of them by judicial decree, whenever the Congress feels that the decision is unwarranted.

We have done that many times, Mr. President. Most of us, I think, feel a deep responsibility to the States which sent us here as trustees of their power to retain that bundle of powers intact during our tenure here and to make it no more difficult for those who will succeed us to defend the sovereignty of our State against the encroaching power of the Federal Government. I think that this attack on the Senate rules has damaged the prestige of the Senate in the eyes of the people of our country and that, therefore, the States prestige and power to defend themselves have been damaged to some immeasurable degree.

To my mind, the question of further limiting free debate in the Senate is a great step forward in limiting the powers of the States to be heard in the Federal Government, and I hope that Members of this body will carefully consider the question in this context. I do not think any of us would willfully participate in the loss of an incident of sovereignty of our State; but, in my opinion, a vote to gag the Senate or further hinder free debate here is a violation of the trust of the State and its people in sending us here to represent them.

EFFECTS OF SUCCESSIVE EFFORTS TO LIMIT DEBATE IN THE SENATE

In recent years, and particularly since 1949, there has been a concerted effort to limit debate in the Senate. Concessions were made in 1949 and the effect of that change was to make any motion subject to cloture.

In 1959 the number of Senators required to invoke cloture was reduced from two-thirds of those elected and sworn to two-thirds of those present and voting. At the present time 34 Senators of the 51 constituting a quorum could invoke cloture. Prior to 1959, 67 Senators would have been required to accomplish this. Proponents of free debate in the Senate saw the number required to invoke cloture cut by one-half and realized that under certain circumstances a minority of the Senate could limit debate.

Current proposals now being considered would further reduce this. In the case of the resolution offered by the distinguished Senator from New Mexico, the minimum number required to cut off debate would be reduced to 31 Members.

While these actual changes have been achieved as a result of concessions and compromises, it is clear to me that we are greatly accelerating the pace toward an effective gag rule, enforced at the whim of a transitory majority.

TRANSITORY MAJORITIES

If the Senate is considered to be just another legislative body—an annex of the House of Representatives—then rule XXII cannot be sustained on logical grounds. But if there is any merit in my contention that the Senate has a duty to represent the States, then there should be special rules to protect the power and rights of the States.

Centralization of government is now the trend in national affairs.

I say, from my observation and from my experience here in the Senate, that some of the most effective work that has been done to protect minority groups, not just once but many times, over and over again, from year to year, has been done by very small minorities, some of which are generally and loosely classified as some of the most liberal Members of the Senate.

I have the honor to serve as a member of the Committee on Armed Services and the Committee on Appropriations, where one department of the Federal Government is involved every year with more than $48 billion. That amount has been going up year after year for more than a decade. With the missile programs coming along, no one sees much hope of making any material reductions in those appropriations. All this illustrates and emphasizes how far beyond the control of the people—of the States or any other medium of government—except a few people in the Federal Government who are specially designated and can find the time to pass on these matters, this matter has gone.

It is proceeding with breakneck speed. I think that the Senate on some sound occasions has attempted to brake this trend of changing seriously our form of government. I feel that its action as a restraining influence is a major part of its duty and purpose I still believe that government should be kept close to and responsible to the people and that the effectiveness of local and State government should not be drastically reduced by ill-considered and unwise legislation.

Many politically expedient, but basically unwise, proposals have been defeated by free and open debate. They have gone unlamented into oblivion because of the deliberative power of the U.S. Senate. I believe it is dangerous to tamper with this fundamental characteristic of this institution as we know it.

I believe it would be basically unwise for the States, as well as the people, if this deliberative function of the Senate were cut off by adoption of a gag rule.

Yet, with each successive change in rule XXII, we are taking giant steps in

adoption of such a parliamentary device. Freedom of debate in the Senate is absolutely essential for the protection of minority rights. None of us can tell today when we may be in the minority on some future issue to be considered here. We are certain that vital issues affecting our States and people and the country will be considered soon. If debate is to be for all practical purposes eliminated and issues decided without full and free debate—but by sheer numbers, the rights and powers of the people we were elected to protect will be greatly jeopardized.

At this point, in discussing the issues that must be decided, I shall digress from the historic aspect and go for just a moment to the present day. In a few days we will inaugurate a new President and Vice President of the United States. I do not believe there is any President since Abraham Lincoln, exactly a hundred years ago, who has come into the Presidency with so many grave problems as will be true with our former colleagues, Senator Kennedy and Senator JOHNSON.

By way of comparison, the events of a hundred years ago, so far as number and complexity of these problems and world affairs are concerned, do not weigh in the scales in anywhere near the same way. We are in a new world and in a different world. We are facing and confronting problems that are involved in the so-called cold war.

The new President will be faced with what I think is one of the most serious matters that have ever come up, which could quickly develop into another Korea. These are questions for which there are no quick answers. There will have to be some effective answer to the problem in southeast Asia, such as in Laos.

Almost in sight of our shoreline there is the very perplexing matter of Cuba, right here in our own hemisphere, and that involves all of Latin America.

The Monroe Doctrine, which has always been a part of our policy, has been abrogated and is almost defunct, if not forgotten. We are in a critical time. I am not bringing up these matters or dragging in a great many problems just for the fun of it.

Then we are confronted with serious matters in the United Nations, if our commenators and our news reporters are accurate, in which it is absolutely and indispensably necessary that a new start of some kind must be taken and a new formula found.

We are confronted with a serious matter, as the Senator knows, with reference to the future of NATO, and what is going to be done there.

Then we have what is perhaps the most grave problem of all that I have mentioned—and it is one about which I certainly know less than most Senators—and that is the drain of gold. It is a worldwide economic question and problem which is involved with reference to the drain of gold away from us.

In view of all those conditions confronting the President-elect, I have not heard that a call of any kind for the Senate to change its rules has come from those who will be charged with the primary responsibility in the executive branch. I have not heard of any such call from the man upon whose shoulders these burdens will fall. I have not heard that any such call to change the Senate rules has come from the men who were selected, in the constitutional processes, just as we were. There has not been any cry of need or of distress urging us to come back here in a hurry, and before many Senators had time to get settled, proceed forthwith to make a drastic change in the rules—not just a rule, but the rules, because such a proposed change would affect the entire Senate as an institution of Government.

I come now to a consideration of the so-called Kennedy program. I believe he gives that title to special bills, such as an additional statute with respect to medical care; a so-called housing bill; the question of education and the appropriation of money for the educational program; and a depressed areas bill. Undoubtedly he will call for a higher minimum wage.

Still, I have not heard from the new executives who will soon take office any call for the Senate rules to be changed or affected in any way by reason of the world problems, the national problems, or the immediate so-called Kennedy administration questions. Not a single word to that effect has come to me, certainly, and I have not heard that any other Senator has received such a call.

As a matter of fact, the very bills I have mentioned as being an immediate part of the so-called Kennedy program have already passed this body and the House of Representatives in one form or another. They were debated here and were freely discussed and voted upon. They may not have been in the form in which some Senators wanted them; but if they were not, that was because not enough votes could be mustered for them. That is the only reason. They have all been before the Senate time and again within the last 12 months. They will come before us again. I have not heard anyone say that he will try to keep them from coming up. They will come before us. Resort to any kind of strategy to keep such bills from coming before this body has already been had.

The latest report I have read from the economic advisers of the President-elect is that the economy of our Nation is now in a recession. Instead of trying to apply remedies to that kind of condition, the Senate is running off, without anyone urging us, trying to change its rules by the ingenious, indirect way of having the Vice President, even though he is a constitutional officer, give a special ruling, and then trying to have it sustained.

If we desire to continue in the favor of the American people, I think it is high time that we put first things first and try to get constructive answers to help the President-elect and all his group to solve the problems which will confront them. We should seek to provide constructive answers to the major, far-reaching, earth-shaking problems I have all too briefly enumerated. But I have not heard from any persons in responsible positions a call for a change in the Senate rules.

It may be said that the proposed change in the rules is to facilitate the passage of the so-called civil rights measures. Such measures have previously been considered by the Senate, and all of their major provisions have been debated. Two such bills have been passed within the last few years. As they wound their way through this very legislative chamber, all of them, each time, received many amendments carrying all the major points of the so-called civil rights issue to the debate platform. Those which received a majority vote here are the law today. Those which did not receive a majority vote were not, of course, included in the law. That was not because of the rules of the Senate; it was because the amendments did not receive enough votes. The RECORD shows that happened time and time again.

It happened in 1957 and again in 1960. In 1960 the Senate debated extensively many of those major provisions, with recorded votes.

To return to the main context of my historical presentation, some minority rights should never be overridden. Individual rights are recognized in the Constitution, particularly those relating to alleged violations of criminal law. An accused person is a minority of one in a criminal proceeding, opposing a majority of 170 million or 180 million. Yet few of us would seriously consider taking steps to deprive an accused person of his right to a trial by jury, to habeas corpus, to due process of law, or to any other constitutional rights, which often require the unanimous vote of a jury. We would not take away those rights in any way simply because the accused person was in the minority. Nothing less should be done, then, in regard to the States themselves.

After all, we were elected by the people voting as a State unit. We represent the States in the Federal Government. We are the ones who are the representatives of the people and their voices. We must remember, too, that a simple majority does not necessarily represent the thinking of a majority of the people of the States. It takes time for many vital measures to be understood by the people at home or in our State capitols.

Prolonged debate on truly critical measures provides an opportunity for constructive thinking at the grassroots level, by the local leaders of the people, who will be most affected. All of us who have had long experience in the Senate have seen the volume of serious mail building up day by day during the course of debates of long duration. The time we take to consider such mail enables us to determine more accurately the thinking of the people whom we represent. Of course, full and free debate on controversial matters provides a degree of protection against hasty action and enables us to resist the clamor of well-organized groups supporting their selfish interests.

Mr. President, there comes to my mind a matter which I believe never reached the form of a bill. I was a Member of the Senate during the Korean war, when

President Truman recalled General MacArthur. I believe that was the most confusing time for the Senate and the American people that I ever witnessed since becoming a Member of this great body. If it had been possible then for some quick action to be taken, I do not believe there is any doubt that the mood or the reaction of the people in Congress at that time would have been very discrediting to the Chief Executive or to the executive branch of the Government.

But as one day follows another, and as week followed week, and the Senate, through its legislative processes and channels, held a long and enlightening hearing under the guidance of the distinguished Senator from Georgia [Mr. RUSSELL], whom I am happy to see in the Chamber, when he rose to one of his great heights, gradually the matter was better understood. The significance of what had been said by one and what had been done by another came through. There was an evaluation. There was a calmer consideration of the matter. Things moved along then under the constitutional processes. Enlightenment came to us. We moved along again as a united people. There was no personal discrediting of either the President or General MacArthur. There was no finer example of calmness, in my humble opinion, although it may not often be cited.

I am certain in my own mind that during those first days following the recall of General MacArthur had something been rushed and crowded through this body which would have been highly detrimental to the executive branch of the Government and the prosecution of that war, a terrible precedent would have been set.

VIEWS ON CONTINUITY

Mr. President, the Senate has long been regarded as a continuing body. That is not a newly made point, for some of the most direct statements about the Senate's being a continuing body were made in 1841, during the controversy over the Senate printers. The Senate in the 26th Congress had elected printers on February 20, 1841, as its printers for the succeeding Congress. On March 4 of that year the political complexion of the Senate changed. The Senate organized by reelecting its President pro tempore, and sat in special session until March 14. The House of Representatives adjourned sine die, and was not in session after March 4. On March 4, a resolution to dismiss the printers was introduced. Irrespective of the Senate's right to dismiss printers for cause, contractual or otherwise, the debate involved, as a collateral item, the continuous nature of the Senate. Some even stated that the next Senate would be a new Senate, to which Senator Allen, of Ohio, replied, according to the Congressional Globe, as follows:

> And as to the assertion that this was a new Senate, he denied the fact. The argument so much relied on in this discussion and on which so much logic and reasoning had been wasted in opposition to these printers was untrue. There was no such thing as a new Senate known to the Constitution of this Republic.

Mr. President, I am quoting now from the matter as reported by the Congressional Globe, which in that day reported the proceedings partly by summary.

I read further from the quotation:

> They might as well speak of a new Supreme Court as of a new Senate. There was a new House of Representatives—but not so the Senate. The Constitution replenishes that body every 2 years by the election of a class of Senators, and thereby gives eternity to the duration of the body. There was no new, nor was there any old Senate.

Mr. President, I like the words "gives eternity to the duration of the body."

On March 8, 1841, Senator Buchanan, of Pennsylvania made a most pertinent statement, which was summarized as follows in the Globe:

> There could be no new Senate. This was the very same body, constitutionally and in point of law, which had assembled on the first day of its meeting in 1789. It has existed without any intermission from that day until the present moment, and would continue to exist as long as the Government should endure. It was emphatically a permanent body. Its rules were permanent and were not adopted from Congress to Congress like those of the House of Representatives. For many years after the commencement of the Government its Secretary was a permanent officer, though our rules now require that he should be elected at stated intervals. The Senate always had a President, and there were always two-thirds of its actual Members in existence, and generally a much greater number. It would be useless to labor this question. Every writer, without exception, who had treated on the subject had declared the Senate to be a permanent body. It never dies; and it was the sheet anchor of the Constitution on account of its permanency. Senators were thus deprived of the poor apology that one Senate had no right to bind its successors. (Cong. Globe, 26th Cong., 2d sess., v. 9, p. 240.)

It may be noted that in the controversy after which the printers were ultimately dismissed, Senator Henry Clay, of Kentucky, although personally in favor of limiting debate at times, as opposed to John C. Calhoun, who was a forceful and outspoken proponent of unlimited debate, voted to dismiss the printers, but advocated that the Senate was a continuing body. On this point the Legislative Reference Division of the Library of Congress, in commenting on the Congressional Globe of March 11, 1841, stated:

> But a vote to dismiss its printers was not necessarily a vote that the Senate was discontinuous. One of the Senators who advocated and voted for the dismissal, Henry Clay, of Kentucky, agreed with the opposition that the Senate was everlasting. And if the proponents of the discontinuity view were, in fact, more numerous than its opponents the reports in the Congressional Globe—wholly fail to indicate it ("Senate Rules and the Senate as a Continuing Body," Document 4, 83d Cong., 1st sess., p. 37, Appendix.)

OTHER ILLUSTRATIONS OF CONTINUITY

There are four fields that warrant special attention as illustrating the continuing nature of the Senate. These are first, officers of the Senate; second, Senate committees; third, the Senate as an executive body; and fourth, the treaty ratifying power.

Officers of the Senate serve for no stated term of office. They serve until their successors are selected. Benjamin Harrison, former President of the United States and U.S. Senator, pointed this out in his book entitled "This Country of Ours," page 51. George H. Haynes, in "The Senate of the United States," volume 1, page 261, points out the same thing as an illustration of the continuing nature of the Senate. Senator Anthony on March 24, 1879, while the Senate was in the process of replacing some of its officers with others along purely political lines, observed:

> The Senate never dies. The same which it was when it met in 1789, it is now, and has held continuous and unbroken existence ever since. Its elective officers are chosen, not for a definite period, but during the pleasure of the Senate (CONGRESSIONAL RECORD, vol. 9, pt. 1, p. 147).

With respect to the President pro tempore of the Senate, there have been several significant expressions applying to that office regarding the continuing nature of the Senate. In Senate Report 3, 44th Congress, 1st session, page 2, dated January 10, 1876, the Committee on Privileges and Elections made a survey of the customary procedure regarding the office of President pro tempore. It cited 49 instances where the office held over after the first recess, and only 4 where it did not. The report also stated:

> The custom of the Vice President to vacate the Chair before the close of a session to enable the Senate to choose a President pro tempore did not begin until after the passage of the act of March 1, 1792, and was obviously instituted to meet the contingency contemplated in the act by providing a President pro tempore of the Senate during the vacations of that body. The Senate in contemplation of law is a perpetual body, and the officers of the Senate are as much its officers during its vacations as during its sessions.

A resolution providing that the tenure of office of President pro tempore of the Senate does not expire at the meeting of Congress after the first recess, the Vice President not having appeared to take the Chair, was unanimously adopted January 10, 1876—CONGRESSIONAL RECORD, volume 4, page 316. Senator Merriman made the following statement:

> I want to emphasize the matter. This resolution is adopted unanimously. It is a resolution that affects the organization of the body for all time to come and establishes a precedent.

Two days later, the Senate adopted a resolution stating:

> The office of President pro tempore is held at the pleasure of the Senate (CONGRESSIONAL RECORD Jan. 12, 1876, pp. 360–373).

On March 2, 1891, Senator Charles F. Manderson was elected President pro tempore, to hold office during the pleasure of the Senate, in accordance with the resolution of March 12, 1890—CONGRESSIONAL RECORD, volume 22, page 3637—with the intention, apparently, that his office would continue over into the following Congress. Subsequent Presidents pro tempore were regularly elected with reference to the same resolution. Numerous instances in history are cited in Gilfry's compilation "President of the

Senate Pro Tempore" of officers who hold over from one Congress to the next.

It is a well accepted custom that the Senate can and does order investigations, interim reports, final reports, and recommendations by its committees, without reference to the ending of one Congress or the beginning of another. Even when there is some change in the composition of the committee membership, this procedure is not affected.

While the House has no such rule, the Senate has provided by rule XXV that all standing committees continue until their successors are appointed. Haynes, in his treaties on "The U.S. Senate," not only recognizes this point but attributes the growth of Senate committee activity to it. He states, at page 551:

> But increasingly, beginning with the last quarter of the 19th century, the House has seemed to be relinquishing such activities, while the Senate has been greatly expanding its exercise of the investigative function in the number, variety and importance of its inquiries. The explanation of this remarkable shift is to be found in the contrast between the rules and procedure of the House and of the Senate.

That custom does not continue so much in the present day, of course, but I cite it here as an illustration of the unbroken continuity of the concept, the practices, and the methods that have been used all these years, almost for two centuries now, by the Senate.

The functions of the Senate for various executive, rather than purely legislative, purposes offer further arguments on behalf of continuity. The Constitution gives the Senate prerogatives in giving or withholding "advice and consent" to certain Presidential appointments and with respect to treatymaking. Prior to enactment in 1933 of the 20th amendment to the Constitution, which, among other things, abolished the so-called lameduck sessions of the Congress, and which advanced the commencement of the Presidential term from March 4 to January 20, many special sessions of the Senate, as distinguished from special sessions of the Congress, were convened for executive purposes. Woodrow Wilson, in "Constitutional Government in the United States," at page 127, wrote:

> The continuity of the Government lies in the keeping of the Senate more than in the keeping of the Executive, even in respect of matters which are the especial prerogative of the Presidential office.

It is appropriate to note that while Executive nominations not disposed of in the Senate die with the Congress in which they are submitted, treaties transmitted to the Senate for ratification do not so die. Rule XXXVII of the Senate provides that all proceedings on treaties shall terminate with the Congress, but that they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon. Thus, unless withdrawn by the President or failing from lapse of time, a treaty continues to be live matter and, as such, continues as pending in the Senate.

CONTINUITY AS A MATTER OF LAW

Now, Mr. President, I am mindful that determinations as to whether the Senate is a continuing body are made by this body itself. Thus, I address myself to the point as a lawyer or advocate, and I realize that considerably more than one-half of the Members of the Senate are lawyers, many of them widely recognized and acclaimed in the legal profession.

In the legal approach we may list arguments to present the case as follows:

First. The Constitution provides that two-thirds of the Members of the Senate shall be continuous at all times in their tenure of office. This is in excess of the majority requirements of the Constitution for a quorum to do business.

Second. The Senate is more than an upper house as the terms "upper" and "lower" houses are often used historically or parenthetically. The Senate at law is assigned definite and distinct duties and prerogatives.

(a) It has the sole power to try all impeachments.

(b) It has the power to give or withhold advice and consent in the making of treaties and the nomination and appointment of Ambassadors, Judges of the Supreme Court, and certain officers of the executive branch of the Government.

(c) With the exception of bills for raising revenue, in which it may propose or concur with amendments, it may originate legislation.

Third. The Senate may constitute and empower committees with duties and powers to operate continuously or for times certain irrespective of the beginnings or endings of the terms of Congress. This point has been litigated in the courts, and the continuing nature of committees of the Senate has been clearly recognized. The courts thus have held that the Senate is a continuing body. If it were not such a body itself, its committees could not be continuous.

Fourth. There are definitions at law of what is continuous which definitions by comparison apply to the factual position of the Senate. In cases where courts have had jurisdiction over governmental bodies composed of members elected or appointed at different times on a successive basis such bodies at law have been held to be continuing bodies.

Fifth. The Senate by its legal composition, its traditions, customs, and procedures has operated and has established itself as a continuing body and a separate and distinct institution of Government.

I continue to emphasize these different approaches, the different phases of this question, to show that the unanimous view is that the Senate is a continuing body that goes on from one year to the next, with its power to regulate itself and its control of its own affairs continuing. On at least two occasions it has recognized the legal fact that the Senate is a continuing body. Both cases involved the point as to whether committees of the Senate were within the scope of their authority because Congress was not in session. In *McGrain* v. *Dougherty* (273 U.S. 180–182) the Court stated:

> The rule may be the same with the House of Representatives, whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Mr. Hinds, in his collection of precedents, says: "The Senate as a continuing body may continue its committees through the recess following the expiration of Congress" and after quoting the above statement of Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of Congress." This being so, the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense. (See also Hinds' Precedents, vol. 4, secs. 4396, 4400, 4404, 4405.)

The Supreme Court reiterated the doctrine of McGrain against Dougherty in the case of *Sinclair* v. *U.S.* (279 U.S. 263, 295–296 (1928)). A witness at a Senate committee hearing refused to answer a question on the grounds that the investigation and the question were unauthorized. He was prosecuted for contumacy and convicted. The appeal involved the point that Congress was not in session. The Court quoted the resolution of the Senate authorizing the committee to sit after the expiration of the then current Congress and until otherwise ordered by the Senate, and stated:

> The sole purpose was to authorize the committee to carry on the inquiry. It would be quite unreasonable, if not indeed absurd, for the Senate to direct investigation by the committee and to allow its power to summon and swear witnesses to lapse.

The conviction was affirmed. Since the continuing nature of the Senate was a necessary point in the appeal, this case is a holding by the Court that the Senate is a continuing body. The reference thus is not merely dictum.

Both of these Supreme Court cases have been cited in numerous Federal decisions. They have been Shephardized and many citations are shown. For example, the McGrain case was cited in *Morford* v. *U.S.* (176 F. 2d 54 (D.C. 1949)) to show that the basic intent of Congress in establishing committees must be followed and in *Barsh* v. *U.S.* (167 F. 2d 241 (D.C. 1948)) on the point of a question being authorized as within the powers of a committee. The Sinclair case appears frequently in Federal citations, for example, in *U.S.* v. *Josephson* (165 F. 2d 82 (2d Circuit, 1948)) on the point of the courts turning to congressional practice to show congressional intent. The Sinclair case, citing the McGrain case, probably settled the continuity of the Senate point insofar as the Supreme Court is concerned, unless other points of appeal or certiorari might involve it collaterally.

In other fields of the law we find definitions of the word "continuous" or the phase "continuing body" that are enlightening. In criminal law "continuous" has been defined as something which endures after the period of consummation (*U.S.* v. *Owen* (32 F. 534, 537)).

In contract law a continuing guaranty is one which contemplates a future course of dealing (*Ricketson* v. *Lizatti* (90 Vt. 386, 98 A. 801)).

A continuing trespass is one which remains constantly such as permanent structures on the lands of other person (*Sample* v. *Roper Lumber Co.* (150 N.C. 161 63 S.E. 731)).

In tort law continuing negligence is negligence that was anterior to the time of harm done and continued in force up to the crucial time (*McNeill* v. *Atlantic Coast Line* (167 N.C. 390, 83 S.E. 704, 707)).

An appropriate definition or illustration of what is a continuing body may be found in the New York case of *People ex rel Lazarus* v. *Coleman* (91 N.Y.S. 432, 433, 99 App. Div. 88). The question was on a writ of mandamus running against a governmental board for a wrong done by a previous board. The term of office of board members expired at different times somewhat analogous to the U.S. Senate. The court held that it was a continuing body and allowed the writ. The court stated:

> The terms of office expire at different times. It is therefore a continuing body and a writ of mandamus running against the board to reinstate the relator would accomplish that result whether the board was composed of the same persons who passed the resolution resulting in his dismissal or not.

The same principle involved in this case has been upheld in the Supreme Court of the United States in the case of *Thompson* v. *U.S.* (103 U.S. 480 26 L. Ed. 521).

I submit that by all legal, factual and traditional standards the Senate of the United States is a continuing body.

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

Mr. STENNIS. I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. I was called from the floor and I have not been able to enjoy all of the very fine address being made by the distinguished Senator from Mississippi. I wonder if the Senator has pointed out the two instances in the Standing Rules of the Senate in which the Senate itself has declared itself to be a continuing body.

Mr. STENNIS. I had not covered that. I should be glad to have the Senator read the points he has in mind.

Mr. RUSSELL. On page 37 of the Senate Rules and Manual, in subparagraph (2) of rule XXV, which defines the composition and jurisdiction of the several committees of the Senate, after all of the committees have been defined and named, appears this language:

> Each standing committee shall continue and have the power to act until their successors are appointed.

In other words, the committees have been carried over and they are in existence today, though this is a new Congress. Under this rule the committees have been carried over into this Congress.

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

Mr. RUSSELL. The Senator from Mississippi has the floor.

Mr. STENNIS. I yielded to the Senator from Georgia, so that he could give two pertinent quotes. I shall be glad to yield to the Senator from Pennsylvania also.

Mr. CLARK. I desired to make a comment on the first quote.

Mr. STENNIS. May I yield to the Senator from Pennsylvania?

Mr. RUSSELL. Yes; it does not matter. In rule XXXII, adopted by the Senate, the Senate provided, in section 2:

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

The Senator has discussed very ably the legal definition of the word "continue" as defined by the Supreme Court of the United States.

I am glad the Senator gave the holdings by the judiciary that the Senate is a continuing body. I regard it as equally significant that the Senate has itself always insisted it was a continuing body, and has used the word "continue" on at least two occasions in the rules.

Mr. STENNIS. Even more so is it binding and is it authoritative because we are the ones who have the constitutional responsibility for making those rules.

There was cited by the Senator from Mississippi before the Senator could get to the Chamber the actual vote on the proposal. The last division was 72 to 22.

Mr. RUSSELL. Yes. I was called off the floor and did not hear that comment.

Mr. STENNIS. I yield now to the Senator from Pennsylvania.

Mr. CLARK. I simply wished to bring to the attention of my two distinguished friends the first statement in rule XXV, which is:

> The following standing committee shall be appointed at the commencement of each Congress.

From that language I assume the committees do not carry over automatically but that there is a duty in each Congress to reconstitute them.

It has always been my view that it does not make any difference, for the purpose of this rule controversy, whether the Senate is a continuing body or not. In my judgment, the Senate is a continuing body for some matters and not for others. I am sure my friend from Georgia would agree with that to at least some extent.

Mr. RUSSELL. Indeed. The Senate by its own rules has provided that certain types of business before the Senate expire with each Congress.

The Senator from Pennsylvania should be congratulated, because he apparently is the one who convinced the Vice President of the United States of the fact that the Senate was a continuing body for all purposes except that of changing the rules, which procedure he disliked and declared unconstitutional.

Mr. CLARK. The Senator is very kind, but I have no more influence with the Vice President of the United States than he has.

Mr. RUSSELL. No. I wish that were true. I wish that were true.

Mr. CLARK. Unhappily, it is.

Mr. RUSSELL. The Vice President, of course, started out in his holdings or findings in the matter with an advisory opinion, I believe it was called, some years ago.

Mr. CLARK. 1957.

Mr. RUSSELL. 1957. In that advisory opinion he did not deal with the question of whether specifically the Senate was a continuing body. He did state, that, in his opinion, the Senate could, at the beginning of each session, make rules.

Mr. CLARK. New rules.

Mr. RUSSELL. New rules. I could understand that position.

I can understand the position which was taken by the distinguished late Senator Walsh, of Montana.

I can understand the position of the Senator from New Mexico, that the Senate could meet and make new rules. That was the position of the Senator from New Mexico when he first offered the proposition several years ago; when he moved that the Senate proceed to enact a body of rules.

I have not been able to understand the position of the Vice President, that all rules apply except those he has decided on he will declare unconstitutional.

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

Mr. RUSSELL. That is something I have not been able to exactly comprehend. In my judgment, either all of the rules go over or none of the rules go over. Either, under the exercise of the rulemaking power as provided in the Constitution, the Senate makes its rules and, as a continuing body, the rules apply until changed in the manner described therein, or else in the beginning of each Congress the Senate should adopt all new rules, as is done in the House of Representatives.

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

Mr. RUSSELL. It is not said that the House has one rule approved and one not approved. It is not said, "We approve this rule and disapprove the other. This rule comes over from a previous Congress, and this rule does not come over from a previous Congress."

The House of Representatives adopts all of its rules. I can understand that viewpoint. I think a fairly respectable argument could be made for it, although I think the weight of authority is against it.

However, I cannot understand any argument which says those rules of a certain vintage which relate to certain matters can be changed at the beginning of the session. I will never concede, as a Senator of the United States, as one who is in the legislative branch of the Government and is proud of that fact, that the executive branch, even though acting as our constitutional Presiding Officer, has a right to declare a rule of the Senate unconstitutional.

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

Mr. RUSSELL. Which is what the Vice President undertook to do. The Senate might declare a rule unconstitutional, but the Presiding Officer of the Senate has no right whatever to declare a rule unconstitutional.

Mr. CLARK. Mr. President, will the Senator from Mississippi yield to me so that I can answer the argument?

Mr. STENNIS. I yield to the Senator from Pennsylvania, Mr. President.

Mr. CLARK. I would not make an effort to explain to my good friend from Georgia that which the Vice President of the United States has been unable to explain to him. I suppose this is one of those little things we had better agree to disagree on. But with respect to his second comment, as to the change in rule XXXII, which we made on January 12, 1959, I make the comment that frequently I find myself in the minority in this body, and I know of no one who has a greater respect for the rights of the minority than my good friend from Georgia.

Mr. RUSSELL. I appreciate that statement, because I have made a profession of being in the minority. If I did not respect the rights of the minority, I would not have any self-respect. I have often been in the minority.

Mr. CLARK. I thank the Senator for his comment. When the Senate, by the apparently overwhelming vote of 72 to 18, or whatever it was, inserted the change in rule XXXII 2 years ago, I was one of the 18 of the minority, and I cling to my view that when we took that action, we acted outside the purview of the Constitution of the United States.

Mr. RUSSELL. I understood that the Senator from Pennsylvania at that time thought it was an ultra vires act of a legislature. But it is one thing for a Senator to attack the rule as being unconstitutional and another for him a Presiding Officer to undertake to declare that a rule of the Senate is unconstitutional. If we were to establish as a precedent that the Vice President could declare a rule of the Senate unconstitutional, we would never know whether we were standing on firm ground. Some Senator could make an unconstitutional argument, and the Vice President could declare the rule unconstitutional.

Mr. CLARK. Will the Senator yield further for one comment; and I shall not transgress on his patience further?

Mr. STENNIS. I yield.

Mr. CLARK. I agree thoroughly with the Senator from Georgia that it must be the Senate and not the Vice President which makes the final determination as to whether or not the rule is unconstitutional. I believe that all of us who think it is feel that way also.

Mr. RUSSELL. I appreciate the fact that the distinguished Senator from Pennsylvania thinks the Senate should have the right to appeal a decision of the Chair on these questions. It is quite a concession on his part, and I am grateful to him for it.

Mr. President, will the Senator from Mississippi yield further?

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

Mr. RUSSELL. In the course of the discussion we have been assailed time and again with the argument that there is some great sanctity attached to the sheer weight of numbers, and particularly a majority of one. If there is one body in our system of government which is unique and distinctive it is the Senate of the United States. The feature that makes us such a distinctive body is the fact that our composition is a constitutional refutation of the right of a majority of one to proceed to act in the Government.

The question of representation in the Senate was a rock that almost brought the Constitutional Convention to grief. The Convention was almost wrecked on that rock—the composition of the Senate. The representatives in the Constitutional Convention finally decided that each State, whether large or small, should be represented by two Senators in the Senate, and they did not leave any question to chance. They did not know but that a Vice President might rule that while the Constitution provides that each State shall have two Senators, a rule can be written to provide that the voting strength of Senators shall be based upon population. In that case the two Senators from New York, of course, would outvote the two Senators from Alaska about 100 to 1. The delegates to the Convention took no chances on that question.

The delegates to the Convention said that each State shall have two Senators and each Senator shall have one vote. The provision was spelled out in the Constitution. I suppose one could say, "Of course, if there are going to be two Senators, each will have one vote."

But they were taking no chances on a rule permitting a majority of one in the Senate to institute some sort of proportional voting strength in the Senate.

The delegates to the Constitutional Convention went further and provided that no State could be denied any of its rights in the Senate, and that the votes of the two Senators could not be taken away except with the consent of the State involved. That provision is the only absolute veto in the U.S. Constitution. Their positions in the Senate cannot be affected except by unanimous consent of all the States involved.

We have been talking about a majority of one, which would have the right to move and work its will in the Senate on the remaining 49.99 percent. Each State, no matter how small, has a position of equality in the U.S. Senate.

Under the Constitution, when a Senator from Alaska votes in this body, he casts a vote that gives each Alaskan approximately 100 times the influence that each citizen of the State of New York has when a Senator from the State of New York votes in this body. Yet we are told that the procedure must be wheeled around in order to make it possible for merely a majority of one to declare any measure unconstitutional.

The most distinctive feature of the Senate is that it is a forum of the States, and no State should be denied its rights. Neither the vote of a Senator nor the right of a Senator to defend his position on the floor of the Senate for as long as he desires, should be taken away from him without his consent.

Such right should not be removed by any parliamentary manipulation or Vice-Presidential ruling. It should not be done by any shortcuts. If it is, it ought at least to be done in the way that is prescribed in the rules that govern this body, which no one, until a few years ago, had ever challenged as having come over from year to year.

It has been stated that Senator Walsh apparently challenged that point. I deny that statement. The resolution Senator Walsh submitted to change the rules provided for a committee to be appointed to consider his resolution. The committee was appointed. His resolution was considered, and the committee reported to the Senate in the manner prescribed in the rules of the Senate, and the change in the rules that we now find in section 22 was adopted.

When we determine that 90,999,999 Americans can work their will through the rules of the Senate or by any other means on 89,999,999 Americans who might be opposed to it, we shall certainly destroy the Senate. It is rather remarkable that so many people who have enjoyed the aura that attaches to this body should be willing to destroy it and to destroy our republican form of government. It was never intended that we should have a pure democracy through which a mob from day to day could change the whole scheme of things and the laws of the country.

Mr. STENNIS. I thank the Senator for his contribution.

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

Mr. STENNIS. I yield.

Mr. GORE. I have listened to the eloquent address of my distinguished and able friend, the senior Senator from Mississippi. Many persons seem to regard an extended debate as bad per se. I remind the distinguished senior Senator from Mississippi that the Dixon-Yates contract, in connection with which the Supreme Court today upheld the action of the Government, was killed by an extended debate on the floor of the U.S. Senate.

The junior Senator from Tennessee made the first speech on that contract. There were two or three Senators present on the floor on that day. I made the first half dozen speeches on this contract, and I had great difficulty getting an audience. Eventually it became involved in the Atomic Energy Act of 1954.

I wish now to make this point. In the course of consideration of that proposed legislation, the distinguished majority leader of the Senate, former Senator William Knowland of California, began to use what I regarded as a very oppressive legislative instrument. He moved to lay on the table every amendment that I and other Senators on our side of the question offered. As the able Senator knows, the motion to lay an amendment on the table means there can be no further talk on it.

This helped stimulate an extended debate, of which I was one of the leaders. That debate lasted for 13 days and nights. There was never an attempt or intention of preventing a vote on an amendment or on the measure ultimately, but in the course of that debate we resisted and we talked, until on the floor of the Senate there was an abandonment of the use of the oppressive parliamentary device of laying on the table without debate an amendment offered by a Member of the Senate. When that parliamentary device was abandoned, we quickly came to a vote.

I point out these two things with respect to extended debate to illustrate that good frequently comes from a so-called educational campaign in the Senate. In most cases even those who are engaged in this kind of endeavor are those who are generally described as liberals in the Senate.

I do not subscribe to the kind of filibuster when cake recipes are read. I believe in germane debate, but I believe in the right of Senators to resist oppressive legislative tactics by freedom of debate.

Mr. STENNIS. I thank the Senator very much for his very fine contribution. He has certainly refreshed my recollection very pleasantly when he refers to the debates on that occasion, when he made the first of several speeches and aroused the Senate and the country on the bad parts of that measure and the Dixon-Yates matter.

I remember that the senior Senator from Oregon [Mr. MORSE] made a very fine contribution in that same debate. I may say to the Senators who have recently taken their seats, this month, that that event is an outstanding illustration of the wisdom of the Senate rules, which are now sought to be largely destroyed.

To illustrate the difference in the rules of the two Houses, I may say that at that time I visited in the House of Representatives, and noticed that one of the Representatives from the State of Mississippi, with every county in his district directly affected by the proposed legislation, was permitted to debate that far-reaching measure for 3 minutes in his own right as a Member of that body. Another Member graciously yielded him 2 additional minutes. Therefore, he had 5 minutes available to him to debate the measure. That is all the time he had available to him to debate the points he had in mind. As a matter of fact, the presiding officer in the House took about 4 minutes trying to get sufficient order so that the Member might be heard.

The bill was sent to the Senate. As the Senator from Tennessee has said, "We debated it here for 13 days and nights." The senior Senator from Oregon and other Senators, who are generally referred to as liberals, did a very outstanding job in that debate. I remember that the Senator from Tennessee rendered fine service in that connection.

I also recall that the Senator from California, who was then the majority leader in the Senate, actually undertook to portion out the time for debate. He yielded 10 minutes, for example, to a Senator. In other words, he withheld his motion to table a Senator's amendment and allowed him 10 minutes to discuss his amendment. I remember that in the course of the debate the Senator from Mississippi replied that he was not willing to pay that price, meaning that he was not willing to treat the Senate rules in any such way, and, therefore, he did not speak on my amendment.

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

Mr. STENNIS. I yield.

Mr. GORE. I wonder whether the Senator recalls that the moment at which the extended debate took a turn toward an imminent end came when the junior Senator from Tennessee offered another amendment and the majority leader rose to inquire of the junior Senator from Tennessee how long he wished to speak, which indicated another motion to table would be made, and the junior Senator from Tennessee said he did not wish to be recognized upon any limitation except in his own right as a Member of the U.S. Senate. There was a bit of staring at each other. Then the distinguished majority leader took his seat without making a motion to lay on the table. The junior Senator from Tennessee then spoke for less than 5 minutes, and we proceeded to vote.

Mr. STENNIS. I thank the Senator for refreshing my recollection as to that happening in the Senate. I remember it well now. No matter how any Member of the Senate might have voted on that bill, in the final analysis I believe that was one of the great moments of the Senate, when individual Members of the Senate refused to be mistreated under a possible use of the rule.

I state further that the program became law and has served its purpose well, and seems to have balanced out the various conflicts of interest that were represented in that far-reaching measure. With reference to the matter of the contract in Memphis, Tenn., as the Senator from Tennessee has stated, the courts today, as I understand, have given final approval to it.

Mr. GORE. The Supreme Court.

Mr. STENNIS. The Supreme Court of the United States today has given final approval to the contentions and points that were fully debated.

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

Mr. STENNIS. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I believe the Senator well recalls, because most of these matters happened while he was here, that on a number of occasions the rules have proved to be the real bulwark of protection for our democracy. A number of occasions come to mind. One proposal was to pack the Supreme Court of the United States. That measure went through the House in a few days. It ran into serious opposition in the Senate. As a result, through debate it was defeated in the Senate. Except for the rules, the Supreme Court packing measure would perhaps have been enacted.

Then there was the proposal to draft railroad labor into the Army and use that labor as slave labor, one might say, to run the railroads under draft. That measure passed the House of Representatives on the same day it was introduced. It was probably one of the greatest achievements of Bob Taft when he led the debate against that proposal. The measure, after 2 weeks of debate, was put aside.

I believe another illustration of this situation was the patent provisions of the Atomic Energy Act when they came before the Senate. The junior Senator from Tennessee made a magnificent contribution to that debate, showing how completely unsound those proposals were. Those are three examples of proposals that were unsound.

This Nation would have been plagued with those proposals for many years to come if it had not been for the right of a Senator to stand here, hold the floor, and explain why he thought an unsound measure was being proposed. I would not like to see applied in the Senate the rule which exists in the State Legislature of Louisiana, whereby the floor leader, any time he thinks he is getting the worst of a debate, can move the previous question, even while another man is speaking, and get a vote on it.

Measures of the sort I have described certainly would have passed the Senate if we had had such a rule as that.

When one starts to destroy the rules and to strike at what appears to be surplusage at the moment, then someone else wants to modify it further, and over a period of time, all the safeguards we have for sound consideration disappear.

Mr. STENNIS. I thank the Senator from Louisiana for his very sound remarks. It seems to me that the Senate might be likened unto a man who is sound in body and sound in mind. But if he takes a sharp knife and continues to keep whittling at his right hand, he finally cuts it off. The Senate might be cutting off its great power in government; and certainly we have whittled considerably on ourselves over the last few years.

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

Mr. STENNIS. I yield.

Mr. HOLLAND. I compliment the distinguished Senator from Mississippi warmly upon the very fine address he has just made. If it once be conceded that the Vice President—the present Vice President or any other Vice President, not, of course, referring to the present Presiding Officer of the Senate (Mrs. NEUBERGER in the chair)—may, in his or her judgment, decide that any rule is unconstitutional, and then submit the matter to a majority of the Senate for a decision, does that not open the door wide to a knocking out by the mere majority of the moment of any rule of procedure, whether or not the written rules are, or rules which have been, decided by many precedents in the past?

Mr. STENNIS. The Senator from Florida is exactly correct. The present Vice President has made his ruling, stating that it pertains to the right of the Senate to make its own rules. Some other Vice President may select another basis. The Senator from Florida [Mr. HOLLAND] has made a fine point.

Mr. HOLLAND. I thank the Senator from Mississippi. It occurs to me that if the present Vice President can make this particular point at the beginning of the session, or at the beginning of this Congress, as to rule XXII, there is no reason whatsoever why he or any other Vice President cannot make the same

point concerning the same rule or any other rule at any stage in the course of the session, which, of course, upon submission to the Senate, leaves the question, it seems to me, completely to the whims, the caprices, and the momentary judgment of a majority of the Senate to alter the Senate rules at will. Does not the Senator agree with me?

Mr. STENNIS. I agree with the Senator wholeheartedly. I think that is one of the great dangers confronting us. I fear a majority of the Senators have not maturely considered that point.

Mr. HOLLAND. I thank the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Florida.

Mr. President, I said in the beginning that this was a matter which should be dissociated from all pending or prospective legislation in the civil rights field or any other field. This question goes to the very heart and, I may say, soul of the Senate itself.

I make the point that every Senator should vote his convictions and his final judgment, but I hope that if they vote to sustain the position of the Vice President, they will say they are not voting simply to sustain a ruling from the Chair on this point, because I believe under our system of government no mortal man has a semblance of authority, be he a constitutional officer or anyone else, to declare invalid, void, and unconstitutional a rule deliberately adopted by this body. Whenever we admit such a contention, I think we are not only on the way out, but we have already completed our labors as an important and distinctive branch of the Government.

So, however, one may feel as to what the rules should be, let us not be a party to establishing and sustaining a precedent of this kind. I do not speak of the Vice President personally. I do not believe anyone, anywhere, in our system of government can set himself up as a one-man court to make a ruling on a so-called constitutional question and thereby upset the rules or upset a body of the type of the U.S. Senate, a constitutional branch of our Government. I believe the Senate simply ought not let that happen. We should dissociate ourselves from such a course of action.

I appeal to the great liberal Senators, like the Senator from Oregon [Mr. MORSE]. I appeal to him and his fine sense of justice and his strong, vigorous thinking. I urge him to rethink this matter, should he be inclined to let the Presiding Officer set such a precedent as the knocking out of the rules of the Senate, starting them on their way to being declared invalid, simply by a ruling which, as I understand, is more or less gratuitous anyway.

I want to emphasize what I believe the Senator from Tennessee has already emphasized far beyond anything I could present. I emphasize that this is not a southern fight. It is not a rule XXII fight. I sometimes think there is some effort made to scare new Members of the Senate away from voting with those of us who seek to maintain these rules so rigidly. I think this question goes to the very vitals and the very heart of our form of government, and more particularly of this body.

Rule XXII has been used in the past by almost all minority groups, as well as by almost all of the liberal forces in the Senate. I think that since I have been a Member of the Senate there have been more delays and so-called long debates by far carried on by those who live outside the South than by the southerners themselves. It may be true that the debates in which the southerners have been the leaders have run longer; but only the other day I saw the Senator from Wisconsin and his colleague carry on a two-man discussion. That could be repeated many times.

Protection has been sought not only by the southern Democrats but also by progressive Republicans such as the late Senator La Follette, of Wisconsin, the late Senator Borah, of Idaho, and many others.

There are two examples of legislative measures which were highly popular in the excitement of the times and which were defeated in the Senate because the Members of the Senate and the people of the country had an opportunity to take a second look at the matters. They have been referred to briefly, but to complete the record at this point I shall refer to them again.

In 1937, when President Roosevelt was seeking to increase the membership of the Supreme Court, his popularity would have assured this objective had the matter been brought to an early vote. The strategy of delay was decided upon, and after a few months a majority of the Senate came to the conclusion which most of them hold today, namely, that the Supreme Court should be an independent body of respected jurists, not loaded with political appointees.

Later, during the railroad strike of 1946, it was recommended that striking employees be drafted into the military service. A bill looking to that end passed the House of Representatives within minutes after the recommendation had been made. In the Senate, however, the more thorough and detached consideration of the measure led to its being killed as unwise. There have been cases when prolonged debate has been the major factor in the passage of bills. Recent examples of this were the Lend-Lease Act of 1941 and the loan to Great Britain in 1946, both of which had doubtful support when the debate was begun, but which later gained a substantial majority.

I have already referred to the disclosures and the understanding which came to the people and to Congress concerning the recall of General MacArthur by President Truman. Thus, almost every minority group in the country has benefited because of this principle in conducting the business of the Senate. I am satisfied that not only has the country as a whole benefited, but that the country as a whole and minority groups will suffer should the Senate not protect its own rules.

From this brief résumé of the principle and the rule as it now stands, we can see that free debate has best served those who would now destroy it, even though none can tell who may be the next to invoke its protection.

Those who are contending for a change would destroy this rule and the principle it sustains because this manner of procedure has become beclouded by the civil rights issue—a legislative matter. That I believe is 99 percent of the cause of the pressure and the agitation to destroy this mud sill, this bedrock of the Senate.

Rule XXII, as a procedural rule, is more important than the passage of any bill. It is more important than the passage of the civil rights bills by those who favor them. It would be hard for me to think of a more effective method of cutting down the States' rights and powers than by putting this proposed straitjacket of gag rule on the Senate or any part of it.

Madam President (Mrs. NEUBERGER in the chair), I now raise the question, who comes here, after all, urging that these rules be swept away in the way now proposed, and that such a precedent be established, and that majority rule control? Is it the majority leader of the Senate? Not as I understand. Is it the minority leader of the Senate? Not as I understand. Is it the President-elect of the United States, to whom we look to carry the burdens which will face him as the months unfold—greater burdens, unfortunately as I have said, than I believe any President within the last 100 years has faced. No, it is not they. Madam President, from what source does the call for this proposed change come? What is the need for it? Madam President, I submit there is no need for it, or else we would have heard the call come from those who must carry these burdens and responsibilities.

I hope the day never comes, and I do not believe it has come, when a majority of the Senate will let its Presiding Officer set aside its major rules, without debate, without any training as a judicial officer, without any preparation which ordinarily would be had in connection with so grave a step—but simply because he might declare so important a rule unconstitutional.

Mr. HOLLAND. Madam President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator from Mississippi yield to the Senator from Florida?

Mr. STENNIS. I yield.

Mr. HOLLAND. Let me say that I think the Senator from Mississippi has well made the point that since rule XXII was adopted in 1917, very much more good than evil has been done under it.

I make the additional point that prior to 1917 there was no limitation whatsoever upon debate; and the 1917 rule, which with some amendments is now the rule, was a restrictive one and was so regarded. Furthermore, under the rule of unlimited debate which prevailed prior to 1917, much more good than evil was done as a result of unlimited debate.

I call attention to the following list of proposed laws which were defeated for the moment by unlimited debate in the years prior to 1917:

The reconstruction of Louisiana measure, which was defeated in 1865, and was replaced with a better law in 1868.

The election laws of 1879, which had to be repealed in their entirety in 1909.

The force bill of 1890–91, which was defeated; and there is no one to mourn its defeat; no one would stand for it for a moment now.

The three river and harbor bills which were defeated in 1901, 1903, and 1914, all of them being replaced later by better measures.

The Tri-State bill, which was defeated in 1903, and was replaced by a better one in 1907, which was amended in 1912.

The Columbian Treaty, which was defeated in the regular session in 1903, but was ratified in a somewhat different form in a special or subsequent session that year.

The two ship subsidy bills which were defeated in 1907 and 1922–23, but were replaced in different form in 1936.

The Canadian reciprocity bill, which was defeated in 1911, but was passed later in better form.

The Arizona-New Mexico statehood bill, which was defeated by a determined filibuster by those who felt that each of those territories was entitled to be a State; and later, as the RECORD shows and as history shows, each of them has made a fine State, when admitted under subsequent legislation.

The ship purchase bill of 1915, which was passed in different form in 1916.

The point I should like to make is that even under the rule of unlimited debate, without the restrictions embraced in rule XXII, as now somewhat modified, the history of the Senate and the history of the country show that vastly more good than harm was done by debate without any limitation.

So I warmly commend the Senator for insisting upon preserving the limited restriction upon debate which is embraced in rule XXII, as modified.

Mr. STENNIS. I thank the Senator from Florida.

Mr. MANSFIELD. Madam President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. Madam President, I have listened with great interest to the remarks which have been made by the distinguished Senator from Mississippi [Mr. STENNIS], the Senator from Louisiana [Mr. LONG], and other Senators, relative to certain pieces of proposed legislation which passed the House of Representatives, but were held up, stopped, or debated at length in the Senate.

One of those pieces of proposed legislation was the proposal—for which, unfortunately, and to my sorrow, I voted in the House of Representatives—called for drafting the railway strikers. Reference has been made to the part the Senate played in killing that nefarious and uncalled for piece of legislation, and some reference has been made to the outstanding efforts of the late Senator Robert Taft, of Ohio, a great Senator. I think we should also remember that there was another Senator who raised his voice and had as much influence in stopping that attempt to "railroad through" that proposed legislation—and I am not using a pun—and that is the distinguished senior Senator from Oregon [Mr. MORSE], who at that time joined Senator Taft, and they, too, were joined by other Senators. Many times since I have thanked God that there was an institution such as the U.S. Senate where a mistake which we made in the House of Representatives, and to which I contributed, could be corrected and was corrected.

Mr. STENNIS. I thank the Senator from Montana for his very fine contribution.

Mr. MORSE. Madam President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I yield.

Mr. MORSE. Let me say that I appreciate the comment made by the Senator from Montana, although he touched on a very delicate matter, insofar as I am concerned. The Senator from Montana will recall that in the heat of that debate I made an unkind reference to the President of the United States, for which I subsequently apologized, although the fact is that the surrender of the railroad brotherhoods in that controversy was prepared by me, in my office, and was dictated by me, and was written on the typewriter by my stenographer, and was placed on the desk of the President by 10:30 that morning—which preceded the speech he made before the joint meeting of the two Houses. It was in the heat of that debate, knowing that background of fact, that I made the statement for which I subsequently apologized, and which apology the President, because of his bigness, most generously accepted.

But the Senator from Montana is correct on the point that on that occasion it was the Senate debate of substantial length which prevented, I believe, the making of what would have been a great mistake.

Mr. STENNIS. I thank the Senators for their very pertinent comments on these points.

Madam President, again, with all deference to the present Vice President, and let me say that my remarks apply to the Office, I trust that a majority of the membership of this great body, with its distinctive characteristics in our form of government, will not permit to stand a ruling by its Presiding Officer that its rules are unconstitutional and therefore are void and invalid. We have seen such a ruling made; and then the Chamber became almost vacant, while the matter was really discussed on its merits by only a few Senators, who pointed out the lessons of history as evidenced by the experience of the legislative branch and by the experience of others. While all that was being done, the seats of Senators in this Chamber were almost entirely vacant. But, following that, the Senators who advocate the change will return to the Chamber and will attempt to permit a majority of the Senate, even though honest, to materially change and greatly lessen the power and the importance and the responsibility of this great branch of our Government.

Madam President, I trust that that will not happen, and I do not believe it will happen.

I yield the floor.

Mr. MORSE. Madam President, on the afternoon of January 4, I said, as will be found on pages 79–80 of the CONGRESSIONAL RECORD for that date:

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.

I introduced a series of bills on that day, and by oversight my resolution was not included in the series. I now ask unanimous consent that my resolution be accepted for introduction, appropriately referred, and printed at this point in my remarks.

The PRESIDING OFFICER. Without objection, the resolution will be received, appropriately referred, and printed in the body of the RECORD.

The resolution (S. Res. 24) was received and referred to the Committee on Rules and Administration, as follows:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

"If at any time, notwithstanding the provisions of rule III or 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, 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 a majority vote of those 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; except that any Senator may yield to any other Senator all or any part of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. 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."

SEC. 2. Subsection 3 of such rule is hereby repealed.

Mr. MORSE. Madam President, the resolution, as well as the Humphrey-Kuchel resolution, in my judgment covers every objection that was raised this afternoon by the speeches of two of our distinguished colleagues, the Senator from Texas [Mr. BLAKELY] and the Senator from Mississippi [Mr. STENNIS].

In the course of their remarks they stressed the importance of the Senate rule as a check upon precipitate action in the Senate. They pointed out that time and time again the Senate had been able to function as a check upon hasty action in the Senate; and no one would fight harder to protect that checking power of the Senate than the senior Senator from Oregon.

But the exercise of the checking function under our form of government does not include in its meaning the power to prevent action from ever occurring on an issue when a majority of the representatives of the people think action should be taken. The Humphrey-Kuchel proposal, the Morse antifilibuster proposal, the antifilibuster proposals introduced in the past by Senators such as the senior Senator from Illinois [Mr. DOUGLAS], former Senator Lehman and others have not only sought to protect minority rights, but also to make it possible for democratic procedures, through the exercise of the majority rule principle, to function. Every debate that was used as an example this afternoon, whether it was the railway case of 1946 or the atomic energy bill or the Dixon-Yates contract, about which I shall have something to say momentarily, could have been held under our proposals, just as it was held. In fact, more debate could have been held on each of those issues than in fact was held if any one of these antifilibuster resolutions had been the rule of the Senate, because these antifilibuster resolutions guarantee adequate time for the minority to present its case, guarantee the checking of a steamroller tactic in the Senate, and assure that there shall be at least 100 hours of debate after cloture.

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

Mr. MORSE. I yield.

Mr. CLARK. I am delighted that the Senator from Oregon is making this point. It seems to me it should be made over and over again until we are able to persuade not only our colleagues, but the American people, that what the Senator from Oregon has said is irrefutable logic and cannot be denied. There is no effort by any Senator—certainly not the Senator from Pennsylvania and certainly not the Senator from Oregon—to restrict full debate of any issue, but we would give the Senator from Tennessee [Mr. GORE], the Senator from Montana [Mr. MANSFIELD], and the Senator from Oregon [Mr. MORSE] the opportunity to hold up a vote on an issue of importance until the question had been completely ventilated—for 2 or 3 weeks, if necessary. I hope that no Member of this body will vote against any of the present efforts to modify rule XXII on the totally fallacious ground that this is the only way that those in the minority can take their case to their colleagues in extenso as well as to the country. I congratulate the Senator from Oregon for his very capable presentation of that point of view.

Mr. MORSE. I thank the Senator from Pennsylvania for his comments. I wish the Senator from Pennsylvania to know that I stand shoulder to shoulder with him in support of the Kuchel-Humphrey or the Humphrey-Kuchel proposal and other proposals that guarantee this protection to the minority. This afternoon the distinguished Senator from Georgia [Mr. RUSSELL], one of the great parliamentarians of the Senate, together with the Senator from Mississippi [Mr. STENNIS], and the Senator from Texas [Mr. BLAKLEY] and other Senators cited some of the historic debates of recent years in the Senate in which the debate was conducted at some length, but in every case they cited no cloture petition had been filed.

These debates were all held prior to cloture. The antifilibuster resolution known as the Humphrey-Kuchel proposal, or the Morse antifilibuster resolution, which I have just offered, provides for lengthy debate after cloture—after a petition is signed by 16 Senators proposing that debate be brought to an end.

Has any Senator stopped to think what 100 hours of debate means in the Senate? As the Senator from Pennsylvania has clearly stated, it means many days of debate. Suppose the Senate met for 8 hours a day in debate. There would be many days of debate after cloture. No one can convince me that if we are entitled to 100 hours of debate after cloture, which, in most instances means that there have already been many days of debate before cloture, we cannot present to the people of this country every possible argument that can be presented on an issue—I care not what the issue.

MEANING OF CHECKS AND BALANCES

To my distinguished friends who have been arguing the checking power of the Senate, I should like to say that in my judgment it is a misapplication of this precious procedural principle in our constitutional form of government which we call the check-and-balance system. The check-and-balance system does not mean that any division of our Government shall exercise the authority of preventing another branch of the Government from exercising its prerogatives on an issue. But this filibuster technique that is argued for by some would continue a power in the Senate so that neither the courts nor the executive branch of the Government shall have an opportunity to pass their judgment upon the particular issue that may be involved in a given piece of legislation. In other words, they seek to maintain a continuation of a procedure in the Senate that gives a minority in the Senate the power of finality on an issue. Such an exercise of power by a minority of Senators, in my judgment, does a great wrong and injustice to the entire theory of the check-and-balance system under our form of government.

What we seek is a guarantee that there will be full protection in the Senate of minority rights for full and adequate debate on a subject by the minority seeking to change themselves into a majority and seeking to inform the American people as to what is involved. But after there has been full and adequate debate, under our democratic form of government the majority should have the right to work its will on the legislative process and pass the legislation if a majority of Senators favor it. Then it should go to the White House for veto if the President believes that, on the merits, it ought to be vetoed. That is the exercise of the checking power by the President. If the measure is signed by the President, it may go to the courts of the land for the exercise of the judicial checking functions of the judiciary. That procedure will keep faith with our democratic processes. It gives full effect to what we call our system of checks and balances. Therefore, I think the time is long overdue when the attempt to maintain a power of finality in the Senate by a minority should be defeated.

It is said, and particularly pointedly to me and other liberals in the Senate, that in the decades gone by since 1917 there have been liberals in the Senate who have fought attempts to place a limitation upon debate. I believe in doing my research, and so I have been doing a little research on this subject. It is true that liberals such as La Follette, Hiram Johnson, Norris, and others have been opposed to limitations upon debate.

It is also true, Madam President, that the record fails to disclose that they ever had an opportunity to discuss the specific proposal which is now before the Senate. I am perfectly willing to say that it may be, if they had had the present proposal before them, they would have held to their position. However, I cannot be sure.

If they lived now and saw the changed conditions that have occurred in our democracy since the time that they walked the carpet of this historic Chamber, they might recognize that the time had come when there ought to be a reasonable limitation which would provide for 100 hours of debate after cloture, as a rule in the Senate. If they held to their position that the resolution we seek to adopt should not be adopted, I would say that great as they were, they would be in error, and I would vote against them on the floor of the Senate.

At a later time in the debate I propose to present persuasive data which will show that a majority vote rule will succeed in protecting minority rights and still make it possible for the majority to exercise its will on legislative processes in the Senate in keeping with the constitutional meaning of the check-and-balance system.

It will show that the so-called 60-percent rule will not do it, that the 60-percent rule at best is an expedient, that the 60-percent rule has within itself no inherent merits; that the 60-percent rule is at best a compromise, and, I think, a very bad compromise, and that the 60-percent rule will not, in fact, based upon past filibusters, have succeeded in breaking those filibusters. In fact, in my judgment it is possible to make a case for the adoption of the majority vote proposal, but it is not possible

to make a case on the merits for the 60-percent rule.

Therefore, as I have previously announced, I shall vote against the 60-percent proposal and shall continue my fight, so long as I sit in the Senate, for giving to the American people the rule they are entitled to, namely, majority vote rule, and giving to the Democratic Party, may I say, a keeping of its pledge. The Democratic Party, in convention assembled, did not pledge any 60-percent rule. The Democratic Party pledged a majority vote rule.

I do not intend to walk out on that pledge by supporting any expedient compromise. I serve notice on my liberal colleagues that they can count me out on that compromise. When they are ready to stand firm again for a majority vote rule in the Senate, I will join them. I shall not only vote against them on the 60-percent rule, but I shall be glad to join in making them understand the merits of the majority vote principle by engaging in a long discourse on public education on the question, if it is going to be a 60-percent rule that will be the final compromise proposal.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Madam President, on behalf of the distinguished chairman of the Senate Committee on the District of Columbia, the senior Senator from Nevada [Mr. BIBLE], and myself, I intend to introduce a bill to provide for the city of Washington an elected mayor, an elected city council, and an elected nonvoting Delegate to the Congress of the United States.

It is with great pleasure that I do this, for the subject is one which has occupied my attention for several sessions of the Congress and it is a special source of gratification to me to be associated in this endeavor with the great chairman of my committee who has consistently demonstrated the sincerity of his interest in the District by the effective manner in which he has successfully sought and obtained legislation of value and importance to the District.

I am further heartened as I view prospects of legislation this session by the information that my gracious colleague in the House of Representatives, the Honorable EDITH GREEN, of Oregon's Third Congressional District, is offering a companion measure in that body. She will be a most valuable and articulate ally in this important fight for principle of government at the local level. This principle is that government of a city should be based upon the free election by the citizens of representatives responsible to them for the conduct of local affairs.

Madam President, the great French philosopher, Montaigne, warns us in one of his essays that:

> Our ordinary practice is to follow the inclinations of our appetite, to the left, to the right, upward, downward, just as we are wafted by the winds of occasion. We know what we want only at the moment we want it.

In the past decade, the winds of occasion have blown fiercely about the subject of the bill we propose to introduce this morning.

However, what is proposed is no new and glittering venture; rather, it is but an extension of the practice to be found in each of our States. Local self-government is a mode of political behavior which has deep roots in our national past and against which, in abstract, no man or woman in this Chamber would argue.

The home rule bill we offer today differs from that which passed the Senate last session, only in the fact that effective dates have been modified to make it current. Yet, we would not be realistic were we to hazard that this simple needed legislation will become law without controversy or amendment. Rather, it is my hope that early consideration can be given to the bill by committee and that in the hearing room all points of view may be voiced to the end that the reported measure will be strengthened in detail while preserving the essential elective structures.

I feel that the bill, in principle, is sound; that the procedures set forth in it are workable; and, that enactment is in the public interest. It is not necessary to rehearse in tedious detail at this time the arguments supporting the measure. It will suffice to state that by its introduction, once again, the Senate is presented with an opportunity to pass upon the merits of a specific proposal to convey to the people of Washington, D.C., a right—a birthright, if you will—of which they have long been deprived.

Madam President, it is so easy for our memories to be short. However, as I introduce the bill again, I wish to pay tribute once more to a former Member of this body who has gone to his reward, to the great Matt Neely, of West Virginia. Although the bill for a time was known as the Neely-Morse bill, and then became known as the Morse bill, I have always referred to it as the Neely-Morse bill, because when it was first introduced in the Senate many years ago, Matt Neely and I stood together, as we fought for true home rule for the District of Columbia. We defined true home rule as encompassing the election of a mayor in the District of Columbia. We fought for that principle because in my judgment there cannot be true home rule in the District of Columbia if the chief executive of the municipal government is imposed upon the citizens of this community by the President of the United States or by any other officer. It seems to me that if we wish to present to the world a good example of democracy in action, we will not delay any longer the adoption of a home rule bill that gives true home rule to the District of Columbia by giving its citizens the right to elect their own mayor.

Recently—in fact, from September until December—I served as one of the delegates in the U.S. delegation at the United Nations. I do not know how many delegates, during those 3 months, came to talk to me about the situation in regard to the denial of democratic rights in the District of Columbia. I was quite surprised to discover how well informed delegates from Africa, Asia, and Latin America were in regard to the denial within the District of Columbia of this basic democratic right of local self-government.

Therefore I wish to say, as a member of the Committee on Foreign Relations, that when I introduced the bill this afternoon I also introduced a subject matter that is of more importance to the foreign policy of this country than, I am sure, many of my colleagues fully comprehend. Our failure to grant local self-government to the citizens of the District of Columbia has resulted in great damage to our prestige in the world, for the obvious and well-established fact that we do not always square our fine-sounding preachments about our democracy and our practice of it here at home.

In the consideration of this bill, I hope that matters truly extraneous will not be given weight, but instead, that we will adhere in our deliberations consistently to a pattern of legislative action based upon the extension to the people of the District of those principles of democracy and local responsibility for civic functions which are common to all the other cities and towns of our country.

Let us not be wafted hither and thither by winds of expediency, nor by the counsels of the trimmers. Instead, let us at this session set a straight course and, by adhering to it, bring this long deferred but urgent business to a successful conclusion.

Madam President, I introduce for appropriate reference a bill to provide home rule for the District of Columbia, and I ask unanimous consent that a section-by-section analysis of the bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 287) to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes, introduced by Mr. MORSE (for himself and Mr. BIBLE), was received, read twice by its title, and referred to the Committee on the District of Columbia.

The analysis presented by Mr. MORSE is as follows:

SECTION-BY-SECTION ANALYSIS

TITLE I—DEFINITIONS

Contains definitions of principal terms used in the bill.

TITLE II—STATUS OF THE DISTRICT

Incorporates the District of Columbia as a body politic and corporate in perpetuity for governmental purposes. Provides that all the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia, and that the boundary line between the District of Columbia and the Commonwealth of Virginia remains unchanged.

TITLE III—THE DISTRICT COUNCIL

Creates a District Council consisting of nine members elected as provided in title VIII. The qualifications for members of the Council are set forth as follows: (1) a qualified elector; (2) is domiciled in the District and resides in the ward from which he is nominated; has, during the 3 years next preceding his nomination, resided and been domiciled in the District and has for 1 year

preceding his nomination resided and been domiciled in the ward from which he is nominated; (3) holds no other elective public office; and (4) holds no appointive office for which compensation is provided out of District funds.

The compensation for such members is fixed at $8,500 per annum for the Chairman and $6,500 for members.

The powers of the present Board of Commissioners are transferred to the Council, except those conferred on the Mayor, and the Board of Commissioners is abolished.

The Board of Education is abolished, and its functions are transferred to the Council for exercise in such manner and by such person or persons as the Council may direct.

The Zoning Commission, the Public Utilities Commission, the Redevelopment Land Agency, the Armory Board, and the National Capital Housing Authority are abolished and their functions transferred to the Council. Powers of the Council and the qualified electors, and the limitations on those powers, are spelled out. The Commission on Mental Health, the National Zoological Park, the Washington Aqueduct, the National Guard of the District of Columbia, or any Federal agency are specifically excluded from the authority of the District government.

The qualified electors and the Council are prohibited from passing any act inconsistent with or contrary to any provision of any act of Congress as it specifically pertains to any duty, authority, and responsibility of the National Capital Planning Commission, except as to membership on the National Capital Planning Commission and the National Capital Regional Planning Council as regards to the Engineer Commissioner or the Board of Commissioners.

The bill makes explicit the constitutional power of Congress to legislate at any time with respect to the District of Columbia.

Jurisdiction over the municipal courts shall vest with the Council. Any person to be appointed or elected after the date of enactment of this act shall hold office for a term of not less than 10 years and receive a salary not less than the amount payable to an associate judge of the municipal court.

The bill provides for the election from its members of a Chairman and a Vice Chairman of the Council, the appointment of a secretary as its chief administrative officer with duties as specified in the bill, and such assistants and clerical personnel as may be necessary, the calling of the first and regular meetings, the establishment of committees, the scope and form of acts and resolutions, and the procedure for the adoption and passage of zoning acts. The Council is empowered to conduct investigations, and to issue and enforce subpenas.

TITLE IV—MAYOR

Creates the office of Mayor to be elected as provided in title VIII. The qualifications for holding the office of Mayor are as follows: (1) A qualified elector; (2) is domiciled and resides in the District and has during the 3 years next preceding his nomination been resident in and domiciled in the District; (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. His salary is to be $15,000 annually, with an allowance for official expenses of not more than $2,500 annually. The bill confers on him usual administrative powers and duties, including the power to appoint personnel in the executive branch of the government and to remove such personnel in accordance with applicable laws and regulations. The Mayor would have full authority to execute the powers and duties imposed upon him by law, including the authority to redelegate functions to subordinate officials as he deems necessary. The Mayor shall keep the Council advised of the financial condition and future needs of the District, and make such recommendations to the Council as may seem to him desirable. The Mayor is empowered to veto acts of the Council; they may be passed over his veto by vote of two-thirds of the members of the Council.

TITLE V—THE DISTRICT BUDGET

The fiscal year of the District of Columbia is fixed by the bill, and the preparation and adoption of the budget is provided for. The Council is empowered to rescind previously appropriated funds then available for expenditure, or to appropriate additional funds.

TITLE VI—BORROWING

The District is authorized to incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget, with a restriction that the aggregate debt, including debt owed to the Treasury of the United States, is not to exceed 12 percent of the average assessed value of the taxable real and tangible personal property of the District as of the 1st day of July of the 10 most recent fiscal years for which such assessed values are available. The bill provides that new debt would have to be approved by the voters except that, within the 12 percent limitation, debt up to 2 percent (in the aggregate) of the assessed valuation of taxable real and personal property could be authorized by the Council without approval of the voters. The Council shall make provision for the payment of any bonds issued pursuant to this title, and the bill sets forth the provisions which must be contained in an act authorizing the issuing of bonds.

The Council is authorized to issue supplemental notes in a total amount not to exceed 5 percent of the total appropriations for the current fiscal year if there are no unappropriated funds available to meet supplemental appropriations. Such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective. Short term notes may be issued in anticipation of revenues in an amount not to exceed 20 percent of the total anticipated revenue for the current fiscal year.

Bond acts of the District shall, where necessary, provide for the levy annually of a special tax without limitation of rate or amount upon all taxable real and personal tangible property in the District in amounts, which, together with other revenues of the District available and applicable for such purposes, will be sufficient to pay principal and interest as these fall due. In addition, the full faith and credit of the District for the payment of the principal and interest on all bonds and notes is pledged.

Bonds and notes issued by the Council and the interest thereon would be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

The bill would permit national banks, Federal building and loan associations and Federal savings and loans associations and banks, trust companies, building and loan associations, and savings and loan associations domiciled in the District of Columbia, to underwrite and trade in public bonds or notes of the District issued pursuant to this title.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

This title provides for the bonding of employees of the District, and the Mayor is charged with the administration of the financial affairs of the District. He must prepare and submit the annual budget estimates and budget message; supervise and be responsible for all financial transactions; maintain systems of accounting and internal control; submit to the Council a monthly financial statement, by appropriation and department; prepare at the end of each fiscal year a complete financial statement; supervise and be responsible for the assessment of all property subject to assessment within the District; supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues; have custody over all public funds belonging to or under the control of the District; and have custody of all investments and invested funds of the District.

The Council may provide for the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and the allocation to new items of funds appropriated for contingent expenditure. The bill provides that no officer or agency of the District shall expend or contract to expend any money for any purpose in excess of amounts available under appropriations therefor, except expenditures for capital improvements to be financed in whole or in part by the issuance of bonds.

The bill provides for an independent audit by the General Accounting Office in accordance with rules and regulations prescribed by the Comptroller General. Such audit reports as the Comptroller General deems necessary shall be submitted to the Congress, the Mayor, and the Council. The Mayor, with the advice and consent of the Council, and the Director of the Bureau of the Budget are given power to enter into agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

TITLE VIII—ELECTIONS IN THE DISTRICT

The bill continues the Board of Elections as established by the District Primary Act. Successors to the present Board, after their terms have expired, would be appointed without regard to political affiliations by the Mayor, by and with the advice and consent of the Council, for a term of 3 years. The Board is charged with maintaining a permanent registry; conducting registrations and elections; determining appeals; printing, distributing, and counting ballots; dividing the District into three wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible; establishing voting precincts; operating polling places, certifying election results and other duties. The Board is given authority to prescribe such regulations as may be necessary for the purposes of the act, and the salary of each member is fixed at the rate of $1,500 per annum. Present law provides compensation for Board members at $25 per day while performing duties.

The Board of Elections shall conduct a general election in each even-numbered year and in any odd-numbered calendar year, if an act authorizing the issuance of bonds as required by section 602 to be submitted for a referendum at an election is enacted at least 40 days prior to the date for conducting the election in such year.

General elections are to be held on the fourth Tuesday before the Tuesday in November prescribed for runoff elections. The latter are to be held on the first Tuesday after the first Monday in November.

The offices to be filled by election are members of the Council, the Mayor, and the District Delegate. Members of the Council shall be elected for 2-year terms beginning on January 1 of the odd-numbered year following such election. The Mayor shall be elected for a 4-year term. The District Delegate shall be elected for 2 years beginning at noon on January 3 of the odd-numbered year following such election.

The bill provides a procedure for the recall of any elective officer of the District of

Columbia by the qualified electors of the District. The petition to be filed demanding the recall by such qualified electors of any elective officer must be signed by not less than 25 percent of the number of qualified electors voting at the last preceding general election. The petition must set forth the reasons for such demand, and be filed with the secretary of the Council.

On the ballot at such election shall be printed in not more than 200 words the reason for demanding the recall of any elective officer, and in not more than 200 words, the officer's justification or answer to such demands. No petition demanding the recall of any officer shall be circulated until he has held office for a period of 6 months.

The Board of Elections is authorized to prescribe such regulations as may be necessary with respect to the form, filing, examination, amendment, and certification of petition for recall, and with respect to the conduct of any special election held for this purpose.

Vacancies in the office of Mayor or in the Council are to be filled at the next general election. It is provided that until a vacancy in the office of Mayor or in the Council can be filled in a general election, a vacancy in the office of Mayor shall be filled by appointment by the Council, and a vacancy in the Council shall be filled by appointment by the Mayor.

In the event the office of Delegate becomes vacant at a time when the unexpired term is 6 months or more, a special election is authorized.

A qualified elector shall be a person who has maintained a domicile or place of abode in the District continuously during the 1-year period ending on the date of the election; who is a citizen of the United States; who is on the day of election at least 21 years of age; who has never been convicted of a felony or, if so convicted, has been pardoned; who is not mentally incompetent as adjudged by a court of competent jurisdiction and who certifies that he has not, within 1 year immediately preceding the election, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot. The term "municipal office" as used in the bill means an office of any governmental unit subordinate to a State or territorial government.

The bill provides that no persons shall be registered unless he shall be able to qualify otherwise as an elector on the day of the next election; he executes a registration affidavit on a form prescribed by the Board of Elections showing that he will meet on election day all the requirements of a qualified elector. An appeal procedure is provided for a person who is not permitted to register.

The bill provides for two methods of nominations: (1) a declaration of candidacy without petition but with a filing fee equal to 5 percent of the annual compensation of the office for which nomination is sought or (2) a nominating petition signed in the case of District Delegate or Mayor by 600 qualified electors registered in the District, and in the case of a candidate for the Council 300 qualified electors registered in the ward from which nomination is sought. Elections are to be nonpartisan. The ballot is to show the wards from which each candidate, other than the District Delegate and Mayor, has been nominated. Each voter is entitled to vote for nine candidates for the Council, not more than three from each ward, and one candidate for District Delegate, and one candidate for Mayor. Absentee voting will be permitted under regulations adopted by the Board of Elections.

The bill contains an amendment to the Hatch Act by adding the District of Columbia to section 16 thereof, which provides that—

"Whenever the United States Civil Service Commission determines that, by reason of special or unusual circumstances which exist in any municipality or other political subdivision, in the immediate vicinity of the National Capital in the States of Maryland and Virginia or in municipalities, the majority of whose voters are employed by the Government of the United States, it is in the domestic interest of persons to whom the provisions of this act are applicable, and who reside in such municipality or political subdivision, to permit such persons to take an active part in political management or in political campaigns involving such municipality or political subdivision, the Commission is authorized to promulgate regulations permitting such persons to take an active part in such political management and political campaigns to the extent the Commission deems to be in the domestic interest of such persons."

Provision for challenging voters and for appeals to the Board of Elections are made. Poll watchers are authorized, and a procedure is set up pertaining to recounts parallel to that of the District Primary Act with a modification to take care of referendums. The petitioner must deposit a sum of $20 for each precinct to be recounted. The fee is refunded if the election result is changed by the recount. The petition is to the Board of Elections, and is filed by qualified candidates in the elections. In the case of referendums, since there are no candidates in a referendum, any person who voted in any election is eligible to petition the Board for a recount of votes cast on a referendum question.

Violations of any provision of this title or regulations published under its authority are declared misdemeanors and penalties are provided.

TITLE IX—MISCELLANEOUS

Except where the terms of intergovernmental contracts are prescribed by other provisions of law, the District and Federal Governments are authorized to contract with each other for the rendition of services in order to prevent duplication of effort and to otherwise promote efficiency and economy. Such contracts are to be negotiated by the Federal and District authorities concerned and be approved by the Director of the Bureau of the Budget and by the Mayor, by and with the advice and consent of the Council. Such contracts will provide for payment for the actual cost of furnishing such services.

The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract is to be paid out of appropriations made by the Council to the District officers and agencies to which they are furnished.

The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid from appropriations made by the Congress to such Federal officers and agencies.

No member of the Council and no other officer or employee of the District shall have any financial interest direct or indirect in any contract or sale to which the District is a party.

Except for the qualifications already enumerated, no person is ineligible to serve or to receive compensation as a member of the Council or the Board of Elections because he occupies another office or position or receives compensation from another source. The right of a person to another office under the laws of the United States shall not be abridged by the fact of his service as a member of the Council or the Board of Elections if such service does not interfere with the discharge of his duties in the other office.

The U.S. Civil Service Commission is authorized to render advice and assistance to the new government in the development of a merit system.

TITLE X—SUCCESSION IN GOVERNMENT

Whenever the functions of any existing agency or officer are transferred under the bill the personnel (except the members of Boards or Commissions abolished by the bill), property, records, and unexpended balances of appropriations which relate to the functions are also transferred. Provision is made for the settling of disputes which may arise out of such transfers.

Any statute, regulation, or other action relating to any officer or agency from which any function is transferred by the bill shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made. No pending judicial or administrative action shall abate by reason of the provisions of the bill becoming effective, but such actions shall continue with appropriate substitutions of parties.

The purpose underlying this title is to provide continuity in the transfer of existing personnel, property, and funds; to continue in effect present statutes and regulations; and to provide for orderly disposition of pending actions and proceedings.

TITLE XI—SEPARABILITY OF PROVISIONS

This title provides that, should a part of the act be held invalid, the remainder of its provisions shall not be affected thereby.

TITLE XII—TEMPORARY PROVISIONS

The President of the United States is authorized and requested to take such action during the transition period between the enactment of the bill and the first meeting of the Council as he deems necessary to enable the Board of Elections properly to perform its functions. The sum of $500,000 is authorized to be appropriated to the District to pay the expenses of the Board of Elections and in otherwise carrying into effect the provisions of the bill. The full amount of expenditures made under this authorization shall be reimbursable by the District to the United States during the fiscal year ending June 30, 1964.

TITLE XIII—EFFECTIVE DATES

The charter (titles I to XI, inclusive, and titles XV, XVI, and XVII) shall take effect on the day following the date on which it is accepted in the charter referendum provided by title XIV, except as specified in section 1406, except that part 2 of title III, title V, and title VII, and section 402 shall take effect on the day upon which the Mayor and Council first elected takes office. Titles XII, XIII, and XIV shall take effect on the day following the date on which this act is enacted.

TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

The bill provides that on a date to be fixed by the Board of Elections, not more than 9 months after the enactment of the act, a referendum shall be conducted to determine whether the registered qualified electors of the District accept the charter. The Board of Elections established under the District Primary Act is charged with duties of registration and the holding of the charter referendum. Provision is made for the form of ballot to be used in the referendum and for the method of voting. If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be accepted as of the time the Board of Elections certifies the result to the President, which must be done not later than 30 days after the date of the referendum. The bill contains a prohibition against the interference with the registration or voting of any qualified elector in the referendum.

TITLE XV—DELEGATE

The bill provides for a Delegate from the District of Columbia to the House of Representatives. He shall have the right of debate, may make any motion, except to reconsider, shall be a member of the House Committee on the District of Columbia, but may not vote, which is the same status as the Territorial Delegate. His term of office shall be for 2 years. No person shall hold the office of District Delegate unless he is a qualified elector, at least 25 years old, holds no other public office, is domiciled and resides in the District, and during the 3 years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the District) for any candidate for public office. The bill amends several statutes relating to a Territorial Delegate and the Federal Corrupt Practices Act, to make them applicable to the District Delegate. The Delegate is to be elected as provided in title VIII.

TITLE XVI—REFERENDUM

The bill provides that the qualified electors shall have power to approve or reject in a referendum any act of the Council, or part or parts thereof, which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which are subject to the provisions contained in section 602 or to acts continuing existing taxes, or making appropriations which in the aggregate are not in excess of those for the preceding fiscal year. Within 45 days after an act subject to this title has been enacted, a petition signed by qualified electors equal in number to at least 10 percent of the number who voted at the last preceding general election may be filed with the secretary of the Council requesting that any such act, or any part or parts thereof, be submitted to a vote of the qualified electors. The Board of Elections is charged with conducting any referendum under this title.

When a referendum petition has been certified as sufficient, the act or parts thereof specified in the petition shall not become operative, or further action shall be suspended if it shall have become operative, until and unless approved by the electors as provided in this title. If the secretary of the Council has not specified the particulars in which a petition is defective within 30 days after filing, the petition shall de deemed sufficient for the purposes of this title. An act which is submitted to a referendum which is not approved by a majority of the qualified electors shall be deemed repealed.

TITLE XVII—INITIATIVE

Subject to the provisions of section 324 of the bill, the qualified electors are given the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District.

In exercising the power of initiative, not more than 10 percent of the number of qualified electors voting in the last preceding general election shall be required to propose any measure by initiative petition. The method for holding elections under the initiative procedure is set forth in this title.

TITLE XVIII—TITLE OF ACT

Provides that this act, divided into titles and sections according to the table of contents, and including the declaration of congressional policy, which is a part of such act, may be cited as the "District of Columbia Charter Act."

Mr. MORSE. Madam President, I further ask unanimous consent that the bill be printed at this point in the RECORD.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation. Finally, it is recognized that the restoration of the powers of local self-government to the inhabitants of the District by this Act will in no way change the need, which arises from the unique character of the District as the Nation's Capital, for the payment by the Federal Government of a share of the expenses of the District government; and it is intended that an equitable share thereof shall be paid annually.

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TITLE I—DEFINITIONS

Definitions

SEC. 101. For the purposes of this Act—

(1) The term "District" means the District of Columbia.

(2) The terms "District Council" or "Council" means the Council of the District of Columbia provided for by title III.

(3) The term "Chairman" means the Chairman of the District Council provided for by title III.

(4) The term "Mayor" means the Mayor provided for by title IV.

(5) The term "qualified elector" means a qualified elector of the District as specified in section 806, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the District Council, except where the term "Act" is used to refer to this Act or other Acts of Congress herein specified.

(7) The term "District Primary Act" means the Act of August 12, 1955 (Public Law 376, Eighty-fourth Congress; 69 Stat. 699).

(8) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(9) The term "capital project", or "project", means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(10) The term "pending", when applied to any capital project, means authorized but not yet completed.

(11) The term "Board of Elections" means the Board of Elections created by section 3 of the District Primary Act.

(12) The term "election", unless the context otherwise indicates, means an election held pursuant to the provisions of this Act.

(13) The term "domicile" means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

(14) The term "municipal office" means an office of any governmental unit subordinate to a State or Territorial government.

(15) The terms "publish" and "publication", unless otherwise specifically provided herein, means publication in a newspaper of general circulation published in the District.

(16) The term "Municipal Courts of the District of Columbia" means the Municipal Court for the District of Columbia, the Municipal Court of Appeals for the District of Columbia, the District of Columbia Tax Court, the juvenile court of the District of Columbia, and such other municipal courts as the District Council may hereafter establish by act.

TITLE II—STATUS OF THE DISTRICT

Status of the District

SEC. 201. (a) All the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia is hereby declared to be a body politic and corporate in perpetuity for governmental purposes and as such may sue and be sued, contract and be contracted with, and have a corporate seal. Such body politic and corporate is the successor of the District of Columbia created by section 2 of the Revised Statutes relating to the District of Columbia and continued by the first section of the Act of June 11, 1878 (D.C. Code, 1951 edition, sec. 1–102). So far as is consistent with the provisions of this Act, all powers, rights, privileges, immunities, duties, obligations, assets, and liabilities of the District of Columbia created by such section 2 are hereby transferred to, vested in, and imposed upon the body politic and corporate created by this section.

(b) Section 1 of the Act of February 21, 1871 (16 Stat. 419), and section 1 of the Act of June 11, 1878 (20 Stat. 102), are hereby repealed.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

TITLE III—THE DISTRICT COUNCIL

Part 1—Creation of the District Council

Creation and Membership

SEC. 301. There is hereby created a Council of the District of Columbia consisting of nine members elected as provided in title VIII.

Qualifications for Holding Office

SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified elector, (2) is domiciled in the District and resides in the ward from which he is nominated, has, during the three years next preceding his nomination, resided and been domiciled in the District and has for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation

SEC. 303. Each member of the District Council except the Chairman, shall receive compensation at a rate of $6,500 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of $8,500 per annum, payable in periodic installments. All members shall receive such additional allowances for expenses as may be approved by the District Council to be paid out of funds duly appropriated therefor.

Changes in Membership and Compensation of District Council Members

SEC. 304. The number of members constituting the District Council, the qualifications for holding office, and the compensation of such members may be changed by act passed by the District Council: *Provided*, That no such Act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election on the proposition set forth in any such act.

Part 2—Principal functions of the District Council

Functions Heretofore Exercised by the Board of Commissioners

SEC. 321. (a) Except as otherwise provided in this Act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

(b) The Board of Commissioners of the District is hereby abolished, and all provisions of law providing for the Board of Commissioners of the District, and the offices of Commissioner, Engineer Commissioner, and Assistants to the Engineer Commissioner of the District, are hereby repealed.

(c) The Board of Education provided for in section 2 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906 (34 Stat. 316), is hereby abolished and its functions are hereby transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

Functions Relating to Zoning and Other Agencies

SEC. 322. (a) The Zoning Commission created by the first section of the Act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D.C. Code, 1951 edition, sec. 5–412), is hereby abolished, and its functions are transferred to the District Council.

(b) The Public Utilities Commission of the District of Columbia; the District of Columbia Redevelopment Land Agency; the Armory Board; and the National Capital Housing Authority are hereby abolished and their functions transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

Certain Delegated Functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

Powers of and Limitations Upon District Council

SEC. 324. (a) Except as provided in subsection (b) and subject to the reserved powers of the Congress as provided in section 324(d), there shall be vested (1) in the District Council, and (2) in the qualified electors of the District of Columbia as provided in section 1701 of this Act, complete legislative power over the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District: *Provided*, That such subjects are within the scope of the power of Congress in its capacity as the legislature for the District of Columbia as distinguished from its capacity as the National Legislature. Except as otherwise provided in sections 321 and 322, nothing in this section shall be construed as vesting in the District government any greater authority over the Commission on Mental Health, the National Zoological Park, the Washington Aqueduct, the National Guard of the District of Columbia, or any Federal agency, than the authority which was vested in the Board of Commissioners prior to the date of the enactment of this Act. The District Council shall, by majority vote of those present, confirm or reject nominees proposed by the Mayor, and shall have

power, by vote of two-thirds of its members, to override any veto by the Mayor.

(b) The qualified electors of the District of Columbia or the District Council may not pass any act contrary to the provisions of this Act or—

(1) impose any tax on property of the United States;

(2) grant any exclusive privilege, immunity, or franchise;

(3) authorize any lottery or the sale of lottery tickets or authorize any form of gambling;

(4) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

(5) lend the public credit for support of any private undertaking;

(6) authorize the issuance of bonds except in compliance with the provisions of title VI; or

(7) pass any act inconsistent with or contrary to the Act of June 6, 1924 (43 Stat. 463), as amended by the Act of April 30, 1926 (44 Stat. 374), the Act of July 19, 1952 (66 Stat. 781); and the Act of May 29, 1930 (46 Stat. 482), and the people or the Council shall not pass any act inconsistent with or contrary to any provision of any Act of Congress as it specifically pertains to any duty, authority, and responsibility, of the National Capital Planning Commission; except insofar as the above-cited or other referred to Acts refer to the Engineer Commissioner or the Board of Commissioners, the former of which terms, after the enactment of this Act, shall mean the Mayor or some District Government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the District Council.

(c) An act, except as otherwise provided in this Act, shall become effective thirty days after its passage or at such later time as the Council may designate: *Provided,* That an act may become effective at any time after its passage if the Council by vote of two-thirds of its members shall state in such act that an emergency exists requiring such earlier effective date. Every act or resolution shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act or resolution shall be published, within seven days after its passage, as the District Council may direct.

(d) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the qualified electors of the District of Columbia and the District Council by this Act, including without limitation legislation to amend or repeal any law in force in the District of Columbia prior to or after the enactment of this Act and any act or resolution passed by the Council or any act passed by the qualified electors of the District of Columbia.

(e) Upon the effective date of this title, jurisdiction over the Municipal Courts of the District of Columbia shall vest with the District Council in all matters pertaining to the organization and composition of such Courts, and to the appointment or selection, qualification, tenure, and compensation of the judges thereof. Nothing in this Act shall be construed to change the tenure of any judge occupying the position of a judge of a Municipal Court of the District of Columbia on the date of the enactment of this Act, except that his compensation may be increased.

(f) On or after the effective date of this title, any person appointed or elected to serve as judge of one of the Municipal Courts of the District of Columbia shall not (1) be appointed or elected to serve for a term of less than ten years, or (2) receive as compensation for such service an amount less than the amount payable to an associate judge of the Municipal Court of the District of Columbia on the date of enactment of this Act.

(g) Nothing in subsection (e) of this section shall be construed to curtail the jurisdiction of the United States District Court for the District of Columbia or any other United States court other than the Municipal Courts of the District of Columbia.

Part 3—Organization and procedure of the District Council

The Chairman

SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the District Council and a Vice Chairman, who shall preside in the absence of the Chairman. When the Mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the Chairman shall be for two years.

Secretary of the District Council; Records and Documents

SEC. 332. (a) The District Council shall appoint a secretary as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this Act, the compensation and other terms of employment of such secretary, assistants, and clerical personnel shall be prescribed by the District Council.

(b) The secretary shall (1) keep a record of the proceedings of the District Council, (2) keep a record showing the text of all acts and resolutions introduced, and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the District Council, and (4) perform such other duties as the District Council may from time to time prescribe.

Meetings

SEC. 333. (a) The first meeting of the District Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title VIII. He shall preside until a Chairman is elected. The first meeting of the District Council in each odd-numbered year commencing with the first odd-numbered year next following such election shall be called by the Secretary of the District Council for a date not later than January 7 of such year.

(b) The District Council shall provide for the time and place of its regular meetings. The District Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

(c) Meetings of the District Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Council provided for in section 332(b) shall be open to public inspection and available for copying during all regular office hours of the Council Secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings, within reasonable limits as set by the Council Chairman, the Council concurring.

Committees

SEC. 334. The Council Chairman, with the advice and consent of the Council, shall appoint such standing and special committees as may be expedient for the conduct of the Council's business. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

Acts and Resolutions

SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall enact acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the District Council of a special or temporary character.

(b) (1) The enacting clause of all acts passed by the District Council shall be, "Be it enacted by the Council of the District of Columbia:".

(2) The resolving clause of all resolutions passed by the District Council shall be "The Council of the District of Columbia hereby resolves,".

(c) A special election may be called by resolution of the District Council to present for referendum vote of the people any proposition upon which the District Council desires to take such action.

Passage of Acts

SEC. 336. The District Council shall not pass any act before the thirteenth day following the day on which it is introduced. Subject to the other limitations of this Act, this requirement may be waived by the unanimous vote of the members present.

Procedure for Zoning Acts

SEC. 337. (a) Before any zoning act for the District is passed by the District Council—

(1) the District Council shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall within thirty days after the date of such deposit, report to the District Council whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The District Council may not pass the act unless it has received such report or the Commission has failed to report within the thirty-day period above specified; and

(2) the District Council (or an appropriate committee thereof) shall hold a public hearing on the act. At least thirty days' notice of the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The District Council (or committee thereof holding the hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The District Council shall deposit with the National Capital Planning Commission each zoning act passed by it. If in the opinion of the Commission such act as passed, would adversely affect the interests of the Federal Government, the Commission, shall within thirty days after the date of such deposit certify to the District Council its disapproval of such act. If such certification of disapproval is not made within such thirty-day period, the zoning act shall take effect as law on the day following the expiration of such period. If the Commission makes such certification of disapproval within the thirty-day period above specified, the zoning act shall take effect as law only if, within thirty days after the day on which such certification is received, the act be readopted by the affirmative vote of at least

two-thirds of the members of the District Council; in which case the zoning act shall take effect as law on the day following the day on which it is readopted, or at such later date as the Council may designate.

Investigations by District Council

SEC. 338. (a) The District Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the District Council (if the District Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the District Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

TITLE IV—MAYOR

Election, Qualifications, and Salary

SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title VIII.

(b) No person shall hold the office of Mayor unless he (1) is a qualified elector, (2) is domiciled and resides in the District and has during the three years next preceding his nomination been resident in and domiciled in the District, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

(c) The Mayor shall receive an annual salary of $15,000, and an allowance for official expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually. Such salary shall be payable in periodic installments.

(d) Notwithstanding any other provision of this Act, the method of election, the qualifications for office, the compensation and the allowance for official expenses pertaining to the office of Mayor may be changed by act passed by the District Council: *Provided,* That no such act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election of the proposition set forth in any such act.

Powers and Duties

SEC. 402. The Mayor shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of the Mayor, the Chairman and the Vice Chairman of the District Council, execute and perform all the powers and duties of the Mayor.

(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel and such members shall, until such time as legislation is enacted by the District Council superseding such laws and establishing a permanent civil service system or systems, based on merit, pursuant to section 402(4) continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government; to section 1001(d) of this Act, and, where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign personnel to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners and shall have power to remove such personnel from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this Act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent civil service system or systems, based on merit, pursuant to section 402(4): *Provided,* That all appointments of department heads and members of boards and commissions; all appointments and assignments to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District, and appointments made pursuant to section 804 of this Act, shall be by and with the consent of the Council.

(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this Act. Personnel legislation enacted by Congress, prior to or after the effective date of this section, including, without limitation, legislation relating to appointments, promotions, discipline, separations, pay, unemployment compensation, disability and death benefits, leave, retirement, insurance, and veteran's preference, applicable to employees of the District government, as set forth in section 1002(c), shall continue in effect until such time as the Council shall, pursuant to this section, provide similar or comparable coverage under a District civil service system or systems, based on merit. The District civil service system or systems shall be established by legislation of the Council and shall provide coverage similar or comparable to, or shall provide for continued participation in, all or part of the Federal civil service system. The District civil service system or systems shall take effect not earlier than one year or later than five years after the effective date of this section.

(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the Council within ninety days after the close of the fiscal year.

(7) He shall keep the District Council advised of the financial condition and future needs of the District and make such recommendations to the Council as may seem to him desirable.

(8) He may submit drafts of acts to the District Council.

(9) He shall perform such other duties as the District Council, consistent with the provisions of this Act, may direct.

(10) He may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, and if the Council has given assent, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

(11) The Mayor or the District Council may propose to the executive or legislative branches of the U.S. Government, legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this Act.

(12) As custodian he shall use and authenticate the corporate seal of the District in accordance with the rules of the Council.

(13) He shall have the right, under the rules to be adopted by the District Council, to be heard by the Council or any of its committees.

(14) If empowered by the District Council, he is authorized and directed to promulgate, adopt and enforce such rules and regulations, not inconsistent with any Act of the Congress or any act of the Council, as are necessary to carry out his functions and duties.

(15) He shall within ten days after the adoption of any act by the District Council approve or disapprove such act, in the event of disapproval stating his reasons therefor. If the Mayor shall not act thereon within ten days, such act shall become law as provided in this Act. Upon such disapproval, such act shall not become law unless pursuant to section 324(a) it shall subsequently within thirty days after such veto be readopted by vote of two-thirds of the members of the District Council, whereupon it shall become law in accordance with the provisions of this Act.

TITLE V—THE DISTRICT BUDGET

Fiscal Year

SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

Budgetary Details Fixed by District Council

SEC. 502. (a) The Mayor shall prepare and submit, not later than April 1, to the District Council, in such form as the Council shall approve, the annual budget estimates of the District and the budget message.

(b) The Mayor shall, in consultation with the District Council, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs as shown by the accounts.

Adoption of Budget

SEC. 503. The District Council shall by act adopt a budget for each fiscal year not later than May 15, except that the District Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

Budget Establishes Appropriations

SEC. 504. The adoption of the budget by the District Council shall, from the effective date thereof, operate to appropriate and

to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

Supplemental Appropriations

SEC. 505. The district Council may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

TITLE VI—BORROWING

Part I—Borrowing for capital improvements

Borrowing Power; Debt Limitations

SEC. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided,* That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued in an amount which, together with indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 per centum of the average assessed value of the taxable real and tangible personal property of the District subject to taxation by the District as of the first day of July of the ten most recent fiscal years for which such assessed values are available, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with highway, water and sanitary sewage works purposes or other revenue-producing capital projects which are determined by the District Council to be self-liquidating exceed 6 per centum of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the District Council from time to time in amounts in the aggregate at any time outstanding not exceeding 2 per centum of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified electors of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indebtedness within all of the aforesaid limitations at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The District Council shall make provision for the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

Contents of Borrowing Legislation; Referendum on Bond Issue

SEC. 602. (a) An act authorizing the issuance of bonds may be enacted by a majority of the District Council members at any meeting of the Council subsequent to the meeting at which such act was introduced, and shall contain at least the following provisions:

(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

(3) The maximum rate of interest to be paid on such indebtedness; and

(4) In the event the District Council is required by this part, or it is determined by the Council in its discretion, to submit the question of issuing such bonds to a vote of the qualified electors of the District, the date on which such election will be held, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall be in such form as to permit the electors to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

(b) The District Council shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified electors at the first general election to be held in the District not less than forty days after the date of enactment of the act authorizing such bonds, or upon a vote of at least two-thirds of the members of the District Council, the Council may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Council not less than forty days after the enactment of such act.

(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the District Council as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the proposition or propositions to be voted on and the designated polling places in the various precincts and wards in the District, which said notice shall be published at least once a week for four consecutive calendar weeks on any day of the week, the first publication thereof to be not less than thirty nor more than forty days prior to the date fixed by the District Council for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the District Council in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within three days following the date of the election.

Publication of Borrowing Legislation

SEC. 603. The Mayor shall publish any act authorizing the issuance of bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"NOTICE

"The following act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action, or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire twenty days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified electors, twenty days after the date of publication of the promulgation of the results of the election ordered by said act to be held).

Mayor."

Short Period of Limitation

SEC. 604. Upon the expiration of twenty days from and after the date of publication of the notice of the enactment of an act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified electors, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

(1) Any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

(2) Such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this Act and of all laws applicable thereto;

(3) The validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty days.

Acts for Issuance of Bonds

SEC. 605. After the expiration of the twenty-day limitation period provided for in section 604 of this part, the District Council may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to 604, inclusive, hereof. An issue of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this Act until the bonds shall have been sold, delivered, and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the District Council shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning not more than three years after the date of the bonds and ending not more than thirty years from such date. The amount of said series to be payable in each year to be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 per centum of the total authorized amount of such series. Such act shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of $1,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest

thereon may be payable at such place or places within or without the District as the District Council may determine.

Public Sale

SEC. 606. (a) All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the District Council after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in a newspaper of general circulation published in the District. Such notice shall state among other things that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of bonds bid for, and the District Council shall reserve the right to reject any and all bids.

(b) The Treasurer of the United States, and any administrative officer or agency of the United States Government, may purchase bonds issued under this part with funds under the control of such officer or agency to the same extent as the Treasurer, officer, or agency is permitted by law to invest such moneys in obligations of the United States Government, and such sale may be negotiated without the necessity of complying with the provisions of this section, relative to a public sale of bonds.

Part 2—Short-term borrowing

Borrowing To Meet Supplemental Appropriations

SEC. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the District Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 per centum of the total appropriations for the current fiscal year, each of which shall be designated "supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

Borrowing in Anticipation of Revenues

SEC. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the District Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 per centum of the total anticipated revenue, each of which shall be designated "Revenue Note for the Fiscal Year 19 ". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

Notes Redeemable Prior to Maturity

SEC. 623. No notes issued pursuant to this part shall be made on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

Sale of Notes

SEC. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

Part 3—Payment of bonds and notes

SEC. 631. (a) The act of the District Council authorizing the issuance of bonds pursuant to this title, shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside for the purpose of paying such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the act authorizing the issuance thereof.

Part 4—Tax exemption—Legal investment

Tax Exemption

SEC. 641. Bonds and notes issued by the District Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

Legal Investment

SEC. 642. Notwithstanding any restriction on the investment of funds by fiduciaries contained in any other law, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the District Council to the same extent as national banking associations are authorized by paragraph 7 of section 5136 of the Revised Statutes (title 12, U.S.C., sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided,* That nothing contained in this section shall be construed as relieving any person, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

Part 1—Financial administration

Surety Bonds

SEC. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the District Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

Financial Duties of the Mayor

SEC. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form and manner prescribed by the District Council under section 502 the annual budget estimates and budget message;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(3) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities,

(B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets: *Provided,* That as soon as practicable after the date of enactment of this Act, the Mayor shall cause the accounts of the District to be maintained on a basis that will facilitate the preparation of cost-based budgets;

(4) submit to the District Council a monthly financial statement, by appropriation and department, and in any further detail the District Council may specify;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any court, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the District Council;

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration, or exchange.

Control of Appropriations

SEC. 703. The District Council may provide (1) the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

Accounting Supervision and Control

SEC. 704. The Mayor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of

financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

When Contracts and Expenditures Prohibited

SEC. 705. No officer or agency of the District shall, during any budget year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated for any item of expenditure. Any contract, verbal or written, made in violation of this Act shall be null and void. Any officer or employee of the District who shall violate this section, upon conviction thereof, may be summarily removed from office. Nothing in this section, however, shall prevent the making of contracts or of expenditures for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

General Fund

SEC. 706. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

Contracts Extending Beyond One Year

SEC. 707. No contract involving expenditure out of the appropriations for more than one year shall be made for a period of more than five years; nor shall any such contract be valid unless made or approved by act of the District Council.

Part 2—Audit by General Accounting Office

Independent Audit

SEC. 721. (a) The financial transactions shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and system, internal audit and control, and related administrative practices. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) (1) The Comptroller General shall submit such audit reports as he may deem necessary to the Congress, the Mayor, and the Council. The reports shall set forth the scope of the audits and shall include such comments and information as may be deemed necessary to keep the Mayor and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The reports shall show specifically every program, expenditure, and other financial transactions or undertaking which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the Mayor and his duly authorized subordinates have had an opportunity to be heard, the Council shall make such report, together with such other material as it deems pertinent thereto, available for public inspection.

(3) The Mayor, within ninety days after the report has been made to him and the Council, shall state in writing to the Council what has been done to comply with the recommendations made by the Comptroller General in the report.

Amendment of Budget and Accounting Act

SEC. 722. Section 2 of the Budget and Accounting Act, 1921 (U.S.C., title 31, sec. 2), is hereby amended by striking out "and the municipal government of the District of Columbia".

Part 3—Adjustment of Federal and District expenses

Adjustment of Federal and District Expenses

SEC. 731. Subject to section 901 and other provisions of law, the Mayor, with the advice and consent of the District Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owned by the District to the United States or by the United States to the District, shall be ascertained and paid.

TITLE VIII—ELECTIONS IN THE DISTRICT

Board of Elections

SEC. 801. (a) The members of the Board of Elections in office on the date of enactment of this Act shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed without regard to political affiliations, by the Mayor by and with the advice and consent of the District Council. The term of each such successor (except in the case of an appointment to fill an unexpired term) shall be three years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Primary Act is hereby modified to the extent that it is inconsistent herewith.

(b) In addition to its other duties, the Board of Elections shall also, for the purposes of this Act—

(1) maintain a permanent registry;

(2) conduct registrations and elections;

(3) in addition to determining appeals with respect to matters referred to in sections 807 and 811, determine appeals with respect to any other matters which (under regulations prescribed by it under subsection (c)) may be appealed to it;

(4) print, distribute, and count ballots, or provide and operate suitable voting machines;

(5) divide the District into three wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible, and establish voting precincts therein;

(6) operate polling places;

(7) certify nominees and the results of elections; and

(8) perform such other functions as are imposed upon it by this Act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of this title, including regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 807 and 811) and for determination by it of appeals.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

(f) The Board of Elections, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 801 and 807. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this Act.

(h) Each member of the Board of Elections shall be paid at the rate of $1,500 per annum in periodic installments.

What Elections Shall Be Held

SEC. 802. (a) The Board of Elections shall conduct a general election—

(1) in any even-numbered calendar year commencing with 1962; and

(2) in any odd-numbered calendar year commencing with 1963, if an act authorizing the issuance of bonds required by section 602 to be submitted for a referendum at an election is enacted at least forty days prior to the date for conducting the election in such year.

(b) Such general elections shall be held on the fourth Tuesday before the Tuesday in November prescribed hereafter for runoff elections.

(c) Any runoff elections required to be held pursuant to section 805 shall be held on the first Tuesday after the first Monday in November.

Elective Offices; Terms of Office

SEC. 803. (a) The offices of the District to be filled by election shall be the elective offices on the District Council, the Mayor and the District Delegate.

(b) The term of an elective office on the District Council shall be two years beginning on January 1 of the odd-numbered year following such election.

(c) The term of office of the Mayor shall be four years, beginning on January 1 of the odd-numbered year next following his election.

(d) The term of office of the District Delegate shall be two years beginning at noon on January 3 of the odd-numbered year following such election.

Vacancies

SEC. 804. (a) Vacancies in the office of Mayor or in the District Council shall be filled at the next general election held pursuant to section 802 for which it is possible for candidates to be nominated following the occurrence of the vacancy. A person elected to fill a vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such term.

(b) If the office of Delegate becomes vacant at a time when the unexpired term of such office is six months or more, a special election and, if necessary, a runoff election shall be held, at such time and in such manner (comparable to that prescribed for general elections) as the Board of Elections shall prescribe.

(c) Until a vacancy in the office of Mayor or in the District Council can be filled in the

manner prescribed in subsection (a) hereof, a vacancy in the office of Mayor shall be filled by appointment by the District Council; and a vacancy in the District Council shall be filled by appointment by the Mayor. No person shall be qualified for appointment to any office under this subsection unless, if nominated, he would have been a qualified candidate for such office at the last election conducted prior to or on the date the vacancy occurred. A person appointed to fill a vacancy under this subsection shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

What Candidates Are Elected

SEC. 805. At any general election, a candidate for Delegate or a candidate for Mayor who receives a majority of the votes validly cast for such office shall be elected. At any general election, each of the three candidates in each ward for positions on the District Council receiving the highest number of valid votes, shall be elected if he receives more than one-sixth of the total number of votes validly cast in the District for all candidates in his ward for the position for which he is a candidate. In case any office is unfilled because of failure of any candidate to receive in any general election the necessary proportion of votes validly cast, there shall be a runoff election to fill such office. In such runoff election the candidates shall be the persons who were the unsuccessful candidates for the unfilled offices in the general election, and who received the highest number of valid votes in that election, to the number of twice the offices to be filled. The candidate or candidates receiving the highest number of votes validly cast in the runoff election shall be elected. In any election in which there are two or more similar positions to be filled in any ward, a vote for any candidate for such a position in that ward will be valid only if the ballot records votes for as many candidates for such positions in that ward as there are positions to be filled.

Recall

SEC. 805a. (a) Any elective officer of the District of Columbia shall be subject to recall by the qualified electors of the District. Any petition filed demanding the recall by the qualified electors of the District of any such elective officer shall be signed by not less than 25 per centum of the number of qualified electors of the District voting at the last preceding general election. Such petition shall set forth the reasons for the demand and shall be filed with the Secretary of the District Council. If any such officer with respect to whom such a petition is filed shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as provided by law for filling a vacancy in that office arising from any other cause. If he shall not resign within five days after the petition is filed, a special election shall be called by the Council to be held within twenty days thereafter to determine whether the qualified electors of the District will recall such officer.

(b) There shall be printed on the ballot at such election, in not more than two hundred words, the reason or reasons for demanding the recall of any such officer, and, in not more than two hundred words, the officer's justification or answer to such demands. Any officer with respect to whom a petition demanding his recall has been filed shall continue to perform the duties of his office until the result of such special election is officially declared by the Board of Elections. No petition demanding the recall of any officer filed pursuant to this section shall be circulated against any officer of the District until he has held his office six months.

(c) If a majority of the qualified electors voting on any petition filed pursuant to this section vote to recall any officer, his recall shall be effective on the day on which the Board of Elections certifies the results of the special election, and the vacancy created thereby shall be filled immediately in a manner provided by law for filling a vacancy in that office arising from any other cause.

(d) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of a petition for recall filed pursuant to this section, and (2) with respect to the conduct of any special election held pursuant to this section.

Qualified Electors

SEC. 806. No person shall vote in an election unless he meets the qualifications of an elector specified in this section and has registered pursuant to section 807 of this Act or section 7 of the District Primary Act. A qualified elector of the District shall be any person (1) who has maintained a domicile or place of abode in the District continuously during the one-year period ending on the day of the election, (2) who is a citizen of the United States, (3) who is on the day of the election at least twenty-one years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within one year immediately preceding the election, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot.

Registration

SEC. 807. (a) No person shall be registered unless—

(1) he shall be able to qualify otherwise as an elector on the day of the next election; and

(2) he executes, in the presence of an employee of the Board of Elections authorized to take oaths for such purposes a registration affidavit on a form prescribed by the Board of Elections showing that he will meet on the day of the election all the requirements of section 806 of this Act.

(b) If a person is not permitted to register, such person, or any qualified candidate, may appeal to the Board of Elections, but not later than three days after the registry is closed for the next election. The Board shall decide within seven days after the appeal is perfected whether the challenged elector is entitled to register. If the appeal is denied the appellant may, within three days after such denial, appeal to the Municipal Court for the District of Columbia. The court shall decide the issue not later than eighteen days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending an election day, the challenged elector may cast a ballot marked "challenged", as provided in section 811.

(c) For the purposes of this Act, the Board of Elections shall keep open, during normal hours of business, Saturdays, Sundays, and holidays excepted, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes in registrations for such period, not exceeding thirty days, next preceding any election as it may deem necessary and appropriate.

Qualified Candidates

SEC. 808. The candidates at an election in the District shall be the persons, registered under section 807 of this Act or under section 7 of the District Primary Act, who have been nominated as provided in section 809 of this Act: *Provided*, That no member of the Board of Elections may be such a candidate.

Nominations

SEC. 809. (a) Nomination of a candidate shall take place when the Board of Elections receives a petition in accordance with rules, not inconsistent with this Act, prescribed by the Board either—

(1) a declaration of candidacy accompanied by a filing fee equal to 5 per centum of the annual compensation for which nomination is sought; and said fee to be refunded—

(A) if the candidate withdraws his candidacy in writing received by the Board not more than three days after the last day on which nominations may be made; or

(B) if the candidate polls 10 per centum or more of the total vote cast for that office; or

(2) a nominating petition signed by the number of registered voters specified below, without payment of a filing fee: *Provided*—

(A) that any petition for a candidate for the office of District Delegate or Mayor be signed by six hundred qualified electors registered in the District, and

(B) that any petition for a candidate for the District Council be signed by three hundred qualified electors registered in the ward from which he is nominated for such office.

(b) No person may be a candidate for more than one office in any election. If a person is nominated for more than one office, he shall, within three days after the last day on which nominations may be made (as prescribed by the Board of Elections), notify the Board of Elections for which such office he elects to run.

(c) The Board of Elections is authorized to accept any nominating petition as bona fide with respect to the qualifications of the signatories thereto: *Provided*, That the originals or facsimile copies thereof shall have been posted in a suitable public place for at least ten days: *And provided further*, That no challenge as to the qualifications of the signatories shall have been received in writing by the Board of Elections within ten days of first posting of such petition.

(d) The Board of Elections may, at its discretion, declare elected, without an actual count of the votes cast, any unopposed candidate.

Nonpartisan Elections

SEC. 810. (a) Ballots and voting machines shall show no party affiliations, emblem, or slogan.

(b) Section 16 of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (53 Stat. 1147), is amended by inserting immediately after "exists in" the following: "the District of Columbia or".

Method of Voting

SEC. 811. (a) Voting in all elections shall be secret. Voting may be by paper ballot or voting machine.

(b) The ballot shall show the wards from which each candidate (other than for District Delegate and Mayor) has been nominated. Each voter shall be entitled to vote for nine candidates for the District Council, not more than three from each ward; for one candidate for Mayor and for one candidate for District Delegate. No person shall be a candidate from more than one ward.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee balloting shall be permitted under regulations adopted by the Board of Elections.

(e) At least ten days prior to the date of any referendum or other election, any group of citizens or individual candidates interested in the outcome of the election may petition the Board of Elections for credentials authorizing watchers at any and all

polling places during the voting hours and until the count has been completed. The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

(f) If the official in charge of the polling place, after hearing both parties to any challenge or acting on his own with respect to a prospective voter, reasonably believes the prospective voter is unqualified to vote, he shall allow the voter to cast a paper ballot marked "challenged". Ballots so cast shall be segregated, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within three days after election day. The Board shall decide within seven days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or to operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) A voter shall vote only once with respect to each office to be filled.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as an elector.

Recounts and Contests

SEC. 812. (a) The provisions of section 11 of the District Primary Act with respect to recounts and contests shall be applicable to any election or referendum held under this Act, except that in the case of any initiative, referendum, or recall election any qualified voter who has voted in any such election may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required of a candidate for office under section 11(a) of the District Primary Act.

(b) If the court voids all or part of an election under this section, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 804.

Interference With Registration or Voting

SEC. 813. (a) No one shall interfere with the registration of voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for a breach of the peace then committed or for treason or felony.

Violations

SEC. 814. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this title, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than six months, or both.

TITLE IX—MISCELLANEOUS

Agreements With United States

SEC. 901. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to a contract (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, by and with the advice and consent of the District Council. Each such contract shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the Government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any contract negotiated and approved pursuant to subsection (a), any District officer or agency may in the contract delegate any of his or its function to any Federal officer or agency, and any Federal officer or agency may in the contract delegate any of his or its functions to any District officer or agency. Any function so delegated may be exercised in accordance with the terms of the delegation.

(c) The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the District Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the Congress to the Federal officers and agencies to which such services are furnished.

Personal Interest in Contracts or Transactions

SEC. 902. No member of the District Council and no other officer or employee of the District with power of discretion in the making of any contract to which the District is a party or in the sale to the District or to a contractor supplying the District of any land or rights or interests in any land, material, supplies, or services shall have a financial interest, direct or indirect, in such contract or sale. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the District found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge express or implied of the person contracting with the District shall render the contract voidable by the Mayor or the District Council.

Compensation From More Than One Source

SEC. 903. (a) Except as provided in this Act, no person shall be ineligible to serve or to receive compensation as a member of the District Council or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the District Council or such Board, if such service does not interfere with the discharge of his duties in such other office or position.

(c) For the purpose of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99), no person shall, by reason of membership on the District Council, or the Board of Elections or by reason of his serving in any position in or under the government of the District of Columbia, be considered to be an officer or employee of the United States.

Assistance of United States Civil Service Commission in Development of District Merit System

SEC. 904. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the District Council in the further development of the merit system required by section 402(3) and the said Commission is authorized to enter into agreements with the District of Columbia government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 901 of this Act.

TITLE X—SUCCESSION IN GOVERNMENT

Transfer of Personnel, Property, and Funds

SEC. 1001. (a) In each case of the transfer, by any provision of this Act, of functions to the Council or to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to the Council or to such agency or to the agency of which such officer is the head, for use in the administration of the functions of the Council or such agency or officer, the personnel (except the members of boards or commissions abolished by this Act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

(2) in the case of other functions (A) by the District Council, or in such manner as the District Council shall provide, if such functions are transferred to the District Council, and (B) by the Mayor if such functions are transferred to any other officer or agency.

(c) Any of the personnel transferred to the Council or any agency by this section which the Council or the head of such agency shall find to be in excess of the personnel necessary for the administration of its or his functions shall, in accordance with law, be retransferred to other positions in the District or Federal Government or be separated from the service.

(d) No officer or employee shall, by reason of his transfer by this Act, be deprived of a civil-service status held by him prior to such transfer.

Existing Statutes, Regulations, and so Forth

SEC. 1002. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this Act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this Act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes any rule, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided, nothing contained in this Act shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the District Council may otherwise elect to provide similar and comparable coverage as provided in section 402(4).

Pending Actions and Proceedings

SEC. 1003. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this Act, but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this Act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

Vacancies Resulting From Abolition of Board of Commissioners

SEC. 1004. Until July 1, 1963, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions, but such agency may take action only if a majority of the members holding office vote in favor of it.

TITLE XI—SEPARABILITY OF PROVISIONS

Separability of Provisions

SEC. 1101. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE XII—TEMPORARY PROVISIONS

Powers of the President During Transition Period

SEC. 1201. The President of the United States is hereby authorized and requested to take such action during the period following the date of the enactment of this Act and ending on the date of the first meeting of this District Council, by Executive Order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Board of Elections properly to perform their functions under this Act.

Reimbursable Appropriations for the District

SEC. 1202. (a) The sum of $500,000 is hereby authorized to be appropriated for the District of Columbia, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this Act.

(b) The full amount of expenditures out of the appropriations made under this authorization shall be reimbursed to the United States, without interest, during the fiscal year ending June 30, 1964, from the general fund of the District of Columbia.

TITLE XIII—EFFECTIVE DATES

Effective Dates

SEC. 1301. (a) As used in this title and title XIV the term "charter" means titles I to XI, both inclusive, and titles XV, XVI, and XVII.

(b) The charter shall take effect only if accepted pursuant to title XIV. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1406) except that—

(1) part 2 of title III, title V, and title VII shall take effect on the day upon which the council members first elected take office, and

(2) section 402 shall take effect on the day upon which the Mayor first elected takes office.

(c) Titles XII, XIII, and XIV shall take effect on the day following the date on which this Act is enacted.

TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

Charter Referendum

SEC. 1401. (a) On a date to be fixed by the Board of Elections, not more than nine months after the enactment of this Act, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified electors of the District of Columbia accept the charter.

(b) As used in this title, a "qualified elector" means a person who meets the requirements of section 806 on the day of the charter referendum.

Board of Elections

SEC. 1402. (a) In addition to its other duties, the Board of Elections established under the District Primary Act shall conduct the charter referendum and certify the results thereof as provided in this title.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 801 of this Act shall govern the Board of Elections in the performance of its duties.

Registration

SEC. 1403. (a) The Board of Elections shall conduct within the District of Columbia a registration of the qualified electors commencing as soon as practicable after the enactment of this Act and ending not more than thirty days nor less than fifteen days prior to the date set for the charter referendum as provided in section 1401 of this title.

(b) Prior to the commencement of such registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(c) The applicable provisions of section 807, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the registration of voters for this charter referendum.

Charter Referendum Ballot; Notice of Voting

SEC. 1404. (a) The charter referendum ballot shall contain the following, with the blank space appropriately filled:

"The District of Columbia Charter Act, enacted ————, proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified electors of the District in this referendum.

"By marking a cross (X) in one of the squares provided below, show whether you are for or against the charter.

☐ For the charter

☐ Against the charter"

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than three days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

Method of Voting

SEC. 1405. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of sections 811, 812, 813, and 814 of this Act shall govern the method of voting, recounts and contests, interference with registration or voting, and violations connected with this charter referendum.

Acceptance or Nonacceptance of Charter

SEC. 1406. (a) If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of of the United States, as provided in subsection (b).

(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

TITLE XV—DELEGATE

District Delegate

SEC. 1501. (a) Until a contitutional amendment and subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the "Delegate from the District of Columbia", who shall be elected as provided in this Act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for two years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified elector, (2) is at least twenty-five years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the three years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the

District) for any candidate for public office. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(c) (1) Subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended, is hereby amended by striking out "from the Territories".

(2) Clause (b) of section 1 of the Civil Service Retirement Act of May 29, 1930, as amended (70 Statt. 743), is hereby amended by striking out "from a Territory".

(3) The second paragraph under the heading "House of Representatives" in the Act of July 16, 1914 (U.S.C., title 2, sec. 37), is hereby amended by striking out "from Territories".

(4) Paragraph (i) of section 302 of the Federal Corrupt Practices Act, 1925, as amended (U.S.C., title 2, sec. 241), is hereby amended by inserting after "United States" the following: "and the District of Columbia".

(5) Section 591 of title 18, United States Code, is hereby amended by inserting "and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and possessions" the following: "or the District of Columbia". The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columbia".

TITLE XVI—REFERENDUM

Power of Referendum

SEC. 1601. (a) The qualified electors (as defined in section 806) shall have power, pursuant to the procedure provided by this title, to approve or reject in a referendum any act of the District Council, or part or parts thereof, which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which shall be subject to the referendum provisions contained in section 602, or to acts continuing existing taxes or making appropriations which in the aggregate are not in excess of those for the preceding fiscal year. Within forty-five days after an act subject to this title has been enacted, a petition signed by qualified electors equal in number to at least ten per centum of the number who voted at the last preceding general election may be filed with the Secretary of the District Council requesting that any such act or any part or parts thereof, be submitted to a vote of the qualified electors.

(b) The Board of Elections shall prescribe such regulations as may be necessary or appropriate with respect to the form, filing, examination, amendment, and certification of petitions for referenda and with respect to the conduct of any referendum held under this title.

Effect of Certification of Referendum Petition

SEC. 1602. (a) When a referendum petition has been certified as sufficient, the act, or the one or more items, sections or parts thereof, specified in the petition shall not become operative, or further action shall be suspended if it shall have become operative, until and unless approved by the electors, as provided in this title. The filing of a referendum petition against one or more parts of an act shall not alter the operative effect of the remainder of such act.

(b) If within thirty days after the filing of a referendum petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed sufficient for the purposes of this title.

Submission to Electors

SEC. 1603. An act with respect to which a petition for a referendum has been filed and certified as sufficient shall be submitted to the qualified electors at a referendum to be held in connection with the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of the sufficiency of the petition. The District Council shall, if no general election is to be held within such period, provide for a special election for the purpose of conducting the referendum.

Availability of List of Qualified Electors

SEC. 1604. If any organization or group requests it for the purpose of circulating descriptive matter relating to the act to be voted on at a referendum, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

Results of Referendum

SEC. 1605. An act which is submitted to a referendum which is not approved by a majority of the qualified electors voting thereon shall thereupon be deemed repealed. If a majority of the qualified electors voting thereon approved the act, it shall become operative on the day following the day on which the Board of Elections certifies the results of the referendum. If conflicting acts are approved by the electors at the same referendum, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. As used in this section, the word "act" shall mean the complete act, or any part or parts thereof, specified in the petition for referendum.

TITLE XVII—INITIATIVE

SEC. 1701. (a) Subject to the provisions of section 324 of this Act, the qualified electors of the District shall have the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District.

(b) In exercising the power of initiative conferred upon the qualified electors by subsection (a) of this section, not more than 10 per centum of the number of qualified electors voting in the last preceding general election shall be required to propose any measure by an initiative petition. Every such petition shall include the full text of the measure so proposed and shall be filed with the Secretary of the District Council to be submitted to a vote of the qualified electors. Any such petition which has been filed with the Secretary, and certified by him as sufficient, shall be submitted to the qualified electors of the District at the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of sufficiency. The Council shall, if no general election is to be held within such period, provide for a special election for the purpose of considering the petition. Any measure so proposed by the petition shall, if approved by a majority of the qualified electors voting thereon in such election, take effect and become law on the day following the day on which the Board of Elections certifies the results of such election or on the date provided for by such measure. If conflicting measures proposed are approved by the electors at the same election, the measure receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(c) If, within thirty days after the filing of a petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed certified as sufficient for purposes of this section.

(d) The style of all measures proposed by initiative petition shall be as follows: "Be it enacted by the People of the District of Columbia."

(e) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to form, filing, examination, amendment, and certification of initiative petitions, and (2) with respect to the conduct of any election during which any such petition is considered.

(f) If any organization or group requests it for the purpose of circulating descriptive matter relating to the measures proposed to be voted on, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

TITLE XVIII—TITLE OF ACT

SEC. 1801. This Act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such Act, may be cited as the "District of Columbia Charter Act".

Mr. MORSE. Madam President, I further ask unanimous consent that a joint statement issued today by the Honorable EDITH GREEN and myself on this subject matter be printed at this point in the RECORD.

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

JOINT STATEMENT BY SENATOR WAYNE L. MORSE AND CONGRESSWOMAN EDITH GREEN, OF OREGON

We have today introduced in the Senate and House, respectively, a bill providing for a meaningful and democratic home rule charter for the District of Columbia. The bill which we have submitted to the Congress for what we hope will be early and favorable action, provides for an elective mayor, council, and nonvoting Delegate to the U.S. House of Representatives. This measure, together with the constitutional amendment which the Congress last year submitted to the States, providing for a presidential vote for the people of the Nation's Capital, will bring the reality of democracy to the people of that city which ought to stand as a symbol of democracy throughout the world.

Contrary to the intent of the Founding Fathers, and certainly contrary to the practice of the past, the residents of Washington have for many years been denied any voice in their own government. The affairs of this great American city have been in the hands of appointed officials of the District Commission, and the Members of the Congress, not one of whom could be held responsible in any way by the people of the District. This has been a simple and indefensible denial of the basic principle of democracy. It is not enough to say that the Commissioners have been good men. Most have been. It is not enough to say that the Members of the Congress have dealt generously with the people of the District, which has often been the case. The question of home rule is the question of the right of three-quarters of a million Americans to govern their own destinies, for good or ill.

We look forward with high hopes to the enactment of this legislation, and to the ratification of the proposed constitutional amendment by the State legislatures.

SUPREME COURT DECISION ON DIXON-YATES CONTRACT

Mr. MORSE. Madam President, the Senator from Tennessee [Mr. GORE]

some minutes ago engaged in a colloquy with the Senator from Mississippi [Mr. STENNIS] in regard to the debate which occurred on the floor of the Senate in connection with the nefarious Dixon-Yates contract. I do not know whether when the Senator from Tennessee spoke earlier this afternoon he was aware of the latest chapter that has been written in the Dixon-Yates contract matter. However, because I joined with the Senator from Tennessee and other Senators in deploring the course of action taken by the Eisenhower administration in regard to that shocking fraud practiced upon the people in connection with the Dixon-Yates contract, I wish to comment on the latest chapter that has been written on that subject matter.

It will be recalled—and the CONGRESSIONAL RECORD stands as my proof—that on several occasions in the past several years since the Dixon-Yates contract was consummated, I pointed out to the American people that when the history of the transaction was written, history would spell it out for what it was—a shocking instance of political corruption; an additional example of the political corruption that has characterized so much of the Eisenhower administration; political corruption which I am sure very often went on without the knowledge of the President. But that did not change his responsibility for it.

History will record the record of this administration in the giving away of the precious rights of the taxpayers over and over again in the whole field of natural resources. There was, for example, the shocking example in regard to tidelands; the shocking record of the Eisenhower administration in its attempt to give away the people's interest in connection with the rivers of the Nation to the private utilities and monopolistic combines by the plausible-sounding partnership scheme, which was naught but a scheme to cheat the American people out of the precious economic rights that they own in the river basins of the country.

When that history is written, this administration will then, for our descendants, appear in the light that some of us have tried to warn the American people, during the very existence of the administration, was a proper description of it. Time and time again, when I have warned the American people that this administration was honeycombed with what I call economic corruption, I have been abused and castigated by a large segment of the American press. However, I am completely confident that history will sustain me. History has already sustained me in regard to the Dixon-Yates contract, because today the Supreme Court of the United States, in a 6-to-3 decision, wrote the final chapter on the shocking Dixon-Yates contract. I read from the Associated Press news tickertape which has just come in:

The Supreme Court today decided the United States need not pay $1,867,545 damages for cancellation of the controversial Dixon-Yates powerplant contract.

Chief Justice Warren delivered the 6–3 decision.

Justice Harlan wrote a dissenting opinion in which Justices Whittaker and Stewart joined.

The tribunal ruled on a Government appeal from a decision by the U.S. Court of Claims, awarding the amount to the Dixon-Yates combine for its expenditures on the project before President Eisenhower canceled the contracts in 1955.

We all know how difficult it was finally to secure the cancellation of the contract. I am satisfied that had there not been speech after speech on the floor of the Senate, engaged in by the two Senators from Tennessee [Mr. KEFAUVER and Mr. GORE], and other Senators among us, the administration never would have taken the step even to cancel the contract. There was no question that in those speeches we proved the conflict of interest.

That was a shocking example of conflict of interest. It should have taken the President only about 2 minutes to fire Wenzell after he knew Wenzell had been maneuvered into a position of power within his administration. Some of us said so on the floor of the Senate at the time of the incident. But weeks went by, and no Presidential action was taken, although the facts were well known throughout those weeks.

I return to the news account:

Signed in 1954, the Dixon-Yates contract touched off a fight between private and public power interests in the Tennessee Valley Authority area. The argument became a political issue, and there was a congressional investigation.

J. Lee Rankin, U.S. Solicitor General, argued before the Supreme Court that the contract was unenforcible and the Government was not liable because of a conflict of interest on the part of one of those taking part for the Government in negotiations for the contract.

The whole arrangement was defended by the President of the United States, but the stench was too great, even, for the nostrils of the Solicitor General of the United States. To his everlasting credit, let me point out, the Solicitor General of the United States went before the courts and argued against the contract on the basis of a conflict of interest.

This is not the first time I have spoken with great pride about my profession; but it is my observation that when a competent member of my profession is placed in a position of public trust and responsibility, he will usually get the kind of response which the Solicitor General got in the Dixon-Yates case. But even though there had been pronouncements on the part of the White House itself, seeking to defend that shocking contract, the Solicitor General knew what the law was, and the Solicitor General knew that the contract could not be justified as a matter of law.

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

Mr. MORSE. I yield.

Mr. LONG of Louisiana. Is not the Solicitor General actually a member of the administration?

Mr. MORSE. He certainly is. The President could not even keep his own Solicitor General with him in regard to his attempt to sustain this political corruption.

Mr. LONG of Louisiana. Could not the act of the Solicitor General be regarded as an act of the administration, which, at least theoretically, must be authorized by the Executive?

Mr. MORSE. Yes, theoretically that is so; but the President's position was so well known to the public that that inference could not be drawn in this case.

Mr. LONG of Louisiana. Would it not appear that this amounts to an admission by the Executive that the contract was not an honorable contract?

Mr. MORSE. The CONGRESSIONAL RECORD will show that the Senator from Louisiana [Mr. LONG] and I, and other Senators, said practically that very thing when we engaged in the debate at the time of its cancellation. I remember very well the participation in that debate by the Senator from Louisiana and the Senator from Tennessee [Mr. GORE].

We pointed out then, in that debate, that the President could not even take along his own Department of Justice in that deal. That was a political payoff that has come home to roost.

Mr. LONG of Louisiana. Of course the Senator from Oregon has been proved correct about that contract; and the decision today is only the final chapter, I believe, in the proof. He and others knew more about it then than I knew at that time. However, it seemed to me that the administration's atomic energy amendments actually contained provisions that, dollarwise, would have been far more injurious to the interests of the country and its taxpayers than would even the Dixon-Yates matter. I have in mind the proposed giveaway of the patent rights to the Government's discoveries in the field of atomic energy.

Mr. MORSE. The Senator from Louisiana knows that I agree with him on that point. All of us joined in the fight against that attempt by the administration, which was supported by the then majority leader of the Senate, to steamroller through that attempt at that time, on the very afternoon when it was brought to the Senate. That was a 110-page bill; and the RECORD will show that at that time I said that I did not believe half a dozen Senators had even read the bill. Nevertheless, the majority leader wanted the bill voted on that very afternoon. They got it through the House the very day it was taken there.

But they did not get it through the Senate that day, because a few of us believed there should be adequate debate in the Senate to stop such a steamroller attempt. There is no doubt that atomic energy bill, which involved between $12 billion and $14 billion of investment by the American taxpayers, did not involve a dollar of investment at that time by the private utilities in atomic energy development. The private utilities of the country did a magnificent job of administering the atomic-energy program during the war; but they were well paid for their administration, and of course they had that patriotic duty, anyway; and I am sure they would do it out of patriotism.

But when the administration sought to turn over to the private utilities, for nothing, the atomic energy program, the

administration was seeking to give away $12 billion or $14 billion of investments by the American taxpayers; and that attempt was made right here in the Senate.

I said then, and I now repeat, that it was another shocking example of the political corruption of the Eisenhower administration. It cannot be justified on any ethical ground or on any economic ground or in the interests of decent government. When the historians get through writing about that one, this administration will be shown in the history books as one that sadly failed in its trust to the American people in that entire field of economic development.

Madam President, I return to the Associated Press dispatch in regard to the Dixon-Yates matter:

Adolphe Wenzell, a New York investment banker, served as consultant to the Budget Bureau during part of the negotiations. At the time, he also was a vice president of the First Boston Corp., which eventually became interested in the financing of the powerplant.

Counsel for Dixon-Yates told the High Court that Dixon-Yates early in the negotiations had called attention to a possible conflict of interest and suggested that Wenzell withdraw but the Government permitted Wenzell to continue. There was no agreement or understanding, the counsel said, that Dixon-Yates would go to First Boston for its financing.

In making a claim against the Government, the combine said it sought only to recover out-of-pocket costs.

How well I remember the afternoon when the senior Senator from Tennessee [Mr. KEFAUVER] stood here on the floor of the Senate and disclosed that a Senate subcommittee had asked the Bureau of the Budget for a list of the personnel who had been working on the Dixon-Yates matter, and that when the list came up, Wenzell's name was not on it. Apparently they did not know what we already knew; or, Madam President, apparently they thought they could "get by" with that concealment.

When the Senator from Tennessee pointed out that the man who was the brains behind the contract was on the payroll, but that his name was not on the list sent to the Senate, they were caught barehanded, or perhaps I should say redhanded. Then their alibi was that it was an oversight or a mistake—what a remarkable mistake. I said then, in effect, that in my judgment these administration officials sought to deceive that Senate committee; they were hoping they could cover up. In my judgment the investigation made by the Senate committee was largely responsible for the disclosures which led to the decision handed down today by the U.S. Supreme Court.

Madam President, the Associated Press dispatch goes on to say:

Warren, for the Court majority, said the Government may disaffirm a contract which is "infected by an illegal conflict of interests."

Warren added that the public interest "requires nonenforcement" of the contract.

He added that this is true "even though the conflict of interest was caused or condoned by high Government officials."

Let me repeat that, because none of us needs be told to whom the Chief Justice refers in that sentence. The dispatch says:

He [Warren] added that this is true "even though the conflict of interest was caused or condoned by high Government officials."

Madam President, I thank God that under our constitutional form of Government even the President of the United States and his assistants are subject to the operation of our constitutional processes; and I am glad that once again the Supreme Court has stood as a protector of the basic principle that the Constitution applies to all, no matter how low or how high may be his station.

The Associated Press dispatch goes on to say:

The Chief Justice asserted that, "the same strong policy which prevents an administrative official from exempting his subordinates from the coverage of the statute, also dictates that the actions of such an official not be construed as requiring enforcement of an illegal contract." He added:

"Although nonenforcement may seem harsh in a given case, we think that it is required in order to extend to the public the full protection which Congress decreed * * *."

The Chief Justice said that, on the Government's conflict-of-interest defense, there appeared to be but two legal principles involved. These were, Warren said, whether the activities of Wenzell constituted a violation of the Federal conflict of interest statute and, if so, whether that fact alone barred the Mississippi Valley Generating Co. from enforcing the contract. The Chief Justice then declared the Court of Claims was in error in its decision, "and that both of these questions must be answered in the affirmative."

Madam President, how well I remember the day when the Court of Claims handed down its decision; and how well I remember the statements which were made, in the Senate and elsewhere, by apologists for the administration. They said, "We told you so. We told you there was nothing wrong with the contract."

But our reply was, "Wait until the Supreme Court of the United States gets through with that case."

It was perfectly clear to me, as I read the Court of Claims decision, that it would not pass the Supreme Court because I think the line of decisions in the U.S. Supreme Court is so clearly in support of the great decision handed down this afternoon that the decision was inevitable. I am not surprised. I am thankful that once again we have every reason to place our trust in that great temple of justice within a stone's throw of the desk from which I speak—the great guarantor and protector of the constitutional rights of the American people.

Madam President, the dispatch goes on to set forth the observations of the dissenting opinion; and, in fairness to the dissent, I ask unanimous consent that the entire dispatch be printed in the RECORD at this point in my remarks.

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

WASHINGTON.—The Supreme Court today decided the United States need not pay $1,867,545 damages for cancellation of the controversial Dixon-Yates powerplant contract.

Chief Justice Warren delivered the 6–3 decision.

Justice Harlan wrote a dissenting opinion in which Justices Whittaker and Stewart joined.

The Tribunal ruled on a Government appeal from a decision by the U.S. Court of Claims, awarding the amount to the Dixon-Yates combine for its expenditures on the project before President Eisenhower canceled the contract in 1955.

Signed in 1954, the Dixon-Yates contract touched off a fight between private and public power interests in the Tennessee Valley Authority area. The argument became a political issue, and there was a congressional investigation.

J. Lee Rankin, U.S. Solicitor General, argued before the Supreme Court that the contract was unenforcible and the Government was not liable because of a conflict of interest on the part of one of those taking part for the Government in negotiations for the contract.

Adolphe Wenzell, a New York investment banker, served as consultant to the Budget Bureau during part of the negotiations. At the time, he also was a vice president of the First Boston Corp., which eventually became interested in the financing of the powerplant.

Counsel for Dixon-Yates told the High Court that Dixon-Yates early in the negotiations had called attention to a possible conflict of interest and suggested that Wenzell withdraw but the Government permitted Wenzell to continue. There was no agreement or understanding, the counsel said, that Dixon-Yates would go to First Boston for its financing.

In making a claim against the Government, the combine said it sought only to recover out-of-pocket costs.

Warren, for the Court majority, said the Government may disaffirm a contract which is "infected by an illegal conflict of interests."

Warren added that the public interest "requires nonenforcement" of the contract.

Warren added that this is true "even though the conflict of interest was caused or condoned by high Government officials."

The Chief Justice asserted that "the same strong policy which prevents an administrative official from exempting his subordinates from the coverage of the statute also dictates that the actions of such an official not be construed as requiring enforcement of an illegal contract." He added:

"Although nonenforcement may seem harsh in a given case, we think that it is required in order to extend to the public the full protection which Congress decreed."

The Chief Justice said that, "On the Government's conflict-of-interest defense, there appeared to be but two legal principles involved. These were," Warren said, "whether the activities of Wenzell constituted a violation of the Federal conflict-of-interest statute and, if so, whether that fact alone barred the Mississippi Valley Generating Co. from enforcing the contract." The Chief Justice then declared the Court of Claims was in error in its decision, "And that both of these questions must be answered in the affirmative."

Harlan, joined by Whittaker and Stewart, favored upholding the Court of Claims' award of damages to the Dixon-Yates combine.

Harlan described the Government's defense against the claim as "far from ingratiating."

He said, "Wenzell's superiors in the Government were fully aware of his connection with First Boston and the possibility that First Boston might later figure in the financing of the power project."

"With this knowledge," Harlan said, "Government officials affirmatively acquiesced, and indeed encouraged, his continuing in his consultative role."

Harlan said that in his view, "the Government must win if Wenzell was personally indirectly interested in the contract through First Boston.

"But in the light of the finding of the Court of Claims I cannot agree that Wenzell was so interested," Harlan wrote.

At the time of the controversy over the Dixon-Yates project, the one thing the disputants were agreed on was that there was need for someone to build a powerplant.

The Atomic Energy Commission was taking increasing amounts of power from the TVA system. There was the prospect of a power shortage in the Memphis, Tenn., area.

TVA supporters wanted TVA to build a steamplant, but the administration was against expansion of TVA in this manner and Congress declined to appropriate money for a TVA plant.

Eventually a contract for a steamplant at West Memphis, Ark., was signed by the Atomic Energy Commission and the Dixon-Yates group, formally known as the Mississippi Valley Generating Co. Later the city of Memphis decided to build its own plant. In canceling the Dixon-Yates contract, President Eisenhower said the city's decision ended the need for a private plant.

Mississippi Valley Generating Co. was set up jointly by Middle South Utilities, Inc., headed by Edgar H. Dixon, and by Southern Co., headed by Eugene A. Yates, who has since died.

Mr. MORSE. In my judgement, there is no doubt that the great majority opinion written by Chief Justice Warren demolishes the observation of the dissent.

I turn now to another matter.

DISTRICT OF COLUMBIA SCHOOLS—A REPORT OF PROGRESS

Mr. MORSE. Madam President, in areas of controversial public policy there is frequently a welter of charge and countercharge which serves to obscure the basic principles which ought to govern action. Certainly this factor has entered into the polemics of the continuing debate over the effect of integration upon our public schools. It is refreshing, therefore, to come upon a factual report by a responsible public official and a distinguished educator which presents, not only the statistics of the effect upon the school system of a major city of desegregation, but which also redirects our thinking from the superficial to the fundamental objectives of any American educational institution.

Dr. Carl F. Hansen is Superintendent of Schools for the Capital of our Nation. He has had the unique opportunity of observing, at first hand, the change in that system since 1954. He has related that experience concisely in an article entitled "Six Years of Integration in the District of Columbia," which was published in the October 1960 issue of the Teachers College Record.

Not one of us would take issue with his statement in that article:

That American children, regardless of race or social or economic status, must have the best possible opportunity to learn. Extraneous characteristics of race, for example, make them no less (or more) precious as citizens, no less worthy of opportunity, and certainly no less important to the welfare of the nation.

This is the affirmation of the democratic ideal which should govern our decisions in the realm of educational policy, and, in my judgment, Superintendent Hansen is to be congratulated and commended for having voiced it so admirably.

Madam President, because I know that many of my colleagues are receiving considerable correspondence concerning the school system of Washington, and because I believe Dr. Hansen's article to be authoritative in providing factual evidence which may be helpful in answering inquiries, I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

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

SIX YEARS OF INTEGRATION IN THE DISTRICT OF COLUMBIA

(By Carl F. Hansen)

The spotlight in educational matters properly belongs on the education of children. In the District of Columbia, where integration took place in 1954, we have attempted to emphasize educational practices in relation to children's needs above the sheer processes of desegregation. By this deliberate kind of accent, we have tried to work for children generally, not white children or Negro children.

This emphasis seems correct despite certain facts—even because of them. For example, the Negro enrollment in the Washington, D.C., schools in 1959–60 was 76.7 percent, and the percentage of Negro teachers was slightly over 62. But both because of these facts and in spite of them, it seems much more realistic to conceive of educational practices in Washington as geared to the needs of a cosmopolitan clientele coming from an inner city of just under 750,000 in a metropolitan area where the population approximates 2 million. Thus, the problems of our pupils are common to those generated in crowded urban centers—poverty, cultural as well as economic deprivation, a high incidence of juvenile and adult crime, and the low motivation for academic work that is associated with horizons limited by city streets and lower class concepts. Yet, in the frequent and inexcusable squalor of unrefreshing homes, children can find hope in the schools, which are their main avenues to freedom and which must meet their needs however deep they may lie.

It is with the education of children in this context that we are properly concerned. If it can be shown that desegregation increases the strength of the program, eases the processes of curriculum change, consolidates however slowly the efforts to improve resources, inspires a unified community of warmhearted people to help children become better citizens, then integration can be looked upon as contributing to overall educational objectives that are precious to everyone. The important thing is for a school system to give evidence that something is happening which leads to the improvement of human behavior.

This article will be concerned primarily with the education of children in the desegregated school system in the Nation's Capital. As facts are presented, there will be no effort to cover up, to distort findings, or to gloss over problems because public education in American cities is not primarily a demonstration of the true and noble in our country. The inadequacy of school support in relation to the extent of human needs to be met is not the peculiarity of a desegregated school system. It is the tragedy of the American city.

DESEGREGATION HISTORY

In even the most concise form, the history of desegregation in the District of Columbia helps to make clear the extent of social change which can occur within a relatively short time.

Prior to May 17, 1954, when the Supreme Court declared school separation by race to be unconstitutional, Washington entertained two school systems, organized under one Board of Education and managed by one Superintendent. While much was done to establish lines of communication between the two entities, an unbelievable degree of separation prevailed. Those who feared desegregation clung tenaciously to the fiction that lines must be held firm. The leadership of each division of the school system, intent on preserving its identification and prerogatives, sought little counsel with that of the other division. In general, where integrated groups like curriculum committees existed, Negro teachers and officers were given slight opportunity for leadership responsibility.

When the change occurred in 1954, Negro teachers and officers were educating 64,080 Negro children in explicitly separate schools, and white teachers and officers similarly taught 41,393 non-Negro pupils in separate schools. Eight days after the Supreme Court decision, the Board of Education set policies that clearly eliminated racial segregation. Its action led to a unification process that produced, by September of 1954, racially mixed classes in 116 schools (73 percent) and biracial faculties in 37 schools (23 percent).

Clearly two inferences may be drawn: The principle of educating children according to their residences or special needs rather than by race can be promptly put into practice; and the process bears a significant relationship to readiness and a willingness to learn by doing. In many ways, problems of relationships remain to be solved, but the center of effort is now on the simple yet very complex business of educating children as they enter the classroom of this great city.

ENROLLMENT BY RACE

The table that follows shows the trend in enrollment by race in the Washington schools from 1950 to 1959. This change is due directly to the exodus of whites to the suburbs and the occupation of the vacated housing by Negroes. It is generally recognized that this phenomenon is typical of our large cities and defines a very general problem.

Having noted that our schools had a large Negro membership, a superintendent of schools in another city, somewhat patronizingly, I thought, said to me, "You will soon be an all-Negro school system."

"We will continue to be an all-American school system," I replied. What I meant, of course, was that American children, regardless of race or social or economic status, must have the best possible opportunity to learn. Extraneous characteristics of race, for example, make them no less (or more) precious as citizens, no less worthy of opportunity, and certainly no less important to the welfare of the Nation.

With the reservation, therefore, that a school system or any part of it should not be labeled by race, the enrollment trend by race is significant as a fact but not an explanation of effect at this stage in the history of desegregation in this school system.

TABLE I.—*Washington enrollment by race, 1950–59*

[In percent]

Year	White	Negro
1950	49.3	50.7
1951	47.6	52.4
1952	45.8	54.2
1953	43.2	56.8
1954	39.2	60.8
1955	36.0	64.0
1956	32.0	68.0
1957	28.8	71.2
1958	25.9	74.1
1959	23.3	76.7

The most impressive conclusion to be drawn from school enrollment figures by race is that residential segregation continues unabated. The most notable concern is, therefore, how to ameliorate the effects of residential groupings that perpetuate some of the aspects of legal segregation and create instability in communities when Negroes move into them. The schools are responsible for the education of children residing near them. Theirs is not the task of setting the housing patterns for the community, except as education in urban redevelopment may contribute to intelligent planning.

ACADEMIC STANDARDS

After the schools were desegregated in September 1954, test results were reported on a citywide basis. The discovery that the total academic norms in the local schools were below the national standards threatened to destroy confidence in the school system. The problem was made all the more complex by the difficulty of communicating to the lay community the meaning of the test results. When medians or averages were used, many found it difficult to interpret them as midpoints in a wide distribution of scores. Moreover, to describe the results as a reflection of an atypical distribution of pupils was regarded as an alibi rather than an objective analysis of conditions.

Finally, for those who needed a propaganda tool against desegregation, the apparent but obviously unreal loss in academic standards was a handy weapon. Used lustily and widely, it created an inaccurate image of the school system which is only now coming by degrees into true focus.

It follows logically, therefore, that much attention was given to the upgrading of academic performance. This required simply an enlarged opportunity to learn for all children. At the same time, the total community was reminded over and over again that the measure of a school program is the change for good made in children who are involved in it. Thus, the measure is relative to the stage of the child's development when he begins to receive instruction. The accomplishment is evaluated by the amount of growth he achieves while under instruction.

Information which will justify at least tentative conclusions about the effect of desegregation upon academic standards is to be found in the reports of an extensive citywide testing program. While these data are naturally subject to qualification, they are the most objective available. They are submitted as evidence of an observable improvement in the quality of Washington's educational product over the past 5 years.

In 1959–60, over 60,000 children were tested with the Metropolitan Readiness, California Mental Maturity, and Stanford Achievement Tests as appropriate to their grades. The outcomes of this program are instructive.

Kindergarten and first grade: In terms of national norms, readiness tests showed a local median percentile rank of 43 for the kindergarten and 20 for new entrants in the first grade. Obviously, then, the new entrants, numbering 3,012, are generally in the low normal group, suggesting special educational problems. Special procedures must, consequently, be devised for them. These aids may even have to be extended to their homes because it is known that many of the difficulties of these children result from adverse home conditions.

Further evidence of cultural and psychological lag among these pupils is apparent in the fact that the scores of 12.7 percent of them classified them as "poor risks" for kindergarten. This figure must be read against a national norm of 8 percent. Similarly, 23.3 percent (703) youngsters in the first grade also scored as poor risks as against 6 percent on the national scoreboard. In the average or above-average categories, there were 55.5 percent of the local kindergarteners, compared with 63 percent in the Nation as a whole. In the new entrants to the Washington first grade, only 36 percent could be classified average or above.

It is clear, then, that the educational problem is shaped by the lack of preparation for learning with which many children begin schooling. No one can discredit an educational establishment for this condition, but unless strenuous efforts to obtain needed resources are made by the community under the leadership of the schools, criticism is very much in order. Many of these children will be the problem learners, the dissatisfied, unhappy, frustrated youngsters of later school periods, the early school leavers, and to some extent the delinquents. It is clear that the problem requires maximum resources and attack at this early stage for the benefit of the community as well as the individual children.

Third grade: In the third grade, local medians were only slightly below the national norms. A primary exception was arithmetic reasoning, where the Washington median grade equivalent was 2.8, compared to the national norm of 3.5. Except in arithmetic reasoning, however, the 11,110 third graders achieved beyond the level that their intelligence grade placement 3.1 would indicate as expected for them.

Compared with comparable test scores by all third-grade pupils in 1955–59, the 1955–59 crop did considerably better on everything except arithmetic reasoning, where the two groups were essentially the same. In the latter year, the percent of Negroes in the third grade was 81.5 as against 66.3 in 1955–56. It may be concluded, therefore, that academic achievement has improved since 1955–56 and that this improvement is taking place as the ratio of Negro children is increasing. It would seem that the education of all the children, white and Negro together, is clearly improving in a desegregated school system.

One of the worries some people had about desegregation was that it would reduce the learning opportunities for white children. "Standards will be dragged down and all will suffer," was the claim. But third grade reports in 1959–60 show that such is hardly the case. From 1 to 9 percent of the pupils tested made the highest possible scores in one or another of the five sections of the Stanford Achievement Test. Moreover, 42 percent made scores at or above the national norms in paragraph meaning. This was, incidentally, higher than was to be expected from the median intelligence grade placement for the class. In general, there was a small but substantial increment in achievement over even the preceding year. Washington third graders are performing very close to the national pattern. The brighter pupils are, of course, above the norms in their reading achievement.

Fifth grade: For a reason not yet determined, norms fell in the fifth grade slightly below the intelligence grade placement for the group and even more below the national norms. This tendency was consistent over all subtests of the Stanford Achievement Test. Nevertheless, the more able pupils at or above the 75th percentile in intelligence achieved at or above ability expectations for their group in three subjects. On the other hand, pupils in the lowest quarter were achieving below measured ability in all subjects.

Although the 1959–60 group (79.1 percent Negro) did much better than the 1955–56 group (63.9 percent Negro), there is much to be dissatisfied with and as yet unexplained in what appears to be a dip in the rate of local achievement between the third and the sixth grades.

The record of test scores shows that a larger percentage of 1959–60 fifth-grade pupils achieved at and above the grade norm than the 1958–59 group in all six areas tested. This gives evidence of progress and positive achievement for the average and above-average pupils. It leaves, however, the enormous educational problem of upgrading large numbers of educationally handicapped children.

Sixth grade: The 1959–60 group of sixth graders hit the national norm in one area tested (spelling) and fell only very slightly below it in the other five. Thus, the gap between local and national norms seems to narrow quite perceptibly as pupils experience 6 full years of education in a unified school system.

Again, the 1959–60 group (77.2 percent Negro) showed considerable improvement in all areas tested over the 1955–56 group (63.2 percent Negro). Taken against the 1958–59 sixth graders, the present class did not perform quite as well, scoring consistently just under the 50th centile on national norms as compared with scores just over 50 made by pupils from the preceding year. But 39 to 50 percent of the students achieved at or above the national norms on one or more subtests, a fact that constitutes further evidence of improving achievement under integrated conditions. This inference is strongly supported by the further fact that growth in achievement, shown by comparing the medians of the total groups tested in 1956 and in 1960, increased from the third to the sixth grade by rather more than the expected 3.4 years of gain in every one of the six areas tested. Thus, the group, growing in its proportional Negro membership, developed academically at a better than normal rate during their years of instruction in the Washington program.

Junior high school: In the junior high schools, comprising grades seven through nine, student achievement was assessed by means of the educational ability, differential aptitude, and Stanford achievement tests. In addition, ninth graders were given the short form of the California test of mental maturity.

In the eighth grade, the median grade equivalents, while still from 0.4 to 0.8 below the national norms, were markedly superior to 1955–56 scores. The best gains were in arithmetic reasoning and computation, where improvement in median performance was one full grade equivalent and 0.8 grades, respectively. Even more noteworthy is the fact that this group improved from their achievement in the fifth grade to their achievement in the eighth at somewhat more than an expected rate. Assuming a normal increment over the 3-year interval of three grade equivalents, one is struck by growth in this class in excess of that figure over all subtests (3.3 in paragraph meaning, word meaning, and arithmetic reasoning, and 3.5 in arithmetic computation). Since the rate of growth in these particular children was below normal expectancy prior to their experience in the fifth grade, this development burst is indicative of notable improvement in the period since integration was achieved.

Ninth grade test scores showed a median IQ (California test of mental maturity) of 95 with a range from 55 to 154. Put another way, the range in mental age was from 8 years, 4 months, to 21 years, 6 months. Educational planning must obviously take into account this wide spread of intellectual ability if the diverse but always poignant needs of the children are to be met. In the District of Columbia, this responsibility is dealt with through grouping by ability and the popularly known track system.

Senior high school: In the test data available for the senior high school students, the significance of the track system stands out. In the 10th grade, for example, the brightest pupils, those following honors and regular college preparatory courses (tracks 1 and 2), scored at consistently high levels. The median percentile ranks achieved by honors students were 83 (basic social concepts), 87 (natural science), 95 (correctness of expression), and 88 (quantitative thinking). For those in the regular college preparatory program, the scores for the same four areas in median percentiles were 51, 63, 76, and 59. It seems highly improbable that the desegregation process, contrary to the expressed fears of many, has had an adverse effect on the achievement of the able student, whether white or Negro.

In the case of track 3 pupils (those in the general curriculum for students not qualified for or interested in college preparatory work), however, the local median percentile fell in every case below the national norms. The actual scores for the four areas were 23, 28, 39, and 19. Again, much remains to be done to upgrade the educational achievement of this large group of high school boys and girls. Nevertheless, the scores of 2,234 12th graders in tracks, 1, 2, and 3 show improvements of from 3 to 16 percentile points over their scores made as 10th graders, adjusted for norm differences to take into account that percentiles are relative to the grade of testing. This observation constitutes substantial evidence for the proposition that this group made, on the whole, more than expected improvement over the period of instruction in integrated high schools.

Thus, this summary of achievement records shows generally a rate of learning that is higher than one would ordinarily expect. The persistent educational problem is twofold. The first is how to improve the factors which condition children for school experiences. As has been shown, many children enter the Washington school system with severe cultural handicaps. The alleviation of this problem may not be expected solely from the schools. A total community attack is urgent if the crippling educational disabilities suffered by many of our children are to be removed.

The second aspect of the problem, however, the schools can do much about. They can improve the quality of education by better teaching, better curriculum organization, concentration upon essentials, and the provision of improved services at all levels.

IMPROVED SERVICES

No one can satisfactorily measure the constructive effect of school unification upon the improvement of services to children. The imponderable but strongly felt divisiveness of a dual school system restricts advancement. When a community looks clearly and impartially at the needs of a single school system, it can direct an integrated attack upon its problems and speak as a single voice for the improvement of education for every child. Such a drive in the District of Columbia has produced some observable evidence of progress in school services and instructional emphasis. Part-time classes—the extent of them, at least—is an index of vitamin deficiency in a school system. From a peak of 5,446 children on half-day sessions because of overcrowding in 1957, this figure dropped to 1,339 in March of 1960. Although much additional school construction is needed here, the reduction in part-time schooling indicates that improvement is taking place.

Class size, whether high or low, has much to do with the quality of education a community is providing for its children and youth. For more than 5 years the Board of Education, widely supported by parent and civic groups, has worked to attain an average class size in the elementary schools of 30 pupils. In 1954, the pupil-teacher ratio (for average class size as used here) was 38.2 in the Negro elementary schools and 34.5 in the white elementary schools. With additional appropriations by Congress upon the strong pleas of the schools and most community groups, the ratio is expected to be 30.78 in 1960–61. It is hoped that Congress will authorize the taking of the last step to the goal of 30 in the next budget year.

Teacher supply is, of course, a basic key to good education. The report on this feature is negative. The number of temporary teachers has increased from 579 in 1954–55 to 1,250 in 1959–60. The problem stems in the main from the fact that only about one applicant in four over the past year has been able to pass District qualifying examinations. Teacher standards have been maintained at a high level. Recruitment procedures have been stepped up. Salaries have been increased to some extent but not enough to overcome the attractiveness of suburban assignments. The overriding fact is that it is difficult to find white teachers psychologically prepared to take jobs in predominantly Negro schools, with the result that the source of applicants tends to become more and more restricted. So that we may have wider choice among applicants of all races, a better job must be done to convince teachers that any assignment in the city school system is professionally rewarding and to make the rewards evident.

Special education classes for slow learners, where trained teachers work with groups averaging no more than 18 per class, has been stepped up from 74 in 1954 to 225 in 1959–60. This notable expansion in special services is continuing in each budget year. Similarly, the reading clinic staff has been increased from 12 to 32 during the same period of time. The Department of Pupil Appraisal has grown from 14 in 1954 to 31 in 1960 with the addition of school psychologists, clinical psychologists, and psychiatric social workers. The elementary department of supervision, now serving on a total city system basis, has grown from 7 in 1954 to 14 in 1959–60. Each of these services, which improve the educational program for children, has been expanded and strengthened since the advent of desegregation. No one can avoid the belief that these gains, cautious and timid as they are, occurred more easily because the school system is now unified.

Free lunches for needy elementary school children will be supported by an appropriation of $425,900 for the school year 1960–61. This is the second year of such service, now expanded to supply free lunches to 4,800 needful children. Conducted now as a part of the school program, this function contributes significantly to educational readiness. It represents a further advance in services to children.

CHANGES IN PRACTICE

While it is hoped that innovations and modifications in educational practices since 1954 will increase efficiency, this may not be conclusively so in every instance. For this reason, some features of the Washington enterprise are listed as changes rather than as scientifically established improvements.

Ability grouping for academic instruction now extends in different degrees from the 1st through the 12th grade. Beginning in the elementary school, the basic curriculum provides an especially designed pathway for the student whose ability to achieve academic success is limited. The aim is to provide a maximum challenge at his level with immediate possibility for transfer to more difficult levels when he is ready. The general program from grades 1 through 12, the honors from grades 4 through 12, and the regular college preparatory programs from the ninth grade are all designed to reduce ranges of differences within classes in order to establish maximum challenge for every pupil and to facilitate individualized instruction, insofar as possible, for each.

The junior primary was established in 1958–59 for children who, after a year in the kindergarten, were not ready for the first-grade program. This is proving to be a salutary aid in meeting the problem of severe physical and psychological retardation without requiring the child to undergo an unearned failure at the very beginning of his school experience.

Professional study has been stepped up in an effort to improve the quality of teaching at all levels. The increased emphasis on the gifted and the slow learner has resulted in expansion of inservice education. In such departments as mathematics and science, workshops and experimental teaching have been planned to modernize the content and methods of instruction. Under stimulus of the drive to upgrade instruction here, about 1 out of 4 teachers regularly attends summer school, workshops, or institutes.

Remedial reading has been made the core of the elementary summer school program. The reading materials used have included arithmetic problems to develop comprehension in this subject field. During a period of 5 weeks of intensive instruction in reading, 2,000 elementary school children were able in 1960 to make average gains of from 0.5 to 0.9 years according to tests given to measure growth over the period of instruction.

A lay reader program, supported by the Eugene and Agnes Meyer Foundation, was recently established to help senior high school teachers with the reading of pupil compositions. The success of the program to date has warranted its continuation into the second year.

Foreign language instruction, offered in 1959–60 to about 2,000 third graders, will be extended into the fourth grade in 1960–61 when a staff of 18 specialists will be employed to instruct pupils at these levels. When completed, the plan will supply 4 years of language instruction to more able students, beginning in the third grade.

Curriculum revision is taking the direction of defining specific behavioral goals by levels in the basic subjects, with at least the beginning of a definition of differences in quality rather than merely quantity of content by levels.

The boys' junior-senior high school was established for youth from 14 to 18 years of age who have emotional disorders of such magnitude as to require special therapeutic assistance. With an enrollment that has not yet exceeded 40 at any one time, this special school is discovering techniques and skills which seem to be fruitful. The emphasis on the therapeutic nature of the service appears promising.

The Amidon Elementary School is a special demonstration school organized for the year 1960–61. It will be used to demonstrate a combination of direct, highly organized instruction in basic content with what is known about the nature of the learner, his needs, interests, and characteristics. Emphasis will be placed on phonics, grammar, composition, spelling, handwriting, mathematics, science, history, and geography in sequential order.

SUMMARY

An overview to show some of the changes in instruction occurring is significant only because Washington's is a recently desegregated school system. The proof of the efficacy of the changeover is in the dynamic quality of the subsequent educational program. Far from producing dismay and stagnation, or even any shadow of disappointment, the desegregation process has brought a renewal of vigor, energy, enthusiasm, and imagination to the staff, the board of education, and to the elements of the community who believe nothing is so vital to human welfare and to the Nation as a system of free education equipped to do what it is supposed to do.

There should be no mistaking this truism: children's educational problems do not result from desegregation. Satisfactory resolutions are more likely to be brought about if the schools are unified and integrated. This improvement in educational functioning is the heart of the Washington story.

RESOLUTION 69, CALIFORNIA LABOR FEDERATION

Mr. MORSE. Madam President, I ask unanimous consent to have printed in the text of the RECORD Resolution 69, approved by the third convention of the California Labor Federation, AFL–CIO, Sacramento, Calif., August 15 to 19, 1960.

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

RESOLUTION 69, SUPPORT PROPOSED INVESTIGATION OF STRIKEBREAKING

Whereas Senator WAYNE MORSE, of Oregon, has introduced Senate Resolution 271 in the U.S. Senate to initiate an investigation of strikebreaking, including importing strikebreakers across State lines, so-called strike insurance, and other union-busting activities; and

Whereas these strikebreaking activities have cost unions affiliated with the Allied Printing Trades Councils millions of dollars and the loss of many union printing offices: Therefore be it

Resolved, That the third convention of the California Labor Federation, AFL–CIO give unqualified approval and support to the proposed Senate investigation of strikebreaking and urge all of the members of the respective affiliated crafts to contact Senator LISTER HILL, chairman of the Senate Labor Committee, in support of Senate Resolution 271; and be it further

Resolved, That copies of this resolution be sent to the presidents of the five international unions comprising the International Allied Printing Trades Association; and be it further

Resolved, That these international unions request each member of each union to contact Senator HILL urging this investigation; and be it further

Resolved, That a copy of this resolution be sent to Senator WAYNE MORSE.

GROWTH WITHOUT INFLATION

Mr. MORSE. Madam President, the September 26, 1960, issue of the New Republic carries an article which is of great interest and great help to the Congress in dealing with economic conditions.

It is entitled "Growth Without Inflation" and is authored by Senator PAUL H. DOUGLAS, of Illinois, and his assistant, Mr. Howard Shuman.

I ask unanimous consent that the text of this excellent article be inserted at this point in my remarks in the RECORD.

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

GROWTH WITHOUT INFLATION

(By Paul H. Douglas and Howard Shuman [1])

The Democratic platform promises that a new Democratic administration will do many things. The question that is most often asked, and asked sardonically by some, is how these pledges can be made good; how we can have a more productive economy with full employment and without inflation.

A Democratic President is pledged to provide a stronger defense, more and better schools and teachers, more in fact of a great many things our communities need and want. The present administration replies that the Democrats are talking pie-in-the-sky, that they mean to indulge in wild spending and budget-busting, that these things cannot be done, or should not be done now, or should be left to the States to do, or should be studied for another year or two.

There is, therefore, a real cleavage between the parties and the candidates with respect to what and how much should be done by the Federal Government, and how to do it. And there is the further problem that any Democratic President, if he is true to the platform commitments, must overcome obstacles set in his way not only by most of the Republicans but by the ruling conservative coalition in Congress. These are the matters we want to discuss, and we begin by examining what has happened to our economy and what a new President could do to help make it function so that public needs can be more effectively met.

It has been reported often enough that from 1953 to the end of 1959 our economy, as measured by the real gross national product, grew at the relatively slow rate of 2.4 percent a year, below the longtime historical growth rate (1890–1959) of 3.2 percent. It was also, according to the OEEC, markedly below the average annual growth rate of 4.6 percent for our Western European allies for the years 1950–57, and it was, of course, very much below the recent Russian growth rate which Mr. Allen Dulles has estimated at 7 percent a year. Furthermore, while the comparison infuriates orthodox conservatives, it is nevertheless true that the yearly growth rate from 1947 to 1953 was 4.6 percent, or nearly double that for the first 6 years of the Eisenhower administration.

Moreover—and this point is often missed by statistical jugglers—if growth is computed in per capita terms, the real annual increase from 1953 to 1959 amounted to only 0.7 percent or only about one quarter of the 2.5-percent rate which characterized per capita growth in the previous 6 years.

While there has been some pickup this year over last, progress has been far less than was confidently predicted at the beginning of 1960; there is an excessive amount of unemployment and a huge gap between our productive capacity and its use.

The Republicans insist that the high rate of growth in the 1947–53 period was caused by the Korean war, yet they almost never grant that the 12 percent rise in living costs during this period was in any way associated with the war. But we need not argue about the cause of growth. Instead, let us compare the progress of the economy under the Truman administration and under the Eisenhower administration as measured by the gross national product after taking out the Federal Government's purchases of goods and services. This will give us one measure of the growth in total consumption and investment in the private sector of the economy, plus the purchases by State and local governments.

In the postwar years up to the outbreak of the Korean war, the gross national product less Federal purchases increased at an average annual rate of 9.2 percent. This amazing increase in output occurred despite the drastic $97.7 billion reduction in Federal purchases from 1945 to 1947. Despite the extraordinary shock of this cut in purchases by the Federal Government, the economy was able to provide jobs for virtually all of the 5½ million additional people who came into the labor force during the first 2 postwar years as service men and women were discharged from the Armed Forces.

The more recent record is in sharp contrast. In the years 1953 through the second quarter of 1960, the gross national product less Federal purchases has increased at an average annual rate of 4 percent, less than half the rate of increase in the postwar, pre-Korean years. Following the end of the Korean war, Federal Government purchases were reduced, but by insignificant amounts compared to the post-World War II cutbacks. Also, from 1953 to 1959, although the growth in the labor force was much slower than in the pre-Korean postwar period, unemployment has been, on the average, at a substantially higher rate. In the main, these facts seem incontestable.

No statistical measurements are perfect but the real gross national product, corrected as it is for changes in the prices of its component parts, measures the total output of goods and services more closely than does any other series. It is the accepted standard of measurement among statisticians of all nations and therefore can be used with approximate reliability.

Now, the competent special staff of our Joint Economic Committee of the Congress, headed by the brilliant Otto Eckstein, has concluded that with proper governmental policies we can raise this annual rate of growth to 4.5 percent a year. If attained, this rate would give $10 billion more in GNP in the initial year than we would get with a 2.5 percent growth rate. At the end of 15 years, or in 1975, it would yield a gross national product of $975 billion, as compared with the $715 billion which would be reached by plodding ahead under a 2.5 percent rate. This difference of $260 billion in the terminal year, to say nothing of the enormous added sums which would have accrued during the intervening 15 years, indicates the magnitude of the stakes involved. As we have pointed out, the relative difference in per capita product would be far greater. It takes little imagination to see that the difference between the two possibilities in terms of personal well-being and national strength—and possibly even survival—are so great as to make Vice President Nixon's scornful dismissal of the issue as mere "growthmanship" absurd.

HOW CAN IT BE DONE?

We of the Joint Economic Committee rejected as a long-time goal the Russian forced-growth rate of 7 percent, both because it probably could not be permanently maintained and because in a free society it cannot be reached without rigid controls and inflation. Our staff nevertheless concluded that the 4.5 percent rate could be attained without any appreciable increase in price or wage levels and without any change in our basic institutions. Governor Rockefeller and Senator Kennedy have recently set a somewhat higher annual goal of 5 percent. This may well be attainable without significant loss, but we think it safer to shoot initially for the slightly lower figure. If and when this is reached, we

[1] Paul H. Douglas is chairman of the Joint Economic Committee of Congress and a distinguished economist whose many professional studies include The Theory of Wages, Controlling Depressions, and Economy in the National Government. Howard Shuman is his administrative assistant.

can then see whether a still further increase is possible at the price we wish to pay.

It is important to set a goal, but it is equally important to point out the paths that take us there. Generally speaking, the most important ways are (1) adequate increase in the physical quantities of both labor and capital; (2) fuller utilization of the existing quantities of labor and capital through the reduction of unemployment and involuntary part-time employment, on the one hand, and of unused plant capacity [i.e., steel] on the other; (3) an improvement in the quality of both capital and labor through better technology and the development of greater practical abilities among the workers, and (4) finally, general improvement in the spirit of industry through greater competition and more industrial harmony as between the various economic classes. Associated with all these is having the returns for labor and capital, namely, wage and interest rates, adequate to call forth the full participation of both but not so excessive as to discourage or prevent such use. Another factor is, of course, the wise use and prudent development of our natural resources of timber, minerals, the soil, and water.

No one, we believe, realizes more vividly than do we the part played by increases in the physical quantities of both labor and capital in raising total production and of the importance of having capital grow more rapidly than labor in order that more may be at the disposal of each worker and hence cause output per worker to go up. In fact, the senior author of this article carried on scientific studies for more than 15 years on the relative roles which were played in production by the two factors of labor and capital.

Aside from liberalization of our immigration policies, there is little that can be done through governmental action to increase the size of the labor force over the next 15 years. In recent years it has grown at the rate of about 1.6 or 1.7 percent annually. But governmental policies which succeed in maintaining a prosperous economy will encourage a more rapid growth in family formation, in the nation's population, and therefore in the labor force, than we have been able to achieve in the past.

The increase in the physical quantity of capital has been and should be at a considerably higher rate than this. According to Goldsmith's impressive study, aggregate national capital in deflated terms increased from 1897 to 1921 at a yearly rate of approximately 3½ percent. During this period the rate of capital saving per capita rose by about 1¾ percent. The great depression and the great war of course greatly slowed down the rate of capital growth: in many of these years the depreciation of capital was not fully met. It would seem highly desirable that at the very least the 1897–1929 growth rates for capital should be maintained, and if possible somewhat increased. We would welcome a still higher rate of increase, but it should not be purchased at too high a price.

The history of our economy indicates that increased investment can best be achieved by assuring vigorous expansion of total demand. This means that interest rates should be as low as are consistent with reasonable stability in the price level, and although the statistical evidence is meager, it furnishes no proof that higher rates of interest, which the financial community wants, increase the rate of personal or corporate savings. We are not arguing here for pegged low interest rates but against pegged, artificially high interest rates. The savings needed to offset any demand inflation which might result from a high rate of private investment should be provided primarily by budget surpluses rather than by unduly increasing interest rates.

UNEMPLOYMENT—LABOR AND CAPITAL

But a mere increase in the physical supply of labor and capital is not enough. It is also necessary to have both more fully employed. Here great improvements can and should be made.

The chief enemies of adequate growth are economic recessions and depressions. These not only cause output to decline while they are operative, but they also require much of the subsequent upswing to be merely a recovery of lost ground rather than a continual advance.

Despite all the brave talk of recent years, we need further steps to lessen the severity of industrial recessions and to shorten their duration.

Moreover, one of the more ominous features of recent years has been the rise in unemployment. The rates were higher during the recession of 1957–58 than during the previous recession of 1953–54. Even more important is that each succeeding revival and recovery has found unemployment at a higher level than previously. Thus, while unemployment in this country was 3 percent in the revival from the winter of 1951 to the summer of 1953, it ran to 4 percent during the 2 years from the summer of 1955 to that of 1957. In the recovery from the recession of 1957–58, the index of unemployment has been below 5 percent in only 3 months. Indeed, for June of this year it was no less than 5.5 percent. If we add to this the full-time equivalent of the involuntary part-time workers, we get an added 1⅓ percent, bringing the total involuntary lost time close to 7 percent. This is far too high a figure for society willingly to endure. We are personally far more optimistic than formerly about our ability to reduce unemployment to not far from 3 percent plus another 1 percent lost because of part time.

But to cut back the unemployment, a variety of steps will be needed. To start with, low-interest Government loans will reduce hard-core unemployment in the depressed areas, such as the coal mining, textile, and cutover regions. Such loans would also utilize more fully the existing social capital in these areas such as is already invested in houses, schools, churches, stores, streets, and utilities and hence release, for other productive purposes, capital which would have to be provided were these communities to be almost completely abandoned. Joined with this program should be a program of vocational retraining. Similarly, the rehabilitation and retraining of the disabled will raise productivity as will the development of more flexible retirement systems, permitting competent workmen to prolong their working lives beyond the present artificial dividing line of 65.

We must think also of the high unemployment of capital. There was, of course, a considerable amount of idle plant and equipment in 1953. But even if we take May of that year as the base of 100, by December of 1956, an index of comparative utilization had fallen to 87, and 2 years later, to 75. Since then there has been some recovery, but with the steel mills as late as the end of July still operating at around 50 percent of capacity, it is doubtful whether more than 80 percent of the available capital plant and equipment is now utilized even on the basis of the prevailing shifts. Having so much existing capital idle in turn discourages the investment of additional new capital and hence holds down production and employment in the capital goods industries, as well as future productivity everywhere.

One of the basic cures for the excessively high ratio of unemployed capital is lower prices in the monopoly and quasi-monopoly industries. With lower prices in these industries, more goods would be demanded as the lower income groups would come into the market, and the middle and upper groups would buy more. This increase in the quantity demanded would at once expand employment and production. It would also lure back into manufacturing and other industries workers who have been squeezed out into the service trades where their average value productivity is lower and hence would increase the total output still more rapidly. There is little doubt that the prices of many products have been kept unduly high by the innately restrictive effects of monopoly and quasi-monopoly and by explicit or tacit price agreements between ostensibly competing firms.

It was formerly the fashion to sneer at the antitrust laws and at "trustbusting" as both ineffectual and undesirable. But our economic progress would have been much slower had it not been for the Sherman and Federal Trade Commission Acts, and a still stronger effort at enforced competition would be all to the good. Why, for example, should not the giant industries be split up into almost as many companies as there are production units? Could not the giants in autos, chemicals and steel be further subdivided? Those who say they believe in a free competitive system cannot properly object to such a policy, for it would introduce more competition and at once lower prices and stimulate effort and output.

This is one of the advantages of foreign competition which has already had a stimulative effect upon our automobile, steel, and electrical equipment industries.

What role do wage rates and union work rules have in all this? Undoubtedly, some unions have succumbed to the prevailing social and business ethic of getting as much for themselves as possible—irrespective of social consequences. They have seen their employers follow this policy, and admonitions that they should do differently have naturally seemed insincere. If a new spirit can be breathed into industry, if the distinction which Thorstein Veblen used to draw between the making of goods and the making of money could be greatly narrowed, there would also be an improvement in the practices of unions. This could be aided by periodic conferences on productivity and by providing adequate protection, as well as by the retraining of displaced workers, so as to lessen the working man's fears of new practices and machines.

IMPROVEMENTS IN QUALITY

But progress is not merely a mechanical manipulation of adding more physical units of labor and capital and then utilizing these units more fully and effectively. Earlier studies by one of the present authors laid overwhelming stress upon such purely quantitative factors for the period from 1890 to 1922, and this emphasis may have been most pertinent to that time. But this explanation does not suffice for the last four decades. There is every indication instead that improvements in the technology of capital and in the skills and education of the labor force, as Prof. Theodore Schultz has computed, account for from one-half to two-thirds of the total increase in our productivity.

The methods by which inventions and the spread of technology can be fostered are not mysterious. Private enterprise and true competition are certainly powerful forces. Monopolies and bigness may furnish the resources but do not provide the incentive to innovate. Smaller and more competitive units would probably do better. But this is not all the story. For public action can help as well. We sometimes forget that the present huge IBM calculators have been developed from the Hollerith machine which was first used in the census of 1900. Similarly the whole field of atomic energy which may either destroy or reframe the world has been financed from public funds and largely conducted by nonprofit groups. Other breakthroughs which may be impending are the

economical desalinization of sea water and the artificial manufacture of chlorophyll. These would literally change the face of the earth and are enterprises which are too huge for private resources to cope with.

A large part of the research work done in defense plants is now financed and stimulated by the National Government. It is only proper that advances in technology obtained through public funds should be used for the benefit of the general public instead of being locked up under the private patent system for the primary benefit of the firms where the subsidized research and development were carried on.

If we are to attain the 4.5 percent rate of growth we believe is realistic, we should also institute a thoroughgoing reexamination of our patent system, to see if the right to exclusive use or disuse of inventions does adequately stimulate research and its practical utilization, or whether it helps to build up monopolies and retard the successful general spread of innovations. Competent students of this subject, such as Floyd L. Vaughn, have long advocated a compulsory leasing system as being preferable to our present provision of exclusive use. Certainly this question should be speedily and thoroughly explored.

In our estimates of an attainable 4½-percent rate of growing we did not include gains resulting from improvements in the quality of human effort. Yet this should have a longrun effect and can, in fact, be further stimulated. For even in material terms investment in people is productive. Mankind is both an end and a means. Education is not only worthwhile in itself, but it also makes men and women more productive. Experiences with the many millions trained under the GI bill of rights proves this. We should make such educational opportunities more available to all, but especially to the presently handicapped classes, such as the lower income groups, Negroes, Latin Americans—and women. This would release a great deal of latent ability which otherwise lies fallow. This is one of the reasons why Federal aid to education would ultimately more than pay for itself. Similarly, competitive scholarships for the needy and especially gifted would be highly desirable.

Is not better health also a productive investment? To reduce the days lost from sickness; to raise the level of vitality while at work and to prolong the years of working life would all raise the material productivity of life as well as adding value to life itself. Tuberculosis and formerly dread fevers have largely been conquered, but cancer, heart diseases and the crippling diseases have not. We need more research in these fields and also more adequate provision for making the curative processes of modern medicine more available to the lower income groups in the population. And here too the Federal Government must play an increasingly important role.

Similarly, the conservation of our natural resources, the protection of an adequate stand of timber, the provision of facilities for recreation and the preservation of the places of natural beauty and historic interest, the purification and proper use of our water supplies, the economical desalinization of sea water, all are great and productive tasks. Likewise, slum clearance and urban renewal together with better housing for low income families are productive investments, for they diminish illness, reduce fire, police and hospital costs, decrease juvenile delinquency and crime and help to provide an atmosphere that encourages lives to be usefully spent. Such public investment is not, as many charge, a waste. On the contrary, properly conducted they at once make for a better life for all, as well as a greater national product.

As a former Pennsylvania Congressman always used to shout, "Where is the money coming from" for the necessary public investment? The answer is fourfold:

1. From the reduction of wastes and improper business subsidies. The wastes in the procurement, handling, and disposal of military supplies run into the billions of dollars a year. The subsidies to airlines abroad; to shipbuilders and ship operators; to huge sugar, wheat, corn, and cotton farmers; to the slick mass circulation magazines and newspapers, come to additional billions. A truly thrifty and humane government would either eliminate or greatly reduce these wastes and save at a minimum from $4 billion to $6 billion a year. This, the present administration, for all its talk about budget balancing and fiscal responsibility, has stubbornly refused to do.

2. From plugging such tax loopholes as excessive depletion allowances for gas, oil and sulfur, abuses in business expense account deductions, the failure to provide for the withholding at the source of the basic income tax on dividends and corporate interest payments, the 4-percent dividend credit, stock option, and capital gains abuses, etc. The correcton of these injustices could save from $4 billion to $6 billion a year, some of which should be used to reduce tax rates.

3. From the increased rate of growth itself. As we have seen, a 4½-percent growth rate would give in the very first year $10 billion more of gross national product than a 2½-percent rate. With the same tax rates this would yield $1.7 billion more revenue to the Federal Government and additional sums to State and local governments. At the end of 15 years, the difference in Federal revenues in that year alone would be around $45 billion, while huge added sums would have accrued in the meantime. In other words, once a higher growth rate is stimulated by wise policies, it can largely finance its own continuance and enhancement.

4. Finally as we shall see in the paragraphs devoted to Federal Reserve policy, the Government can properly claim a share of the profits resulting from the creation of an increased money supply.

With thrift, foresight and courage, we can therefore obtain the funds needed for productive investment.

Let us not be afraid to invest in the future; to invest publicly as well as privately in human beings as well as in machines; in education as well as in technology; in natural resources as well as in manmade objects, in things spiritual and esthetic as well as material.

THE CONSEQUENCES OF HIGH INTEREST

Finally let us come to the question of interest rates and their effect upon growth, employment, and price levels. We are as much opposed to the Federal Reserve pegging the price of Government bonds through unlimited purchases in order to maintain artificially low interest rates as we were in 1951 when the senior author was largely responsible for inducing the Truman administration to give up this practice.

But what is commonly ignored by the financial community and by those who take their cues from it is that under this administration the Treasury and the Federal Reserve have worked closely together to raise interest rates to an artificially high level. Under Mr. William McChesney Martin of the Federal Reserve, the money supply has been allowed to increase at the rate of only 1.7 percent a year, or appreciably less than even the low growth rate of 2.4 percent. This in itself has operated to increase interest rates by forcing a more spirited bidding for loans in relation to the supply of credit. The Reserve rediscount policies have further contributed to the same end both by increasing the cost of rediscounting and by exerting a psychological influence upon the market and upon the other interest rates. The policies of the Treasury have operated in the same direction. At the very beginning of the Eisenhower administration they raised the interest rate which the Government paid on long-term bonds from 2¼ to 3¼ percent. Some increase may have been in order but not such a jump as was put into effect. This was proved by the fact that after issue, the bonds speedily rose to an appreciable premium. It is significant that from 1953 to the end of 1959, the Treasury has accepted the advice of the American Bankers Association with respect to the interest rate and maturity on new Government security issues in 84 percent of the cases, and in only 16 percent has it rejected their recommendations. (In 5 percent more of the cases, some major changes were made in the recommendations of the ABA.) In the last year of the Truman administration, this advice was rejected in 37 percent of the cases.

The basic rates on issues of Government securities have therefore been largely set according to the wishes of the banking profession. Imagine the outcry if the Department of Labor were given the power to set the basic wage rates in the country, and if in five-sixths of the instances in which it so acted, it did so according to the advice of the AFL–CIO.

The result, in our judgment, has been to give us an interest structure which is higher than it would have been under purely competitive conditions, were the Government and the Federal Reserve neutral. Perhaps they cannot be completely neutral, but certainly they have erred on the side of an excessively high interest rate.

As we have said, there is no indication that these higher rates have encouraged saving. They have certainly discouraged investment in housing and by small business. They have, therefore, held down production, retarded employment, and maintained an unduly high rate of unemployment.

A 5-POINT PROGRAM

The sound remedies for these practices were pointed out by our Joint Economic Committee in our report on "Employment, Growth, and Price Levels." They are:

1. To use fiscal policy to a much greater degree to remedy excessive business fluctuations instead of depending almost exclusively upon monetary policy. This would mean bigger surpluses in periods of prosperity and rising prices, to be obtained by plugging tax loopholes, etc. It would also mean quick and temporary reductions of tax rates as a recession started and unemployment rose sharply.

2. The Federal Reserve should expand the money supply at approximately the same rate as the growth in the real gross national product. This would be noninflationary and should indeed lead to a stable general price level. The Federal Reserve attributes its slowing down of the rate of increase in the money supply to the need to compensate for the increased velocity of bank credit. But this very increase was in turn primarily caused by the higher interest rates which in turn were influenced by the relative shortage of credit. For with bank loans costing more, business cut idle bank balances to the bone and did the same with their physical inventories. This raised the rate of turnover or the velocity of bank deposits. Thus the Reserve's chain of logic was very faulty. A lower rate of interest resulting from a more ample supply of bank credit would have lowered the velocity of bank deposits and hence would have largely swept away the argument for dampening down the rate of growth of the money supply to a figure markedly below the increase in the real national product.

3. The Reserve should expand the money supply at a proper rate primarily by means of open market operations rather than as in the more recent past by lowering reserve ratios. The Government would thus get its

present commission of one-sixth of the expansion in monetary purchasing power. In this connection it should never be forgotten that this power is vested completely in Congress, i.e., article I, section 8: "Congress shall have the power to coin money and regulate the value thereof." Proper expansion through open market operations rather than by lowering bank reserve requirements would bring added revenues of many hundreds of millions of dollars a year to the Government which over a decade would amount to huge sums.

4. In doing this there is no reason on earth why the Reserve should confine itself to purchasing short-time bills only. This is a delusion of Mr. Martin's with which few monetary experts agree. The purchase of long-time bonds by the Reserve to provide the needed secular growth rate in the money supply would exert a stabilizing and somewhat lowering influence on interest rates without the slightest taint of pegging the market.

5. The Treasury should put its long-term issues up for competitive bidding instead of issuing them as par in general accord with advice given by distinctly interested parties.

Along with these reforms, the Treasury should seek to broaden the market, cultivate new sources of investment, and sell its long-term bonds to a greater degree when interest rates are comparatively low. To prevent undue speculative swings in the bond market, as in 1958, margins should probably be required of the customers who buy from the 17 traders exclusively handling the Government bond market.

All of these measures should tend to reduce the general level of interest rates. They would increase output and employment and, consequently, growth without inflation.

Such are the economic issues facing the Nation. They may seem abstract. But they are not. They are at the heart of politics in 1960. Upon their correct solution may hinge not merely the maximum prosperity of our economic system, but possibly its ultimate survival. The stakes are sufficiently important for us to try to understand the issues and to make an informed choice.

CHALLENGE TO A NEW LEADERSHIP

A final question must be asked: What would a new President and a new administration have to do to put these economic policies into effect? How could it be done when Congress is run by the Republican-Dixiecrat coalition, when the seniority rules give such authority to some who fundamentally disagree with the platform of the party and refuse to support its nominees, and when the House Rules Committee and the Senate filibuster rule give to small minorities a veto over progressive legislation.

There are several answers. Foremost among them is the power of the President to lead. When, as now, the President and his administration gloss over unemployment at excessive levels, when inflation is named Public Enemy No. 1 though the economy has serious problems with deflation, when a balanced budget at low levels of receipts is put ahead of adequate growth and adequate budget surpluses, and when policies to use fully or further develop both our human and our natural resources are opposed as "wild spending," little can be achieved even with mammoth efforts by liberal legislators. Therefore, the first obligation of a new President is to give the public some better economic education. Then the legislative branch can move because public opinion will be behind it.

Second, the new President must prepare a budget which does meet our needs. It would include adequate funds for defense and for the domestic programs needed to improve the skills and health of our people and properly develop our resources. And it should further provide for an adequate surplus to offset any inflationary pressure.

The President must not only send to Congress a budget to carry out these new programs but put into effect fiscal and monetary reforms so that they can properly be paid for. This means, especially, tax reform, changes to improve the automatic economic stabilizers to promote economic growth and stability, and administrative efforts to root out wasteful practices and inefficiencies.

The biggest reason for the slow growth in recent years has been the fact of two recessions and the failure to recover adequately from the second one. A President who quickly and decisively introduced proper budgetary and fiscal policies when a recession threatened, who shored up and improved the automatic stabilizers before they were needed, and who saw to it that cuts or increases in defense orders were matched by countercyclical actions elsewhere in the economy, could both help to prevent a recession or mitigate its effects when it hits.

He could cut back on waste and excessive subsidies through budget procedures. He could sign depressed area bills when passed by the Congress. He could press for school aid and health programs instead of using his power and influence to see that they were blocked. He could place men in key positions who were in sympathy with progress rather than fearful of it.

If elected he should immediately gather together a group of tax experts to prepare the detailed provisions for tax reforms so that he could move quickly in the early days of his tenure. The power to authorize public works projects, to appoint judges, and to grant legislative requests could be and should be used to lead wayward Congressmen to support his general program. In a word he should use the full power of his office to attain his ends. A President who understands the power of his office and who is willing to exercise it can achieve these goals even against all the barriers and burdens placed in his way by the legislative process, by the groups with special and parochial interests, and by those whose sights are set too low.

U.N.'S CRITICAL QUARTER YEAR

Mr. MORSE. Madam President, on December 20, 1960, there appeared in the New York Times an editorial entitled "U.N.'s Critical Quarter Year."

The editorial concludes:

The U.N. could yet go the forlorn way of the lost League of Nations. Our own Government and all free governments must stand firm and united to prevent this calamity.

My experience at this session of the General Assembly described in the editorial bears out the conclusion stated in the editorial. The fight being waged to preserve the effectiveness of the United Nations is, in fact, part and parcel of the fight for world peace and must be continued in every way in which our country is capable.

I ask unanimous consent to have the text of this editorial printed in the CONGRESSIONAL RECORD.

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

U.N.'s CRITICAL QUARTER YEAR

The U.N. General Assembly is winding up one of the most dangerous 3 months in its history. The atmosphere has not been good or promising since Premier Khrushchev sailed into the East River on September 19 for almost a month's stay.

Mr. Khrushchev's decision to come here resulted in an abortive summit conference to which came such personages as Castro, Tito, Gomulka, and Nasser. All of us, and especially the harassed New York City police, will long remember the days of the sirens, the mob scenes in the streets and the rowdy barroom spectacles sometimes produced in the Assembly itself. We will, of course, remember that Prime Minister Macmillan, Prime Minister Nehru and King Frederik of Denmark also came, saying what they had to say in a modest and quiet manner. But it is Khrushchev's shouting and desk pounding and Castro's dismal hours of inflated oratory that will linger in our memories.

The Assembly does not really debate—it declaims. It does not pass laws—it votes on resolutions. Yet it has authority: When the Security Council is paralyzed, as it usually is on serious questions, the Assembly can act. The Assembly can sustain the Secretary General in his Congo program, as it can admit 17 new nations, mostly small ones, thereby adhering to a nobly democratic principle but, at the same time, changing its own structure and its own nature. The veto power in the Assembly now lies with the little African and Asian nations.

The Assembly makes history, after its own fashion, with patience and sometimes with fury. It can vote unanimously for constructive steps to reduce world tensions and then sit in long-suffering silence while one member, the U.S.S.R., viciously denounces another member, the United States of America. It can sit all day, and until 4 o'clock or later in the morning—a heriod act for many of its aging delegates. It behaves as though it were making history, and perhaps it is doing so. Now it nears the end of the first part of this 15th session. The curtain may be rung down today before midnight, or perhaps not until the milkman begins his rounds tomorrow morning, or even later. The Russians have been defeated in their drive to resume talking in mid-January. They will have to wait nearly 3 months, when possibly the new American delegate, Adlai Stevenson, will be moved to make a new and appealing speech.

The issue is not yet certain. The United Nations is already feeling throughout its whole structure what the Secretary General has called the corrosive effects of unfriendly and unfair attacks. The U.N. could yet go the forlorn way of the lost League of Nations. Our own Government and all free governments must stand firm and united to prevent this calamity.

Mr. MORSE. Madam President, I had intended to introduce another bill this afternoon, but, because I intend to introduce it in behalf of myself and my very able colleague who now presides over the Senate [Mrs. NEUBERGER], I will postpone introduction of that bill until either later today or tomorrow, because I should like to engage, as I am sure my colleague would, in a brief colloquy on the floor. Therefore, I yield the floor at this time.

PREFERENTIAL TAX TREATMENT OF INCOME EARNED ABROAD AND THE NEED FOR DISCONTINUATION

Mr. GORE. Madam President, the times in which we live are marked by political, economic and social revolution. A new President will undertake an unprecedented burden of leadership next week. His voice will be the voice of freedom heard around the world. It will be the voice of freedom and it must be strong.

We are rich in both human and material resources. We have the tools and we have the know-how; we have the basic urge of freedom to spur us on. I believe and I pray that President Kennedy will provide the leadership essential to a destiny of greatness.

Yet we face problems of most serious proportions. At home our economy is lagging and our ability to meet our responsibilities abroad has, by some, been questioned. The image of America as a vital society surging forward to new heights has been blurred.

Our difficulties with the balance of payments and the recession at home are in large measure symptoms of a single malady—our failure to follow correct policies and to pursue vigorously programs of action designed to make maximum use of our resources for the development of a strong and expanding economy.

Any effort to examine analytically in one speech all the many facets of the problem would, of necessity, be limited to a statement of generalities. Fiscal policy, tax policy, monetary policy, international trade, education, health, full employment, and other broad subject areas are integral elements of overall national policy. I hope from time to time to contribute to a discussion of several of them.

Today, however, I shall confine my remarks to one aspect of tax policy which, in my opinion, has contributed materially to our balance of payments difficulties and which, at the same time, has adversely affected economic health and progress at home. I refer to provisions of our tax structure which give preferential treatment to income earned abroad by U.S. taxpayers. I discuss this today in the hope, perhaps farfetched, that it will catch the attention of either the outgoing and incoming Presidents or their fiscal advisers. Cooperation on this issue between the outgoing and the incoming Secretaries of the Treasury could prove quite helpful. I will, of course, solicit the views of Mr. Douglas Dillon on this subject.

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

Mr. GORE. I yield.

Mr. LONG of Louisiana. I wonder if the Senator would not agree with me that it might also be well that we seek to determine the views of the outgoing Secretary of the Treasury on the balance of payments problem, because he has been very much concerned with it, as the Senator knows, and has had much contact with that problem. Perhaps we should seek to obtain his views on the subject before he turns over the responsibilities of his office to his successor. Last year I believe he gave us some very enlightening information on that subject, and I would hope we might obtain his views before he relinquished his office.

Mr. GORE. I should be delighted to receive them. I doubt that this should be allowed to interfere with the hearing on the confirmation of the nomination of Mr. Dillon to be Secretary of the Treasury, but after the committee has arrived at its decision on that problem it would, in my opinion, be fruitful to hear Secretary Anderson.

Mr. LONG of Louisiana. I did not at all mean to suggest that this should interfere with the confirmation of the nomination of Mr. Dillon. I had in mind, in view of the fact that Mr. Anderson has been very much concerned about this matter, and justly so, for the past year, at least, that it might be well for us to obtain his views on it before he leaves office.

Mr. GORE. The able Senator, as usual, has made a very provocative suggestion.

During the period 1958 to 1960, inclusive, we ran a cumulative deficit of about $12 billion in our balance of payments. In other words, our payments to foreigners have exceeded our receipts from foreigners during this 3-year period by about $12 billion. Foreign dollar holdings have increased to a level which has caused concern.

U.S. gold supply has been reduced by about $5 billion worth of gold during the past 3 years, and our gold stock is now down to about $18 billion. Since we do not have an international banking organization or the debt management machinery adequate to handle international transactions of this type and magnitude, this continued large payments deficit poses a number of serious problems. The soundness of the dollar is brought into question. This, in turn, creates dangers for international economic security because the United States is the free world's banker. This adverse balance and lack of more sophisticated and adequate international monetary facilities threatens to inhibit the United States for the time being from putting into effect fiscal, monetary, and debt management policies called for by domestic economic conditions and world security requirements. Remedies and reforms should be earnestly and quickly sought both at home and in new international concerts, else other and more unwelcome measures may be necessary.

Many reasons for our deficit in international payments have been advanced. It has been said that American goods have been priced out of foreign markets and that prices, particularly wages, must be lowered if our goods are to be competitive.

Some contend that we must restrict imports in order to have a favorable balance.

Some have contended that, since foreign aid and military spending abroad contribute to this imbalance, we must reduce foreign aid spending and reduce the number of U.S. troops overseas.

There is some measure of validity in all these approaches to the problem. We have lost our oversea markets in certain commodities and certain areas. For the most part, such losses have occurred in the products of industries such as steel where administered prices are the rule, and where the price structure has, therefore, been distorted. An examination of export statistics will show, however, that while we have lost some of our export markets in certain lines, we have gained others. Overall, our exports of merchandise continue to run well ahead of imports. For the third quarter of 1960, the latest period for which I have statistics, exports of merchandise showed a surplus over imports of $5 billion on a seasonally adjusted annual rate basis. Despite this large surplus in merchandise, however, our total transactions showed a deficit of $4.1 billion on an annual rate basis.

Our problem, then, does not arise because imports of goods and commodities exceed exports, although the balance of payments situation could, of course, be eased by a further increase in exports of merchandise or a decrease in imports.

Our balance-of-payments problem certainly would be eased if we reduced our spending for foreign aid and reduced the numbers of our military forces overseas. But the requirements of international security, if they are at all valid—and I think they are—necessitate solutions other than abandonment of our free world commitments and obligations. If it is necessary for the security of the United States and of our allies to deploy armed forces overseas, this need cannot be sacrificed to balance of payments considerations which are narrowly tied to gold. Neither can our urgent social and economic needs at home. Indeed, an adequate program of international security requires vigorous domestic progress—cannot be sustained without domestic progress.

Of course, we need to review on a continuing basis all our policies, both foreign and domestic, to insure that our policies are right for today, and are not simply a continuation of past policies.

The balance-of-payments problem has been acute for 3 years, yet only recently has it been officially acknowledged as a problem. And, even then, inadequate measures have been taken.

One of the factors which seems to have been largely overlooked by many who have analyzed our balance of payments is the increased flow of private capital abroad and the uses to which that capital is being put. This capital outflow shows signs of continuing to accelerate. Effective curtailment of this outflow would bring our balance-of-payments problem into manageable proportions. The direction of capital outflow into proper areas and proper activities, on the other hand, would bring further benefits.

It is indeed surprising that nothing has been done and so little has been proposed when the regulation of the outflow of capital is such an obvious solution, at least in part, to such a pressing problem. This is even more surprising when one reflects that most of this outflow is brought about by provisions of our own tax laws that are unfair in the first place. We continue, through tax favoritism, to lend positive encouragement to an increased flow of capital abroad. One could rationalize such preferential treatment as long as an argument can be made that national purposes are served. But the Congress and the administration have persisted in providing this subsidy to foreign investment long after its detrimental effects were obvious. Indeed, last year the Congress, over my strenuous but un-

availing opposition, enacted legislation to worsen this already bad situation.

I wish to examine rather briefly, because an exhaustive discussion might take several hours, the flow of capital abroad and to relate this flow to our balance of payments deficit and to our faulty method of taxing income earned abroad, a method which is heavily weighted in favor of foreign investment and against domestic investment.

Following the end of World War II, American investors were encouraged to increase their holdings abroad in order to rebuild the economies of those areas devastated by war. It was necessary, in order to guarantee political and social stability in Western Europe and Japan, to restore economic stability. This objective was quickly accomplished, and by 1950 the economies of the countries of Western Europe and Japan were sufficiently strong to allow them to begin a buildup of their gold and dollar reserves. There was no longer a need, so far as they were concerned, for increased U.S. investment within their borders. They may have benefited thereby, but the balance-of-payments situation did not indicate such a need.

But with a booming economy in Europe and plans for the inauguration of the Common Market, the already large flow of capital into Europe was stepped up.

Now, there are three general types of private foreign investment, direct, portfolio, and short-term. They generally respond to somewhat different stimuli. Short-term funds are likely to flow back and forth in response to shifts in short-term interest rates. This is one reason, I might say parenthetically, for the Federal Reserve Board to abandon its discredited bills-only policy so that long-term rates may be reduced while short-term rates are held to less violent fluctuations.

Direct private investment abroad is, perhaps, most responsive to tax policy and has, furthermore, more important long-range effects which I shall discuss later.

There is a general lack of understanding of the magnitude of our foreign investment and particularly of the rate at which it is increasing.

Our investment abroad has nearly tripled during the past 10 years, and direct private investment now totals about $32 billion. Our investment abroad is growing currently at an estimated rate of about $3.5 billion per year. We are sending abroad about $2.5 billion per year in new money. This far exceeds our annual average loss of gold.

No suggestion has been made by the administration that this large outflow of private investment capital be reasonably regulated, even though the United States and West Germany stand alone in failure to require foreign capital investment to comply with established national purposes. So long as the national interest is not adversely affected, freedom of capital movement by U.S. citizens and corporations is, of course, desirable.

Even more strange, neither an administration suggestion has been made nor a congressional act has been taken to repeal the positive tax incentives that stimulate the very capital outflow that has in very large part created the imbalance of international payments.

Such inaction is intolerable, as I see it, both because preferential tax treatment of profits earned abroad is, in the first instance, discriminatory and highly inequitable and, in the second place, is now adversely affecting the national interest.

Not only do we continue tax incentives for foreign investment through granting foreign tax credits, but our faulty tax structure encourages foreign investors to keep their profits abroad. This prevents our receiving large payments from abroad which would, of course, be on the positive side of the balance of payments.

Although I do not want to get too technical, I might say a word here about our statistics. Generally speaking, they are regarded as being quite good, and yet I find some disturbing points. For one thing, I believe we have grossly underestimated the outflow of capital in recent years. In 1957, for example, our statistics show direct private investment of $2.058 billion. A very thorough study and survey by the Department of Commerce just recently released shows that this figure should be about $2.5 billion. In other words, there were a great many transactions in which American corporations sent capital abroad which were not recorded. There has always been a large, too large in my opinion, item labeled "errors and omissions." During 1960 this item showed an extremely large negative swing which indicates, among other things, that there is an increased flow of funds out of the country on unrecorded and unreported transactions. I do not want to belabor this point, but it should be considered. Last year the Congress did enact legislation which I proposed to require additional reporting of certain activities and I hope this will result in the Treasury at least knowing more about what is going on, even if not too much can be done about it pending further legislative action by the Congress.

Up to this point, I have been emphasizing the outflow of capital in relation to our balance-of-payments problem. This is perhaps a short-range problem, although a serious one. There are other, and perhaps more disturbing, aspects of the present large outflow of capital.

In the first place, entirely too much of the present outflow of funds is going into manufacturing facilities. This has the effect of setting up competition for our exports, particularly to Europe and the United Kingdom.

It has been claimed in the past that our foreign investment was designed to advance international trade, and thus our own exports. It is interesting, and somewhat alarming, to note that today only 10 percent of our foreign direct investment is going into marketing activities, activities which might encourage our exports. On the other hand, 85 percent of our direct investment in the United Kingdom and 75 percent in Western Europe currently goes into manufacturing activities.

Total sales by American plants in Europe in 1959 amounted to about $8 billion. Certainly a part of this $8 billion worth of merchandise could have been replaced by exports of American manufactured items. I think it is unnecessary to point out that these extra exports could have balanced our payments and provided additional jobs here at home.

The new administration should realize that a continuation of this development will give rise to high protectionist sentiment that may pose a threat to international trade programs and legislation. Indeed, this has already occurred to a disturbing extent.

Second. Looking to the future, a continued buildup of American investments abroad could mean that eventually, barring wholesale expropriation, we will begin to receive large payments from these oversea profits. This may sound good, but in what form will we receive these payments? Certainly these foreign governments cannot pay in gold or in their own currency which, generally speaking, is worthless to us without conversion. They will have to pay by our increasing imports into this country. This was the case in Britain prior to World War I. This may work well for a national economy which needs disproportionately large importations of raw materials and agricultural products. The United States hardly fits this category.

Third. Large oversea investments, particularly in manufacturing and the extractive industries, inevitably revive the cry of economic colonialism and result in expropriation or other forms of discrimination against our activities. This usually leads to poor diplomatic relations.

We can see this so clearly even now. We have but to reflect on current events in Canada where a resurgent spirit of nationalism is venting itself on American enterprise. The people of Great Britain have recently expressed their sentiments in no uncertain terms regarding the Ford Motor Co. transaction. Events in Cuba and others in Mexico further illustrate a cause for concern.

Let me say at this point that a judicious amount of private foreign investment is helpful. It is most helpful to the host country, particularly when the economy of that country is in an underdeveloped state. But current laws do not accomplish this. Instead, they continue to push more and more investment into countries where it is not needed and into activities which do our domestic economy positive harm.

Having demonstrated, at least to my satisfaction, that our current large capital outflow is not helpful and is, in fact, harmful both in the short- and long-run, let us turn to an examination of the preferential provisions of our tax law which cause this large capital outflow and, perhaps, arrive at some solution to the problem.

There are two aspects of these laws which are directly responsible. First, foreign subsidiaries of U.S. corporations pay no U.S. income tax whatsoever on their profits until such time as those profits are returned to the parent U.S. corporation. Second, when U.S. income taxes are paid, foreign income taxes are allowed as a credit against U.S. taxes rather than being merely deducted from gross income, as is the case with any

other item of business expense, including payment of taxes to our respective States.

Let us consider first the foreign subsidiary. Just what is the value of the tax deferral in this instance?

A recent study by the American Management Association shows that the reinvestment of foreign earnings over a 3-year period can provide "roughly double the rate of profit accumulation for reinvestment that is possible under domestic tax schedules." This, of course, encourages the retention and reinvestment abroad of the earnings of foreign subsidiaries and discourages the repatriation of earnings.

Because of this deferral in taxation until repatriation, the foreign subsidiary gets the advantage of an interest-free loan in the amount of the tax which it should be paying to the United States. This will operate as long as profits are not brought home.

This is roughly equivalent to delaying the payment of the Federal income tax on the profits of a domestic corporation until such time as the corporation pays a dividend, and then taxing only so much of the profit as that dividend represents.

The domestic subsidiary corporation, then, is under a tremendous competitive disadvantage as compared with the foreign subsidiary of the same parent corporation. It would be only natural for the parent corporation to push the expansion of its foreign subsidiary at the expense of its domestic subsidiary. Advantages are available to a corporation with a foreign subsidiary over a competing corporation without a foreign subsidiary.

Figures from various American companies bear this out. In 1958 U.S. businesses spent 17 percent of their total capital outlays overseas; 1959 showed a continuation of this trend. As for specific companies, Goodyear Tire & Rubber Co. expected to spend nearly half its total expenditures in 1960 for expansion and modernization overseas. General Motors expected to spend $200 million to expand foreign subsidiaries. Firestone has been spending 25–30 percent of its capital outlays abroad. Kaiser Aluminum expected to spend about 80 percent of its total capital outlay abroad during 1960. Many other similar figures could be given. We are familiar with the recent Ford Motor Co. proposal.

One particularly undesirable practice has grown up recently because of this and other aspects of our foreign tax laws. I refer to the reinsurance gimmick for tax avoidance. Perhaps that is a strong term, but I believe it is deserved. In recent years, insurance companies have been organized in tax haven countries abroad for the purpose of reinsuring policies of domestic companies. There are, of course, legitimate reinsurance operations. What I refer to, however, is the setting up of a dummy company for the sole purpose of transferring profits from a domestic company to a foreign company so that such profits will escape taxation currently, and eventually be taxed at a greatly reduced rate, if at all.

Third country tax havens for management or holding offices is another favorite tax avoidance device.

Now, let us consider the method of computing the U.S. tax on income earned abroad when such income is taxed at all.

Basically, the difficulty and the main point of favoritism here is that our tax law provides that foreign income, war profits and excess profits taxes may be credited so as to offset most of the U.S. tax, rather than merely being allowed as a deduction along with other business expenses. This amounts to a sizable sum of money. Claims for foreign tax credits run well over $1 billion per year, and would be much higher, of course, if subsidiaries repatriated their profits rather than retaining them overseas for expansion or profit accumulation.

Allowing any item of expense or expenditure as a credit against taxes violates sound principles of taxation. All such items, where it is proper to consider them at all, should be treated as business expenses and deducted from gross income in arriving at the net income subject to applicable tax rates. I have long advocated the repeal of the foreign tax credit, it being basically unsound in principle and discriminatory in practice.

The Congress of the United States, since our present income tax laws first became effective in 1913, has always maintained the right to tax the income of U.S. citizens or corporations on a worldwide basis. The Congress has never surrendered the right to tax, or to legislate concerning the taxation of income of U.S. citizens and corporations earned anywhere in the world.

The proper handling of multijurisdictional taxation, foreign or domestic, has long presented a program. Prior to 1918 all foreign taxes, including income taxes, were treated as deductible expenses just as were taxes levied by States or local governments within the United States. As a matter of expediency or accommodation, and on the grounds that American corporations operating abroad were allegedly at a competitive disadvantage with foreign corporations, foreign income taxes in 1918 were placed in a separate category from taxes imposed by domestic jurisdictions, and it was provided by law that foreign income taxes could be either credited against American income taxes or allowed as deductions from taxable income at the option of the taxpayer. Taxes levied by domestic jurisdictions, States, and local governments, continued to be treated as deductions from income. This, of course, actually operates as a discrimination against business within the United States in competition with business in foreign countries.

There has been at least one determined effort to abolish the foreign tax credit. In 1933 the House Ways and Means Committee designated a subcommittee to investigate methods of preventing the evasion and avoidance of the internal revenue laws, to consider means of improving and simplifying such laws, and to study possible new sources of revenue. This subcommittee, sometimes known as the Hill subcommittee, rendered a report to the Ways and Means Committee which states, in part:

> Your subcommittee recommends complete elimination of the provision of the present law (sec. 131, Revenue Act of 1932) allowing foreign income taxes to be credited against Federal income tax. The present provision discriminates in favor of American citizens and domestic corporations doing business abroad as compared with those doing business in this country. For instance, an American citizen who pays a State income tax is only entitled under the present law to deduct such tax from his gross income in arriving at his net income subject to the Federal tax. He is not permitted to offset his State income tax against his Federal income tax. However, if an American citizen pays an income tax to a foreign country, the present law allows him, under certain limitations, to reduce his Federal income tax by the amount of such foreign tax. Furthermore, a domestic corporation doing business in this country is also only allowed a deduction from gross income for the income taxes paid to the States. However, an American corporation doing business abroad, either directly or through a subsidiary company, is entitled, subject to certain limitations, to offset its Federal tax by the amount of income taxes paid to a foreign country. This discrimination is particularly noticeable in view of the recent decision of the Supreme Court holding that the term "foreign country" as used in the credit sections means not only a foreign state recognized in international law but any political subdivision thereof, no matter how small.
>
> Under the Revenue Acts of 1913, 1916, and 1917, a taxpayer was not entitled to any credit for taxes paid to a foreign country. These early acts permitted taxes paid to a foreign country to be deducted only from gross income, which was also the rule applied in the case of State, county, and municipal taxes.
>
> Your subcommittee is of the opinion that taxes paid to foreign countries should be treated in the same manner as taxes paid to the States and should only be allowed as a deduction from gross income. It is estimated that the elimination of the foreign-tax credit will increase the Government revenues by about $10 million annually.

Unfortunately, the Treasury Department opposed this recommendation on the grounds that a change would injure American exports and it was killed. I do not believe such grounds could be supported today.

Many arguments have been advanced for continuing and broadening the foreign tax credit loophole. Generally speaking, they can be grouped under three general headings:

First. The foreign tax credit is necessary to prevent double taxation. This argument assumes that double taxation, that is, the taxation of the same income by more than one government, is wrong per se. Our tax laws recognize no such principle. There is essentially no difference, so far as a taxpayer is concerned, between a State income tax and an income tax levied by a foreign government. So-called double taxation is not avoided in the case of State taxes by allowing such taxes to be deducted as an item of business expense. What is accomplished is an accommodation which works satisfactorily. The foreign tax credit represents an accommodation, just as does the allowance of the State income tax as a deduction. Either is a compromise. The tax credit, however, is wrong in principle and discriminatory in practice.

Second. It is said that a dollar earned anywhere should be subject to the same tax. This objective, if it is a proper objective, is not achieved by the foreign tax credit. A dollar earned through a

subsidiary operating abroad does not bear the same tax burden as does a dollar earned in New York or New Orleans.

Third. It is said that the foreign tax credit encourages private investment abroad. This is the argument which is most often advanced today to justify tax preferences to companies operating abroad. It is true that a desirable ingredient of our foreign economic policy is an increased private investment abroad, provided we can direct the investment into desired channels and into the most proper areas of the world.

Even so, I seriously doubt the wisdom of using U.S. domestic tax policy, particularly with the general application thereof, as a means of furthering U.S. foreign policy objectives. Domestic tax policy must be measured primarily with the yardstock of fairness and equity. I particularly question the wisdom of granting domestic tax preference for income earned in foreign countries. At best, it is nonspecific and generally tends to confuse, and sometimes defeat, as is the present case rather than exclusively to attain specified objectives. There is a great deal of difference, insofar as the furtherance of our national objectives is concerned, between encouraging a manufacturer to begin assembling automobiles in Germany and encouraging a food processor to open a plant in India. As we now see, the foreign tax credit may promote undesirable development. There are better, more direct, and more manageable means of promoting desirable foreign investment and development.

Several arguments can be made against the foreign tax credit. I call attention to three which I consider pertinent:

First. The foreign tax credit allows the foreign government to determine the effective U.S. tax rate, operating frequently as a preemption.

I have seen the tax returns of one of America's largest corporations, having widescale holdings in foreign countries. For 5 consecutive years that company paid not one dollar in income taxes to the U.S. Government.

It has been alleged that many foreign governments have tended to adjust their tax rates to the U.S. rate. Be this as it may, we have given the foreign government, through the mechanism of the foreign tax credit, the power to decide whether the United States can collect taxes on income of U.S. corporations earned abroad at the rate of 52 percent, 20 percent, 10 percent, or 0 percent.

Second. The benefits of foreign tax credits accrue to a relatively few companies. According to a study of this problem made in 1955, it was then estimated that 40 percent of all foreign investment is accounted for by 10 U.S. corporations and 71 percent by 62 corporations. Any concessions made in the form of tax reductions woud necessarily accrue very largely to these few corporations. It was estimated that 25 to 50 corporations would receive half the benefits from any tax reductions, and nearly all the benefits from such reductions would be received by 150 corporations.

Third. Benefits accruing to corporations as a result of the foreign tax credit do not necessarily further national objectives. It was formerly felt that most of the benefits derived from the foreign tax credit accrued to export operations and thus benefited the entire American economy. As I have shown, this does not now appear to be the case. On the contrary, the foreign tax credit now encourages the establishment of manufacturing concerns in foreign countries where goods are produced which are in direct competition with American exports or even become competitive as imports into the United States.

Recently I had a seatmate on a plane ride from Nashville, Tenn., to Washington. We fell into a discussion of this subject. I related that, in my opinion, this development had taken two major steps: First, the establishment of subsidiaries in foreign countries by U.S. corporations to supply the markets which those corporations had built up in those countries; second, the importation of the products of the foreign subsidiaries into the United States, to supply the markets which the parent corporation had built up in the United States.

He reached under the seat and pulled out a small transistor radio bearing the trademark of a well-known U.S. corporation which manufacturers radios, but also bearing in very fine print, the words "Made in Japan."

There are many specific points which I could go into, but which I shall reserve for detailed discussion at a later date. These include the utterly unjustifiable granting of the percentage depletion tax reduction formula, plus the foreign tax credit, for foreign oil and mineral operations; the Western Hemisphere Trade Corp. provisions which no longer serve a useful purpose, if they ever did; faulty gross-up provisions which result in the foreign subsidiary receiving both a credit and a deduction when taxes are finally assessed against it. But these are really peripheral, although important matters.

What is needed immediately is the repeal of our provisions of law allowing foreign income taxes to be credited against U.S. income taxes, and the enactment of legislation to charge to domestic corporations for annual tax purposes the profits made by their foreign subsidiaries, whether or not such profits are repatriated. This, in my opinion, should be done without regard to the balance-of-payments deficits. The imbalance-of-payments situation, however, makes such action imperative. Unless the removal of the tax incentive reduces capital outflow to tolerable proportions, then it may be necessary to consider some reasonable form of direct regulation of large foreign capital investment.

This is but one of the myriad of problems with which the new President will be faced. Like many another, it has an important interdependency with the overall necessity of providing security, peace, and well-being for our people, and, so far as we can achieve it, to make it possible for the people of the free world to enjoy these benefits.

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

Mr. GORE. I yield.

Mr. CLARK. First, I desire to congratulate the Senator from Tennessee on making a very real contribution to our efforts to secure adequate revenue to put the Kennedy program into effect.

Second, I congratulate him upon his astute ferreting out of another tax loophole, which perhaps some of us who have been working in this vineyard for the last 4 or more years might have found sooner.

Does not the Senator feel that there is a definite obligation on both the House Committee on Ways and Means and the Senate Committee on Finance to begin promptly to hold hearings to uncover all these inequitable tax loopholes, through which billions of dollars of needed revenue are seeping out every year?

Mr. GORE. Before responding to the Senator's question, I wish to thank him for his very generous comment.

The tax reduction brought about by the Internal Revenue Act of 1954 placed the Eisenhower administration virtually in an economic straitjacket, leaving it without the flexibility to utilize fiscal policy and other economic means to bring about stability, on the one hand, and an adequate rate of growth, on the other.

With the third recession within this administration now upon the country, the new President will take office next week with, I fear, almost 6 million persons unemployed. Not only does that mean human tragedy; it also will severely reduce the Government's revenue.

Therefore, it seems to me imperative that additional sources of revenue be sought. How are those additional sources to be found? They are to be found either, first, through the levying of additional taxes or, second, through the removal of the tax favoritism, commonly called closing tax loopholes. There are many of them. I think this would be a fruitful endeavor. The House Ways and Means Committee has already held extensive hearings on the subject; and I hope the Senate Finance Committee will soon do so. I believe it should.

Mr. CLARK. Mr. President, if the Senator from Tennessee will permit an interruption, let me say that I see on the floor another member of that committee—the Senator from Louisiana [Mr. LONG]. I have no doubt that he will be happy to join the Senator from Tennessee in this effort.

In the past, our trouble has been that we have had to bring up these tax-loophole-closing efforts in the closing days of the Congress, when we are always met with the argument that the Finance Committee has not made any investigation of the subject. We are always met with the strong argument that the Bureau did not make the recommendation, that the Eisenhower administration did not recommend it, and that our Finance Committee had not investigated it. So it is said that we are trying to act without sufficient factual background. The Senator from Tennessee will recall, I am sure, as will the distinguished Senator

from Louisiana, that last year we were met with that argument.

Mr. GORE. I do recall it, and I thank the able Senator from Pennsylvania for his contribution.

As I said earlier, this is one type of tax favoritism on which I will solicit the views of Mr. Douglas Dillon, who has been designated as Senator Kennedy's choice for Secretary of the Treasury.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield again?

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Does the Senator from Tennessee yield to the Senator from Pennsylvania?

Mr. GORE. I yield.

Mr. CLARK. I wonder whether the Senator will agree that every effort should be made by those of us Democratic Members of the Senate and the House who believe that billions of additional dollars could be saved through closing these tax loopholes, to persuade the Treasury itself to make the studies and investigations and recommendations which could be so helpful to us in closing these tax loopholes.

Mr. GORE. I must say that after some considerable experience in this endeavor, I believe we can never do this job adequately without the vigorous leadership of a President of the United States and a Secretary of the Treasury. It is very complicated and very difficult. It is very difficult both technically and politically. Unified leadership will be required, in my opinion, in order to achieve the necessary goals; and I regard tax inequities as the crying injustice of our time and our society.

Mr. CLARK. Of course, the Senator from Tennessee is familiar with the planks in our Democratic platform which call for the closing of tax loopholes, and, of course, he is also aware of the fact that our successful candidates for both the Presidency and the Vice Presidency espoused that platform in its entirety; and I recall that on more than one occasion during the campaign, President-elect Kennedy spoke in favor of closing these tax loopholes.

So I hope the Senator from Tennessee will join me in feeling that we can look forward to having some Executive leadership; and I hope very much indeed that the new Secretary of the Treasury—Republican though he be—will be only too anxious and willing to help those of us who have this platform commitment, to carry it into effect.

Mr. GORE. I think we can form some valid opinion with regard to Mr. Dillon after he appears before the Senate Finance Committee. He will there be afforded an opportunity to clarify his views and to state his positions.

Mr. CLARK. One final point, and I shall be through: My distinguished colleague serves not only on the Finance Committee, but also on the Foreign Relations Committee. In the text of his speech he has referred to the fact that the business of foreign tax policy is an integral part of our foreign policy, as well as an integral part of our economic policy. I wonder whether he would be receptive to the thought that it would be wise to deal with this matter on a selective basis. I believe my friend has made some reference to that thought, in his address.

What I have in mind is that from where I sit there can be very little justification for the present tax policy toward foreign subsidiaries of American corporations that are doing business in the NATO area or in Japan, particularly those that are doing business in Western Europe. But I believe it is an essential part—and I suspect that the Senator from Tennessee shares my view—of our foreign economic policy to render assistance to underdeveloped nations in Africa, Asia, and Latin America. So I hope we can work out a foreign tax policy which will encourage private capital to take up some of the load in those underdeveloped areas, which is in the interest of our overall foreign policy, while at the same time preventing a repetition of the kind of tax avoidance in the NATO countries and in Japan which my friend, the Senator from Tennessee, has so eloquently discussed this afternoon.

Mr. GORE. As I have said, I have serious doubts about the advisability of using domestic tax policy in the furtherance of U.S. foreign policy objectives, particularly if we rely upon general application. For instance, if foreign tax credit is to be given to all income earned abroad, then we see what has already happened: An overwhelming proportion of it goes, not to underdeveloped areas, where we particularly desire to see development, but, instead, to highly industrialized areas from which we already are receiving some severe competition. Moreover, an overwhelming proportion of it goes to foreign manufacturing subsidiaries of U.S. corporations.

It seems to me that if we are to use domestic tax policy for the furtherance of U.S. foreign-policy objectives, then we must be "selective"—to use the word the Senator from Pennsylvania has used. We must have some means which will be specific; otherwise we may prevent the achievement of our foreign-policy objectives.

Mr. CLARK. I thank the Senator from Tennessee for his comments.

Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

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. CLARK. Mr. President, I rise in support of the majority cloture resolution which is the pending business before the Senate. In my opinion, the rules and procedures of the Senate are stacked against the people of the United States and the people of the free world. They protect the status quo at a time when change is not only well nigh universal, but also well nigh inevitable. They impede action at a time when action is imperative. They result in half measures doomed to be too little and too late. In many ways they are one of the most important causes for our failure in the Senate during the last 8 years, to take legislative action desperately needed for our domestic well-being and for our security abroad.

Earlier this afternoon the very able Senator from Mississippi [Mr. STENNIS], in defending the present cloture rule, asked the rhetorical question: What is the need to change the rule? I should like to address myself briefly to answering that question.

The rules of the Senate, and rule XXII in particular, give to the opponents of measures strongly advocated by President-elect Kennedy the opportunity to defeat those measures in the Senate of the United States. Presently it is essential, in order to terminate debate and thus bring measures advocated by the President and reported out of committee to a vote on the floor, to have 67 votes on a cloture petition.

It is well known by every Member of the Senate that there is a minimum of 35, and possibly even more, Senators in number who, quite conscientiously and honestly and sincerely, are utterly and totally opposed to the program of the President-elect. If the present cloture rule remains in effect, those Senators can defeat, by delay and by filibuster, every single important measure of the Kennedy administration.

They can prevent enactment of medical care for the aged, tied to social security. They can prevent a minimum wage law. They can prevent Federal aid to education. They can prevent legislation to help our distressed areas, of which my Commonwealth of Pennsylvania has more than its fair share. They can prevent a proper housing bill, including urban renewal. They can prevent the repeal of the iniquitous Connally amendment to the World Court statute. They can prevent all of the measures which my party is committed to in its platform and which the candidates of my party advocated during the course of the last campaign.

The rules make it impossible for the legislative branch of our Government in general, and the Senate in particular, to pass meaningful legislation to protect voting rights, speed school desegregation, and promote job opportunities.

In nine efforts in the past, cloture has never been invoked in the consideration of civil rights legislation. While I believe civil rights to be an important reason for changing the rules, I place my case on a far broader base; and that is that, if we do not change the rules, the Kennedy program can be stopped in the Senate.

Senators who have been here far longer than I have seen a determined group of 12 Senators or less hold up needed legislation day after day and month after month. Senators with far greater legislative experience than I have seen measures watered down, to the point where they are hardly recognizable in their original form, because a small

group of determined Senators put a price tag on their consent to terminating further debate. By a price tag I mean they required that a majority of the Senate should so water down a measure that their opposition to it could be set aside.

My good friend the junior Senator from Arizona [Mr. GOLDWATER] has already announced his determined opposition to the program of the President-elect of the United States. He is one of our ablest as well as one of our most popular Senators. I have seen him operate in the 4 years I have been in the Senate, and I know full well that the Senator from Arizona, if he sets his mind to it, can prevent the entire Kennedy program from coming to a vote, unless we change the cloture rules.

So I say to the Senator from Mississippi [Mr. STENNIS]: That is the need for changing the cloture rules. That is the real need—to see that measures for which Americans have been waiting for years are able to be passed in the Senate of the United States, and not be defeated by a determined and reactionary minority of the Members of this body.

Mr. President, it is somewhat amusing to look at the definition of filibuster in the Encyclopedia Britannica:

> A name originally given to the buccaneers. * * * The modern use of the word denotes one who engages in private warfare against any state. In the United States it is colloquially applied to legislators who practice obstruction. Its practice has successfully defeated many pieces of legislation.

So much for what we seek to curb. We oppose private warfare against the best interests of the United States of America.

Let me say to my colleagues on the Democratic side of the aisle, through the medium of the CONGRESSIONAL RECORD, since all except one of them have long since left, and one of them, I regret to state, is required by our procedures and his lack of seniority, to remain here, while the other is quite free to go whenever he wants to—and I can assure him I intend no "end run" which would require his presence to protect his rights; I can only assume he remains because he is fascinated by my eloquence—to those of us on the Democratic side I call attention to our Democratic Party platform under the heading of "Congressional Procedures":

> 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.

I campaigned pretty extensively last fall in support of the plank which was approved by the Vice President-elect and by the President-elect of the United States, and they accepted the call of the convention to run as my party's candidates for the high offices to which they were elected.

I am confident that, with perhaps 15 exceptions, every other Democratic Senator in this body supports our party platform. It would indeed be a cynical thing if the first vote the Democrats cast in the 87th Congress were to repudiate the specific plank in their own platform, on which their candidates ran successfully and of which their candidates publicly approved.

I am the guardian of no man's conscience, but I could not conscientiously cast my first vote to knock down a specific plank in the platform of my party.

I wish to refer briefly to the public record of the President-elect. I hold no mandate to represent his views on this subject. He has wisely determined that, under the separation-of-powers doctrine, he will make no effort to impose his views on this arm of the legislature, but the public record speaks for itself.

Senator Kennedy's first vote in the Senate in 1953 was in favor of the Anderson motion to adopt new rules, to permit a change in the cloture rule, rule XXII. He voted for the Anderson motions to adopt new rules in 1957 and in 1959. The purpose sought to be attained by the adoption of new rules was to change the cloture rule to decrease the percentage by which Senators must agree in order to limit debate. Senator Kennedy voted for a majority cloture amendment in 1959 which was identical with the Humphrey-Kuchel resolution, which is now pending. In that year, when the resolution was defeated, he voted later to support cloture by three-fifths of the Senators, which is the proposal embodied in the Anderson amendment, upon which we may be called upon to vote tomorrow or the next day. As recently as December 20 of last year, 1960, he was reported by the wire services at Palm Beach as having reaffirmed his view that it should be possible for a majority of Senators to limit debate.

Mr. President, in my judgment it is very difficult indeed for Senators to do anything other than to support the view so expressed in the past—but in the recent past—by the President-elect, which is itself a part of our party platform, and which has behind it all of the logic and all of the equity which has been brought before this Senate by my numerous colleagues who have supported the pending motion.

I had occasion last year and the year before to point out the analogy between the present situation in which the Senate finds itself and the situation of the State of Poland in the 17th and 18th centuries, which resulted in the abolition of Poland as a free nation. Historians are agreed that one of the major factors resulting in the death of that nation was the institution of the Liberum veto, under which any member of the Polish Legislature could refuse assent to any measure proposed by any other member of the Polish Diet, and thus prevent all legislation from being passed.

This veto was first used sometime after 1606. It was used in 1625 to break up the parliament. In 1658 a majority was in favor of eliminating the Liberum veto, but since unanimity was required the majority was unsuccessful in its efforts.

The real decline of Poland was caused by the Liberum veto, and the first two partitions of Poland took place. Finally, in 1788, only 7 years before the third and final partition of Poland, the Liberum veto was abolished. It was used by Poland's enemies. It was used to destroy the Polish state.

My statements are based on careful documentation, which appears in the Cambridge History of Poland, and in a one-volume history of Poland edited by Mr. B. E. Schmidt.

We are not so far, today, from that Liberum veto situation, because although one Senator cannot prevent the Senate from legislating for more than a few days, because his physical energy will be exhausted, a small group of determined Senators can prevent the Senate from ever legislating.

I suggest again that, in a time when our domestic well-being and our national security abroad are in jeopardy, we would be wise indeed to change our procedure so that the charge can never be made that the Senate did not fulfill its proper constitutional duty in legislating in support of measures desired by an overwhelming majority of the American people and by a substantial majority of the Members of this body.

It has been said that when 12 willful men prevented the Senate of the United States in 1917 from arming the merchantmen, thereby running the serious risk that the merchantmen would be destroyed by German submarines, such action was not particularly important because shortly thereafter President Wilson was able to achieve the same result by Executive action.

Mr. President, I point out that at the time, in 1917, President Wilson himself was almost in a desperate state of mind because this small minority of willful men were opposing his policies and putting the United States of America in a position where its merchant fleet and its foreign trade were in serious danger of being swept from the seas. President Wilson was so concerned that he said, in 1917, what is equally true in 1961:

> The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action.

In 1917, 75 Senators—and there were then only 96—signed a statement saying that they would, if they could, vote to arm the merchant ships against German aggression, but they were unable to do so because a filibuster prevented them from bringing the matter to a vote.

I say again to my good friend from Mississippi, this is the need for a change in the cloture rule.

Mr. President, I have pointed out the specifics of the Kennedy program which can and, in my judgment, in all likelihood will, be defeated if the cloture rule is not changed.

Let us also think of some of the other matters still in prospect, with respect to which the same result would apply. These include: The ratification of a treaty banning nuclear explosions; a general disarmament agreement; an Atlantic Community proposal; strong

economic measures to counter severe unemployment or a depression, if we go into one. Any one or more matters of this sort may become critical to the well-being of this country within the next 2 years, while the present Congress is in session.

If action is not taken now action can never be taken while the 87th Congress sits. Many members of the public and even some Senators do not yet seem to be aware of the fact that we must change the rules now or we can never change them while the 87th Congress is in session.

Let us suppose we were to refer to the Committee on Rules and Administration the proposed changes in the cloture rule and the other changes in rules which I have submitted and which lie at the desk. Let us suppose the Committee on Rules and Administration is persuaded that these rules changes are desirable. Let us suppose the committee reports them to the Senate, and let us suppose they go to the calendar. Let us further suppose the majority leader motions them up for consideration. They can never be passed. They can never be passed unless we have 67 votes instead of 51 votes to change the rules and to put the new rules into effect. We can do it now, under the ruling of the Vice President and the general principles of constitutional law, with 51 votes. If we wait until next week and transact business in the interim, we can never do it unless we can get 67 votes to impose cloture.

There is one additional point, Mr. President. Let no man think that the rules fight can in any way possibly delay the presentation and enactment of the Kennedy program.

This rules fight will be over by the 20th of January, one way or another. Either those who support a meaningful change in the cloture rule will persuade a majority of our colleagues to support us; we will move the previous question; we will cut off debate and by majority vote we will change the rules and that will be the end of it, and we can put that matter to the test this week—at the latest finally next week—or we will fail in that effort and a motion to table will prevail. In either event the whole problem will be behind us by the time John Fitzgerald Kennedy takes the oath of office as President of the United States.

So I repeat. Let no one deceive himself into believing that he must vote against a change in the cloture rule because he might be delaying enactment of the Kennedy program. That argument does not have a single leg to stand on. It is totally and completely fallacious.

I say to my friends on this side of the aisle and on the other side of the aisle, "Vote against the change in the cloture rule if you wish because you do not think it should be changed but, for goodness sake, do not try to persuade Senators or even yourself that you are voting against a change in the rules because you want the Kennedy program to go through. The two matters have absolutely nothing in common."

There are a number of other changes in the rules which in my judgment are necessary to insure majority rule in the Senate after reasonable debate. I should say, as was said earlier by the Senator from Oregon [Mr. MORSE], in the colloquy which I had with him, no Member of this body wishes to cut off debate before a reasonable time has elapsed. How long is a reasonable time? Two weeks, three weeks, a month? During that period any popular measure which a minority believes to be not in the best interest of the country can be argued almost interminably, and if the country and the Senate can be rallied in support of the minority, they will have ample opportunity through debate to do so. So no one should think that the passage of this pending measure to impose majority cloture is the imposition of gag rule which would cut off meaningful debate. Nothing could be further from the truth.

I have before me a memorandum which sets forth briefly other important changes in Senate procedure, which I shall urge on my colleagues before we put the matter behind us. I ask unanimous consent that a copy of this memorandum may appear in the RECORD at this point in my remarks.

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

ENACTMENT OF KENNEDY PROGRAM REQUIRES A NUMBER OF RULES CHANGES TO INSURE MAJORITY RULE

1. COMMITTEE PROCEDURE

The Senate should consider the adoption, preferably by amendment to the Senate rules of a committee bill of rights that would give the majority of the members of any committee the rights (a) to convene meetings; (b) to determine the business to be considered; and (c) to terminate discussion of the pending business within the committee after appropriate debate.

2. SENATE PROCEDURE

We cannot afford the luxury of unlimited debate in the Senate if we are to attend to the legislative business of the country in the sixties. The present cloture rule requiring the affirmative vote of two-thirds of the Senate to terminate debate is clearly inadequate. A determined minority can almost always muster the 30-odd votes needed to defeat cloture on a controversial bill. Cloture moves have been unsuccessful on the last 13 efforts, stretching all the way back to 1927.

We must and can adopt an amendment to rule XXII when the Senate of the 87th Congress convenes next week to authorize a majority of Senators to close debate after full discussion and to permit the Senate to vote on the substance of the pending business.

The Senate should also adopt a rule of germaneness in debate, similar to that in effect in most other free world legislative bodies, so one or more Senators cannot prevent Senate consideration of legislative matters which may be urgently needed in the public interest.

In addition we should remove the undemocratic powers now vested in a single Member of the Senate to prevent all 130 committees and subcommittees from meeting during Senate sessions, to stop all Senate action by requiring journal readings and to prevent the conduct of miscellaneous business during the morning hour. These powers should be vested only in a majority of the Senate.

3. CONFERENCE PROCEDURE

The practice of appointing a majority of Senators who have fought against important amendments to represent the Senate in conference with the House to resolve differences in the versions of a bill passed by the two Houses does violence to fundamental democratic principles. The rule I will propose would require that a majority of Senate conferees should have voted for the bill in question.

Mr. CLARK. In conclusion, all of these proposals are designed to restore true majority rule in Senate committee and in floor deliberations. They will be opposed by those who oppose congressional action on some or all of our most pressing domestic and foreign problems. Their arguments will stress the safeguards necessary to prevent tyranny by a majority.

I submit that those who oppose majority rule are fearful of democracy itself, which is based to a large degree on the principle of majority rule, as Thomas Jefferson so well stated in a quotation which has already been widely used in this debate. Of course, at times majorities can and do act unwisely, but this is one of the inherent dangers of democracy. Our constitutional system is replete with checks and balances which will remain as limitations of democratic majority rule regardless of the nature of congressional rules of procedure. Small State overrepresentation in the Senate, Executive veto power and the two-thirds requirement for overriding, the prohibitions written into the Bill of Rights, and judicial review all act as curbs on precipitate legislative action. So does our committee system through which are screened all the measures which eventually come to the floor.

To overlay on these constitutional safeguards undemocratic limitations in archaic rules of procedure is utterly without justification.

I am less concerned with the rights of parliamentary minorities than I am with the rights of popular minorities. I am less concerned with unwise action by Congress in the cold war period in which we live than I am with congressional inaction on a whole gamut of unsolved domestic and foreign problems which demand solutions without further delays.

I am interested in all democratic procedural reforms which will reestablish the Senate as an effective arm of the American Government able to act when a majority is ready to act and thus to perform its intended constitutional duties. But my particular concern is that the Senate does not become the graveyard of the legislative program of the incoming administration. Establishment of genuine majority ruling in congressional procedures can and must prevent this from happening.

RECESS TO 12 O'CLOCK NOON TOMORROW

Mr. CLARK. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 36 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, January 10, 1961, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 9, 1961

The House met at 12 o'clock noon.

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

Psalm 4:3, *The Lord will hear when I call unto Him.*

Eternal God, whom we worship with humility and gratitude, we beseech Thee to give us a clearer apprehension of Thy will and a keener appreciation of the sanctity and dignity of our mission in life.

Inspire the Members of Congress with great perspectives as they daily take counsel with Thee and with one another concerning the needs of our Nation and the welfare of all mankind.

May we open widely unto Thee the windows of our souls and be blessed with altitude and strength of character.

Show us how we may help to extinguish those hot embers of hatred and ill will, of jealousy and selfishness, which at times burn so fiercely within the heart of humanity.

In the name of the Prince of Peace we offer our prayers. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, January 6, 1961, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a resolution as follows:

S. RES. 23

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Edith Nourse Rogers, late a Representative from the State of Massachusetts.

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 do now adjourn.

OATH OF OFFICE TO HON. LOUIS C. RABAUT

Mr. MACHROWICZ. Mr. Speaker, in accordance with your designation of me, pursuant to House Resolution 13, 87th Congress, adopted by the House of Representatives, to administer the oath of office to Representative-elect LOUIS C. RABAUT, of the 14th District of Michigan, I have the honor to report that on Saturday, January 7, 1961, at Detroit, Mich., I administered the oath of office to Mr. RABAUT, form prescribed by section 1757 of the Revised Statutes of the United States, being the form of oath administered to Members of the House of Representatives, to which Mr. RABAUT subscribed.

Mr. Speaker, I offer a privileged resolution, which I send to the desk, and I ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 90

Whereas LOUIS C. RABAUT, a Representative from the State of Michigan, from the 14th District thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed to the oath of office before the Honorable THADDEUS M. MACHROWICZ authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said LOUIS C. RABAUT as a Member of this House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT OVER

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

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

There was no objection.

GEORGE WASHINGTON CARVER COMMEMORATIVE MEMORIAL

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. J. Res. 110) establishing the George Washington Carver Commemorative Memorial, and ask unanimous consent for its present consideration.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) there is hereby established a Commission to be known as the "George Washington Carver Commemorative Commission" (referred to in this resolution as the "Commission") which shall be composed of eleven members as follows:

(A) five members who are outstanding Americans to be appointed by the President;

(B) two members who are Members of the Senate, to be appointed by the President of the Senate;

(C) three members who are Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

(D) one member from the Department of the Interior who shall be the Director of the National Park Service, or his representative.

(2) The President shall designate one of the members of the Commission appointed by him to serve as temporary Chairman of the Commission until a permanent Chairman is selected as provided in this paragraph. It shall be the duty of the temporary Chairman to convene the Commission, as soon as practicable after the appointment of the members thereof, at which time the Commission shall elect a permanent Chairman from among the members of the Commission and provide for the selection of such other officers as the Commission may deem necessary. The members shall serve without compensation, but they shall be reimbursed for travel, subsistence, and other expenses incurred by them in the performance of their duties as members of the Commission.

(b) The functions of the Commission shall be to develop and to execute suitable plans for the commemoration of the work of George Washington Carver and his contributions to humanity. In carrying out these functions the Commission is authorized to cooperate with and to assist the George Washington Carver National Monument Foundation to plan an appropriate celebration in connection with the commemoration of the work of George Washington Carver, and to invite all the people of the United States to join therein.

(c) The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

(d)(1) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this section. The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this section.

(2) A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress not later than June 30, 1963. The Commission shall terminate upon submission of its report to the Congress.

(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the Commission, for necessary expenses in carrying out its functions under this section, $249,000.

Mr. GROSS. Mr. Speaker, reserving the right to object, has this resolution been printed?

Mr. McCORMACK. This is similar to a resolution that was passed by the House last year, H.J. Res. 799, with the exception that the 16-member commission provided for in that resolution has been reduced to 11, and instead of its being called the George Washington Carver Centennial Commission the pending resolution calls it the Memorial Commission because of uncertainty as to the exact date of George Washington Carver's birth.

As you know, he attended college in Iowa. He was born in Missouri.

Thirty-six thousand dollars has already been appropriated for the current fiscal year in anticipation of becoming effective only when the necessary legislation in the form of a resolution is adopted.

Mr. GROSS. Is the $36,000 a part of the $249,000 or is it in addition thereto?

Mr. McCORMACK. Yes, it is a part of it.

Let me say that to offer this resolution brings me great happiness not only as a Member of the House but personally in commemoration of this great man, in my opinion one of the greatest men who ever lived, starting out under the adversities he did, his wonderful character, and the great things he did for mankind. While I have offered the resolution I want the record to show that I consider it a joint resolution offered by myself and the distinguished gentleman from Iowa [Mr. JENSEN], who has worked untiringly with me on it. As a matter of

fact, he originated it, and I want the record to show it. It has been a pleasure to work with him on it. It should not be referred to as the McCormack resolution, but as the McCormack-Jensen resolution.

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

Mr. GROSS. I yield.

Mr. JENSEN. I am pleased, of course, by the words of the great majority leader [Mr. McCORMACK]. He has explained the situation as it exists. I might say that Dr. Sidney Phillips is greatly interested.

Mr. McCORMACK. By the way, Dr. Phillips is president of the George Washington Carver National Monument Foundation.

Mr. JENSEN. He came to me last year because George Washington Carver had attended college at Simpson, Iowa, and afterwards had been an instructor in the State agricultural college at Ames. He suggested that we establish this commission for the George Washington Carver centennial celebration.

I was very happy to cooperate. I then went to the gentleman from Massachusetts [Mr. McCORMACK] and explained the situation to the gentleman, and he was very cooperative. Then I asked the Committee on Appropriations to appropriate $36,000 to initiate the work of the Commission, which it did, contingent on the passage of this resolution.

When the gentleman from Iowa asked if this is part of the $249,000 that the resolution calls for, I can only say that it is, of course, the duty of Congress to determine how much more money will be appropriated.

Mr. McCORMACK. May I say for the record that when we authorize $246,000 or thereabouts and $36,000 has been appropriated in anticipation of the passage of the resolution, and will operate only after passage. I consider that $36,000 a part of the complete authorization. I think the gentleman from Iowa should make the same admission for the record.

Mr. JENSEN. That is right.

Mr. GROSS. Since the House approved a similar resolution last year, although it did not receive approval in the other body, I am not going to object, but I want to say that from here on out this business of establishing additional commissions will have my opposition. With the economic situation being what it is in this country, we need to conserve the dollars of the taxpayers of this country, and I intend to object to the establishment of commissions for capricious reasons.

Mr. McCORMACK. Generally speaking, then, the gentleman intends to object.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Speaker, this resolution carries out a custom of the Congress and the American people in honoring such great men as George Washington Carver; it follows through on exactly the same basis as we have honored George Washington, Thomas Jefferson, Booker T. Washington, and many other honored Americans. So I am happy that there has been no objection raised to this resolution.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object. As my colleague from Iowa says, he is not going to object, neither am I at this time; but if this is the beginning of a practice, without saying anything at all about the merits—undoubtedly it has merit—of spending the taxpayers' dollars to honor some great American—we just cannot all who richly deserve high honor. During the last campaign I learned or rather heard it said that 17 million Americans went to bed every night hungry. If that be true instead of creating these commissions we ought to see that we in some way first satisfy that hunger.

Mr. Speaker, I withdraw my reservation of objection.

Mr. McCORMACK. Everyone is in agreement now. Let us go along.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

The resolution 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.

THE LIBERATION OF RUSSIA

Mr. LANE. 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 Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, to defeat communism in the world it must be destroyed in Moscow. The liberation of Russia is the key to the salvation of the world from the peril in which it stands today.

And yet, the timid foreign policy of the United States, by one diplomatic concession after another, is failing to enlist the support of its greatest potential friends; the people of Russia, and China, and all the other captive nations.

This lack of understanding and initiative during the past 8 years has disheartened the captive peoples who have looked to us for political and moral leadership, and has eroded our prestige and position as the champion of freedom.

Our Nation must get moving again and reach through to the captive peoples in the spirit of our own Declaration of Independence which proclaims that—

> All men are created equal, that they are endowed, by their Creator, with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

With our encouragement, communism will be weakened and overthrown by its first victims, the people of Russia and China themselves.

But we must have a foreign policy that will give them hope, and the message of our courageous and progressive faith in freedom must be communicated to them by Russians and Chinese who are members of the free world community.

For some thoughts as to how this can be accomplished under unanimous consent I insert in the RECORD, the following article dated New York, November 1960. It is titled: "Some Basic Facts Concerning Communism" and is signed by Alexandra Tolstoy, Igor Sikorsky, and Boris Sergievsky.

SOME BASIC FACTS CONCERNING COMMUNISM

ITS OBJECT—WORLD DOMINATION

Once again we are approaching the anniversary of that fateful day when communism seized control of the Government of Russia. The Communists were able to seize power in Russia because the country had been weakened by the Revolution of 1917 which had destroyed the traditional form of government and social structure and had proved itself incapable of creating a new government based on the trust and support of the Russian people.

Forty-three years have passed since Russia fell into the hands of the international Communist conspirators. During this time the Communists have expanded their power to cover one-third of the world. Their advance was especially impressive immediately after World War II, when the short-sighted and thoughtless policy of the West gave them the opportunity of capturing China and many nations of Central and Eastern Europe. Recently their offensive against the free world has been intensified, as can be seen from the events in the Congo, Laos, and Cuba.

There is nothing surprising or unexpected in this fact. Khrushchev's behavior in the United Nations astonished only those who either did not understand communism or those who were trying to mislead public opinion in the free world. Attempts to explain Khrushchev's belligerence by his desire to appease Chinese aggressiveness and the old guard Stalinists in Moscow find no support in the facts or in the history of the Communist movement. Communists are openly striving for a worldwide revolution and are doing everything to gain this aim. Secretary of State Christian Herter was right when, in his address to the American Bar Association, he said: "The Soviet goal is the collapse of order, then Communist control." Here the Secretary of State correctly defined the situation in the Congo, but his definition also has a much broader and more general significance. Communists will never be satisfied with seizing power in any one given state—power over the whole of humanity always was and will ever remain their proclaimed objective.

WAYS AND MEANS—CONSPIRACY, TERROR, AND WAR

Lenin, whom Communists consider their leader and teacher together with Marx, said that any crime is justified if it helps attain the object.

We see Communists in every country, in every nation, prior to their seizing power, employing conspiracy, espionage, lies, and introducing their agents into the government and armed forces.

Communists do not hesitate, where it is possible, to use violence to seize a government. Where such methods cannot be employed they openly conquer weak states with Communist troops. In Russia and China, they came to power by seizing the government and destroying their opponents. In Poland, Hungary, Czechoslovakia, North Korea, and many other countries power was handed to local Communists by Soviet or Chinese troops.

Having once seized power, the Communists proceed to strangle all freedom of conscience and resort to physical violence to destroy or remove their opponents. The citizens of every state seized by Communists are deprived of freedom of speech, press, and as-

sembly. They do not have the right to belong to political parties, except the Communist Party, sometimes, as in Poland and East Germany, the Communists create fictitious political parties, actually in their complete control, with the object of misleading public opinion in the free world.

In countries under their control Communists destroy all freedom of worship, persecute the clergy and the faithful. It is a mistake to believe that there is no persecution of religion in the Soviet Union and other Communist states. This persecution not only exists, but is growing in scope. In 1959, the Communist Party began taking away children from parents who were giving them a religious education. The parents themselves received prison sentences for this "crime."

By abolishing the right of private property the Communist Party gains complete and arbitrary control over the standard of life and economic existence of individuals and whole classes of the population.

In the course of the 43 years since the coming to power of communism in Russia these qualities of communism have often been considered results of the character of the Russian people. Some Western historians and writers have expressed the opinion that the Russian people, who have supposedly always existed in a state of slavery, had neither the wish nor the strength to resist communism.

However, after World War II and after communism had spread to many other nations, it became very obvious that this theory was not true. Communists turned out to be the same everywhere—in China, in Cuba, in East Germany, and in Vietnam—and there are no reasons to believe that they would be any different if they should succeed in coming to power in, let us say, France or in one of the republics of South America. Furthermore, the history of the last decade has shown that it is actually the Russian people who have resisted and continue to resist communism with greater tenacity than any other nation. During World War II many millions of Russian soldiers refused to participate in the defense of the Soviet Union; several generals of the Soviet Army with General Vlasov at their head endeavored to organize a Russian army of liberation to fight communism. As is well known, these generals were handed over to the Communists by the Western Allies after the defeat of Germany, and subsequently were hanged in Moscow. This act was not only a cruel and criminal violation of all moral law, but also a grievous political mistake. It destroyed all confidence in the West amongst the broad masses of the Russian people, and demonstrated that the free world did not wish to help the Russian people in their struggle against communism.

When, in 1956, the Hungarian people rose against Communist dictatorship, the Russian soldiers of the Red army were the only foreign soldiers to help the Hungarians in their fight. The eventual defeat of the uprising cannot be blamed on these soldiers, but it certainly is the fault of the free world which abandoned to their fate both the Hungarians and their Russian allies.

WHO ARE OUR ENEMIES?

The Communist Party is not a national party of any one nation. It is not a political party in the same sense as, for instance, are the Republican and Democratic Parties in the United States.

The Communist Party in every nation is a branch of an international organization striving to impose its power over the whole of the world. Mistaken therefore are those who think of the present plight of the world as international tension or believe that the cold war is between the United States and Russia.

Actually, the tension in the world today results from the incessant war the international Communist organization is waging with all opponents of communism wherever they be or whatever nationality they belong to. The free world has but one enemy—Communists, any kind of Communists—regardless of whether they be Russians or Americans, Hungarians or Poles, Chinese or Japanese. On the other hand, the free world has many allies. These allies are all the nations enslaved by the Communists and all the nations which are threatened by Communist enslavement.

The free world will be able to hold its ground and resist Communist aggression when it realizes that what is going on today in the world is not a struggle between nations or groups of nations, but a struggle between godless and inhuman communism on one side and the rest of humanity on the other.

TO DEFEAT COMMUNISM

It should be clearly understood that all efforts to halt communism's aggressive pressure on the free world are foredoomed unless the free world itself takes the offensive against communism.

The former President of the United Nations General Assembly, Dr. Charles Malik, was absolutely right when he said:

"The West should stand firm at all costs against any further expansion of communism, including above all the test case of Berlin. Some Western commentators have darkly hinted that the West would not fight over Berlin. It is fair then to ask, over what would the West fight? * * * An active policy of liberation is of the essence in any sound Western program for the coming years. Only a believing, active, sustained and bold looking-forward to free Eastern Europe, a free Russia and a free China is worthy of the gigantic world struggle."

The free world should retaliate to Communist aggression by carrying the struggle to the rear of communism. It is inadmissible and disastrous to permit a situation to continue in which Khrushchev openly tells the free world that he will bury it, and to pretend that the free world does not believe the threat. It is inadmissible and disastrous to continue a situation where communism is incessantly digging a grave for the free world while the latter does nothing or almost nothing to bring the end of communism.

Such transmitters as the Voice of America, Radio Liberty, the Voice of Canada, the B.B.C., and the Spanish National Radio daily penetrate the Iron Curtain and are of great value since they serve to inform the enslaved nations of the truth concerning the free world. Such broadcasts should be continued and expanded. But merely telling the objective truth about the free world is not sufficient to gain victory. The enslaved nations and first among them the Russian and Chinese people must know that the free world stands ready to help them in their struggle for liberation.

In the past, the free world has more than once proclaimed its readiness to combat slavery and infringements of human rights. Today communism is openly establishing a system of physical and spiritual slavery and has brought under its domination one-third of the world and is boasting that soon it will conquer the remaining two-thirds—why, then, is the free world silent and does not come out with a statement that it is ready to help the victims?

Why, then, instead of making such a statement—which would be the only wise and fitting one from a political and moral point of view—does the free world proclaim that its object is peaceful coexistence with the tyrants?

If the free world wishes to avoid the grave that communism is preparing for it, it should openly and directly call the enslaved nations to resistance and to struggle for their freedom. It must give them that political and moral assistance which develops strength tenfold.

First of all, the free world must discard the pernicious faith in the possibility of "peaceful coexistence" of communism with freedom. Participation of Communists in the United Nations serves to discredit the organization in the eyes of the enslaved nations and debars it from effectively assisting in the struggle for freedom in the rest of the world. The exchange of "cultural delegations" does not, as those who do not know communism believe, assist in the mutual understanding of nations. This exchange demonstrates to the enslaved nations that their fight for freedom is doomed since the free world is accepting their masters as brothers. The exchange serves to ease the penetration of Communist agents into the free world, as every Communist, always and everywhere, is first and foremost an agent of that criminal organization of which he is the servant.

After discarding the idea of peaceful coexistence, the free world should frankly and openly state that it considers Communists as enemies and the enslaved nations its best allies. At the same time assurance should be given to the Russian and Chinese peoples that no material gains are being sought and that the wish to help does not stem from any quest for territorial gains or wish to introduce any form of government and has the sole object of removing and destroying communism and restoring the rights of human individuality.

To defeat communism in the world it must be destroyed in Moscow. The liberation of Russia is the key to the salvation of the world from the peril in which it stands today.

It is not enough and it is well-nigh impossible to destroy communism in Warsaw or Budapest, China, or Cuba without getting rid of communism in Russia. The fate of humanity depends on the fate of Russia.

THE FIRST VICTIM OF COMMUNISM

In the United States the conceptions "Russian" and "Communist" are often considered synonymous. This is a mistake produced by ignorance and fostered by those who call Communist expansion "Russian imperialism" and the Soviet Union—the Russian Empire.

In 1959 the Congress of the United States adopted a resolution establishing the observance of Captive Nations Week every year. Under the influence of negligent advisers the resolution included a list of captive nations, among them not only those nations which had actually been and were captured by communism, but some nonexistent nations as well.

This list has done the United States much harm. It gave the Communists a chance to accuse America of the desire to dismember Russia. It allowed Communists propaganda the possibility of proclaiming as traitors all Russians opposing communism and living abroad.

The fateful mistake made by Congress was enhanced by the fact that the list of captive nations did not include the Russian people, thereby giving the impression that the Russian nation had not been captured by communism.

The captive nations themselves treat the Russian people otherwise. They know, better than the free world, the nature and history of communism and that Russia was its first victim. The Assembly of Captive European Nations which exists in New York stated in its 1960 September bulletin:

We have always made the distinction between the criminal apparatus which from the Kremlin oppresses a third of humanity and the Russian people who were their first victims.

The free world should follow the example of the Assembly of Captive European Nations.

What they have said about the Russian people should be broadcast for the entire world to hear. We sincerely hope this will be done by the next President of the United States.

If he were to say as much, his words would be heard by all of Russia—from the Baltic to the Pacific Ocean, from the Arctic Circle to the Caucasus. They would give fresh strength of resistance to communism to the Russian people. They would demonstrate to the Russians that they have friends in the free world on whose sympathy and assistance they can count. At the same time the words of the President addressed to the Russian people and to all other nations enslaved by communism would immeasurably help the cause of peace in the world and would diminish the threat of atomic war now hanging over humanity.

To realize this it should be kept in mind that Communist aggression continues in its intensity only because the Communists are confident that they will not be stopped. They know that the free world will never begin a war while they themselves, atomic threats notwithstanding, have at present no intentions of embarking on one. It is their intention to strengthen their own armament and at the same time to weaken the fibre of the free world by propaganda, subversive interference in the economic and political life of free nations and turning to their benefit all existing difficulties and errors.

The principal obstruction the Communists encounter are the discontent and resistance of the population in Russia and other enslaved nations. The thirst of this population for economic well-being based on individual initiative and for the restoration of traditional forms of national life weakens and terrifies Communists much more than the armed might of the free world. They think their own armaments will sooner or later counterbalance this might and believe that they will succeed in further weakening the power of the West by gaining control over more Asian, African, and other presently free states. They foresee that the number of American strategic bases in the world will diminish in the course of the next few years by reason of further penetration of Communist propaganda into the countries where they are located.

At the same time the Communists are well aware that they will never be able to change the attitude of the captive nations toward the doctrines of Marx and Lenin. They realize that the hatred of these peoples toward the Communist regime will never die and that they are only waiting for the opportunity to act, as happened in Russia during the Second World War or in Hungary in 1956.

It is therefore clear that the aggressiveness of communism in the free world will diminish in inverse ratio to the growth of resistance to communism among the captive nations; the chances of war will also become more remote. The free world should realize and ever keep in mind that the support of the captive nations in their struggle with communism is the best assurance against war. The free world should never lose sight of the fact that the key to the effectiveness of such assurance lies first of all in assistance to the Russian people, on whom today hangs the fate of humanity.

Bitterly mistaken are those who think that war can be avoided by concessions to communism, by appeals to their desire for peace, calling upon them for mutual understanding with the free world.

The nature of communism is determined by its doctrine and as such is incapable of either compromise or cessation of aggression. The worldwide Communist revolution was and remains the objective. In losing sight of this, in accepting Communists to full membership in the United Nations, as rightful representatives of the nations they have enslaved, and in denying these nations help, the free world has even up to the present time followed a treacherous path.

At the present moment, however, the free world and more specifically the United States are faced with the dilemma: either to succumb under the pressure of communism or to stand up and resist by force of arms.

The only conceivable way to avoid these alternatives is by taking to the other side of the Iron Curtain the struggle which the Communists have been waging for the last 43 years on the territory of free nations, enslaving them and turning them into slave camps. The surge of the wave of communism in the world has continued too long. The time for the wave of freedom has arrived. If it does not rise, if it does not spread to the nations now groaning under the Communist yoke, the destruction of the free world, with or without war, is inevitable.

To conclude, we wish to repeat the call that was made by anti-Commmunist Russians in September and October 1960 during Khrushchev's appearance at the General Assembly of the United Nations:

"Communism in Moscow means war.
A free Russia means peace.
Russians want freedom.
Help them in their struggle."

THE FRYINGPAN-ARKANSAS PROJECT, COLORADO

Mr. ROGERS of Colorado. 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 Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, Members of the House of Representatives from the State of Colorado are, individually, introducing legislation to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

The proposed legislation would authorize the Secretary of the Interior to construct dams, reservoirs, canals, and facilities for the generation of electrical energy. The proposed legislation would supply a supplemental water supply to the residents of the State of Colorado and would be governed by the Federal reclamation laws and acts amendatory thereof or supplementary thereto.

This is a proposal to divert the waters of the Colorado River system to the Arkansas River Basin and it provides that this authorization shall be subject to and controlled by the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, and the Mexican Water Treaty (Treaty Series 994), and shall be included within and shall in no way increase the total quantity of water to the use of which the State of Colorado is entitled and limited under said compacts, statutes, and treaty, and every contract entered into under this act for the storage, use, and delivery of such water shall so recite.

The project, when constructed, will be subject to the Constitution and laws of the State of Colorado which provide for the development of its resources by giving the better right to the use of water to the appropriator who first makes beneficial use of water. This principle is not diluted by any provision of the proposed legislation. It does not make reservations for later use of any appropriator within the State. As between Colorado and other States, some provisions have become law which provide for the reservation of the waters of Colorado for future use as against other States.

The project has been outlined in House Document 187, 83d Congress, modified as proposed in the September 1959 report of the Bureau of Reclamation entitled "Ruedi Dam and Reservoir, Colo." Naturally, there will be a possibility of various changes, modifications, and additions to this plan and Congress can properly act when the proposals are presented.

It is my hope that all Members will become well acquainted with these proposals and recognize that this is a new start that can help develop the West. We, in Colorado, know that the proper development and retention of its water is the salvation of our future. The approval of this legislation at this session of Congress should meet with the approval of those who are interested in the future development of our country.

ORDINANCE OF SECESSION OF THE STATE OF MISSISSIPPI

Mr. WILLIAMS. 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 Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, 100 years ago on this date a convention called and authorized by the Mississippi State Legislature adopted an Ordinance of Secession, declaring itself henceforth "to be a free, sovereign, and independent State." This ordinance, in effect, declared that the State of Mississippi was reclaiming the rights yielded by the State to the Central Government when it joined the Federal Union on December 10, 1817.

Mr. Speaker, on the same date, January 9, 1861, the first shot was fired at Fort Sumter, S.C., signaling the beginning of the War Between the States.

Because the Ordinance of Secession of Mississippi is a historical document, I am including a copy as part of my remarks along with a list of the signers:

ORDNANCE OF SECESSION, JANUARY 9, 1861

ORDINANCE OF THE STATE OF MISSISSIPPI—CHAPTER I

An ordinance to dissolve the union between the State of Mississippi and other States united with her under the compact entitled "The Constitution of the United States of America."

The people of the State of Mississippi in convention assembled, do ordain and declare, and it is hereby ordained and declared as follows, to wit:

SECTION 1. That all the laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America be, and the same are hereby repealed, and that all obli-

gations on the part of the said State or the people thereof to observe the same, be withdrawn, and that the said State doth hereby resume all the rights, functions and powers which, by any of said laws or ordinances, were conveyed to the Government of the said United States, and is absolved from all the obligations, restraints and duties incurred to the said Federal Union, and shall from henceforth be a free, sovereign, and independent State.

SEC. 2. That so much of the first section of the seventh article of the constitution of this State as requires members of the legislature, and all officers, executive and judicial, to take an oath or affirmation to support the Constitution of the United States, be, and the same is hereby abrogated and annulled.

SEC. 3. That all rights acquired and vested under the Constitution of the United States, or under any act of Congress passed, or treaty made, in pursuance thereof, or under any law of this State, and not incompatible with this ordinance, shall remain in force and have the same effect as if this ordinance had not been passed.

SEC. 4. That the people of the State of Mississippi hereby consent to form a Federal Union with such of the States as may have seceded or may secede from the Union of the United States of America, upon the basis of the present Constitution of the said United States, except such parts thereof as embrace other portions than such seceding States.

Thus ordained and declared in convention the 9th day of January, in the year of our Lord 1861.

In testimony of the passage of which, and the determination of the members of this convention to uphold and maintain the State in the position she has assumed by said ordinance, it is signed by the president and members of this convention this the 15th day of January A.D. 1861.

W. S. Barry, President; Adams County, A. K. Farrar, J. Winchester; Attala County, E. H. Sanders; Amite County, D. W. Hurst; Bolivar County, M. H. McGehee; Carroll County, J. Z. George, W. Booth; Claiborne County, H. T. Ellett; Coahoma County, J. L. Alcorn; Copiah County, P. S. Catching, B. King; Clarke County, S. H. Terral; Choctaw County, W. F. Brantley, W. H. Witty, J. H. Edwards; Chickasaw County, J. A. Orr, C. B. Baldwin; Covington County, A. C. Powell; Calhoun County, W. A. Sumner, M. D. L. Stephens; De Soto County, J. R. Chalmers, S. D. Johnston, T. Lewers; Franklin County, D. H. Parker; Greene County, T. J. Roberts; Hinds County, W. P. Harris, W. P. Anderson, W. B. Smart; Holmes County, J. M. Dyer, W. L. Keirn; Harrison County, D. C. Glenn; Hancock County, J. B. Deason; Issaquena County, A. C. Gibson; Itawamba County, R. O. Beene, A. B. Bullard, W. H. H. Tison, M. C. Cummings; Jasper County, O. C. Dease; Jackson County, A. E. Lewis; Jefferson County, J. S. Johnston; Jones County, J. H. Powell; Kemper County, O. Y. Neely, T. H. Woods; Lawrence County, W. Gwin; Lowndes County, George R. Clayton; Leake County, W. B. Colbert; Lauderdale County, J. B. Ramsey, F. C. Semmes; Lafayette County, L. Q. C. Lamar, T. D. Isom; Marshall County, A. M. Clayton, J. W. Clapp, S. Benton, H. W. Walter, W. M. Lea; Madison County, A. P. Hill; Monroe County, S. J. Gholson, F. M. Rogers; Marion County, H. Mayson; Noxubee County, Israel Welsh; Neshoba County, D. M. Backstrom; Newton County, M. M. Keith; Oktibbeha County, T. C. Bookter; Perry County, P. J. Myers; Pike County, J. M. Nelson; Panola County, J. B. Fizer, E. F. McGehee; Pontotoc County, C. D. Fontaine, J. B. Herring, H. R. Miller, R. W. Flournoy; Rankin County, Wm. Denson; Sunflower County, E. P. Jones; Simpson County, W. J. Douglas; Smith County, W. Thompson; Scott County, C. W. Taylor; Tallahatchie County, A. Pattison; Tishomingo County, A. E. Reynolds, W. W. Bonds, T. P. Young, J. A. Blair; Tunica County, A. Miller; Tippah County, O. Davis, J. H. Berry, J. S. Davis, D. B. Wright; Washington County, J. S. Yerger; Wilkinson County, A. C. Holt; Wayne County, W. J. Eckford; Warren County, W. Brooke, T. A. Marshall; Winston County, J. Kennedy, W. S. Bolling; Yalobusha County, F. M. Aldridge, W. R. Barksdale; Yazoo County, H. Vaughan, G. B. Wilkinson.

Mr. Speaker, ironically enough, the events that brought about Mississippi's Ordinance of Secession in 1861 bear a marked similarity to those which are transpiring today.

In 1961 the people of Mississippi, instead of fighting to dissolve their ties with the Constitution of the United States, are zealously and relentlessly fighting to preserve our constitutional Republic.

A NEW EMPHASIS ON BUY AMERICAN LEGISLATION

Mr. STRATTON. 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 New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I have introduced again in this Congress two bills which I introduced in the last Congress dealing with the subject of the Buy American policies of our Federal agencies.

The first bill, H.R. 2073, provides for an amendment to the existing Buy American Act to make two important changes. First, my bill would spell out in the statute itself the cost differential which Government agencies must be guided by in conforming with the requirement that they make their purchases from American manufacturers so long as the price differential is not "unreasonable." At the present time the definition of reasonable and unreasonable price differentials is set by executive action. Until recently that figure has been set at 6 percent generally and 12 percent in the case of American-made goods manufactured in areas of substantial unemployment. Quite obviously, the basic purpose of the Buy American Act, which is to channel American purchases by Federal Government agencies to American manufacturers rather than to foreign manufacturers, could easily be nullified by the executive branch if the differential in cost were to be set at an unrealistically low figure.

The second feature of my bill is that it would then proceed to establish that percentage at 25 percent. As a matter of fact, the executive department has recently adopted this same figure for goods purchased in unemployment areas, presumably borrowing it from any legislation as it appeared in the 86th Congress. However, I feel it is important that we should nail the figure down into the basic legislation rather than allow it to be subject to abrupt change, on the part of the executive.

The other bill I have introduced, H.R. 2072, would direct the Development Loan Fund, in making purchases from American manufacturers, to give priority consideration to manufacturers located in areas of substantial unemployment. In recent months the Development Loan Fund, in providing its foreign aid assistance to countries overseas, has been directed by the President to require that those foreign countries utilize their loan funds for the purchase of goods manufactured in the United States. However, the Executive order makes no provision for any priority in making these purchases from areas which are suffering most heavily from unemployment, in spite of the fact that in many cases the unemployment from which these areas are suffering is directly the result of increased American purchases abroad.

Surely the Development and Loan Fund must be directed to give special priority consideration to these unemployment areas, and that is what my bill would do. For one thing this would be the cheapest and certainly the most effective way of providing Federal help for distressed areas, and I believe we must do everything we possibly can in the application of every existing Government procurement program to give priority to our unemployment areas. As the Executive order to the Development and Loan Fund now stands foreign governments purchasing locomotives in this country, for example, are quite free to purchase these locomotives from the General Motors Corp., let us say, even though the American Locomotive Co. in my district in Schenectady, now known as Alco Products, Inc., to take another example, has been almost squeezed out of the locomotive business because of declining orders, and thousands of former loyal locomotive employees are today walking the streets in my district in search of work. Even a comparatively few locomotives channeled into this one unemployment area could have a profound stimulating effect on our local economy.

Mr. Speaker, some of us in this House have fought hard in the past 2 years to emphasize the threat which foreign competition is presenting to our economy and to emphasize the need for concentrating on American purchases. In many ways the fight we have been fighting has been an uphill battle. But things have begun to change in the past few months, because suddenly the problem of the gold outflow is staring us squarely in the face. Suddenly for this reason it has become not only necessary but even fashionable to buy American. To meet this problem of increased foreign imports and the economic disbalance which they have brought about, the administration has recently taken the very drastic step of putting the major share of the burden of halting the gold outflow onto the wives and children of American servicemen stationed abroad. Such action can be at best inadequate and

may well be seriously harmful to our overall defense. I believe the solution to our long-range problem in balance of payments lies rather in the adoption of the type of legislation which I have introduced. I commend these bills to the favorable consideration of my colleagues in this House.

RESOURCE DEVELOPMENT PROGRAM

Mr. ULLMAN. 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 Oregon?

There was no objection.

Mr. ULLMAN. Mr. Speaker, my friends and colleagues in this body know my concern for an adequate resource development program. Those of us from the Pacific Northwest are particularly aware of the importance of this program because of our area's great land and water resources, but it is a vital issue for all the people everywhere. Our Democratic Party is justly proud of its heritage of principle in this field of policy and of its record of accomplishment through the years.

It has long seemed to me that a more realistic budgetary concept toward reimbursable resource expenditures is essential if we are to adequately utilize our great natural resources.

The capital budget concept which I am again presenting to Congress has at least two advantages over the present system. First, it would regularize and provide for an overall planning of resource development investment. Second, and perhaps more important, it would facilitate the understanding, by Congress and the administration as well as by our people, of a fundamental distinction in our budgetmaking; the distinction between expenditures for current operating expenditures and investments in capital development. I might point out also that this second advantage would touch on fields of Government operations aside from just our resource development program.

Because of my belief that adoption of the capital budget concept would represent an important improvement in our fundamental budgetmaking process, I sponsored a bill in the last Congress which called for its adoption. I was extremely pleased that last year, a subcommittee of our Government Operations Committee, under the able chairmanship of the gentleman from Illinois [Mr. DAWSON], held preliminary hearings on my bill. It was, of course, no surprise to me that the outgoing administration registered strong opposition to my proposal. I feel, however, that the opportunity I had to reply to the distorted criticisms made of the bill was a very healthy thing. I am grateful that the Government Operations Committee printed those hearings and made them available for use by my colleagues.

The following brief summary of my bill's major points will, I think, indicate the purposes of the measure as well as its specific provisions. Our proposal, and I am joined in sponsorship of this bill by the gentlelady from Oregon [Mrs. GREEN] and by a number of distinguished Members of the other body, including both Senators from my own State [Mr. MORSE and Mrs. NEUBERGER], is that the Employment Act be broadened to include as a statement of purpose the policy of differentiating between operating expenditures and capital investments. It would add to the duties of the Council of Economic Advisers that of recommending minimum and maximum programs of capital investment covering a period of 6 years ahead. The President would be required, in the presentation of his budget to the Congress, to distinguish between operating expenditures and capital investments and to distinguish within capital investments those of a self-liquidating nature having an economic life in excess of 10 years; to report as to the amount of the Federal debt, again distinguishing that part which is represented by these self-liquidating capital investments; to recommend the minimum and maximum programs of capital investment as prepared by his Council of Economic Advisors; and to report on the effect of the proposed budgetary program on the reduction of the Federal debt. Finally, the bill calls for a distinction in law between the two types of Federal debt, gross debt and net debt, the latter excluding the amount representing self-liquidating capital investment.

Mr. Speaker, we who sponsor this legislation are firmly convinced that it is based on a sound and fundamental principle and that it offers a framework on which the legislative process can build the best possible bill to meet our needs. I am proud to say that the Democratic Party has recognized and affirmed this principle. In our platform we state that:

> We shall put budgeting for resources on a businesslike basis, distinguishing between operating expense and capital investment, so that the country can have an accurate picture of the costs and returns.

This is the aim of the bill which I have introduced and I urge the new administration to utilize our specific proposal in pursuing our mutual goal. I hope that the various executive agencies concerned under the new administration will furnish us with constructive comments on our proposal or, if they desire, recommend specific legislation of their own in this field. It is, as I have indicated, the fundamental improvement of our all-important budget making process that I seek. I believe that such an adoption of the capital budget concept, in whatever form we determine is best suited to our specific needs, will make possible not only the return to the multiple-purpose resource development principles that are a part of the Democratic Party's heritage, but a moving ahead in this vital field of policy on a more sound and coordinated basis in the challenging years of the sixties.

BUILD A STRONG AND HONEST TWO-PARTY SYSTEM

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, we who believe that the building of a strong and honest two-party system in the South is imperative to good government are proud of the record established by Dallas County Republicans. In the past three presidential elections Dallas has given the Republican nominee its support and has been listed among the leading major cities with the highest percentage of Republican votes.

In the recent campaign, Dallas was first among the cities of more than 300,000 population in terms of the percentage of the vote given to the Republican presidential ticket.

We think this is good for Texas and good for America. Our whole system of government has come to depend upon two strong and healthy parties presenting the voters with a choice of philosophies and programs. The Republican victory in Dallas gives strength to the two-party movement in the South and we are proud of the accomplishment.

This morning I received the following letter from Senator THRUSTON B. MORTON, the chairman of our party, who shares our pride:

> REPUBLICAN NATIONAL COMMITTEE,
> *Washington, D.C., January 4, 1961.*
>
> Hon. BRUCE ALGER,
> *Member of Congress,*
> *House Office Building,*
> *Washington, D.C.*
>
> DEAR BRUCE: I note that in 1960, as in 1956, the city of Dallas ranks first among the cities of more than 300,000 population in terms of the percentage of the vote given to the Republican presidential ticket.
>
> The development of tremendous Republican strength in Dallas is a phenomenon without parallel in our recent political history. It is a tribute to the vigor and determination of the dedicated people who have worked for the Republican cause under your leadership. I hope that the spirit which has produced these magnificent results in Dallas will prove contagious in the elections which lie ahead.
>
> Best wishes for the New Year.
>
> Sincerely yours,
>
> THRUSTON B. MORTON.

URGENTLY NEEDED TAX REFORM BILL

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.

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

There was no objection.

Mr. ALGER. Mr. Speaker, today I introduced a tax reform bill which I believe to be urgently needed legislation. This is the same bill I had the privilege of sponsoring in the last Congress along with my very good friends Congressman SYD HERLONG, Congressman HOWARD BAKER, and others. I hope it will be given serious consideration in this present session.

We are paving the way for socialism in America through the progressive confiscatory tax. Instead of taking property, as they do openly in Communist and Socialist countries, we have been taking income which, if carried to the ultimate end, will mean that we will have the property and our people will have lost their freedom just as surely as if we had confiscated the means of production in the beginning.

Our increasingly high taxes are drying up risk capital and killing incentive. When incentive goes, free enterprise will die. When risk capital becomes scarce, Government loans enter the scene. In both cases, socialism blooms while the heavy laden taxpayer gives up property and loses freedom. This might be called socialism, American style.

To whatever extent we are encouraging socialism by tax burdens at the expense of personal freedom and free enterprise, we must alter the income tax law. Yet such alteration in the closely knit Government-business relationship must necessarily be accomplished gradually, with maximum foresight and planning. The changes effected must not disrupt business nor inflate or weaken our currency through deficit spending, as a result of precipitously reduced income to Government.

The bill I introduced today provides: First, a gradually reduced individual and corporate income tax rate over a 5-year period. It would provide reductions for individuals—lowest bracket down from 20 to 15 percent; highest, 91 to 47 percent; corporate, 1 percent per year; second, a more realistic depreciation rate; third, decreased estate and gift taxes; fourth, deferral of capital gains tax until taxpayer disinvests. At the end of the 5-year period further tax changes could be made to remove the tax burden and stimulate economic growth.

The loss of Government income, which always must be considered in tax cuts, would be more than offset by business growth which in turn provides more tax revenues. This seemingly contradictory anomaly has been established by earlier tax cuts providing the wisdom and incentive of such action.

During the recent campaign we discussed thoroughly Russian economic growth as compared to our own. By passing such legislation as is proposed here and preserving incentive, building risk capital, we can surpass any Russian effort that is based on government tyranny. If we try to emulate Russia by government regulation, control, and confiscatory progressive taxation, which is Russia's blueprint for destroying free enterprise societies, we just commit suicide.

Too many of our citizens and, unfortunately, some Members of Congress, do not recognize the danger of ever-increasing taxation and, consequently have given no thought to a solution. This tax bill, I am convinced, provides a solution and will strengthen our free-enterprise system and make more secure the liberty of our people.

PRESIDENT'S AUTHORITY TO REDUCE TARIFFS

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY], is recognized for 20 minutes.

Mr. BAILEY. 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 West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have reintroduced the House Concurrent Resolution that in the 86th Congress was introduced by more than 40 Members from some 25 States. The sponsors were about equally divided between the two parties. The resolution expressed the sense of Congress that the President should not exercise the authority granted him in the Trade Agreements Extension Act of 1958 to reduce existing tariffs by as much as 20 percent.

Mr. Speaker, even since the adjournment of the last Congress additional force has been lent to the proposal that since the United States is in no present position to make further tariff reductions the Congress should now advise the President that he should lay the 1958 authorization aside. There is, after all, nothing mandatory about an authorization.

Conditions have come to the surface since 1958, that, while some of them were long on the way and were foreseen by some of us, have now awakened many people to the unenviable trade position of the United States in competition with the other leading industrial nations of the world.

The new concurrent resolution (H. Con. Res. 4) cites many of these conditions as a preamble to its conclusion. These need not be repeated here. Members may read them in the RECORD.

Mr. Speaker, under permission already granted, I insert in the RECORD at this point a copy of House Concurrent Resolution 4.

The matter referred to is as follows:

Whereas the Eighty-fifth Congress passed the trade agreements extension bill in August 1958, authorizing the President within a four-year period to reduce existing customs duties up to 20 per centum;

Whereas an international conference held under the auspices of the General Agreement on Tariffs and Trade is being convened in January 1961, in Geneva, Switzerland;

Whereas profound changes in the international competitive standing of United States producers have occurred since the passage of the Trade Agreements Extension Act of 1958;

Whereas mounting deficits incurred by the United States in the total foreign account, which attained the magnitude of $3,400,000,000 in 1958, $3,700,000,000 in 1959, and an estimated $3,000,000,000 in 1960;

Whereas the gold outflow in partial satisfaction of these deficits since January 1958 has reached a level of approximately $5,000,000,000, while the stock of gold at Fort Knox has fallen to a level below $18,000,000,000 against which foreign claims of more than $18,000,000,000 are outstanding, nearly all of which could be withdrawn on demand;

Whereas prevention of a disastrous outflow of gold to foreign countries adds to the pressure on the Treasury Department to offer higher interest rates on its current and future borrowings, thus dampening domestic industrial activity and promoting stagnation while adding to the outlay for interest on the national debt, the interest service on which has already reached the level of $9,600,000,000 annually and bids fair to rise appreciably, thus adding to the national budget additional billions of dollars of fixed charges;

Whereas imports of finished and semifinished manufactures have risen sharply in recent years and now represent two-thirds of our total imports, thus reflecting the sharpened competitive advantage that has been gained by other industrial countries over the United States;

Whereas the United States has moved from the position of a leading export nation in a number of items that are products of mass production and therefore the output of our most advanced industries technologically, among them being automobiles, petroleum, cameras, sewing machines, and typewriters, thus reflecting the startling loss of technological leadership by the United States to other countries that enjoy a wage differential in comparison with this country;

Whereas numerous domestic manufacturers have in the past two years made arrangements to manufacture abroad as a means of gaining lower production costs and enabling them to supply foreign markets from abroad rather than from the United States and in some instances to ship into the United States from branches established abroad, thus reducing opportunities for employment of American workers, retarding American suppliers of materials and parts to domestic industry, and preventing small American companies that lack the capital resources to invest in foreign facilities from participating in the economic growth represented by such use of United States capital, thereby producing the total effect of handicapping American industrial power and diminishing tax revenues at a time when the cold war costs of the Federal Government are mounting;

Whereas the productivity of labor in other industrial countries has taken a notable leap, stimulated in great degree by some $25,000,000,000 in modern machinery and equipment shipped abroad by the United States during the past seven years, thus increasing the competitive advantage of foreign producers, particularly in the absence of any significant increase in foreign wage rates compared with those prevailing in this country;

Whereas American industry may expect increasingly sharp and distressing competition from abroad because of the generally weaker bargaining powers of foreign labor unions compared with those of this country, thus offering no hope of any closing of the cost differential between foreign and domestic producers in the foreseeable future;

Whereas this competition, already severe and capturing progressively larger shares of our home market for numerous products, will create grave problems of survival for some of our industries and of maintaining in such industries an American scale of wages and the enjoyment of an American standard of living for their workers, even without further tariff reductions by the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress:

That the United States should grant no further tariff reductions in the tariff negotiations under the auspices of the General Agreement on Tariffs and Trade in 1961, notwithstanding the authorization contained in Public Law 85–686, known as the Trade Agreements Extension Act of 1958.

Mr. BAILEY. I would like, Mr. Speaker, to call particular attention to some compelling facts that will point to the utter folly of this country's further tariff reductions. Not only would such action be foolish; it would in fact be dangerous to our economy and therefore indefensible and reprehensible.

One of the hard facts that we must face is the meaning of our loss of gold. In 1960 we lost another $1.7 billion, over a billion of it in the last 6 months. This loss brought the gold stock remaining in Fort Knox to $17.6 billion or the lowest point since January 1940; and, already in 1961, the new year that is hardly underway has witnessed the loss of another $100 million. As matters stand today, foreign claims against the dollar are higher than the stock of gold remaining in Fort Knox. If a run should develop we could be denuded completely of our gold.

I cite this situation, not merely as a danger in itself, but as a symptom of what is wrong basically. The question is what has brought us to this unenviable position.

Has it been our expenditures overseas? Unquestionably that has been a strong contribution—not simply because of the amount of money sent abroad, but because of what was done with it. As an example, some of the Marshall plan money went for the construction of pottery plants abroad, some went for the building of textile industries, and so forth. I happen to come from a State in which pottery manufacturing is an important source of income and employment. Moreover, imports of pottery have been a source of distress to our producers over the years. A number of plants have been driven out of business as a result of this low-wage import competition. Why then was it considered wise to stimulate the pottery industry abroad? What God-given right has the foreign country in pottery production that should give it the privilege of driving us out of the business, and, mind you, with our own financial assistance?

When was the right of eminent domain conferred upon foreign producers entitling them to bulldoze our producers out of their way at will? Now we have distress area bills designed to repair the damage. We will be called upon once more to dip into the Treasury to cover up the effects produced by the previous dippings into the Treasury.

Mr. Speaker, meantime we made it easier for other countries to ship other goods into this country. We stripped our tariffs to mere stumps of what they were. We cut them down an average of about 80 percent from the previous height. We actually invited other countries to come into our home market and to dispossess such of our industries as could not compete with the low wages paid in the other countries. We raised hardly a hand to defend them. Our State Department subscribed to the miserable and intolerable theory that any industry in this country that could not compete with coolie labor was not worth keeping alive. On top of that, to repeat, they cut away existing tariff defenses, helped build up competing industries abroad, thereby adding to the tax burdens of domestic industries and saw to it that our industrial know-how was ladled out freely to foreign producers.

If the chickens are now coming home to roost in ever greater flocks it should be no surprise.

Mr. Speaker, our whole modern economy since the days of Henry Ford has been built upon mass production and high wages. This combination has enjoyed a phenomenal success, equalled nowhere else in the world. This mass production made possible higher wages and lower costs. In turn it provided the purchasing power that absorbed the high volume of goods that came from the production lines.

The entire system was built under the protection of the tariff. This prevented the undermining and breakdown that otherwise might have occurred. What we did in fact was to insulate ourselves against low foreign wages that could have sapped our system of its vitality and made of it the anemic productive pattern that prevailed elsewhere.

Then we forgot. We became very prideful. We were the world's industrial leaders. We were strong and invulnerable—at least so thought our economists and so they preached in their classrooms and into the ears of the State Department. It was outmoded, horse-and-buggy thinking to cast doubt on this unwholesome fallacy.

Well, it is said that pride goeth before a fall; and today we stand at the verge of a downfall.

We were the world's leading mass producers. We were in the technological forefront. Thanks to the State Department philosophers and the internationalist zealots, we are fast losing this lead. No longer are we the vanguard. ECA, FOA, ICA and the other aliases used to designate our foreign aid program saw to that. They overran our factories with foreign engineers and experts eager to learn our methods and techniques and they did not go away empty-handed. Today they are using our modern methods.

Meantime we supplied over $30 billion worth of modern machinery to those countries, a great part of it paid for by our Treasury. Any wonder that their productivity per man-hour shot ahead and greatly outstripped our rate of increase? Now we gasp for more growth and expansion. We forget what we have done to put us in our present spot.

Where is this expansion to take place?

With all the increased productivity in other industrial countries, wages there have lagged in relation to the rising productivity. Therefore the competitive advantage previously enjoyed abroad over our handicraft and less mechanized industries has now been extended to our mass-production industries.

As a result our own industries, that is, those of them that are faced by growth-dampening import competition are dividing their investments into foreign and domestic. Why? The answer is self-evident. They feel as Ford must have felt that the return on their dollar will be better abroad than here. The investment climate abroad looks better than in the United States of America. This is not to say that foreign investments are evil in themselves. It does mean that we would do well to look at the home front when our dollars seek foreign outlets rather than at home. How will we absorb the unemployed in this country if we do not expand?

Yet it must be very clear that we will not get the needed expansion until our producers can be sure that they can sell their increased output for the home market in the home market instead of being pushed aside by imports.

Mr. Speaker, it strikes me as unspeakably stupid under these circumstances to heap still greater incentives upon our producers to go abroad as against investing more freely and with greater assurance at home.

I for one cannot feel that the distressed areas in this country can possibly be helped by further tariff reductions. Nor can I bring myself to believe that we will achieve the increasing growth in this country that is needed to absorb the expanding work force if we are to expose an already excessively exposed production plant to more job-killing import competition.

Mr. Speaker, I beseech my colleagues to support House Concurrent Resolution 4 and thus to prevent piling further distress on areas that are already in distress in this country and to avoid creating additional distress areas.

I should like to ad lib at this point to remind my colleagues of the House of Representatives that in a very close fight during the last session of the 86th Congress a watered-down version of H.R. 5 was approved. I shall feel kindly toward the other body because that bill, H.R. 5, found a quiet resting place in a pigeonhole of the Senate Finance Committee.

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

Mr. BAILEY. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I appreciate the gentleman's yielding because he has been the leader in this Chamber in the fight against the large flow of foreign imports into this country, a condition which has resulted in many areas throughout the country and, certainly, in my own district in much unemployment because of this competition. I want to ask the gentleman, Is is not true that the bill which the gentleman is offering in this Congress, as he did in the last Congress, would tend to reduce this flow of imports? And, I would like to ask the gentleman too, if it is not also true that thereby we would be preserving American jobs instead of exporting those jobs to foreign countries?

Mr. BAILEY. The gentleman from New York is correct. That is the situation and that is the objective of House Concurrent Resolution 4.

Mr. STRATTON. If the gentleman would yield further, I would like to ask the gentleman if he does not feel encouraged in the long fight he has been waging, sometimes against heavy odds, by the attention that has recently been paid in this country to this problem? We are told today that gold is flowing out of this country at a rapid rate and

attempts have been made to stop this flow by imposing what seem to me to be unnecessarily severe restrictions on the wives and families of American servicemen. Does not the gentleman feel that the case which he has been trying to take to the Congress and to the people, and which some of the rest of us have been trying to help him on has now become one of the major issues in the Nation, and does he not feel, perhaps, that the real solution of the gold outflow problem lies rather in the adoption of long-range legislation such as he is proposing and also of other companion pieces of legislation that some of us have introduced.

Mr. BAILEY. The gentleman well knows that for the last 12 years I have been telling my colleagues what would happen to our gold reserves if we do not make some changes in our present trade policies. The reciprocal trade agreements may have been in order and may have been all right in 1934, but I would like to remind the gentleman that there have been quite a few changes in the situation in this country since 1934 and in all the countries in the world. But, there stands the Reciprocal Trade Agreements Act just as it was in 1934. We are the only party of the 42 nations in that international agreement that lives up to its commitments, and the rest of the parties to the agreement set up every kind of device possible until the Reciprocal Trade Agreements Act has become a one-way street. It is a joke and it is no longer reciprocal and it is time that the Congress did something about it.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

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

Mr. VAN ZANDT. When does the present reciprocal trade law expire?

Mr. BAILEY. The present Reciprocal Trade Act expires on June 30, 1962. The purpose of the resolution I have introduced is to freeze the authority granted to the President to reduce import duties by 20 percent.

Mr. VAN ZANDT. A moment ago the gentleman mentioned in his statement that $30 billion of American money is now invested abroad. Converting those dollars in terms of jobs; what would that amount to?

Mr. BAILEY. I do not have the information at the moment to be able to give that information to the gentleman, but I will be glad to supply it.

Mr. VAN ZANDT. Based upon my reading, recently, I find that $30 billion of American capital invested abroad represents about 5 million American jobs. In other words, we have transferred those jobs from our American workingmen to the workingmen of other countries.

Mr. BAILEY. I would say to the gentleman from Pennsylvania that we have tried to buy friendship by draining the Treasury of the United States, and we have less friends today than we have ever had. Now they are trying to buy that friendship by selling American jobs down the river.

Mr. VAN ZANDT. If I may ask the gentleman just one other question; is it not true that many of these great organizations, both business and labor, that supported the extension of the Reciprocal Trade Agreements Act a few years ago are now taking a negative position?

Mr. BAILEY. That is true.

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

Mr. BAILEY. I yield to the gentleman from Georgia.

Mr. FLYNT. Mr. Speaker, I take this opportunity to commend the gentleman from the State of West Virginia on this fight which he is renewing in this session. The gentleman from West Virginia well knows of my association with him on this particularly vital subject matter over the last 5 years. The particular commodities and particular products which are adversely affected in the gentleman's home State of West Virginia differ in kind entirely from the products which are adversely affected in Georgia, but the principle is the same. However, we have studied this situation carefully, and we have realized that jobs of men and women in West Virginia, as well as jobs of men and women in Georgia, are being jeopardized and threatened every day as long as the present policy is being carried out, which sacrifices American industry and American employment and the jobs of American men and women to competitive counterparts, all over the world. We realize that we must take a second look at this very important subject. It is possible that the Department of State and the Department of Commerce, as well as the incoming President of the United States, must make a very positive reappraisal of this subject matter which is permitting foreign surpluses to be compounded on top of domestic surpluses. This could destroy the economy of any nation on earth.

The gentleman remembers that in 1934, when the Reciprocal Trade Agreements Act was first enacted that its purpose was a very meritorious one. The purpose and the principle underlying subsequent extensions of the Reciprocal Trade Agreements Act have likewise been meritorious. However, the gentleman is well aware of the fact that in 1934 there was a very clear necessity for stimulating commerce and trade among the nations of the world. The purpose of the Act at this time, as was well defined and sponsored by the then Secretary of State, Cordell Hull, was to promote the free flow of goods and commerce among the nations of the world without artificial trade barriers whereby there might be an exchange of goods and commodities in which we were in surplus for an exchange of goods and commodities which other nations were in surplus. It was not intended then, and should not be permitted now, to pile up or encourage foreign surpluses on top of existing domestic surpluses of like commodities and products.

Mr. BAILEY. I thank the gentleman, and I shall enjoy working shoulder to shoulder with him in modification of the Reciprocal Trade Agreements Act to adequately safeguard and protect America's basic industry.

Mr. FLYNT. I thank the gentleman. I will certainly do everything within my power to the end that the true purpose of the Reciprocal Trade Agreements Act may be kept in force and effect in this country.

Mr. BAILEY. I thank the gentleman.

The SPEAKER. The time of the gentleman from West Virginia has expired.

YELLOW JOURNALISM

The SPEAKER. Under the previous order of the House the gentleman from Ohio [Mr. SCHERER] is recognized for 15 minutes.

Mr. SCHERER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein letters and articles.

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

There was no objection.

Mr. SCHERER. Mr. Speaker, the Washington Post over the years has constantly and viciously attacked the Committee on Un-American Activities with false and distorted editorials, cartoons, and slanted news stories. Recently it has stepped up its hysterical smear attack to the point that thoughtful and informed persons are beginning to wonder about the real motives of those in the Washington Post organization who are responsible for this kind of yellow journalism. It has consistently used the very tactics with which it charges the staff and members of the Committee on Un-American Activities.

In connection with its handling of the San Francisco riots the Washington Post is guilty of almost unbelievable distortion of the facts. It has charged that the film of the riots, taken by television and newsreel cameras on the scene at the time, has been forged by the committee.

So that the public and Members of Congress who are daily exposed to the warped propaganda of this leftwing newspaper may have some idea of the facts surrounding the recent controversy about the committee and the film of the San Francisco riots, Mr. Speaker, I am asking unanimous consent herewith to insert in the RECORD a series of letters by the chairman of the committee to the Washington Post in reply to its scandalous attacks; a letter to the editor of the Washington Post by the distinguished Congressman from Washington, the Honorable THOMAS PELLY; an editorial in the Washington Evening Star of December 5, 1960; a transcript of the broadcast by Ray Henle on the NBC network; a column by David Lawrence; an editorial from the Arizona Republic of October 30; an article by Jack Lotto in the Cincinnati Enquirer of November 6; the radio broadcasts over Mutual Broadcasting System by Fulton Lewis, Jr., on December 6, 7, and 8; Counterattack of January 6, 1961; and two joint statements by seven ministers who attended all of the San Francisco hearings.

[From the Washington Post, Dec. 28, 1960]

REPRESENTATIVE WALTER DEFENDS UN-AMERICAN ACTIVITIES GROUP IN "ABOLITION" FILM

(Chairman FRANCIS E. WALTER of the House Un-American Activities Committee has taken severe issue with three of our editorials

(November 26, November 30, and December 20) which criticized "Operation Abolition," the film prepared by the committee about the student riots in San Francisco last May.

(In order that readers may judge the editorial criticisms and Mr. WALTER's answers in context, we publish below the complete exchange of correspondence on the subject.)

DECEMBER 9, 1960.

Mr. J. RUSSELL WIGGINS,
Executive Editor,
The Washington Post,
Washington, D.C.

DEAR MR. WIGGINS: Upon my return from Geneva, Switzerland, where I attended the session of the council of the Intergovernment Committee for European Migration, I found the enclosed cartoon and editorial, both having appeared in the Washington Post on November 30.

Having been accused of a "curious little fraud," I wish to obtain from you an explanation regarding the alleged "doctoring" of the film, including an indication of specific parts of the newsreel which you believe were deleted or altered.

Sincerely yours,

FRANCIS E. WALTER,
Member of Congress, Chairman, House Un-American Activities Committee.

DECEMBER 16, 1960.

HON. FRANCIS E. WALTER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WALTER: This is in reply to your letter of December 9. An example of the kind of distortion to which our editorial referred and to which the cartoon alluded revolved about the identification of Harry Bridges with the city hall disturbances.

Those on our staff who viewed the film gained the distinct impression that the narration and the pictures identified Bridges as a very active and present participant in the so-called riots. I do not have the exact quote of the narration at hand, but the version quoted by Herb Caen in the San Francisco Sunday Chronicle pretty well fits the recollection of the members of our staff. That quote is: "Among the Communist leaders who had an active part in the San Francisco abolitionist campaign and the protest demonstration was Harry Bridges, whom you see here being escorted out of the city hall by police officials moments before the rioting broke out."

The testimony of three different persons with whom we were in touch was that Bridges was not at the city hall at the time the rioting broke out but was eating lunch at a restaurant not far away, and that by the time he got to the city hall, the thing was all over.

It seems to us also that the fact that 67 of the 68 arrested persons were released, after being charged with disturbing the peace and resisting arrest, indicates that the facts were not exactly in accord with those as presented in the film. Our attention has been called to a statement from several sources that Mr. Wheeler, of the committee staff, has admitted that the film has inaccuracies and distortions.

These are some of the considerations that led us to the comment to which you refer.

Sincerely yours,

J. R. WIGGINS.

DECEMBER 23, 1960.

Mr. J. RUSSELL WIGGINS,
Executive Editor,
The Washington Post,
Washington, D.C.

DEAR MR. WIGGINS: Your statement in your letter of December 16 that you have been in touch with three different persons who say that Harry Bridges was not in the San Francisco City Hall but eating lunch at a nearby restaurant when the rioting broke out, and it had ended by the time he arrived at city hall, in no way negates the statement in the film, "Operation Abolition," that:

"Among the Communist leaders who had an active part in the San Francisco 'abolition' campaign and the protest demonstrations was Harry Bridges, whom you see here being escorted out of city hall by police officials moments before the rioting broke out."

The film, as the above quotation from its narration clearly indicates, does not associate Bridges with the rioting but only with the protest demonstrations. Your statement that your staff members who viewed the film "gained the distinct impression" that it identified Bridges as "a very active and present participant in the so-called riots," does not speak well for their memory nor for their attentiveness to what they hear—qualities which are quite important to accurate reporting.

A variety of sources attest to the accuracy of the film's statement that Bridges "had an active part in * * * the protest demonstrations":

The San Francisco Examiner had newsmen on the scene. It reported (May 14, 1960, sec. 1, p. 5, col. 1):

"[Bridges] had been haranguing a group of people still in the rotunda, and crying, 'I'm going to get a gang up and see the mayor.' "

The San Francisco News-Call Bulletin also had reporters on the scene. It reported (May 13, 1960, p. 1, col. 8):

"[Bridges] was hustled out of the city hall by police today after he started to address a group of demonstrators at the bottom of the main stairway inside the rotunda."

J. Edgar Hoover in his report on the riots, "Communist Target—Youth," stated:

"Order had been restored when Harry Bridges, president of the International Longshoremen's and Warehousemen's Union, suddenly appeared on the scene. Demanding to know what part firemen had played in the use of the fire hoses, Bridges commented that he would see if the firemen's pay could be cut. The day's activities closed with Archie Brown joining Bridges and shouting, 'You tell them, Harry; they'll listen to you.' "

If you had checked with the committee on the Bridges matter, you would have been informed frankly—as other news media representatives have been—that the film commentary is in error in stating that Bridges was escorted from the city hall before the rioting broke out. This unfortunate, but honest and decidedly minor, error has the effect, in a sense, of clearing Bridges to a certain extent—because it removes him from the scene before the violence broke out. This fact hardly fits in with your implications about the manner in which the film has been distorted and the sinister motives for the alleged distortions.

Your second point. You state:

"It seems to us also that the fact that 67 of the 68 arrested persons were released, after being charged with disturbing the peace and resisting arrest, indicates that the facts were not exactly in accord with those as presented in the film."

Your writing here is rather vague and fuzzy, particularly for a newspaper editor, but I presume you mean by the above that the fact that 67 of the 68 arrested were released, indicates that they were not guilty as charged.

Inasmuch as you have editorially claimed "diligent inquiry into the San Francisco matter," however, I find it difficult to believe that this is really what you could mean. Surely you must know that Judge Albert J. Axelrod of the San Francisco Municipal Court stated in his decision on the case that, as far as the arrestees were concerned, there were "enough facts to justify a conviction on at least two grounds," but then went on to state three reasons why he was dismissing the charges against the arrestees:

(a) A conviction on any one of the counts could carry with it "a stigma which could well haunt them every time they applied for a responsible position either in private industry or in the Government service." The judge said that in the past he had received numerous appeals from young men and women to erase convictions on their records because they were hampering their chances for employment, but that he had been helpless to aid them.

(b) A mass trial of the defendants would not only be costly in a monetary sense, "but would play directly into the hands of those who create the unrest and do everything in their power to upset our democratic processes and way of life." [1]

(c) He believed the defendants had already been punished sufficiently and said, "I am hopeful that they have learned the errors of their ways and that there will be no repetition of their type of conduct."

This statement, coupled with hundreds of feet of film footage shot on the scene by local TV cameramen—portraying many of the arrestees engaged in rioting, disturbing the peace and resisting arrest (the three charges against them) and with the accounts of numerous newsmen on the scene, leaves no doubt that, on the matter of the arrestees, the film presentation is "exactly in accord" with the facts.

Your final effort to justify your vicious editorials about the film is based on a statement "from several sources" that a committee staff member has admitted the film contains "inaccuracies and distortions." If you had truly made "diligent inquiry" into the film, you would have found, as other people have (see for example the Palo Alto Times of Nov. 30), that the film contains absolutely no distortions, that the staff member in question had not himself used the word "distortions," and that he had stated only that there were three insignificant time sequence errors in splicing together the thousands of feet of film that make up the picture.

I do not ask you to publish this letter but, inasmuch as you fail in your letter of December 16 to produce a shred of evidence that would justify your charges that I am a party to forgery, fraud, falsification and warping of the truth, I ask that you publish the attached letter as my official reply to the three editorials the Washington Post has published on the committee film, "Operation Abolition."

Sincerely yours,

FRANCIS E. WALTER.

THE EDITOR,
The Washington Post,
Washington, D.C.

DEAR EDITOR: In three editorials and one cartoon the Washington Post has made vicious attempts to discredit the motion picture "Operation Abolition," a documentary film of the Communist-led riots against the House Committee on Un-American Activities in San Francisco on May 13, 1960.

The Washington Post editorials have labeled this film a "falsification of facts," "forgery by film," "mendaciously distorted"; "highly colored and questionable," "a piece of propaganda," and a "curious little film fraud" with a "highly loaded running commentary." They have charged that the film "warps the truth" and "makes a dirty joke of the congressional investigating power."

The Washington Post claims that it has made "diligent inquiry" to ascertain the truth concerning the San Francisco riots and

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[1] Apparently Judge Axelrod supports the committee claim that the riots were Communist-instigated.

that this truth contradicts the committee's film on two basic points.

The first point is that the main thesis of the film is "wholly unjustified." You correctly describe its main thesis as being "that the demonstrations were Communist inspired and Communist led." The truth, you claim, is "that Communists had nothing whatever to do with the instigation, organization, or leadership" of the student rioters.

What are the facts on this matter?

The San Francisco Chronicle of May 18, 1960, made the following statement concerning Mayor George Christopher of San Francisco:

"Mayor Christopher agreed that a 'great majority' of the student demonstrators were 'dupes of the Communists.'"

The San Francisco Examiner of May 18, also referring to Mayor Christopher, reported:

"The mayor said that in his opinion last Friday's riot was Communist directed and that for the most part 'unknowing and misguided students' were innocent pawns of trained Communist agitators skilled in crowd control tactics."

Thomas Cahill, chief of police for the county and city of San Francisco, testified before the committee on May 14 that his security unit has advised him that "a number of those who seemed to whip those people in the group (outside the hearing room) into a mob frenzy, were individuals who had been hostile and who had testified at the hearing."

Michael J. Maguire, San Francisco police inspector who was in charge of a police unit assigned to maintain order at the hearings, testified before the committee the same day. The following exchange took place while he was on the witness stand:

"COMMITTEE COUNSEL. Did you * * * observe the activities among the young people who had been assembled here in the hall, by certain people who were known by you from confidential sources to be members of the Communist Party?

"Mr. MAGUIRE. Yes, sir.

"COMMITTEE COUNSEL. Did you see agitational activities among the young people by Merle Brodsky, who was ejected twice from this committee hearing?

"Mr. MAGUIRE. Yes, sir.

"COMMITTEE COUNSEL. Did you see agitational activities among the young people by Archie Brown, who likewise has been identified as a member of the Communist Party and who likewise has been twice ejected from this hearing room because of his disturbance of the proceedings?

"Mr. MAGUIRE. Yes, sir."

FBI Director J. Edgar Hoover, who is certainly in a better position to know the truth about the San Francisco riots than anyone else in the country, prepared an official report on the riots, "Communist Target—Youth," which was published as a document of this committee last summer. In explaining why he had prepared this report, Mr. Hoover wrote: "It is vitally important to set the record straight on the extent to which Communists were responsible for the disgraceful and riotous conditions which prevailed during the HCUA hearings. It is vitally important that not only the students involved in that incident, but also students throughout the Nation whom Communists hope to exploit in similar situations, recognize the Communist tactics which resulted in what experienced west coast observers familiar with Communist strategy and tactics have termed the most successful Communist coup to occur in the San Francisco area in 25 years."

In his report, Mr. Hoover devoted five pages to factual material on just how the Communist Party went about planning the demonstrations and then carrying them to a successful conclusion. The evidence he presented is too extensive and detailed for me to quote or even summarize here. The following brief, generalized statements from his report, however, flatly contradict the "truth" advanced by the Washington Post and completely support the committee film:

"An officer warned that fire hoses would have to be used if the crowd did not disperse, but the crowd, instigated by Communists who had maneuvered themselves into strategic positions, became more unruly" (p. 8).

"Immediately after the affair ended, the party's national leader, Gus Hall, congratulated the west coast comrades for the initiative and leadership they displayed at all stages of the demonstrations" (p. 9).

"The Communists demonstrated in San Francisco just how powerful a weapon Communist infiltration is. They revealed how it is possible for only a few Communist agitators, using mob psychology, to turn peaceful demonstrations into riots" (p. 10).

"Looking at the riots and chaos Communists have created in other countries, many Americans point to the strength of our Nation and say 'It can't happen here.' The Communist success in San Francisco in May 1960 proves that it can happen here" (pp. 10–11).

Mr. Hoover also mentioned the riots in the course of a major address he delivered on October 18, 1960. He said in this address:

"The diabolical influence of communism on youth was manifested in the anti-American student demonstrations in Tokyo. It further was in evidence this year in Communist-inspired riots in San Francisco, where students were duped into disgraceful demonstrations against a congressional committee.

"These students were stooges of a sinister technique stimulated by clever Communist propagandists who remained quietly concealed in the background. These master technicians of conspiracy had planned for some time to use California college students as a front for their nefarious operations. This outburst was typical of these cunning conspirators who constantly play active, behind-the-scenes roles in fomenting civic unrest in every conceivable area of our society."

The second major charge the Washington Post has made against the committee film is that it distorts the facts by attempting to represent the rioting as resulting from student violence which "required the San Francisco police to turn fire hoses on them and eject them by force from the city hall."

You claim that the truth is that the San Francisco police "reacted with altogether needless ferocity" when some students "began to chant when they were denied admittance to the hearing room."

That is your claim. But what were the conclusions of every newspaper in San Francisco which had reporters on the scene during the riots? Here are a few excerpts of the truth as they found it:

San Francisco Examiner: "The riot apparently was triggered shortly before 1:30 p.m. when the mob rushed the door of the supervisors chambers.

"When all the seats in the chamber were filled, Patrolman Ralph Schaumleffel, on duty at the door, closed it, informing the crowd there were no more seats.

"The mob then climbed over the barricades and stormed the door, knocking Schaumleffel down.

"Then, the officer said, while he was on his back a student * * * grabbed the policeman's nightstick and hit him over the head with it.

"Inspector Mike Maguire of the intelligence detail then grabbed a fire hose and ordered it turned on." Saturday, May 14, 1960.

San Francisco News-Call Bulletin: "The hearing room was packed, and the mob in the corridors and rotunda was becoming more and more unruly.

"Judges in upstairs courtrooms were complaining the racket was interfering with due processes of law.

"Patrolman Ralph Schaumleffel, 33, standing guard, was trampled underfoot as a stampede to the hearing room began.

"One of the mob * * * wrested the policeman's billy club from his hand and walloped him on the head.

"Another kicked him in the groin.

"The mob smelled blood, and the riot was on." Saturday, May 14, 1960.

San Francisco Chronicle: "Friday afternoon's mob of 200—mostly students, but not all of them innocents in the art of mass demonstration—threatened to force its way into the Un-American Activities Committee meeting room against the orders and warning of the police. What, we wonder, does the concept of 'law and order' mean to these students? What do the sight of a policeman's uniform and the sound of his command mean? Apparently, to this mob, nothing but a challenge to get more stubborn and defiant.

"The performance by college and university students in so ill-mannered, boorish, and obviously dangerous a way gets no sympathy from us as an exercise of youth groping to understand and improve the democratic process." Editorial, May 16, 1960.

Perhaps the most interesting of all the news accounts of the riot is one by the students themselves, describing events which occurred during the first day of the hearings. The official University of California student newspaper, the Daily Californian, stated on page 1, Friday, May 13:

"Fights and violence erupted at the House Un-American Activities Committee hearings yesterday in San Francisco * * * much of it sparked by university students."

Attempting to support your claim that the students were not guilty of violence, you quoted the following statement from an article by one Paul Jacobs, which was published in the Reporter magazine of November 24, 1960:

"After the riots were over, the sheriff of San Francisco County said: 'There was no act of physical aggression on the part of the students.'"

On December 6, 1960, Sheriff Matthew C. Carberry, sheriff of the county and city of San Francisco, issued the following statement concerning the above quote attributed to him by Mr. Jacobs:

"I did not make that statement. I do not know the author of the article, Paul Jacobs, and have never spoken to him and have never been interviewed by him.

"I was on the scene on Thursday and Friday (May 12 and 13) up to luncheon time when I went for a luncheon conference with the chairman of the committee, Mr. WILLIS. The disorders took place during luncheon and I was in no position to know anything about them.

"I did not make that statement."

In summary, the findings which resulted from the "diligent inquiry" of the Washington Post are contradicted by FBI Director J. Edgar Hoover, the mayor, sheriff, and a police inspector of San Francisco, the San Francisco Chronicle, Examiner, News-Call Bulletin, and the Daily Californian, by Judge Albert Axelrod, and also, of course, by the moving picture record of exactly what happened in San Francisco, filmed not by the Committee on Un-American Activities but by TV stations KRON and KPIX of that city.

Sincerely yours,

FRANCIS E. WALTER.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 20, 1960.

EDITOR, WASHINGTON POST,
Washington, D.C.

DEAR SIR: I have read your editorial of December 20, 1960, and your prior editorial

of December 5, 1960, in which you deal with the subject of the House Committee on Un-American Activities and the film "Operation Abolition." As a Congressman of the United States, familiar with propaganda techniques, including that of certain editors, I want to tell you that I have been disturbed and nauseated by your obviously calculated program of falsehood and misrepresentation employed in an effort to discredit the committee and the film. I am also shocked to note your bold and shameless efforts to suppress free speech and education in the schools of Arlington County and elsewhere by your campaign of editorial distortions.

You glibly assert that "Communists had nothing whatever to do with the instigation, organization or authorization of the student demonstration" at the committee hearings in San Francisco. This assertion you know to be completely false and dishonest. At no point in your editorial do you explain that, as a result of the investigation of these riots by the Federal Bureau of Investigation, the report of J. Edgar Hoover declared that these riots were, in fact, Communist instigated. The film commentary, which you suggest was "slanted," actually follows the Hoover report. Likewise, you do not point out that, as reported by the San Francisco Chronicle of May 18, 1960, Mayor Christopher of San Francisco said:

"In his opinion, last Friday's rioting was Communist directed and that for the most part 'unknowing and misguided' students were innocent pawns of Communist trained agitators educated in crowd control tactics."

Your further assertion that there was no violence on the part of the students requiring San Francisco police to turn fire hoses on the demonstrators is likewise utterly false. Again, the Hoover report, the reports of the San Francisco police, and the film contradict you.

Of course, all people will not agree at all times on all matters. However, your editorials indicate a deliberate effort to prejudice that area of the public which has not had the facts available to it or had seen the film or read the Hoover report. You are guilty of abusing the privileges of a free press, by using the monopoly position of your newspaper as an instrument for the perversion of truth. Although it is generally recognized that a responsible and free press is basic to the democratic process, responsibility entails the presentation of facts, balanced editorial comments, and the defense of truth. That responsibility you have evidently abandoned in your editorial policy.

Moreover, you are, I believe designedly, giving aid and comfort to the Communist program to abolish the House Committee on Un-American Activities, a movement which has been spearheaded by Frank Wilkinson, an identified Communist, who together with certain other identified Communists, fellow-travelers and their dupes, have been recently on tour of college campuses and other places for the purpose of instigating action against that committee. The formation of a group known as the National Committee To Abolish the House Committee on Un-American Activities was announced in the Communist press on August 15, 1960, with a mailing address given as 617 North Larchmont Boulevard, Los Angeles, Calif., which is also the address of the Citizens Committee To Preserve American Freedom, an organization previously cited as a Communist front and also a major adjunct of the Emergency Civil Liberties Committee, likewise cited as a Communist front.

Your astounding effort to suppress the right of free speech to which Congress and its committees are entitled, your calculated interference with school administration by attempting to forestall the presentation of facts and current history to social science classes, merits total condemnation and will meet with the just resistance of an outraged public.

The artifices you are employing to beguile the public from information it should have on the subject of Communist subversion of youth will not succeed. It is clear that you have knowingly joined in a propaganda campaign to create, by slander, a climate of hostility to a committee and to a newsreel film that portrays facts from which the people will draw reasonable conclusions if left to themselves.

I have long been familiar with the operation of the Committee on Un-American Activities, which fulfills an important lawmaking function of Congress. I have always been impressed by its outstanding efforts and achievements, under the fair and able leadership of its brilliant and dedicated chairman, Congressman FRANCIS E. WALTER, of Pennsylvania. But you have gone beyond the bounds of propriety. After reading your distorted editorials, I am now, more than ever, determined to support this House committee.

Sincerely yours,

THOMAS M. PELLY,
Member of Congress.

[From the Evening Star, Dec. 5, 1960]

THE COMMUNISTS' ROLE

It is hardly surprising that a hue and cry has been raised against a movie film called "Operation Abolition," prepared by the House Committee on Un-American Activities to depict the student demonstrations which erupted at the committee's San Francisco hearings last May.

The criticism centers on two complaints: (1) That the committee distorted the true facts to imply falsely that Communists inspired and led the riots, and (2) that a motive in doing so was to promote and aggrandize its own activities through propaganda.

We have seen the film. We also have read the report of FBI Director Hoover on the San Francisco incident. The facts are that the film closely follows both the substance and the conclusion of the FBI report, and the burden of the report is to show unequivocally how Communists did in fact not only inspire but coolly manage each essential phase of the demonstrations. Much of the film's narration and continuity came directly from the report. If the result is a distortion, then the official FBI account would have to be no less so, and we do not think that this is true. How emphatic was the FBI report? Here is a single excerpt:

"The Communists demonstrated in San Francisco just how powerful a weapon Communist infiltration is. They revealed how it is possible for only a few Communist agitators, using mob psychology, to turn peaceful demonstrations into riots. Their success there must serve as a warning that their infiltration efforts aimed not only at the youth and student groups but also at our labor unions, churches, professional groups, artists, newspapers, government, and the like, can create havoc and shatter our internal security."

In producing the film, the House committee may have promoted its own role in attacking subversion. But is this a surprise? The right of Communists to engage in legal propaganda is most vigorously defended by those who are dedicated to discrediting the committee. Why should not the committee equally promote its own viewpoint, as long as it does not, in the process, distort the basic facts of its subject? In the early days of the New Deal, there were those who bitterly attacked the FBI as a dangerous, totalitarian force which should be curtailed. And that agency survived largely because of the effectiveness with which J. Edgar Hoover was able to publicly dramatize and promote its value.

The Committee on Un-American Activities has been guilty of excesses. But the time to criticize is when excesses occur. In our judgment, this is not one of those times. If the film is as accurate a warning of the dangers of Communist infiltration as the Hoover report indicates, it serves a useful purpose, and it should be exhibited.

BROADCAST BY RAY HENLE FOR "THREE-STAR EXTRA," NOVEMBER 29, 1960

A little over 2 months ago an organization in the San Francisco area began a protest against a film produced and circulated by the Un-American Activities Committee of the U.S. House of Representatives. This film was a documented and narrated account of the student riots against the House Un-American Activities Committee hearings in San Francisco last May. It undertook to show the Communist instigation and organization of the riots. It named some of the Communist ringleaders, and it showed them in the midst of the riots in film clips which had been subpenaed from a number of west coast television stations which had sent photographers to cover the demonstrations. In short, it attempted to give a picture story of the first serious Communist-inspired student riots on American soil.

The film was put together by a commercial producer in Washington, and sold, with the committee's approval, to anyone who desired it at $100 a copy. It has enjoyed considerable popularity, and, as of this date, more than 500 copies have been sold, and orders are still coming in.

Most of the films have been purchased by church and civic organizations, industrial concerns, and even by individuals. They have been shown in churches, schools and community meetings in a great many areas, and have been well received.

The organization which started the protest against the film is known as the Bay Area Student Committee To Abolish the House Committee on Un-American Activities. On September 11, it issued a ninepage press release in which it attacked the filmed story of the riots.

Last week the left-of-center magazine, the Reporter, carried a story attacking the congressional committee film and branding it as a distortion of the truth. Since then some newspapers have picked up the attack and denounced the committee for circulation of the film.

Yesterday the Harvard Crimson, the student newspaper of Harvard University, published an editorial denouncing the university's department of naval science for scheduling a showing of the film to men enrolled in the naval science course. It quoted the Reporter magazine as charging distortion in the film, and then proceeded to condemn the university's naval science department for disseminating "dangerous and irrelevant Government propaganda in the guise of education." Perhaps, partly as a result of the editorial which was written in advance of the showing, there was a demonstration against the film by some of the university's students when it was put on the screen that day.

Actually, the film and the narration parallel very closely all of the disclosures on the student riots in San Francisco as contained in a report by J. Edgar Hoover, Director of the Federal Bureau of Investigation. Mr. Hoover not only charges that the San Francisco riots were inspired and organized by Communist leaders, but supplies the names and the details. He tells how the Communist agitators planned to be thrown out of the Un-American Activities Committee hear-

ings in order to win the support of students whom they were using as their dupes. He tells in detail how the riots were arranged in advance by Communist organizers and with Communist funds, and how the country's top Red, Gus Hall, congratulated the west coast leaders afterward on a job well done. Such is the story told by Director Hoover, and it substantiates the story told by the Un-American Activities Committee film.

We were able to contact by telephone today the newly elected editor of the Harvard Crimson, Mr. Mike Lottman. Mr. Lottman said that he did not write the editorial; it was written by one of the other editors, but he said it represented the views of the Crimson staff. Mr. Lottman said he was not familiar with the FBI report on the San Francisco student riots, and that he had not seen the film. He said he did not know if the writer of the editorial knew of the FBI report, but he presumed he probably drew most of his information from the critical story in the Reporter magazine.

We asked Mr. Lottman if he now intends to go further into the information on the San Francisco riots, including that contained in the Hoover report, and give a more complete and accurate picture to the student readers of the Harvard Crimson. He said he considered the matter a dead issue now, but that if it is revived, that may be done.

[From the Evening Star, Nov. 30, 1960]

RED INFILTRATION CONTINUES IN UNITED STATES—BRINGING ACTIVITIES OUT INTO OPEN CALLED ONLY WAY TO FIGHT MENACE

(By David Lawrence)

When are the American people going to be given the full story of Communist infiltration inside the United States?

Just because the late Senator McCarthy went to extremes—due to his excess of zeal and his passionate devotion to the anti-Communist cause—the tendency now is to belittle the Communist menace altogether or to brush off references to it as just a hysterical manifestation of McCarthyism in a misguided era. This same trend has been noticeable in Britain and France, where many writers continuously refer to McCarthyism as a means of pooh-poohing Communist infiltration today.

The Communists, on the other hand, benefiting by indifference and complacency in Western countries, have been making hay, particularly in the United States. The newspapers generally, for instance, printed brief stories of the student demonstrations at San Francisco when the House Committee on Un-American Activities was meeting there a few months ago, but this correspondent recently saw a half-hour movie, compiled from the reels of news photo staff men covering the tragic event, which reveals that it was far more sensational than the news dispatches indicated. It shows the brazen behavior of persons, known to have been active in Communist Party affairs, who boldly sought by mob action to interfere with the committee's public sessions. The movie contains comments by Democrats and Republicans in the U.S. House of Representatives.

The reels have become available for showing to public and private groups, and information concerning them is obtainable at the offices of the House Committee on Un-American Activities. This is the movie which a so-called liberal group of Harvard students booed when it was shown to other students a few days ago.

It seems incredible that such a demonstration as occurred in San Francisco could be organized inside the United States, but it is not surprising to those who have been pointing out that the Communists have not for a moment relaxed their cold war efforts.

The only way to fight this kind of insidious warfare is to bring it out in the open. In such a movement, the people naturally must depend on the committees of Congress. Here, for instance, are some of the conclusions recently presented by the staff of the Senate Subcommittee on Internal Security in an exhaustive study entitled "Mob Violence as an Instrument of Red Diplomacy";

"In some Latin American countries, and in Japan, Communist parties controlling an insignificant minority of the total votes cast have resorted to the policy of manipulating and inciting mobs to accomplish political and diplomatic objectives in the interest of Soviet foreign policy.

"These operations are directed primarily against the American Government, to defeat its objectives and humiliate its spokesmen and representatives.

"Latin American Communists succeeded in seriously interfering with the 1948 Bogotá inter-American conference. In 1958, they subjected Vice President RICHARD M. NIXON and his wife to a most humiliating experience.

"Attacks are concentrated upon American property and personnel.

"The (United States) resort to international financial aid, no matter how generous, has not of itself furnished an adequate preventive against anti-American, Communist-inspired mob violence.

"Despite the numerous examples of worldwide Communist imperialism and brutality, there have been few cases of mob violence against Communist embassies or agencies.

"For the most part the Communists operate behind the scenes, making use of uninformed and excitable teenagers, students, and illiterates.

"As a rule, the Communists wait for a suitable issue to arise on the basis of which they can successfully provoke mob excitement and violence. If the issue does not exist, they create one.

"In large measure, the Communists exploit economic difficulties and nationalist emotions.

"The Communists' standard practice is to employ nonmilitary weapons, easily accessible to the mob, such as stones, poster sticks, clubs, gasoline, kerosene, homemade bombs, etc. These have been supplemented by the looting of guns and ammunition from hardware stores.

"The techniques followed by the Communists parallel those taught in special schools for international Communist agents in the Soviet Union.

"Communists make adequate preparations far in advance for their inspired riots, through provocative mass meetings, leaflets, broadcasts, cartoons, newspaper articles, and even assassinations.

"The Communists have utilized their control of labor unions, to augment the mobs operating under their direction.

"Leaders of the Communist Parties of Colombia, Venezuela, Bolivia, and Japan have been in Moscow where they have received instruction and directives, including training in handling mobs and military techniques.

"The Communist Party of China has rendered valuable assistance to Communist Parties in Latin America and in Japan which have organized mob violence. This assistance has taken the form of training of leaders, financial aid, broadcasts and propaganda. This is, no doubt, the result of an agreed-upon division of labor with the U.S.S.R."

[From the Arizona Republic, Oct. 30, 1960]

SAME OLD ATTACK

The perennial attack on the House Un-American Activities Committee is once again in full swing, this time headed by a group which calls itself the National Committee to Abolish the House Un-American Activities Committee.

It's not difficult to figure out why that group is opposed to the House committee. Of 34 delegates who attended its first national session in New York recently, 6 have been accused by the House committee of having been members of the Communist Party. They are Harvey O'Connor, Florence Luscomb, the Reverend William Howard Melish, Russ Nixon, Frank Wilkinson, and Richard Criley. Many of the other members—including Prof. Corliss Lamont, folk singer Pete Seeger, economist Otto Nathan—suffer the same chronic case of pinkeye which has infected many opponents of the House committee.

Not all the opponents of congressional committees investigating communism are themselves Communists, of course. But many of the sincere opponents, particularly those who base their opposition to the committees on the grounds they are unconstitutional, are uninformed about the history of the investigatory power. That mention of that power was omitted from the Constitution was doubtless not an oversight, but rather because the Founding Fathers took it for granted as implicit in the legislative function.

Indeed, the colonial assemblies in America instituted investigatory power as a normal part of their business (and were upheld by the courts), and under the Federal Constitution, the first formal congressional investigation was undertaken by a select committee of the House in 1792. Even as far back as the 16th century, formal parliamentary investigations in England were being conducted as the normal course of events.

Opponents of the investigating bodies claim that investigations often violate civil rights and are used primarily as propaganda forums. Unfortunately, this is sometimes true, as was seen in Senator ESTES KEFAUVER'S recent drugs inquiry. (Strangely enough, opponents of investigating committees usually object only when the inquiry concerns suspected subversives; when a Kefauver conducts a kangaroo court investigation into drug profits, they are strangely silent.) The remedy for these violations, however, is to correct and redress inequities which do exist in congressional investigating procedures, not to abolish the investigatory power.

The current popularity of a film depicting the Communist-inspired San Francisco student riots proves that opposition to the House group is not nearly so widespread as the title of the anti-HUAC committee indicates. Prepared by the House committee, the film provides an exceptional insight into Communist mob psychology in action, and it has astonished audiences wherever it has been shown. A few citizens in the Phoenix area recently bought the film and are currently showing it to schools, churches, and civic and professional organizations. As a valuable public service, KPHO–TV has twice presented the film, and plans to run it again in the future.

Arizonians are involved in the controversy over the House Un-American Activities Committee in one other way, this time in an election campaign. In the First Congressional District race (Maricopa County), voters will be asked to choose between Representative JOHN RHODES, who has been a stanch supporter of the HUAC during his tenure in Washington, and challenger Dick Harless, who, when he was in Congress, voted against appropriations for that watchdog group on two separate occasions.

There are other differences, of course, between the conservative JOHN RHODES and the liberal Dick Harless, but this is clearly one of the most important. At this crucial

period in history, when the Communists and their helpers are doing all in their power to cripple the effectiveness of the HUAC, it's extremely important that proved supporters of that investigatory body be elected regardless of which political party they represent.

[From the Cincinnati Enquirer, Nov. 6, 1960]

KILLING OF COMMITTEE AIM IN COMMY DRIVE AGAINST HOUSE BODY STUDYING ANTI-AMERICANISM

(By Jack Lotto)

An identified Communist, who helped organize the student demonstrations in San Francisco last May, is masterminding the current campaign to destroy the House Un-American Activities Committee.

The manipulator in the abolition drive is Frank Wilkinson, of Los Angeles. He was convicted last year of contempt of Congress and faces a 1-year jail term. Wilkinson was fired from his post as information director of the Los Angeles Housing Authority in 1952 when he refused to answer court questions concerning Communist Party membership.

His chief "kill the committee" aid is Harvey O'Connor, of Little Compton, R.I., another identified Red who is waiting trial on congressional contempt charges.

To create the illusion of widespread distaste for the House group, Wilkinson and O'Connor have been busily establishing one abolition committee after another.

Investigation, however, shows that all the groups opposing the House Un-American Activities Committee are interchangeably officered by the same known Communists and pro-Red apologists.

The latest Wilkinson-O'Connor offshoot is called the National Committee to Abolish the Un-American Activities Committee. Wilkinson is its field representative. Seven of the 11 officers have been named, in sworn testimony, as party members.

Six of them are also on the national council of the big Communist front, the Emergency Civil Liberties Committee, organized by Wilkinson and O'Connor.

The national headquarters for this new outfit is the same Los Angeles address as another pro-Communist abolition group with the high-sounding name of Citizens Committee To Preserve American Freedoms. Executive secretary and coordinators: the same Frank Wilkinson.

Director J. Edgar Hoover, of the Federal Bureau of Investigation, in a recent report to Congress, described the Citizens Committee as under control of the Communist Party and Wilkinson as its brains and the energy.

Another new organization agitating against the House investigating unit is called the Committee of First Amendment Defendants.

One guess as to the names of the directors. You're right. Two of the four-man steering committee: Wilkinson and O'Connor.

Wilkinson as the so-called coordinator of all the abolition organizations, has been concentrating lately on enlisting students in the anticommittee work.

At a closed meeting in New York, he told of his 16-State tour to drum up opposition, and boasted of success in college campus activities in Boston, New York, Chicago, San Francisco, Milwaukee, and Los Angeles.

The key to their activity is winning congressional and grassroots support for a resolution to be introduced by Representative JAMES ROOSEVELT, Democrat, of California, to wipe out the House committee.

As an alternative the abolition boys, in personal visits to Congressmen, are urging severe budget cuts. Success here would also effectively stifle the committee's investigative ability.

A drive is now underway to collect kill-the-committee signatures, to be turned over to friendly Congressmen at a demonstration in Washington when Congress reconvenes January 4.

FULTON LEWIS, JR., BROADCAST, TUESDAY, DECEMBER 6, 1960, MUTUAL BROADCASTING SYSTEM

"Operation Abolition": Some weeks ago I called your attention to a one-half-hour film that had been compiled by the House Un-American Activities Committee, entitled "Operation Abolition," documenting the student riots in San Francisco last May, when the House Un-American Activities Committee attempted to hold hearings there on Communist infiltration into the schools and colleges of that area and subsequently reported to you on the tremendous demand the committee had had for those films, and the extensive showing of them that was taking place over the United States.

Since that time more than 500 of these individual films have gone into circulation and new demands are pouring in for prints faster than the prints can be made. It is an impressive and very frightening film, made up from TV and Movietone newsreel clips of the actual rioting, made at the time and as I have said before, if you think it can't happen here, you should make it your business to see a showing of it. It is a documentation of the extent to which the American Communists can and will go to incite students to rioting for their own ends, and the film shows the actions of identified Communist leaders in the crowd, outside the San Francisco City Hall, inside city hall and inside the committee room, agitating the students and leading the disorders.

In case you have any doubts that this is a calculated ingredient in the Communist plan of revolution, I might begin by reading a section of the official organ of the Central Committee of the Communist Party U.S.A., currently in circulation among party members and operatives, which reads as follows:

"The rebelliousness of school children, directed against a part of the State machinery itself, is something that Communists cannot afford to ignore. This, together with their desire for knowledge and social life must form the starting point for our work among students in the schools."

So the objective is quite clear and direct, and this House Un-American Activities Committee film brings the San Francisco riots into clear focus as an effective effort to carry out these objectives. An official FBI report, signed by J. Edgar Hoover, concerning these incidents, says:

"Immediately after the affair ended, the party's national leader Gus Hall, congratulated the west coast Communists for the initiative and leadership they displayed at all stages of the demonstrations.

"Particularly pleasing to party officials was the number of students involved in the demonstrations. They commented that there had not been so much 'political activity' among student groups for years. Archie Brown, especially, was commended for the tremendous job he had done among the students, working with them in the corridors of city hall and winning their sympathy."

The report then continues with some specifics about how the party leaders were jubilant over the effects of the riots and that it had been a big "shot in the arm" for the party, by bringing out much better attendance at meetings and that the party's west coast publication, the People's World, was very happy because it had helped in a fundraising drive it was putting on, to finance its own continued publication. The FBI report then says:

"In short, the consensus in the Communist Party was that the riot was the best thing for the party that had occurred in years. Party leaders expressed the opinion that it was especially significant that the party had been able to enlist the support of so many people in all walks of life, when the party, itself, was publicly under attack by the House Committee on Un-American Activities. The feeling was that not only had the party taken a major step toward its goal of abolishing the House Committee on Un-American Activities, but also it had taken a major step toward playing a greater role on the American scene."

Now that, you understand, is not my statement, nor the statement of the House Un-American Activities Committee which is on the defensive, but the official statement in an official report by the Federal Bureau of Investigation.

And this same report goes on to say that at a party meeting on the night of May 20, 1960, this same Archie Brown told the group how he planned to follow up the victory by further using college students as a target and that the campaign would emphasize police brutality, so-called in the San Franciso riots, as grounds for further student activities and incitation.

Examination: The reason that I am reviving this question at this time is that this committee film has thrown a panic into Communist ranks because of its effectiveness and a nationwide organized campaign to discredit the film has been undertaken, using fellow travelers and dupes in the liberal world to help in the movement because this film has been hurting the Communist cause very very badly indeed. The very extent of the efforts to which the Communist propagandists have gone, and places in which they have managed to place their propaganda that the film is a misrepresentation and a distortion of the facts is the best evidence of how bad they are hurting.

The Washington Post has used two editorials and a cartoon by Herblock and the Harvard Crimson has used an editorial, objecting to the showing of the film to men enrolled in a naval science course.

My distinguished colleague Ray Henle, a week ago tonight, took notice of this editorial, and reported that after the editorial, there was a campus demonstration by students against the showing of the film.

What was most interesting was that Mr. Henle contacted the editor of the Harvard Crimson by telephone, a young man named Mike Lottman, and reported that he said he did not write the editorial; that it was written by other members of the editorial staff but he said it did represent the views of the whole editorial staff.

Mr. Henle quotes Mr. Lottman as saying he was not aware of and had not read the official FBI report on the student riots, which back up the film in detail and that he had not even seen the committee film. He said he presumed that the writer drew most of his material for the editorial from a critical story about the film, published in the Reporter magazine, which is a leftwing periodical.

In the next few nights, I want to go further into this story with you to demonstrate the implications of this whole thing. * * * Harvard, after all, is an important college campus and there is evidence that other publications in leftwing ranks have used the Reporter magazine story as the foundation for their attacks on the film. The story, by the way, was written by a man named Paul Jacobs of whom I never heard before and we'll take this story apart to show its own misrepresentations and falsifications in the future.

Sources: Suffice it to say for tonight that one of the key lines in the article quotes the sheriff of San Francisco County as saying:

"There was no act of physical aggression on the part of the students."

That, of course, is playing the line of police brutality which Archie Brown said on May 20 would be his theme in the follow-up activity. If there was no act of physical aggression on the part of the students, it certainly is implied that there was police brutality in turning the hoses on the students.

I undertook to call the sheriff of San Francisco County by long distance telephone today, Sheriff Matthew C. Carberry, to ask him about that quotation and do you know what he said?

"I did not make that statement. I do not know the author of the article, Paul Jacobs, and have never spoken to him and have never been interviewed by him.

"I was on the scene on Thursday and Friday up to luncheon time when I went for a luncheon conference with the chairman of the committee, Mr. WILLIS. The disorders took place during luncheon and I was in no position to know anything about them.

"I did not make that statement."

It seems to me that's interesting because it serves as a commentary on the reporting of Reporter magazine and Reporter magazine's reporter, Paul Jacobs. And remember, the Harvard Crimson editorial, written by some schoolboys for campus consumption, was based largely on the Reporter magazine story, according to its editor.

This one line, however, is only a sample and we'll go deeper into the Paul Jacobs article in subsequent broadcasts. It is particularly ironic that the Paul Jacobs article ends with this quotation:

"Although 'Operation Abolition' seems to be doing well at the box office, this unusual venture of the House Committee on Un-American Activities is not apt to win any prize for accuracy."

The Saturday Evening Post, the editors of which have seen the film, recommends the film and says:

"For once, the facts are pictorially recorded for all to see."

FULTON LEWIS, JR., BROADCAST, WEDNESDAY, DECEMBER 7, 1960, MUTUAL BROADCASTING SYSTEM

"Operation Abolition": Last night, ladies and gentleman, I presented to you some disclosures about the efforts of the Communist Party, U.S.A., to discredit the documentary film which has been put together by the House Un-American Activities Committee, showing the Communist-inspired student riots in San Francisco last May and how various leftwing and fellow traveler publications are spearheading the attack on the film.

The keystone of this attack, as I told you, seems to be an article which appeared in the November issue of the Reporter magazine, an extreme leftwing publication, the author of the article being one Paul Jacobs, who charges that the film is a distortion and misrepresentation. This article seems to have been the basis for a critical editorial in the Harvard Daily Crimson and the Washington Post and other publications of anti-anti-Communist leanings.

The editor in chief of the Harvard Crimson told my colleague, Ray Henle, that he had never seen the film but that the information was drawn from the article by Paul Jacobs. The Washington Post editorial specifically refers to the Paul Jacobs article and uses the information in it as the basis for its charge that the committee is guilty of "forgery by film." It quotes the article as saying that "both the narration and the way the film clips were edited deliberately distort a number of facts."

The editorial then goes on to quote from a paragraph in the article which reads, in full, as follows:

"For example, separate sequences have been run together in 'Operation Abolition' to give the impression of mob action and the film shows students displaying defiance after police warnings, although actually the demonstrations occurred at a completely different time and the police use of fire hoses on the students is justified on the basis of the claim that the students attempted to rush police barricades inside the city hall, where the committee was holding its hearings. But no film accompanies the commentary about this alleged attempt; in fact, photographs taken at the time show the students seated on the floor and in the corridors when the hoses were turned on them. After the riots were over, the sheriff of San Francisco County said: 'There was no act of physical aggression on the part of the students'."

I reported to you last night that the sheriff of San Francisco County informed me by telephone that he did not make any such statement, did not know Paul Jacobs who quoted him, and had never spoken to or been interviewed by Paul Jacobs. So much for the last sentence.

Now let's take a look at the statement about distortion in regard to the students attempting to rush police barricades inside the city hall. The avowed pattern of the Communist Party leaders and agitators—the very ones who led these student riots last May—at a party meeting in San Francisco on May 20 after the riots were over, was to use the charge of police brutality against innocent students to capitalize on the riots and consolidate any gains they might have made among student ranks. This was a perfectly open and frank declaration with no strings tied to it, made by Communist Leader Archie Brown, who was commended for his part in leading the riots by none less than Gus Hall, national head of the Communist Party.

By way of serving this line, consciously or unconsciously, the Washington Post editorial says:

"Washington Post: 'In point of fact, the San Francisco police acted with altogether needless brutality, turning fire hoses on students whose protests were not flagrantly unruly.' "

Now, would you like to hear what an official report by the FBI, signed personally by J. Edgar Hoover, has to say about the continuity of events in question? This is his verbatim report on the events of Friday, the second day of the demonstrations and the occasion on which the fire hoses were used, which is the basis for the police brutality charge and the charges of misrepresentation by the film. I now quote directly from the J. Edgar Hoover-FBI report:

"Archie Brown quickly resumed his tactics of the day before, once the session started. The crowd outside the hearing room chanted and sang songs. The songs and chants were obviously part of a well-organized plan as illustrated by the song sheets being used. Pleas for order and quiet brought only jeers.

"With the tension growing, the inevitable happened. Violence flared that afternoon. One of the judges in a municipal courtroom in city hall ordered the mob dispersed because the noise made it impossible for him to hold court. When an attempt was made to carry out the order, the crowd responded by throwing shoes and jostling the officers. An officer warned that fire hoses would have to be used if the crowd did not disperse, but the crowd, instigated by Communists, who had maneuvered themselves into strategic positions, became more unruly.

"One of the demonstrators provided the spark that touched off the flame of violence. Leaping a barricade that had been erected, he grabbed an officer's night stick and began beating the officer over the head. The mob surged forward as if to storm the doors and the police inspector ordered the fire hose turned on. The water forced the crowd to the head of the ballustrade and the cold water had a sobering effect on the emotions of the demonstrators.

"For a few minutes, relative quiet ensued. Taking advantage of the lull, police officers began to lead some of the demonstrators away, advising them that they must obey the order to disperse. Suddenly, realizing what was happening, militant individuals in the group set the pattern for renewed violence, by kicking and striking the officers. In all, 68 individuals, most of whom were students, were arrested for inciting a riot and resisting arrest.

"Order had been restored when Harry Bridges, president of the International Longshoremen's and Warehousemen's Union suddenly appeared on the scene, demanding to know what part firemen had played in the use of the fire hoses. Bridges commented that he would see if the firemen's pay could be cut. The day's activities closed with Archie Brown joining Bridges and shouting, 'You tell them, Harry; they'll listen to you.' "

Now that is the official report of the FBI, signed by J. Edgar Hoover, and you can take your choice as to whether you want to believe that or whether you prefer the innuendoes of the Paul Jacobs article and the statement by the Washington Post editorial that "the San Francisco police acted with needless brutality, turning fire hoses on students whose protests were not flagrantly unruly."

And I think it's a fair question to ask whether that is responsible journalism on the part of the Reporter magazine, the Washington Post, the Harvard Crimson, or any of the other newspapers which have accepted the Reporter magazine article as factual presentation. After all, the editor of the Harvard Crimson admitted that he had never seen the film and had never read the FBI report on the riots. The Washington Post actually attributes its information to the Paul Jacobs article in the Reporter magazine.

Who is Jacobs: And would you like to have a little background on this Paul Jacobs, whom they all quote and who is so conveniently serving the Communist cause which west coast leader Archie Brown publicly vowed to pursue?

Well, he was identified under oath before a congressional investigating committee as one of the people who worked on the notorious blacklisting report by the Fund for the Republic several years back, which was known as the Cogley report and was so questionable that a special investigation of it was conducted by the House Un-American Activities Committee.

Do you see how the ball bounces? And the twists and turns it makes in doing so?

The good old Fund for the Republic, back in our midst again.

THURSDAY, DECEMBER 8, 1960, WASHINGTON, D.C.

"Operation Abolition": For the last 2 nights, ladies and gentlemen, I've been reporting to you on the obvious campaign of certain leftwing, anti-anti-Communist publications over the Nation to discredit the half-hour film that has been put together by the House Un-American Activities Committee, giving the documented story of the student riots in San Francisco last May when the House Committee on Un-American Activities attempted to hold hearings on Communist activities in the northern San Francisco Bay area.

In the forefront of this smear effort has been the leftwing Reporter magazine which published an article by one Paul Jacobs, formerly with the Fund for the Republic, which article was snatched up by the Washington Post and the Harvard campus newspaper, the Crimson, as a basis of attacks of their own, apparently without either seeing the film or reading a report by the FBI, signed by J. Edgar Hoover himself, which corroborates the pictorial story told by the film in the most minute detail.

To give you a bit of perspective on why this is a matter of major importance, there are several considerations behind this attack, not the least of them being that this film is doing mortal damage to the intentions of the Communists in infiltrating college campuses of the country by the sheer stark, horrifying scenes that it presents. You think that it can't happen here; this film shows that it can and does happen here, and has. * * * and it is just as anarchistic as the youth demonstrations in Tokyo, or in Caracas against Vice President NIXON, or in Uruguay against President Eisenhower. This is all part of a planned Communist pattern, to use impressionable and emotionable college students for mass violence to accomplish their own purposes of violence and disorder, but in this particular case to help in their avowed goal of destroying a committee of the Congress of the United States, which is a thorn in their side and which poses a threat to their continued operation in the future.

It is particularly important to them, at this time, because they have hope that when the new Congress convenes in January, and the House of Representatives is organized for the coming session, there may be a chance of abolishing that House Committee on Un-American Activities, thus leaving themselves freer to conduct their subversive activities along a score of nefarious fronts.

I make no accusation that the Reporter magazine, the Washington Post and the Harvard Crimson—and the other newspapers who have given aid and comfort to the cause of this picture—are consciously in league with the Communist conspiracy in what they have written and are writing. It is enough to let the facts stand for themselves and the facts are that this special report by the FBI and Mr. J. Edgar Hoover, confirm in detail the story as told by the film.

But there are certain things in the FBI report that are not told in the film, and they give the lie to certain claims and pretenses in these articles and editorials of attack in the newspapers and magazines which is a very pointed lie.

Attacks: The articles and editorials attempt to present these riots as legitimate, spontaneous demonstrations by northern California students, outraged over the mere existence of the House Un-American Activities Committee as a matter of inherent love of freedom and American tradition and that the demonstrators were in no sense inspired by Communist agitators.

For example, the article in Reporter magazine says the following:

"Congressman WALTER launches immediately into the main theme of the picture, which is to suggest that the demonstrations were Communist inspired and Communist led. In the attempt to prove this assertion both the narration and the way film clips were edited deliberately distort a number of facts.

"For example—" and then goes on to list the charges which I have given to you, and thoroughly exploded over the last two broadcasts. The Washington Post, in its editorial entitled "Forgery by Film," is much more direct and positive in its charge. This is what it says:

"This is a flagrant case of forgery by film. The film warps the truth in two important respects. First it suggests as its main thesis that the demonstrations were Communist inspired and Communist led. Diligent inquiry has led us to a conviction that this charge is wholly unjustified. It cannot be asserted, of course, that no Communist took part in the demonstration. But the main body of students who picketed the committee hearings in protest, were inspired only by their own valid and thoroughly creditable indignation at the committee's conduct; and they were led by fellow students, loyal to American ideals and acting in accordance with that loyalty."

I emphasized the words "diligent inquiry" because they are important. I don't know what the Washington Post considers to be diligent inquiry, but I do know two things: that Allan Barth, the editorial writer for the Washington Post, only today, called for a copy of the film to view it, clearly indicating that he had never seen the film when he wrote the editorial but instead, as he indicated in his editorial, was taking the word of Reporter magazine for what it contained.

And I know also that the FBI report on the student riots, which corroborates the film story in detail, was available to Editor Barth when he wrote his editorial but he ignored completely the report of the FBI, if he ever saw it.

So the theme of these articles and editorials is that the film distorts the facts, by presenting the picture that these were Communist-inspired riots, when in fact, according to the writers, it was just a sincere, legitimate emotional demonstration by legitimate students in protest against the wicked, wicked House Un-American Activities Committee.

FBI report: Now let's see what the official FBI report—which has been available to these writers all along and was available to them when they wrote their editorials—has to say about the inception of these demonstrations and the events within the Communist Party that led up to the riots. And remember, this is the FBI, entirely on its own, entirely independently, reporting under the signature of J. Edgar Hoover.

The report explains, first of all, that a year prior to these hearings, the Un-American Activities Committee scheduled hearings in San Francisco to investigate Communist infiltration among teachers and educators, at which time a number of protest groups were organized and the committee decided to call off the hearings. Now from here on I am quoting from the FBI report:

"The cancellation of the proposed 1959 hearings left many of these groups and organizations inactive, but intact. As a result when the May 1960 hearings were announced, it required little effort to reactivate these opposition groups, despite the fact that the current hearings were not to be directed at Communist activity in the educational field.

"After the proposed 1959 hearings had been canceled, the House Committee on Un-American Activities turned over its files on these individuals to the California attorney general's office and to the school boards of the teachers involved for any necessary action.

"But the Communist Party members in the area skillfully planted the idea that the 1960 hearings were still aimed basically at teachers and that the stated objective to inquire into Communist Party activities in the area was merely to cover a planned attack on teachers.

"With this setting, it is possible to reveal how the Communist Party plan of attack unfolded. It will be seen that the plan had two important objectives and unfolded in two phases to accomplish them. The first objective of the party was to fill the scene of the hearings with demonstrators. The second was to incite them to action through the use of mob psychology.

"The first stage of the party's plan of action began to unfold after the word was received on April 26, 1960, by party officials that subpenas had been issued for local Communists to appear for the hearings, scheduled to take place May 12–14, 1960. One of the recipients of a subpena was Douglas Wachter, an 18-year-old sophomore at the University of California. Wachter, incidentally, had attended the 17th National Convention of the Communist Party in December 1959 as an official delegate from northern California.

"Party officials decided to build a major part of their plan of attack around Wachter. Immediately, after receiving a subpena, Wachter proceeded to the University of California campus to organize student demonstrators. Mickey Lima, chairman of the Northern California District of the Communist Party instructed Roscoe Proctor, a member of the district committee, to also contact certain students at the University of California and enlist their support.

"Lima was assured that student support would be forthcoming from Santa Rosa Junior College. His contact at San Francisco State College, the son of a current member of the Sonoma County Communist Party, was equally enthusiastic in promising support.

"The party line on the hearings and the general plan of attack were outlined and distributed early in May to all members in the area and in a memorandum captioned 'memo on the Un-Americans.' It was a call to action and rank and file party members in the area quickly responded.

"Members of the San Jose club of the Santa Clara County Communist Party circulated petitions and arranged for the publishing of a protest advertisement in the local newspapers. Oakland Communist Party members arranged for radio broadcasts and publication of protest advertisements in their newspapers. Fund drives were initiated in the various clubs to provide financial support for the attack.

"On the evening of May 6, party leaders held a meeting to assess their progress and plan further activity. Mickey Lima stated that the activity on the campus of the University of California had begun to pay dividends—students were beginning to call for demonstrations and picket lines to greet the House committee.

"Lima then issued orders that each club representative in the area assume the responsibility of contacting every club member to insure that massive demonstrations would take place at the hearings. He also discussed the plans that had been formulated by the Communist Party Youth Group in the East Bay area and stated that he wanted them coordinated with the plans of the San Francisco groups.

"A telephone campaign was conducted by party members to solidify opposition to the committee and was designed specifically to reach 1,000 people. Merle Brodsky, an active leader in Communist Party affairs in California for more than 20 years, boasted that he was calling everyone he had ever known, enlisting support for the demonstration."

The purpose? You've heard the official FBI report now, ladies and gentlemen. Does this sound to you like a spontaneous demonstration by legitimate students, inspired by well-meaning student leaders as these attacking articles and editorials present the picture? If not, why did the Reporter magazine and the Washington Post, "after diligent inquiry" represent them to be such? And by so representing do you think that these and the other attacking publications are perhaps playing the game of the Communists?

[From Counterattack, Jan. 6, 1961]

SUPPORT THE HUAC

The 3-year campaign of the Communist Party (CP) to abolish the House Committee on Un-American Activities (HUAC) is coming to a head with the convening of the new 87th Congress. An all-out effort has been initiated by the National Committee To Abolish the Un-American Activities Committee (NCAUAC) with the appearance of pickets before the White House in Washington, D.C., on January 2, 1961, and attempts on the part of some of the pickets to buttonhole individual Members of Congress to persuade the legislators toward their point of view.

Needless to say, the anti-House groups are receiving much assistance from non-Communists and anti-anti-Communists, many of

whom should know better. Leaders of this synthetic phase of the struggle are Representative JAMES ROOSEVELT, Democrat, of California, and the Washington Post, which has long indicated its preference for the anti-anti-Communist position.

A two-page advertisement appeared in the Washington morning newspaper in which Representative ROOSEVELT endorsed the attack on the HUAC, but, from available reports, the ad did little to add to the number of pickets or the noise of the demonstrators.

The NCAUAC chairman for this desperate bid to destroy the effectiveness of the HUAC is none other than Aubrey Williams, former head of the National Youth Administration under President Roosevelt. Williams is well known for his activities on behalf of Communist causes and was president of the Southern Conference Education Fund, although he has denied under oath that he was a Communist.

Actually, the so-called march was sponsored by the Youth To Abolish the House Un-American Activities Committee of New York, of which Sandra Rosenblum is chairman. Representation was claimed from most colleges in the New York area in the picket line, the pickets having arrived in Washington in four buses.

It is significant to recall that on December 23, 1960, J. Edgar Hoover, Director of the FBI, issued a report about the CP's plans to formulate a new national youth organization. Obviously, this tactic is designed to capture the Nation's young people for the purpose of instigating student demonstrations and riots wherever it will serve the CP purposes most. The lessons learned in South America, Japan, and San Francisco, so pleased the CP commissars that their plans call for more of the same on a bigger and broader plane.

Hoover's report said: "In addition the Communists hope to repeat the success which they achieved on the west coast last May in spearheading mob demonstrations by college students and other young people against a committee of Congress."

Gus Hall, Communist Party leader, is to head this clandestine youth group and its publication will be called "New Horizons for Youth," under the editorial direction of Daniel Rubin of New York.

To overcome this attempt at Communist penetration among our youth, we must be alert and to be alert, we must have the facts. Here is where some of our news media have fallen down on the job. This is a good example of the prevailing climate of softness that seems to stem from the idea that we must get along with everybody. Don't cause trouble or strife; don't even report it; it might cause a fight. This is the area where we are losing the cold war.

EXAMPLE

On January 3, 1961, the New York Times carried an AP dispatch about the demonstration before the White House under the headline: "Uphaus Leads Drive in Capital on Un-American Activities Unit." The article proceeded to report what appears to be what a reporter was told. In other words, it was a press release put out by the NCAUAC. The story mentioned the sponsor of the show which "* * * estimated that 350 persons from many parts of the Nation joined in the protest."

The article then quoted some of the remarks alleged to have been made at a rally by Dr. Willard Uphaus who was recently released from a New Hampshire jail after serving a year for contempt for refusing to cooperate with a State legislative committee. Aubrey Williams of Montgomery, Ala., chaired the meeting and after quoting some remarks at random, the article ended on this note:

"The sponsor of the rally reported that many students had participated in the day's activities. They said representatives were present from City, Queens, and Hunter Colleges and Columbia University in New York; Reed College, Portland, Oreg.; University of California at Los Angeles; the University of Puerto Rico; Antioch College, Yellow Springs, Ohio; and the University of Chicago."

The impression left by the article is that 350 students from these colleges spontaneously and without direction, appeared in Washington to protest against the continuance of this committee which had more to do with uncovering Alger Hiss and many other spies and subversives than most other media.

The difference between the Times story and the one that appeared in the New York Daily News on the same date is so great, that one could easily get the impression that the papers were reporting about totally unrelated and different events.

The News story under the headline "Antis, Pros of Probe Picket White House," reads as follows:

"A leftist march on Washington, billed as a student demonstration against the House Committee on Un-American Activities collided today in front of the White House with a larger group of committee supporters.

"Under the watchful eyes of police, the opposing groups were separated and permitted to carry placards on the sidewalks lining Lafayette Park, across from the White House. Anti-Communists outnumbered those demanding abolition of the House committee more than 2 to 1."

WHAT THE TIMES LEFT OUT

To get a more accurate picture of what happened, since we were not on the scene ourselves, we referred to the January 2, 1961 issue of the Evening Star of Washington, D.C. Under the headline "Other Groups Picket Anti-Committee Pickets" the Star reported as follows:

"More than 500 pickets, some opposing the House Un-American Activities Committee and others supporting it, paraded along H Street NW. near the White House yesterday.

"There was no disorder as the sign-carrying marchers from eight groups—which included New York students, Hungarians, Cubans, Catholics and members of the American Nazi Party—picketed each other for 2 hours.

"Deputy Police Chief George R. Wallrodt, who headed a force of 35 policemen on the scene, said some shouting and jeering broke out later after a rally of the anticommittee group in All Souls Unitarian Church, 16th and Harvard Streets, NW.

"The largest single group, Deputy Chief Wallrodt said, was the 212 members of the Youth Committee To Abolish the House Un-American Activities Committee, who arrived from New York on four buses.

"Supporting the House committee were 105 members of the Anti-Communist International and 100 Young Americans for Freedom, both from New York. Smaller procommittee groups included the Fighting American Nationalists, the Catholic Freedom Foundation, and the Federation of Former Hungarian Political Prisoners.

"A group of anti-Red Cubans bolstered the Anti-Communist International the deputy chief said, and George Lincoln Rockwell of Arlington was on hand with a few of his American Nazi Party members."

Later that night the story related, the anticommittee group heard Dr. Uphaus talk at the Unitarian Church. This meeting was picketed by about 175 of the procommittee demonstrators and while there was some disorder, there were no arrests.

ANALYSIS

This is typical of the anti-anti-Communist technique. The Times story is only 50 percent correct—there were anti-House committee pickets outside the White House on January 3, 1961, the day the 87th Congress convened. This type of news coverage tells only one side of the story and leaves the reader with the impression that everyone in the demonstration was against the House Un-American Activities Committee. The thought is also left with those who don't know, that the House Un-American Activities Committee must be a bad committee if so many are against its continuance, and no one is for it.

We do not want to leave the impression that we are accusing the Times or the AP with having Communist spies on their staffs who planted the half-true story. On the contrary, if there were such spies around, they would be relatively easy to uncover because of their activities. The problem is much worse than that and therefore much more difficult to correct since the cause may be any one of many.

For example, reporters are people and like all of us, are inclined to take the easy way out. It is much easier to rewrite a press release prepared by someone else than it is to do your own leg work, go to the scene of the story, wait around the 2 hours necessary to get sufficient facts and then back to the office to type out the story. And why worry about it anyway since most people aren't interested, and most certainly won't be by the time the paper is thrown away?

An old reporter recently told us that he was broken in on the job with a newspaper with the admonition, "Remember men, you write today's headlines for tomorrow's basket." The smart publicist knows this is the way some newspapers operate and can take advantage of it for his own purposes. Unfortunately, not all smart publicity men are on our side. Too many others don't know much about communism and many more don't care.

This practice, however, has created a situation which prevents the vast majority of our citizenry from getting the true facts. It leaves the field to the minority who know what they are doing and why they are doing it.

The foregoing is only one example of possibly hundreds which could explain the reason for such a distorted picture. The reason might also be that it is the policy of the particular newspaper or the particular reporter. In any event, the effect is bad as it does not portray the facts sufficiently to give the reader an opportunity to make up his own mind about the pros and cons of the so-called controversy. A void is created by the half-truth which permits Communist propaganda to appear and sound more palatable than it otherwise would.

CONCLUSIONS

We have been aware of the Communist Party's distaste for any Government agency which has the power to and does investigate its subversive activities, since investigative agencies and congressional committees were authorized by Congress to operate in this fashion.

We are aware of the activities of the Emergency Civil Liberties Committee (ECLC) which began a specific drive over 3 years ago to get the Congress to abolish the HUAC, the Senate Internal Security Subcommittee, the FBI, and the Government's security program.

Taking into consideration the last issue of Counterattack where it was pointed out that the Communist manifesto issued in Moscow on December 6, 1960, stressed the need for destroying all anti-Communist organizations (see p. 201), it is easy to see that the abovementioned committees and agencies are in for a fight for existence. The manifesto is an order to every Communist Party group in the world. Anything we do that does not defend our system will aid this directive and the Communist Party causes.

It is clear that the NCAUAC is aiding this cause and so is the Youth to Abolish the House Un-American Activities Committee. It is also clear and of small comfort, that

this youth committee has affiliates on the campuses of each university and college mentioned in the Times article.

As if to prove a point, it has been pointed out in the past (see Counterattack, July 22, 1960, p. 113) that the Communist Party was stepping up its activity among youth groups in the United States as well as all over the world. It is up to us to get the truth and pass it along to those who are the special targets of Communist Party intrigue. It would be a tragedy if the Communist Party were able to succeed in this endeavor.

What to do: Write your Senators and Congressman today. Tell them that you support the intent, purpose, and activity of the House Un-American Activities Committee, the Senate Internal Security Subcommittee, the FBI and the Government's security program. Do not let this fight go by default. If these committees and agencies were hampered in their work, it would be a terrible blow to the Nation.

Alert your children to the activities of these groups among the young people. Activate your social and neighborhood groups by explaining to them what is going on. If you can, influence your local papers about the true facts and see that they don't distort the news by only printing one half of a story. This is important.

THE CLERGY SPEAK OUT

Now I know, Mr. Speaker, that since I am a member of the House Committee on Un-American Activities I will be charged with slanting my remarks. There were a number of ministers present at the hearings in San Francisco. They issued a voluntary, joint statement following the hearings. Those who issued the statement were Dr. G. Archer Weniger, of Oakland; Rev. Don Watson, of Oakland; Dr. H. Austin, of San Francisco; Rev. Robert F. Hakes, of Alameda; Dean William G. Bellshaw, of the San Francisco Baptist Seminary; Dr. H. O. Van Gilder, of the Western Baptist Bible College; and Dr. Arno Weniger, of San Francisco.

Here follows their own eyewitness account of what transpired inside the hearing room:

More than a dozen ministers were in attendance at the congressional hearings of the House Un-American Activities Committee in San Francisco on May 12 and 13 in the supervisors chambers in the city hall. What we witnessed was utterly fantastic. The shameful demonstration against law and order and against this duly constituted committee of the Congress defies description. We sat in the rear of the room on a raised platform where we could easily observe the proceedings, right in the midst of the student demonstrators. We studied the crowd carefully for hours and could easily discern which were the masterminds of the mob riots. It is our certain conviction that this indefensible demonstration against law and order was conceived, planned, and directed by a few hard-core Communist agitators who were carrying out their textbook orders on insurrection with classic success. Leaders of the mob included faculty members and well-known leftist lawyers for the fifth-amendment Communists.

We were sitting where we were able to observe the giving of instructions by the riot leaders who had gained access to the room. The Daily Californian, which was distributed widely at the scene, gave explicit instructions on the front page of the Thursday issue on exactly how to harass the committee. They were told to laugh out loud at every incident that appeared to be amusing in order to make the Congressmen look ridiculous. These well-disciplined mobsters laughed on the dotted line and obeyed their masters to the last jeer. We watched a national committeeman for the party line up a dozen Communists near the railing and throw every sneer, invective, abusive language, vile profanity, and fiendish charge at the Congressmen they could conceive. For nearly 15 minutes at one point, this lawless crowd of students from the university, together with party cadres, had the chambers almost in their control. The students, comprising the rear third of the audience stood up on their seats and yelled, jeered, hissed, and scoffed at the Congressmen. It was almost complete breakdown of law and order. We witnessed more violations of the law in 15 minutes than we have seen in 15 years.

The only criticisms we have of the police authorities were of allowing this element to make such a mockery out of law and order, without jailing every one of the leaders.

The height of their devilish hypocrisy was reached when they had the consummate nerve to profane the national anthem by singing it at the peak of their demonstration, and giving expression to their treasonable delight by singing "Mine Eyes Have Seen the Glory of the Coming of the Lord." The depth of their deceit was reached when this mob element put their hand over their heart and pledged allegiance to the flag. We shall never forget the hiss and boos that greeted Mr. Arens when he first mentioned the name of God in connection with one who broke from the party.

We are at a loss to understand how clergymen, such as Bishop James Pike, could give any aid and comfort to this lawless kind of activity by statements deriding the committee, and by allowing his assistant pastor to address one of their despicable rallies.

We came away from this hearing absolutely convinced of the overwhelming necessity of continuing the House Committee on Un-American Activities. No free agent could view the hearings without being impressed with the fairness, justice, and dedication to a thankless, but positively necessary task.

Chairman Edwin Willis was unusually temperate and patient. We have nothing but unbounded admiration for Richard Arens, committee counsel, whose skill and understanding of this perilous conspiracy was a blessing to behold. We apologize to these devoted public servants from Congress for the devilish and deceitful conduct of an infinitesimally small but alarmingly arrogant segment of this area, who are willing to be tools of the Communist conspiracy which would make a shambles out of the liberty which marks this great Nation as the land of the free and the home of the brave.

EYEWITNESS MINISTERS CERTIFY ACCURACY OF SAN FRANCISCO FILM—"OPERATION ABOLITION"

The frightening drama of the Communist-inspired student riots of May 12–14, 1960, has been captured in a startling film authorized by the House Un-American Activities Committee entitled "Operation Abolition." The film is a 40-minute documentary taken by news cameramen both inside and outside the city hall. Local Communists are identified as they incite the crowds to wild disorder and violence, in which several policemen were hospitalized. Communist charges of police brutality are ridiculous. One could not be an eyewitness to this tragedy without a fear of those few who are dedicated to this party of treason and yet who so successfully staged this dress rehearsal for revolution in our own area. This film is one of the most effective counterblows for liberty imaginable. These Communists, together with their fellow travelers, dupes, suckers, unwitting tools, and a few regrettable allies in the ministry, little realized that they would be making a permanent record which would expose their treasonable activity.

Inasmuch as the Communist conspiracy has launched a massive attempt to discredit this film, we ministers who were eyewitnesses to this horrifying development locally, wish to certify that this film is a true and accurate representation of the activities of the hearings. The commentary is truthful. The film is not "doctored." The sound track is not distorted. The leftwing charge that this film is a forgery is a manifest lie. While the original films were probably 5 hours in length, most was repetition of the obstructionist tactics of the subpenaed witnesses. Nothing was eliminated which would show the rioters in any better light. In fact, we were amazed that the committee would allow witnesses Wm. Mandell and Douglas Wachter to freely express their vicious propaganda attack upon the Congressmen.

We feel that it is our duty to warn citizens to beware of a Communist-doctored version of the film, which has been so grossly emasculated that it bears little resemblance to reality and constitutes a clever piece of propaganda for the Reds.

We urge that every citizen see the true version of the film, and then make every effort to have it shown as a patriotic gesture before every church, civic, governmental, commercial, educational and private group possible. No film has stirred more interest over the Nation. Your local police department can probably tell you where copies can be secured.

Moreover, we feel that this is the hour when citizens should close ranks behind our courageous Congressmen who are bearing the heat and burden of the day in this struggle. The Communist conspiracy is mobilizing the full strength of every sympathizer to destroy these absolutely essential committees. Write today to Chairman FRANCIS WALTER, Democrat, of Pennsylvania, House Office Building, Washington, D.C. Inform your own Congressmen.

MORTGAGE GUARANTEE PROGRAM FOR DEPRESSED ECONOMIC AREAS

The SPEAKER. Under the previous order of the House the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, today I am reintroducing my bill to promote the redevelopment of economically depressed areas by establishing a Government corporation which will provide a secondary market for industrial mortgages covering property in those areas.

In my district, comprising Luzerne County, one of the obstacles to redevelopment is the fact that the local lending and banking institutions have reached the limit of their lending power under the regulations established by the Pennsylvania banking laws.

Therefore, it is most important that some means be found to release the mortgage financing that is currently committed so that the required funds for further industrial expansion can be made available. My bill will, upon enactment, do that very thing.

I have brought this matter to the attention of the Kennedy Task Force Committee dealing with problems of areas of chronic unemployment to which I served as an adviser and it was unanimously approved by this committee and incorporated in its report of January 2, 1961.

On page 8, section E, of that report it states as follows:

Many communities which have suffered heavy unemployment over a long period have invested large sums, including funds raised by popular subscription through community development organizations, in long-term industrial mortgages. But these communities, some of which pioneered in self-help operations, now find their available risk capital tied up in these mortgages, and are running out of financial resources. In order to free their funds for new investment in enterprises which will create the required new jobs, the Area Redevelopment Administrator should study the feasibility of allowing financial institutions in distressed areas, especially community development groups, to rediscount their industrial mortgages with some agency of the Federal Government. This could follow the general pattern established for the purchase of real estate mortgages by the Federal National Mortgage Association.

Mr. Speaker, at this point in my remarks I would like to submit my formal statement on the bill itself and its provisions:

Forced with the long and turbulent history of the area redevelopment bill, also known as the distressed or depressed areas bill, and also as the Flood-Douglas bill, I recognize the need for another approach to at least one part, but an important part, of this many-sided problem.

The chamber of commerce, the Committee of One Hundred, and the Industrial Development Committee of Wilkes-Barre, Pa., and the Chamber of Commerce and the Can-Do Committee of Hazleton, Pa., are outstanding examples of what a community can do to help itself to meet the issues of unemployment, underemployment, and general economic and industrial development. With a long history of success in rasing local funds in various ways and enjoying the enthusiastic participation of local banks in financing its extensive programs, these areas soon realized that its local risk capital was exhausted for this purpose and what was needed now is a bill to allow banks and lending institutions to rediscount their industrial mortgages with the Federal Government following generally the same pattern as Fannie Mae mortgages. These mortgages should be purchased at a little less interest rate than the banks have charged in order to give trustee banks an opportunity to charge a small sum for servicing the loans for the Federal Government. This proposal has been endorsed by bankers, lawyers, by various union people, and by the businessmen, and by the industrial development corporations of the affected area.

This type of program is an absolute must for communities who have attempted an economic renaissance. When the communities run out of financial steam, additional moneys could thus be funneled into the community for industrial development usage at no cost to the Government. It would be a loan which would be repaid with interest. Another point in its favor is an existing Government agency could handle the entire transaction.

Secondly, the Federal Government should rediscount the third mortgages of industrial development agencies in the same manner. It would supply these communities with partial or additional funds to continue their industrial development program through their existing industrial development corporations.

Here is a concrete proposal which would continue to spark our industrial renaissance, so I have a suggested program of Federal loan guarantee and discount facility—the proposal outlined below is patterned generally after the V-loan program authorized by the Defense Production Act of 1950:

1. An independent agency, the Area Redevelopment Administration, would be established (similar to that provided for in S. 722). This agency would determine the eligibility of areas under criteria established by the law.

2. The ARA would be authorized to insure industrial loans in eligible areas if it determined that the loan would contribute to the basic economic health of the area and that it met certain standards of soundness. This guarantee would cover up to 90 percent of the outstanding balance of the loan and a premium would be charged by ARA. To initiate the program, the Treasury would be authorized to contribute $10 million as an insurance reserve. This Treasury contribution would be ultimately repayable from income received from application fees and insurance premiums.

3. The ARA would discount the insured portion of any loan upon demand by the borrower. The amount of the discount would be based on the current cost of money to ARA. To finance these purchases, ARA would be authorized to issue its own debentures, not guaranteed by the Government, to private investors. To provide a basis for issuing these debentures, the Treasury would be authorized to purchase $10 million preferred stock in the ARA discount facility (to be repaid to the Treasury eventually out of income). In addition, the investor who sold a loan to ARA would be required to purchase a certain percent of capital stock.

The proposals made in the ARA plan are aimed primarily at those areas of substantial unemployment which are making progress is helping themselves. In particular, the purpose is to free funds of banks which are loaned up both in terms of their total ratio of industrial loans to deposits and in the amounts which can be loaned to a single borrower. It is also intended to help development corporations which have reached the limit of their financial capacity.

It has been proposed that the Federal Government provide guarantees of privately made loans and also a discount facility empowered to purchase loans from banks and development corporations. In addition to establishing precedents for this type of aid, the assistance proposed by this plan might be patterned after one of these programs. The plan generally follows the V-loan program.

It should be noted that the insurance and discount proposals could be considered independently.

The principle benefit of the insurance feature would be to encourage private lending institutions outside the redevelopment areas to purchase loans from local lenders, thus freeing local resources. A Federal discount facility would not need the insurance although the insuring agency might well handle the review and approval of loans more expeditiously than the discounting agency.

It has been suggested that the Federal Housing Administration be the agency to write this insurance. However, this would probably antagonize the real estate interests which would object to seeing FHA take on a program outside their field. Also the insuring of industrial loans would be completely new to the FHA staff. Already there are many complaints that FHA processing takes far too long (often as much as 45 days) to approve applications in their own field of housing. Also, it seems certain that other Government agencies, particularly the Department of Commerce, would raise strong objections on jurisdictional grounds.

LOAN INSURANCE

Obviously it is very important to keep red-tape and bureaucratic details to a minimum. A coinsurance approach such as is used in the FHA property improvement program would help to hold processing time to a minimum. For example, the Government might guarantee 90 percent of the outstanding balance of a loan.

A FEDERAL DISCOUNT FACILITY

In view of objections to using Federal money for area redevelopment any discount facility would probably have to be patterned after the Federal National Mortgage Association's secondary market operations.

Briefly, FNMA is authorized to sell its own debentures (which do not carry any Federal guarantee) to private investors in an amount up to 10 times its capital, surplus, reserves, and undistributed earnings. The initial capital was provided by the Treasury which purchased $50 million of FNMA preferred stock. Additional capital comes from the requirement that anyone selling a mortgage to FNMA must purchase common stock equal to 2 percent of the amount of mortgages sold. The objections to a similar discount facility for area redevelopment would be the initial Treasury capital required plus the fact that the debentures which the agency sold would compete with the Treasury for private funds.

THE V-LOAN PROGRAM

An interesting variation of the insurance-discount idea was provided in the Defense Production Act of 1950. Under this program Government procurement agencies, primarily the Department of Defense, were authorized to guarantee loans when necessary to stimulate defense production. This guarantee included a provision that upon request by the lender the procuring agency was required to buy the loan. Adapting this to area redevelopment, the law might authorize an Area Redevelopment Administration to offer its guarantee for any loan which it determined would aid employment in an eligible community. This guarantee would also contain a contractual agreement that the agency would purchase the loan upon request by the lender. The funds for these purchases could be obtained from the sale in the private market of the Agency's own debentures.

COMMUNITY FACILITIES

In regard to points 3 and 4 of the outlined hereinabove, which call for long-term low interest loans to private utilities for highways and schools and other services to industrial tracts, it is suggested that the funds be made available by earmarking authorizations in existing programs such as the public facilities loan program administered by Community Facilities Administration (HHFA). These earmarked funds could be used only after certification of need by the Area Redevelopment Administration.

As a result of the developments which witnessed in my own area, what such need most is refinancing assistance. The problem existing in our industrial development agencies here is that we have reached the limits of the lending capacity of most of the banks. We have already been forced to secure out-of-area financing in one instance. We are rapidly being forced out of this area for financing in many other instances.

Under these circumstances, it seems that one important thing that we should try to do is to establish a system whereby the banks in an area could rediscount the "paper" with the Federal Government. As I have said, this would be much along the lines of the so-called Fannie Mae mortgages whereby the Government buys up or rediscounts these mortgages.

If this could be arranged for the labor-surplus areas utilizing industrial development programs, it would mean loaned-to-capacity banks could rediscount this paper with the Federal Government, possibly at a percentage slightly less than what they are

receiving. This difference could be used to pay the banks for the servicing of the Federal Government's mortgage and handling the collection.

This, of course, must be done in such a way that the Federal Government would be the lender rather than the banks. This is necessary so that the local development corporation would no longer be liable to the banks and would no longer be carried by the banks as an up-to-capacity borrower. Thus, the banks would have a practically inexhaustible lending capacity to an industrial development organization such as Can-Do in Hazleton or any similar local group.

The second feature of this bill should be that Can-Do, the local group, would be able to either mortgage its interest to the Federal Government at a nominal rate of interest, which should be less, of course, than what Can-Do is paying to its bondholders and a sufficient percentage of interest left so that Can-Do can service the collections and pay for them out of the interest. Can-Do could either mortgage any interest that it had left in any particular building or, as in the case of some buildings where it had taken mortgages, could rediscount these mortgages with the Federal Government. If this system were set up it would mean an end to any further Can-Do drives for money since it would have a continual revolving fund of money until such time as all Can-Do bonds were due for redemption. Every time it had reached the limit of its capacity and were completely out of money, it could then either mortgage any interest it still had with the Federal Government, or it could rediscount with the Federal Government any mortgage that it would then hold.

As I see it, this is one great need of such local groups. In addition, it will put us into competition with a great deal of the country that we are not in competition with at the present time.

Another thing, it will urge any area that wants any government assistance to first go out and raise funds of their own—this should be a qualification of the bill—and will urge States that want assistance to set up funds of their own before they would have any ability to rediscount in the method that I have set forth. The financing plans suggested here will provide the large majority of the necessary industrial development money once a community has raised funds. While the Federal Government would be participating with its ability to raise and loan money, it would not require the Federal Government to participate unless the community and State had first shown initiative. This would have a great advantage in that it would proceed to construct buildings in exactly the same manner it is doing now. Thus, it would only be when it would reach a limit of its funds that we would apply for this assistance. Federal redtape would not prevent a delay in the construction of the building or the signing of a prospect.

I respectfully submit that regardless of what is done about any other type of bill, we should go on record as urging this kind of assistance.

I do not look upon this bill as a sacred cow and therefore, untouchable. This bill is the synthesis of the thinking and the experience of many responsible citizens who have devoted their time and talents for many years to this problem. This bill is a proposal for a vital need. I would urge that when considered by the great Banking and Currency Committee of the House, which committee undoubtedly will receive the bill, the vast experience of that committee and its brilliant staff with the many problems of the distressed economic areas of our Nation as well as its knowledge of the Government mortgage program, will expedite the passage of this legislation bringing to the bill ideas, suggestions and proposals to insure its success.

I am indebted to numerous civic leaders in my congressional district for their advice and assistance in the preparation of this bill and these remarks; particularly Mr. Frank Burnside, Mr. John Hourigan and Mr. William O. Sword, of Wilkes-Barre; Attorney Lou Feldman, past national commander of the VFW and attorney for the Hazleton Can-Do group; Dr. Edgar L. Dessen the driving force behind the Hazleton operation, and Mr. Clifford Jones, secretary of the Hazleton Chamber of Commerce.

A PROGRESS REPORT ON THE POINT 4 YOUTH CORPS

Mr. HAGAN of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. REUSS. Mr. Speaker, in response to the request of numerous Members, I present herewith a progress report on the Point 4 Youth Corps proposal.

The 86th Congress in June 1960, authorized a study of the point 4 Youth Corps in section 307(b) of the Mutual Security Act of 1960. The Appropriations Committees of the Congress approved the sum of $10,000 from Government funds to help finance such study. The authorizing legislation specified that the President should arrange for a nongovernmental research group, university, or foundation to make the study and that the study should evaluate the advisability and practicability of entering into such a program.

The Director of the International Cooperation Administration acquired responsibility in the executive branch for arranging for such study and he, in turn, delegated the responsibility for necessary staff work to the Deputy Director for Management of ICA. After preparing a guidance outline to control the development of the study, ICA then contacted three foundations in an attempt to secure an additional amount deemed necessary to fully implement the study.

Following failure to obtain additional funds, ICA proceeded to select a study group to make the study. A contract committing the $10,000 available for ICA use was executed with the Research Foundation of Colorado State University in November 1960.

By the terms of the contract, the Research Foundation of Colorado State University is required to provide ICA with a preliminary report making recommendations on the Youth Corps proposal not later than March 1, 1961, and a final report not later than May 1, 1961. The study group has sufficient funds to make field visitation to some eight countries in three separate sections of the world in order to check out the practicability and feasibility of the Youth Corps idea.

Since a considerable public interest has been displayed in proposals for a Youth Corps or Peace Corps, utilizing young U.S. adults in overseas service, some of the leading ideas developed in three meetings are set forth below. Two of these meetings were held by Dr. Maurice L. Albertson, director of the Research Foundation, in New York and Washington, and one was held by the House author of section 307(b), Representative HENRY S. REUSS, of Wisconsin. Representatives of universities, foundations, labor unions, voluntary agencies, and religious denominational groups attended the meetings by invitation. The ideas presented below represent some of the thinking and discussion which occurred in the three meetings:

1. Objectives of the point 4 Youth Corps program: Firm conclusions were not reached concerning objectives. The concensus of opinion was that the objectives should be somewhat broader than those usually attributed to technical cooperation. The Youth Corps should provide opportunity for young Americans to have significant experience in working overseas where they can contribute to aiding with particular objectives and aspirations of foreign people. The objectives are not to be confined to those of the foreign government but might well reflect expressed needs and aspirations of private institutional groups. It is assumed, however, that objectives of private foreign groups will be ones which the foreign government would not oppose. It was concluded that if appropriate jobs could be found, the Youth Corps might well add a new dimension to international economic and social development effort. It is important that U.S. people demonstrate to foreign people that they really care about them as people and are vitally interested in their social and economic development.

From the standpoint of American youth, the objective would be to provide opportunities for young Americans to develop themselves, to gain experience in technical cooperation work abroad, to engage in meaningful and useful work, to obtain better understandings of the culture and society of foreign peoples, and to assist in creating at home a wider understanding of the needs and aspirations of particular countries and peoples. A body of opinion favored stressing the mutuality of purpose of the United States and of the foreign country in a program of this kind.

2. Program elements: It was thought that three separate but coordinated aspects of a Youth Corps program would be desirable and should receive investigation. One aspect of the program would be a United Nations Corps in which the United States would participate. A second aspect would concern itself with intensification and expansion of going voluntary agency and university programs. Several voluntary agencies and the universities and foundations are already engaged in programs which send young people abroad to teach in all types of schools, to demonstrate improved practices in agriculture and to do a variety of tasks of either a technical cooperation or a cultural or educational nature. This aspect of the program could be largely expanded without disturbing the essential management controls which private agencies now exercise over their programs. These private bodies could greatly expand existing programs if governmental resources were made available for oversea travel and other types of support.

The third aspect of the program would consist of a corps sponsored and financed almost entirely from U.S. Government funds. This aspect would provide the largest numbers and the major nucleus of the corps.

Various possibilities respecting a single directing and coordinating administering agency encompassing all three aspects were advanced. The Youth Corps could be an independent governmental agency reporting to the President, a semiautonomous organization in the Department of State, a part of ICA, a quasi-private public agency such as the National Science Foundation or body, such as the Fulbright committee which handles educational exchange.

It was the opinion of most of those present that the organization chosen probably should be governmentally administered but be guided by a public advisory committee. It should be permitted to have maximum autonomy and freedom in all aspects of its operations, and should receive maximum logistics support from existing U.S. Government agencies. It should have as independent a character as possible consonant with its position of being a utilizer of public funds. Complete dependence would not be placed upon the use of public funds, how-

ever, the maximum use of private funds and private resources would be added as well as would maximum use of all resources available to the countries to be benefited.

3. The size of the corps: Proposals on the size of the corps varied greatly. Representatives of organized labor felt that the corps should not be restricted to an elite college class. It should include journeymen, apprentices, artisans, and a variety of other labor technical or supervisory groups for which an effective demand is presumed to exist in foreign underdeveloped countries.

Representatives of the universities and private agencies felt that the corps should be restricted in size at least initially, that there should be careful selection of members on the basis of character, motivation, ability to represent the United States effectively, and ability to perform in tasks recognized as being important in the economic and cultural development of selected foreign countries. It was pointed out repeatedly that the nature of effective needs and demands for U.S. assistance would vary greatly as between countries aided and that no uniform pattern of program was possible. The majority of persons attending the various meetings cautioned that the corps should start small, possibly having no more than from 500 to 2,000 members the first year, and develop only as real demand for expansion is demonstrated. In other words, a beginning would be made with presumably a small group of well planned pilot projects. As these projects succeeded, others would be added to round out the corps.

There was an equally strong sentiment that to start with too small a number might be detrimental. A small effort would not be worthy of U.S. governmental support. Likewise, the very fact that the U.S. Government advertised its intention abroad to devote rather substantial resources to this effort would serve to help create an effective demand for assistance. It is quite all right to assume that no projects be undertaken except by specific request of a foreign group; however, unless an atmosphere of rising expectation is generated and unless foreign people know that a resource of some magnitude exists, a body of specific requests for assistance would not be forthcoming.

4. Types of jobs to be performed: The discussions revealed many possibilities in respect to types of jobs which youth corps members could perform.

In many of the very underdeveloped countries there is need for teachers of various kinds. Teachers are needed in elementary and secondary schools and in technical and trade schools. In countries where there are going universities, young people could teach at the university level. It was felt that a basic requirement for teaching would be knowledge of the particular technical or professional field as a first prerequisite. In connection with the orientation process, young graduates would require at least minimum instruction in educational and teaching methods.

An expansion of the various types of work now being performed by the International Voluntary Services, Inc., was also deemed desirable. International Voluntary Services, Inc., works in the field of community development and agricultural improvement.

The field of public health was mentioned as an area where extensive work of an apprentice and operating type might be performed by youth-corps members.

One member of the group mentioned the success already realized in using young business school graduates in development banks overseas.

Additional proposals covered a wide range of other activities, including work in conservation and natural resources development, recreation, local government, public administration, and internships or apprenticeships in many fields, especially those in which programs of technical assistance are underway. Some of the participants pointed to successful university exchange programs which might be enlarged with U.S. Government assistance. Others commented on the need to explore the possibility of use of a corps similar to the old Civilian Conservation Corps in the United States but on a more limited scale.

Other participants mentioned requests which had already been made by particular countries. Among these was the request by the chief justice of one country for graduates of Harvard Law School to serve as clerks for court justices. Another was a request by a minister of education for 50 college graduates in the schools of his country.

In all cases there was rather uniform agreement that persons selected for the Youth Corps should have high standards of proficiency in the particular field in which they were selected to work.

The experience of universities and voluntary agencies reveals that rather extended research and negotiation is the rule before good projects are found. Another time period elapses after a project is operating before the benefits of the projects are proven to the satisfaction of both participants and people in the host country.

5. Relation of corps membership to draft exemption: Following rather extended discussion, it was pretty firmly agreed that membership in the corps should not be held out as an alternative to a requirement for military service. Even if this were done legislatively, a succeeding Congress could remove the exemption. As a practical matter, persons who serve 2 or 3 years in the corps would undoubtedly obtain deferment while they were so serving; afterward the deferment might well continue for other reasons—for example, having passed age limits, having gotten married, or having entered into a line of work of recognized importance. International Voluntary Services, Inc., cited its experience in not having a single member of its oversea group called up by a draft board.

6. Necessity for close coordination with going programs: Some experienced participants pointed to the necessity for closely relating Youth Corps projects and programs to other aid programs in the host country. For example, Youth Corps programs carried out at local levels should be related to ICA and other programs operating at district and national levels. Projects undertaken should not be merely gimmicks but should be related to worthwhile long-range social and economic development aims. Emphasis should be placed on careful planning of projects before they are implemented.

There were differences of opinion as to how closely the program should be identified with U.S. National Government policies and aims. Some participants felt that as much disassociation as possible would be preferable; others pointed to the danger of attempting to disavow a relationship with U.S. Government aims and purposes.

Some experience points to the desirability of bringing foreign leaders to the United States for training and observation prior to inaugurating projects abroad staffed by U.S. citizens. Before any project is inaugurated, it should be requested by people in the host country through reliable channels.

7. Leadership of the Youth Corps overseas: It was generally agreed that well selected, mature, and imaginative leadership would be necessary for each project or group of projects in each foreign country. The highest possible standards should apply in the selection of Youth Corps leaders. Emphasis should be placed on demonstrated capacity to live and work effectively with others, especially in foreign environments.

8. Relationships with host country people: It was proposed that host country people be closely brought in as participants and partners in Youth Corps projects to the maximum extent possible. The word "associates" might be used to denote this relationship.

The primary objective of the Youth Corps leader must be to convince foreign people of the reason for the project. One participant pointed out that new wells drilled to obtain pure drinking water in a country were later filled in with rocks by the uninformed local people.

9. Orientation and training of corps members: All participants were agreed that well-developed orientation courses lasting from 3 to 6 months were a necessary part of preparation for oversea work. The content of such courses should include, among other things, studies of the anthropology, sociology, system of government, and general culture of each country or area. Where possible, minimum knowledge of the language should be acquired. For some areas, where there is a variety of dialects and no single national language, the language teaching problem becomes complex if not impossible. Courses are available, however, which develop basic language acquiring aptitude. Corps members also need refresher training and the development of common understandings of the significance and meaning of American culture and government.

The period of orientation training was viewed likewise as a device for final selection of corps members. Part of the orientation would be given in the United States and part abroad in the country of assignment, with participation, where possible, of local leaders. A transitional training and selection period was discussed in a boot-camp context. The boot camp could be either in some underdeveloped area of the United States or in some country like Puerto Rico.

10. The role of exploration, planning, research, and evaluation: It was generally agreed that a program of the type contemplated can grow and improve only if continuous research and planning is devoted to isolating, analyzing, and taking action on the problems and questions met. Program additions, modifications, and extensions depend upon such careful study and analysis. Some of this study becomes meaningful only as a body of experience is developed in which failures, shortcomings, and successes in various aspects of the program can be seen.

It was agreed also that continuous independent evaluation of pilot projects and programs would be necessary to point the direction of future growth and to make necessary readjustments.

11. Timing of the program: There was a general understanding that while Congress intended to legislate on this subject, bills would not be introduced until the study by Colorado State University was completed at least in its first draft. Many participants felt that public interest in the corps was high enough that detailed collateral studies on such matters as selection, training, orientation, and other aspects which require considerable study, should be done simultaneously and on a voluntary basis by universities and other groups who have proper capability. The actual papers produced by these research groups would be made available as soon as possible to the Colorado State study group.

It was considered that public and congressional interest would demand a program to be ready for initiation sometime in September of 1961. It was also assumed that continuing study by foundations and universities would be useful over a period of time even during early stages of development and operation of the Youth Corps. A topic which could well be further explored would be the relationship of university education to preparing students for membership in the corps. It was thought that increased attention should be given to supplying a pool of youth

with successful experience overseas in technical cooperation and cultural activities which could be drawn upon to supply personnel for U.S. Government and other groups operating in the foreign field. Other corps graduates, by returning to their home communities and taking up their chosen vocations, would help to promote world understanding.

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. BURKE of Massachusetts, for 1 hour, on January 16.

Mr. MORSE, for 60 minutes, on January 16.

Mr. HARRISON of Wyoming (at the request of Mr. NELSEN), for 30 minutes, on January 12.

Mr. SIKES (at the request of Mr. HAGAN of Georgia), for 15 minutes, on Thursday next.

Mr. FLOOD, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. LANE in two instances and to include extraneous matter.

Mr. TOLL and to include extraneous matter.

Mr. JENSEN and to include extraneous matter.

Mrs. BOLTON and to include extraneous matter.

Mr. VAN ZANDT in two instances and to include extraneous matter.

Mr. MCCORMACK and to include extraneous matter.

Mr. ALGER.

Mr. MCDONOUGH and to include extraneous matter.

(At the request of Mr. HAGAN of Georgia, and to include extraneous matter, the following:)

Mr. ANFUSO.

Mr. FOGARTY.

ADJOURNMENT

Mr. HAGAN of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 44 minutes p.m.) the House, pursuant to its previous order, adjourned until Thursday, January 12, 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:

225. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Deposit Insurance Corporation for the year ended June 30, 1960 (H. Doc. No. 44); to the Committee on Government Operations and ordered to be printed.

226. A letter from the Deputy Secretary of Defense, transmitting the Annual Report of the Secretary of Defense on Reserve Forces for fiscal year 1960, pursuant to section 279 of title 10, United States Code; to the Committee on Armed Services.

227. A letter from the Assistant Secretary of the Navy (Personnel and Reserve Forces), transmitting a draft of proposed legislation entitled "a bill to amend title 10, United States Code, to provide that the Secretary of the Navy shall prescribe the compensation of the academic dean of the Naval Postgraduate School"; to the Committee on Armed Services.

228. A letter from the Deputy Director, Legislative Liaison, Department of the Air Force, transmitting a report of the Secretary of the Air Force on the progress of the flight training program, pursuant to Public Law 879, 84th Congress; to the Committee on Armed Services.

229. A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract awards to small and other business firms during the month of October 1960, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

230. A letter from the Chairman, Federal Communications Commission, transmitting the 26th Annual Report of the Federal Communications Commission for the fiscal year 1960; to the Committee on Interstate and Foreign Commerce.

231. A letter from the Chairman, Federal Power Commission, transmitting the 40th Annual Report of the Federal Power Commission for the fiscal year ending June 30, 1960; to the Committee on Interstate and Foreign Commerce.

232. A letter from the Attorney General, transmitting the report of the activities of the Department of Justice for the fiscal year ended June 30, 1960; to the Committee on the Judiciary.

233. A letter from the Chairman, Federal Trade Commission, transmitting two drafts of proposed legislation entitled "A bill to amend section 7 of the Clayton Act to provide for prior notification of certain mergers," and "A bill to amend section 15 of the Clayton Act to provide for temporary injunctions and restraining orders in merger cases"; to the Committee on the Judiciary.

234. A letter from the Assistant Administrator for Congressional Relations, National Aeronautics and Space Administration, transmitting a report covering positions established and compensated under authority of section 1581, title 10, United States Code, pursuant to section 1583 of that title; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALGER:

H.R. 2200. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 2201. A bill to authorize Federal financial assistance to the States to be used for constructing school facilities and to provide loans for the construction of private, nonprofit elementary, and secondary school facilities; to the Committee on Education and Labor.

By Mr. ASPINALL:

H.R. 2202. A bill to redefine the authority of the Secretary of the Interior and others with respect to the formulation and evaluation of projects for the development of the Nation's water resources, to establish a Water Resources Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2203. A bill to authorize the Secretary of the Interior to exchange certain property in Rocky Mountain National Park, Colo., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2204. 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.

H.R. 2205. A bill to amend the act of June 13, 1930; to the Committee on the Judiciary.

H.R. 2206. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. CHENOWETH:

H.R. 2207. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Colorado:

H.R. 2208. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. DOMINICK:

H.R. 2209. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 2210. A bill to create a U.S. Department of Mineral Resources and to prescribe the functions thereof; to the Committee on Government Operations.

H.R. 2211. A bill to permit the free marketing of newly mined gold; to the Committee on Banking and Currency.

H.R. 2212. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

H.R. 2213. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 2214. A bill to increase the normal tax and surtax exemption, and the exemption for dependents, from $600 to $800; to the Committee on Ways and Means.

H.R. 2215. A bill to prohibit discrimination because of age in the hiring and employment of persons by Government contractors; to the Committee on the Judiciary.

By Mr. BECKER:

H.R. 2216. 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.

By Mr. BOGGS:

H.R. 2217. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of property expropriated, intervened in, or otherwise confiscated by Cuba; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 2218. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2219. A bill to provide for the issuance of a special postage stamp in honor of the Nation's pioneer lumberjacks with a likeness of the Lumbermen's Memorial Monument in the Huron National Forest on said stamp; to the Committee on Post Office and Civil Service.

H.R. 2220. A bill to provide a different basis for determining the amount of money to be made available to the State of Michigan because of the location of national forest lands within such State, and for other purposes; to the Committee on Agriculture.

H.R. 2221. A bill to authorize the coinage of 50-cent pieces in commemoration of the Nation's pioneer lumbermen; to the Committee on Banking and Currency.

H.R. 2222. A bill to provide for the conveyance to the State of Michigan of certain land in Grayling Township, Crawford County, Mich., to be used for National Guard purposes; to the Committee on Armed Services.

H.R. 2223. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permited without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2224. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending high school; to the Committee on Ways and Means.

H.R. 2225. A bill to require contractors having certain contracts with the United States to name their subcontractors, material men, and supply men, to quote subcontract and material and supply prices, and for other purposes; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2226. A bill to provide for the appointment of additional circuit and district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 2227. A bill to establish a program of grants to States for the development of programs and projects in the arts, and for other purposes; to the Committee on Education and Labor.

By Mrs. CHURCH:

H.R. 2228. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 2229. A bill to amend the Railroad Retirement Act of 1937 to eliminate the requirement that a husband or widower have been dependent upon his wife in order to qualify for a spouse's or widower's annuity on the basis of her wage record; to the Committee on Interstate and Foreign Commerce.

H.R. 2230. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to widows and widowers under such act; to the Committee on Post Office and Civil Service.

H.R. 2231. 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. 2232. A bill to amend title II of the Social Security Act to eliminate the requirement that a husband or widower has been dependent upon his wife in order to qualify for husband's or widower's insurance benefits on the basis of her wage record, and for other purposes; to the Committee on Ways and Means.

H.R. 2233. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of certain water soluble compounds as cutting oils; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 2234. A bill to amend title 28 of the United States Code, so as to provide for the appointment of two additional district judges for the southern district of Florida; to the Committee on the Judiciary.

By Mr. DAVIS of Tennessee:

H.R. 2235. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the western district of Tennessee; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 2236. A bill to promote the redevelopment of economically depressed areas by establishing a Government corporation which will provide a secondary market for industrial mortgages covering property in those areas; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 2237. A bill to provide further bases for determinations with respect to disability for pension purposes; to the Committee on Veterans' Affairs.

By Mr. FOGARTY:

H.R. 2238. A bill to establish a Federal Commission on Aging; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 2239. 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 Mrs. GREEN of Oregon:

H.R. 2240. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HEALEY:

H.R. 2241. 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; to the Committee on Armed Services.

By Mr. HÉBERT:

H.R. 2242. A bill to provide for the conveyance of certain real property of the United States to the parish of Plaquemines, La.; to the Committee on Armed Services.

By Mr. HERLONG:

H.R. 2243. 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 or dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 2244. A bill relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30-percent limitation of adjusted gross income; to the Committee on Ways and Means.

H.R. 2245. A bill to amend the Internal Revenue Code of 1954 to provide for the deferment of income from service contracts; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 2246. 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.

H.R. 2247. 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.

H.R. 2248. A bill to amend title II of the Social Security Act to increase benefits, to increase the earnings includible in computing benefits, to eliminate age requirements for spouse's benefits, to reduce retirement age (with full benefits for both men and women) to 60, to increase the outside earnings permitted without deductions from benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 2249. A bill to authorize the Secretary of Agriculture to convey certain property in the State of California to the county of Trinity; to the Committee on Agriculture.

H.R. 2250. A bill to authorize and direct the Secretary of Agriculture to convey certain lands in Lassen County, Calif., to the city of Susanville, Calif.; to the Committee on Agriculture.

By Mr. KEOGH:

H.R. 2251. A bill to provide that certain caps shall be dutiable under paragraph 1504 of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. LANE:

H.R. 2252. A bill to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. LENNON:

H.R. 2253. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2254. A bill to provide for the conveyance of certain surplus property of the United States to Cumberland County, N.C.; to the Committee on Government Operations.

H.R. 2255. A bill to amend the act of August 11, 1939, with respect to the allocation of funds available under that act, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2256. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on cigarettes shall apply to cigarettes made with substitutes for tobacco; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 2257. A bill to provide for the establishment of a Commission on Federal Taxation; to the Committee on Ways and Means.

By Mr. McINTIRE:

H.R. 2258. 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.

H.R. 2259. 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. 2260. A bill to prohibit trading in Irish potato futures on commodity exchanges; to the Committee on Agriculture.

By Mr. MAHON:

H.R. 2261. A bill to exercise the full constitutional power of the Federal Government with respect to trademarks, to fulfill certain international obligations, and to make further provision for the suppression of unfair competition in commerce subject to lawful regulation by the Congress; to the Committee on the Judiciary.

By Mr. CLEM MILLER:

H.R. 2262. A bill to amend section 322 of the Public Health Service Act to permit certain owners of fishing boats to receive medical care and hospitalization without charge at hospitals of the Public Health Service; to the Committee on Interstate and Foreign Commerce.

H.R. 2263. A bill to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. MOELLER:

H.R. 2264. A bill to provide for the acquisition or construction of a building to be used as a residence for pages of the Senate

and of the House of Representatives, for a Capitol Pages' Residence Board, and for other purposes; to the Committee on House Administration.

H.R. 2265. 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.

H.R. 2266. A bill to eliminate the requirement that veterans must have served for 90 days or more to qualify for certain benefits under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 2267. A bill to create and prescribe the functions of a national peace agency; to the Committee on Foreign Affairs.

By Mr. MORRIS:

H.R. 2268. A bill to provide for the appointment of an additional district judge for the district of New Mexico; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 2269. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for tuition, fees, and books to certain public and private institutions of higher education for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. NYGAARD:

H.R. 2270. A bill to authorize the Secretary of the Interior to provide water and sewage disposal facilities to the Medora area adjoining the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2271. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN:

H.R. 2272. 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. O'NEILL:

H.R. 2273. A bill to authorize appropriations for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 2274. A bill to amend the Bankruptcy Act to increase the amount of wages entitled to priority to $1,800 and to provide that pension and welfare benefits earned by an employee shall have the same priority as direct wages; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 2275. A bill to establish a program of grants to States for the development of programs and projects in the arts, and for other purposes; to the Committee on Education and Labor.

H.R. 2276. A bill to amend the Public Buildings Act of 1959 so as to authorize a study for the purpose of determining the feasibility of locating the Court of Claims, the Court of Customs and Patent Appeals, and the Tax Court of the United States near the Supreme Court of the United States, and for other purposes; to the Committee on Public Works.

By Mr. RHODES of Arizona:

H.R. 2277. A bill to provide for the conveyance of certain real property of the United States to the city of Phoenix, Ariz.; to the Committee on Government Operations.

By Mr. RHODES of Pennsylvania:

H.R. 2278. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to men at age 62 and to women at age 60; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska (by request):

H.R. 2279. 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 Greely, Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2280. 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.

H.R. 2281. 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 Committee on Interior and Insular Affairs.

H.R. 2282. 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.

H.R. 2283. 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.

By Mr. ROGERS of Florida:

H.R. 2284. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments made and expenses incurred in providing or securing higher education; to the Committee on Ways and Means.

By Mr. ROONEY:

H.R. 2285. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. SAYLOR:

H.R. 2286. A bill to amend the Federal Coal Mine Safety Act so as to provide for the prevention of accidents in coal mines; to the Committee on Education and Labor.

H.R. 2287. A bill to redefine the authority of the Secretary of the Interior and others with respect to the formulation and evaluation of projects for the development of the Nation's water resources, to establish water resources commissions, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHNEEBELI:

H.R. 2288. 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. SCHWENGEL:

H.R. 2289. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. SHELLEY:

H.R. 2290. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 2291. A bill to amend sections 502(d) and 509 of the Merchant Marine Act of 1936, relating to approval of certain bids by Pacific coast shipbuilders; to the Committee on Merchant Marine and Fisheries.

H.R. 2292. A bill to authorize the Secretary of the Treasury to issue certificates of honorable discharge in lieu of certificates of disenrollment to certain persons who served as temporary members of the U.S. Coast Guard Reserve during World War II; to the Committee on Merchant Marine and Fisheries.

H.R. 2293. A bill to provide that the unmarried children of certain former members of the Armed Forces of the United States or of the Philippine Scouts may be admitted to the United States as nonquota immigrants, during a 2-year period, without regard to their age; to the Committee on the Judiciary.

H.R. 2294. A bill to accord certain naturalization privileges to veterans of the Korean hostilities; to the Committee on the Judiciary.

By Mr. SHORT:

H.R. 2295. A bill to authorize the Secretary of the Interior to provide water and sewage disposal facilities to the Medora area adjoining the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2296. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. SILER:

H.R. 2297. A bill to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2298. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 2299. A bill to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities in reservoir areas; to the Committee on Public Works.

H.R. 2300. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 2301. A bill to amend the Internal Revenue Code of 1954 to impose an import tax on natural gas; to the Committee on Ways and Means.

By Mr. SMITH of California:

H.R. 2302. A bill to provide penalties for membership in the Communist Party, and to permit the compelling of testimony relating to such membership and the granting of immunity from prosecution in connection therewith; to the Committee on Un-American Activities.

H.R. 2303. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. SMITH of Mississippi:

H.R. 2304. A bill to amend the Veterans' Benefits Act of 1957 to provide that the Veterans' Administration shall not sever service connection of any veteran's disability when he has been in receipt of compensation for 10 or more years, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2305. A bill to permit the exchange between farms in the same county of cotton acreage allotment for rice acreage allotment; to the Committee on Agriculture.

H.R. 2306. A bill to amend the Civil Service Retirement Act to provide retirement credit for periods of sick leave; to the Committee on Post Office and Civil Service.

H.R. 2307. A bill to require that all pieces of third-class matter mailed in bulk shall bear the sender's pledge to pay return postage at the current per-piece charge; to the Committee on Post Office and Civil Service.

H.R. 2308. A bill to amend the Ship Mortgage Act, 1920, with respect to its applicability to certain vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 2309. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to provide for the donation of surplus property to public libraries which are tax supported in whole or in part; to the Committee on Government Operations.

H.R. 2310. A bill to provide certain retirement benefits for certain widows of former Government civilian employees who died on or after February 29, 1948, and prior to October 1, 1956, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2311. A bill to provide that a manufacturer or producer of nonbeverage products containing distilled spirits shall not be required to pay the tax imposed on such spirits by section 5001 of the Internal Revenue Code of 1954 if he is appropriately licensed and bonded, and for other purposes; to the Committee on Ways and Means.

H.R. 2312. A bill to amend title II of the Social Security Act to eliminate certain restrictions on the crediting of self-employment income for old-age, survivors, and disability insurance purposes, so as to permit such income to be retroactively credited (upon payment of tax) to the same extent as wages; to the Committee on Ways and Means.

H.R. 2313. A bill to repeal the manufacturers' excise tax on rebuilt automotive parts and accessories; to the Committee on Ways and Means.

H.R. 2314. A bill to provide for the retirement of the public debt in amounts which reflect annual increases in the gross national product; to the Committee on Ways and Means.

H.R. 2315. A bill to deem teachers in the State of Mississippi to be employees of such State for purposes of title II of the Social Security Act; to the Committee on Ways and Means.

H.R. 2316. A bill to amend the Internal Revenue Code of 1954 with respect to the validity of a lien for taxes as against a mechanic's lien; to the Committee on Ways and Means.

H.R. 2317. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the communications and transportation taxes for amounts paid by nonprofit hospitals; to the Committee on Ways and Means.

H.R. 2318. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions; to the Committee on Government Operations.

H.R. 2319. A bill to amend section 202 of the Social Security Act to permit certain beneficiaries of an insured individual to meet the applicable proof-of-support requirements even though such individual was unable by reason of illness or injury to provide such support during a period ending with his death; to the Committee on Ways and Means.

H.R. 2320. A bill to amend title I of the Federal-Aid Highway Act of 1956 to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance, or interests therein, for highway purposes; to the Committee on Public Works.

H.R. 2321. A bill to amend the Agricultural Act of 1956 (70 Stat. 202), to provide donations of surplus food commodities to State and local penal institutions; to the Committee on Agriculture.

H.R. 2322. A bill to amend the Armed Forces Leave Act of 1946, to provide that members of the Armed Forces shall be granted leave upon the critical illness or death of a close relative; to the Committee on Armed Services.

By Mr. STRATTON:

H.R. 2323. A bill to prohibit advertising in commerce of articles produced in the Soviet Zone of Germany unless the advertisement clearly states that fact; to the Committee on Interstate and Foreign Commerce.

H.R. 2324. A bill to provide for uniform annual observances of certain national holidays on Mondays; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H.R. 2325. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Columbus Bend project, Texas; to the Committee on Interior and Insular Affairs.

By Mr. VAN ZANDT:

H.R. 2326. A bill to provide for the establishment of national cemeteries in the Commonwealth of Pennsylvania; to the Committee on Interior and Insular Affairs.

H.R. 2327. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations, and for other purposes; to the Committee on Government Operations.

By Mr. WESTLAND:

H.R. 2328. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals 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; to the Committee on Armed Services.

H.R. 2329. A bill to acquire lands to construct an approach road into the Ozette Lake region in the Olympic National Park in the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHALLEY:

H.R. 2330. 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. McCORMACK:

H.J. Res. 110. Joint resolution establishing a George Washington Carver Commemorative Commission; to the Committee on the Judiciary.

By Mr. HEALEY:

H.J. Res. 111. Joint resolution authorizing Federal participation in the New York World's Fair; to the Committee on Foreign Affairs.

By Mr. JENSEN:

H.J. Res. 112. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

H.J. Res. 113. Joint resolution establishing a George Washington Carver Commemorative Commission; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.J. Res. 114. Joint resolution to authorize the reimbursement of not more than two employees in the office of each Member of the House of Representatives for travel to the Member's congressional district, and to authorize payment of additional mileage allowance for Members of the House of Representatives; to the Committee on House Administration.

By Mr. SMITH of California:

H.J. Res. 115. Joint resolution calling upon the motion picture industry to take appropriate action to make certain that no damage will be done to the foreign relations of the United States by the showing in foreign countries of movies which misrepresent our Nation or its people; to the Committee on Foreign Affairs.

By Mr. SMITH of Mississippi:

H.J. Res. 116. 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. STRATTON:

H.J. Res. 117. Joint resolution authorizing and requesting the President to issue a proclamation designating the first Sunday in the month of October as National Children's Day; to the Committee on the Judiciary.

By Mr. BARING:

H. Con. Res. 52. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. CLARK:

H. Con. Res. 53. 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. LANE:

H. Con. Res. 54. Concurrent resolution declaring the sense of the Congress that no further reductions in tariff be made during the life of the present Reciprocal Trade Agreements Act; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H. Con. Res. 55. 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. SLACK:

H. Con. Res. 56. Concurrent resolution to create a Joint Committee on a National Fuels Study; to the Committee on Rules.

By Mr. VAN ZANDT:

H. Con. Res. 57. Concurrent resolution declaring the sense of the Congress that no further reductions in tariffs be made during the life of the present Reciprocal Trade Agreements Act; to the Committee on Ways and Means.

By Mr. ASPINALL:

H. Res. 91. Resolution authorizing the printing as a House document certain material relating to the Fryingpan-Arkansas project; to the Committee on House Administration.

H. Res. 92. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; to the Committee on Rules.

By Mr. BARING:

H. Res. 93. Resolution expressing the sense of the House of Representatives with respect to the administration by the Secretary of Commerce of the Federal-aid highway program; to the Committee on Public Works.

By Mr. COOLEY:

H. Res. 94. Resolution to provide funds for the expense of studies and investigations authorized by House Resolution 86; to the Committee on House Administration.

By Mr. SAYLOR:

H. Res. 95. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the social and economic problems engendered by parenthood outside of wedlock, and of ways in which the growing burdens it imposes on all levels of government may be mitigated; to the Committee on Rules.

By Mr. SMITH of California:

H. Res. 96. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 2331. A bill for the relief of Peggy Loene Morrison; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 2332. A bill for the relief of Orlando Gonfiantini; to the Committee on the Judiciary.

H.R. 2333. A bill for the relief of Yick T. Jew; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 2334. A bill for the relief of Washington George Brodber Bryan; to the Committee on the Judiciary.

By Mr. BOLLING:

H.R. 2335. A bill for the relief of Ruben N. and Dorothy A. Bergendoff; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 2336. A bill for the relief of Clara Betello Franca; to the Committee on the Judiciary.

By Mrs. CHURCH:

H.R. 2337. A bill for the relief of Maria Stella Todaro; to the Committee on the Judiciary.

H.R. 2338. A bill for the relief of Kaino Knuuttila; to the Committee on the Judiciary.

H.R. 2339. A bill for the relief of Miss Kamila Wierzbicka; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 2340. A bill for the relief of Mrs. Emilie Gerber; to the Committee on the Judiciary.

H.R. 2341. A bill for the relief of Mrs. Luigia Lenardon De Carli; to the Committee on the Judiciary.

H.R. 2342. A bill for the relief of Esther Boghos Oflazian; to the Committee on the Judiciary.

H.R. 2343. A bill to waive any claims of the United States for the repayment of loans made by the Department of State to Harry H. Thomas and Jeanne A. Thomas; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2344. A bill for the relief of Theresa Del Vecchio Cipollone; to the Committee on the Judiciary.

H.R. 2345. A bill for the relief of Ferruccio Scifo; to the Committee on the Judiciary.

H.R. 2346. A bill for the relief of Maria Cascarino; to the Committee on the Judiciary.

H.R. 2347. A bill for the relief of Marlene E. Belfast; to the Committee on the Judiciary.

H.R. 2348. A bill for the relief of Caterina Buttazzi Petruzzi; to the Committee on the Judiciary.

H.R. 2349. A bill for the relief of Zaharoula Vasilakos; to the Committee on the Judiciary.

H.R. 2350. A bill for the relief of Marija Toic; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 2351. A bill for the relief of Hans Hangartner; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 2352. A bill for the relief of Gregory J. Bruno; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 2353. A bill for the relief of Jonathan Barnes and his sister, Caroline Barnes; to the Committee on the Judiciary.

H.R. 2354. A bill for the relief of Mr. Louis Fischer, Feger Seafoods, and Mr. and Mrs. Thomas R. Stuart; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 2355. A bill for the relief of Nicholas Podias; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 2356. A bill for the relief of Mrs. Ryo H. Yokoyama; to the Committee on the Judiciary.

H.R. 2357. A bill for the relief of Eishin Tamanaha; to the Committee on the Judiciary.

H.R. 2358. A bill for the relief of Gus Nihoa; to the Committee on the Judiciary.

H.R. 2359. A bill to confer jurisdiction upon the U.S. District Court for the District of Hawaii to hear, determine, and render judgment upon a certain claim of the Waimea Ranch Hotel, Ltd.; to the Committee on the Judiciary.

H.R. 2360. A bill for the relief of Mrs. Tome Takamoto; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 2361. 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.

By Mr. McDONOUGH:

H.R. 2362. A bill for the relief of Mira Kovac; to the Committee on the Judiciary.

H.R. 2363. A bill for the relief of Dr. Kamel Said Michel Baladi; to the Committee on the Judiciary.

By Mr. MURPHY:

H.R. 2364. A bill for the relief of Wilhelmine Jandrisits (Serra); to the Committee on the Judiciary.

H.R. 2365. A bill for the relief of Marija Matijevic; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 2366. A bill for the relief of Chu Shu Wong; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 2367. A bill for the relief of Kevork (Azoyan) Sarkissian (also known as Keriar Ananian); to the Committee on the Judiciary.

By Mr. SCHENCK:

H.R. 2368. A bill for the relief of Vassiliki Caperoni; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 2369. A bill for the relief of Vincenzo Gangemi; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 2370. A bill for the relief of Clyde E. Harwell; to the Committee on the Judiciary.

H.R. 2371. A bill for the relief of Ali Khosrowkhah; to the Committee on the Judiciary.

H.R. 2372. A bill for the relief of George Edward Barnhart; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 2373. A bill for the relief of Doroteja Kosich; to the Committee on the Judiciary.

H.R. 2374. A bill for the relief of Francesco Aiello; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

30. Mr. SEELY-BROWN presented a petition of resident of Norwich, Conn. in opposition to pay television, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, January 7, 1961)

The Lord's Prayer in unison and call of the roll of House Members by State started the 87th Congress. Then SAM RAYBURN, Texas Fourth District, was reelected Speaker for the 10th time (over CHARLIE HALLECK of Indiana, the Republican's choice). The Speaker's election, by a straight party line vote, is the most important vote cast in the 2-year session, since it establishes the organization of Congress. Besides choosing a speaker, this vote places either the Republican or Democratic Party in control of the legislative activity, the committee chairmen and the majority of members on each committee being of that party.

The 87th Congress totals 437 Members, 262 Democrats (86th Congress, 283), 174 Republicans (86th, 153), 1 Member not seated. Democrats objected to seating one Republican; Republicans objected to seating two Democrats. The Democrats were seated. It is important for citizens to understand the organization of Congress, to realize who the committee chairmen and committee members are, to know the legislative procedures of our country. Then it will be realized that elections are not popularity, personality or charm contests really, but a selection of people whose views will be embodied in the legislation that then affects the lives of everyone. It should be no surprise that a liberal chairman will program and push only the liberal legislation. A Congressman's only commitment is the oath he takes to defend and support the Constitution.

The Rules Committee "purge" controversy serves to remind all Americans of the importance of rules of procedure in government. Only through equitable rules, fairly administered, can a republic in a democracy flourish. Rules protect the minority groups most of all, rightly protecting them from being unfairly trampled by the majority. Indeed, our Government is nothing but rules of procedure. The present Rules Committee controversy has been labeled a phony or smokescreen issue because under House procedures the Rules Committee now can be bypassed by the House through the procedure known as Calendar Wednesday. (Example: Rules Committee bypassed last year in the depressed areas bill.) The real issue, and very dangerous, is the aim of liberals to gain further control of the Rules Committee so that the legislation programed before Congress can be presented when they choose under a closed rule. This rule limits House debate on the merits of a bill and prevents any amendments being offered. So the legislation presented cannot be changed (or possibly even understood owing to limited debate).

DICK NIXON's unique task was presiding over a joint session of Congress for the reading of the electoral vote. His farewell remarks were Lincolnesque in character and

deeply moved the assembled Congressmen, bringing them to a long, standing ovation.

Legislation now in the forefront is the five point Kennedy package: (1) Aid to education, Federal grants for school construction and teachers' salaries; (2) aid to depressed areas, Federal grants to communities suffering unemployment; (3) medical care for the aged as a part of the social security program; (4) more Federal public housing; (5) increase the minimum wage to $1.25 per hour. The 86th Congress held firm against these bills. This legislation and many other welfare schemes stand an excellent chance of passage, limited only by whatever dampening effects shortage of money may cause. We are faced with an extremely liberal administration and only slightly less liberal (if at all) congressional Democratic leadership. The misunderstanding of basic economics by the Kennedy forces is best shown now by their consideration of greatly increased Federal expenditures on public works, the old "made work" philosophy of Federal job provision, and simultaneously a tax cut to stimulate business.

The gap between income and outgo is the danger—spelled "inflation" or cheapening of our money. As less money comes in through taxes because of recession, we increase Federal spending—then further cut Government income by cutting taxes, in short, a formula for bankruptcy. An interesting sidenote here is the recognition of the fact that a tax cut will stimulate business. Since this is so, then why wait for recessions or hard times (which high taxes can help bring on) to cut taxes? Why not cut them even in good times and the increasing prosperity will increase tax revenues to Uncle Sam? The key to Federal governmental success—and the one liberals or radicals shun, is reduced Federal expenditures in welfare boondoggle or wasteful programs. Reduced spending will permit reduced debt, reduced taxes, a stable currency, a sounder Government, reinforcing individual, local, and State rights. To this program I dedicate my efforts.

This year, as always, I shall endeavor to inform my constituents—by questionnaire, weekly newsletter (sent to anyone on request), weekly radio broadcast, Sunday, KLIF, and weekly television, Sunday, WFAA–TV. Our best Government will result only from an informed electorate and responsive, responsible Congressmen.

Tribute to George Washington Carver

EXTENSION OF REMARKS
OF
HON. HERMAN TOLL
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 9, 1961

Mr. TOLL. Mr. Speaker, today, January 9, 1961, a resolution (H.J. Res. 110) looking toward the establishment of a memorial to a great American, George Washington Carver, was passed by the House of Representatives. I cannot let the occasion pass without expressing my personal gratification that the House has united to do honor, spontaneously and without objection, to the memory of a man whose name stands proudly for all we most value in America.

George Washington Carver rose from poverty and obscurity, conquering the handicaps imposed by our society upon one of his race, and achieved fame, conferred tremendous material benefits upon our country by his discoveries and inventions, and earned the grateful affection of millions. His was an unselfish, a generous, a noble success. He was a man of outstanding humility and simplicity, dedicated to the ideals of pure science, to the practical values of applied science, to the demands of human needs, and to a dedicated Christian service. Our country owes to this man and to his memory a debt we can never hope to repay, and it is most fitting that we hold him up to be honored and emulated by every American citizen.

Needed: A Study of the Great Lakes Water Level

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Monday, January 9, 1961

Mr. WILEY. Mr. President, the Great Lakes waterway system constitutes the greatest inland chain of navigable waters in the world.

The St. Lawrence Seaway development project, now completed, represents a major effort to expand and more fully utilize the potential of the lakes system.

I am hopeful, also, that the project of deepening the Great Lakes connecting channels can also be completed by the target date of 1962, to enable the rest of the lakes area to benefit from the seaway.

Now, a next step in further development of the Great Lakes may well be efforts to control the water level, which seriously affects shipping, as well as lakeshore interests.

In 1952, the Corps of Engineers initiated a study of the Great Lakes water levels. Because of great and costly damaging effects of widely fluctuating water levels upon shipping, industrial, residential, resort, and other interests in Wisconsin and around the lakes, I believe the study should now be completed.

I would certainly hope that, when this matter comes up for consideration in the days ahead, our colleagues on the Senate Appropriations Committee would give sympathetic consideration to this proposal.

Recently, I contacted the Bureau of the Budget to urge approval of funds in the 1962 budget for carrying this study forward.

At this time, I ask unanimous consent to have my letter to the Bureau of the Budget printed in the RECORD.

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

Hon. MAURICE H. STANS,
Director, Bureau of the Budget,
Washington, D.C.

MY DEAR MR. DIRECTOR: I am writing to respectfully urge inclusion in your 1962 fiscal budget of funds for a study of Great Lakes water levels.

As you well recall, the Corps of Engineers undertook a comprehensive study of the lakes in 1952 to determine:

1. The feasibility of a plan of regulation of the levels of the Great Lakes which would best serve the interests of all water uses, including the reduction of damages to shore properties, the use of the Great Lakes for navigation, and the use of the storage and outflow from the Great Lakes for power development; and

2. The advisability of adopting local protection flood control projects for areas along the shores of the Great Lakes and tributary streams that are subject to inundation as a result of fluctuations in the levels of the lakes where such projects are found to be feasible and economically justified.

Unfortunately, the study was interrupted and postponed.

From time to time, the water levels of the Great Lakes may fluctuate in irregular cycles in a range of approximately 5 feet. Consequently, extreme high levels result in inundation of shorelands, beach erosion, difficulties in the docking and loading of vessels and damage to dock facilities, interference with land drainage, and aggravation of floods on tributary streams to the Great Lakes. Conversely, extreme low levels reduce the cargo-carrying capacity of vessels on the lakes, require extensive harbor and dock improvements, expose unsightly flats, decrease the area of waterfowl nesting grounds, and cause excessive shoaling.

During 1951–52, extensive damage from high water levels to the Great Lakes shoreline properties was officially estimated by the Corps of Engineers at $61 million. You will recall that a study to determine the feasibility of attempting to control levels of the lakes was originally scheduled for completion in the year 1957. Unfortunately, however, this has been too long delayed because of the lack of funds. With the completion of the St. Lawrence Seaway, the Great Lakes—formerly an inland system—has now become an international waterway, carrying large volumes of shipping to and from the ports of the world. The lakes traffic is tremendously important to the economy of the Midwest and the country.

A comprehensive study of the factors involved in the fluctuation of water levels, accompanied by recommendations on what might possibly be done either to avert the fluctuations or at least to minimize the damage resulting, would, I believe, be of great value to the country.

I respectfully urge, therefore, that funds, estimated at $145,000, be included in the budget for fiscal year 1962.

With appreciation for the consideration I know you'll give this matter, and with kindest personal regards, I am,

Yours sincerely,

ALEXANDER WILEY.

Annual Pulaski Day

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, January 9, 1961

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my remarks on the occasion of the annual Pulaski Day celebration sponsored by the Polish United Societies of Chelsea, Mass., on October 9, 1960:

ANNUAL PULASKI DAY

Greetings, Pulaski Day, 1960, gives Americans of Polish origin the opportunity to speak up for freedom and human dignity.

In so doing, they become the voice for their oppressed relatives and friends in the

homeland who are restless but silent under the Communist tyranny.

It is good that the Polish community celebrates Pulaski Day during the visit of Khrushchev to the United Nations.

For he cannot ignore the passionate faith in freedom that distinguishes Polish history and is an indivisible part of the Polish character.

Seeing the tribute that all Americans, following the proud leadership of the Polish community, pay to the memory of General Pulaski who was a key figure in winning the war for American independence, he cannot fail to realize that the same spirit animates the people of Poland today.

He knows that he cannot hold them captive forever.

And so he is trying to blackmail the West into acknowledging Communist sovereignty over all the captive nations.

I predict that he will never succeed in this.

One of the purposes of Pulaski Day is to tell the captive peoples that as they helped us we shall help them.

Not by force of arms, but by the example, and by economic aid, and by reassurances that we shall never forsake those who are related to us by the strongest of all loyalties: The universal hunger of all peoples for freedom under God.

General Pulaski taught us that freedom is a human right, and that we are morally obligated to work for its development in every country on this earth.

That is why he is remembered, honored and emulated 181 years after his death on October 11, 1779, after leading a cavalry charge in Savannah.

That is why his spirit is immortal, and will continue to lead humanity long after communism is dead and forgotten and Poland is forever free.

Dr. T. Keith Glennan's Outstanding Record in Space Exploration

EXTENSION OF REMARKS

OF

HON. GORDON L. McDONOUGH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. McDONOUGH. Mr. Speaker, the difficult task of organizing and directing the new National Aeronautics and Space Administration by T. Keith Glennan, the first Administrator of the new U.S. Government department which is devoted to the exploration of outer space, and the magnitude and the complexities of creating scientific research and development necessary to make practical use of this vast and hitherto unknown area is little short of phenominal.

The challenge that faced Dr. Glennan when he took over the task of Administrator-Director of NASA was a staggering one, not only because of the demands that were placed upon the United States to match the scientific progress made by the Soviet Union, but to find the men with the unusual talents to build a coordinating and cooperating team of scientists, mathematicians, engineers, chemists, biologists—in fact all phases of science and physics and engineering—and to assemble the plants and facilities in the proper locations in order to get into production as soon as possible.

Dr. Glennan has done this with an abundance of patience, courage, administrative ability and scientific know-how. He has surmounted the heart-breaking obstacles of failures with success upon success. The latest summary of international satellite and space probe places the United States far and away above the U.S.S.R. The summary referred to is as follows:

The following space vehicles are in orbit:

Name and country	Launch date	Transmitting
Explorer I (U.S.)	Jan. 31, 1958	No.
Vanguard I (U.S.)	Mar. 17, 1958	Yes.
Vanguard II (U.S.)	Feb. 17, 1959	No.
Pioneer IV (U.S.)	Mar. 3, 1959	No.
Explorer VI (U.S.)	Aug. 7, 1959	No.
Vanguard III (U.S.)	Sept. 18, 1959	No.
Explorer VII (U.S.)	Oct. 13, 1959	Yes.
Pioneer V (U.S.)	Mar. 11, 1960	No.
Tiros I (U.S.)	Apr. 1, 1960	Yes.
Transit I–B (U.S.)	Apr. 13, 1960	No.
Midas II (U.S.)	May 24, 1960	Yes.
Transit II–A (U.S.)	June 22, 1960	Yes.
NRL Satellite (U.S.)	do	Yes.
Echo I (U.S.)	Aug. 12, 1960	Yes.
Courier I–B (U.S.)	Oct. 4, 1960	Yes.
Explorer VIII (U.S.)	Nov. 3, 1960	Yes.
Tiros II (U.S.)	Nov. 23, 1960	Yes.
Lunik I (U.S.S.R.)	Jan. 2, 1959	No.
Spacecraft I (U.S.S.R.)	May 15, 1960	No.

SUMMARY OF PROGRESS OF NASA

This summary shows that the United States is 15 to 1 ahead of the U.S.S.R. in earth orbit—2 to 1 ahead of the U.S.S.R. in solar orbit—and 10 to 0 ahead of the U.S.S.R. in transmitting.

During the October 1, 1959–March 31, 1960 period, the National Aeronautics and Space Administration completed and set in motion a long-range plan of space exploration spanning the 1960–70 decade.

At the same time, NASA's research, space flight, and aeronautical programs moved ahead and major organizational changes were effected to accommodate increased responsibilities in the field of launch vehicle development.

On January 14, 1960, the President notified the Congress of his intention to transfer to NASA the Development Operations Division of the Army Ballistic Missile Agency at Redstone Arsenal, Huntsville, Ala., along with Saturn, the 1.5-million-pound-thrust clustered rocket engine under development by the Division. The transfer became effective 60 days after notification and the budgetary transfer was to be completed by July 1, 1960. On July 1, NASA assumed responsibility for the Division's facilities and 1,200 acres at the arsenal—which the President has renamed the George C. Marshall Space Flight Center.

To speed development of launch vehicles, and to make the most effective use of the Huntsville group, NASA created an Office of Launch Vehicle Development late in 1959 and other major divisions were realined as follows: the Office of Space Flight Programs; the Office of Advanced Research Programs; the Office of Business Administration; and the Office of Life Sciences Programs.

The Saturn rocket shares top NASA priority with Project Mercury, first phase of the manned space flight program. Project Mercury progress during the report period included delivery by the contractor of the first operational Mercury space capsule on April 1.

MAJOR PROGRAMS

SPACE FLIGHT

Sustained by vigorous research and development in space sciences and space technology, NASA's space flight program was marked by three particularly significant experiments—the Explorer VII satellite; the sun-orbiting Pioneer V deep space probe; and the Tiros I experimental meteorological satellite which has transmitted 22,952 photographs of the earth's cloud cover.

AERONAUTICAL RESEARCH

In the realm of aeronautics, research continued across the speed range from hovering flight to the near-satellite velocities of the rocket-boosted Dyna-Soar I, under development by the Air Force. Between these speed extremes, NASA, in cooperation with the Air Force and Navy, continued to place strong emphasis upon the X–15 rocket-powered research airplane project. Final contractor tests for the first X–15 were completed and the airplane was transferred to NASA on February 9. NASA and USAF pilots have been flight-testing the airplane since that time. In addition, NASA is studying a number of vertical takeoff and landing (VTOL) and short takeoff and landing (STOL) aircraft. Supersonic transport concepts are also being investigated.

INTERNATIONAL PROGRAMS

In the field of international cooperation, NASA concluded agreements for establishing Project Mercury tracking stations in Australia and in Spain's Canary Islands. NASA also offered the services of its tracking stations, subject to the consent of the host countries, to the Soviet Union for any manned space flight program it may develop, and established the Office for the United Nations Conference to represent the United States in a conference on the peaceful uses of outer space.

NASA'S LONG-RANGE PLAN

NASA's overall mission, as outlined in the National Aeronautics and Space Act of 1958, is to exploit the earth's atmosphere and outer space for peaceful purposes and to provide aeronautics and space research support to the armed services at the same time. In producing a long-range plan, NASA is translating into operational terms the objectives set forth in the act calling for the preservation of the role of the United States as a leader in aeronautical and space science and technology and in the application thereof to the conduct of peaceful activities within and outside the atmosphere.

LAUNCH VEHICLE DEVELOPMENT

Foundation stone of the long-range plan is development of a small family of versatile, highly reliable launch vehicles to power spacecraft on a wide variety of orbital and space-probing missions. Scout and Delta, which were flight tested for the first time shortly after this report period ended, are the smallest vehicles in the family.

In the medium- to high-thrust class is the Atlas-Agena B which the Depart-

ment of Defense will make available to NASA to replace the Vega which NASA canceled on December 11, 1959. A still more advanced, higher thrust vehicle is the Atlas-based Centaur with its liquid hydrogen second stage. The first Centaur launching is planned for 1961. When fully developed, it will be capable of sending some 8,500 pounds into an earth orbit.

In the high-thrust vehicle range, NASA has begun static testing—that is, running the engines with the vehicle clamped, in a vertical position, to its launch pad—the 1.5-million-pound-thrust Saturn first-stage multichambered engine.

With Saturn, NASA will lay the groundwork for manned exploration of the moon. Saturn will be capable of circumnavigating the moon and returning to earth, and of launching a 25,000-pound space laboratory into an earth orbit. During the next few years, NASA will be flight testing various Saturn stages and in 1964 the first three-stage vehicle will be launched.

Toward the end of the 1960's, NASA expects to have a launch vehicle in the Nova class which may consist of a cluster of F–1 single-chamber engines, each producing 1.5 million pounds of thrust. By clustering these engines, which are now under development, it would be possible to achieve a total thrust of 6 to 12 million pounds. Alternatively, the very large capacity of the system might be achieved through the use of nuclear energy.

Nova will probably be the first vehicle with which the United States will attempt to land men on the moon. Now in the concept stage, it should be capable of carrying 100,000 pounds to the moon and of placing a 290,000-pound space laboratory, occupied by several individuals, in an earth orbit.

Nuclear propulsion systems, which are now a subject of active research and development in cooperation with the Atomic Energy Commission, will be developed over this decade for important roles in the space program.

LONG-RANGE PLAN MISSIONS

The successful operation of Tiros I was the first event on NASA's list of specific missions in the long-range plan. Tiros I will be followed by other experimental weather satellites of similar type. These will be followed by the more advanced Nimbus series.

Also scheduled for 1960 was the first launching in Project Echo of a 100-foot-diameter, inflatable passive reflector communications satellite. The ultimate purpose of these orbiting spheres, made of micro-thin aluminized Mylar plastic, is to serve as global teleradio-transmission links. A series of such satellites may one day revolutionize worldwide communications and make transoceanic TV a reality.

In April, NASA achieved the first completely successful suborbital test flight of an Echo sphere and transmitted voice and radio signals via the sphere. Radio transmitters on the ground beam electromagnetic waves at the satellites which, in turn, reflect or bounce them back to another ground station.

FIRST MERCURY SUBORBITAL FLIGHT

The United States plans to send up an astronaut on the first suborbital flight in Project Mercury. A Redstone rocket will launch him in a Mercury capsule from Cape Canaveral on a 15-minute flight down the Atlantic Missile Range at speeds up to 4,000 miles per hour. He will experience about 5 minutes of weightlessness, reach an altitude of 100 miles and a distance of 180 miles, and will land in the sea off the coast of Florida.

During the next 2 to 3 years, NASA has scheduled 20-odd testing, training, and orbital flights in Project Mercury. The first manned orbital flight should take place in 1961.

MOON LANDINGS PLANNED

During the 10-year period, the United States will press forward with its lunar exploration program, which will consist of step-by-step progress through a series of experiments, each designed to extend our knowledge and capabilities. First attempts will be lunar orbiters, followed by so-called hard landings of scientific data-gathering instruments. Next will come soft landings on the moon with more fragile instruments. NASA may land mobile instrument stations on the lunar surface, powered by solar batteries.

The most rewarding phase of lunar exploration will come when men reach the moon, probably after 1970. In a broad sense, the main drive of the long-range plan consists of preparation for manned expeditions to the moon and nearby planets in the decades to follow. The United States is placing emphasis upon lunar experiments for several reasons:

First, in the words of a scientist in NASA's lunar program:

> The moon may have the answers to some of the most important questions in science. How was the solar system created? How did it develop and change? Where did life come from?
>
> The particular importance of the moon is that it is the only accessible object that can give us these answers. The reason for this is that the moon has no wind and water to erode its surface, to wear away the record of history, to destroy the cosmic dust that has fallen there for billions of years.

Second, success in the lunar program will provide this country with the experience for attempting flights to the nearer planets. In short, NASA will be able to perfect its communications, guidance, and propulsion systems over the lunar distance—about a quarter of a million miles—and thus get practice for the longer voyages to Venus and Mars.

PLANETARY MISSIONS

The planetary missions have as their scientific objectives the study of the origin and evolution of the solar system; the study of the nature of planetary surfaces and atmospheres; and the search for life.

PLAN IS SUBJECT TO CHANGE

Any plan projecting research and development activities as far as 10 years ahead is, of course, subject to continuing review and change.

COMMITTEE ON LONG-RANGE STUDIES

On a broader, more general scale, the agency has established a committee on long-range studies to consider the international, economic, social, political, and legal implications of space research and exploration. Toward this end, NASA has negotiated several contracts with private research organizations to study these implications. The committee has also called upon a legal foundation for an analysis of all available space law literature and proposals for the control and administration of outer space activities.

The outstanding record made by Dr. T. Keith Glennan and his staff will be difficult to improve. It is regrettable that Dr. Glennan has decided to resign. His successor will have a difficult task and heavy responsibility to carry out the space program laid out by Dr. Glennan.

The American Delegation to the Geneva Conference of GATT (General Agreement on Tariffs and Trade) Should Refrain From Offering Further Reductions in Our Import Duties

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. VAN ZANDT. Mr. Speaker, I was not among those who introduced the concurrent resolution last year cosponsored by 42 Members of the House from over 20 States, and supported by many additional Members. I am, however, happy to introduce it in this Congress. I am in complete agreement that the American delegation that has gone to Geneva, Switzerland, attending the current tariff-cutting conference of GATT—General Agreement on Tariffs and Trade—should offer no further reductions in our import duties at the present time.

Events since the original introduction of the concurrent resolution last year and the reintroduction this year bear witness to the wisdom of pressing for immediate passage of the resolution at this time.

For example:

First. The declining confidence abroad in our management of international fiscal policies as evidenced by the steady bleeding of our gold reserves, and mirrored by the fluctuations on the London market of the price of gold in dollars from $35 to $40 a fine ounce;

Second. The Presidential concern as reflected in his recent buy-American directives and the decision on troop maintenance abroad;

Third. The rejection by our allies of our request that they share the crushing burden of America's defense expenditures abroad on behalf of our allies.

The issue facing us today, is the renewed GATT session in Geneva. Each Member of this House should note that

while you and I have been constitutionally assigned the responsibility for regulation of America's foreign trade, we have never been given the opportunity of passing upon our membership in this multinational trade group. Now, 13 years and six tariff-cutting conferences later, we find that two score countries determine what U.S. trade policies shall or shall not be. Yes, you and I, the representatives of the people who work and produce the goods of commerce, are no longer within speaking distance of the decisions affecting that commerce. Our accountability in this vital issue has been cleverly transferred to the constellation of executive diplomats sitting in Geneva.

But now let us let the record speak its eloquent piece. What has happened since GATT assumed the duties of the Members of the House:

First. The tariff defenses of our constituents' jobs and products have been reduced beyond recognition. Even the Randall report of 1954 said, "By any test that can be devised, the United States is no longer among the high tariff countries of the world." As you know our tariffs have been slashed 80 percent. Yet GATT has not succeeded in promoting reciprocal measures among the other member trading nations which now enjoy what my colleague has called the right of eminent domain here in our domestic market.

Second. As the GATT-conceived tariff reductions began to take effect our imports increased as surely as day follows night. And as imports grew to the highest level in history job opportunities shrank and work decreased. There is no need for me to document this fact. The record is open for all to see who can spare several weeks and examine the hundreds of briefs and statements in the files of the Tariff Commission supplied last summer by trade associations, corporations, and labor unions, when hearings were held on the long list of items for further tariff reductions. Let me cite but one example: We are losing the production of about 700,000 automobiles annually to foreign competition in our domestic and foreign markets. This figure is comprised of total imports plus our loss in exports. According to the president of one of our largest machine tool companies, the production of 700,000 autos would represent a total work force—from mine to mill to factory—of approximately 350,000 workers.

And the same dampening conditions are experienced throughout all layers of production in many other industries. An unfortunate side effect to be noted is the stifling of research and development. This we can least afford. We cannot afford to fall behind in a field so important to our security. A few of the industries are: Steel, ships, sewing machines, glass, pottery, meters, lockwashers, typewriters, cameras, shoes, machinery, textiles, and hundreds of other products.

Third. Now consider the effect of these developments upon the respective industries themselves. GATT's policies, promoted and fostered by our own officials, are driving American plant and equipment out of the country with each fresh assault by the job-killing, sales-liquidating imports upon our market.

At the very moment when this Nation's economy desperately needs the transfusion of new capital investment for growth here, we find that our enterprises are shifting more and more to oversea locations, a trend which is assuming the role of a substitute for rather than a supplement to domestic investment.

Keep in mind that about 3,000 American production companies have polkadotted the globe beyond our shores with almost 10,000 plants, worth $30 billion—book value only—employing over 3 million foreign workers—in turn generating an additional 5 to 6 million jobs—with an annual payroll of $7 billion. Our capital abroad pays an annual corporate tax tab approaching $5 billion.

This is the real price of membership in GATT. After many years as a close observer of our foolish foreign gambits there is not a shred of doubt in my mind that a significant portion of the 4 million men and women who shuffle along the lonely streets of our cities and towns hungrily searching for sustaining employment are out there right now because of the posse of Ph. D.'s who have dictated our foreign trade policies.

If there is to be any substance to the current talk of growth and development in this country let it begin at this point. Eliminate the growth-killing effects of surplus imports spilling out of thousands of mills and factories in scores of countries in the Orient and in Europe. They are displacing our goods on the shelves and in the warehouses from Bangor to San Diego. This situation requires immediate, I repeat, immediate attention and careful evaluation. The moratorium on additional tariff cuts proposed by the concurrent resolution that I, together with other Members, have reintroduced, is the least present and immediate step that should be taken by passing the resolution.

Commonsense put back into our foreign trade will put dollars and cents back into our domestic economy, into the pay envelopes of our workers, and into the expansion programs of our industries.

George Washington Carver Memorial Commission

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. JENSEN. Mr. Speaker, I have today introduced a resolution to establish a commission known as the George Washington Carver Commission.

It is rather befitting that I introduce this joint resolution for the establishment of the George Washington Carver Commemorative Commission on this date for today is George Washington Carver Day—a day authorized by the 79th Congress to pay tribute to this great scientist and humanitarian. This legislation, when enacted, will provide for an observance of the contributions made by this great man.

Born of slave parents and self-taught at an early age, George Washington Carver received his formal education at Iowa State College of Agriculture where he later became a member of its faculty. He received his doctorate degree from Simpson College, Iowa. He gained national attention through his work while heading the department of research at Tuskegee Institute.

Notable among his achievements in this capacity was his discovery of over a hundred products from the sweet potato, 60 articles of value from the pecan, in addition to hundreds of byproducts from the peanut.

For these achievements, Dr. Carver received many awards. To name a few:

First. He was made a fellow of the Royal Society of Great Britain.

Second. He was presented the Spingarn Medal for the most distinguished service by an American Negro in the year 1922.

Third. Congress authorized the minting of the Carver-Washington half dollar.

Fourth. The George Washington Carver postage stamp was issued in his honor.

Fifth. The George Washington Carver National Monument was established at Diamond, Mo., his birthplace, in 1953, by the National Park Service under the Department of the Interior.

In a spirit of reverence to God and deep devotion to this country, refusing personal gain, he made his achievements a gift to the people and the world.

Should We Recognize Red China?

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a very timely article by Senator PAUL H. DOUGLAS, of Illinois, wherein he urges Peiping's economic and diplomatic isolation. The Senator's remarks were reprinted from the New Leader as a public service by the Committee of One Million (Against the Admission of Communist China to the United Nations), 17 Park Avenue, New York, N.Y.:

SHOULD WE RECOGNIZE RED CHINA?

(By PAUL H. DOUGLAS, U.S. Senator, Illinois)

The past few months have seen the rise of new efforts to convince the American people of the desirability of closer diplomatic, economic and cultural relations with Communist China. The opposition to such a policy is neither conservative nor liberal, but rests on the highest degree of bipartisanship. The Committee of One Million (Against the Admission of Communist China to the United Nations), with which I have been associated since its inception in 1953, represents all political philosophies. Its

members include Senators Ralph E. Flanders, Irving M. Ives, Jacob K. Javits, Mike Mansfield, Richard L. Neuberger and Margaret Chase Smith.

Those who advocate closer ties between the United States and Communist China base their arguments on two assumptions:

1. The Communists are in firm and permanent control of the mainland of China. Even though we do not like the Peiping regime, it is in power and will be there for a long time to come. There is little that we, or the Chinese Nationalists on Formosa, can do to change this situation. Therefore, unless we wish to ignore 600 million people, we must deal with the Peiping regime.

2. Chinese communism is different in certain aspects from Soviet communism. Expanded trade and cultural relations between the free world and Communist China will drive a wedge between Moscow and Peiping and perhaps even make a Tito out of Mao Tse-tung. Through such trade and cultural relations ties between Red China and the free world will be strengthened with the corresponding weakening of the ties between Peiping and the Kremlin.

The Committee of One Million believes that both these assumptions are false, as were the similar premises used in the 1930's to justify Western relations with Japan, Italy, and Germany; until Pearl Harbor, all too many individuals in the United States believed that (1) the Governments of Japan, Italy, and Germany were in firm control of their peoples, and (2) trade and cultural relationships with the Axis Powers would somehow convince them that we wanted only friendship and coexistence—if sufficient concessions were made, the Axis Powers could be split.

Such trade and appeasement came to an end in the tremendous holocaust of World War II. The scrap metal which the United States shipped to Japan was turned into bombs which devastated half of Asia. Oil sold to Italy in 1936, on the theory that to restrict trade means to restrict freedom, powered the planes which strafed Ethiopia and encouraged Mussolini's quest of empire. High-level diplomatic relations and negotiations with Germany ended in the disaster at Munich. The Luftwaffe and the Wehrmacht were built as a result of trade which, at the start, was limited to nonstrategic goods. The end result of this policy was the death of millions of men, women, and children, and the destruction of entire cities and peoples.

One might think that this bitter historical lesson would be deeply ingrained in the intellects of all freemen who survived. Unfortunately, many prominent individuals and organizations still call for expanded trade and cultural relations and, ultimately, diplomatic relations with Mao Tse-tung's China. Their arguments are based on wishful thinking rather than fact.

Information reported by Peiping itself refutes the idea that the Communists are firmly entrenched on the mainland. Mao's "let a hundred flowers bloom" campaign uncovered broad opposition to Communist rule in China that had to be crushed through the current rectification and antirightist drives. We have reliable reports of anti-Communist student demonstrations; official reports of the relocation of tens of thousands of intellectuals from urban areas to farm; the visible evidence of a constant stream of refugees to Hong Kong and Macao; the report of Shih Liang, Peiping's Minister of Justice, that the people's courts had dealt with 364,604 counterrevoluntionary cases in a 17-month period. These are strong indications, indeed, that all is not well in Communist China.

The second assumption—that Mao might become a Tito—seems to have been shattered by Peking's joining with the Soviet Union in the most vigorous denunciation of Tito's recent deviations. Its attitude or "revisionism" today is as clear as was its support of the brutal Soviet intervention in Hungary.

There appear to be only two alternative lines of action open to U.S. policy: either expand trade and cultural relations with Red China, which is the first step toward its admission to the U.N. and recognition by our Government; or continue and strengthen our present policy of resolute opposition to any political, diplomatic, economic or moral assistance to Red China.

Let us examine the possible results of the first of these two alternatives: We have already agreed to actions by our allies to ease their restrictions on trade with Red China. The moment our own trade restrictions are eased substantially, the prestige of the Peking regime will begin to mount in Asia. The economy of Red China, which by its own admission is facing serious difficulties, will be bolstered. In a recent speech, the Deputy Minister of Economic Planning of the Peking regime called for wide-scale economic retrenchments and admitted critical shortages of pig iron, steel and lumber; shortages in meats, totaling 20 million hogs; shortages in edible oils; shortages in cotton, totaling 20 million tons; shortages in coal which led to the destruction of railroad cars for fuel in Inner Mongolia. Expansion of trade would act as a rescue operation. The power of Communist China would be considerably enhanced.

Then, American newspapermen and businessmen will go into Red China and begin dealing with Communist Government officials. Pressures will increase for U.S. Government officials to be stationed in Red China to assist our citizens. The next step would be establishment of U.S. consular offices—which would inevitably lead to recognition of the Mao regime. Somewhere along the line will come admission of Red China to the United Nations.

The moment that our Government recognizes Peiping, the key will be turned on the prison that is mainland China. We will have told our present allies in Asia that they would have been better off as neutrals, and indirectly told the neutrals that they might as well give in to the Reds now as later.

If Communist China is admitted to the U.N., the Charter of that organization would, I am afraid, be another "scrap of paper" to be tossed into the pile of discarded international documents. Many forget that the Charter did not provide for universality of membership, but restricted it to peace-loving states. Communist China can certainly not be designated as a peace-loving state after its aggressive war in Korea, its violation of the 1953 armistice terms and its aid to subversive movements in Vietnam and Laos. True, we already have some aggressor states in the United Nations. But why should we add to their number and, in addition, give the aggressor a seat on the Security Council?

Furthermore, if we recognize Peiping, we will have helped solidify one of the most potent fifth columns in history. The 12 million oversea Chinese living in Southeast Asia will have little choice but to give their allegiance to Red China, and to try to deliver into its control the countries where they have great power: the Philippines, Vietnam, Indonesia, Singapore and Malaya, Thailand, and Burma. And our own citizens of Chinese descent will be subjected to blackmail and coercion, through their relatives in China, by the diplomatic representatives of the Peiping regime.

Admission of Red China—which would entitle it to China's permanent seat on the U.N. Security Council—would tie up the Security Council completely, and thereby encourage aggression by both the Soviet and Chinese Communists. For the sake of expediency, and a few dollars' profit, we will have made valueless the sacrifice of 35,000 American boys who died in Korea resisting Chinese Communist aggression.

What of the other road—that of nonrecognition and no trade?

Following this road, we will strengthen our national security by adhering to the intelligent principle of steadfast support of our allies and refusal to build up our enemies. By helping to strengthen freedom among our allies and helping to build sound economies and political systems in Asia, we will demonstrate the value of a free society as opposed to slavery under communism. Continued economic pressures from without could cause greater economic pressures from within to force Peiping to make basic concessions to the Chinese people. If there is any chance at all of dividing China from the Kremlin, it must come by forcing Peiping to turn from Moscow because the Soviet Union cannot supply China's needs, rather than by making it easy for both countries to survive.

The argument is sometimes heard that we must be "realistic" and "practical"—the implication being that to be realistic and practical we must deal with Communist China. In contrast, our Committee of One Million insists that, to be realistic and practical, we must not recognize Red China or admit it into the U.N. To do so would be to invite disaster.

The Earnings Limitation of the Social Security Act Should Be Removed

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mrs. BOLTON. Mr. Speaker, one of the first bills I introduced in this Congress was H.R. 315, 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. This bill, if enacted, will go a long way, I believe, in correcting what is perhaps one of the most serious inequities in the Social Security Act. The present law, as amended in the last session of Congress, permits persons who are retired on social security benefits to earn only approximately $1,350 a year without losing benefits. However, if they do not work they can receive an unlimited income from dividends, interest, rents, or other means without losing any social security benefit checks.

In our country today we have more people over 65 than at any time in our history, and many thousands of the more than 12 million who are eligible for social security benefits cannot afford to retire on their small pensions. They find it necessary to continue at least part-time work. My bill will permit them to earn a little without being penalized for doing it.

The present limitations, Mr. Speaker, are a serious reflection on our free enterprise system. Very few people, except those, of course, who are disabled, care to become completely inactive when they reach the retirement age. Many of the individuals who are eligible for social security benefits have a real desire to continue working, and they can make

a real contribution to our Nation's overall economy by doing so. Why should they be penalized because they earn a little extra money which many need just to provide the necessities of life?

It is my hope that the Committee on Ways and Means will favorably consider this legislation, and that early action in the House and Senate will follow.

A National Science Center

EXTENSION OF REMARKS
OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. ANFUSO. Mr. Speaker, on January 3, 1961, the opening day of the 87th Congress, I introduced a bill to establish a National Science Center, including a National Science Academy, dedicated to training future scientists and engineers and strengthening scientific research. My bill was the very first one to be put into the legislative hopper and it bears the number H.R. 1.

I have had bills in the previous two Congresses advocating the establishment of a Science Academy along somewhat different lines. The new bill H.R. 1, has been completely rewritten after consultations with leading scientists, educators, and Government officials, and after hearings held in recent months by a House Science and Astronautics subcommittee of which I am chairman.

The proposal to establish a National Science Center is intended to meet future national needs for trained manpower and new scientific knowledge, and also to help win the scientific and technical phase of the cold war. As proposed in the bill, the Science Center would be comprised of:

First. An educational institution of the highest caliber to be known as the National Science Academy, intended for both undergraduate and postgraduate studies in science and engineering.

Second. Research institutes in various scientific fields for the promotion of scientific knowledge and research to advance the Nation's economy, health, welfare, and progress.

Third. A Scientific Career Service for obtaining and retaining the personnel necessary to carry out the scientific, technological, and research functions of the U.S. Government. Graduates of the Science Academy and other qualified persons able to meet its standards would be eligible for placement in the Scientific Career Service.

The educational institution would be open to young men and young women desiring to make a career in science, while the research institutes would invite outstanding scientists to work in their laboratories on scientific, medical, and other projects designed to benefit humanity. The realization of my proposal would unquestionably have a beneficial impact on scientific progress and education in this country, and it would also go far in building up the image of America as a nation devoted to the utilization of science for the benefit of all mankind and for the attainment of a peaceful world. A science center of this type, dedicated to peaceful purposes, would help raise our prestige in the eyes of all nations to new and greater heights.

Other major provisions of the bill are:

Young men and young women, between the ages of 17 and 25, will be eligible for admission to the Science Academy's undergraduate department, provided they pass qualifying examinations prescribed and supervised by the National Science Foundation. Those accepted will be known as science-trainees and will receive a 4-year training course in science, engineering, and related fields. Upon graduation, they will be required to serve at least 4 years with the Government in their specific field of training or, with the approval of the National Science Foundation, may be permitted to serve in private industry.

Graduate training will be provided for those who have completed undergraduate studies at accredited schools and possess special qualifications for graduate work in the sciences. A 6-year straight-line program leading to a doctor's degree is authorized for undergraduates. Also authorized are a program of college scholarships in science and engineering at other schools and a program of graduate fellowships both at the research institutes of the Academy and at other colleges and universities.

Research institutes in specialized fields of science are to be established, among them an Institute of Meteorology, an Institute of Oceanography, an Institute of Astronautics, an Institute of Medicine, and others deemed necessary.

A limited number of foreign nationals from friendly countries may be admitted, provided they pass a security check, but their number shall not exceed 10 percent of the total number of science trainees attending the Academy.

The proposed Science Center would be nonmilitary in nature and would emphasize the peaceful pursuits of the United States in the sciences, which can and must be separated from military scientific research. It would compete with the so-called Freedom University in Moscow by inviting foreign students to come to the United States to study and to develop into mature scientists able to help their underdeveloped countries. Here they could pursue their studies and research in freedom, observe our way of life, and become convinced of our peaceful intentions.

The Science Center would fill a gap presently existing in trained scientific personnel by providing education and training for young men and young women who, under present circumstances, could not obtain such an education. Outstanding graduate students and noted scientists from all over the country would be attracted to the Academy and its research institutes. Creation of a Science Career Service would elevate the scientist's stature in the public eye as a man interested in the promotion of human welfare and peace. At the same time, the U.S. Government would be guaranteed of a sufficient supply of scientists in this fast-moving era of world competition.

The research institutes, which we would strive to make the largest in the world, would provide the most modern facilities available for research. The best scientific brains from our own country, as well as selected scientists from abroad, would be invited to work there.

There is no need to stress the importance of the basic and engineering sciences in the world of today. My bill would go a long way toward meeting our most urgent national problems in science and engineering: the shortages of trained manpower (and womanpower) for private and public employment, of qualified science teachers, and of facilities and funds for scientific research. The bill would also help overcome our lag compared with the U.S.S.R. in the annual number of graduates both in engineering and in many forms of natural 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 38,000 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.

The Science Academy and its research institutes would serve to stimulate the people of the underdeveloped countries in furthering their economic growth, in improving their national health, in developing their human and material resources, and in attaining a higher standard of living. In this way, we could be instrumental in creating through science a world of abundance where no people need be in want. In the years to come, this important institution would pay for itself in many ways through better education, advanced research, scientific progress, and good will.

It is our plan to hold more hearings before our subcommittee in early 1961. The hearings will be designed, first, to determine the present status of scientific and engineering education and research in the United States. Not only universities and engineering schools, but Government and industrial research facilities and training programs as well, will be included in the survey. The second purpose of the hearings will be to find out what kinds and amounts of trained scientific and engineering manpower the United States will need over the next 10 or 20 years. Earlier hearings have indicated that far more qualified manpower will be needed than existing educational institutions are likely to produce. According to the testimony, statistical studies have led to a consensus that some 10,000 more scientists and engineers per year are needed than our schools are graduating. Yet we were told that in 1955 between 60,000 and 100,000 high school graduates of college ability failed to enroll in college for

financial reasons, and perhaps an additional 100,000 did not enter college because of lack of interest. We must stop this wanton waste of human resources. In today's world, we can no longer afford it.

The proposed hearings will also consider whether larger grants and loans to existing educational institutions could by themselves solve our national problems in science and engineering. It would seem to me that earlier hearings have already foreshadowed the answer to this question. Obviously, we need a coordinated program that can set national standards and do the job efficiently and economically. The National Science Center could serve as a nucleus as well as a clearinghouse for the training offered by our engineering schools and universities.

I want to make it clear that I do not regard the National Science Center as excluding or even restricting the provision of additional scholarships, fellowships, and loan funds, or as competing with further direct aid to existing educational institutions. In my opinion, the urgency of the times requires us to act in all these ways and in many others. This problem has been with us for a long time, growing worse every year, until it plainly threatens our future prosperity and safety. It is high time to take effective action.

The Post Office: Yesterday, Today, and Tomorrow

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 9, 1961

Mr. VAN ZANDT. Mr. Speaker, at Snow Shoe, Pa., on September 24, 1960, it was my pleasure to participate in the dedication ceremonies of the community's new post office building and to deliver the following address:

THE POST OFFICE: YESTERDAY, TODAY, AND TOMORROW

(Address by Representative JAMES E. VAN ZANDT, Member of Congress, 20th District of Pennsylvania, at the dedication of the Snow Shoe, Pa., Post Office, Saturday, Sept. 24, 1960)

It is a pleasure to be here today and share with you this memorable and happy occasion. I am honored to be able to participate in this ceremony and help dedicate this building which will stand as a symbol of the progress and growth of this community.

This modern post office providing 1,200 square feet of interior space with new modern lighting and equipment as well as an outside loading platform and parking facilities is part of the program of the Post Office Department to modernize 12,000 of its some 36,000 post offices.

It is pleasing to me to realize that my support in Congress of legislation to authorize improved postal services has resulted in the construction in my congressional district of this fine post office at Snow Shoe and similar ones at Duncansville, Pleasant Gap, Claysburg, and several others in the blueprint stage.

In congratulating the residents of Snow Shoe on their good fortune in obtaining modern postal facilities I wish to commend Postmaster Sullivan and the loyal employees of the local post office as well as the members of the Snow Shoe Lions Club for the public spirit they have manifested in the desire to give this community the benefits of a modern post office.

During the fiscal year 1960 Congress appropriated sufficient funds to permit the modernization of 1,400 post offices.

This occasion gives us an opportunity to reflect on what the postal service means to us.

There are few institutions which touch each of our lives as universally as the post office.

Churches and schools come to mind when you think about important institutions in our modern society but we do not all go to the same church and our direct contact with school is lost when we graduate.

The post office serves all of us daily—delivering our messages and packages. Social and business organizations are equally dependent on the post office. In fact it can be said that the economy of our country would come close to collapse without the unique and dependable services of the postal service.

The post office is a vital link in our country's communication system. The progress of our modern society and that of former civilizations can be traced by developments in the field of communications.

The postal service was one of the first steps in the development of mass communication technique that now includes the telephone—the telegraph and radio—and television. These advancements have made it possible for men to convey their thoughts to others without being limited to face-to-face communications.

The post office historically has carried the major share of the burden of transmitting ideas and information. It continues to perform this role today.

The volume of mail in the United States increased by some 17.7 billion pieces in the last ten years alone.

Since this year marks the 100th anniversary of the pony express we are vividly reminded of the long and at times dramatic past of the modern post office.

A brief glance backward reveals that the postal service has had a vital role in our national development.

The first post office on American soil was established in the home of Richard Fairbanks in Boston in 1639 by a decree of the great and general court of the Colony of Massachusetts Bay.

Putting the delivery of mail under Government protection represented a great improvement in the available means of communication in the American Colonies.

Colonists who had been dependent on travellers, ship's captains, and innkeepers to carry and deliver their letters were enthusiastic about the creation of a postal service.

Mail delivery between the colonies was initiated by the 1672 decree of the Governor of New York establishing a mail route between Boston and New York. The road built to traverse the miles of wilderness between these two centers of colonial life has become known as the Boston Post Road. This road was the first of a number of post roads that were blazed through the wilderness from Maine to Georgia to allow the post riders to carry the mail from one settlement to another.

These post roads soon became the accustomed routes of travel for everyone and formed the nucleus of the first colonial highway system.

Postal service was operated as a business enterprise for profit under the British colonial administration.

The need for a postal service that was operated as a public service rather than a moneymaking scheme was recognized by the First Continental Congress which created the first American public postal system in 1775.

This postal service was an invaluable aid to the revolutionary cause since it furnished the best means of communicating news, information, and official Government intelligence.

The public service character of the post office was further insured by the Constitution which gave Congress the power to create a Federal postal service.

The Post Office Department was administered by the Treasury Department until 1829 when it became a separate Federal department.

The services rendered by the post office have been continually improved down through the years as America has grown and prospered.

In 1790, this young Nation encompassed an area of 867,980 square miles and had a population of almost 4 million.

There were only 75 post offices in those Thirteen Original States of the Union and less than 2,000 miles of post roads. There are now more than 36,000 post offices to serve over 180 million people in an area covering more than 3½ million square miles.

Postal service has come a long way since the days of post riders and stagecoaches.

The advent of the railroads brought the first major advancement in the transportation of the mail. By 1838 all railroads were made post roads.

The mail was being carried on some 10,000 miles of track by the end of the 1840's—the first railway post office cars came into existence in the early 1860's.

The introduction of railroad travel reduced the time required to transit mail by over 60 percent. The trip from Washington, D.C., to Philadelphia, which took 20 hours by stagecoach, was reduced to 6 hours by train.

The westward trek of the settlers and gold prospectors in this period gave rise to one of the most famous episodes in the history of the post office—the pony express.

The pony express mail service filled in the missing link between the most westward extension of the railroads and the west coast.

Pony express riders carried the mail between St. Joseph, Mo., and Sacramento, Calif., a distance of some 2,000 miles through wilderness and hostile Indian territory. The trip was frequently made in only 8 to 10 days by using some 80 relay riders, 400 to 500 horses, and 119 relay stations along the route.

The pony express mail service has captured the imagination of succeeding generations of Americans up to the present and will always be remembered as part of our pioneer history. It personifies for us the spirit of postal progress which has continued to characterize the Post Office.

The Post Office has been quick to adopt new technological advancement in order to improve its service.

The development of motor transport brought a number of significant improvements in postal service. The automobile was responsible for promoting the growth of rural free delivery which represented a major extension of postal service.

Rural free delivery proved itself an invaluable service to our Nation's farm families. This service has enabled farmers all over the United States to get newspapers and magazines as well as letters without having to go into town to pick them up.

Rural free delivery provides a vital communication link between countless farm families and the rest of the world by bringing the mail daily in all types of weather. The American farmer is indebted to that loyal group of rural mail carriers whose slogan is "Service with a smile."

The development of the automobile also brought a number of improvements to communities with city delivery services. The use of trucks has made it possible to deliver parcel post packages as well as letters in the city.

The early post rider was able to carry only letters when he was dependent on the horse for transportation.

Domestic parcel post service was not introduced until 1913. Since then, the parcel post truck on city streets has become such a familiar sight that we are apt to take this service for granted.

The development of airmail in the 20th century has further reduced the time element in mail service.

The first airmail flight was made in 1918 between New York and Washington. The Post Office operated its own planes in the beginning, but began contracting this service with private air carriers in 1926. The Post Office is credited with furthering night flying by insisting the mail be sent with the least possible delay. The use of airmail has increased tremendously until now some 97 million ton-miles of airmail are being transported annually by domestic airlines.

Some 17 million ton-miles of first-class mail also is being transported by air in order to expedite delivery in urban areas where surface transportation facilities are inadequate.

The diminishing number of passenger trains combined with the growing volume of mail, increasing population, and the growth of new communities make it likely that air transportation in some form will be used more and more in the future.

We are just entering a new phase in the field of transportation and communications —the missile and space age. The first official mail delivery by guided missile was made by a Regulus missile on June 8, 1959. This missile carried its historic load of 3,000 letters 100 miles from a submarine to the coast of Florida. This event inaugurated an entirely new concept in postal service.

The Post Office has been altered in terms of the types and number of services it provides as well as by its mode and speed of transporting the mail since the colonial days.

Under the capable administration of Arthur E. Summerfield, the Post Office Department is continuing to improve its services.

In recent years the postal service has been engaged in a program of modernizing its mail handling facilities. Another phase of this same program of improving our postal facilities is the commercial leasing program inaugurated in 1953.

President Eisenhower began a $2 billion post office program in 1953 to provide the country with 12,000 new post offices and modernize some federally owned ones. This program represents an attempt on the part of the administration to encourage the construction of new post offices. These buildings are built according to postal service specifications but financed by local interests and then leased by the Government.

With its share of the program—a half billion dollars—the Federal Government equips these new post offices and modernizes the federally owned buildings which can be made suitable to modern needs. Part of the half billion is being used to install the new mail handling facilities. This modernization program of President Eisenhower and Postmaster General Summerfield has been quite successful.

More than 2,000 new post office buildings were erected in the first 4½ years of the program. The postal facilities of others have been significantly improved.

The communities acquiring these new post offices have gained not only a more attractive and efficient place in which to transact their postal business, but also have been given a valuable economic asset which furnishes them with a stable productive income. We can be proud that this new post office here in Snow Shoe is part of that great program. It will remind us of the ways our postal service is keeping pace with the Nation's growth and progress.

I would like to close with one last reminder of the high ideals and the unmatched spirit of the American postal service which has served us so faithfully since the colonial days by quoting the words of Charles W. Eliot and Woodrow Wilson which have been inscribed on the facade of the Central Office in Washington, D.C.

"Messenger of sympathy and love, servant of parted friends, consoler of the lonely, bond of the scattered family, enlarger of the common life, carrier of news and knowledge, instrument of trade and industry, promoter of mutual acquaintance of peace and good will among men and nations."

Federal Commission on Aging

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. FOGARTY. Mr. Speaker, today more than 3,800 delegates and specialists in the field of aging from every part of the United States and abroad, are meeting here in Washington in the first White House Conference on Aging.

During the State meetings preceding this Conference, over 6,000 recommendations were made for improving, expanding, and initiating action to meet the urgent needs of our Nation's deserving and neglected senior citizens.

You will recall that after years of insistent prodding, criticizing, and persuading the responsible departments and agencies to develop more realistic and dynamic programs for the elderly, the Congress became impatient and enacted my bill calling for this White House Conference on the subject.

Since the passage of the bill in August of 1958, I have followed the planning, appropriations, and progress reports with deep personal interest and concern.

The actual cost of the Conference to date has not been compiled. However, I would estimate that at least $2 million has been spent. Every American citizen has a right to expect a reasonable return on this investment and I believe it is the duty of this Congress to protect the taxpayers' interest and at the same time promote the Nation's welfare, by taking action now to insure positive results of the Conference.

During budget hearings before my committee, from the testimony presented before the House subcommittee of the Committee on Education and Labor considering bills on a Bureau of Aging, and from a review of State reports of their conferences on aging, I have become convinced that once again, Congress must initiate the action that will safeguard the rights of elderly citizens and advance a program that will be in the Nation's best interest.

I have studied the various proposals for a Bureau of Aging, a Division of Aging, a U.S. Office of the Aging, and other variations of organizations to give leadership and responsibility for Federal programs in aging. All of these have at least one great weakness—they would be located within the Department of Health, Education, and Welfare.

Granted that this Department may have a major program responsibility for activities affecting the aging—it does not include them all. Employment, housing, veterans hospitals and facilities, railroad retirement, civil service, small business, and other areas important to the elderly are handled by other departments or agencies. It is my firm conviction from a critical analysis of the work of the special staff on aging in the Department of Health, Education, and Welfare, the interdepartmental committee on aging, and the Federal Council on Aging that independence and balanced programing is not possible, whenever or wherever an activity is located within the framework of an existing operation. It automatically takes on the slant or direction of its program or policy and alienates the feeling of responsibility of the other members.

For these reasons, I am introducing a bill to establish a Federal Commission on Aging. It will be bipartisan and directly responsible to the Congress and to the President. It will have the cooperation of all departments and agencies without the influence or pressure of any one of them.

Sufficient funds will be appropriated to provide for adequate staff, grants to the States for special projects, planning and research, and to establish and maintain a national program focused on problems that concern not only the elderly but are vital to the economic stability and manpower resources of the entire country.

We must not lose the gains or the momentum that has been created by the White House Conference on Aging. A Federal Commission on Aging as proposed in my bill will insure a balanced national program that will not only implement the recommendations of the Conference but give continued, independent leadership and justify the confidence the American people of all ages have placed in their representatives to enact legislation in their and the Nation's best interests.

I earnestly hope the Federal Commission on Aging bill will be recognized for immediate consideration and that you will give it your full cooperation and support.

The Recognition of Red China

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1961

Mr. McCORMACK. Mr. Speaker, in my extension of remarks I include a powerful and convincing address delivered on October 13, 1960, by His Excellency, Richard Cardinal Cushing,

archbishop of Boston, at a dinner at Roberts Center, Boston College, Chestnut Hill, Mass., by the Boston chapter, Sino-American Amity, to raise funds to be used toward the establishment of the Catholic University of China in Formosa.

In his address Cardinal Cushing discussed the argument for and against the recognition of Red China clearly showing that under world conditions and the aggressive policies of Red China, it would not be in the national interest of our country to extend such recognition.

In view of what is happening in Laos at the present time, as well as other events which have happened recently, any reasonable-minded person, who heretofore, felt that Red China should be recognized by our country or admitted into the United Nations, has plenty of evidence to show their thinking was in error.

In my extension I also include remarks I made on the occasion of the dinner held on October 13, 1960.

The articles follow:

THE RECOGNITION OF RED CHINA

(Address by Richard Cardinal Cushing, archbishop of Boston, Roberts Center, Boston College, Oct. 13, 1960)

The controversy over the recognition of Red China has lasted for 10 years and attained greatest publicity and, indeed, success at recent meetings of the United Nations. The question is, Should other nations and especially the United States diplomatically recognize the present regime on the mainland of China? If we do, Red China would be in a good position to occupy the Chinese seat in the United Nations and to adjust her international relations with the free nations. If that ever happens, we might be forced to withdraw entirely from the U.N. But despite the fact that the margin of victory for the American position was smaller this year in the U.N. than it had ever been before, I do not believe that we are fighting for a lost cause.

The arguments relating to recognition have changed somewhat with the passing of time. But, the main principles, like all fundamental principles never change.

The advocates of closer diplomatic ties between the United States and Communist China and the replacement of free China in the United Nations by Red China base their arguments on various assumptions:

If we are realistic we must recognize Communist China. The Communists are in power on the mainland of China. There is little that we, or the free Chinese on Formosa can do, to change the situation. We must be realistic. We cannot ignore 600 million people on the mainland of China. We must accept the Communist regime that governs them. To this assumption we reply:

To recognize Communist China would betray American principle and practice. Communist China in no way represents the will or aspirations of the Chinese people. It came to power by force and deceit and continues to hold power by force. Today, after 10 years, less than 2 percent of the people belong to the Chinese Communist Party. It has maintained control by constant purges and the liquidation of at least 18 million Chinese. It has subjugated 600 million people, but it has not won their hearts.

Even though the policy of our Government in recognizing others necessarily permits some elasticity, yet its fundamental principle has been that of Jefferson, who in 1792 said, "It is in accord with our principles to acknowledge any government to be rightful which is formed by the will of the nation, substantially declared." Insistence on the substantial nature of the declaration of popular approval has remained the guiding principle of the policy and practice of the United States to the present time. Effective control of a country depends on popular consent of the governed rather than on an external form of government.

The second argument in favor of recognition is rooted in trade and its possibilities. It is stated that, if we recognize Communist China, we shall expand our trade. Red China is a great potential market for western production. Since other free nations, notably Britain, are trading with Red China, the American embargo, with its ban on United States-Red China trade, has become academic and impractical. Recognition of the regime would provide the means for furthering the interests of American firms in the Far East.

The very opposite is the truth. Recognition of Red China would result in trade beneficial to the Red government, not to the free world generally or the United States in particular. Great Britain, one of the first non-Communist countries to recognize the Red regime, found the answer the hard way. After the Communist occupation of the mainland, British investments amounting to hundreds of millions of dollars were promptly confiscated by the Red government.

For our country, which once did a $1 billion business in China, the prospects of trade are virtually nil. If we have any doubt about this, we should recall the story told by a representative of an American business firm in China. He was permitted to leave the Chinese mainland in the summer of 1956, after his company had suffered losses totaling nearly $5 million. "Our companies," he said, "were wrung dry like dishrags until we had lost everything. To all intents and purposes, this was the swan song of American business in China."

Red China is definitely committed to trading with other members of the Communist bloc and they only trade with the Western nations when it suits their political purpose and when it is made on their terms. It is a matter of record that of Red China's exportable surplus, estimated at $4 billion, 80 percent or $3,200 million, is earmarked for Russia and its satellites. In return, Red China is required to spend what it gets from its exports to buy goods from Russia and other Communist States.

We also know from experience that China will never purchase from the free world anything other than strategic materials for purpose of war and that to ease our restrictions on trade with Red China would give prestige to the regime and bolster its economy. It would undoubtedly improve Communist China's business relations with the smaller nations in Asia. Her cut-price dumping policy in exporting rice and tin has already disturbed the predominant rice economy of Thailand and Burma, and the predominant tin industry of Malaya.

Furthermore, it has been revealed again and again that Red China is engaged in narcotics smuggling on a gigantic scale. Drugs are a state monopoly, a foreign exchange earner, and a political and economic weapon for furtherance of Communist expansion. In 1955, it was estimated that the narcotics sold in America were valued at $350 million. Trade with Red China would expose ourselves to more extensive traffic in drugs.

The third argument for the recognition of Red China pertains to the peace of the future. It is said if we recognize Communist China we shall relieve international tensions, the roots of war. Crises and tensions exist everywhere in Asia. They are the results of our failure to recognize Communist China. By breaking diplomatic relations and forbidding ourselves to communicate with the Reds, we deprive ourselves of the means whereby we might pursue peace without risk of war.

This argument is not very strong.

The systematic exploitation of world tensions is the very essence of Communist technique. Red China is deliberately seeking to increase tensions of every kind; intellectual, political, economic, social, diplomatic, and military, to a point beyond endurance by the free world. When relief is sought by concessions, new tensions are created. Communism, both in Russia and in China, operates under this strategy. Conflict must never cease. Neither Soviet Russia nor Red China can accept a true peace. They will stop creating tensions only when their policy of world conquest has been completely carried out or when they are themselves placed under counter pressures, political, economic and psychological, so great that they must make long overdue concessions to justice and a humanly acceptable world order.

Mao Tse-tung declared that "political power grows out of the barrel of a gun". Recently this axiom was reaffirmed by the Peiping Defense Minister when he said: "Our policy is a policy of fight fight, stop stop—half fight, half stop. This is no trick but a normal thing." This expresses the very basis of the entire philosophy of communism.

At times we must negotiate but we can do so without recognizing such a government. We negotiated the Korean armistice with Chinese Communists. We took part with them in the Geneva Conference of 1954 which ended the hostilities in Indo-China. Since August 1955, we have conducted negotiations at the ambassadorial level with them, first at Geneva and later at Warsaw. We sought thereby to bring about the liberation of Americans unlawfully detained in Communist China, and to establish a condition of tranquility in the Formosa area.

If Red China is sincere in carrying on negotiations with us, she could freely do so through existing channels. Experience indicates that the regime seeks recognition in order to gain more strength and prestige to advance international tensions rather than to relieve them. Even though China has been plagued by widespread flood and drought, the Red government refused assistance offered by the International Red Cross which sought to relieve the miseries of the Chinese people. This is a proof that the Communists do not even wish to remove the internal tension of their own society. How then can we expect them to lessen tensions toward other peoples?

Red China, by Peiping's own admission (for whatever it's worth) is having the worst drought in the 11 years the Communists have ruled.

As a result, the overworked peasants of the communes face the prospect of going on rations only a scant margin above subsistence level.

But note this: Less than a month ago Communist China signed an agreement for a 25 million loan to the leftward-leaning African State of Guinea, "free of interest and with no conditions attached." The stated idea of this outlay is to "strengthen the friendship and solidarity of the peoples of China and Guinea."

Meanwhile, Peiping boasts of quadrupled food exports over the past 7 years. This, together with such propaganda loans as to Guinea, means a ruthlessly enforced famine to enhance the glories of communism and plant the Red flag in still another country.

The fourth argument for the recognition of the totalitarian rulers of China is a sort of corollary from the third. It states that: To recognize Communist China does not signify our approval. Recognition implies neither approval nor disapproval. It is only a practical arrangement suitable for maintaining contact with the regime. We recognized Soviet Russia in 1933. Why should we not do the same with Communist China, as a tyranny no different from that of Communist Russia.

The truth is that to receive recognition from the strongest and most influential country in the world after recognition was first denied would be a triumph for Red China almost as a great military victory. Recognition in this case would imply something more than approval. It would imply capitulation, surrender. It is the most dangerous thing that we could possibly do. Who among those clamoring for recognition of Red China would ever support recognition of Hitler's Germany now that its barbarous conduct has been revealed? How much good did recognition of that regime ever accomplish?

It is true that we recognized Soviet Russia in 1933. Among the conditions were that Russia would not interfere in U.S. affairs. The Soviet Union has not kept that condition or any other important international commitment. We have a long and well-documented history of Communist duplicity. Such cynical betrayal of truth has never been equalled in the history of mankind. Had there been clear warning about Soviet Russia's insincerity, it is doubtful if recognition would have been accorded in the first place. In the case of Communist China, we have been unmistakably forewarned.

As the late John Foster Dulles has said, "Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends."

Finally, it is contended that if we recognize Communist China we shall drive a wedge between China and Russia. Let us admit for the sake of argument that there is some discord between Peiping and Moscow. Yet the area of discord is accepted by both Governments and subordinated to one common mission of the Soviet-Peiping coalition, the domination of the entire world. Their unity is further consolidated by the fact that both face a common obstacle, the United States. Economically, politically, and militarily, Peiping depends upon Moscow. From the foundation of the Chinese Communist Party, no one demonstrated any lack of fidelity to communism either in the teaching or in the practice of the present rulers on the mainland of China.

Because of their fidelity to the realization of a universal empire it should be presumed that Russia and Red China will act as a team for the indefinite future. They would be immensely strengthened in prestige and effectiveness if recognition were accorded by the United States. Otherwise, why all the support from the leader of the Kremlin and his entourage at the United Nations?

Let us also remember that recognition of Red China could mean the liquidation of free China and the acceptance of Red China into the United Nations.

The anti-Communist Government of the Republic of China on Formosa is a symbol of Chinese opposition to communism. It is the only rallying point in the world for non-Communist Chinese, the only focus of loyalty for millions of Chinese on the mainland and throughout southeast Asia. If the Republic of China on Formosa was ever liquidated, it would extinguish a beacon of hope for millions on the mainland. The 10 million people on that island would be delivered to the slavery of the Communists and the 12 million oversea Chinese would become subject to further pressure as instruments of infiltration and subversion in the countries where they reside. As for admission of Communist China to the United Nations, Red China is certainly not qualified for membership under the terms of the charter of that organization.

We know that our position is just. We also know that our anti-Communist effort must stand fast and firm. Our policy of nonrecognition of communistic China is absolutely sound. This policy along with our continued political, economic, cultural and military support of the free democratic forces throughout Asia represents one of the glories of our country in this 20th century. Whatever our failure in the details of application, our policies are fixed on principles that we cannot change without terrible damage to free China, to the free world and to our own country.

Your presence here tonight is proof that you agree with all this—for you are giving your support to the foundation of a university on Formosa that one day will send forth future Chinese leaders trained under the age-old principles founded on the laws of God and the dignity and the freedom of man.

REMARKS BY HON. JOHN W. MCCORMACK, OF MASSACHUSETTS

Gathered here tonight are men and women of all religious beliefs to show by our presence our deep respect, friendship, and affection for two great churchmen of the Catholic Church. His Eminence Richard Cardinal Cushing, archbishop of Boston, and the Most Reverend Paul YuPin, archbishop of Nanking, China. They are not only two great churchmen, but they are two of the outstanding citizens and figures of the world—the world of God and His law, the world of liberty, the world comprised of free nations under governments of law and not of men, the world of love and not of hate, love of God and neighbor, not hatred of God and neighbor.

For both of these great churchmen and world figures are deeply respected by persons of all creeds, Catholics, Protestants, and Jews.

Archbishop YuPin has received from His Holiness, Pope John, a most important assignment—one far reaching in nature, and which will benefit mankind everywhere and particularly in the part of the world of major importance in combating and defeating the sinister aims of atheistic or international communism. This duty and responsibility is to establish and build in Formosa a Catholic university, to which will go young men and women of all creeds to receive a higher education, which they will carry with them in their journey through life.

This assignment is a hard and difficult one calling for a large sum of money to construct the buildings, establish the faculty, the staff and professors, so necessary in order to instill in the students moral values and human values, to educate them to be leaders in their countries, particularly in the Far East, leaders in all walks of life and dedicated to freedom and a government of law and not a government of men.

And our beloved Cardinal Cushing is sponsoring this banquet, the proceeds of which will be used toward the establishment of this university. And further, Cardinal Cushing has committed himself to the raising of a large sum of money toward the establishment of this university, which in years to come will become one of worldwide importance. One thing we may be certain of is that no student attending this university will ever be a Communist.

His Holiness, Pope John, exercised excellent judgment in selecting Archbishop YuPin for this important task and in designating him to be the first rector of the university.

For in the troubled world of today there are no two men who understand better the sinister destructive intent and purposes of atheistic communism than do Cardinal Cushing and Archbishop YuPin.

Among the first 10 on the list of the Red Chinese to be persecuted or killed if captured, is Archbishop YuPin. The Red Chinese would go to any extent to capture or kidnap the archbishop, for they know Archbishop YuPin, to countless millions of Chinese everywhere, both within and outside Red China, is a symbol of their hopes and aspirations, the early return of their liberty and their culture.

And I think I know something about the world killer minds of those in the Kremlin.

For 26 years ago I was chairman of a congressional committee that investigated communism, nazism, fascism, and bigotry. And 26 years ago, I and the members of my committee, found and reported to the Congress that communism was an international conspiracy with the intent to conquer and dominate the world.

The Smith Act was introduced by me. The Foreign Agent Registration Act is the McCormack Act.

Most persons laughed and scoffed at me 25 years ago, but Cardinal Cushing and Archbishop YuPin, as young priests, saw that communism was international in intent and purpose, and like myself they saw its potential danger to the world.

And Archbishop YuPin will be in the frontlines of this battle between the forces of good and the forces of evil.

And anything we can do to help him quickly establish the university at Formosa will be a maximum contribution on our part in affirmatively combating and ultimately defeating communism on a world level.

In a world of today, it is vitally necessary that America be powerfully strong in all respects, morally and militarily.

From a material angle the only thing the Communists respect is what they fear, that is military strength and power greater than they possess themselves. And if we are going to err in judgment, it is far better that we err on the side of strength than on the side of weakness.

In the world of today America cannot afford to be second best in any important field.

We hear Khrushchev boast that communism will "bury us." We hear of his other boasts and constant threats. We see him strutting around at the United Nations. We witness him using the United Nations for propaganda purposes and to intimidate other nations.

Only last Tuesday in another threat he said his country "can produce rockets like sausages."

The world is caught between two countries, our own country and the Soviet Union. All peoples in all countries want to be free, and countless of millions behind the Iron Curtain and in Red China look to America with hope and prayers. For they recognize that America is the leader of all nations and in the minds of all persons who want the God-given right of freedom under law.

America has a rendezvous with destiny. Will we rise to meet the test of leadership that lies upon our shoulders?

This means the willingness to make sacrifices on our part. As the days of martyrdom are here again, and this applies to all religions, it means that we must have the spirit of the Crusaders and in helping Archbishop YuPin carry out his mission of a Catholic university in Formosa you are making a contribution in an affirmative, not a negative way in holding back and ultimately rolling back the world killer hordes of international or atheistic communism.

If any of you can give additional contributions to this cause, you are not only helping build and put into operation this new university, but you are aiding in an effective way in winning the cold war.