By Mr. FASCELL:

H.R. 8655. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for public information and publicity concerning instances where competitors submit identical bids to public agencies for the sale or purchase of supplies, equipment, or services, and for other purposes; to the Committee on Government Operations.

By Mr. PILLION:

H.R. 8656. A bill to reduce nondefense personnel by 10 percent; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR (by request):

H.R. 8657. A bill to amend section 359 of title 38, United States Code, to provide that such section shall become effective as of the date of its enactment; to the Committee on Veterans' Affairs.

By Mr. POFF:

H.J. Res. 528. Joint resolution declaring Communist arms and munitions contraband in the Western Hemisphere and making provisions to enforce the same; to the Committee on Foreign Affairs.

By Mr. HIESTAND:

H. Con. Res. 367. Concurrent resolution expressing the sense of the Congress with respect to the recovery of the aircraft seized and taken to Havana, Cuba, on July 24, 1961; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 8658. A bill for the relief of Mrs. Reiko Nakashima McIntyre; to the Committee on the Judiciary.

By Mr. BRUCE:

H.R. 8659. A bill for the relief of Jackie Bergancia Smith; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 8660. A bill for the relief of George C. Katsileros; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 8661. A bill to exempt from taxation certain property of the American War Mothers, Inc.; to the Committee on the District of Columbia.

By Mr. LANE:

H.R. 8662. A bill for the relief of Jose Fuentes; to the Committee on the Judiciary.

H.R. 8663. A bill for the relief of Gurthrie Loyd Jones; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 8664. A bill for the relief of Martynas Vytautas Glasze; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 8665. A bill for the relief of A. A. Lindley; to the Committee on the Judiciary.

PETITIONS, ETC.

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

204. By Mr. BEERMANN: Petition of Mrs. Rudy Schacher of Monroe, Nebr., concerning congressional responsibility for the future of our Nation and our children; to the Committee on Foreign Affairs.

205. By Mr. RIEHLMAN: Petition of the Board of Supervisors of Onondaga County, N.Y., expressing the board's support for the President of the United States in his stand on the Berlin crisis; to the Committee on Foreign Affairs.

SENATE

THURSDAY, AUGUST 10, 1961

The Senate met at 10 o'clock a.m., and was called to order by the Vice President.

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

Our Father God, into the calm and confidence of Thy waiting strength we would bring our drained resources that the benediction of Thy peace may fall upon our restless lives. For another day and for another chance to serve a world whose wounds are grievous and which so loudly calls for help, we are truly thankful.

We beseech Thee this day to free us from the hindering faults that so easily beset us. Deliver us from dread of the future, from the paralyzing fear of failure, from cowardice in face of danger, and from all compromise or appeasement with evil.

Grant us faith strong enough for the darkness through which we grope our way.

We pray, in the name of the Captain of our salvation. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Tuesday, August 8, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H.R. 6302) to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1085. An act to provide for the disposal of certain Federal property on the Minidoka project, Idaho, Shoshone project, Wyoming, and Yakima project, Washington, and for other purposes;

S. 1294. An act to supplement and amend the act of June 30, 1948, relating to the Fort Hall Indian irrigation project, and to approve an order of the Secretary of the Interior issued under the act of June 22, 1936; and

S. 1815. An act to provide for one additional Assistant Secretary of Labor in the Department of Labor.

HOUSE BILL REFERRED

The bill (H.R. 6302) to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes, was read twice by its title and referred to the Committee on Labor and Public Welfare.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on the Judiciary of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

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

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

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

George A. Bukovatz, of Montana, to be U.S. marshal for the district of Montana.

By Mr. JACKSON, from the Committee on Armed Services:

Finn J. Larsen, of Minnesota, to be Assistant Secretary of the Army.

By Mr. CASE of South Dakota, from the Committee on Armed Services:

Col. Roy E. Cooper, Wyoming Air National Guard, and sundry other officers, for appointment as Reserve commissioned officers in the U.S. Air Force.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

By Mr. BYRD of West Virginia, from the Committee on Armed Services:

Brig. Gen. Thomas Patrick Carroll, Army National Guard of the United States, for promotion to major general, as a Reserve commissioned officer of the Army; and

Col. Thomas Joseph Donnelly, and sundry other officers, for appointment as Reserve commissioned officers of the Army, in the Adjutant General's Corps, Army National Guard of the United States.

EXECUTIVE REPORT OF COMMITTEE ON ARMED SERVICES

Mr. CASE of South Dakota. Mr. President, from the Committee on Armed Services, I report favorably 599 promotions to the grade of colonel in the Regular Air Force. All of these names have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. The report will be received, and the nominations will lie on the desk, as requested by the Senator from South Dakota.

The nominations are as follows:

Ben M. Adams, and sundry other officers, for promotion in the Regular Air Force.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

U.S. REPRESENTATIVE TO THE EUROPEAN COMMUNITIES

The Chief Clerk read the nomination of W. Walton Butterworth, of Louisiana, to be representative of the United States of America to the European communities.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

INTERNATIONAL MONETARY FUND

The Chief Clerk read the nomination of Frank A. Southard, Jr., of New York, to be U.S. Executive Director of the International Monetary Fund.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

The Chief Clerk proceeded to read sundry nominations of collectors of customs.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

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

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

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

LEGISLATIVE SESSION

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON TRANSFER OF FUNDS AUTHORIZED FOR AIR DEFENSE MISSILE INSTALLATIONS

A letter from the Deputy Secretary of Defense, reporting, pursuant to law, that the establishment of missile installations which have been required as a part of the Department of Defense air defense plan, has not necessitated the transfer of funds, during the 6-month period ending June 30, 1961; to the Committee on Armed Services.

AMENDMENT OF TITLE 38, UNITED STATES CODE, RELATING TO WAIVER OF INDEBTEDNESS IN CERTAIN CASES

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration (with an accompanying paper); to the Committee on Finance.

REPORT ON U.S. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

A letter from the Acting Secretary of State, transmitting, pursuant to law, a report on the extent and disposition of U.S. contributions to international organizations, for the fiscal year 1960 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON EDUCATIONAL EXCHANGE PROGRAM

A letter from the Acting Secretary of State, transmitting, pursuant to law, a report on the educational exchange program, for the calendar year 1960 (with accompanying papers); to the Committee on Foreign Relations.

AUTHORIZATION FOR ANY FEDERAL AGENCY TO WAIVE PERFORMANCE AND PAYMENT BONDS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the act of April 29, 1941, as amended, to authorize any Federal agency to waive performance and payment bonds, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

SHRIMP IMPORTS—RESOLUTION OF TEXAS HOUSE OF REPRESENTATIVES

Mr. YARBOROUGH. Mr. President, I present, for appropriate reference, a resolution adopted by the House of Representatives of the State of Texas, relative to the importation of shrimp into the United States. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION 47

Whereas bills have been introduced in the Congress of the United States seeking to curb excessive imports of shrimp and to bring some measure of stability to the domestic shrimp market, such bills being exemplified by H.R. 6168 and S. 1571; and

Whereas the shrimp fishery of the State of Texas constitutes one of its most important industries and provides a wise utilization for this valuable natural resource; and

Whereas the shrimp fishery of the State of Texas has been adversely affected and financially crippled by unstable market conditions brought about in whole or in part by uncontrolled foreign imports of shrimp; and

Whereas it is the understanding of this legislature that it is unable to cope with the problem and afford to the shrimp fishery protection which it needs and that such remedial measures are within the power and the purview of the Federal Congress and the Executive: Now, therefore, be it

Resolved, That the House of Representatives of the 57th Legislature of the State of Texas, assembled in special session in Austin, Tex., does hereby petition the Congress of the United States and the departments of the executive branch of the Federal Government to exert their best efforts to bring about a measure of stability to the domestic shrimp market by a regulation of imports of shrimp so that the domestic shrimp industry may survive and prosper, giving employment to Americans, utilizing fully this valuable natural resource, and preserving and maintaining the individual and independent seamen and producers who wrest their living dangerously from the sea; and be it further

Resolved, That copies of this resolution be provided to the President and Vice President of the United States, the Secretary of each department of the executive branch, and to the Texas Members of the Congress of the United States.

JAMES A. TURMAN,
Speaker of the House.
DOROTHY HALLMAN,
Chief Clerk of the House.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CASE of South Dakota, from the Committee on Armed Services, without amendment:

H.R. 7725. An act to authorize the Secretary of the Army to reconvey to the town of Malone, N.Y., certain real property heretofore donated by said town to the United States of America as an Army Reserve Center and never used by the United States (Rept. No. 701).

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H.R. 7721. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Fort Sheridan Military Reservation, Ill. (Rept. No. 702).

By Mr. CANNON, from the Committee on Armed Services, without amendment:

H.R. 6597. An act to amend title 10, United States Code, to permit the crediting of

certain minority service for the purpose of determining eligibility for retirement, and for other purposes (Rept. No. 703).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

H.R. 4786. An act to provide travel and transportation allowances for members of the National Guard and Reserve components when travel is performed in an active duty or inactive duty training status in compliance with Federal directives (Rept. No. 704).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

H.R. 7391. An act to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat, and for other purposes (Rept. No. 705).

By Mr. HUMPHREY (for Mr. FULBRIGHT), from the Committee on Foreign Relations, with amendments:

S. 2000. A bill to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower (Rept. No. 706).

VETERANS' READJUSTMENT ASSISTANCE ACT OF 1961—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 700)

Mr. YARBOROUGH. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 349) to provide readjustment assistance to veterans who serve in the Armed Forces between January 31, 1955, and July 1, 1963, and I submit a report thereon. I ask that the report be printed, together with the minority views of Senators GOLDWATER, PROUTY, and TOWER.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Texas.

BILLS INTRODUCED

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

By Mr. HART:

S. 2399. A bill to provide for the establishment of the Frederick Douglass National Memorial in the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. PASTORE (by request):

S. 2400. A bill to amend the Communications Act of 1934 in order to provide for the regulation of networks; to the Committee on Commerce.

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

By Mr. CASE of South Dakota:

S. 2401. A bill to amend the National Labor Relations Act to provide that it shall be an unfair labor practice for a labor organization to call a strike in an industry if the President has certified that an interruption of work in such industry would threaten or impair the national security; to the Committee on Labor and Public Welfare.

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

By Mr. BIBLE (by request):

S. 2402. A bill to repeal sections 1176 and 1177 of the Revised Statutes of the United States relating to the District of Columbia; to the Committee on the District of Columbia.

RESOLUTION

RECOVERY OR RETURN OF AMERICAN AIRPLANES ILLEGALLY HELD IN CUBA

Mr. KERR submitted a resolution (S. Res. 194) concerning action to be taken to secure the recovery or return of American airplanes illegally held in Cuba, which was referred to the Committee on Foreign Relations, as follows:

Resolved, That it is hereby declared to be the sense of the Senate that the President of the United States be requested to advise Castro and the Government of Cuba that unless the airplanes now in Cuba, which are the property of American citizens, which airplanes have been taken to Cuba without the consent of their American owners, be, within forty-eight hours, made available for return to the United States together with any of their passengers and crew in Cuba or that the Government of the United States will take such action as may be necessary to recover and return said airplanes, passengers, and crew to the United States.

PROPOSED FREDERICK DOUGLASS NATIONAL MEMORIAL IN DISTRICT OF COLUMBIA

Mr. HART. Mr. President, one of our American traditions is to give honor to those men and women in our history who have stood for something strong and valuable and truly American. Such a man I should like to honor today. Born a slave, Frederick Douglass rose to a high position in our country, serving as Recorder of Deeds in the District of Columbia, and as our Minister to Haiti. He was the friend of Abraham Lincoln.

The house in Southeast Washington where Mr. Douglass lived for many years still stands, cared for with loving devotion by the National Association of Colored Women's Clubs through voluntary contributions. In 1916, this organization paid off a $4,000 indebtedness on the mortgage. In addition, it has built a caretaker's cottage at a cost of $10,000 and over the years has spent several thousand more on repairs and upkeep. I suggest it is fitting, Mr. President, that this house at 1411 W Street SE., which contains in Mr. Douglass' library an important source of historical documents for the period in which he lived, should now be made a national historic shrine. Here in our Nation's Capital, where come people not only from all over the United States but all over the world, such a national historic shrine would bring home to countless thousands of visitors the true meaning of democracy, and make us even more its showcase.

The National Association of Colored Women's Clubs, now headed by a distinguished citizen of Michigan, Mrs. Rosa L. Gragg of Detroit, has rendered a wonderful service in preserving the house and grounds. But more is needed. More should be done.

Mr. President, I send to the desk, for appropriate reference, a bill to provide for the establishment of the Frederick Douglass National Memorial in the District of Columbia. Also, I should like to include in my remarks portions of a biography of Mr. Douglass prepared for me by the Legislative Reference Service of the Library of Congress.

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

The bill (S. 2399) to provide for the establishment of the Frederick Douglass National Memorial in the District of Columbia, and for other purposes, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The statement presented by Mr. HART is as follows:

EXCERPTS OF BIOGRAPHY OF FREDERICK DOUGLASS

(Prepared by Phyllis T. Piotrow)

Frederick Douglass was born sometime in February 1817 in Tuckahoe, Talbot County, on the Eastern Shore of Maryland. The child was brought up by his grandparents, Isaac, a free Negro, and Betsey Bailey, until the age of 7 when he was taken to the Lloyd Plantation run by his master, Capt. Aaron Anthony.

Although he always remembered the kindness of individual slaveowners, like his master's daughter, Mistress Lucretia Auld, he began to hate the system with a burning passion.

In 1825, the slave was sent to a relative of his master in Baltimore. There for 7 years he worked first as a house servant and then as a laborer in the shipyards. Being in Baltimore opened new horizons for the boy. His mistress finally agreed to teach him to read, but the master, upon discovery, forbade the practice completely. Nevertheless Douglass persevered, bought the Columbia Orator, and continued to observe and meditate upon cruelties of slavery.

In 1833, Captain Anthony's death brought him to a new master, Thomas Auld, who returned Douglass to the plantation, forbade his teaching Sunday school classes for the colored children, and hired a professional slavebreaker to teach him his place again. Douglass finally turned on him and beat him up. The struggle was a turning point in Douglass' thinking. As he later declared, "I now resolved that, however long I might remain a slave in form, the day had passed forever when I could be a slave in fact."

After an escape attempt had failed, Auld decided to try kindness and sent Douglass back to Baltimore with the promise of freeing him at the age of 25 if he behaved well. Douglass quickly became an expert caulker in the shipyards. He persuaded his master to let him hand over $3 a week and keep the remainder. Here Douglass came into contact for the first time with white laborers who hated Negroes because they worked for nothing as slaves and as a result depressed the wages of all. He also took a great interest in the various Baltimore societies for free Negroes and began to desire his own freedom most urgently. After a quarrel with Auld, Douglass planned his escape and left Baltimore and slavery on September 3, 1838.

At first, living was not easy for the former slave, but he soon came into contact with other free Negro groups, who sent him on to New Bedford, Mass. His first step was to change his name from Bailey to Douglass, after the hero in Sir Walter Scott's Lady of the Lake. He then married Anna Murray, a free Negro from Baltimore, and together they struggled to overcome the prejudice

against Negroes which even in the North made white workers reluctant to work beside black ones.

Gradually, Douglass began to attend the abolitionist meetings in the town. He was deeply moved by William Lloyd Garrison and finally, in 1841, he was summoned himself to the platform to describe his personal experiences as a slave. Although wholly inexperienced, he managed a creditable performance. The Massachusetts Anti-Slavery Society offered him a temporary position as lecturer, which he rather timidly accepted.

From this point on, Douglass devoted himself to the problems of his race and of all persecuted groups, becoming in America and in Europe, the most outstanding Negro spokesman of his race. In addition to the initial advantage which he claimed in being himself "a graduate from the peculiar institution with his diploma written on his back," Douglass rapidly became a very effective speaker, waxing eloquent over the wrongs of slavery, and illustrating very effectively that all slaves were not inferior.

When people suspected that he was too well read and intellectual to be convincing in his role of former slave, he wrote a "Narrative of the Life of Frederick Douglass." The book had a very wide sale in the North, but since it mentioned names and places, it put Douglass in danger of recapture and return to Auld as a runaway slave. To avoid this fate, his friends persuaded him to undertake a lecture tour in Europe. Speaking in Ireland, Scotland, and England, he was heard everywhere by large and sympathetic audiences. He came into some conflict with other American abolitionist groups and with temperance societies because of his passionate criticisms of American morality on the slave question and because of his insistence that freeing the slaves should take precedence over temperance activities. But on the whole, his trip was a great success, and he returned to America in 1846 with a greatly enhanced reputation.

On his return, against Garrison's advice, he first purchased his freedom from Auld and then decided to undertake an antislavery paper of his own to aim particularly at the free Negroes. The first issue of the North Star, which Douglass had decided to publish in Rochester, N.Y., came out on December 3, 1847, with the slogan, "Right is of no sex—truth is of no color—God is the Father of us all, and we are all brethren." For 13 years, Douglass edited the North Star, and took the lead in denouncing segregation practices of the North, slavery in the South, and urging Negroes themselves to take a more active role. Eventually, despite a large circulation, the paper was overcome by debt.

In his editorial columns Douglass supported innumerable reform movements—including pacifism, chartism, temperance, universal peace, land reform, abolition of capital punishment, and women's rights. Douglass also took an active part in the Negro convention movement, which aimed to eliminate all legal restrictions upon free Negroes, and was instrumental in persuading its supporters to forswear violence in their efforts to help enslaved brothers. He continually denounced churches which practiced segregation, but he did favor a separate Negro press and sought support and subscribers for his own paper.

Douglass was at the head of the group within the national convention movement to set up an industrial college for free Negroes which could prepare them for the difficult problem of finding work; but lack of funds, personal jealousies, and the fear that the new fugitive-slave laws might endanger the safety of those publicly associated with the struggle for Negro rights hampered his efforts.

The new fugitive slave laws of 1850 were a frequent target of Douglass' attacks. Both before and after their passage he took an active part in the Rochester Underground Railway activities.

During the early 1850's Douglass unfortunately became involved in a bitter conflict with his former associate, William Lloyd Garrison. After leaving the heatedly abolitionist atmosphere of New England and conferring with New York abolitionists like Gerrit Smith, Douglass altered his former opposition to the Constitution and to the churches because they appeared to condone slavery. Douglass decided it was wiser to work with existing forces, especially since the issue of slavery was beginning to divide the country more clearly on North-South lines, leaving northern churches and institutions more free to take an independent position. The Massachusetts abolitionists denounced this shift and also blamed Douglass for starting his own newspaper. Both Douglass and his foes were bitter and acrimonious in their dispute.

In political affairs, Douglass was becoming more and more active during the fifties. Originally a supporter of the Liberty Party, he turned in 1848 to the Free Soil Party, pledged to support the Wilmot Proviso. In 1852 he was elected secretary of the Free Soil convention. But the failure of that party to play a continuously strong role led Douglass in 1856 to welcome the founding of the Republican Party, even though he did not think that its desire to stop only the extension of slavery went far enough. Thus he continued to work for the radical abolitionists whenever they appeared to have a chance.

In 1859 Douglass was forced to return to England for a while because his name had been connected with John Brown and the raid on Harpers Ferry. The State of Virginia was preparing to try him for treason when he escaped into Canada and thence to Great Britain to renew old friendships and contacts. Actually, although John Brown had explained his plan to Douglass, the Negro had been somewhat skeptical and had tried to discourage the Harpers Ferry raid.

The outbreak of war roused Douglass from a growing discouragement. Even though the abolitionist greatly deplored Lincoln's hesitation in freeing the slaves, he personally was convinced that northern victory would inevitably have that result. Douglass lectured and toured the country trying to raise Negro interest and direct participation in the struggle. Resenting Lincoln's refusal to provide equal pay and equal treatment for Negro volunteers in the Union armies, Douglass finally secured an interview with the President in July 1863. He came away impressed by the President's sincerity, but impatient with Lincoln's desire to move slowly. Nevertheless, he took an active role in recruiting Negro fighters for the celebrated 54th and 55th Massachusetts Regiments, also sending his own two sons. In August 1864, he had a second interview with Lincoln, and continued to press for granting the franchise and all other rights of citizenship to Negroes in both the North and the South.

After the conclusion of the war Douglass refused to be satisfied just with the liberation of the slaves. He had an interview with President Johnson and was highly dissatisfied with the latter's tendency to appease the former slaveowners. Thus he refused an offer to head the Freedman's Bureau which he interpreted as a purely political move on Johnson's part. He was active with the radical Republicans in working for the election of General Grant and the passage of the 15th amendment. He also undertook another journalistic endeavor, the New National Era, which had only a brief career.

In the clash between Grant and Sumner over the annexation of Santo Domingo, Douglass was appointed by Grant an assistant secretary to the three commissioners sent there to investigate possibilities of annexation. During the trip, he was won over to Grant's policy.

In 1872, although himself nominated for Vice President on a woman's suffrage ticket headed by Victoria Claflin Woodhull, Douglass took an active part in backing Grant. At the same time the burning of his Rochester, N.Y., house convinced him that he should move to Washington. His first political assignment after being the official messenger of the New York electoral commission to the Senate was as president of the Freedmen's Bank. The bank, already thoroughly corrupt, collapsed shortly thereafter, causing all its investors, including Douglass, considerable loss.

Douglass continued to lecture throughout this period, emphasizing above all the need for Federal protection of the newly won Negro rights. He accepted the appointment in 1877 of the U.S. marshal of the District of Columbia when it was offered to him by President Hayes, but he continued to criticize the Government. In 1881 President Garfield requested that he take instead the office of Recorder of Deeds, to which Douglass agreed.

In 1882 Anna Douglass died. Two years later he married his secretary, Helen Pitts.

Upon his return from a trip with his new wife through Europe, he was offered the position of Minister-Resident and Consul General to the Republic of Haiti and Chargé d'Affaires for Santo Domingo. Douglass retained this position until a controversy with Secretary of State Blaine and others, who were trying to get possession of the harbor of Mole St. Nicolas as a naval base, led him to resign in opposition to a policy which he believed could only rouse Haitian nationalism.

Back in America, he continued to agitate for the protection of Negro rights, and most specifically, for a Federal antilynching law. He was still lecturing on the rights of women and of oppressed groups when he was stricken on the afternoon of February 20, 1895, with a heart attack at his home in Anacostia. The body lay in state in the Metropolitan African Methodist Episcopal Church, and then was transported to Mount Hope Cemetery in Rochester for burial.

AMENDMENT OF COMMUNICATIONS ACT OF 1934, TO PROVIDE FOR THE REGULATION OF NETWORKS

Mr. PASTORE. Mr. President, recently, I submitted to the Federal Communications Commission a series of questions concerning television operations and other practices affecting the broadcasting industry.

In addition to responding to the specific questions, the Federal Communications Commission submitted a progress report indicating the various steps and the status of pending proceedings resulting from the Commission's continued study of network practices.

One of the recommendations contained in the Federal Communications Commission report involved the need for legislation to regulate the radio and television networks.

Therefore, at the request of the Federal Communications Commission I am introducing today such legislation and ask unanimous consent that the contents of the bill be made part of the RECORD at this point, together with the letter from the Federal Communications Commission to me under date of August 1, 1961.

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

The bill (S. 2400) to amend the Communications Act of 1934 in order to provide for the regulation of networks, introduced by Mr. PASTORE, by request, was received, read twice by its title, referred to the Committee on Commerce, 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 section 3 of the Communications Act of 1934 (47 U.S.C. 153) is amended by adding at the end thereof the following:

"(hh) 'Network' means a person or organization which, as a part of its regular business, by contract or agreement, express or implied, with two or more affiliated broadcast stations, offers or supplies program service to such stations under prescribed conditions for the purpose of effecting a coordinated broadcast of identical programs by such stations."

SEC. 2. Title III of the Communications Act of 1934 is amended by adding a new part as follows:

"PART III—NETWORKS

"Information statements

"SEC. 380. Each network shall file an information statement with the Commission which shall contain such information and set forth such facts regarding (1) the ownership and (2) the operational policies, practices, and activities of such network which affect the ability of broadcast licensees to operate their stations in the public interest, as the Commission shall require; and each such network shall file with the Commission amendments to such statement, from time to time, as the Commission shall deem to be necessary to keep current the facts and information required in such statement. The Commission, at any time after the filing of such statement, may require the filing of further written statements of fact by each such network to assist the Commission in the enforcement of this Act and in determining whether such network has complied with the provisions of this Act and the rules and regulations thereunder. Each such statement, amendment thereto, or further statement shall be in writing and shall be signed by the principal officer of such network under oath or affirmation.

"Network ownership

"SEC. 381. No network shall be owned or operated by—

"(1) any alien or the representative of any alien;

"(2) any foreign government or the representative thereof;

"(3) any corporation organized under the laws of any foreign government;

"(4) any corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives thereof or by any corporation organized under the laws of a foreign country; or

"(5) any corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens or of which more than one-fourth of the capital stock is owned of record or voted after June 1, 1935, by aliens or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country.

"Classification and rules and regulations

"SEC. 382. The Commission shall, from time to time, as in its judgment, the public interest, convenience, or necessity may require (1) classify television and radio networks, and (2) issue such rules and regulations with respect to each such class of networks, as the Commission may determine to be necessary or appropriate to assure that the policies, practices, and activities of such networks shall not adversely affect the ability of broadcast licensees to operate their stations in the public interest. Such rules and regulations may include, but shall not be limited to, rules and regulations (A) to require networks to exercise supervision and control over the preparation of, and to prohibit discriminatory practices in the selection of, all matter supplied by such network to any licensee for broadcasting; (B) to prohibit any network from giving unfair advantage, by means of any matter supplied to any licensee for broadcasting, to any person affiliated with, controlling, controlled by, or under common control with such network or in which such network has any direct or indirect financial or beneficial interest, in connection with promoting the sale or distribution of any product or service of such person; (C) to prohibit networks from entering into a contract or understanding with any broadcast station licensee which would limit the ability of such licensee to operate his station in the public interest, including, without limitation, provisions relating to exclusive affiliation or territorial exclusively arrangements; the duration of affiliation agreements; the optioning of station broadcast time; the acceptance or rejection of network programs; or the controlling or influencing of nonnetwork rates; (D) to limit ownership of stations by networks; (E) to restrict the number of networks that may be owned or operated by any person; (F) to prohibit or limit network practices or activities in the representation of stations in the sale of nonnetwork time; (G) to require networks to make reasonable distributions of their programs to stations; (H) to prohibit discriminatory practices by networks in the selection of affiliates; (I) to require networks to provide equal opportunities to legally qualified candidates for public office in accordance with the provisions of section 315 of this Act; (J) to require networks to provide a fair opportunity for presentation of differing views concerning public issues; and (K) to require networks to identify the sponsor of and disclose the fact of payment with respect to matter supplied to any licensee for broadcasting, in accordance with the provisions of section 317 of the Act.

"Definition by Commission of certain terms

"SEC. 383. The Commission, as to matters within its jurisdiction, shall have power by rules and regulations to define technical, trade, accounting, or industry terms used in this Act insofar as such definitions are not inconsistent with the provisions of this Act.

"Enforcement provisions

"SEC. 384. Where any network has violated or failed to observe any of the provisions of this Act or of any rule or regulation of the Commission authorized by this Act, the Commission may issue either affirmative orders or cease and desist orders to any such network, to compel compliance with this Act or any regulations issued thereunder. Such process shall be instituted by the Commission by the issuance of an order to show cause to the person or persons affected to appear before the Commission at a time and place stated in the order, but in no event less than thirty days after receipt of such order, and give evidence upon the matters specified therein. The burden of proceedings with the introduction of evidence and the burden of proof shall be upon the Commission, except that the burden of proceeding with the introduction of evidence and the burden of proof shall be upon a network to establish that the contents of an information statement filed under section 380 of this Act are not materially false or misleading or incomplete."

The letter presented by Mr. PASTORE is as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., August 1, 1961.

Senator JOHN O. PASTORE,
Chairman, Communications Subcommittee of the Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Your letter of April 12, 1961, in which you quote from the April 18–24, 1961, issue of Television Guide, focuses attention on some of the most urgent and basic problems before the Commission.

Each of these matters has been the subject of testimony in the public proceedings of our program inquiry (docket No. 12782). Although much progress has been made, the record of that inquiry is not yet complete so that we are not, at this time, in a position to submit our final report and recommendations with regard to all the matters under inquiry. However, we have taken a number of remedial actions, detailed below, as a result of the information and data obtained thus far.

As you know, the Commission's network study, for which funds were provided by Congress, was conducted by a special staff under the direction of Dean Roscoe Barrow of the Law School of the University of Cincinnati. The network study staff report was filed with the Commission at the conclusion of that study in October 1957 and the special staff was disbanded. The Commission then formed the Office of Network Study as a division of its Broadcast Bureau. One of the duties of that office is to carry forward projects which had been initiated or suggested during the network study.

The Commission's program inquiry (docket No. 12782), while to some degree an outgrowth of the network study, is a separate proceeding initiated by order of the Commission on February 27, 1959, and is conducted by the Office of Network Study. Unlike the network study, it involves extensive public proceedings before the Commission's Chief Hearing Examiner sitting as presiding officer. I would like to call your attention to the fact that Dean Barrow has recently returned to the Commission on a temporary basis to act as consultant with regard to the various problems involved in network broadcasting.

Before the inquiry is complete we shall hear detailed testimony from representatives of all the principal components of the network television industry as to the part they play, and the responsibilities they assume in the network program process. As you can appreciate, to accomplish this task on a comprehensive basis and to afford all interested groups the opportunity to be fully heard is a large undertaking. Thus far the record of the public proceedings consists of 7,804 pages of transcript and includes 287 exhibits. We are making every effort to complete the record at the earliest feasible date.

Thus far public testimony has been taken (1) from the networks on a pro forma basis; (2) from certain of the principal advertising agencies engaged in national television; (3) from the main Hollywood film producers, as well as labor organizations, talent agents and other persons involved in west coast television program production; (4) certain of the New York elements of television program creation and production. Beginning on September 26, 1961, we shall hear from representatives of major national television advertisers and soon thereafter the three national television networks will be recalled to testify fully with regard to the maters under inquiry. It is our purpose to complete this public testimony early in 1962. Copies of the transcripts of the record to date have been made available to both the staff of your

committee and that of the House Committee on Interstate and Foreign Commerce.

Also, during a 3-month period beginning in December 1959, the Commission sat en banc as a part of the program inquiry and heard approximately 100 witnesses representing virtually all informed segments of our population, including representatives of the broadcast industry, to obtain their views as to the present state of television broadcasting and the proper regulatory role of the Government, represented by this Commission, in relation to the industry.

As a result of the earlier phases of the program inquiry, a number of actions have been taken:

1. In May 1960, the Commission submitted proposal legislation to the House Committee on Interstate and Foreign Commerce which, if enacted, would empower the Commission to make rules and regulations to govern those policies, practices, and activities of networks which affect the ability of station licensees to provide broadcast service in the public interest. This proposed legislation will be discussed later in this letter.

2. In June 1960, the Chief of the Office of Network Study submitted an interim report to the Commission, entitled "Responsibility for Broadcast Matter." This report traced the history of broadcast regulation particularly with regard to broadcast service, considered the evidence in the record of the program inquiry to that time, and made a number of recommendations to the Commission designed to make more effective the Commission's policies and procedures affecting licensee responsibility for broadcast matter.

3. In July 1960, the Commission issued its statement of policy with regard to station responsibility for broadcast matter in which, among other things, it (a) reaffirmed the Commission's authority and duty to review overall station performance in its licensing process; (b) clarified the Commission's policy in regard to station responsibility for broadcast matter; and (c) announced its intention to propose revision of its broadcast license application forms to provide the Commission with more pertinent information regarding the efforts of licensees to seek out and serve the needs and desires of their communities or service areas for broadcast programing. At the same time, the Commission made public the interim report referred to above.

4. On February 21, 1961, the Commission issued a notice of proposed rulemaking—which was revised and reissued on July 7, 1961—the objective of which is to encourage more effective action by licensees to seek out and serve the broadcast needs and desires of their audiences. This rulemaking proceeding is presently in process and will be concluded as promptly as possible.

5. Recently the Commission served notice on all broadcast licensees of the seriousness of their responsibility to seek out and serve the program needs and desires of their communities. On July 31, 1961, the Commission directed that its opinion and order in connection with the renewal of the license of KORD, Inc., in which this responsibility was restated and emphasized in detail, be mailed to all broadcast licensees. (In particular, see pars. 8, 9, and 10 of the attached opinion and order, FCC–61–878, docket 14003.)

For your information and files, copies of the above documents are included as attachments to this letter.

With these preliminary statements, the statements contained in Television Guide's open letter will now be considered in order and attention will be called to the consideration given in the program inquiry to the areas to which each such statement refers:

(a) "Program quality during peak viewing hours is supervised by networks, which are not directly licensed to operate in the public interest. Only stations are so licensed, and in practice they have no control over the network programs they carry."

The Commission recognized in its policy statement (see attachment), that the practical realities of modern commercial television broadcasting materially affect the ability of individual licensees effectively to make and implement program decisions involving their network offerings. Station licensees take no significant part in the decisional processes through which network programs are created, produced and selected for broadcast. Also, in the usual course of network-affiliate relations, licensees have little or no opportunity to see and judge such programing in advance of transmission.

On the basis of the information received during the earlier phases of the program inquiry, including the en banc proceedings before the Commission itself, we concluded that the present statutory pattern which places the entire responsibility for broadcast matter on individual station licensees has been so affected by the realities of network broadcasting that it no longer is adequate to provide reasonable assurance, solely through regulation of station licensees, that the airways will be used in the public interest. As a result, in May 1960, in commenting on H.R. 11340 (the Harris bill) and H.R. 5042 (the Bennett bill), 86th Congress, the Commission recommended to the Interstate and Foreign Commerce Committee of the House of Representatives that the Communications Act be amended to provide for the proper regulation of networks in the public interest. (See pp. 8 through 16 and app. B of the Commission's comments dated May 4, 1960, attached hereto.)

The amendments as proposed would give the Commission authority (a) to classify networks; (b) to require networks to file informational statements to advise the Commission of relevant network policies and operations (the information to be in accord with detailed requirements to be set out in rules); and (c) to make rules and regulations to regulate policies, practices, and activities of networks which adversely affect the ability of broadcast licensees to operate their stations in the public interest. This legislation would provide broad authority for the Commission to regulate networks in various areas, including those now covered in its chain broadcasting rules, and would enable the Commission to apply corrective rules directly to networks. In addition, it would permit appropriate regulation to place responsibility for broadcast matter on the network in those situations where the local licensee cannot effectively act. It is not the Commission's intent that the present responsibilities of station licensees under the act should, in any way, be diminished. Rather, the responsibilities which would be placed on networks under the proposed amendments would be designed to complement, and not displace, the existing responsibilities of broadcast stations.

In this connection, it should be pointed out that the Harris and Bennett bills would provide systems of network licensing. The Commission, while agreeing with the general objectives of these bills, believes that necessary regulation can be achieved without licensing. We will appreciate anything you and your committee can do to further adoption of legislation to that end.

FURTHER PURPOSE OF THE INQUIRY IN THIS AREA

With the adoption of the recommendations as to network regulation, a major question presented for consideration in the program inquiry was resolved.

The continuing purpose of the inquiry in this area is to provide the Commission with an adequate factual basis on which proper rules and regulations affecting the general area of responsibility for broadcast matter may be framed and adopted. Much additional work needs to be done to lay the groundwork necessary to enable the Commission to determine upon a regulatory pattern within the confines of the proposed legislation which will, at the same time, preserve the advantages of diversified responsibility for broadcast subject matter without substantially impairing essential network service. This presents a complex problem in poise and balance. Its solution requires detailed understanding of the many delicate relationships present in the creative and economic functioning of the industry. The regulatory pattern ultimately devised must provide adequate insurance that the public interest will again become paramount in the choice of broadcast matter at the national level. It must be sufficiently realistic and elastic to avoid stultification of a dynamic network industry, but at the same time, should insure the maximal community control of broadcast subject matter compatible with the realities of modern commercial broadcasting.

(b) "Tribute in the form of part ownership of shows is being paid to networks by producers in order to get their shows on the air."

NETWORK OWNERSHIP OF PROGRAMS

One of the problems which gave rise to the inquiry was that of program "tie-ins." In congressional hearings and in prior information obtained by the network study staff, there were several instances where the networks had apparently used the economic leverage derived from their control over broadcast time and facilities to acquire financial or proprietary interests in programs carried on their networks. The allegation had frequently been made that networks, as a general rule, acquired financial or proprietary interests in programing—on the basis of little or no consideration—from independent producers as a condition precedent to acceptance of programs. This allegation was vigorously denied by the networks.

Networks create and produce some of the programs they distribute to their affiliates. Others are produced in some form of joint venture between the networks and independent producers. Still other programs are produced independently and brought to the network by a sponsor. In such a situation the network merely provides time and facilities. It has been asserted by the networks that the amount of creative control they may exercise over their programs is related to their proprietary interest in the show. One purpose of our inquiry has been to explore the various relationships involved in the production, financing, and selection of television network programs to make an objective analysis of this matter. Much testimony has been taken from producers and other interested persons in this regard.

The extent to which network proprietary and financial interests in independently produced programs may be necessary or desirable to enable the networks to exercise a proper amount of control over the type, quality, subject matter, and scheduling of their programs and the extent, if any, to which the networks use the leverage of their control of the time and facilities of licensees as a means of acquiring such interest is actively being explored. Before the program inquiry is complete, we shall make a detailed study and analysis to determine the extent and relation to the public interest of the acquisition of proprietary interest in their programing by networks and the means through which such interests are acquired. If abuses exist in this area, we will take steps to remedy them through the adoption of appropriate rules.

(c) "Television violence is making our youth callous and damaging America's image abroad. Despite network efforts to curtail the violence there is still a cumulative emphasis of violence on television."

In the Commission's program inquiry, a number of responsible persons expressed alarm at the excessive depiction of crime and violence as regular fare on television.

Network representatives, program producers, and others concerned with program production stated that they seek to avoid unnecessary use of crime and violence in television programs. However, they point out that a certain amount of crime and violence is inherent in all literature and drama and that they cannot exclude all crime and violence without excluding large areas of legitimate drama, including the classics, from television.

This entire subject, as you know, is presently being considered by the Senate Committee on Juvenile Delinquency. We are following those hearings with care and have colaborated with the committee in this area.

In view of the provisions of section 326 of the Communications Act, it is uncertain, on the present state of the record, how the Commission can effectively deal with this problem. It is one thing to assert generally that excessive crime and violence in television programs is undesirable and perhaps socially damaging. In is quite a different thing for the Commission to attempt to establish processes for making the nice literary distinctions which apparently would be necessary to regulate crime and violence in television programing. It is difficult to see how this matter can be dealt with except on a program-by-program basis. In order to determine which programs involve excessive or unnecessary depiction of crime and violence it would be necessary to examine the detailed subject matter of each program and to make the appropriate literary judgments. For the Commission to do so would certainly involve grave questions of censorship in a form of direct prior restraint which it is specifically prohibited from doing by section 326 of the Communications Act.

While there does not appear to be any formal action which the Commission should take at this time, the fact remains that an increasing number of responsible persons feel that constant depiction of crime and violence in television programing produces damaging social effects, especially among the young, the unstable, and the impressionable. It is the Commission's view that in preparing television program schedules, networks and licensees should take careful account of the responsible opinions which have been expressed regarding this subject.

In the interim report, the attention of the industry was directed to the testimony regarding crime and violence which was received in the Commission's program inquiry, and it was strongly suggested that the industry should not ignore or reject these views without the most careful consideration. Since that time, we are informed that the National Association of Broadcasters has intensified its efforts to screen out excessive crime and violence from television programing. Also that the three national networks are taking similar steps. We believe that the self-interest of the industry requires that these efforts should be continued and expanded. The Commission will continue to follow developments in this area.

(d) "Informational shows have increased in quantity and quality on the networks this season but many of these programs are not carried by local stations."

This matter has been the subject of considerable testimony in the Commission's program inquiry. One indirect result in our inquiry has been the increase in prime evening hours of public affairs programs dealing with matters of concern to the national television audience. The networks have intensified their efforts in news and public affairs and have projected plans to continue and expand their informational service. However, the networks assert that in many instances their information programs—especially if carried on a sustaining basis—fail to clear many of their affiliates.

It has not been the Commission's policy to seek to require its licensees to exhibit any particular programs or particular types of programs. However, as stated earlier, the Commission is intensifying its efforts to see to it that the program proposals made by an applicant for a broadcast license are based on bona fide, diligent, and continuing surveys of his community to determine its programing needs. The new proposed program form calls for information on public affairs and instructive programs carried by stations, whether network originated or locally produced.

The Commission will attempt to see to it that its licensees perform their functions as broadcasters in the public interest, including adequate provision for program service in terms of the needs of the community for programing of an informational nature.

(e) "Rating services, however honest and accurate, are concerned only with numbers. By using these numbers as criteria for retaining or dropping programs, networks and advertisers are forcing down the quality of entertainment and restricting the variety of entertainment."

While the program inquiry will not include a definitive study of the methodology and accuracy of rating services as such, the extent to which audience measurement information is a decisive factor in the selection and retention of network television programing has been the subject of considerable testimony in the inquiry. We plan further to explore these matters in detail with the representatives of the national advertisers and the networks when they appear as witnesses.

Our staff has studied the report on "Evaluation of Statistical Methods in Obtaining Broadcast Ratings," recently published by the House Committee on Interstate and Foreign Commerce, and is following other developments in this field. This includes maintenance of liaison with the Federal Trade Commission which is investigating ratings, with particular emphasis upon the claims made by stations in their advertising which purport to reflect rating results.

We are, of course, aware of the allegations which have been made as to the misuse of rating information in television programing. We shall make every effort to determine whether, and the extent to which, the public interest in broadcast service is affected in this process.

(f) "A few talent agencies which control most of the important talent in television now reach into all aspects of the medium and often exercise almost dictatorial control over programing."

The activities and influence on the creation and production of television programs by talent agents have been the subject of interest and concern in the program inquiry.

Two talent agencies represent a large share of the talent which is available for television program production. These are MCA, Inc., and William Morris, Inc. Each of these agencies also engages in various activities connected with the creation, production, sale, and exhibition of a large part of the filmed programing which appears on network television. William Morris does not directly engage in the production of television programing but represents a number of program packagers. MCA is not only directly engaged in the production of filmed programs but also performs a number of other functions, including leasing of production facilities, syndication, etc.

Two principal executives of William Morris, Inc., in charge of its west-coast operations, voluntarily appeared in the program inquiry and testified in detail regarding their activities in television programing. MCA refused to supply any significant information although they were directly ordered to do so by the Commission. Steps are presently being taken to require MCA, Inc., to appear in the inquiry and provide the requisite information. It is problematical, however, when this can be accomplished as it may involve lengthy court proceedings. The Commission has referred the matter of the refusal of Taft Schreiber, vice president of MCA, Inc., to testify to the Department of Justice for appropriate action.

Because of this refusal of MCA, we have been unable to complete the record with regard to the activities of talent agencies which affect the television network program process. However, without going into details, the information presently available in the record of the program inquiry is sufficient to raise questions requiring further exploration as to the effect on the availability and quality of television programs, as well as competitive conditions in the industry, of talent agent-producer-packager relationships involved in the production of many mass-audience programs presently appearing on network television. We shall pursue this matter as rapidly as the circumstances permit.

In summary, we should like to emphasize that the Commission is cognizant of, and has under consideration in its program inquiry, the various problems which were raised in your letter. That inquiry was specifically directed to several of these problems and is designed to assist the Commission in determining the regulatory measures necessary to cope with these and other problems in television broadcasting. As stated above, the Commission has determined, on the basis of information thus far obtained, the need for authority to devise and promulgate rules and regulations with regard to networks. The proposed amendments to the Communications Act included with this letter would, we believe, if enacted, greatly facilitate a solution of the various problems arising in the area of network-affiliate relations. While the text of the amendments should, of course, be subject to the careful scrutiny of your committee and other interested committees of Congress, it is our view that the objectives included in our proposal should be retained.

If you or your committee wish any further assistance from the Commission or its staff, we shall, of course, be pleased to provide it.

The full Commission adopted this letter on August 1, 1961.

By direction of the Commission:

NEWTON N. MINOW,
Chairman.

AVOIDANCE OF STRIKES IN DEFENSE JOBS

Mr. CASE of South Dakota. Mr. President, I introduce, for appropriate reference, a bill which would provide the President with adequate legal authority to deal with those work stoppages that he considers to constitute a threat to our national security.

This bill, Mr. President, is very simple. It would amend the National Labor Relations Act to make it an unfair labor practice for a labor organization to call a strike in an industry if the President has certified that an interruption of work in this industry would threaten or impair the national security. It does not interfere with the injunctive provisions of the Taft-Hartley Act and in no way repeals or interferes with other provisions of the act.

Such a provision in the labor laws, Mr. President, would not impair the basic rights of labor to organize and to bargain collectively. It would only temporarily suspend the guarantee of collective bargaining if the President finds that irresponsible and shortsighted behavior by persons conducting labor negotiations is threatening the security of

the very nation which provides the guarantee.

This amendment to the labor law would supply the weapon for the President's emergency arsenal to which the Secretary of Labor recently alluded. Quick congressional passage of this provision would make the weapon available for the President to use if ever it is needed.

It will be remembered that in Omaha on July 31 President Kennedy's Secretary of Labor, Arthur J. Goldberg, sounded a note of warning on the no-strike, no-lockout pledge to which the labor and management interests who are constructing our missile bases have agreed. He said:

> There is no reason or justification for any worker walking off the job.

This no-strike pledge resulted from the recent Senate hearings which publicized the widespread lack of understanding and of respect for the national security on the parts of those persons who were responsible for these critical work stoppages.

Even after the pledge, however, during the month of July, according to the Federal Mediation and Conciliation Service, work stoppages on these missile bases caused the loss of 209 more man-hours. Evidently, the intimate interrelationship with national security which characterizes their work is still not clear to some people.

Mr. President, the Labor Secretary's warning was this: In case this no-strike pledge fails, "the President will have no hesitancy in going to Congress if necessary."

This willingness to go to Congress in the case of emergency is inadequate. National security is involved. These missile bases will be our ultimate defense. If at any place in this country there exists a need for patriotism and for responsibility—as the President has called for—it is in this construction of our strategic defense mechanism.

The time to place an emergency procedure in our statutes is now—not after an emergency arises. The remedy I have proposed is simple and fits into the form and concept of the National Labor Relations Act.

I ask unanimous consent that the text of the bill I am introducing may appear in the RECORD at this point:

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

The bill (S. 2401) to amend the National Labor Relations Act to provide that it shall be an unfair labor practice for a labor organization to call a strike in an industry if the President has certified that an interruption of work in such industry would threaten or impair the national security, introduced by Mr. CASE of South Dakota, 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 subsection (b) of section 8 of the National Labor Relations Act, as amended, is amended by striking out "and" at the end of paragraph (6), by striking out the period at the end of paragraph (7) and inserting "; and" in lieu of such period, and by adding after paragraph (7) the following new paragraph:

"(8) to call or authorize any strike or other concerted stoppage of work, or the continuance thereof, in any industry (or segment thereof) during any period with respect to which there is in effect a certification by the President that, in his opinion, an interruption of work in such industry (or segment thereof) would threaten or impair the national security. Whenever the President determines that an interruption of work in any industry (or segment thereof) would threaten or impair the national security, he shall certify that fact to the Secretary of Labor, who shall cause the contents of the certification to be published in the Federal Register. Such a certification shall remain in effect for a period of three months or until rescinded by the President, whichever first occurs. Nothing in the preceding sentence shall be construed to prohibit the President from making subsequent certifications, in accordance with this paragraph, with respect to any industry (or segment thereof) after the effective period of a prior certification has expired or been rescinded."

AMENDMENT TO FEDERAL AIRPORT ACT

Mr. KEATING. Mr. President, I submit an amendment to the Federal Airport Act, S. 1703, which I ask to be printed and ordered to lie on the table.

This amendment, Mr. President, applies to a particular situation in a particular part of my State. It is based, however, on a generally valid principle which I would be glad to see applied to the whole of the Airport Act and, in fact, to most other Federal programs.

That is the historic principle of local self-determination, which is one of the fundamental pillars of our system of government in this country.

The effect of my amendment will be simply to prevent the Federal Aviation Administrator from using the funds provided in this act to maintain any airport project in Nassau County, N.Y., without the approval of the board of supervisors of that county.

This prohibition, quite frankly, is designed to head off an announced plan by the FAA to convert Mitchel Field in Nassau County into a general aviation airport.

Opinion on the wisdom of this conversion is divided in Nassau County. There are many citizens of the county who wish to protect their area from the baleful effects of airplane noise, against which I have recently been laboring in connection with La Guardia and Idlewild Airports.

I am delighted to hear that the House Committee on Interstate and Foreign Commerce will make an inquiry into this subject.

Some of these opponents of the airport have put forward a number of excellent alternative uses for the facilities that now exist there. Among these proposed alternatives are an industrial park, a hospital, and a YMCA recreation center.

On the other hand, there are quite a number of citizens of Nassau County who would like to go along with the FAA's plan for the airport. They argue that the future development of the county and of the remainder of Long Island requires aviation facilities of the kind that now are available at Mitchel Field.

It would not be appropriate for me to become involved in this controversy, and I do not wish to do so. I do, however, wish to make certain that the local consensus shall be decisive. Under my amendment, the FAA plan for Mitchel Field may be implemented, or the field may be used for any other purpose that is generally approved. The important thing is that the final decision will be made by the residents of Nassau County.

As I say, I would be glad to see this principle of self-determination applied to the whole of the Airport Act. It is an eminently sound principle which goes a long way toward answering the question of how we are to make use of the resources of the Federal Government without stifling grassroots democracy.

Indeed, I had in mind proposing a general amendment rather than a specific one. However, as a practical matter, I realize that to frame this amendment in language that would have universal application might raise problems for many of my colleagues. They would have to ask themselves how this amendment would affect projects in their own States. They would no doubt wish to make extensive inquiries before committing themselves to this application of the home rule idea, however much they may agree with it in principle. The result would be that we probably would not get immediate agreement on the amendment, and the cause of Nassau County might be lost while we were studying the larger question.

Therefore, I have framed my amendment so that it will apply only to Nassau County. An identical amendment was included by unanimous vote in the Airport Act that has already been passed by the other body. This amendment, thus, is an effective remedy to a particular problem.

I ask unanimous consent that this amendment be printed at this point in the RECORD.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment submitted by Mr. KEATING is as follows:

On page 6, after line 15 insert the following:

"(b) Section 11 of such Act is amended—

"(1) by striking out 'and' at the end of paragraph (7);

"(2) by striking out the period at the end of paragraph (8) and inserting in lieu thereof '; and'; and

"(3) by adding immediately after paragraph (8) the following new paragraph:

"'(9) with respect to any project in Nassau County, New York, the Board of Supervisors of Nassau County approves such project.'"

Redesignate "(b)" on page 6, line 16, as "(c)".

ACT FOR INTERNATIONAL DEVELOPMENT OF 1961—AMENDMENTS

Mr. SMATHERS submitted amendments, intended to be proposed by him, to the bill (S. 1983) to promote the foreign policy, security, and general welfare

of the United States by assisting peoples of the world in their efforts toward economic and social development and internal and external security, and for other purposes, which were ordered to lie on the table and to be printed.

U.S. DISARMAMENT AGENCY FOR WORLD PEACE AND SECURITY—ADDITIONAL COSPONSOR OF BILL

Mr. PASTORE. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the bill (S. 2180) to establish a U.S. Disarmament Agency for World Peace and Security.

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

NOTICE OF HEARING ON NOMINATION OF JAMES B. PARSONS TO BE U.S. DISTRICT JUDGE, NORTHERN DISTRICT OF ILLINOIS

Mr. HART. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, August 17, 1961, at 10:30 a.m., in room 2300 New Senate Office Building, on the nomination of James B. Parsons, of Illinois, to be U.S. district judge, northern district of Illinois, vice Philip L. Sullivan, deceased.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Colorado [Mr. CARROLL], the Senator from Illinois [Mr. DIRKSEN], and myself, as chairman.

ANNOUNCEMENT OF HEARING ON SALINE WATER CONVERSION PROGRAM BILL

Mr. ANDERSON. Mr. President, I wish to announce, for the information of the Senate, that on August 22, at 10 a.m., in the Interior Committee hearing room, an open public hearing will be held on S. 2156, a bill to expand and extend the saline water conversion program being conducted by the Secretary of the Interior.

This announcement is intended to inform all Senators and others who wish to testify that they will be welcome to do so. Anyone wishing to testify should contact the committee staff, in order that proper arrangements can be made.

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. YARBOROUGH:

Remarks of Secretary of Labor Arthur Goldberg, as read by Under Secretary of Labor Willard Wirtz, on acceptance of plaque at the Four Freedoms Award Dinner.

SENATOR PROXMIRE'S LONELY BATTLE

Mr. MANSFIELD. Mr. President, in the New York Post of Wednesday, August 9, appears a news story entitled "Senator PROXMIRE's Lonely Battle." The article was written by Milton Viorst.

I believe that the Senator from Wisconsin [Mr. PROXMIRE] performed a service in the long and lonely battle he carried on in behalf of his strongly held convictions. I know from speaking to the distinguished Senator from Wisconsin that he wishes Mr. O'Connor well in his new position, that he feels he has made the best fight possible, and that he accepts the verdict of his colleagues.

Therefore, I ask unanimous consent that the article from the New York Post be printed in the RECORD.

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

SENATOR PROXMIRE'S LONELY BATTLE

(By Milton Viorst)

WASHINGTON, August 9.—As Senator PROXMIRE talked on in the Senate through the day, through the night, and then through the dawn he knew that he wouldn't win.

PROXMIRE, the Senator from Wisconsin, was quite adjusted to the probability of losing his fight to block the nomination of Lawrence O'Connor to the Federal Power Commission. PROXMIRE, on the other hand, will never adjust to the idea that a man, no matter how honest or intelligent, should be appointed to regulate an industry to which he has been beholden for years. O'Connor has served as vice president of the Independent Petroleum Association and has owned 29 oil and gas company stocks.

CONTENTED IN DEFEAT

So PROXMIRE conducted his one-man filibuster for better than 12 hours in the Senate through yesterday, last night, and today, and then he settled back to defeat satisfied he had done his best.

It is still somewhat incongruous that one of the Senate's most persistent liberals is the political heir of the late Joe McCarthy. Yet it is McCarthy's seat that PROXMIRE holds, earned in a landslide triumph following McCarthy's death in 1957.

Like other Congress liberals, PROXMIRE is a product of wealth and extensive education. His father was a prosperous Chicago physician. He went through the Hill School, Yale (as an undergraduate) and Harvard (as a graduate student). His first job was with J. P. Morgan Co. in New York. His connection with the underprivileged has always been marked by empathy rather than experience.

Yet he has given unstintingly of his energies since he was first elected to political office—to the Wisconsin Legislature a decade ago.

ATHLETES DEVELOPED STRENGTH

A filibuster is a grind, a wearing physical ordeal that normally leaves the Senator wilted and wan, but PROXMIRE appeared fit and strong as he spoke on through his last hours on the floor early this morning.

This is not surprising. PROXMIRE, a college athlete who won his "Y" in football despite the dubious distinction of dropping 10 straight forward passes in one practice session, has always worn down his associates with his inexhaustible energy.

PROXMIRE's objections to O'Connor for the FPC were based purely on the man's background. He admits this. He says he has no evidence that O'Connor is not honest, intelligent, or persevering. For that reason there was scant support for his opposition in the Senate.

PROXMIRE'S VIEWPOINT

To PROXMIRE it was the principle of the thing.

"I certainly would not question the character of Mickey Mantle or Roger Maris," he had said. "They are fine Americans. But I would not want them to umpire a Yankee baseball game."

Yet as the filibuster went on, doomed though its objective may be, PROXMIRE thought that the cloth of his defeat may contain threads of victory:

"I think it at least will have an impact on O'Connor and on his conduct in office," the Senator said.

DEATH OF GEN. WALTER BEDELL SMITH

Mr. MANSFIELD. Mr. President, last night a distinguished American and a dear and near neighbor of mine, Gen. Walter Bedell Smith, soldier and diplomat, died in the city of Washington.

General Smith was, in my opinion, not only one of this Nation's outstanding soldiers during World War II, but also in his tenure as Under Secretary of State and Ambassador to Russia he was one of the great diplomats of our time. He was also, for a time, the Chief of the CIA. The passing of this great American is a distinct personal loss, so far as my family is concerned and, I feel also, so far as this body and the Nation as a whole are concerned. His many contributions will be remembered for a long time to come. His devotion to duty was outstanding, and his patriotism was a byword.

General Smith rose from the rank of enlisted man in the Indiana National Guard to the rank of general, U.S. Army. I do not believe he ever went to college. But on the basis of ingenuity and ability, he was able to achieve outstanding positions, which he held in this Government under both Democratic and Republican administrations.

I ask unanimous consent that a news story, published today in the Baltimore Sun, covering the death of this well-known soldier, diplomat, and American, be incorporated at this point in the RECORD.

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

WALTER BEDELL SMITH, SOLDIER AND DIPLOMAT, IS DEAD AT 65

WASHINGTON, August 9.—Gen. Walter Bedell Smith, General Eisenhower's Chief of Staff in Europe during World War II, died tonight at Walter Reed Hospital.

The 65-year-old former soldier and diplomat died at 11:30 p.m. tonight, the hospital reported. The cause of death was not learned immediately.

General Smith had served as an Under Secretary of State in the administration of President Harry S. Truman and as Ambassador to Russia for 3 years.

RETIRED IN 1954

He retired October 1, 1954, after 43 years in Government service.

General Smith earned the unofficial title of "general manager" of World War II and gained new prestige in the subsequent cold war. During 3 critical years of the uneasy peace period he served as Ambassador to Russia.

As Chief of Staff to General of the Army Eisenhower, Smith was responsible for handling the multitude of details involved in planning the invasion of Europe. He had been General Eisenhower's Chief of Staff also in the north African, Sicilian, and Italian campaigns.

Mr. Eisenhower once said that he knew only four men in the American Army capable

of being great Chiefs of Staff and that "Beedle," as he called his assistant, was the best of the four.

NEVER WENT TO COLLEGE

He served as General Eisenhower's Chief of Staff from September 1942, 2 months before the Allies' invasion of north Africa, through the European war and signed both the Italian and German documents for the United States.

Yet General Smith, unlike most high-ranking officers, never attended the U.S. Military Academy or even a civilian college. A first sergeant in the Indiana National Guard in 1917, he entered Federal military service shortly after the start of World War I.

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

Mr. MANSFIELD. I am delighted to yield.

Mr. KUCHEL. Mr. President, all the Members of the Senate on this side of the aisle, as well as all those on the other side, join in the sentiments which have just now been so eloquently expressed by the majority leader.

The late General Smith was a great and distinguished American, who served his nation well in war and in peace. He was referred to as the "general manager" of the Allies' offensive in Europe. He was the Chief of Staff to the then General Eisenhower; and much of the success of the Allies against the forces of darkness in World War II in Europe was due to the abilities and the exertions of the late General Smith.

As the majority leader has said, in time of peace Walter Bedell Smith served this Government as Ambassador to the Soviet Union, and he also served our Government as Under Secretary of State to President Eisenhower.

The American people have lost a stanch advocate for their way of life; and the Nation mourns his passing.

Mr. CARLSON. Mr. President, I wish to add my words of regret at the passing of the great American who has just now been referred to by both the majority leader and the acting minority leader. Gen. Walter Bedell Smith was not only a great soldier; he was also a great diplomat. Those of us who serve on the Foreign Relations Committee had frequent opportunities to obtain the benefit of his views, judgment, and knowledge in regard to many of the problems affecting our country.

The entire Nation mourns the passing of Walter Bedell Smith; and the United States and all the other nations of the free world have suffered a great loss.

HIJACKING OF PLANES AN ACT OF PIRACY THAT MUST BE STOPPED

Mr. CARLSON. Mr. President, the hijacking of planes is an act of piracy that must be stopped. Our country and other nations have dealt with pirates before, and the penalty has been death.

The present situation in our Nation is such that Congress should enact legislation making hijacking of planes punishable by death.

Surely the time has not arrived in our Nation when individual citizens traveling in American aircraft should not have some feeling of security.

Some years ago there was a wave of placing bombs on planes in the United States; and after writing extreme penalties into the provision of the law, this danger was greatly minimized.

The situation in Cuba, 90 miles off our borders, is a festering sore that must be cleared up. Certainly as a great, powerful nation, we do not need to tolerate the insults and provocations that are presented to us by Fidel Castro.

These plane incidents are another evidence of the disrespect Castro shows to our Nation and its citizens; and unless we take firm and drastic steps, we shall lose our prestige and the respect of the nations of the world.

It would be better if the Organization of American States took a firm stand and stated that no Communist-controlled regime would be allowed to endanger the freedoms of the citizens of the countries of the Western Hemisphere. But if it does not, we as a nation must, in our own interest, self-defense, and prestige, take action.

At the meeting now being held in Montevideo, no greater service could be rendered than to take action on this matter.

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

Mr. CARLSON. I yield.

Mr. KUCHEL. I congratulate the able Senator from Kansas on what he has just said. I congratulate him for advocating the enactment of legislation to deal with the vicious epidemic of plane pirating, and I also congratulate him for what he has indicated is the need for joint action in this hemisphere by the Organization of American States.

Mr. President, I do not understand why we permit a continuance of any trade with Castro's Cuba. Every month some citizens of this country continue to purchase agricultural and other commodities from Cuba, to the extent of some $5 million. That is $60 million a year. That ought to stop. The Senator from Kansas is eternally right when he suggests that collective action should be taken by the Organization of American States; the Senator from Kansas is also correct in saying that, lacking joint action, this Government ought to take such action as is necessary and appropriate to prevent a continuation of commercial transactions or trade between this country and Cuba.

We believe in an economic blockade; and the time for that blockade is now.

I thank the Senator from Kansas.

Mr. CARLSON. Mr. President, I appreciate the comments of the Senator from California.

Mr. BUSH. Mr. President, apropos of what the distinguished Senator from Kansas has just said, I wish once more to call attention to a resolution I submitted in January 1960, and in January 1961, which bears upon this particular subject. In effect, it calls for a reactivation of the Monroe Doctrine. It says, in effect, that the Organization of American States should take cognizance of matters of this kind, but if an individual country feels its own security is threatened, it may take unilateral action.

I once again call upon the Foreign Relations Committee to hold hearings on the resolution. My mind has not changed in the last 18 months that some action such as this is necessary in connection with our foreign policy in the whole Latin American area.

VIEWS OF FORMER PRESIDENT HERBERT HOOVER ON HIS 87TH BIRTHDAY

Mr. BUSH. Mr. President, on another subject, in the New York Times of today there is a news story of Herbert Hoover's 87th birthday. Mr. Hoover discussed some of the important issues of the day in his apartment at the Waldorf Towers. At the age of 87, he is far removed from the turmoil of politics, and looks at world affairs with only one point of view; namely, what is best for the people of the United States.

I was not surprised to read that he said, in turning to domestic problems, that the most disastrous thing that is happening to us in the United States is the increase in crime. He said that this trouble arises from the restrictions upon our courts and the practices which have developed within them. The lag in court convictions is not within police control.

In 1957, 2,800,000 major crimes were committed in the United States, and there were only 300,000 convictions. He suggests that our bar associations look into the methods of the British courts, where there is no such appalling record as that in the United States. In Britain 85 percent of those arrested are convicted. He was dealing with what he calls the most disastrous thing that is happening to us in the United States.

I think those of us who live in the District of Columbia much of the year pick up our evening or morning papers with apprehension almost daily, wondering what the new crime of the day or week is going to be. I have noted that the Chief of Police in Washington has said repeatedly that he does not feel the police are adequately supported by the courts, and that is one of the major reasons for the increase in crime.

I ask unanimous consent that the article containing views of Mr. Hoover on this and other subjects may be printed in the RECORD following these remarks.

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

HOOVER, 87 TODAY, DOUBTS WAR WITH THE RUSSIANS IS IMMINENT—SCOFFS AT KHRUSHCHEV'S PROTESTATIONS OF NEW PROGRAMS OR POLICIES—SAYS AMERICANS HAVE NOT GROWN SOFT

(By Foster Hailey)

The once brown hair is thin and gray. The step is slow and deliberate. The voice is thin and lacks some of its old decisiveness. But the spirit still is vibrant.

At 87 years, Herbert Hoover, engineer, builder, wartime feeder of half a world, 31st President of the United States, still faces the coming years unafraid, proud of his country, confident in its strength, sanguine as to its future. And still busy.

In what has become a custom with him the last few years, he submitted Tuesday to a birthday interview. His birthday was not until today.

But to avoid the clutter of TV and newsreel cameras in his apartment in the Waldorf Towers and the insistent questions of newsmen, many of whom were not even born when he was in the White House, the interview was arranged in advance.

He was born in the little Iowa town of West Branch on August 10, 1874.

Puffing at a pipe, which he kept lit with old-fashioned, long-stemmed kitchen matches, he said war was not imminent because "the Russians most likely do not want a nuclear war any more than we do."

"President Kennedy's courageous statement as to Berlin should carry conviction to the Russians," he continued. "As long as the Russians are willing to negotiate over this problem, there is hope of solution."

He said he did not place much credence in Premier Khrushchev's protestations of new programs or policies. He said he found in them no repudiation of the important principle of Communist doctrine first stated by Lenin in 1920: that communism should "use any ruse, dodges, tricks, cunning, unlawful methods, and concealing of the truth" in its dealings with other nations.

Mr. Hoover said he had "never been keen on summit meetings."

"They put the President of the United States in a difficult position," he said. "The leaders of other countries always represent the dominant political party. They can make binding decisions. The President of the United States cannot. We have only to remember the tragic failure of Wilson and the League of Nations to realize that."

Turning to domestic problems, Mr. Hoover described the "most disastrous thing that is happening to us" as the increase in crime.

"Our trouble arises from the restrictions upon our courts and the practices which have developed within them. The lag in court convictions is not within police control," he said.

In 1957, he said, 2,800,000 major crimes were committed in the United States, and there were only 300,000 convictions.

"I suggest that our bar associations should look into the methods of the British courts, where there is no such appalling record as that in the United States."

In Britain, he said, 85 percent of those arrested are convicted.

He put in a plea for his own special interest, the Boys Clubs of America, of which he is a leader. There is, south of San Francisco, a chain of seven such clubs in seven towns, he said, and "the presidents of those clubs inform me that delinquency has practically disappeared in those areas."

As for the fitness of Americans, Mr. Hoover asserted they had not grown "soft" as so many said. "Too much attention is paid to what goes on in the cities," he said. "Out in the countryside, in the small towns, on the farms, Americans are just as patriotic as they ever were, ready to meet any emergency, any challenge."

As for his fitness, Mr. Hoover said he felt "as good as any man probably can at 87."

He said that the third volume of his memoirs, the general title of which is "An American Epic," would be in the book stalls September 11.

He said he was still busy with volume IV, which will carry through World War II.

Mr. Hoover has seven adoring women secretaries, under Miss Bernice Miller, who joined his staff 22 years ago "on a temporary basis."

A digest of his activities last year listed attendance at 26 public fetes; 7 major and 7 minor speeches (with no "ghost writers"); 34,805 letters answered; trips to Florida, Washington, California, and Philadelphia; the filming of a commentary for television, "The Ordeal of Woodrow Wilson," and participation in the educational and scientific work of 12 organizations, on which he either is a trustee or a director.

DALLAS WORKS FOR RACIAL HARMONY

Mr. TOWER. Mr. President, the city of Dallas, Tex., has quietly undertaken and, I am confident, is achieving a remarkable transition from racial segregation to desegregation in its community life. This is being accomplished by responsible leadership on the part of Dallas' own civic leaders, who recognize that racial differences can be resolved only in an atmosphere of good will and moderation.

Due to the existence of this healthy atmosphere of good will, the tensions that have accompanied desegregation in various other cities in every region of the Nation have been avoided in Dallas.

The full story was summarized in the Dallas Morning News last Sunday. I ask unanimous consent to have this account printed in the RECORD following my remarks. It proves my contention that it is possible to create the atmosphere of good will, to which I previously have referred, and that such an atmosphere—free from the influence of extremists on both sides, free from the intervention of outsiders, free from forced measures or threats of such measures—is conducive to lasting racial peace.

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

[From the Dallas Morning News, Aug. 6, 1961]

DALLAS WORKS FOR RACIAL HARMONY

(By Dennis Hoover)

Details of a vast educational program to condition Dallas residents for peaceful acceptance of public school desegregation beginning September 6 were bared Saturday.

The program has been quietly underway for about 17 months, ramrodded by 250 of the city's supercivic dads who make up the Dallas Citizens Council.

Almost every organization in Dallas—civic, religious, service, fraternal, labor, and professional—has joined in a communitywide move to assure law-abiding transition to the new era, it was stressed in a press briefing held by DDC leaders.

Early in 1960 the DCC saw ultimate desegregation as inevitable. It vowed that for the well-being of Dallas the strife of a Little Rock or New Orleans must be avoided, absolutely.

Since then, plans have been carefully laid and carried out.

Cooperating have been such encompassing organizations as the Dallas Bar Association, Dallas County Medical Society, and Greater Dallas Council of Churches.

The inevitable became clear last April 6 when school authorities' last legal bastion in a 5½-year court battle crumbled.

The new era will start in about 4 weeks, when a 12-year stairstep desegregation plan, beginning with first graders at some of the district's 100 elementary schools, will be launched. A potential 10,858 white and 3,102 Negro first graders will be involved.

If the launching is minus brickbats, blood and mob hysteria, it will be because thousands of Dallas people, humble and prominent alike, agree with the DCC's central tenet. This is: Whether you favor desegregation or not, good citizens obey the law.

The DCC comprises the chief executives of Dallas' largest corporations. Many times in the past this organization has acted when it deemed the welfare of Dallas at stake.

EDUCATIONAL PROJECT UNVEILED

Last week President C. A. Tatum and other DCC leaders decided it was time to unveil formally the educational project—its mechanics, philosophy, and success to date. The conference of news media representatives was called at Hotel Adolphus.

A hint of the program's success is the fact that on July 26, a Wednesday, precisely 156 Negro men and women lunched alongside whites in 40 major restaurants and store eating places in downtown Dallas and suburban shopping areas.

There wasn't an incident. This was not a freak episode or a sit-in planned by agitators. It was a deliberately staged test by the city's most responsible white and Negro leaders. It proved, say these leaders, that desegregation of the city's major eating places has been accomplished, with Negro leaders, white proprietors, and the general public ready to behave responsibly.

Silence on the conditioning program has hitherto been observed for two reasons, it has been brought out. One, to avoid stirring up extremist elements; two, to avoid setting up personal targets for citizens rabid over the desegregation question.

But now all can be told. Here are the mechanics of "operation education for desegregation":

COMMITTEE MAPPED THE PLAN

Out of the deliberations that began 17 months ago inside the DCC came a seven-member committee.

This committee, after consultation with psychologists, law enforcement officials, and citizens of other communities that have faced desegregation problems, has been rallying organizations numbering tens of thousands of Dallas residents to the cause of peaceful compliance with the law.

Members of the committee are Karl Hoblitzelle, C. A. Tatum, W. W. Overton, James Aston, Carr P. Collins, Julius Schepps, and John E. Mitchell.

No major group of citizens, whether parent-teacher association, service club, women's club, or communications outlet, has been overlooked. All the sharpest tools have been used, including professional public relations guidance, to get across the message: Good citizenship and the well-being of Dallas necessitate respect for the law.

Among tools used in the program has been a potent, locally prepared documentary film entitled "Dallas at the Crossroads." The movie contrasts scenes of a happy, forward-marching Dallas with pictures of violence in other cities confronted with changes in their school systems. It contains personal pleas from top Dallas civic leaders to avoid making these mistakes.

The film has had scores of showings, and will have hundreds more between now and September 6. Its showing is always after an introduction by the leader of the group to which it is shown—a firm head, church rector, labor leader, women's club president, etc. Viewers are made conscious of the desegregation problem as it could affect them individually.

Today in churches over Dallas 100,000 "Dallas at the Crossroads" booklets are being distributed to church congregations with the enthusiastic approval of the clergy and lay religious leaders.

Inserts bearing the same message are to be distributed by many companies with their employees' paychecks. Thousands of posters presenting the face of a happy Dallas and urging that its citizens avoid violence, have been prepared for display in all public gathering places.

Typical of the reception accorded the movement, say its leaders, is that of Dallas organized labor. It voted overwhelmingly to help immunize Dallas against desegregation violence. Labor's viewpoint is that a city's reputation has definite bearing on job opportunities.

Most particularly, the otherwise unnamed DCC Committee of Seven has been working with a Negro committee of 7 that represents

125 Negro organizations numbering hordes of members.

As occasion required, the two committees have met to iron out problems and plan action. This action, as the July 26 luncheon test indicates, has been broader than that linked directly to mixing school classes.

Significantly, national organizations concerned with the desegregation dispute have been trusting the white and Negro civic committees to oversee desegregation in Texas' second largest city. This evidences the degree to which Dallas' effort to meet the question in advance is unique.

NEGRO COMMITTEE PLANS, TOO

W. J. Durham, regional counsel for the National Association for the Advancement of Colored People, is a member of the Negro committee. His associates on the panel are A. Maceo Smith, George Allen, Ed Reed, Jack Clark, Rev. Brooks Joshua, and Rev. E. C. Estell, Sr.

A tract widely distributed by the DCC committee puts the educational mission into focus. It reads in part:

"By law, white and colored children will attend school together in Dallas for the first time.

"Further, if Dallas' experience parallels that of other Southern cities—and there is no reason to suppose that it will not—the schools are only one area of community life in which Negro leaders will press for change. Restaurants, theaters, increased use of department store facilities, hotels, churches—all are likely targets. Here, as with the schools, the problem may ultimately have to be resolved by law.

"Respect for and acceptance of the law is a vital part of the American tradition. It is also a part of the American tradition that every citizen may hold whatever opinions he chooses on the questions of his time.

"Where his opinions differ from the law as defined by the courts, the good citizen does not resort to violence to express his disapproval or attempt to violate the law. He endeavors to change the law by peaceful and orderly means. This is his right as a free American.

"In the present problem, brought to a head by the court's decision, the Dallasite is not asked to change his opinion on the subject, be it 'pro' or 'con'. He is asked to respect the law."

DESEGREGATION VIOLENCE SHUNNED

Other written pieces and speakers on behalf of the opinion-molding program have been stressing the devastation wreaked by desegregation violence. They point out that not only has Little Rock lost in population and industry, but unofficial evidence points to widespread emotion illness among the populace—particularly children.

Warns a committee pamphlet entitled "Dallas Opportunity": "Violence is a problem that affects the whole community and not merely a few isolated segments of the school or business public. Violence destroys a community. It not only disrupts business and education, but undermines the health and moral fiber of all citizens. Extremist elements and self-seeking individuals come into control, and the city's children are forced to bear alone a burden which rightfully is an adult responsibility."

If the conditioning effort works as planned, extremists will feel lonely on desegregation day, the committee believes.

Because good citizens obey the law, those who do not will perforce be labeled as bad citizens and have difficulty gaining a following.

Moreover, via the documentary film and otherwise, potential troublemakers are being assured that every Dallas policeman has been specially trained to cope with disrupters of law and order.

With apparent understatement, former Mayor R. L. Thornton, Sr., noted at the briefing last week: "Our law enforcement authorities have ample means to be very helpful if a disturbance arises."

RACIAL BARS LIFTED ELSEWHERE

While the city's white and Negro leaders have addressed themselves to the main aim of a peaceful Sept. 6 in elementary school environs, other areas of racial discord have quietly been smoothed out in Dallas.

It is no mere fortuity that Dallas has had little sit-in trouble and been bypassed by freedom riders, say these leaders.

Also labeled products of the conditioning program are such changes as:

The recent shifting of Dallas Negro plainclothes policemen into uniforms.

Desegregation of the State Fair Musicals.

The reclassification of jobs by many Dallas employers. (It was found that 139 types of jobs over Dallas were being lumped under the titles of janitor and porter. Reclassification made one erstwhile porter a receiving clerk—the job he was actually performing.)

Desegregation of Fair Park's amusement area at the start of this summer season.

Progress being made toward accommodating mixed groups at Dallas hotels. Even now, visiting Negro government leaders and other dignitaries are being accommodated.

Those who have ramrodded the education project seem to be optimistic about its outcome.

They believe the doctrines of active acceptance of the inevitable by white Dallas people and "active containment" by Negroes of perhaps normal instincts will pay off in a continuing peaceful, progressing, and wholesome Dallas.

LONG-RANGE IMPACT OF FOREIGN-AID-CREATED INDUSTRY ON DOMESTIC ECONOMY

Mr. WILEY. Mr. President, in the face of great and growing threats to peace and security, the mutual security program—in my judgment—continues to be absolutely necessary for strengthening free world defenses.

In its present form, the bill, however, is not sacrosanct—that is, immune to modification. Rather, it should be analyzed to strengthen its effectiveness, to eliminate its shortcomings, and, insofar as humanly possible, to assure that it is the best vehicle for serving our national security.

There is, for example, a major aspect of the program which I believe deserves careful and analytical consideration of the Senate. That is the long-range impact upon the domestic U.S. economy of competition resulting from industries created abroad by the mutual security program.

For the years ahead, the American taxpayer is being asked to underwrite industrial-economic development of countries around the globe.

We realize, of course, that there must be economic progress in these nations—if they are to become self-sufficient; if they are to withstand the pressures of communism; if they are to make their contribution to world progress; if they are not to become breeding grounds of communism, or other threats to peace.

However, the American taxpayer, I believe, has a right also to expect protection against long-range damage, which could be inflicted upon the domestic economy.

Unless protective action is taken, the creation of greater productive capacity in other nations will turn out goods which ultimately will compete with, and perhaps undercut U.S. enterprises.

Now, what can be done?

Obviously, there are no panacea-type solutions. Nevertheless, we must, I believe, carefully consider courses of possible action to safeguard our domestic economy.

What are the alternatives? These could well include:

First. Appoint administrators with a deep sense of responsibility, a sense of trusteeship to the American taxpayer. The purpose would be to avoid irresponsible profligate spending, without regard to its consequences to our domestic economy.

Second. Establish criteria for investing in industries in less developed nations, taking into account the long-range impact which such foreign-made products could have on the domestic economy.

Third. As a requirement for obtaining loans, recipients could be requested to make agreements either (a) not to compete with us; or (b) to limit such competition.

Fourth. Efforts could be made to develop industries for which outputs would largely be consumed or utilized within the producing countries, or at least within the regional areas.

Fifth. Contracting nations could, by mutual agreement, establish quotas, or at least some types of limitations on products shipped to the United States, or earmarked for competition with U.S. goods on the world markets.

Unfortunately, these recommendations—either singly, or in toto—do not provide a magic solution. In fact, they themselves create special problems.

Nevertheless, I offer them as food for thought—to evoke discussion in the Senate on this aspect of the mutual security program.

In my judgment, it has been too little considered. To protect the domestic economy, we must here and now attempt to evaluate the long-range impact of the new enterprises on the American economy.

Again, I stress, I do not want to raise a "bugaboo" that would tend to cripple or kill the mutual security program.

I am hopeful, that the Senate will satisfactorily resolve these and other problems in the bill, and then "speak with one voice" in approval of the final version of the program.

GOODRICH W. LINEWEAVER

Mr. ANDERSON. Mr. President, Goodrich W. Lineweaver, who in April retired from the staff of the Senate Interior and Insular Affairs Committee, died Tuesday at Waverly Hospital outside Washington, at the age of 74.

I know that Goodrich will be mourned by all of the members of the Senate, and particularly by those of us in the 17 Western States which have benefited from the energy and the wisdom he contributed to the reclamation movement.

Mr. President, I shall ask unanimous consent to place in the RECORD a biographical sketch of Mr. Lineweaver, who came into the Government service in 1934, as Secretary of the Federal Power

Commission, subsequently became Assistant Commissioner of Reclamation, and in 1955 joined the staff of the Interior and Insular Affairs Committee.

Goodrich leaves many friends in the Department of the Interior, which cited him for his distinguished service in the reclamation field, and here in Congress, where he was a jolly, a wise, and an effective public servant.

Mrs. Lineweaver preceded Goodrich in death some months ago. He is survived by two sisters, Mrs. Mattie Bean, of Connecticut, and Mrs. Marietta Little of Williamsburg, Va., and by a number of nieces and nephews.

To all of these survivors I want to extend my heartfelt sympathy. I know that the Members of the Senate, to whom he was a familiar fellow worker, join me in that expression of sympathy.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a biographical sketch of Mr. Lineweaver, who came into the Government service in 1934, as Secretary of the Federal Power Commission.

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

BIOGRAPHICAL SKETCH OF GOODRICH W. LINEWEAVER

Goodrich W. Lineweaver, former Assistant Commissioner of Reclamation, had wide experience in administration, research, and related economic problems in conservation, and resource development, especially in the reclamation program in the 17 Western States.

Mr. Lineweaver served as Secretary of the Federal Power Commission from 1934 to 1936. Subsequent to this assignment he became associated with the Institute of Government of the Brookings Institution in connection with the Federal reorganization survey of electric power and related conservation subjects. He later became consultant for National Power Policy Committee in connection with Bonneville Power Administration legislation. Later for the National Reclamation Association he conducted research, statistical, and legislative analyses of conservation and western resource development. He developed economic reports following an extensive review of reclamation and related problems affecting the Bureau of Reclamation and Indian irrigation projects.

Because of his experience and familiarity with the economic problems which were expected to confront the Reclamation Repayment Commission created by Congress in 1937, Secretary of the Interior Harold L. Ickes named Mr. Lineweaver to serve as Secretary of the Commission. The Commission made an economic analysis of all reclamation and Indian irrigation projects and recommended such revisions in the Reclamation law which became the basis for much of the Reclamation Project Act of 1939. The Commission was made up of three of the West's greatest authorities on irrigation and reclamation: Dr. Charles A. Lory, then president of Colorado State College of Agriculture, Fort Collins, Colo.; chairman, Mr. William R. Wallace, chairman of the Utah Water Conservation Board; and Mr. George T. Cochrane, former State water commissioner of Oregon.

In 1939, Mr. Lineweaver joined the Bureau of Reclamation staff as an economic consultant and in 1940 became Chief of Research.

During November and December 1941, Mr. Lineweaver testified for the Federal Government before the special master named by the Supreme Court of the United States in the widely discussed Tri-State case, (*Nebraska v. Wyoming and Colorado, United States, Intervener*), a controversy involving the water rights on the North Platte River. On the basis of his research and his presentation of factual data relating to reclamation, his testimony was of such import in this most complicated case that Mr. Lineweaver's handling of the subject was commended by the representatives of the Attorney General in letters to the Commissioner.

In 1942 Mr. Lineweaver became Chief of Information of the Bureau of Reclamation and served as coleader of the Columbia Basin joint investigations. Assistant Secretary of the Interior William E. Warne, who was then associated with the Bureau of Reclamation, previously headed up these studies with Dr. Barrows. However, Mr. Warne was called to the War Production Board to serve as production leader and Mr. Lineweaver took over the direction in the Commissioner's office of the Columbia Basin joint investigations which comprised the most extensive study ever undertaken to aid future farmers on reclamation developments to make a success. It was sponsored by the Bureau, first under the leadership of Barrows and Warne, then under Barrows' and Lineweaver's guidance, in cooperation with some 40 Federal, State, and local agencies. Subsequent to the completion of these studies Mr. Lineweaver was active in spearheading a similar process on the Central Valley project with Dr. Barrows and others.

Early in the World War II years Mr. Lineweaver also served as the Bureau of Reclamation's security officer along with his other duties. In 1943 he was appointed Assistant to the Commissioner for Liaison with field activities under the Bureau's new regionalized administration. In this position he coordinated the activities of the various branches then located in Denver and regional offices of the Bureau and was primarily responsible for getting the Bureau's war food program underway. This program with the sanction of the War Production Board resulted in continuing construction of a number of irrigation projects.

In 1945 Mr. Lineweaver was appointed Director of the Branch of Operation and Maintenance reactivated with headquarters in Washington. He represented the Commissioner not only in operation and maintenance problems through the seven regional directors of the Bureau, but in numerous special assignments related to the broader field of reclamation.

As Director of Operation and Maintenance, he was responsible for the development and coordination of irrigation systems now providing irrigation water for more than 5 million acres of land, as well as for the execution of repayment contracts and plans for the settlement of war veterans, and others on Federal reclamation project lands. He also represented the Commissioner in advancing a program of cooperation with western land grant colleges of agriculture and the Department of Agriculture.

On April 28, 1950 Mr. Lineweaver was appointed Assistant Commissioner of Reclamation. As Assistant Commissioner, he has supervision over administrative matters, including the program and finance operations of the Bureau, and appropriation presentations before the Bureau of the Budget and the Congress, in addition to special assignments.

Mr. Lineweaver was born in Harrisonburg, Va., and received his education in the public schools of that city. He was engaged in newspaper work in Virginia and West Virginia prior to World War I in which he served as a lieutenant in the Army for 3 years. At the close of the war he returned to newspaper work located in Norfolk, Va., where he specialized in resource and conservation development activities. The late Mrs. Lineweaver was the former Evelyn Koogler of Harrisonburg, Va. They resided at 5415 Connecticut Avenue NW., Washington, D.C., before the death of Mrs. Lineweaver a few months ago.

Mr. CASE of South Dakota. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. CASE of South Dakota. I wish to join the Senator from New Mexico in expressing my appreciation for the service and the life of Goodrich Lineweaver. He was a friend of everyone who wanted to have water conserved and used wisely.

Mr. ANDERSON. I thank the Senator from South Dakota.

Mr. CARROLL. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. CARROLL. I wish to associate myself with the remarks of the Senator from New Mexico. I knew Mr. Lineweaver, and I also knew his wife, who passed away last March.

Mr. Lineweaver was a dedicated public servant. He was of great help to some of the junior Senators, because of his broad knowledge of the field of reclamation and irrigation.

I read with deep regret the news of his passing; and I extend my personal sympathy to his survivors.

Mr. JACKSON. Mr. President——

Mr. ANDERSON. I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I, too, wish to associate myself with the remarks of the distinguished Senator from New Mexico.

I had the privilege of knowing Mr. Lineweaver when I served on the House of Representatives Appropriations Committee and was assigned to its Subcommittee on Appropriations for the Department of the Interior.

Mr. Lineweaver was well versed in the problems of water conservation and development.

Later, as all of us know, he served with distinction in the same field, as a staff member of the Senate Committee on Interior and Insular Affairs. He was a very able legislative technician. He knew his business, and he rendered great service to the Senate and to the country during his long period of public service.

I wish to extend my deepest sympathy to his survivors.

Mr. BYRD of Virginia. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. BYRD of Virginia. Mr. President, Goodrich Lineweaver was born in Virginia, and I have known him for many years.

I am deeply distressed at the news of his passing.

I wish to join my colleagues in expressing great appreciation of his fine service to this country.

We greatly mourn his passing.

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

CHAMPION OF LIBERTY STAMP SERIES

Mr. DODD. Mr. President, the most effective way in which we can counter

Khrushchev's demands on Berlin is to demand the right to self-determination for the captive nations of Europe. We should make this demand not as a one-time diplomatic play, but as a cardinal principle of our foreign policy.

The crisis which confronts us demands a bold dedication to the principle of freedom. But there have been several indications that, instead of placing more emphasis on liberation, we are placing less emphasis on it. These indications disturb me.

Mr. President, on August 31, 1957, this Nation issued its first champion of liberty postage stamp which honored the late President of the Philippines, Ramon Magsaysay.

The concept of these stamps was to do honor to the memory of patriots of other countries who fought and, in some cases, died in the cause of freedom and justice.

It was the first time in the history of this Nation that citizens of other lands were so featured on our postage stamps. And it was a gesture on our part that had far-reaching results within the countries whose patriot leaders were thus honored.

The Post Office Department rightly assumed that the many millions of people, cut off from the normal free press, nevertheless receive letters from abroad and study the stamps affixed to these letters. They recognize the person pictured on the stamp and remember his role in their national life. The memory of freedom is thus strengthened, and the will to freedom thus encouraged.

The issuance of each series honoring a champion of liberty was tied to special announcements in his country of birth, wherever this was possible.

In the case of Simon Bolivar, who is regarded as a liberator throughout Latin America, special announcements were made in every Latin American country.

Official ceremonies highlighted the first day of issue of each of these series.

The stamps were issued in two denominations, 4-cent and 8-cent, the postage, respectively, of domestic and foreign regular first-class mail.

Since the series was initiated in 1957, only nine patriots have been honored by this Nation.

These nine, and the date of issuance of the stamps, were Ramon Magsaysay, August 1957; Simon Bolivar, July 1958; Lajos Kossuth, September 1958; Jose de San Martin, February 1959; Ernst Reuter, September 1959; Thomas Masaryk, March 1960; Jan Ignace Paderewski, October 1960; Giuseppe Garibaldi, November 1960; and Mohandas Gandhi, January 1961.

In a number of unforgettable ceremonies, former citizens of the lands now controlled by Communists expressed their deep and sincere thanks to this Nation for this memorial to the freedom fighters of their lands. In addition, thousands of dollars worth of stamps were purchased and used to mail untold thousands of letters to destinations behind the Iron Curtain.

As an example, more than 722,000 Kossuth stamps were purchased. Many, of course, were bought by collectors. But we can be certain that many also found their way into Hungary where the name of Kossuth will forever be linked with the cause of Hungarian freedom.

The present Government of Czechoslovakia returned a number of pieces of mail with Masaryk stamps on them, despite official protest by our Department of State. And there were reports, at the time, that letters were delivered within the country with the stamps deliberately torn off. These stamps, I would point out, bore no message, only the likeness of the particular patriot and the dates within which he lived.

I have heard some argue that these stamps should not be issued on the grounds that the governments concerned might be offended. Whether they realize this or not, those who make this argument are, in effect, arguing that we must never speak the truth if it offends the sensitivities of the tyrants.

Rather than cut down on the number of these Champion of Liberty stamps, I believe that their number should be increased.

I can appreciate the fact that we can issue too many stamps and thus lower their overall value and psychological impact.

But I am deeply concerned at the news that the Postmaster General plans to reduce the number of Champion of Liberty stamps to one a year, rather than two; and to issue that one, if it is at all issued, only in the 4-cent or domestic denomination.

When we speak of the struggle for freedom, we speak as one nation, not as one political party versus another. If this were the case, nothing could do the cause of freedom more harm.

The issuance of the Champion of Liberty series is in no sense a partisan matter.

That is why, Mr. President, I ask Postmaster General Day to review again the situation in which this important and effective series of stamps is being cut back.

Mr. President, I should like to propose that the next Champion of Liberty stamp be dedicated to the martyred Bulgarian peasant leader, Nicola Petkov, who has been described by Members of Congress who know of his deeds as the bravest democrat of all. I should further like to propose that the stamp be issued at the end of September, to mark the anniversary of the execution of this brave and noble man by the Bulgarian Communist regime.

Mr. President, his close friend and colleague, Dr. Georgi Dimitrov, described the tragedy of Nicola Petkov in these words in his obituary article in the Saturday Evening Post:

> No man believed more sincerely in the possibility of collaborating with the Soviets than did Nicola Petkov. No man paid more dearly for this belief. No man conducted himself with greater courage when once he discovered his error, nor confronted his executioners with greater dignity.
>
> His is a tragedy pregnant with significance for a democratic world that is still contemplating, Hamlet-like, the pros and cons of the very problem on which Petkov met his doom.

APPLICATION OF FEDERAL CRIMINAL LAW TO CERTAIN EVENTS OCCURRING ON BOARD AIRCRAFT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business, S. 1983, be laid aside temporarily, and that the hijacking bill, Calendar No. 670, Senate bill 2268, be laid before the Senate as the pending business.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2268) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That section 902 of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new subsections:

"CRIMES ABOARD AIRCRAFT IN FLIGHT

"(1) (1) Whoever, while on board an aircraft in flight in air commerce, commits an act which, if committed within the special maritime and territorial jurisdiction of the United States, would be in violation of sections 113, 114, 1111, 1112, 1113, 1363, or 2111 of title 18, United States Code, shall be punished as provided therein.

"(2) Whoever, while on board an aircraft in flight in air commerce (A) attempts to obtain or obtains control of the aircraft by unlawful force or violence or the threat of force or violence; or (B) assaults, intimidates, or threatens so as to interfere with any flight crew member of such aircraft while engaged in the performance of his duties or lessen the ability of such flight crew member to perform his duties, shall be fined not more than $10,000 or imprisoned not more than twenty years, or both. Whoever in the commission of any such acts uses a deadly or dangerous weapon shall be imprisoned for life, or for not less than twenty years.

"(3) Whoever, while on board an aircraft in flight in air commerce, commits an act which if committed aboard a vessel on the high seas would constitute piracy as defined by section 1651 of title 18, United States Code, shall be imprisoned as provided therein.

"(4) Whoever willfully imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would constitute a violation of paragraphs (2) and (3) of this subsection shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(5) Violation of this subsection shall be investigated by the Federal Bureau of Investigation.

"CARRYING WEAPONS ABOARD AIRCRAFT

"(j) Except for law enforcement officers of any municipal or State government, or the Federal Government, who are authorized or required to carry arms, and except for such other persons as may be so authorized under regulations issued by the Administrator, whoever, while a passenger aboard an aircraft being operated by an air carrier in air transportation, carries on or about his person a concealed deadly or dangerous weapon

or attempts to board such an aircraft carrying such a weapon shall be fined not more than $5,000 or imprisoned not more than five years, or both. Violations of this subsection shall be investigated by the Federal Bureau of Investigation."

SEC. 2. Title XI of the Federal Aviation Act is amended by adding at the end thereof a new section as follows:

"AUTHORITY TO REFUSE TRANSPORTATION

"SEC. 1111. Any air carrier is authorized under regulations prescribed by the Administrator to refuse transportation to a passenger or to refuse to transport property when, in the opinion of the air carrier, such transportation would or might be inimical to safety of flight."

EAST GERMAN REFUGEES

Mr. HART. Mr. President, we live in a new age of migrations. The hundreds of thousands of refugees in every corner of the globe, from Miami to Hong Kong, readily indicate these migrations. Lately, we have been reading and hearing a great deal about the flight of refugees from Communist East Germany. A story by Flora Lewis on the front page of this morning's Washington Post, points out that the East German refugee flow is gaining momentum.

Another record stream of East German refugees—

Writes Miss Lewis—

poured into West Berlin overnight, frightened by recent Communist declaration—

And I might add, Premier Khrushchev's recent television address to the Russian people. Miss Lewis continues:

Between noon Monday and noon Tuesday, 1,741 people registered at the Marienfelde camp in West Berlin, the highest number of new arrivals on a weekday since the East German uprising in 1953. During the previous 24 hours the number of refugees was 1,468.

Mr. President, the growing confidence and enthusiasm generated by the Soviet leadership in the claimed invincibility of its goal, world domination, is being vetoed by these valiant refugees from communism. It is no secret that the Soviet leadership, and particularly the East German puppet regime, is embarrassed by the refugee flight. Obviously, it does not speak well for their totalitarian system. Consequently, the East German leadership is pressing for tougher restrictions to stem the flow of refugees.

In an unprecedented statement issued on July 29, the leadership bluntly stated that the Western rights in Berlin must be ended this year to halt the flight of refugees. The leadership admitted that the mass migration was shaking the foundations of the East German puppet state, was disrupting the economy, and was damaging the nation's standing abroad.

Spurious though it may be to the Communist leadership, we cannot stand idly by. Democracy and freedom embody not only a philosophical affirmation, but also an ethical commitment to support vigorously the migration from tyranny. What the free nations cannot do, under any circumstances, is frustrate the natural yearning of peoples for freedom, dim the attraction of liberty, or close the West German borders to refugees from oppression. If we fail in this respect, in Germany and throughout the world, we shall have lost a crucial round in the global conflagration between the free world and the totalitarian powers. Indeed, we shall have lost a round in the struggle for self-determination and national independence. Our obligation is clear.

The West German Government is to be commended for its efforts to resettle the refugees in an unflinchingly humane manner. Reports indicate that the East German refugees are being rapidly absorbed into West Germany. Miss Lewis points out that "the latest West German employment statistics assure refugees a quick new start in life. Registered job offers in July showed six jobs open for every person seeking work."

Mr. President, I ask unanimous consent that the excellent article by Miss Lewis be printed at this point in the RECORD.

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

ALARMED BY K. THREATS, REFUGEES FLOCK TO WEST BERLIN—DEFIANCE GROWS AMONG PEOPLE STAYING BEHIND

(By Flora Lewis)

BONN, August 8.—Another record stream of East German refugees poured into West Berlin overnight, frightened by recent Communist declarations.

Between noon Monday and noon Tuesday, 1,741 people registered at the Marienfelde camp in West Berlin, the highest number of new arrivals on a weekday since the East German uprising in 1953. During the previous 24 hours the number of refugees was 1,468.

They told authorities that the latest statements from Moscow had made them fear the escape route might be closed in a few weeks. The refugees' stories indicated growing fears of Soviet Premier Nikita S. Khrushchev's belligerence and an increasingly defiant mood among those who have stayed behind in East Germany.

The weekend Warsaw pact communique and Khrushchev's speech last night demanding action on the Berlin crisis this year served to intensify the jitters sending people in headlong flight from their homes and jobs.

EACH REFUGEE INTERVIEWED

Each refugee arriving in the camp goes through a registration process that includes a hearing before a committee where the person's reason for coming, his background, living conditions and family situation are asked.

A number of the latest arrivals gave accounts of Communist organized meetings in factories and collective farms where the workers quarreled with party officials come to lecture them and voiced open criticism.

The East German news agency ADN denounced collective farmers in two unspecified villages for "trying to justify" withdrawal from collectives at open meetings.

REFUGEES GET JOBS

Further harrassment of border crossers, residents of East Berlin and East Germany who commute to work in West Berlin, also is reported. In the last week, an average of 260 border crossers have come to Marienfelde in the daily flow of refugees.

Although there is no evidence at all to back Communist charges that West Germany has been trying to lure people across, the latest West German employment statistics assure refugees a quick new start in life. The July figures, just published, show unemployment at 93,263, the lowest since the war. It represents 0.4 percent of the working population.

Registered job offers in July showed six jobs open for every person seeking work. The acute uneasiness in the East, reflected by the exodus of refugees, has not been paralleled in West Berlin and West Germany, where exodus now means the regular summer flood tide to Europe's coasts and mountains for vacations.

There were these other Berlin developments:

The East Germans reintroduced in some factories the type of hated wage rules that played a major role in touching off the revolt 8 years ago, the Herald Tribune News Service reported.

The move is being made in the name of "supporting the struggle for a German peace treaty." It consists of indirectly reducing wages by paying 100 percent of the usual wage only for output accepted as top quality. Second- and third-grade work would be paid for at the rate of 90 and 70 percent.

Judgment on the quality of work is left to the Communist inspectors.

The East German Parliament was called to meet in East Berlin on Friday to discuss "questions concerning a peace treaty," Reuters reported.

Observers believe the Central Committee of the Communist Party is in session and an important new step may be announced at the meeting.

CUBAN REFUGEES

Mr. HART. Mr. President, I would also call the Senate's attention to an excellent article on Cuban refugees in this morning's New York Times. The article, by Milton Bracker, points out that "a new type of Cuban refugee—fishermen, small farmers, laborers—has been arriving here in the last few weeks." This is in marked contrast to the early flow of refugees from Castroism, which was dominated by professional people and the well-to-do.

Most of this new wave of refugees are people who initially supported Castro fervently. They are the people who suffered most under the Batista regime, and looked upon Castro as the great liberator from want. But Castro has disappointed these people, and today they are risking their lives by fleeing to the Florida Keys, mostly in small craft.

Mr. Bracker's article is an account of his interviews with this new wave of Cuban refugees. I ask unanimous consent, Mr. President, that this telling article be printed at this point in the RECORD.

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

WORKERS AND PEASANTS FLEEING CUBA IN A NEW WAVE—POVERTY STRICKEN GET TO FLORIDA BY SEA, OFTEN WITH PETS

(By Milton Bracker)

MIAMI, FLA., August 8.—A new type of Cuban refugee—fishermen, small farmers, laborers—has been arriving here in the last few weeks.

These immigrants are in marked contrast to the wealthy and well-to-do who made up the bulk of the early exodus from the regime of Premier Fidel Castro.

The men, often accompanied by wives and children, and sometimes by pets, reach points along the Florida Keys in small craft. These may be powered by motor, by sail, or by oars.

One group of five rowers, including a sick man, hailed a flagless freighter in the hope of replenishing water supplies. The request was denied.

Cubans who had boarded the vessel said that her commander, learning that they were fleeing Cuba, called down to his deck officer to stop discussing the matter with the three men who had come aboard.

"Emigrantes, emigrantes, fuera," one of them said the orders were. This meant, "refugees, refugees—get them off."

The men could not read the name of the ship, inscribed on her black-streaked white hull. But they said they recognized the letters as Russian. The freighter was on the way to Havana.

The white-collar refugees who arrive here on the only two authorized flights daily are well dressed. Despite the difficulties they may have had in arranging to leave, they do not look particularly harassed or needy when they step down from the plane.

But the small boat traffic, which an official of the Federal Cuban refugee program says has "increased tremendously," uniformly involves poor people. They have sailed surreptitiously from some point on the north Cuban coast, usually between Matanzas and Caibarien.

The men are sunburned and unshaven, often with callused hands and square stubby nails. The women are campesinas, country girls, single-mindedly clutching their children and their belongings to them.

Born to poverty, most of these people were glad when Dr. Castro ousted Fulgencio Batista. They looked forward to getting a larger share of life. Those who are clambering ashore at Key West these days are disillusioned.

For example, Longino Dominguez, 44 years old, had worked with wood as long as he could remember. He built every piece of furniture in his small house at Mariel, in Pinar del Rio Province.

Not long ago, the Fidelistas told him he would have to join the National Revolutionary Militia.

"I told them, 'I'm a carpenter, not a politician,' " he recounted. "I'm independent. I don't belong to this government or any other government."

DOG ALSO TAKEN ALONG

The pressure increased. The idea was communicated to Senor Dominguez that if he did not join the militia, there might be no demand at all for a carpenter.

On July 23, with 16 others, Senor Dominguez reached Florida traveling in two small sailing craft with auxiliary motors. The party included his wife, Matilde, and three children; another pregnant woman, another child, and a dog called Joni.

A month ago this week a fisherman arrived, a short, strong-chested man with a nature suggesting what Santiago, "The Old Man of the Sea" in the Ernest Hemingway novel, might have been like at the age of 38. He sat stoically here and recalled the days when he and his boat brought back a good catch of bonito.

"I sold it to whoever paid most," he said.

But under Dr. Castro, he was forced to sell to the Government cooperative. It paid him a flat 15 cents a pound, then sold his catch for 25 cents.

However, he said, he had an even more compelling reason to flee. He has a 10-year-old daughter named Liseta, a child with big, glowing eyes.

"One day she came home from school," he said, "with a (Patrice) Lumumba poem, against this, against that, against this. She had to learn it by heart."

Mr. Lumumba was the first Premier of the Republic of the Congo. His death has been attributed by Communists to Western influence.

To Magdalino Olivero, Central Africa, was infinitely remote.

"Who was this Lumumba that my daughter should say his words that she did not understand?" he asked. "And everything was Lumumba, Che Guevara, Nikita Khrushchev."

" 'Patria o muerte, vengermos,' " he went on, repeating the slogan, "fatherland or death, we will triumph." "What does it mean in the mouth of a child?"

Magdalino's brother, Mariano, 42, had just finished paying for a 1958 Chevrolet truck.

"Then they told me it was nationalized," he said.

The brothers crossed to Key West in a party of 37.

In another group, Luis René Canizares, 20, a welder, and Jose Manuel Montero, 28, a riveter, had been embittered by factory rules preventing more than two men from talking to one another. Always the constant drive to make workers join the militia, they said; always those who had joined "listening."

MAKE OFF WITH ROWBOAT

Señor Canizares, Señor Montero, a plumber named José Gonzalez ———, 22, and two others, had had enough.

They stuffed basic supplies, including a vaccum bottle containing a liter and a half of water (less than half a gallon) into an inner tube. They took locker No. 213 at Varadero Beach, east of Havana, and hired rowboat No. 435 from the National Institute for the Tourist Industry.

The first night out, one of the men got sick; they gave him more water than his ration; they ran short.

The next day—Wednesday, July 19, at 3 p.m.—the white-hulled freighter hove into view. The men waved shirts.

With .38 caliber revolvers stuffed into their belts, Señor Canizares, Señor Montero, and Señor Gonzalez climbed a rope ladder.

No one aboard knew any Spanish. A deck officer knew a little English and so did Señor Gonzalez.

"Where are you headed?" the former asked.

"Miami or Key West. And you?"

"Havana."

The Cubans asked for water.

According to their version, the captain of the vessel called down to the deck officer to find out their status.

When he heard they were refugees, the men recounted, he ordered them off the ship at once.

There was no argument or any particular tension. The captain showed no more inclination to try to take the men back to Havana than to give them water.

Twenty miles off the keys, the rowboat was taken in tow by a motorboat fleeing the same way. The combined parties landed at Marathon, south of here.

And today, the word from Key West was that the one-way traffic across the 90-odd miles of water was continuing, and increasing.

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

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(At this point Mr. HART took the chair as Presiding Officer.)

APPLICATION OF FEDERAL CRIMINAL LAW TO CERTAIN EVENTS OCCURRING ON BOARD AIRCRAFT

The Senate resumed the consideration of the bill (S. 2268) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

Mr. MONRONEY. Mr. President, the pending business before the Senate is the bill (S. 2268). Before I start to explain the provisions of the bill, I yield to the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], with the understanding that I do not lose my right to the floor.

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

Mr. MANSFIELD. Mr. President, it seems to me that the Senate owes a great debt of gratitude to the distinguished minority leader [Mr. DIRKSEN], the distinguished Senator from Oklahoma [Mr. MONRONEY], the distinguished Senator from California [Mr. ENGLE], the distinguished Senator from Tennessee [Mr. GORE], the distinguished Senator from New Mexico [Mr. ANDERSON], the distinguished Senator from Washington [Mr. MAGNUSON], the distinguished Senator from Kentucky [Mr. MORTON], the distinguished Senator from Oregon [Mr. MORSE], the distinguished Senator from New York [Mr. JAVITS], and to others, for the restraint which they urged upon us last night in an attempt to give more adequate consideration to the bill before us. Their purpose was to have on the desks of Senators today clean copies of the bill, the reports, and the hearings, which are now before every Senator. They refused to be stampeded as this body came very close to action in consideration of the hijacking situation.

I think we had better get clearly in mind that we are talking about two different problems. One is the question of the safety of aircraft in flight. The other is the state of our total relations with Cuba. They are quite different problems even though they appear to converge at this moment in time, at this low ebb of these relations.

The hijacking of a plane, whether it occurs within or outside our borders is a dangerous and revolting crime. It would be a dangerous and revolting crime even if our relations with Cuba should be as excellent as they now are bad. It is a crime whether the plane that might be hijacked is a U.S. plane bound for Dallas or Bogotá which winds up in Havana or a Cuban airliner, bound for Santiago de Cuba or Mexico City which winds up in Miami.

In short, Mr. President, the hijacking of a plane is a crime, notwithstanding Cuba or the state of our relations with that nation. It is a crime because civilized human beings will readily recognize it as such, wherever it may occur. It is a massive crime because innocent human life and valuable property are placed in great jeopardy in order to satisfy the mad whim, the lust for gain, the political beliefs or whatever of the perpetrators.

That reasoning underlies the legislation which the Commerce Committee has reported. The legislation appears to me to be sound in its approach. But it is also limited. It attempts to deal with the problem of hijacking insofar as the

problem can be dealt with on a domestic basis.

But it is clear, Mr. President, that the problem of hijacking has international ramifications as well. This legislation can only touch the fringes of those ramifications.

We come, therefore, to some of the amendments which were suggested in last night's discussions to meet the international ramifications which I think do not belong in this legislation.

If we wish to leave the difficult problem of our total relations with Cuba to the President, where it belongs at this point, while we concentrate on the problem of hijacking which has so deeply and properly aroused the people of the United States, I would suggest another course. I would suggest: First, that we pass this legislation which is now before us, as it emerged from committee; and, second, that the Foreign Relations Committee consider a resolution requesting the President to convene a conference of the signatories of the laws of the sea agreement, which we have ratified and which includes piracy in the skies, to determine whether it needs strengthening on this point and whether its applicability can be speeded up.

Mr. MONRONEY. Mr. President, I thank the distinguished majority leader for his statement and also for permitting this very important bill to come before the Senate at this time. It is important because, as the Senator from California [Mr. ENGLE] and members of our Subcommittee on Aviation have discovered, there are considerable gaps in the present legislation to deal with the crime of hijacking of aircraft, which is rather new in aviation history.

THE LESSON FOR DEMOCRACY IN THE BERLIN CRISIS

Mr. KEATING. Mr. President, the crisis in Berlin points up the fact dramatically and notably that free enterprise works. The thing that has really gotten under Khrushchev's skin is that hundreds of East Germans every day forsake family and friends and flee to freedom in West Berlin. On Tuesday, 1,741 fled East Berlin, the largest number for any weekday 24-hour period this year. I believe it was exceeded, perhaps, yesterday.

As we all know, there is a marked difference between East and West Berlin. In the East, goods are scarce, workers are under heavy restrictions, life is very largely controlled by the State. In West Berlin, consumer goods are plentiful, economic activity is sprightly and there is an atmosphere of excitement that marks West Berlin as being very different from its eastern counterpart.

This is not a new theme. It is obvious to anyone who has followed developments in the Berlin crisis. The question that it brings to mind is why this difference? What makes West Berlin a better place than East Berlin? What is the importance of this marked disparity for the United States?

It seems to me that there are two things that distinguish the free enterprise system of West Berlin. First of all, there is a limited amount of governmental control in the economy of West Berlin—limited in degree and in terms of the number of areas in which the government has a direct role to play. Second, there is a heavy emphasis on developing individual incentives, that is the right of every citizen to seek his just reward. This is basic to the meaning of free enterprise.

This vast difference between East and West Berlin has a meaning for every democracy, and indeed for every nation in the world today.

Let us look at our own country. The experts tell us that what we really have is a "mixed economy." It is a mixture of public activity and the free play of individual incentives. Assuming this is a correct designation, the really important determination is how much free enterprise and how much public control?

Unless we make the major part of our economy the free sector, we run the risk of undermining our strength and taking the excitement out of our free enterprise system. If a man cannot make a go of it through his own efforts, why should he try? It is this opportunity to succeed that motivates free men and gives West Berlin an atmosphere very different from that of the arbitrary classless state of Soviet East Berlin.

In the July 23 edition of the New York Times magazine, the members of the President's Council of Economic Advisers discussed with Times Editor Harry Schwartz the structure of our economy. They agreed that what is needed is more public investment, which they contend is possible without undermining our economy and without having to increase taxes. This was, of course, before the President's Berlin speech. It is altogether likely that the Council would take a different position now.

These are the men who on the basis of all of the reports which I have received have had the greatest influence on the President's decision to put off a tax increase in his Berlin message and to finance the increased armaments which he requested by deficit financing. This was a hard decision for the President. It is clear that he consulted many people and probed his own conscience before making it.

I do not want to see taxes increased. I think they are high enough. But, the question remains, what must we do to strengthen and maintain the free enterprise structure of our economy under the pressure of the Berlin crisis? It is a real dilemma. Will the President's decision not to increase taxes mean more inflation? It very well could. At the same time, would a tax increase sap the strength of the individual incentives which are so important to our economy?

Let us assume we are going to have a deficit of around $10 to $12 billion for fiscal 1962 because the President chose not to increase taxes. I say this: we have got to take steps now to avoid having the pressure of this deficit and the pressure of emergency Berlin spending at all levels force a new spiral of price erosion as it did in the Korean crisis.

On July 12, I addressed myself to this subject on the floor of the Senate, that is, the need to take long-range action to avoid further price erosion in the 1960's. In my speech, I called for a six-point program to fight inflation. I contend that these are practical and realistic steps, some of which should have been taken long ago and some of which are keyed specifically to the new conditions of the 1960's. I should like to reiterate these six points because they are especially important today. The lesson of the Berlin crisis is to a large part the lesson of feet—the economic lesson of people fleeing to opportunity and freedom. This is a challenge we can never forget. These are the six steps:

First. I propose the initiation of a massive Government-sponsored campaign to encourage merchants to expand their sales by lowering prices, wherever they can. This makes good sense. Inflation means increasing prices. What could be more logical as a means of combating inflation than cutting prices to expand sales and stimulate economic activity and growth? Where prices cannot be cut, I suggest that greater emphasis be placed upon the high values already available to consumers.

This can be a Government-sponsored project. Although the impetus for it may come from the Government, the final implementation of it rests in the private sector of our economy.

Second. A second area in which we must work to curb inflation concerns the structure and level of the Federal deficit. There is today a discouraging lack of interest in viewing the Federal budget as a whole. I favor a Joint Congressional Committee on the Budget. Such a committee would view the budget as a whole and determine whether it is in balance, or out of balance, and what will be the longrun effects of the condition of the budget. This proposal has passed the Senate several times, including this year. Despite the reluctance of the other body, where this measure is now pending in the Rules Committee, I think it is a much needed way in which Congress can determine just what the total impact of the budget will be in our economy.

I sincerely hope that the other body, in the light of the perhaps somewhat changed circumstances, will see its way clear to go along with the Senate on this proposal.

Third. I believe the administration should support the removal of the 4¼ percent interest rate ceiling so that the Federal debt can be financed on a longer term basis. This much needed fiscal reform was vigorously endorsed by former President Eisenhower.

Fourth. With important tax changes pending in the Congress, I also believe we should set up a Hoover-type commission at the Federal level to study our entire tax structure. Although the President has promised such a study, he has so far recommended only temporary piecemeal reforms. Legislation would speed the initiation of such a study and would broaden its scope to include participation by Members of the Congress as well as outside private experts.

Fifth. Another governmental reform which is badly needed is the adoption of the item veto, which has long been advocated not only by myself but by many other Senators, and which, in my judg-

ment, would be the single most effective move Congress could make to effectuate greater economy and efficiency in government.

Sixth. Finally, I suggest that serious consideration be given to the possibility of arranging a regular special session of Congress to focus on appropriations and related economic decisions. Such a session would be held for approximately 1 month following the adjournment of the regular session. At that session, we should have a much better opportunity to ascertain where we can and should decrease or defer certain expenditures in the interests of the overall fiscal position of the Federal Government.

Mr. President, I am happy to have had this opportunity to reiterate my six points and to relate the proposed program to the pressure of the Berlin crisis, which I believe makes it more important than ever that we act to keep our free economic system strong and vibrant. While there certainly are other steps which can be taken to curb price erosion, the essential point is that we must act decisively and promptly to prevent the now enlarged 1962 budgetary deficit from creating a wild inflationary spiral in the months ahead.

APPLICATION OF FEDERAL CRIMINAL LAW TO CERTAIN EVENTS OCCURING ON BOARD AIRCRAFT

The Senate resumed the consideration of the bill (S. 2268) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

Mr. MONRONEY. Mr. President, I wish to express my appreciation to the leadership for providing time out of the program which was previously scheduled to enable the Senate to consider the bill originally introduced by the distinguished junior Senator from California [Mr. ENGLE] and many cosponsors (S. 2268).

Perhaps because of the worry and anxiety that was occasioned by the hijacking of the Pan American DC–8 plane yesterday, the Members of the Senate and the public, should again be assured that the bill is not the product of hasty action or brought to the Senate as a result of an emergency without proper consideration.

More than 4 weeks ago, the Senator from California discovered the lack of proper laws to deal with crimes committed in the air, and began a careful study of the problem. He conferred with the officials and attorneys in the Federal Aviation Agency and the Department of Justice, and made a study of the history of the Maritime Acts and of how they might be applied to the new threat due to crimes committed in the air.

In order that the Senate may understand the scope of the bill, I think it would be proper to explain that the main body of the proposed legislation, spelled out in paragraph (1) of the new subsection proposed in the committee amendments applies the various sections of existing law governing crimes committed in the special maritime and territorial jurisdiction of the United States to crimes committed in the air.

Thus the bill applies to section 113 of title 18 dealing with assaults, and section 114, dealing with maiming, to similar conduct on aircraft in flight in air commerce.

Sections 1111 and 1112, relating to murder, murder in the second degree, manslaughter, and other crimes of that nature; section 1113 relating to the attempt to commit murder or manslaughter; section 1363 dealing with willful or malicious damage to or destruction of property; section 2111 dealing with robbery—all are similarly made applicable to crimes aboard aircraft in flight.

Thus the bill applies to crimes in air commerce this very important body of law. There has been no criticism of the existing acts as they apply to the high seas. By applying them to crimes committed on aircraft in flight, the bill follows this well-recognized body of law.

Under the law of nations, and by international treaties, piracy is a well-recognized crime, and statutes pertaining to it are made applicable to aircraft in this bill.

The important new item in the bill relates to the crime of hijacking. In addition to the law of piracy, the bill makes an attempt to obtain control of an aircraft by unlawful force or violence or by threats of violence, or intimidation or threat, a crime punishable by imprisonment for life or not less than 20 years.

Amendments which will be offered propose the addition of the death penalty. One such amendment, offered by the Senator from Washington [Mr. MAGNUSON], is now, I believe, the pending order of business.

Another amendment will be offered by the distinguished Senator from Texas [Mr. YARBOROUGH].

Paragraph 4 makes it a crime to furnish false information, in the nature of a hoax by a person who knows it is false information, regarding an attempt to hijack a plane. This provision is almost identical to the language of the provisions of previous legislation which makes it a crime to supply false information concerning a threat of bombing a plane. Anyone who knowingly imparts false information concerning the hijacking of a plane would be guilty under this section.

The bill provides that the new laws, including the maritime provisions which would be made applicable to crimes in the air as well as on the high seas, will be enforcible by the Federal Bureau of Investigation.

The section dealing with the carrying of weapons aboard an aircraft is a very important provision of the bill. I believe that when an amendment to be offered by the Senator from Iowa [Mr. MILLER] is offered, the bill will be further clarified.

An additional section of the bill, written by the subcommittee, provides that an air carrier, under rules and regulations prescribed by the Administrator, may refuse transportation to any person when, in the opinion of the air carrier, such transportation would or may be inimical to safety in flight. This provision would give greater authority of surveillance, but without impinging upon a citizen's right against search and seizure.

Mr. COTTON. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield.

Mr. COTTON. As the ranking minority member of the Aviation Subcommittee, I wish to associate myself with the explanation which has just been made of the bill by the chairman of the subcommittee, the distinguished Senator from Oklahoma.

It has already been said, but I think it should be emphasized, that the Senate and the country should know that the bill now before the Senate is not a hastily prepared bill.

It is not in any sense "shooting from the hip." It is not in any sense the result of an emotional climax because of repeated so-called hijacking incidents. The distinguished Senator from Oklahoma [Mr. MONRONEY] and his subcommittee and its staff, and also the distinguished Senator from California [Mr. ENGLE], who many weeks ago introduced the first bill, which resulted in the beginning of the consideration which has led to the present bill, are to be commended for the care, the diligence, and the foresight which have characterized the entire preparation of the bill. The subcommittee worked several days considering similar bills by Senator BRIDGES, of New Hampshire, and others. Both the majority members and the minority members of the staff worked long and diligently.

Curiously enough, it was by coincidence that a hearing which had been arranged and advertised several days in advance, came the day after the hijacking incident in El Paso, Tex.

I mention these things because I think we cannot emphasize too strongly that this is not in any sense a crash program. Instead, this bill has been long and carefully prepared.

The amendment submitted by the Senator from Iowa [Mr. MILLER] is a technical one which is very necessary; and its omission was an oversight, even though we were carefully preparing the bill. The amendment offered by the distinguished Senator from Texas [Mr. YARBOROUGH], a member of the subcommittee, is one which was considered carefully, and it is a good amendment and is necessary.

Again I should like to compliment the Senator from Oklahoma [Mr. MONRONEY], on the care with which this bill has been prepared; and again I wish to emphasize that the measure is a carefully prepared one, and is not in any sense a hurried measure brought to the floor with haste, because of any recent occurrences.

Mr. MONRONEY. Mr. President, I thank my distinguished colleague, the ranking minority member of the Aviation Subcommittee, for his statement.

Certainly, among all the bills which he has so ably participated in preparing, this bill has received, for its size and content, as much line-by-line consideration and discussion as any other, and not—as sometimes occurs—with

only one or two members of the subcommittee present, but with the full subcommittee meeting early in the morning several times, to consider, examine, and reexamine the various provisions, and consider whether the language proposed was correct.

The reporting and consideration of the bill at a time of high tension over a recent hijacking were merely coincidental, for the fact is that the Senator from California [Mr. ENGLE] had started working on the bill 4½ weeks ago; and both the subcommittee and the Government agencies particularly concerned and the Department of Justice were deeply involved since then in trying to find the proper remedy.

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

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from Oklahoma yield to the Senator from New York?

Mr. MONRONEY. I yield.

Mr. JAVITS. I thank the Senator from Oklahoma for yielding to me.

I should like to point out that overnight we took a further look at the legal point of view; and we believe that the bill is all inclusive, under one heading; and certainly it does the job intended, and buttons up what obviously was an interstice in the law.

I may say that the atmosphere in this Chamber this morning is in quite sharp contrast to the atmosphere of yesterday; and those of us who yesterday counseled a little calm deliberation and obtaining of the facts before we jumped into some war attitude turned out to be correct. Of course, we might have turned out to be wrong; but this only emphasizes the fact that in the present dangerous world situation, we should let the two hotheads be Khrushchev and Castro; and let us be calm as we proceed to tighten up our laws and make our purposes clear and keep our wits sharp. Let us not panic.

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

Certainly we were working with due diligence. The report was ready to be filed yesterday; and it was merely a coincidence that the filing of the report came at the time of the hijacking.

At this time I should like to yield to the one whose foresight and study led him to offer the bill, and who had already introduced one version of the bill prior, I believe, to any of the more recent hijackings.

Therefore, Mr. President, I now yield the floor to my distinguished colleague, the author of the bill, the Senator from California [Mr. ENGLE].

Mr. ENGLE. Mr. President, I thank my able friend, the Senator from Oklahoma, who has done an excellent job in describing and defining the remaining provisions of the bill on which I did not comment last night.

There is one section to which I wish particularly to refer; it is the section which defines a flight crew member. I call attention to the language on page 4 of the report, which reads as follows:

> An act of violence directed against a flight crew member endangers not only such crew member but seriously jeopardizes the safety of every other person aboard the aircraft, as well as persons on the ground. Similar acts directed against passengers and members of the crew not directly involved in the safe operation of the aircraft are adequately covered under section 113 of title 18 of the United States Code, and incorporated by reference in this bill. The penalties imposed by section 113 are fully commensurate with the magnitude of the offenses.

I mention that because the Air Line Pilots Association asked to have included in the definition of "flight crew member" a stewardess. In other words, they wanted to strike out the word "flight," so as to have the phrase read "crew member."

The reason we did not do that was that we felt that the penalties provided for jeopardizing the actual safe flight of an airplane ought to be very much heavier than those provided for interfering with a stewardess, however important that may be; and section 1 of the bill, as drafted, would take care of any assaults or attempted assaults or any other action involving a steward or a stewardess, just as it would if the assault or attempted assault involved a passenger—as I indicated yesterday, in colloquy with the Senator from Massachusetts.

With reference to the section on piracy, this section, as indicated by the distinguished Senator from Oklahoma, was lifted out of the U.S. maritime law. In doing that and in applying the maritime law of piracy to air commerce, we have taken over an established body of law. It must be remembered that we have not had any law of this type dealing with air commerce and in picking up the maritime law provisions with reference to piracy, we have included an established body of law for which adequate penalties are provided.

I may state in passing that this is not unprecedented, in that under the present maritime law of the United States there is jurisdiction over airplanes flying over the high seas. That is included in title 18, United States Code.

I submit at this time, for printing in the RECORD, an excerpt from the code which defines the term "special maritime and territorial jurisdiction of the United States," as used and as incorporated in this bill.

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

TITLE 18, UNITED STATES CODE

Section 7:

SPECIAL MARITIME AND TERRITORIAL JURISDICTION OF THE UNITED STATES DEFINED

The term "special maritime and territorial jurisdiction of the United States," as used in this title, includes:

(1) The high seas, any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, and any vessel belonging in whole or in part to the United States or any citizen thereof, or to any corporation created by or under the laws of the United States, or of any State, Territory, District, or possession thereof, when such vessel is within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State.

(2) Any vessel registered, licensed, or enrolled under the laws of the United States, and being on a voyage upon the waters of any of the Great Lakes, or any of the waters connecting them, or upon the Saint Lawrence River where the same constitutes the international boundary line.

(3) Any lands reserved or acquired for the use of the United States, and under the exclusive or concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building.

(4) Any island, rock, or key containing deposits of guano, which may, at the direction of the President, be considered as appertaining to the United States.

(5) Any aircraft belonging in whole or in part to the United States, or any citizen thereof, or to any corporation created by or under the laws of the United States, or any State, Territory, district, or possession thereof, while such aircraft is in flight over the high seas, or over any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State. (As amended July 12, 1952, c. 695, 66 Stat. 589.)

Mr. ENGLE. Mr. President, there are pending at the present time amendments to increase the severity of the penalty for piracy of an airplane—to change it from life imprisonment to death. The reason the bill is written as it is is that traditionally the penalty for piracy has been life imprisonment, with no alternative. That is the provision of the maritime law. So when we picked up the provisions of the maritime law and applied them to air commerce, we included the penalty just as it was provided in that law.

The distinguished Senator from Texas [Mr. YARBOROUGH] wanted to have provision for imposition of the death penalty included as an alternative. Personally, I would have no objection to doing that, provided imposition of the death penalty was not made mandatory. In fact, I would prefer a system of penalties more flexible than that included in the bill.

Life imprisonment is the traditional penalty for piracy on the high seas. That is the way the maritime law now stands, and it is also the subject of international agreements to which the United States is a signatory. But it would be much more sensible, in my opinion, to have a penalty provision of greater flexibility, such as the one proposed by the Senator from Texas, so that the penalty would range from imprisonment for 5 years to life or the death penalty; and I would say the penalty for piracy of an airplane should be much more severe than the penalty for piracy of a ship. That is for the reason that if a ship is hijacked, it still floats. On the other hand, if an airplane is hijacked, the situation is much more dangerous, because interference with crew members could very seriously impair the safety of the airplane. If a ship that has been pirated runs out of fuel, it still floats. But if an airplane runs out of fuel—particularly a jet, and especially the 707's or the DC–8's or those which have been involved in the recent occurrences—the airplane would be in very serious danger if it were not in a place where it could land.

A ship can be contacted by other ships, and aid can get to it when there has

been piracy on the high seas. But when a plane is pirated, there is no way to get to it except by radio communication.

The consequent dangers of piracy and hijacking of an airplane while in flight are very much greater than the piracy and hijacking of a ship at sea, and therefore more stringent penalties, in my opinion, ought to be imposed. But they ought not to be mandatory; they ought to be subject to the discretion of the jury.

That is all I have to say regarding this measure. I think it has been adequately explained. I think it has been carefully studied and gone over by the Aviation Subcommittee and the full Committee on Commerce. I think it is a good bill, and, with minor amendments, I hope it will pass.

Mr. YARBOROUGH. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The Chair is advised that there is a pending amendment offered by the Senator from Washington. Disposition must be made of that amendment prior to further action on amendments.

Mr. ENGLE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ENGLE. Has the committee amendment been adopted?

The PRESIDING OFFICER. The committee amendment has not been adopted.

Mr. ENGLE. Mr. President, I ask that the committee amendment be adopted.

The PRESIDING OFFICER. If the Senator will pause for a moment, the Chair wishes to state that he is advised the committee amendment is in the nature of a substitute and will be treated as a bill, and amendments can be offered to the committee amendment. One such amendment has been offered by the Senator from Washington, and is now pending. The question is on agreeing to that amendment.

Mr. ENGLE. Mr. President, I withdraw my request.

I have been informed the Senator from Washington [Mr. MAGNUSON] is willing to withdraw his amendment, and I ask unanimous consent that his amendment may be withdrawn.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is withdrawn.

Mr. ENGLE. I now yield to the Senator from Texas [Mr. YARBOROUGH].

Mr. YARBOROUGH. Mr. President, I call up my amendment to the committee amendment—which is offered on my behalf and on behalf of the distinguished senior Senator from Washington [Mr. MAGNUSON]—identified as 8-9-61—G.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. It is proposed in paragraph 2 of subsection 902(i) as proposed in the committee bill, to strike out the last sentence and insert:

Whoever in the commission of any such acts uses a firearm or other deadly or dangerous weapon, shall be punished by death, or by imprisonment for life, or for such term of years not less than twenty, as the jury may direct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas to the committee amendment.

Mr. YARBOROUGH. Mr. President, I commend the distinguished majority leader for his statement this morning about the prompt consideration of this bill, the distinguished Senator from Oklahoma [Mr. MONRONEY], who is chairman of the Aviation Subcommittee of the Commerce Committee, and has been considering this matter for weeks, and the distinguished Senator from California [Mr. ENGLE], who has been working on legislation on this subject for weeks, and perhaps months.

As has been pointed out, this was no sudden, erratic legislation introduced because of the hijacking of the plane over Mexico yesterday. The distinguished Senator from California has had his bill in preparation for weeks. Hearings have been held on it by the Aviation Subcommittee, and the hearings have been printed. There is before the Senate a hearing of some 60 pages, and a printed report.

My original bill provided for the death penalty for only a limited type of crime hijacking, while this comprehensive bill of the Senator from California, covers many types of crimes against aircraft or its operators.

Mine was a limited bill (S. 2373), introduced on August 3, providing certain punishments for the seizure of aircraft by force. Hearings were held by the Subcommittee on Aviation, and the testimony was reported, and the subcommittee reported my bill (S. 2373), providing for an alternate death penalty for the hijacking of planes, to the full committee.

I would point out that my measure has never provided for a mandatory death penalty. In my experience as a trial judge for 5 years, one-third of which time was spent in the trial of criminal cases, I observed that too drastic a penalty defeated justice. If too drastic a mandatory penalty were provided, which the average jury considered too high, it would sometimes find the defendant not guilty, rather than find him guilty and have imposed on him a punishment they considered excessive. So my bill (S. 2373) provided for punishment by death, or life imprisonment, or a lesser term of imprisonment as the jury might direct, but not less than 5 years.

The amendment I have offered provides for a term of not less than 20 years.

The minimum punishment term was raised from 5 years to 20 years to fit into the body of the rest of the bill, which had been carefully worked out by the distinguished Senator from California, and also to fit in with the recommendations of the Department of Justice, and also fit in with existing laws pertaining to piracy on the high seas.

As a result of my experience as trial judge, where I saw criminal laws enforced by district attorneys, and saw their efforts fail sometimes, I think this amendment provides a sound, logical penalty, and is in conformity with the body of law applying in other situations.

The national bank robbery law now provides, in the event of robbery of a national bank, an optional death penalty if the robber takes hostages either during the robbery or in his getaway or in the disposal of the property. There is also a proviso for an optional death penalty in the Federal kidnaping laws, if the persons kidnaped are not released unharmed.

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

Mr. YARBOROUGH. I yield.

Mr. MONRONEY. Do I correctly understand that the amendment offered by the distinguished Senator from Texas, and which is now before the Senate, amends the committee substitute language on page 3, at the top of the page, and follows the general provisions of the bill, and has been drafted with the assistance of the committee staff to fit into the context of this rather complicated bill?

Mr. YARBOROUGH. Yes; my amendment was drafted yesterday afternoon, patterned on the original bill I introduced on August 3, but it was redrafted yesterday afternoon in cooperation with the committee staff, the staff of the subcommittee chairman, to make it fit into the body of the rest of the law. I raised the minimum penalty from 5 to 20 years so it would fit in better with the body of the longer committee bill. I really thought the 5-year minimum I had originally provided was on a sounder basis, in view of my experience as a judge in criminal law cases.

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

Mr. YARBOROUGH. I yield.

Mr. JAVITS. Is the 20-year sentence mandatory?

Mr. YARBOROUGH. No; it is 20 years to death.

Mr. JAVITS. But the 20-year sentence is mandatory; is it not?

Mr. YARBOROUGH. No. If the defendant is found guilty, that is the minimum penalty. That is in the existing bill without my amendment. My amendment merely raises the maximum penalty that might be inflicted from life imprisonment to a maximum punishment of death.

Mr. MONRONEY. The penalty, under the amendment, will be changed by adding the provision for the death penalty, which is not mandatory, to the provision for imprisonment for life or for a term of years not less than 20.

As chairman of the subcommittee, it is my understanding that this amendment is acceptable to the committee, and we are prepared to accept it.

Mr. JAVITS. Mr. President, I wish to be recognized. I shall not intrude very long.

Mr. MONRONEY. May the Senator yield to the Senator from Kansas [Mr. SCHOEPPEL], who is a member of the subcommittee and who has worked very diligently on this measure? I think he would like to express himself on the amendment before the Senate.

Mr. SCHOEPPEL. I thank the distinguished Senator from Oklahoma.

Mr. President, I wish to say, quite frankly and positively, I concur in the proposed legislation, especially with reference to the amendments and including the amendments which have been considered or will be considered by the Senate. Much work and effort has gone into preparing the measure. I know of no objection on our side on the Commerce Committee with reference to the proposed legislation or to the amendments.

Mr. JAVITS. Mr. President, I wish to address myself to some other matters very briefly, but first I should like to ask the proponent of the amendment to make clear for the RECORD the intent of the amendment, so that there may be no question about it in the future.

In view of the provisions which are in the Senator's amendment, separated by commas, is it the intention of the Senator, as the amendment is drafted, that the jury shall specify the term of years for which there shall be imprisonment, or is it the intention that the jury specify the punishment as among the three categories: death, imprisonment for life, or imprisonment for a minimum term of 20 years, or whatever other term the judge may see fit to specify?

Mr. YARBOROUGH. That would be left up to the jury.

Mr. JAVITS. It is intended that the jury is to make a specification by categories, and not to fix the exact penalty?

Mr. YARBOROUGH. The jury is to fix the category and also the number of years.

Mr. JAVITS. Would the jury determine the number of years more than 20? Is that the Senator's intention?

Mr. YARBOROUGH. Yes.

Mr. JAVITS. The jury would determine the punishment?

Mr. YARBOROUGH. Yes.

Mr. JAVITS. I should not think that would work out in practice in many States which do not give the juries that power. The juries have no probation reports or anything else.

Mr. YARBOROUGH. The jury fixes the penalty in my State.

I say to the distinguished Senator from New York, the bill as originally introduced on August 3 had a similar provision. That was drafted by the legislative drafting service, under the request that the bill be drafted in conformity with the existing Federal criminal law. The staff of the drafting service, along with the staff of the committee and the assistance of the staff of the subcommittee, drafted the amendment. Each of the provisions was drafted to conform to existing Federal practice.

Mr. JAVITS. I would doubt that any of us would take the position that the legislative drafting service, excellent as it is, is omniscient.

I simply say to the Senator that I obviously have not made a digest of the law, but I certainly hope that in the conference between the Senate and the House this question can be resolved in accordance with the settled practice of most States. That may be the practice in the Senator's State. It is not the practice in my State, and I do not think it is the practice in many other States for a jury to fix the exact punishment in terms of years.

I can understand a situation in which the jury would determine whether the punishment should be death, life imprisonment, or less than life imprisonment, and then the judge would fix the precise penalty within the limitations of law. I can hardly understand a jury saying the penalty shall be 22 years, 23 years, 21 years, or 30 years. I doubt very much that that would fit in with the practice of the courts in many States.

As I say, I am not prepared, because I have not researched the law on the subject, to argue the question with the Senator. I only state the expectation that in the conference this language may be refined so that the provision will be in accord with the practice of most States.

Mr. YARBOROUGH. It is my recollection that in most States the juries fix the sentences. That is a matter which we can ascertain by a telephone call. I would not want to guess, based simply on memory. I feel certain that was the condition before World War II, at the time I was serving as a judge in court.

Mr. JAVITS. Would not the Senator join me, as the proponent of the amendment, in stating the expectation that whatever is the situation in the bulk of the States will be squared with the provision we shall adopt when it finally goes through the congressional mill?

Mr. YARBOROUGH. Only if that is a provision which fits the situation under the current Federal law. I think the bill should fit in with the body of Federal law, the Code of Criminal Procedure.

Mr. JAVITS. We would both agree.

Mr. YARBOROUGH. I do not think we should introduce an innovation into Federal law. The amendment was drawn in an effort to make it conform only to existing Federal criminal statutes generally. The penalty provision conforms. The death penalty fits in with kidnaping and bank-robbing penalties.

Mr. JAVITS. We are not arguing about that at all. I am not raising that question. I raise the single, simple question as to whether the jury, under the established Federal practice, should fix the precise term of years, if it is a term of less than life and more than 20 years. I hope very much that question may be resolved.

Mr. YARBOROUGH. I will say to the Senator from New York——

Mr. JAVITS. If the Senator will permit me to finish, I do not wish to have this confused with some other idea about being soft on a penalty. I am speaking only about a single, clear, legal question. I hope that question can be clarified before we permit the legislation to get out of the hands of the Congress.

Mr. YARBOROUGH. I agreed with the distinguished Senator that it ought to be settled, and settled not in accordance with what the States have done in one State or in many States but with what is done in the body of Federal criminal law. We had the benefit of the services of legislative counsel and of counsel for the committee and of the subcommittee. I shall check it further. We have had different groups of counsel check, and to make sure it is in conformance with existing law, I shall check it personally.

Mr. JAVITS. I thank my colleague.

Mr. YARBOROUGH. I shall read the code. I think the provision should be in conformity with the body of the Federal criminal statutes.

Mr. JAVITS. I thank my colleague. I simply wish to have our intention made clear. I think it will be carried out.

EIGHTY-SEVENTH BIRTHDAY ANNIVERSARY OF HERBERT HOOVER

Mr. JAVITS. Mr. President, this is the 87th birthday of former President Herbert Hoover, now a resident of my town in New York. Many Senators will certainly wish to have noted for the RECORD that we congratulate him upon good health and long life, we pay tribute to his services to the Nation, and we signalize his birthday with a warm and very happy birthday greeting.

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

Mr. JAVITS. I yield to my colleague.

Mr. KUCHEL. Mr. President, as a Californian and as an American I wish to join my colleague from New York on the occasion of the 87th birthday of that great and imposing world statesman and former President, Herbert Hoover, beloved by all humankind for a lifetime of devotion to the cause of free peoples.

Mr. Hoover was born in the State represented so ably by my colleagues from Iowa [Mr. HICKENLOOPER and Mr. MILLER]. As a young man he came to my State of California. There he attended and graduated from Stanford University. Shortly thereafter, he began a career which led to the greatest of success as an engineer, with worldwide experience, and which also led to a unique and splendid career of public service to the people of our Nation, culminating with his election as our Chief Executive.

Through the years since leaving public office Mr. Hoover has come to be recognized by the American people as one of our most distinguished and articulate exponents of the free way of life, which all of us revere and which all of us are prepared to maintain.

On the occasion of the birthday of this distinguished American I am sure I speak for all Senators, and indeed for all the people of our country, and in a very real sense for all people who enjoy freedom on this globe today, when I say to my colleague that I am quite honored to associate myself with his remarks. Happy birthday to President Hoover.

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

Mr. JAVITS. I thank my colleague from California. I yield to my colleague.

Mr. MILLER. Mr. President, I certainly wish to associate myself with the remarks of the distinguished Senator from New York and of the distinguished Senator from California. As pointed out by my colleague from California, former President Hoover was born in Iowa, in the town of West Branch, where there will be a library dedicated to his honor sometime this fall.

Iowans certainly are more than proud that this distinguished statesman and American was born in our State. We wish to point out that as the years have gone by the outstanding qualities and foresight of Herbert Hoover have been brought to the forefront before the American people, at a time when our country is in a very serious situation.

Mr. President, many individuals do not receive recognition for their statesmanship until years after they have held office. This has been true in the case of Mr. Hoover. As years have gone on, the American people have begun to realize that his qualities of leadership and statesmanship were perhaps not recognized as much as they should have been many years ago. It is a wonderful thing that we are having the benefit of his wisdom with us today.

I thank the Senator from New York for yielding to me.

Mr. JAVITS. Mr. President, I yield to the distinguished Senator from New York.

Mr. KEATING. Mr. President, I am delighted that my distinguished colleague brought up this felicitous occasion today. I have the honor of considering former President Hoover as at least a partial constituent. I am afraid that he still votes in California. It is another respect in which we find ourselves at odds with California. California takes away from us not only our defense contracts, but also our citizens, and particularly our distinguished citizens. President Hoover very wisely spends most of his time in New York.

He has been a great mentor, a great source of inspiration and advice to many in public life, not only in New York, but also across the Nation. His career has been a stormy one at times. I know of no one in American history who has been through such criticism and invective as has President Hoover, and who has had greater reason to have the universal esteem and affection of the people. It is lese majesty to say anything else of President Hoover, which is as it should be. He was a great President. He is a great man. He is to be felicitated on the great strength and vigor and interest in world affairs which he is enjoying at this age, when some go into decline and do not take an interest in the problems of the day. I hope that we shall be able to stand on this floor for many years to come to felicitate this great man.

FEDERAL AID TO EDUCATION

Mr. JAVITS. Mr. President, I call attention to a subject on which I have spoken before, but which is now buttressed by a most interesting article that I shall ask to have printed in the RECORD. The subject is the essentiality to our posture in the field of national security and the means for defense which we must employ that is inherent in the three bills for Federal aid to education that have bogged down in Congress. These bills should rank with any other program which we have in Congress in the interest of national security; and if we needed to be reminded actually of that point, I call attention to an article published in yesterday's edition of the Washington Star, entitled "Soviet's New Schools Program; 20-year Plan To Serve Communist Aims Expected To Be Little Read in United States," by Ralph McGill.

The plan had better be much read, because it is a blueprint for what the Russians will do to us if we do not pay the most scrupulous attention to our educational plan.

Again I say that failure to act on Federal aid to education, which has now bogged down in Congress, is a check on an essential element of our national security. I cry out against it, and I hope the country will, because it can still be corrected at this session if the President gives the necessary leadership and the country gives the necessary demand.

I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

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

SOVIET'S NEW SCHOOLS PROGRAM—20-YEAR PLAN TO SERVE COMMUNIST AIMS EXPECTED TO BE LITTLE READ IN UNITED STATES

(By Ralph McGill)

Under section five of his massive manifesto, Mr. Khrushchev devotes a very considerable space to education. It is too bad that this cannot be read by State legislatures and by the politically provincial-minded Members of the Congress.

We, the people of this country, will ignore the new Communist manifesto to our peril. Yet, it is quite likely the document will be less read here than anywhere else. That it will have a profound effect in those countries rather glibly described as underdeveloped or emerging, is unquestioned. It is a program tailor made to appeal to a country confronted with the desperate need to overcome illiteracy, poverty, and to find a lever with which to move mass inertia.

The Communist peoples are informed by Mr. Khrushchev that technology and science will be an increasing part of the future. Therefore, under subhead A of his manifesto, we read:

"In the next decade compulsory secondary, general, and polytechnical 11-year education is to be introduced for ALL (capitals mine) children of school age. * * *

"Secondary education must furnish a solid knowledge of the fundamentals of the basic sciences, an understanding of the principles of the Communist world outlook, and labor and polytechnical training in accordance with the rising level of science and engineering, with due regard to the needs of society and the abilities and inclinations of the students.

"In view of the rapid progress of science and engineering, the system of industrial and vocational training should be improved continuously, so that the production skills of those engaged in production may go hand in hand with their better general education in the social and natural sciences and with acquisition of specialized knowledge of engineering, agronomy, of medicine and other fields.

"There must be a considerable expansion of the network of evening schools which provide a secondary education in off-work hours."

This is the gist of the Soviet school plan. It is of men and women who will best serve Communist objectives. There is no concealment of this fact. It is candidly stated.

What about our system? Will we not also have an industrial future?

The key word in the Soviet's plan is "all." All children will be required to take secondary education. Those whose talents and abilities reveal the superior performer will go on to the various institutes (colleges) to become doctors, scientists, engineers, teachers, artists, et cetera. Others will be sent to the polytechnic schools to develop superior skills to enable them to cope with the new techniques of production, and with those yet to come.

One of the most serious problems of the Kennedy administration is to develop a program to care for the millions of unemployed who are the victims of neglect in the past decade or so. Perhaps 50 percent of our jobless are lacking in skills required for today's jobs. Many are not well educated enough to take training.

Yet, we have a Congress which has defeated Federal aid to education. We have men, themselves cogs in local situations, many of which are corrupt, who oppose Federal aid on the false and hypocritical premise that it will weaken local government.

There are States in the Nation (and not all are in the South) which, for two generations and more, have given their children second-rate education. The Southern States, which spend the least per pupil and pay teachers less, continue to try and maintain two generally inferior segregated systems instead of taking what money they have and building the best possible one to meet the needs of their children.

There is today a justified concern with Communist advances. But we are fools indeed if we blind ourselves to the fact that the most successful weapon the Soviets have is a system of education which, while slanted toward their needs, nonetheless gives to every child a chance at education.

Does this country have any less responsibility to educate all its children; to find the most able to serve us?

Mr. Khrushchev and his successors will have reason to be grateful to those who sabotage and delay Federal aid. In a time when we are seeking to ferret out the enemies of freedom, let us not overlook some of the more obvious and blatant ones.

NEWBURGH, N.Y., WELFARE

Mr. JAVITS. Mr. President, we have discussed the welfare rules of Newburgh in the Senate with contrary views from myself and others. We now have a dispassionate and objective appraisal of the situation in Newburgh by Eve Edstrom, staff reporter of the Washington Post. In the Sunday, August 6, 1961, issue of the Washington Post, I am glad to say, Miss Edstrom bears out the position of people like myself that though the motivation for what Newburgh did was understandable, in the main it was in a direction which was contrary to the concepts which we have today, and was on the whole justified by the basic and underlying facts in Newburgh itself.

I ask unanimous consent that an article entitled "Newburgh Is a Mirror Reflecting on Us All," by Eve Edstrom, published in the Washington Post on August 6, 1961, be printed at this point in my remarks.

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

NEWBURGH IS A MIRROR REFLECTING ON US ALL

(By Eve Edstrom)

The time was ripe for Newburgh, N.Y., to happen.

In towns and cities throughout the Nation, costs of municipal services have been going up, up, and up. But most aggravating to the American taxpayer has been the mounting cost of public relief.

In the three decades since this Nation adopted its public welfare programs, the

rank-and-file taxpayer never has accepted the notion that anyone need live on the dole.

And so when Newburgh announced its crackdown on welfare "chiselers," reaction was enormous. Newburgh was seized upon as an example of how to cut back mounting relief costs and teach a lesson to ne'er-do-wells.

In newspapers, in town halls, in forums across the Nation, the Newburgh story became the focus of a debate that grew more emotional, more politically charged, as each day passed. As if by a Pavlov dog reaction, conservatives grabbed the issue as ammunition for their particular outlook on the world; liberals, with the same conditioned reflex, sensed the need to rally in opposition.

An examination was begun of the facts behind the words. And with that closer look came a singular discovery: in the 3 weeks since its welfare crusade began, Newburgh has been unable to find one able-bodied male to put to work.

That fact, and others like it, began to give a different complexion to the Newburgh case.

FACT SHEET

Any discussion of Newburgh must take into consideration both the claims of Newburgh City Manager Joseph Mitchell and the facts as developed by New York State officials. These are:

Claim: Newburgh welfare rolls include many able-bodied recipients who should work for their relief checks. Mitchell estimated that these men could be drawn from at least 60 families.

Fact: One man, a white, unemployed steelworker who is a native of Newburgh, was considered able to work. But he was excused when he reported for duty because his wife was in the hospital and there was no one to care for their five children. This able-bodied man, incidentally, has one eye.

The absence of any appreciable number of able-bodied males on relief since Mitchell's crackdown began squares with the facts as they existed prior to the enactment of the controversial welfare code. For example, in July 1960, only one man was employed under Newburgh's work relief program. Despite national publicity crediting Mitchell with seeking to put relief "chiselers" to work, Newburgh had had a work relief program for some time.

Claim: Newburgh's relief rolls are loaded with "undesirable newcomers"—migrants from the South—who came to this Hudson River Valley city to get on relief.

Fact: In all of 1960, exactly $205 was paid by Newburgh to newcomers on home relief, the category of local aid for jobless families. Furthermore, New York State reimbursed Newburgh in full for that expenditure.

During that year, no payments were made to newcomers on aid to dependent children rolls, the category of aid for families whose fathers are dead, have deserted them or are incapacitated. For all categories of aid, including payments to the aged, Newburgh paid only $1,395 to newcomers in the last 2 years.

Claim: With 5 percent of Newburgh's 31,000 residents on relief, the city is suffering from an unusually heavy welfare burden.

Fact: The percentage of Newburgh's population on relief in 1960 was 2.9 percent, the lowest percentage of five comparable cities and a percentage which was below the Statewide average. Although 41 of the State's 65 welfare districts qualified for special welfare aid because home relief payments were made to more than 1 percent of the population last year, Newburgh was not among them.

Claim: It was necessary to muster welfare recipients at police stations because of the existence of possible fraud.

Fact: Although practically every adult who could walk was put through this procedure, not a single case of fraud was uncovered.

THE SYMBOL

Despite these facts, Mitchell's charges and his program for Newburgh emerged as a symbol of welfare reform.

Senator BARRY GOLDWATER, Republican, of Arizona, declared that every city should adopt the Newburgh program aimed at putting chiselers to work and denying aid to unwed mothers. GOLDWATER—voicing the views of many—said that he doesn't want his tax money spent for "children born out of wedlock" and he is "tired of professional chiselers walking up and down the street who don't work."

In similar vein, the Richmond Times-Dispatch, in applauding that Virginia city's efforts to adopt some features of the Newburgh plan, editorialized against the "shiftless, slothful parasites who make careers of milking the public."

This reaction was typical of that voiced throughout the Nation. In counties and cities in every section of the country, the public was told that those on relief live the life of Riley and this must stop. Short shrift was given to the arguments of social welfare leaders who insisted that Newburgh was far from a symbol of welfare reform but rather that its crusade was a hoax against the helpless.

But Charles Collingwood, in a New York CBS broadcast on the Newburgh affair, warned that before advocates "pick a symbol, make sure that it really symbolizes what you meant it to."

"The way to do that is to investigate your symbol pretty thoroughly in the beginning," Collingwood said.

Ostensibly, the Newburgh case had its beginning in the concern of citizens over alleged increases in welfare rolls which, according to Mitchell, would necessitate tax increases if public relief was not cut back.

A sort of white paper on Newburgh's welfare problems was drawn up by, it was believed, an impartial citizens committee. It was only late last month that Newburgh's press revealed that City Manager Mitchell served as secretary to the citizens' group and wrote its report.

On the basis of that report, Newburgh's four Republican city council members—over the strong objections of Democratic Mayor William Ryan—adopted a stringent 13-point welfare code, to be effective July 15.

The most controversial provisions of the code would cut off families from relief after 3 months of aid in any given year; deny relief to mothers of illegitimate children if additional children are born out of wedlock after the family has qualified for relief; require able-bodied males to work 40 hours weekly for their relief checks, and limit aid for newcomers to 1 or 2 weeks.

Such requirements are in conflict with New York State welfare laws. Consequently, New York State could lose its entire welfare allotment from the Federal Government because Federal rules require a State welfare program to be uniform for all political divisions. A child in Newburgh, in other words, must be treated the same as a child in Albany.

Therefore, the first step in testing the legality of the Newburgh code was taken Friday when New York State sought an injunction to block enforcement of the code.

However, Newburgh has been unable to take any appreciable action under its welfare regulations because, to date, it appears that the code is based on assumptions of conditions that don't exist.

One of these assumptions, as stated by New York State Welfare Board Chairman Myles Amend, was that "95 percent of those on relief are lazy bums and maybe 5 percent are decent people. I think they have their percentages reversed."

Amend's statement appears correct in light of the fact that Newburgh's screening of welfare cases has yet to produce a "lazy bum" to put to work.

The sum total of Newburgh's crackdown is this:

Two mothers of illegitimate children were urged to become self-supporting. They were warned that if they bore any more children out of wedlock, their home environment would be studied to determine if the children should continue to live at home.

One family receiving $60.27 a month in cash relief was told payment would be made by voucher until there was an explanation for the spending of an insurance check received last fall.

On the basis of the above it would appear that Rabbi Norman Kahan of Newburgh's Temple Beth Jacob is correct when he states the Newburgh relief crackdown is a "great deal to do about nothing."

But Rabbi Kahan, who is president of the city's ministerial association, does credit the Newburgh plan with an unpublicized product: Fear.

"People were afraid they would be socially and economically ostracized if they spoke out against the program," he said. "Initial reaction was definitely reminiscent of McCarthy days and, to some extent, it is still going on.

"For example, a teacher in one of our public school classrooms asked how many children belonged to Rabbi Kahan's congregation. After the children raised their hands, the teacher said, 'Your rabbi is wrong. He is condoning the behavior of immoral women and, as a man of the cloth, he should favor morality.'"

Such statements stem from the widespread belief that relief grants are bonuses for illegitimacy, that they encourage illicit sex behavior.

"It is not moral to finance bastardy," said Newburgh City Manager Mitchell in justifying his program.

But figures available at the Department of Health, Education, and Welfare show that it is not the relief rolls that are spawning this Nation's illegitimate children.

Eighty-seven percent of this country's illegitimate children are supported by parents, relatives, or by sources other than public relief. Only 13 percent are beneficiaries of the Federal-State relief grant programs in operation in the 50 States.

And if the relief program contributes in any way to the illegitimacy problem, it is through the inadequacies—and not the adequacies—of relief payments.

In Washington, for example, when relief grants fell 22 percent short of basic shelter and food needs, the grocery bag baby became a common phrase.

This phrase developed because mothers sometimes entered into illicit relationships in return for a bag of groceries. These mothers were motivated by the thought of food today, not payments for babies 9 months hence.

Even so, the majority of families on relief in Washington and the majority of families on relief in Newburgh—80 to 90 percent by City Manager Mitchell's own estimates—do not have illegitimate children.

It is politically unwise to suggest that the blind, disabled, or aged be denied relief, because such people appeal to our basic desire to be humane. Similarly, it is unwise to suggest that relief be denied to hungry, innocent children.

But denial in the latter instance becomes palatable to the public when justified on the grounds that either the children's father is a "lazy bum" or that the mother is an immoral woman. It is then that the desire to be humane is overshadowed by the American belief that anyone worth his salt should earn his keep.

This is the basic conflict in the administration of public welfare programs today—and it is this conflict that the Newburgh case has publicized.

But the motivations behind City Manager Mitchell's actions in the Newburgh case are more difficult to assess.

He has issued numerous conflicting statements. For example, he said that unless the welfare code was adopted, Newburgh's citizens faced a tax increase. But after the code was enacted, he still maintained that tax increases were necessary.

Similarly, Mitchell issued a statement reflecting a sizable drop in relief cases in June, but then the figures were retracted and only a nominal drop was shown.

To this reporter, Mitchell said that tax increases probably would not be needed because both the welfare code and publicity concerning it caused appreciable reductions in welfare cases. In 1960, he said, dependent children's cases rose from 90 in January to 116 in June, while in 1961 they decreased from 160 in January to 119 in June.

Mayor Ryan points out that welfare comparisons normally are made on a month-by-month basis. In the above instance, both the January and June figures for 1961 are higher than for the previous year.

Initially, Mitchell also announced that his 13-point code represented only the beginning of measures to curb welfare costs. But a few days later, he said that Newburgh would proceed slowly under the code.

However, Mitchell has remained consistent in stating that he always has been a Republican and "a conservative in my thinking."

And caught up in the Newburgh controversy with Mitchell are the two men who may well be rivals for the 1964 Republican Party presidential nomination.

Senator GOLDWATER, unchallenged leader of the Republican Party's right wing, first entered the Newburgh picture by writing a letter to Mitchell expressing admiration for him and his program. Subsequently, when Mitchell visited in Washington July 18, he had a much publicized meeting with GOLDWATER.

This caused many newspapers to criticize GOLDWATER for interfering in a local situation involving New York Gov. Nelson A. Rockefeller, who is the unchallenged leader of the Republican Party's liberal wing. GOLDWATER, in a letter to Rockefeller, declared he had no intention of "taking political shots at you."

Mitchell, however, has continued to embarrass the Rockefeller administration.

What Mitchell, a native of Chevy Chase, Md., hopes to gain from his many statements—other than continuing national publicity—is anybody's guess.

But the furor he has caused not only will be felt in many communities for a long time but in the Nation's Capital as well. The basic issue in the Newburgh case is not whether it is a hoax but whether it is not time to reexamine this Nation's welfare policies.

Even the friends of public welfare programs observe that they perpetuate dependency, that measures enacted 30 years ago are no answer to conditions as they exist today. And neither are the hit-and-miss solutions being tried in some communities.

That is why the Kennedy administration is reviewing the Nation's relief program.

AUTOMATION AND U.S. LAW

Mr. JAVITS. Mr. President, automation is one of the great problems before our country. It is the way in which we can make the most progress with our productivity, and it is the biggest challenge to us in terms of releasing our productive potential.

For example, on the calendar as item No. 626 is the bill, S. 1991, which relates to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes, which is critically important to the whole subject of the Nation's productive potential and the human adjustment to automation which must be made. We shall have many other measures on that problem. All the enlightenment we can get will hardly be enough to enable us to meet this great problem.

Today it is more important than ever before for the United States to maximize its productivity. Industrial investment and productivity are increasing by leaps and bounds in the Soviet Union as well as among our friendly trade rivals of the free world. In order to maintain our effective economic leadership we are obliged to utilize every bit of our productive potential.

Automation is one of the primary means by which we are seeking to expand production. In order to derive the fullest possible advantage from technological gains, the United States must develop effective programs for dealing with various problems which are caused by technological change or exist alongside it, and which lead to serious wastes and less-than-full utilization of our Nation's economic potential.

Among the problems to be faced are labor-management disputes, featherbedding in both labor and management, work stoppages in critical areas during critical times, less-than-full employment, waste and absenteeism, unsound wage and price policies, job discrimination because of race, creed, or color, problems of worker morale, lack of community interest in improving production, and hardships to workers and businessmen who are adversely affected by automation or relocation of industries. These problems must be confronted squarely, if the United States is to achieve the fullest possible mobilization of its productive potential in the bitter economic competition with the Soviet bloc. It is this conviction which led me to introduce two bills in this Congress, S. 1181, the National Productivity Council Act of 1961, and S. 2204, the Peace Production Act.

S. 1181 seeks to promote an increase in national productivity and to deal with the problems accompanying automation by establishing the National Productivity Council. This would be an independent agency which would have the authority to stimulate the organization of local councils, comprised of representatives of labor, management, government, and the public. These councils would seek to eliminate the economic sore spots which slow our productivity rate and would strive to remedy the dislocations and hardships caused by automation.

S. 2204 provides for a Peace Production Board to help promote maximum utilization of our Nation's productive forces. This board, comprised of the Vice-President, several Cabinet members, and representatives of large and small business, labor, agricultural management, agricultural labor, and the public, would be authorized to undertake a variety of activities to eliminate the manpower wastes which so impair our ability to compete with the Communist bloc. Its activities would include developing programs to train and reorient employees and management, providing transportation, safety, and health facilities for the labor force, developing production incentive programs, disseminating technical information, and revising building codes, zoning regulations, and other local ordinances in order to keep them responsive to changing economic conditions.

Special emphasis should be placed upon the fact that both of these measures rely largely upon local initiative to cope with the problems of automation.

I call attention to a newspaper article and to a recent address, both of which discuss the problems involved in our quest to make full use of the increased productive potential which automation has brought to our Nation and to eliminate the socio-economic evils which automation leaves in its wake. The article, written for the July 14 New York Mirror by Gov. Nelson A. Rockefeller of New York, stresses that automation is necessary to spearhead growth, but that with it arise human problems which must be solved. The address is a talk given on December 6, 1960, by John Diebold, president of the Diebold Group, Inc., to a meeting in Brussels, Belgium, of the leaders of the European Economic Community. John Diebold's corporation is an international management consulting company, and Mr. Diebold has been a major source of new ideas and activities designed to meet the problems accompanying technological progress. His address delineates the new challenges to management which automation brings. I ask unanimous consent to have these materials inserted in the RECORD at this point.

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

AUTOMATION IS HERE TO STAY

(By Gov. Nelson A. Rockefeller)

ALBANY, July 13.—Automation is the great promise of the American economic future—and one of our major problems of the present.

The fear of industrial machinery that enables fewer men to do more work is nothing new. Three hundred years ago, in Poland, the inventor of an automatic loom was put to death and his invention was suppressed.

Weavers in 19th century England resorted to rioting and arson in a vain effort to halt mechanization of the textile industry. Labor disputes in the United States today frequently involve the issue of work rules in relation to new and improved machines.

Technological change and advance, now popularly called automation, is no new phenomenon in America. But it has been accelerated in recent years and—with business recessions and a lack of sufficiently rapid national economic growth—has become identified in many minds as the economic villain causing most of our unemployment.

Actually, we don't really know enough about the extent to which unemployment is directly traceable to automation—especially the so-called hard core unemployment.

But the failure to automate, whether from management inertia or resistance by labor, is not the answer. The prime need is increased productive efficiency, not less, so automation can create far more and better paying jobs than it destroys.

We must also face the fact that postwar automation of new plants in Europe and Japan is one major reason that certain American products are having a tough time

competing with products of friendly nations in world markets. Moreover, the Soviets in their struggle for world domination have embraced automation as a prime weapon.

As one deeply concerned with this problem, I am convinced that an environment of accelerated, vigorous and sustained economic growth is the core of the solution—and that automation is essential to spearhead this growth.

Our objective, in short, should be to accelerate our rate of economic advance without inflation and to do so within the framework of our existing system of initiative and enterprise—with Government action in a complementary but never a dominating role.

Last year, in Cooperstown, New York State sponsored the Governor's Conference on Automation.

Management, labor, education and Government officials gave intensive attention to this subject. One of several group-discussion leaders at that conference was Arthur Goldberg, then general counsel to the United Steelworkers, but now, as Secretary of Labor, in an even more significant position to influence the Nation's approach to the automation problem.

The conferees, though often diverse in approach, emerged with certain recommended guideposts, the first of which was that automation was necessary and desirable, was here to stay, and should be the subject of continuing attention by industry, labor, education, and Government.

The need was stressed for advance planning to meet the human problems arising when a specific company moves forward with technological improvement—the development of a comprehensive and cooperative program by labor, management, and the community.

There is urgent need for assistance during the transition period including job counseling, retraining and placement, transfer of employees to other jobs, severance pay agreements to fit a particular situation, and the use of special unemployment insurance benefits for workers who make themselves available for retraining.

The State of New York is increasingly active in assuming its share of responsibility in these areas.

I firmly believe that industry, labor and management working closely together can solve the human problems created by automation, meet the problem of foreign competition and provide the jobs needed for the steadily increasing numbers of new workers as well as the existing unemployed in the labor force, if we make accelerated economic growth the central focus of our economic policies—private and public.

TECHNOLOGY'S CHALLENGE TO MANAGEMENT

(An address by John Diebold)

Our civilization is today reaching for the stars. And it is the technical progress made during our own lifetime that has brought them within the grasp of a generation already born.

When a society makes strides of this magnitude it is altogether fitting that we review our progress, consider what we can learn from it, and give thought to our role in the future. This conference is well timed. As the Swiss journalist Robert Jungk has so aptly phrased it, "tomorrow is already here."

To review American technology, as I have been asked to do, is a task that can be approached in many ways. I could, for example, discuss the developments of the past and coming decade—developments that have come upon us with increasing speed and consequence. Such a review might concern itself with:

Current revamping of U.S. automotive factories as unitized body construction—a European import—replaces the chassis construction around which the assembly line method was originally built.

Application to medical technology of techniques such as the transmission of light along curved paths by optical fibers which allow us to look directly at the internal functioning of the human heart.

Introduction into our classrooms of teaching machines which permit school children to learn mathematics and languages at twice the speed, and much more thoroughly, than classmates taught by conventional methods.

It might also be appropriate to discuss some of the more experimental work that is not yet entirely out of the laboratory nor entirely into the plant, but which is sufficiently proved that many of us believe it will become standard practice during the coming decade. Such developments include:

Control of a steel rolling mill, a petroleum cracking tower or an electric generating station by means of an electronic computer allowing continuous automatic optimization of operations as well as startup and shutdown of the plant.

Translating machines which can scan printed text; translate from one language to another; prepare an abstract from the translation; then cross index and store the information in a manner allowing retrieval by yet another machine.

Simulation of business and technical processes in a manner that allows experimentation and training under real conditions without jeopardizing plant investment or human lives—the compression of years of operating experience into days.

Long range weather forecasting by use of a system of satellites and high-speed computers—and most wondrous of all, the beginning of control over the weather itself.

Or, I could review truly advanced developments which, while not yet turned into products, or more than laboratory technology, have already laid the foundation for enormous technological change a decade from now. Such developments as:

The laser: A new components growing out of a union of electronics and optics—which makes possible an entirely new means of long distance communications through storage of electronic energy in a crystal and discharge as a high energy burst of light (visible or invisible to the human eye, as we will).

Cryogenics, or ultralow-temperature electronics where great increases become possible in speed of data storage and retrieval.

Molelectronics: An incredible phenomenon—substitution of the structure of the molecule itself as electronic circuitry in place of the subminiature component circuitry that is today considered the most advanced of methods.

But I have chosen yet a different approach. For the innovations themselves, while individually fascinating and of enormous importance, have been coming upon us with ever increasing speed.

It is the rate of change itself which I believe to be the most significant phenomenon of all. The increase in the rate of change is raising problems. These problems are as yet largely unrecognized and unexplored. They are fundamentally managerial in nature.

The technological changes which we have witnessed as a steady parade since the end of World War II are not a single burst originating from military work—a spurt from which we will recover. They are but the beginning of a continuum of fundamental change—a phenomenon that will continue at an increasing rate for as long ahead as we can see a future.

Every factor making for change is at work to produce even more change in the future:

Population is increasing in what has been referred to as an "explosion"—thus the probability of innovation increases, and already we see it in more simultaneous discoveries each year that goes by.

Education on a scale never before known—we are beginning to see the actuality of mass education on a high level.

Mobility of this more educated population.

Communication in every form, fostering an environment on one hand receptive to change and on the other conducive to the origin of innovation.

These factors, together with increasing emphasis upon science, increasing motivation, encouraged privately and by Government, is leading to a rate of change which we have difficulty comprehending.

We in the States did not really begin to devote large-scale effort to scientific research and development until World War II. In 1940, a total of $280 million was spent on research and development in the United States. But the military stimulus of World War II increased these expenditures to $1.8 billion in 1945, and $3.1 billion in 1949. Most of the developments I mentioned earlier are the fruits of but the first decade of large scale research effort. Last year $12 billion was expended in the United States by industry, Government, and universities. The rate promises to increase to well over $20 billion in 1970. Just think of the technology and products that we can begin to expect in future decades as a result of such effort.

This increasing rate of technological change seems to me to create some fundamental problems for management. In part, these are problems concerning the processes by which management puts the technology to work. And in part they concern the way in which the technological innovations themselves affect the very process of management. It is to these questions that I would like to address myself this evening.

The philosopher, Alfred North Whitehead, has stated in Science and the Modern World, one of the important facts differentiating our time is: "* * * that the rate of progress is such that an individual human being, of ordinary length of life, will be called upon to face novel situations which find no parallel in his past. The fixed person, for the fixed duties who, in older societies was such a godsend, in the future will be a public danger."

How much more accentuated is this challenge and burden for the manager who not only must face novel situations, but must organize his business structure so as to utilize and incorporate constant change as a regular modus operandi.

The magnitude of the management problem posed by this sudden increase in the rate of technological change has hardly begun to be recognized as a problem at all. It is frequently viewed as a fortuitous or onetime situation and is attacked in a fragmentary manner in one industry after another. But it is my impression that we shall soon begin to recognize and discuss this problem as one affecting the very roots of our management philosophy.

What I should like to do this evening is to discuss briefly four observations regarding this problem.

1. The planning process will assume a more critical role in determining management success or failure.

Though recently discovered by business, and still more honored in theory than practice by most managements, long range planning is certainly nothing new to our society. The magnificent parks surrounding the chateaux of France have always seemed to me a fine example of long-range planning—in many cases, the effects in composition envisioned by the original builder could not conceivably come into being until after his children had lived through the bulk of their lives. But such planning is based on complete confidence in the permanency of a way of life, or on the continuity of existing trends. What concerns me here is not necessarily long range planning, but planning

for change; and its counterpart, planning necessitated by change.

The onslaught of technological change is going to focus much more attention on the planning process. It is going to place a premium upon the ability to plan effectively. A few of the reasons why this is going to happen are:

Product life is being shortened. The traditional cycle of product innovation is being telescoped—not by planned obsolescence or styling changes, but by genuine technological innovation.

In many fields there is no longer time to sit back and profit by a competitor's mistakes. We may very well see a situation arise in which it is only the leader who has a chance to make a profit, not those who then copy him, for another basic change in technology will by then be taking place. As a secondary position becomes untenable, the risks of the leader increase; so must the possibility of profit or he should not enter the field.

The reaction time of management must shorten. The time for leeway in adapting to new technologies has disappeared. Companies must keep track of a number of fundamental areas of scientific work and must react rapidly to apply this work when the time is right. They must consciously plan to be the ones who obsolesce not only their own products, but their very industries.

The life of business and industrial processes, as well as products, are being both shortened and changed. Much of the new technology, particularly that part of it dealing with information processing, profoundly changes the manner in which business is conducted.

For example, the American Telephone & Telegraph Co. expects communication between machines in different cities to exceed voice communication over telephone lines by 1970. The consequences of such a change are staggering, not only for the telephone system, but for the procedures by which the remainder of U.S. business is conducted. It is only through a high order of planning that such a rate of change can be made to benefit a firm rather than its competitor.

The increased complexity and tightened interrelationship of functions within a single organization, together with the ever more complex relationships with other organizations means that successful—and successful is increasingly coming to mean rapid—adjustment to change is impossible without a high order of skill in planning.

For these reasons, and many more, I believe that planning as a process is a subject to which more attention must be given by business management.

2. Effective management of creative and service personnel is becoming an important determinant of business success.

While the early part of this century saw an employment shift in the United States from the farm to the factory, the 1950's brought a shift from the factory to the office. In 1959, only 30 percent of the U.S. gross national product was the result of manufacturing. Over 45 percent was value added by transport, commerce and other service activities, not including Government. Even within manufacturing, the factory worker is being replaced by clerical, technical, and managerial employees. Managerial, professional, and technical personnel alone increased from 7.4 percent of manufacturing employment in 1940 to 12.7 percent in 1959. This shift in the employment structure has occasioned an entire nexus of problems in how to manage service, technical, creative, and management personnel.

Our methods of management have not kept pace with this shift. America has entered this era with a legacy of concepts developed to meet the needs of the unskilled worker.

The results of labor-management relations to date might be summarized as the guarantee of equal treatment and the expectation of average performance. These concepts are already recognized as archaic in dealing with creative personnel. What must be encouraged is exceptional performance, and what may well be needed is individualized treatment.

The problems in this area are substantial and numerous. One is that the product, an idea, is so difficult to schedule; another that scientists tend to direct their prime loyalty to their professions, rather than their employers; a third is the magnitude of the task of integrating what must remain individualized effort; and a fourth, the lack of standards to measure performance.

There is also a communication impediment growing out of the diversity of background and aggravated by the growing interdependence of science and management.

Studies in human relations have done much to give us insight into the human requirements of effective organization. But this falls short of what is needed.

Too often management unconsciously assumes that spending a given percentage on research, or creating fine working conditions, will produce results. The prerequisites of genius follow—not precede—the essence of genius. Too often this fact is lost sight of. The fine equipment, campuslike plants, and company-paid university courses are but empty trappings if the human quality is not already present; and if the proper leadership is not present.

Few managements yet understand the essence of the task. The rewards of those that do will be greater as change increases.

3. Many accepted business concepts must change.

Even as fundamental a concept as the definition of a business can change through rapid shifts in technology. My friend Peter Drucker, in his book "The Practice of Management," states: "There is only one valid definition of business purpose: to create a customer—any business enterprise has two—and only these two—basic functions: marketing and innovation." Examples are all about us:

The packaging of equity investment with standard life insurance, in recognition of growing customer need for inflation protection.

A manufacturer of calculating machines had best view itself as being in the information handling business, and remain in the forefront of what a few years ago would have seemed unrelated technology, or it may not remain in business for long.

If the motion picture industry had defined its business as the supply of entertainment rather than film, it might now be the heart of the television industry rather than a contract supplier to it.

Among the other business concepts that must change are:

Return on investment must be higher in these new fields in order to justify the increased risk. Conversely, business must take bigger risks for sufficient return when technological change is great. A case in point is the computer business itself. The costs of entering this new industry have exceeded everyone's expectation. Those manufacturers who have planned for a low rate of return have already been forced out of the business.

Management may have to take a longer run view of profits. Instead of planning for a fixed percent return per year, it may well be necessary to reorient aims to a percent of profit over a given business cycle. (It is also possible, of course, that as labor becomes more fixed there may be a resultant lessening of cyclical business patterns.)

The concepts of overhead and of labor productivity must change as the direct laborer disappears. Allocation of overhead costs must reflect the tremendous and disproportionate increase in productivity of some sectors of a business.

Traditional office-plant distinction requires overhaul as production is increasingly controlled by a businesswide information system, through computer scheduling and actual factory control.

The role of middle management will change as the function of allocation of resources is performed by computers. Some predict the disappearance of middle management as a line function, and the growth of a new staffing function—the analysis and continuing reappraisal of the computer models and of the assumptions on which they are based in order to keep the system sensitive and itself receptive to change.

Management has a capacity never possible before either to centralize or decentralize its decision functions. The advances made in communications, among machines as well as people, now allow for direct, cheap, and immediate flow and feedback of information among any geographic points. Whether or not centralization is appropriate will vary with the situation, but the decision need no longer fall automatically to decentralization.

4. The new technology is itself changing the process of management.

The technology of information handling, communications, control, and related developments in information theory, at first applied crudely to the mechanization of work already performed manually, contains within it the basis for not only substantially changing the process of management, but for extending the range of man's capability. It is a development we are only beginning to understand.

Ten years ago when computers were new, it seemed to many that they were only useful for scientific purposes. One projection estimated the need for about a dozen in the United States. That was 10 years ago. Today we have over 5,000 computers actively at work. The projections of my own firm are that by 1965, there will be between 15,000 to 20,000 computers installed in the United States alone.

We are today using this technology in only the most elementary manner. New techniques, utilizing computer capabilities, are just beginning to appear on the business scene. Operations research, the building of mathematical models to solve business problems; simulation, using the computer to supply "what would happen if" answers to decision alternatives; gaming theory, to strategically plan in competitive markets. These are but a few.

The magnitude of change in business organization which will be brought about by this technology is far greater than most of us today recognize. For example:

Today's business organization structure is a legacy of the first industrial revolution in which specialization of labor was followed by mechanization around specialties. We are now in possession of technology which allows us to build information systems which transcend the compartmentalized structure of business organization.

Most of the difficulty that we have been experiencing in putting these new tools to work in recent years results from the fact that it clashes with our fundamental organization system. This is a problem that is not yet recognized by many of the organizations experiencing it. I know because my firm is regularly called upon to solve problems which are really symptoms of this more fundamental organizational conflict.

The challenge to management posed by technology is a challenge of basic theory as well as of operation. It is here that U.S. business is having the greatest difficulties in effectively putting the new technology to work. It is possible that our education system, which is empirically based, needs a more theoretical orientation. Here the advantage is with you.

These observations may help to illustrate the type of management problem that is being raised by the pace of today's technological change. In concluding I would like to turn briefly to another type of change—social change—which is at the same time a result of the technological change and the cause of its own set of management problems.

As important as is technological change, we must recognize that technology is merely an agent for social change. This social change will in turn result in more profound consequences for business than the technological change which spawned it.

I would like to make just two observations on social change:

1. Management must look to social change as an active agent in business planning.

Management has always known that changes in social structure change consumer demand. But as the rate of such social change increases—and it will change as fast as the technology—management must be able to anticipate such shifts and react with increasing speed. Some of these changes, as I see them are:

The tremendous increase in the standard of living (brought about by technological change) is creating whole new industries in discretionary goods—entertainment, sports, books, travel, service—it is predicted that by 1970 over half of disposable income in the United States will be discretionary.

The redistribution of wealth—with tremendous growth of the middle class—is creating a demand for higher quality durable goods.

Changes in taste will foster redesign of products—even the chrome on our cars is disappearing.

Shifts in population mix—with disproportionate increase in the old and young will require new consumer orientation (in the next 10 years we expect the group under 25 to increase 46 percent; the group over 45 to increase 20 percent; and the group between 35–44 to decrease 1 percent.

The decline in servants is in part responsible for growth in the appliance industry.

The growth of "suburbia"—made possible by the automobile, has in turn created the shopping center; brought about not the supermarket but new distribution methods to service the supermarket, and the decline in older marketing methods, such as the mail order catalog.

Increased leisure has not only created new industries, such as do-it-yourself, but changed old ones—last year Americans purchased twice as many books as 10 years ago. We now spend more on classical recordings than on our national sport, baseball.

2. Key to the social burden of change is education.

Economic growth depends on change. However, the transitional burdens of social change cannot be borne by labor or management or government alone, but only by the joint efforts of all. The main burden is education and reeducation, not only of the labor force, but of management and technical personnel as well.

I am happy to say that some recent progress has been made, at least in recognition of this problem, in my own country. For example:

The Armour Corp., one of our major meatpacking firms, as a result of collective bargaining, has set up a half a million dollar fund to study the problems posed by automation in the meatpacking industry, find work for displaced employees and inaugurate retraining programs.

The Pacific Maritime Association, in a contract recently negotiated with the Longshoremen's Union, agreed to contribute up to $5 million a year from savings resulting from new methods, to a union-operated fund with which to offset hardships resulting from technological unemployment.

A local of the International Brotherhood of Electrical Workers, in cooperation with the Federal Office of Apprentice Training and a local vocational school, has set up what it calls a postgraduate school for training in new electrical techniques because they are convinced that jobs will be created by the introduction of automation.

While I am not recommending any particular formula, I do think management must recognize a responsibility to plan for change with labor. For failure to so plan will only delay the benefits of this new technological revolution. Nothing can prevent it from occurring, as the hardships in transition could not prevent the industrial revolution. But planning and foresight can prevent the hardships.

If we adopt the long view of history it is to the social change brought on by technology that we must look for the real meaning of our current technological revolution. After all it is to this change that we really apply the word revolution—not to the machines.

The industrial revolution was revolutionary because it created a whole new environment for mankind—a whole new way of life. What it gave to history was much more than the steam engine and the cotton gin, the railway, and the power loom. It gave society a whole new tempo, a whole new outlook.

It took men off the fields and out of small shops and put them for the first time into factory life. Hence it gave us mass production, and through mass production the first civilization in history in which luxury was not confined to a few. It gave us as well a sense of hurry, of time, which is still unknown in countries that have not gone through an industrial revolution. It gave us a sense of material progress, an itch to get ahead, which is also unknown in those parts of the world which are still preindustrial.

In other words, the machines which it produced were agents for enormous social change. No one, least of all Richard Arkwright or James Watt, thought that they were changing civilization itself. Yet, for us, looking back, that is precisely what was revolutionary about the inventions they made.

The current technological revolution promises to have far wider effects than mere technology. Like James Watt and Richard Arkwright, many of our inventors have no intention of reshaping our entire world. Yet that is what they are unwittingly doing.

Two hundred years ago, when it was necessary for most people to put in 60 or 70 hours a week in miserable factories, just in order to survive, the question of what to do with nonwork—with leisure—never presented itself. Today, with our 40 hours of work a week, we are already facing the 2-day weekend with something of a self-conscious attitude. When leisure time spills over from the weekend to Monday and Friday, when a man leaves his desk or station after 6 hours of work still fresh and full of energy, then, for the first time in history, we will really face the problem of what to do with leisure. Here again the advantage may lie with you.

This is a revolution, in other words, which will take us beyond the civilization of an industrial society—a revolution in which human beings will be largely freed from the bondage of machines. It will raise an entirely new set of problems: business problems, social problems, economic problems. It will tax our ingenuity to its utmost. And it will bring about its changes—many of them, at least—within our own lifetime.

Like the pioneers of the industrial revolution in the 18th century, we face a world in which only one thing is certain: change, fundamental change.

I think it is fair to say that this new technological revolution offers as great a challenge and reward as any which we have ever known.

APPLICATION OF FEDERAL CRIMINAL LAW TO CERTAIN EVENTS OCCURRING ON BOARD AIRCRAFT

The Senate resumed the consideration of the bill (S. 2268) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

Mr. YARBOROUGH. I have modified the amendment which I offered following my colloquy with the distinguished Senator from New York. I reoffer the amendment as modified.

I have made a quick check of the Federal Criminal Code, and I have found no uniformity in the way penalties are assessed, or the language in which they are provided for. It depends upon the particular offense. So I have rewritten the language to incorporate the suggestion of the distinguished Senator from New York, and also to follow the pattern in the Federal bank robbery statutes, in which there is provided a death penalty for taking hostages.

The PRESIDING OFFICER. The amendment, as modified, will be stated by the clerk.

The CHIEF CLERK. The Senator from Texas modifies his amendment by striking out the words "as the jury may direct," so that the amendment, as modified, reads in full as follows:

> Whoever in the commission of any such acts uses a firearm or other deadly or dangerous weapon, shall be punished [by death or] by imprisonment for life, or for such term of years not less than twenty, or shall be punished by death if the jury shall so direct.

Mr. YARBOROUGH. On line 5, the third word from the end of the line, should be changed. Change the word "such" to "a"—"or for a term of years not less than 20."

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from Texas.

Mr. JAVITS. Mr. President, I appreciate what the Senator from Texas has done. I think he reflects the highest traditions of the Senate. Often another Senator may have an idea or another point of view with respect to a particular piece of legislation; and it is a great pleasure to me when a Senator listens to the suggestion and acts on it.

Mr. YARBOROUGH. I thank the distinguished Senator from New York for his contribution. We want the bill, including the penalties, to be drafted in keeping with the experience of the Senate, more than half of whose Members are attorneys. The distinguished Senator from New York has been an attorney general of his State and has had much experience in the drafting of legislation.

Mr. MONRONEY. Mr. President, I ask for a vote on the Yarborough amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas, as modified.

Mr. KUCHEL. Mr. President, if the amendment is not too long, may we have it read again?

The PRESIDING OFFICER. The clerk will state the amendment.

The amendment was read as follows:

Whoever in the commission of any such act uses a firearm or other deadly or dangerous weapon shall be punished [by death or] by imprisonment for life or for a term of years not less than twenty, or shall be punished by death, if the jury shall so direct.

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

Mr. YARBOROUGH. I yield.

Mr. JAVITS. I ask the Senator to consider for a moment a suggestion I have to make on that score. Perhaps there could be a quorum call while the Senator considers it. I wonder whether the words "if the jury shall so direct" should come after the first reference to "shall be punished by death."

Mr. YARBOROUGH. The first three words on line 5 should be deleted. That is the way I have modified my amendment. My corrected amendment reads as follows: "shall be punished by imprisonment for life or for a term of years not less than twenty, or punished by death if the jury shall so direct."

The PRESIDING OFFICER. The clerk will state the amendment as modified.

The amendment was read as follows:

Whoever in the commission of any such acts uses a firearm or other deadly or dangerous weapon shall be punished by imprisonment for life or for a term of years not less than twenty, or punished by death if the jury shall so direct.

Mr. YARBOROUGH. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment was agreed to.

Mr. ENGLE. Mr. President, on behalf of myself and the distinguished chairman of Committee on Commerce, the Senator from Washington [Mr. MAGNUSON], I send an amendment to the desk, and ask that its reading may be dispensed with, because it is identical with the one just adopted, except that it applies to paragraph 3 instead of paragraph 2 of section 1 of the bill. The purpose of the amendment is to provide the same penalty for violations of paragraph 3 as paragraph 2. If we do not adopt this amendment, we will provide a higher penalty for "piracy" committed within the territorial jurisdiction of the United States than for piracy committed on the high seas. This makes the penalty uniform.

The amendment reads as follows:

On page 3, line 7, after the word "be," add the following: "punished by imprisonment for life or for a term of years not less than twenty, or punished by death if the jury shall so direct."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MILLER. Mr. President, I have an amendment at the desk. I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, line 20, after "municipal" insert the word "county."

Mr. MILLER. Following my colloquy with the distinguished Senator from California yesterday, it was determined that the addition of the word "county" would make it clear that county law enforcement officers, such as sheriffs, should be exempted, and that it was a desirable amendment. I have discussed it with both the Senator from Oklahoma and the Senator from California. I understand that there is no objection to this clarifying amendment.

Mr. MONRONEY. We have no objection. We believe it is a valuable addition to the class of officers to be exempted by law. The Federal Aviation Administrator has a right to make further exemptions in the regulations if he finds it necessary to do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

The amendment was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KERR. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

It is hereby declared to be the sense of the Senate that the President of the United States be requested to advise Castro and the Government of Cuba that unless the airplanes now in Cuba, which are the property of American citizens, which airplanes have been taken to Cuba without the consent of their American owners, be, within forty-eight hours, made available for return to the United States together with any of their passengers and crew in Cuba or that the Government of the United States will take such action as may be necessary to recover and return said airplanes, passengers, and crew to the United States.

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

Mr. KERR. I yield.

Mr. MANSFIELD. I have studied the amendment, and it seems to me that in reality it does not bear on the El Paso incident, which in effect is responsible for the proposed legislation now before the Senate, and not on the Pan American incident of yesterday, involving the airplane which was returned to Miami this morning, but, rather, to the Eastern Air Lines incident of several weeks ago.

I express the hope to my distinguished colleague from Oklahoma, in view of the fact that by and large the proposed legislation now pending is purely domestic legislation and has been carefully considered by the committee and reported by the committee yesterday under the sponsorship of the Senator's distinguished colleague from Oklahoma [Mr. MONRONEY], that, instead of offering his proposed amendment to the measure now before us, he submit it as a separate resolution, so that it may be referred to the appropriate committee, which I assume would be the Foreign Relations Committee, and receive consideration before that committee. If the Senator will do that, I can assure him, so far as I am capable of bringing it about, that the Foreign Relations Committee will give his proposal every possible consideration.

Mr. KERR. I feel very deeply about the matter referred to and contained in my amendment. I know that the people in Oklahoma feel very deeply about it also. Certainly I do not want in any way to interfere with the fine piece of legislation which is now before us, handled by my distinguished colleague from Oklahoma [Mr. MONRONEY]. Therefore, on the basis of the request of the majority leader, and on the assurance that if submitted as a resolution it will be referred to the Foreign Relations Committee and appropriately considered by that committee, I ask unanimous consent that it be considered as a resolution and referred to the Foreign Relations Committee for that purpose.

Mr. KEATING. Mr. President, reserving the right to object—and I do so for the purpose of saying that I thoroughly agree with the resolution. I hope it will have early and favorable consideration by the Foreign Relations Committee. The president of the Eastern Air Lines talked with me last night. The airline has been unable to get any action at all in retrieving this particular airplane, which is down in Cuba. It represents an investment of something like $2½ million. The airline could not obtain action by our authorities, or were not able to do so up until last night, in trying to get it back.

It is ridiculous for us to sit here, with Castro holding American property, and not do anything about it.

Mr. KERR. I thank the Senator from New York for his statement, because he expresses the thought in the mind of the Senator from Oklahoma. In my judgment the people of Oklahoma and the people of this country are sick and tired of the threat hanging over their heads, and that this hijacker down there would in the first place invite piracy of airplanes and invite that they be hijacked and the passengers kidnaped and brought to Cuba. It is a matter which should have the very speedy consideration of the Foreign Relations Committee. It should have the very serious and speedy consideration of the Chief Executive of our country, and this matter should be expedited. As long as the threat hangs over the heads of the American people and American commercial aviation and American aviation travel, it is a serious reflection upon the position of our country, upon our flag, and upon our people.

I regret that it cannot be passed upon by the Senate now, because I think it would be unanimously agreed upon. But if it is more orderly procedure to have it handled as requested by the distinguished majority leader, I will accede to that proposal.

Mr. MONRONEY. Mr. President, will my colleague yield?

Mr. KERR. I yield.

Mr. MONRONEY. I compliment the senior Senator from Oklahoma for his

diligence concerning this subject. Certainly the retrieving of the planes and other American property is of great concern to all of us, and some system of obtaining them must be provided if hijackings are not to continue. No one can deny responsibility for piracy if he accepts the benefits of piracy by retaining the pirated property.

It seems to me, however, that it is general legislation which is being considered, and under the rules of the House, which are very strict on the subject of germaneness of amendments, we would find ourselves in an impossible situation when we went to conference if the bill contained the amendment of the senior Senator from Oklahoma adding a resolution expressing the sense of the Senate. This resolution should receive every possible consideration. It might be misconstrued if it should be rejected in conference, because the House found it impossible under its rules to concur with the Senate, since the amendment would be nongermane to a purely legislative bill.

I believe the proposal would be more effective if it were considered as an individual measure and approved by the Committee on Foreign Relations than to have it tucked away in a piece of general legislation. Therefore, I must reluctantly agree that the course suggested by the distinguished majority leader, and concurred in by my senior colleague, may be more effective than to include in the bill a nongermane amendment in which the House could not concur.

I thank the Senator for yielding to me.

Mr. MORSE. Mr. President, will the distinguished Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. MORSE. Mr. President, I hope early action will be taken on the proposal of the senior Senator from Oklahoma. It should be presented to the Committee on Foreign Relations at the earliest possible moment, to enable the committee to consider the whole problem.

There is another phase of the problem which I think ought to be considered, so that we can get our answer before the world. It is very difficult for us in the United States to realize that Communist propoganda can be so effective as it is in some quarters in Latin America on a great many subjects, including the subject of hijacked planes.

When I was sent to Puerto Rico a few days ago, to represent the President at the ninth anniversary of the Commonwealth, many representatives of Latin American countries were in attendance at the conference. I was simply astounded, beyond my power of comprehension, that one piece of Communist propaganda has made the headway it has made in Latin America. We must provide an answer to it. We must get information to those people. If it is not already in documentary form, it ought to be prepared and should be on the desk of every U.S. Ambassador in Latin America. It simply does not do the United States any good to say that what those people believe is nonsense; that it does not amount to a hill of beans. Down there it is not nonsense, and it does amount to a hill of beans.

This is the widespread belief to which I refer: One Latin American representative after another says, in effect, "What is sauce for the goose is sauce for the gander. What are you crying about? You have permitted some 10 or more hijacked planes flown out of Cuba to land on U.S. territory, planes belonging to various Cuban interests, including the Cuban Government, some of them hijacked by Cuban defectors."

Just as so many Americans instantly assume that a hijacking here is being perpetrated by a Cuban and plotted by Castro, we simply have to face up to the almost unbelievable viewpoint in Latin America that the United States has been responsible for the hijacking of the Cuban planes; that it was a part of the Central Intelligence Agency program; and is a part of the espionage program of the United States toward Cuba. We ourselves know better, but that does not mean that our Latin American friends, the people who we hope are our friends, will accept our explanation.

Latin Americans will tell you that we have permitted those Cuban planes to be attached by persons who claim the Cuban Government is indebted to them. We have not sent them all back to Cuba. We have permitted those planes to be sold to American creditors, who have been allowed to collect on what the Latin Americans call hijacked planes. Yet, they say, when U.S. planes are hijacked and are taken to Cuba, we seek to use strong-arm methods to retrieve them.

What I urge is that the United States make its case by means of a documented memoradum which will show the complete difference between what has happened with respect to planes which were taken from the United States to Havana and planes which defectors and others have taken from Havana or other parts of Cuba into the United States. After all, a great contest is taking place in Latin America, and we should make it possible for our Latin American friends to understand that we stand for the processes of law and order in the settlement of our differences with Cuba, and not for the pirating and strong-arm methods of which the Cubans are guilty.

I should like to see the proposal of the senior Senator from Oklahoma come before the Committee on Foreign Relations, so as to enable the committee to prepare an American proposal for an orderly procedure of international law for the settling of such disputes, to stop, what I am afraid is a damaging of our prestige in Latin America, caused by Communist propaganda, to the effect that we do not want this situation to be a two-way street; we want it to be simply a matter of getting our planes back from Havana, but that the Cubans should receive no consideration in getting their planes back from the United States.

Mr. President, all we would have to do would be to state the facts. I speak most kindly about the Department of State in this respect, but I do not believe a good job has been done in preparing an official document which will present our view of the facts about this problem to the world. It will not make any difference what we in the United States believe. If what we believe is not accepted in Latin America, it will not help us there.

I am also much concerned, as chairman of the Subcommittee on Latin American Affairs, that we do not become involved in some entrapment procedure on the part of the Cubans while the Montevideo conference is in progress. The United States, at the Montevideo conference, is probably making the greatest progress in strengthening our relationships in Latin America and in demonstrating our good faith, good intentions, and good will that it has made in a long, long time with respect to United States-Latin American relations. The groundwork was pretty well laid at Bogotá last September, when the Act of Bogotá was adopted. The Montevideo conference is really an implementation of the principle of the Act of Bogotá, including the requirement that the Latin Americans themselves will have to adopt reform measures if they expect the taxpayers of the United States to continue to give them the millions, and now billions, of dollars of economic aid, called for by our plans announced at Montevideo.

There is no doubt about the fact that the progress we are making at Montevideo is not pleasing to either Havana or Moscow, or, for that matter, to the Red Chinese. I think they know we are giving clear proof of our desire to help the masses of Latin America help themselves.

FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER (Mr. GORE in the chair). The hour of 12 o'clock has arrived, and the morning hour is concluded.

The Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic and social development and internal and external security, and for other purposes.

APPLICATION OF FEDERAL CRIMINAL LAW TO CERTAIN EVENTS OCCURRING ON BOARD AIRCRAFT

Mr. MONRONEY. Mr. President, will the Senator from Oklahoma yield, so that I may propound a unanimous consent request, with the understanding that in yielding for that purpose, he will not lose the floor?

Mr. KERR. Yes.

Mr. MONRONEY. Mr. President, on instructions of the majority leader, I ask unanimous consent that the regular business be laid aside, and that the Senate resume consideration of Calendar No. 670, Senate bill 2268, until the action of the Senate on it is completed.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 2268) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

Mr. MORSE. Mr. President, let me say that I have almost completed my statement.

All I urge is that we watch out, and that these days the United States not follow a course of action which in any way would weaken the position of our delegation at Montevideo.

Later today, during the debate on the foreign aid bill, I shall read a wire I have received from Secretary Dillon. The wire relates to some of the problems which are confronting him at Montevideo. I assume that I received the wire because the Senator from Iowa [Mr. HICKENLOOPER] and I are official delegates to that conference—although we agreed with the President that we would not go to Montevideo until the foreign aid bill had been disposed of by the Senate. When it is disposed of, we intend to go to the conference.

The wire from Secretary Dillon compels me to make this observation: We should remember that when what is probably the most important conference held in Latin America in half a century is going on, we should not do anything that could be blown up into balloon proportions by the Cuban Communists in Montevideo in order to give the false impression that we are about to take over Cuba. Instead, on the contrary, following the very sensible proposal the Senator from Oklahoma is making, let us get that proposal before the Foreign Relations Committee, and let us use it to make clear to the rest of the world that we are acting only to protect our sovereign rights, and that we are willing to have the international hijacking issue handled in accordance with provisions of international law for the peaceful settlement of such matters. That is the only point I wish to make.

Mr. KERR. Mr. President, I thank the Senator from Oregon. I wish to state that his resolution will be considered when it reaches the Foreign Relations Committee, and its consideration will be expedited.

Mr. President, let me say that I think our great country should be generous and should be just and should be neighborly with the countries of Latin America; but I know, as does every other Member of the Senate, that the lawless are alert. They are alert to the finding of opportunities where lawlessness can be practiced and perpetrated at profit; and, Mr. President, the lawless operate in the presence of weakness and in the absence of vigorous enforcement of law and order.

Certainly the United States Government, as the great, powerful, and rich government it is, and as the leader of the free peoples of the world, has an opportunity to maintain our posture of friendliness and cooperativeness with the other nations in this hemisphere. But, Mr. President, in maintaining that posture, there is nothing more important than protection of the rights of American citizens and the validity of American citizens' property and the integrity of American sovereignty. It does not serve the posture of the United States of America to let there be developed, created, and maintained, an environment and atmosphere that the lawless can come to the United States, can hijack American airplanes, can kidnap American citizens, and can take them to a refuge, sanctuary, and haven provided by Castro, where the perpetrators of the crime will be rewarded and protected, and where the American citizens will be humiliated and American citizens' property rights violated, and the violators protected.

Therefore, Mr. President, I believe that while we do maintain our posture of generosity and our posture of justice and our posture of cooperativeness, we must also maintain the posture of guarding the rights of American citizens and American property and the prestige of our country and the prestige of the American flag, because, Mr. President, the lawless respect strength and law and order; but when they find an environment in which strength is neither displayed nor used and where law and order are not maintained, the outbreak of lawlessness will become an epidemic.

Mr. President, there is only one way to maintain law and order, whether it be local law and order, national law and order, or international law and order, and that is by means of the strong arm of justice, as well as the action of a generous Government in maintaining the posture of law and order and the integrity of our country, its flag, and the rights of its citizens.

Mr. KEATING. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. KEATING. I agree emphatically with the position of the distinguished Senator from Oklahoma.

According to press reports, Castro invited off the plane the Foreign Minister of Colombia, and wined and dined him, while the American citizens and other passengers waited. Such actions, regardless of whether Castro had any connection with the hijacking of the plane, certainly tend to make the other Latin American countries lose their respect for us. Only if we act firmly will they or other nations maintain their respect for the United States.

I have been informed that the State Department has only recently received from Cuba a note concerning the Eastern Air Lines plane. The State Department, perhaps understandably, declines to impart to me the contents of the note; but press reports issued at Havana at the time when the note was sent by Castro indicate that the Cuban Government would consider exchange of the Eastern Air Lines plane for a patrol boat which was brought to the United States by Cuban Navy defectors. In addition, in the press reports it is stated that the Cuban Government wants to enter into an agreement with our Government with regard to future incidents.

It seems to me that a note such as that suggests a new chapter in the hijacking of American planes, and proposes the blackjacking of the American Government. I understand that our State Department is now drafting an answer to this new Cuban note.

To me, it is incredible that the U.S. Government would enter into any such compromise agreement with this Communist dictator. The two cases are in no way parallel. Those who took the Eastern Air Lines plane to Cuba were not American defectors. That plane was hijacked and was taken there by persons acting in concert with the Cuban Government. There is no reason why we should not insist upon the immediate return of the plane.

I hope the resolution the distinguished Senator has introduced will have a powerful influence on getting the executive branch of our Government to take very firm action in this regard.

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

Mr. GOLDWATER. Mr. President, will the Senator from Oklahoma yield, so that I may ask a question of his colleague?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Oklahoma yield to the Senator from Arizona?

Mr. KERR. Yes—or, Mr. President, I yield the floor.

Mr. GOLDWATER. Mr. President, inasmuch as the Senator from Oklahoma has withdrawn his amendment, I wonder how the bill will cover the situation in which we now find ourselves, inasmuch as the plane was not hijacked by an American, but was hijacked by one purportedly a French Algerian. How would the proposed law apply to a foreign national?

Mr. MONRONEY. One or the other provision of the law applies not merely to Americans, but to anyone who, in air commerce, which is defined in the act, commits the crimes of hijacking or piracy. It would be punishable now, as the bill reads, up to the death sentence.

Hijacking or piracy is a continuing crime. In case of hijacking of any plane in the territorial jurisdiction of the United States or piracy of an American-flag plane over the open seas, the jurisdiction of the crime would rest with the courts in the United States.

The jurisdiction in the most recent case also could be claimed, however, by the Government of Mexico, because the initiation of the hijacking occurred over Mexican territory. Or it could rest under the law of piracy with the Havana government if they, having the person of the culprit, determined to prosecute him there. But first there has to be an arrangement for the extradition to whatever jurisdiction is seeking to prosecute.

In this case, contrary to what might happen in other countries with whom we enjoy good diplomatic relations, there would be the problem of negotiating, through the Swiss Embassy, for the return and prosecution of the French Algerian, as I understand the situation. However, if the Government of Mexico desired to ask for the extradition, the situation would be the same as in the case of an arresting State within the

United States, when two or more States desired to take jurisdiction of a prisoner who had been captured by the other State.

We went into this bill very carefully. The important thing was not to confine the crime of hijacking or piracy to the air above the United States. That is quite important, because these airplanes cover the seven seas. It would be possible, if one were flying to Latin America, to be flying over a dozen national jurisdictions, and to fix a single jurisdiction for prosecution would be very difficult. So, therefore, it is a continuing crime, and it would be punishable in the country where the plane came to rest, or where the original act occurred, or any other country over which the plane flew while in the control of the pirate.

Mr. GOLDWATER. Does the junior Senator from Oklahoma feel that there is a better-than-even chance, first, of our apprehending the French Algerian, if he be a French Algerian, and having apprehended him, because of our relations with that country, does the Senator feel there is a better than 50–50 chance that we would ever bring this man to trial?

Mr. MONRONEY. That is a hypothetical question.

Mr. GOLDWATER. I realize that.

Mr. MONRONEY. And I could not answer it. All we can control here is the law, and I would say the law would give us equal right to request an extradition of this man from the Government of Mexico, or from Cuba, under international law of piracy, if the airplane came to rest there, and the right to try him here.

This is a matter that has not been completely settled as between the States of the Union. In international law, it would depend upon the international relations existing between the country that held the culprit prisoner and the countries that were seeking the right to prosecute him for the crime, which continued over the jurisdiction of many countries.

Mr. GOLDWATER. I am in complete sympathy with the bill. I intend to vote for it. I like what it is attempting to do. But I like particularly the amendment of the senior Senator from Oklahoma [Mr. KERR]—not so much because it would be a "big stick," in effect, but because it would warn the country where the plane might eventually go that it had better not accept it, because accepting it would bring down the wrath of the United States.

If I were one of Castro's men or one of Khrushchev's men and wanted to organize a series of hijacks, it would be very easy to get men from countries with whom we do not have particularly diplomatic relations. Therefore, if they were apprehended in the country of landing, it would be a virtual impossibility to do anything about it, and the hijacking could continue.

While we must admit that the amendment of the senior Senator from Oklahoma is a rather strong step, the junior Senator from Arizona feels in this particular instance, and in other instances similar to this, strong steps are the only steps that will be understood.

Contrary to what my good friend from Oregon said about the present conference creating an aura of good will throughout Latin America, the prevailing aura in Latin American remains that this Nation has been rabbitlike—that is, bunny rabbitlike—in doing anything about communism a few miles off its shores.

I can assure Senators that more money is flowing out of Latin America in the form of earned capital than we are going to put into it in the form of our taxpayers' money, and it is flowing out of Latin America for one reason. They are frightened about the proximity of communism in Cuba. Over $1 billion from Venezuela alone left Latin America for Canadian and Swiss banks. While I believe the Senator's proposal goes a long way toward stopping this kind of action, and is long overdue, I do feel rather sorry that the senior Senator from Oklahoma removed his amendment, because it is this kind of strength precisely that the Latin peoples recognize. I know of no people in the world who respect courage more and despise cowardice more than do the Latin people.

I may say, sadly, at this time, through a lifelong and initimate knowledge of the Latin countries, that we are despised more than we are respected; and $10 billion, $20 billion, or $50 billion is not going to correct that.

I feel a strong amendment such as that offered by the senior Senator from Oklahoma [Mr. KERR] would have stiffened the spines of the Latin countries, because I think it would have given us an additional instrument we ought to have. We still have an Electra airplane sitting on the airport in Cuba. Although Castro allowed the DC–8 to be returned, the question is still in Americans' minds, "What are we doing about other airplanes they took from us?"

I see no relationship between the 10 aircraft a private individual caused to be attached in Miami and this event, because Cuba owed the money, and they were Cuban-owned aircraft. Our aircraft are owned by stockholders of the United States, private individuals, and these aircraft are their property. When criminals steal an airplane from us, they are stealing a part of it from every stockholder in Eastern, or TWA, or any other airline.

When we apprehend, or shall I say attach, an aircraft for a personal debt owed by Cuba, we are merely taking property from a state that owes money to American citizens. It has been done time and time again.

Again, I intend to vote for the bill, and I will do so with all enthusiasm. I would have been much more enthusiastic about it had it contained the strong language of the senior Senator from Oklahoma, language that seems to indicate the backbone of America.

I have said this before. I frankly believe if we left it up to the American people to vote on this this afternoon, we would be in Cuba tonight. They are years ahead of this legislative body and this administration. This was true in 1898 when the Congress and the President were very reluctantly dragged into a conflict with Spain to free the people of Cuba.

I sincerely hope the American citizenry will be successful in causing this body and the President to do something about the repeated spitting in the face, the thumbing of the nose, the defaming of our flag which goes on 90 miles south of our shores.

While I think the Senator's bill will go a long way toward curing the wave of hijacking, I do not think we shall completely cure it until we can point our fingers at the country which ultimately receives the plane and say, "Country X, if you take this plane and do not release it within 24 hours, or 48 hours, we shall see that it is released."

Mr. MONRONEY. I thank the Senator from Arizona for his contribution.

Mr. President, I think the Senator had not arrived earlier when we were discussing this problem. The parliamentary situation is such that if the amendment of the senior Senator from Oklahoma remained in the bill, we would have a resolution to express the sense of the Senate as a part of the proposed legislation. The House has a very strict rule of germaneness and therefore cannot express, on a legislative bill, the opinion of the House. When we went to conference we would be in an embarrassing situation, and perhaps the House—knowing the House Members as I do, I think it is possible—would require us to delete the language. I did not wish to see it deleted. I should much prefer, as the Senator decided to do, to strengthen the Senate's expression by passing a formal resolution standing out in broad neon lights, to show that this Government is sick and tired of and completely out of patience with any country sharing in the benefits of piracy by accepting and retaining planes flown in.

I think we are following the proper legislative course, so that there may be a finality to the action by the Senate, under the course which the senior Senator from Oklahoma has taken, rather than a losing out in conference because of a lack of germaneness to a House-passed bill.

Mr. GOLDWATER. I am in complete agreement with the steps both Senators from Oklahoma have taken in this regard. I realize the parliamentary situation.

However, I do not think it hurts a bit to have individual Senators rise on the floor of the Senate, as they have done, and express their complete dissatisfaction with the way the whole Cuban business has been handled, not only by this administration, but also by my own administration. I think the American people are sick to the bone of the humiliation which they feel every time they pick up a newspaper and see that bearded, two-bit version of a dictator thumbing his nose at this country.

I do not think it hurts a bit for Senator after Senator to rise up to tell the way he feels, because they are speaking the feelings of the American people. I only wish it were possible for our State Department to take a little more stiff-backed attitude toward Cuba. I wish the State Department would forget the

troubles in Africa and Asia for only 5 or 10 minutes, and worry about the troubles which beset us in Cuba, a few miles off our southern shores, which troubles will, in my opinion, if allowed to continue, result in the beginning of troubles the like of which we have never known, because the Latin countries now can be furnished with the materiel for revolution they have never been able to receive before, because Russia and her satellites have not been able to sustain prolonged airlift or sealift to bring it about.

As I say, I know a little bit about the Latin countries. I probably knew the Mexican people before I knew my own people. I have traveled extensively in Latin countries, and I speak the language.

Mr. President, I can tell Senators definitely that when Mr. Stevenson came back to this country he did not tell us the feeling of the people of the countries of Latin America. He told us to the contrary. The people of the countries of Latin America are sick and tired of this great power seeming to be afraid to do something about a small country a few miles from our own shoreline.

It is not a fact that they would resent our doing something—they now resent our not doing anything, with the continuation of the policy, "Well, perhaps something will happen so that communism will disappear from Cuba."

That is the true situation in Latin America, rather than the situation which Mr. Stevenson, after his 22-day "quickie" tour, in which he probably visited only the embassies of the United States as he traveled around those countries, came back and reported to the President of the United States.

I think it might not be a bad idea for the President himself to take a prolonged visit through the Latin American countries, where he could personally visit not necessarily with every level of the people but with the people who have the best interests of the United States and of the Latin countries at heart; namely, the people who have worked for what they have, the so-called "white collar" class, to let him see the great wave of resentment which is sweeping over Latin America relative to our seeming timidity.

Mr. ALLOTT. Mr. President, I compliment the distinguished Senator from Arizona for what he has said. I should like to speak very briefly—and it will be brief—in regard to a couple of aspects of this problem.

Yesterday afternoon, when time was rushed, I mentioned a situation which occurred this spring, in which a young man from Colorado by the name of Lyndon Blue was flying a Twin Bonanza plane from Key West to Nicaragua. He received all proper clearances from Cuba for the flight nonstop over Cuba to Nicaragua, and had no material in his plane of any kind, nature, or description to which exception could possibly have been taken. As a matter of fact, the only material the plane contained was some tractor parts for use upon the plantation which this young enterprising man and his brother had established in Nicaragua and a machine of a food company in the United States for pureeing bananas.

Ninety minutes after the plane had taken off from Key West and had been cleared over Cuba the flight plan was canceled from Cuba. The plane was ordered down not only by radio but also by means of an F–80 jet fighter in the hands of Cubans. So the young man and his companion, who is an employee of the food company, were forced down and were incarcerated with political prisoners for 12 days. No charges were ever filed, nor have any charges been filed to date against either one of these men. Their release was effected as a result of the assistance of our Canadian friends and also of our Swiss friends, who have consulates in Cuba.

The point is that the problem is not limited alone to airliners. These two young men started out on a shoestring. They are 24 or 26 years old. They built a very successful plantation in Nicaragua, which has contributed greatly to the economic well being of that country. They have $50,000 tied up in that Twin Bonanza. The plane was forced down by a fighter, on orders from Cuban radio, to land at a Havana airport. The plane today, so far as we know, still sits on the field in Havana. Or, more probably it does not sit there, because it is probably being utilized by the Cubans. Certainly it has never been returned to the owners.

I wish to say, with respect to the situation we face when we try to pin this on the Cubans, that we have a problem when everybody says, "Well, we must go slow. We must go slow for we cannot prove this was a Cuban agent." Perhaps we cannot prove it was a Cuban agent. Perhaps we cannot prove the incident yesterday was brought about by a Cuban agent.

However, when a man takes a plane which has been pirated and puts it on his runway, retains control over it, and keeps it, he can only be regarded in the eyes of the law as an accessory after the fact. He cannot be regarded in any other way. Under the laws of most States of this Union, an accessory after the fact is chargeable and punishable in the same manner a principal to the crime is chargeable and punishable.

So let us not forget that it is very easy to say, "We have the plane back. Let us all settle back. Things are not so bad."

They are bad. We cannot realize in this country how bad they are. During the last 3 months at least six friends from South America have made trips to the United States, one of the main purposes of such trips being to tell me how bad things are in South America.

We have listened to the line of the Secretary of State, who has told us, "The tractor deal has shown up Castro for what he is. He is willing to trade lives for tractors, and this incident is bringing the South Americans over to our side."

Believe me, it is not. The reputation and prestige of the United States has never been lower in Latin and South America than it is today, and it is due to one thing. I pay tribute to and support the things the Senator from Arizona has just said about the courage of these people. They admire courage, and that is why they cannot even begin to understand why a nation as big, strong, and powerful as is this Nation, could be pushed and shoved around by the little bearded dictator down in Cuba. The Latin American people can understand a country as strong as we are acting forcefully and effectively, but they cannot understand vacillation. All we have done for the past 2 years is to vacillate with Cuba. So vacillation brings only disrespect, and we are despised.

If we act strongly but justly, some of the people may not like what we do. But they will respect us, and we shall get a great deal further in this world if we are respected than if we worry about whether people all over the world love us.

I do not know where the idea about world opinion suddenly came from. The guideline for our foreign policy from the State Department is plain, but those people would not love us if we did what is suggested. Our peace and position in the world will not be based upon this concept. It will be based upon respect.

We have been fools. During the year 1959, while the sugar bill reposed in the House of Representatives for many months, the Cubans harvested their cane and shipped it out of the country. Though many of us made efforts to move the sugar legislation, Congress actually financed the Cuban revolution to the tune of $150 to $160 million for sugar that came here. While that harvest occurred, we sat on our hands.

I am not afraid of brinkmanship. I am not a warmonger. Like almost every other Senator, I have served my time in the military service of this country, and I realize what it means. But I know that we cannot present to the countries of the world a picture of a nation which is big, strong, wealthy, and powerful, and continue to vacillate in our policies. Let us determine our policies. Let us assure ourselves that they are just and equitable. But let us quit doing a flip-flop every time someone in some country says, "Yanquis, go home," or, "We don't like America." Such an attitude will never make America great, our course cannot lie in currying favor. Our course of leadership lies in determining what is right but just; in pursuing our objectives to their end. Such an attitude will bring us respect and leadership without the despicable ideas that have been going through the minds of people in foreign countries.

We have been told that we have gained ground in Latin and South America. Let us not be fooled. Our whole position in the Southern Hemisphere is headed in the other direction, and unless we take a firm position upon this bill and upon subsequent resolutions which will come before the Senate, we will stand in the eyes of Latin America condemned as a nation which is too weak willed to act.

I yield the floor.

Mr. PASTORE. Mr. President, I have listened with a great deal of interest to the very eloquent oratory which has come from the other side of the aisle today. I can say I agree in substance with what the Senators have said. If we in America are to maintain the prestige that we have enjoyed through the years,

and if we are to maintain respect for the American flag and our own Nation, we shall have to be much firmer. We must demonstrate to the rest of the world that, while we do not intend to be bullies in our attitude, we must be strong and determined to protect all American rights.

But I remind Senators on the other side of the aisle that the chickens have come home to roost. What is happening to us today did not start in January of this year. What is occurring today started years ago. It was the vacillation of the previous administration, the lack of determination to do things that should have been done and that we did not do, that brought us to the point at which we find ourselves today.

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

Mr. PASTORE. I yield.

Mr. GOLDWATER. During the course of my remarks I think I made it abundantly clear that I did not think the present administration was responsible.

Mr. PASTORE. I thank my friend from Arizona. I thought he said that Mr. Stevenson returned to this country with a lot of untruths—telling us what is contrary to the situation in the Latin countries. I think Mr. Stevenson came back and told the truth to the American people. He told us that the conditions in Latin America were not too good. Conditions have been deteriorating for years in Latin American countries, and were much different from what he had found on previous occasions.

Mr. GOLDWATER. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. GOLDWATER. I believe we are talking about two different things.

Mr. PASTORE. We are talking about the same thing.

Mr. GOLDWATER. The Senator is speaking about what Mr. Stevenson reported. I am in complete agreement with the Senator from Rhode Island when he says that the trouble started years ago. I would place the time when the trouble started as 40 years ago, at the signing of the peace treaty of Versailles. Through both Republican and Democratic administrations we have won wars, but I do not think we have won the peace. I am not charging the Kennedy administration. I am not charging the Eisenhower administration. I am trying the whole gamut of administrations that we have had since 1918, which have allowed us to lose our men on the battlefields and to lose the peace at the conference table.

Mr. PASTORE. I am happy that my friend from Arizona has cleared his position with regard to that point. He talked about what Mr. Stevenson reported. I believe he said that all Mr. Stevenson probably did was to visit the U.S. Embassy, and that he did not get out among the people. The Senator from Arizona knows the language and knows the people. As a matter of fact, one does not have to speak the language or know the conditions. All one needs is to read the newspapers.

Mr. GOLDWATER. If the Senator from Rhode Island wishes to defend Mr. Stevenson, I suggest that he go ahead and defend him.

Mr. PASTORE. I shall defend Mr. Stevenson as earnestly as my friend from Arizona will attack him.

Mr. GOLDWATER. I merely wished to correct the point that my friend was trying to make, which was that I had left the impression that the present situation is entirely the fault of the Kennedy administration. I thought I made that point adequately clear in my remarks, as I have made it adequately clear in my remarks on the entire subject throughout the time allotted to me.

Mr. PASTORE. All I desire to say is that it is high time that we on this side of the aisle began to have truth teams to tell the Americans what happened in the past, and the fact that what is happening today is not something that started in January of this year, but was the accumulation of mistakes made years before.

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

Mr. PASTORE. If the Senator wishes to ask a question, I yield, but if he wishes to make a speech, I suggest that he do so on his own time. I will yield for a question.

Mr. KUCHEL. Does the Senator not believe that it is in the interest of American security in these dreadful and fateful days through which the world now passes to avoid any imprecation based upon partisan comments on both sides of the aisle which on extremely recent occasions, I think, merits——

Mr. PASTORE. My friend from California was not here. There is not a Member of the Senate who is not in favor of the bill. There is not a Senator who does not feel strongly on this hijacking matter. However, my friend from California was not here when Senators on his side used this occasion to make partisan speeches. The Senator from Rhode Island did not start it. I came here specifically to introduce a bill. It is most vexing and irritating, on occasions such as this, when we are speaking of America and the things that are good for America, to have this occasion seized for partisan advantage. That is precisely what took place here. That is what impelled me to rise and make the statement I have made. I quite agree with the Senator from California that this is not a time when we should indulge in partisan considerations or discussions.

That is precisely what I found taking place. I, as one Democrat, resent it.

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

Mr. PASTORE. I yield.

Mr. KUCHEL. I must say that I have been out of the Chamber during the last few moments.

Mr. PASTORE. I have the floor. The Senator has the right only to ask me to yield for a question.

Mr. KUCHEL. I ask the Senator to yield for a question.

Mr. PASTORE. I yield for a question.

Mr. KUCHEL. Then I ask the Senator if it is not true, since I was out of the Chamber and did not hear all that went on, that some of the comments which are made in this Chamber with respect to criticism of individuals in the Government ought not immediately to be interpreted as intemperate partisan comments?

Mr. PASTORE. All I can say to the Senator from California is: "Were you here, Charlie?"

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

Mr. PASTORE. I yield.

Mr. KUCHEL. My name is not Charlie. The Senator from Rhode Island knows my name is not Charlie. I will put this in the form of a rhetorical question, because the Senator has put restrictions on my opportunity to speak. He knows that I will read this RECORD in a few minutes, just as the Senator has, and if I believe then that it merits any further comment on this situation, will not the Senator agree that I have the right to make comment?

Mr. PASTORE. The Senator has every right that he can support. One man who will stand up to support the Senator's right and be in the forefront of those who will see to it that he has that right is the senior Senator from Rhode Island.

Mr. KUCHEL. That is why I love my friend from Rhode Island, my friend.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. CARROLL. Mr. President, what is the parliamentary situation now?

The PRESIDING OFFICER. S. 2268, the so-called hijacking bill, has been read the third time. The question now is on passage of the bill.

Mr. RANDOLPH. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. CARROLL. Mr. President, only recently, within the hour, have I had an opportunity to read the report on the airplane hijacking bill. However, I have not been given the printed hearings. I wish now to call to the Senate's attention a conversation I had this morning with the Assistant Attorney General in charge of the Criminal Division of the Department of Justice. It will be observed that the title of the bill shows that it is a proposed amendment to the Federal Aviation Act. It is only that fact which gives jurisdiction to the Commerce Committee. Otherwise the bill, by its nature and contents, would have gone to the Senate Judiciary Committee.

I recognize the urgency of the bill. I commend the work of the able Senator from California [Mr. ENGLE] and of the able Senator from Oklahoma [Mr. MONRONEY] on this important piece of legislation. However, it would seem to me that this should have been a matter for consideration by Committee on the Judiciary. Why? Because it deals with numerous statutes under title 18 of the United States Code which are criminal statutes of this Nation.

I am reminded that in my own State, some 5 or 6 years ago, a young man took his mother to the airport, put her on a plane, along with baggage which contained a large amount of dynamite, which blew up the airplane while in flight and killed 44 persons. Congress then enacted new legislation concerning the willful destruction of airplanes, imposing heavy penalties, placing it under the Criminal Code, title 18, where it properly belonged.

That bill, as is the case with this legislation, originated in the Interstate and Foreign Commerce Committee. The then Attorney General vigorously protested the attempt to include in the Civil Aeronautics Act this major criminal law statute, insisting that such a law belonged in the Criminal Code under title 18. It is significant that the Commerce Committees of both the House and the Senate finally agreed with the Attorney General's viewpoint. This occurred in 1956. See Public Law 84–709 (70 Stat. 538). The legislative history of the new law is exactly in point with my discussion today.

No doubt other instances could be cited with respect to title 18. It is my information, based upon the testimony of Mr. Miller, who speaks for the Attorney General's Office in this matter, that their preference is to have the crimes proposed in this bill under title 18, the Criminal Code. That is not only for the purpose of codification but also for the purpose of informing the people of what the criminal statutes are, and more important, to avoid the pitfalls of prosecution.

The whole purpose of the codification of the Criminal Code is to draw the criminal statutes together within the books. The position of the Attorney General is to have these laws under title 18 where they can be reached and read and understood. We are confronted here with a situation of an emergency nature. I have talked to the chairman of my committee, the Committee on the Judiciary, and he does not want to make an issue of it. However, I say it is a bad precedent for the Senate to take a bill and place it in the jurisdiction of another committee because of some apparent emergency.

I wish to ask some questions about the concealed weapons charge. If I may ask a question of the Senator from Oklahoma or the Senator from California: Is the penalty for concealed weapons in the bill 5 years and $5,000?

Mr. ENGLE. That is the maximum.

Mr. CARROLL. Is it not true that under the present bill——

Mr. ENGLE. That is what the present bill provides.

Mr. CARROLL. A third reading having been had of the bill, there is no opportunity for an amendment, is there?

Mr. ENGLE. No; there is not. However, we had a lesser penalty in it, and there were bills which contained a higher penalty. The subcommittee, after thoroughly considering the matter, put in the provision that the penalty would be not more than $5,000 or imprisonment for not more than 5 years, or both. There is plenty of leeway for a court to exercise judgment.

Mr. CARROLL. What was the position of the Attorney General concerning the approval of the penalty?

Mr. ENGLE. I do not believe the Attorney General specified a penalty.

Mr. CARROLL. I shall be glad to have any Senator correct me, but it is my impression that the Attorney General felt that that penalty would create problems, first, from an investigative standpoint. It is my impression that the Attorney General put this crime in the category of a misdemeanor, which would carry a punishment of a fine of $1,000 or imprisonment for 1 year.

Mr. ENGLE. That was what my original bill provided. The testimony of the Assistant Attorney General begins on page 25 of the report of the hearings, which are before the Senator. I am not certain that he mentioned that point specifically. I do not recall it.

Mr. CARROLL. May I refresh the memory of the Senator from Oklahoma that on August 7 Mr. Miller, Assistant Attorney General, directed a letter to the Honorable A. S. MIKE MONRONEY, Senate Office Building, Washington, D.C., to which he attached a second proposed bill. In the bill he sets forth the very thing which I have said—"carries on or about his person a concealed deadly or dangerous weapon, or attempts to board such aircraft carrying such weapon, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

We know what we seek to do. We seek to stop a person who is carrying a gun from boarding a plane. The Senator from California is an able lawyer and a former prosecutor. I ask him: What is a concealed weapon? A knife with a 3-inch blade? Is that set forth in the report? What is meant by a "concealed weapon" in the proposed statute?

This is why I believe proposed legislation of this type should be carefully considered by a group of lawyers, who are trained to think in terms of the law and its application to specific criminal offenses.

Mr. ENGLE. We assume that the general definition of "concealed weapon" would apply. We are not proposing anything special in the bill.

Mr. CARROLL. Weapons concealed where, and by whom? Where in the bill is the Federal concealed weapons statute? We know what the definition of "concealed weapons" is at common law and in the States. These are reasons why the Attorney General should have been further consulted.

A representative of the Attorney General and I discussed the question this morning, and he believes the matter should have been considered by the Committee on the Judiciary, to improve and modify it, if necessary. That is why I hoped there might have been a full discussion of the bill which was called up yesterday.

I know the able Senator from California has worked long and hard on the bill, as has the able Senator from Oklahoma, who is an expert in the field of aviation. I understand the urgency of the problem. However, it seems to me that a little more time could have been taken to consider the measure.

When the bill was brought up yesterday, only a mimeographed form, not a regular print, was available. It was only this morning, by virtue of the report, that I saw a list of the witnesses. I merely plead for proper procedure in the Senate. I do not say that the bill is not a good one. I raised another point about concealed weapons for an example. The Attorney General himself is confused about it.

Mr. ENGLE. If the Attorney General was confused, he did not indicate it when he appeared before our committee on August 4, which was last Friday. I ask the Senator to refer to page 27 of the hearings, where the testimony of Mr. Miller appears.

The committee had before it several bills, including the one I introduced four and a half weeks ago, which arose out of the incident in Los Angeles, an incident which presented great difficulties. Subsequent to that the committee received the amendment which I offered to cover piracy. Mr. Miller, the Assistant Attorney General, testified on the amended bill, which was introduced on July 31, 1961. I read from the hearings on page 27:

Senator MONRONEY. I thought you included some items that were not within the scope of the amended bill.

Mr. MILLER. I don't believe so, Senator.

Senator ENGLE. We reached the original and added some sections. S. 2268 as amended is the bill as originally introduced plus the new sections which related to pirating. In other words, S. 2268 is the original, plus the amendments.

Senator MONRONEY. The amendments are in addition to S. 2268?

Senator ENGLE. That is correct. What the amendment did, in effect, was to restate the bill introduced, whenever it was, and added sections with reference to pirating airplanes.

Mr. MILLER. That is correct.

So Mr. Miller, the Assistant Attorney General, who appeared before the committee, testified concerning a bill which contained a concealed weapons provision, and he did not at that time raise any question about the definition of "concealed weapons." That problem would be taken care of under the general definition of "concealed weapons," which is well known within the law.

Mr. CARROLL. Will not the Senator from California agree that each State might have a different concept of "concealed weapons" in its statutes? There are all kinds of judicial definitions of "concealed weapons." We know what we are trying to accomplish. We seek to reach a person who carries a loaded gun onto a plane. There is no question that that is what we have in mind. I commend the able Senator from California, who said yesterday that this item had reference to concealment rather than to the guns of some duck hunters or pheasant hunters who were flying on a commercial plane. I understand that. However, I believe there must be some refinement of the language. Still, I am experienced enough to know that with the present temper of the Senate, the bill will be passed. I do not know whether the yeas and nays have been ordered.

Mr. ENGLE. They have been ordered.

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

Mr. CARROLL. I yield.

Mr. MANSFIELD. First, I wish to make a unanimous-consent request, namely, that the vote on the pending measure be postponed until 2 o'clock. I make the request because a group of Senators is having an important meeting with an important guest at this time. It was thought inadvisable to break up that meeting until 2 o'clock.

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

Mr. MANSFIELD. Mr. President, if I may answer what I believe the Senator from Colorado is driving at, generally speaking the question of the proposed legislation being referred to the Committee on the Judiciary was discussed among the chairman of the Subcommittee on Aviation of the Committee on Commerce, who is in charge of the bill; with the Senator from California [Mr. ENGLE], and myself. The question was brought to the attention of the chairman of the Committee on the Judiciary, the distinguished Senator from Mississippi [Mr. EASTLAND]. Certain testimony in the hearings was also brought to the attention of the Senator from Colorado. The chairman of the Committee on the Judiciary agreed to let the consideration of the bill proceed, and said he would not make a request that it be considered by his committee, although he felt he had justification to request that it be referred to the Committee on the Judiciary. I think that statement ought to be in the RECORD. That is why I have made it. I appreciate having the opportunity to do so.

Mr. CARROLL. I appreciate the remarks of the distinguished majority leader. However, as I view the facts, the bill would have gone to the Committee on the Judiciary except that it is proposed as an amendment to the Federal Aviation Act. I think I may say that the chairman of the Committee on the Judiciary had no previous notice that the bill would be referred to the committee which presented it. Only this morning—30 or 40 minutes ago—I learned that the Attorney General had testified concerning the bill.

The Attorney General was not in favor of the amendment of the criminal statutes by amending the Federal Aviation Act.

When I learned of this, I asked the Attorney General's Office to hand-speed to me their information and their testimony, because there were then no printed hearings. It was for that reason that I asked that the information be sped to me.

The minute it arrived, I called the chairman and other members of the Committee on the Judiciary and asked them if they knew exactly what the bill provided. They did not know, and there was nothing before them which could apprise them so that they could know.

In my opinion, this is not the way to legislate important new criminal statutes.

As I was about to say awhile ago, I am experienced enough to know that with all the inflammatory news we are receiving, Senators do not wish to be placed in the position of voting against this type of bill, even if they have some legal reservations about it, because such a position could easily be misconstrued.

Undoubtedly, the bill will be passed by the Senate, and perhaps we shall then ask the Attorney General to suggest refinements.

The Senator from Oklahoma has been asking me to yield; but first I wish to read, from page 28 of the hearings, an interchange between the Senator from Oklahoma [Mr. MONRONEY] and Mr. Miller, who appeared on behalf of the Attorney General and the Department of Justice:

> Senator MONRONEY. Then it is also your feeling that rather than amend the Federal Aviation Act, that these should fit into the Criminal Code, rather than become a part of the Aviation Act, because they would be easier to be found or identified; is that correct?
>
> Mr. MILLER. That is correct, Senator.
>
> There are two basic reasons. One, we prefer, where possible, that criminal statutes be included in title 18; simply because it is a proper codification.
>
> Secondly, if the bills are in title 18, then it will be clear that the Federal Bureau of Investigation will have investigative responsibility for these crimes. We think that this is the proper agency to investigate crimes of this nature.

Now I yield to the Senator from Oklahoma.

Mr. MONRONEY. We followed the suggestion of the Assistant Attorney General in charge of criminal investigations and included the provisions he suggested to give jurisdiction to the FBI. We felt that was a very excellent suggestion and that such a provision should be included.

We felt that thus we could properly handle the problem as an amendment to the Federal Aviation Act. Its provisions cover and define dozens of crimes, and the committee jurisdiction of measures dealing with such matters has never been questioned, and is not questioned today.

A great deal of work had been done on the bill—and let me say there was no usurpation by us of the jurisdiction of another committee. Senate bill 2268 was referred to our committee a number of weeks ago, and later there were also referred to our committee Senate bill 2370, Senate bill 2373, and Senate bill 2374—four bills dealing with these matters. In the judgment of the Parliamentarian, all four of those bills were properly referred to our committee, and they were referred to our committee without any request by us. Certainly we felt a most important matter was involved and that it should be given the best of attention.

With all due respect to the heavily overloaded Judiciary Committee—and certainly it is heavily overloaded—let me say that I was not aware that it had requested that the bill be referred to it.

The request comes now after the third reading of this bill. We had showed the bill to the chairman of the Judiciary Committee, and there was no objection. In fact, yesterday evening, when I asked the Senator if he had any suggestions to make, and suggested that if he did have some to make, he be here to present them or to submit or suggest amendments while the bill was still under consideration, I thought we were proceeding quite properly. We have worked in good faith on the bill and we have worked hard on it. I do not say we have worked harder than the Judiciary Committee would, but certainly we worked just as hard as we could. If the clerks of the Judiciary Committee felt that the jurisdiction of that committee was violated, certainly some member of that distinguished, high-level committee would have notified us that the Judiciary Committee wished to have jurisdiction of the bill—which could then have been shared with the Judiciary Committee.

Mr. CARROLL. Mr. President, the Senator from Oklahoma, who is an expert on the rules, knows that except for the fact that it was proposed as an amendment to the Federal Aviation Act, the bill would, in the normal course of events, have been referred to the Judiciary Committee.

Mr. MONRONEY. But the Senator from Colorado should realize that we cannot assume that the Judiciary Committee would take jurisdiction of all such proposed amendments. We merely have included by reference in this measure the body of law which has been generated over the years by the Judiciary Committee; and our position is that if such laws are good for application to crimes committed on the high seas, they are good for application to crimes committed in the air. Ninety percent of the thrust of the bill is based on that concept.

The bill simply applies the Criminal Code to some of the things that are likely to happen in the air. We also include in the bill provisions in regard to matters which do not come within the jurisdiction of the Judiciary Committee. For instance, I refer to the section authorizing the Federal Aviation Administrator, not the Attorney General, to rule that certain passengers cannot board a plane or cannot carry certain things aboard a plane. Measures dealing with such matters would not come within the jurisdiction of the Judiciary Committee.

Mr. GOLDWATER. Mr. President, will the Senator from Colorado yield, so that I may ask a question of the Senator from Oklahoma?

Mr. CARROLL. I shall yield in a moment.

Mr. President, in essence, this is not a question of jurisdiction; it is a question of careful and proper consideration of proposed criminal statutes. All measures in that area should be within the jurisdiction of only one committee, so that those interested will know where to go.

The Senator from Oklahoma said—although I do not know to whom he had reference—that an amendment would be put in the bill. I indicated that it was at only 11 o'clock this morning that I received from the Office of the Attorney General information as to where it stood and what it wanted, and only this morning did I get a copy of the hearings and a printed copy of the report. Certainly this is not the proper way for the Senate to legislate.

Now I yield to the Senator from Arizona.

Mr. GOLDWATER. Perhaps I can suggest a way to clear up this matter. Does not this measure amend the Federal Aviation Act of 1958?

Mr. MONRONEY. That is correct—and uses the definitions included in that act and its provisions as to various matters. We merely include the references from the code in order to make such actions crimes in the air, as well as on the high seas.

Mr. GOLDWATER. And is it not also true that after the hearings on the bill amending the Federal Aviation Act of 1958, the subcommittee favorably reported the bill to the full committee, and the Senator from Oklahoma himself has engineered the bill through the Senate?

Mr. MONRONEY. Yes. We included parts of several other bills—parts of the bill introduced by the Senator from Texas [Mr. YARBOROUGH], parts of the bill introduced by the Senator from New Hampshire [Mr. BRIDGES]—although the major part of the bill was introduced by the Senator from California [Mr. ENGLE]. The bill now before the Senate is the result of long and hard study and consideration.

Members of the Judiciary Committee perhaps could have done better, but I do not believe the Judiciary Committee would have come up with a different answer.

Mr. GOLDWATER. But the fact is that the bill now before the Senate is a creature of the Commerce Committee, is it not?

Mr. MONRONEY. That is correct.

Mr. GOLDWATER. And not a creature of the Judiciary Committee?

Mr. MONRONEY. That is correct.

Mr. GOLDWATER. Is it not also true that in the bill now before the Senate, crimes are defined in sections 113, 114, 1111, 1112, 1113, 1363 and 2111 of title 18 of the United States Code, which are applicable if the crimes are committed while a person is aboard an aircraft in air commerce?

Mr. MONRONEY. That is correct; those provisions are lifted verbatim from the criminal statutes, without any change—not even the dotting of an "i" or the crossing of a "t". Those applicable to crimes committed on the high seas are made applicable to crimes committed in the air.

Mr. GOLDWATER. And was it not——

Mr. CARROLL. Mr. President, I think I have the floor.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. GOLDWATER. Then I ask——

Mr. MONRONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield; and if so, to whom?

Mr. CARROLL. Mr. President, I thought the Senator from Arizona was going to ask questions of me.

Mr. GOLDWATER. No; I asked the Senator from Colorado to yield, so that I might ask questions of the Senator from Oklahoma.

Mr. CARROLL. All this colloquy is very pleasant, but I wish to clarify the RECORD.

This is the first time in the history of major criminal legislation affecting the maritime jurisdiction that a proposed law in that field has been handled in this way. Heretofore, such statutes have always been incorporated in the Criminal Code.

Mr. MONRONEY. And they still will be.

Mr. GOLDWATER. Mr. President, will the Senator from Colorado yield briefly at this point?

Mr. CARROLL. First, I wish to complete this record by emphasizing the point that the present procedure is an unusual one; and that is what the Attorney General was trying to say.

We have plowed this ground 15 or 20 times, in making statements about how the criminal statutes were moved into the first part of the bill, in addition to creating new criminal statutes.

The provisions in regard to the carrying of concealed weapons are not clear to me, and nothing in the record makes them clear; and perhaps the Attorney General himself has not clarified the record in regard to them.

As I have said before, I recognize that this bill is going to pass overwhelmingly. I hope the chairman of the Judiciary Committee, the able Senator from California [Mr. ENGLE], and the able Senator from Oklahoma [Mr. MONRONEY], who are responsible for this legislation, can sit down and work it out with the House Judiciary Committee or the Attorney General's Office. Having passed the bill in this hurried fashion, I think we have to sit down and refine it.

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

Mr. CARROLL. I yield.

Mr. ENGLE. As the Senator knows, this bill will be considered on the House side by the Interstate and Foreign Commerce Committee, our sister committee in the other body. So if there is any clarification needed with reference to the meaning of concealed weapons, Mr. Miller can attend to it. I emphasize that when Mr. Miller appeared before us, he did not raise that point, but if it has occurred to him subsequently, he can explain it over there. It can be done in conjunction with the Judiciary Committee in this body and the other body, so the law will be put into such shape as every Member of Congress agrees it should be.

Mr. CARROLL. I understand that this is the first step in the legislative process. I have commended the able Senator from California, the able Senator from Oklahoma, and the whole committee. As I have said, as we take the next step in moving to the House, we can have more time to study the hearings and reports. It will take some time, I suspect. I am certainly going to talk with members of the House Judiciary Committee and have them look into it. I will talk again with the Attorney General. If there are some defects in the bill, I think we can clarify them.

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

Mr. CARROLL. I yield.

Mr. MONRONEY. I do not agree that the bill has to be redone or overhauled by the House or the Judiciary Committee. Any time the Judiciary Committee wishes to embark on the project of codifying all the criminal laws scattered throughout the statute books, I will be glad to support them. But this is typical of the language which already appears in section 902(c) of the Federal Aviation Act of 1958 regarding interference with air navigation which reads:

> A person shall be subject to a fine of not exceeding $5,000 or to imprisonment not exceeding five years, or to both such fine and imprisonment, who—
>
> (1) With intent to interfere with air navigation within the United States, exhibits within the United States any light or signal at such place or in such manner that it is likely to be mistaken for a true light or signal established pursuant to this Act, or for a true light or signal in connection with an airport or other air navigation facility; or
>
> (2) After due warning by the Administrator, continues to maintain any misleading light or signal, or
>
> (3) Knowingly removes, extinguishes, or interferes with the operation of any such true light or signal.

We have this kind of language in almost every bill. The Civil Service and Post Office Committee considers bills embodying criminal offenses. While I grant the jurisdiction—and I helped to write the jurisdiction—of the Judiciary Committee, when there is a mixed bill, combining two or three fields, it is up to the Parliamentarian of the House and the Parliamentarian of the Senate to determine the proper committee.

This bill has been in committee for 4 weeks. Is that correct?

Mr. ENGLE. Four and a half weeks.

Mr. MONRONEY. Certainly, the Judiciary Committee should have been on notice of it before this morning. Certainly, the Attorney General should have asked for the jurisdiction to be transferred to the Judiciary Committee—that is, if anybody in the Justice Department reads the bills that the Senate is considering. I presume they do.

Why this last-minute effort by the Assistant Attorney General, who was invited to testify, who admitted that there was a gap in the law, whom we followed on everything except his wish to be sure that we had things nicely and completely indexed, as he would like them to be?

Mr. CARROLL. The truth is that the bill has been in the hopper, as we say, for 4 weeks, but it has been in the Aviation Subcommittee. It was not reported by the full committee until yesterday.

No Member of this body or of the House reads all of the bills, and usually does not consider a bill until the committee that is considering it makes its report. The report was not available until this morning. I did not know what the Attorney General had in mind. I have had no chance to consult with him except by telephone and by having him send his documents to me.

But, as I pointed out, and I repeat for the last time, in my opinion, this is not the way to legislate. We are entitled to have reports, and we are entitled to look at the hearings, especially when we are dealing with basic criminal statutes.

It is true that all through the field of administrative law there are civil and

criminal sanctions provided. Most of them deal with misdemeanors for violations of regulations. But that is not true of what are often referred to as basic common law crimes. The Judiciary Committee has always had jurisdiction of crimes of that type.

I am not saying that we would not have called upon the testimony and wisdom and experience of members of the Commerce Committee. Why did not the Judiciary Committee move in and ask the Parliamentarian for jurisdiction? Obviously, because the Parliamentarian would give this same decision, because I have talked to him on this question. Because it was a proposed amendment to the Federal Aviation Act, the Commerce Committee was the committee that would get the jurisdiction. I say this is not good practice when we are dealing with basic criminal statutes.

I have made a record here, which I hope will be studied by members of the House Judiciary Committee and other Members of the House.

Perhaps, as the Senator from Oklahoma has said, the bill does not need to be carefully reformed. I do call attention to the fact that there should be an explanatory statement in the RECORD about the meaning of a concealed weapon, and whether it means any knife, or a knife with a 3-inch blade, or what the extent of the blade must be. I think there ought to be some clarification of the meaning.

Mr. President, at this point in the RECORD I ask unanimous consent to have printed the letter of August 7 from Mr. Miller to the Senator from Oklahoma [Mr. MONRONEY], to which I previously referred, together with the proposed bill submitted by the Attorney General and made a part of that letter, and also a statement given to me this morning by the Assistant Attorney General, which was heretofore incorporated in the record of hearings before the Subcommittee on Aviation of the Senate Committee on Commerce on August 4, 1961.

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

AUGUST 7, 1961.

Hon. A. S. MIKE MONRONEY,
Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are two proposed statutes. The first is patterned after S. 2268 and contains certain language which will limit the application of the proposed statute.

A second proposed bill is a substantial redraft which has what the Department of Justice feels is an advantage in graduating the offense up to and including the death penalty in the event persons are killed in the course of the hijacking. This concept is patterned after the present kidnaping statute.

Sincerely,

HERBERT J. MILLER, Jr.,
Assistant Attorney General.

Chapter 2 of title 18 is amended by adding the following sections:

"Section 36. Whoever, while on board an aircraft in flight in air commerce, within the jurisdiction of the United States, commits an act which, if committed within the special maritime and territorial jurisdiction of the United States, would be in violation of section 113, 114, 1111, 1112, 1113, or 2111 of title 18, United States Code, shall be punished as provided therein.

"Whoever, while on board an aircraft in flight in air commerce, within the jurisdiction of the United States, including the special maritime and territorial jurisdiction, assaults, intimidates, threatens, or interferes with any flight crew member of such aircraft while engaged in the performance of his duties or in any way lessens the ability of such flight crew member to perform his duties, or attempts to obtain or obtains control of an aircraft by force or violence, shall be fined not more than $10,000 or imprisoned not more than twenty years, or both. Whoever in the commission of any such acts uses a deadly or dangerous weapon shall be imprisoned for life, or for not less than twenty years.

"Except for the employees or officials of any municipal or State government, or the Federal Government, who are authorized or required to carry arms, and except for such other persons as may be so authorized by the air carrier involved, whoever, while a passenger aboard an aircraft being operated by an air carrier in air transportation, carries on or about his person a concealed deadly or dangerous weapon or attempts to board such an aircraft carrying such a weapon shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"Section 36. (a) Whoever, while on board an aircraft engaged in air commerce in the United States, or on board an aircraft operated by a United States air carrier over the high seas—

"'(1) Attempts to obtain or obtains control of the aircraft by unlawful force and violence or the threat of unlawful force or violence while the aircraft is in flight or on the ground; or

"'(2) Assaults, intimidates, threatens or interferes with any flight crew member of the aircraft, while the aircraft is in flight, and the crew member is in the performance of his duties or in any way lessens the ability of such member to perform his duties,

shall be fined not more than $5,000 or imprisoned for not more than five years, or both.

"'(b) Whoever, (1) commits any act specified in subsection (a) which results in injury to any person, or (2) uses a dangerous or deadly weapon in the commission of such acts shall be fined not more than $10,000 or imprisoned for not more than twenty years or both.

"'(c) Whoever commits any act specified in subsection (a) which results in the death of any person shall suffer death unless the jury qualifies its verdict by adding thereto without capital punishment, in which event he shall be sentenced to imprisonment for life.'

and (b) amend section 1651 of title 18 to read as follows:

"'1651. Piracy under law of nations.

"'Whoever, on the high seas *or on board an aircraft over the high seas,* commits the crime of piracy as defined by the law of nations, and is afterward brought into or found in the United States, shall be imprisoned for life.'

"Section 37. Whoever while on board an aircraft in flight in air commerce commits an act which if committed aboard a vessel on the high seas would constitute piracy as defined by section 1651 of title 18, United States Code, shall be imprisoned as provided therein."

STATEMENT OF ASSISTANT ATTORNEY GENERAL HERBERT J. MILLER, JR., ON S. 2268 BEFORE THE SUBCOMMITTEE ON AVIATION, SENATE COMMITTEE ON COMMERCE, AUGUST 4, 1961

Mr. Chairman, my name is Herbert J. Miller, Jr., and I am Assistant Attorney General, in charge of the Criminal Division of the Department of Justice. Pursuant to the request of this subcommittee, I shall state the position of the Department of Justice with regard to S. 2268, which would amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce. My comments are directed to the July 31, 1961, amendment to the bill. First, I wish to emphasize that the Department of Justice endorses this bill but with certain amendments.

S. 2268 would amend the Federal Aviation Act of 1958 by adding a new subsection (i) to section 902 of that act. The new subsection would be further divided into four divisions. The first division would make criminal the actions proscribed by sections 113, 114, 1111, 1112, 1113, and 2111 of title 18, United States Code, when they occur on board an aircraft in air commerce. Section 113 deals with several types of assaults; 114, maiming; 1111, murder; 1112, manslaughter; 1113, attempts to commit murder or manslaughter; and 2111, robbery. It should be pointed out that most of the crimes listed in subsection (i)(1) are also crimes cognizable in State courts. For example, murder or manslaughter in an airplane above a State can be prosecuted in the State over which it occurred. The problem of venue is not obviated by making it a Federal crime. The Federal Government will still have to prove the State and district in which the crime was committed as required by the sixth amendment to the Constitution of the United States.

S. 2268 would apply to specified acts committed aboard any aircraft in air commerce. Air commerce is defined in the act (49 U.S.C. 1301(4)) to include oversea and foreign commerce, which are further defined to include commerce between the United States and any place outside of the United States. Thus, this subsection (1) of S. 2268 would extend Federal jurisdiction over the high seas as well as to foreign countries. As far as jurisdiction outside of the United States is concerned there are two problems. One, jurisdiction over crimes on airplanes of American registry over the high seas is already covered by title 18, United States Code, section 7. Secondly, with regard to jurisdiction over foreign countries it would cover any airplane flying from the United States over a foreign country. The latter extension may well be in conflict with the Convention on International Civil Aviation effective April 4, 1947, in which article 1 provides: "the contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory." The Department of Justice is of the opinion that if the Federal Government is to enter this area this part of the bill should be limited to the airspace above the United States.

We also note that the crimes listed in this part of the bill are those commonly contained in title 18, Criminal Code, and, therefore, it would appear to be more appropriate to amend that title than the Federal Aviation Act. This would also clarify the investigative jurisdiction. We believe that these crimes should be investigated by the Federal Bureau of Investigation. If it is determined that this subsection is necessary and that the physical placement of it should be in the Federal Aviation Act, then the investigatory responsibility should be clearly spelled out.

Subsection (i)(2) makes it a crime to assault a flight crew member if the assault prevents the proper performance of duty by the flight crew member. This subsection specifically takes care of the problem posed by the recent occurrences which resulted in the introduction of S. 2268. We suggest that here also the offense should be limited to the United States for the reasons stated above. We also suggest that this subsection should specifically forbid the obtaining or the attempt to obtain control of an airplane

illegally by force and violence, even though such an act would probably include an assault.

The Department of Justice endorses subsection (i) (3) without change.

While the law of piracy in modern times has been found to be archaic and difficult of application (see revisor's headnote to ch. 81, title 18). A convention on the high seas was ratified by the Senate on May 26, 1960, which defined acts of piracy and brought such acts on airplanes within the term piracy. I am advised by the Department of State that this convention is not yet effective since it has not been ratified by the requisite number of countries. We do not object to this subsection.

The Department of Justice believes that the Congress should enact legislation which will permit quick and effective action against persons who endanger the lives and property of large numbers of persons both on board our airliners and on the ground over which the airliners fly. This despicable conduct which foreseeably can jeopardize the lives of more than 100 persons in one plane cannot be tolerated. If the bill is amended as suggested above it will be an effective means for curtailing this cowardly and irresponsible conduct or for punishing it when it does occur.

Mr. MONRONEY. Mr. President, will the Senator yield for a moment?

Mr. CARROLL. I yield.

Mr. MONRONEY. Does not the Senator think that it would be advantageous, for those reading the RECORD, to also include from the printed hearings the colloquy and interrogation of Mr. Miller and his amplification?

Mr. CARROLL. I quite agree. Will the Senator outline the pages he wishes to have in the RECORD?

Mr. MONRONEY. I refer to the hearings before the Aviation Subcommittee, beginning on page 27 and including pages 28, 29, 30, 31, 32, 33, 34, and the top half of page 35.

I only suggest this so that those reading the RECORD may find further amplification or emphasis as to the course of the interrogation, because we in no way wished to cut the Attorney General off. In fact, we were trying to get all the information that was humanly possible for him to give us at that time. As a matter of fact, one of the questions raised had to do with the carrying of a concealed weapon aboard an aircraft. I raised the question, during the interrogation, that the attempt to board an aircraft was just as important as boarding it in this particular case.

I ask unanimous consent to have the portions of the hearing to which I have referred printed at this point in the RECORD.

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

Senator MONRONEY. You were testifying on the original bill, S. 2268, I believe?

Mr. MILLER. The amended bill, Senator, which was introduced on July 31, 1961.

Senator MONRONEY. I thought you included some items that were not within the scope of the amended bill.

Mr. MILLER. I don't believe so, Senator.

Senator ENGLE. We reached the original and added some sections. S. 2268, as amended, is the bill as originally introduced plus the new sections which related to pirating. In other words, S. 2268 is the original, plus the amendments.

Senator MONRONEY. The amendments are in addition to S. 2268?

Senator ENGLE. That is correct. What the amendment did, in effect, was to restate the bill introduced, whenever it was, and added sections with reference to pirating airplanes.

Mr. MILLER. That is correct.

Senator ENGLE. So that the testimony of Mr. Miller is relative to both bills.

Mr. MILLER. That is correct.

Senator MONRONEY. Is it your position that the bill does not have to include any area outside the territorial limits of the United States because those are already covered by existing law?

Mr. MILLER. At the present time, Senator, the special maritime jurisdiction of the United States includes aircraft of American registry flying over the high seas.

This bill, because of the definition of air commerce, which in turn is defined in the Federal Aviation Act of 1958, would include travel over the high seas and would also include, as I interpret the definition, travel over foreign countries.

So it is the position of the Department that the current provisions of criminal statutes applying to the special maritime provisions of the United States, extension of this bill beyond the continental limits of the United States would not be necessary.

Senator MONRONEY. Was it also your position that such well-defined crimes as murder, robbery, maiming, and other items like that are presently adequately covered by law and that the main thrust of this bill should be limited to assault aboard an airplane and things more generally covered in the amendments which Senator ENGLE has submitted to the bill?

Mr. MILLER. That is correct. We have no objection to making it a Federal crime to commit murder over the continental limits of the United States, for example, which would be in (i) (1) Senator Engle's bill. It includes murder, manslaughter, maiming, and several other crimes. We merely point out that this is already covered by reason of the definition of air commerce when the plane of American registry flies over the high seas. Thus, insofar as (i) (1) is concerned, if that were limited to the continental United States, as perhaps the rest of the bill should be, then there would be no problem.

Senator MONRONEY. How about the 113 assaults within the maritime and territorial jurisdiction?

Mr. MILLER. The sections listed here, 113, 4, 1111, 1112, 1113, and 2111 of title 18 would be applicable to the special maritime jurisdictions of the United States.

Senator MONRONEY. Then it is also your feeling that rather than amend the Federal Aviation Act, that these should fit into the Criminal Code, rather than become a part of the Aviation Act because they would be easier to be found or identified, is that correct?

Mr. MILLER. That is correct, Senator.

There are two basic reasons. First, we prefer, where possible, that criminal statutes be included in title 18; simply because it is a proper codification.

Second, if the bills are in title 18, then it will be clear that the Federal Bureau of Investigation will have investigative responsibility for these crimes. We think that this is the proper agency to investigate crimes of this nature.

If the committee should decide to leave this as a part of the Federal Aviation Act of 1958, then we would suggest that a specific provision be included which would vest investigatory jurisdiction in the FBI.

Senator MONRONEY. Senator Engle?

Senator ENGLE. Do you have that language?

Mr. MILLER. The specific language?

Senator ENGLE. Yes.

Mr. MILLER. I don't have it here, sir, but I would be very happy to sit down with members of the staff of the subcommittee and I think we could put it together in a very short time—by this afternoon.

Senator ENGLE. We would like to have that. This bill has been drafted to go to the Judiciary or come to this committee. I serve on this committee, and I think the conclusion is obvious.

Senator MONRONEY. Also the committee, as well as the distinguished author of the bill, is very much concerned with aviation safety. This has a very important bearing, as we heard this morning, upon the safety not only of the aircraft but also perhaps of a hundred persons who may be endangered by acts of violence aboard a plane in flight.

Senator ENGLE. At any rate, this legislation was drafted by attorneys in the FAA. I understood that they had talked to people in Justice, but I don't know who they talked to.

Mr. MILLER. They have indeed discussed the matter.

Senator ENGLE. Mr. Chairman, I would like to suggest that Mr. Miller sit down with Mr. Goodrich, or whoever it is in FAA, and our staff, and draft the necessary amendments to bring this bill into line so that we don't have overlapping jurisdiction.

There isn't any reason to having two laws over the open seas.

Mr. MILLER. I would be happy to do it.

Senator ENGLE. With reference to jurisdiction, I wish you would draft that language in such a way, that is, the FBI, that the FBI would make these investigations. We don't want to put this in as an amendment to the Federal Aviation Act, rather than title 18 to cut them out. We want to be sure they are in. It would be appreciated if you would draft that language for us so that it would be offered as an amendment.

There is another point that you raise and that is the business of how you establish the venue of a crime. From your testimony, I take it, it is just as necessary under Federal jurisdiction to establish the necessary Federal district in which the crime occurs as it is under State jurisdiction.

Mr. MILLER. Yes, sir. The Constitution, amendment VI, provides that the man must be tried in the State and in the district in which the offense was committed.

Senator ENGLE. Inasmuch as that is in the Constitution there isn't much we can do about it.

Mr. MILLER. Not without a constitutional amendment, Senator. I merely pointed out that we would still have the venue problem that you presently have when flying over a State. It is a little better, I might say, from a Federal standpoint, because you don't have as many Federal judicial districts as you have counties within a particular State. Plus the fact that in crimes of this nature, where they, in effect, have an interstate character, occasions arise where perhaps the police and the judiciary of the county involved would not be too interested in prosecuting something that did not occur on their soil, but actually occurred several miles in the sky.

So that even though you do have this identical problem, I still do not think that that runs against the passage of this legislation at all.

Senator ENGLE. I think we are in much better shape. The Federal judicial districts are much larger.

Mr. MILLER. That is correct.

Senator ENGLE. California, for instance, has 58 counties. You could fly over 16 of those while one of these crimes was in progress. A defense lawyer would have a field day making you prove just which county you were over.

Mr. MILLER. In that type of case, I would like to represent the defense instead of the prosecution.

Senator ENGLE. They could get very serious problems on that. I believe those problems are mitigated by a Federal jurisdiction.

Senator MONRONEY. Not only would they be mitigated by a Federal jurisdiction but you would have the same prosecution authority to follow the case if they claimed lack of jurisdiction because you were over the northern district of Iowa, instead of the western district.

Your prosecution could be shifted for the Federal Government to follow its crime through to its conclusion as the jurisdiction was finally defined, whereas the State has not necessarily great desire to prosecute this man who holds a switchblade knife on a crew flying over Nevada. This is an additional expense to them and they weren't aware of the crime happening, and it didn't endanger any of the citizens, at least who were on the ground within the sovereign State.

I feel that only by Federal jurisdiction can you even have a way of cracking this very difficult jurisdictional problem; plus the enforcement problem of that officer flying aboard a plane that is crossing Nevada. He would have great difficulty in establishing whether he was a peace officer or not, depending on whether he had crossed the boundary of the State, whereas a Federal officer would have this jurisdiction anywhere within the limits of the United States.

Mr. MILLER. That is correct, Senator. I don't think there is any question that this legislation is called for and should be enacted.

Senator ENGLE. Can we get these amendments that you suggest by the first of the week?

Mr. MILLER. Certainly.

Senator MONRONEY. We would like to have them before a meeting Monday afternoon at the very latest.

Mr. MILLER. As a matter of fact we will do our best to see if we can't get them up to you late this afternoon or perhaps tomorrow. If not, Monday morning certainly.

Senator MONRONEY. You keep referring to the fact that you want the FBI to be in on the investigations.

Mr. MILLER. Yes, sir.

Senator MONRONEY. The FBI is, of course, a branch of the Department of Justice and is charged with the duty of investigating Federal crimes.

Mr. MILLER. That is correct.

Senator MONRONEY. Would the use of the FBI to prevent the occurrence of a crime by the presence of special agents aboard planes in flight where there is a reasonable area where they may consider it more than normal exposure to hijack an aircraft, would that be a proper use of the FBI special agents?

Mr. MILLER. Senator, I would be perfectly frank with you. I don't know the answer to that. I would think that there would be some problems with it.

One, the Federal Bureau of Investigation is not normally engaged in that type of activity. They investigate; they do not guard.

The so-called guarding arm, which is a part of the Department of Justice, of course, would look to the marshal rather than to the Federal Bureau of Investigation.

Senator MONRONEY. But the marshals are tied down to their respective Federal districts.

Mr. MILLER. But they can be—we can appoint special marshals and they can be moved.

Senator MONRONEY. They could be appointed and could be moved; is that correct?

Mr. MILLER. Yes, sir.

Senator MONRONEY. But it would be beyond the scope or the legal power of the Department of Justice to assign a certain number of special agents to fly in plain clothes on these airplanes; is that it?

Mr. MILLER. As I say, I don't know the answer to that, Senator. My guess is that it would probably be beyond the scope of the power of the Department of Justice.

Senator MONRONEY. Because of the great respect the FBI enjoys, and the feeling that they are dead shots and would not kill any other passengers in case of a riot, as people unskilled with firearms might do, it also seemed to me that the presence or the suspected presence of an FBI agent on flights might have a tendency to dissuade men of these intents, or even psychopathic persons from committing the crime in the first place.

This is a problem that we have. I would think that the plainclothes aspect of the FBI perhaps, and the great reputation they enjoy, would be one of the best insurance policies we could buy to stop this wave which we have seen occur, and which may occur again.

Mr. MILLER. There is one problem which comes to mind, Senator. It is very obvious, and that is how far we can extend the present manpower of the Federal Bureau of Investigation. I don't know if they have the manpower to accomplish this or not, but one thing that always troubled me was that it would be expanded to the point that perhaps the high standards and traditions maintained by the FBI would start to come down. This is one thing that I know we in the Department of Justice, and I am sure Mr. Hoover, have always been very careful to consider.

Senator MONRONEY. Is there any type of commission that the Federal Government could give as you deputize a special officer, a special deputy sheriff, or, in the old two-gun days, the "high noon" type, where you could deputize marshals, that could be given to give legal authority to make arrests aboard a plane to persons selected and employed and screened by the airlines themselves.

Mr. MILLER. There is a provision and I believe it is in title 18. I could be wrong. I don't have the citation with me. It empowers, I believe it is the Attorney General, to appoint deputy marshals; and to swear them in.

If this plan were to be accomplished of course one question which would arise is where would you get the men and how would you make sure that they were adequately trained? That would be first and foremost in importance because you want the most reliable of individuals to serve in this capacity. If anything happened it would be a very trying assignment.

Secondly, of course the question of whether we could obtain additional appropriations to offer this type of activity.

Senator MONRONEY. I am speaking in this case of deputizing employees of an airline.

Mr. MILLER. Deputizing employees of an airline?

Senator MONRONEY. The railroads I know customarily have their special agents. Most of these men for law enforcement in railroad yards and otherwise carry special deputy sheriff commissions. I was wondering, since this transfers the enforcement of this phase to the Federal Government, if there is any mechanism by which some means of placement of officers abroad, particularly during spells when these seem to be occurring, could be provided for at airline expense but still carrying the authority of the Federal Government to make arrests.

Mr. MILLER. I believe Senator, that the mechanism does exist. Whether the practical problems could be obviated I do not know. I don't know, but I assume that the Attorney General would probably want to screen very carefully any individual who was appointed to a job like this for the simple reason that he would be acting as an agent of the United States and we would have to be very careful as to what individual was chosen and whether or not he would operate in the best interests of all concerned.

Because when he is on that plane, as a marshal, he is in effect representing the United States, and anything that he might accomplish of course the United States would be responsible for.

Senator MONRONEY. Let's not fall between two chairs. Let's not march up a hill and say the great powers of Federal enforcement have been met by passing a law through Congress and then not having any way, particularly in spots that appear to be more subject to hijacking of the fleet from abroad or stealing planes from foreign governments, not having any means of implementing it through proper armed guards.

Mr. MILLER. Senator, if I had realized that this subject was going to be discussed I would have been here to present the position of the Department on it. You must realize, of course, that I cannot bind the Attorney General on this particular aspect. But, at your sugestion, I would be very happy to study the problem.

Senator MONRONEY. Maybe the suggestion is not cogent. What do you think, as an Assistant Attorney General in charge of the Criminal Division? Is the passage of a law enough, or does it in your mind need to be implemented perhaps to some degree at least by the addition of some means of having the presence of armed officers aboard, either in plainclothes or as uniformed guards?

Mr. MILLER. I would say this, as a private citizen, Senator: There are two facets to this case, and I don't know sufficiently about one of them to really give an answer. The thing that disturbs me about armed guards or arms on the aircraft itself—certainly it may very well stop a hijacking, but what would happen if there were gunplay? This is the problem that I face.

I think the real solution to this problem is to establish some means—and perhaps it is going to need a vigorous surveillance before getting on the plane—to try to make sure that no weapons are aboard the aircraft. This is my private opinion, I hasten to suggest. But I don't know what happens, for example, if you are flying several miles up in a 707 and somebody pulls the trigger and a bullet goes through the side of the aircraft. I don't know if this affects the aircraft.

Senator MONRONEY. I think it would hold together and decompress slowly enough. They all carry oxygen masks which drop automatically in your lap.

So I am not too concerned about a bullet hole through the plane, and I doubt very seriously if it would puncture a fuel tank if there would be any danger there.

The feeling I have is that we may depend too much on the written word of law and find that we have just made a gesture at meeting what could be and what has been in the last 3 weeks a sort of a wave of this, a thing which stimulates those who are psychopathic to think it is a good idea and to see if they can get away with it.

Senator ENGLE. Will the Senator yield?

Senator MONRONEY. Yes.

Senator ENGLE. Let's assume that an airline came to the Attorney General right now and said, "We are running some flights which could be hijacked to go to Cuba. We think there is a plan afoot, or may be, to take on some of these airplanes. We want to put an armed guard in the cockpit with the pilots and would like to have him deputized." Is there present authority in the law for the Attorney General to do that?

Mr. MILLER. I would say that there is; yes. Subject to reading the actual language of the statute which I don't have with me.

Senator ENGLE. We would not have to amend this bill in order to do that?

Mr. MILLER. No; I don't think it would be necessary to amend this bill.

Senator ENGLE. Will you reassure your mind on that point?

Mr. MILLER. I certainly shall.

Senator ENGLE. If it appears necessary to give the Attorney General that authority, would you draft the language to do it?

Mr. MILLER. I certainly shall, Senator.

Senator ENGLE. I agree with the chairman, we ought to have that authority. The Attorney General ought to have it.

I agree that he is not going to hand just any joker a gun and tell him to ride shotgun, or whatever you want to call it, on an airplane. In particular cases he ought to have that authority, and under proper application from the airline he ought to be able to do it. If he doesn't now have it in the law, we can give it to him very quickly in this bill. It will probably be one of the most constructive things we can do. They talk of locking a cabin. That won't get the job done.

Somebody will put a gun to the head of the stewardess and she will open the door, or else. So that loses its effect.

I was impressed by Mr. Gilman's testimony. He said if those fellows knew the men in the cockpits were armed, it would deter them at least a little. In some instances if it was known that armed guards were riding an airplane that were capable of flying overseas or going to Havana or some place else, that has a deterrent effect. They will take a long look at it.

If it is not in the law now I would like to have an amendment drafted so that the committee at an appropriate time, Mr. Chairman, could consider it.

Mr. MILLER. We can take care of that.

As I say, I think it is in the law now. I haven't the statute with me, so I could give you a reading of it right here.

Senator MONRONEY. You envision now that since the bill would prohibit the carrying of concealed firearms aboard, that this would provide for Federal authority to stop a passenger or disarm a passenger who is seeking to board a plane with a weapon.

How would this be accomplished?

Mr. MILLER. If, for example, somebody was attempting to enter an aircraft, and he had a weapon on his person—I don't recall if this has an attempt provision in it—no, it does not—we would have to wait until he actually got on the plane before we arrested him.

Senator MONRONEY. In other words a man standing in the check-in line, surrenders his ticket, unless he was actually aboard the plane would not be subject to being stopped or asked to be searched?

Mr. MILLER. Senator, when you say would not be subject to being stopped, I am talking about a Federal agent. I would certainly think that the people working for the airline would have the jurisdiction.

Senator MONRONEY. Here again we fall between two chairs. The man is on the airplane and you can't stop him if he is armed. Maybe the door is closed and he then pulls out a gun. It is too late to do any good. If you observe a certain bulge under his shoulder, before he gets aboard, this law I think should be broad enough—do you not think so, Senator ENGLE—to where he would be subject to being detained at least from boarding the plane by officers of the law?

Mr. MILLER. It would be a very simple matter to amend subparagraph 3 to include "or attempts to." That should cover the problem.

Senator ENGLE. Senator BRIDGES has that in his bill, by the way. It is something it seems to me we ought to take a look at. Let's assume that I walked up to an airplane and I had what appeared to be a small violin case under my topcoat, but it could very well be a submachinegun covered up in that fashion. What authority would a law-enforcement officer have to determine whether or not it was a small violin or a small submachinegun?

Mr. MILLER. A Federal officer? Unless he had reason to believe that a crime was being committed, he would have no jurisdiction.

Senator ENGLE. That is precisely what I think. It would violate the laws against reasonable search and seizure, and we could get in trouble over that.

Senator MONRONEY. What I am pointing out is that the airline might have to make the decision to not let the passenger abroad. At that point you might get a bunch of solutions thrown around the loading ramp or something.

Senator ENGLE. Let me read the section in Senator BRIDGES' bill. I don't know where he got it. This is what he says, subsection (2), S. 2370:

"Any air carrier in air transportation may, under regulations prescribed by the Administrator, require that any person seeking to board an aircraft operated by such carrier, submit to a reasonable search for the purpose of ascertaining whether such person is carrying on or about his person a weapon in violation of this subsection."

And the preceding subsection relates to taking concealed weapons, concealed deadly or dangerous weapons, on an airplane.

Senator MONRONEY. Or attempting to board. It includes that language.

Senator ENGLE. Yes.

Is there anything about that particular language that violates the Constitution as far as you know?

Mr. MILLER. Under the circumstances, where you would in effect have a contractual relationship between the airline and the particular passenger, I would think that the airline itself would have the right to investigate the contents of the gentleman's baggage because it would be in effect a contractual agreement, and he would in effect waive his right not to be searched. Of course, the constitutional provision of unlawful search and seizure is primarily directed at the police, and not to private individuals.

Senator ENGLE. In other words it is your view that the language proposed by Senator BRIDGES does not violate the provisions of the Constitution against unlawful searches and seizures.

Mr. MILLER. That is my view at the present time. I would like to study it before I gave you a flat opinion. I just listened to you read it, Senator. I don't think it would.

Senator ENGLE. Can you study that between now and Monday?

Mr. MILLER. Yes, sir.

Senator ENGLE. If you would come up with an opinion on it, it would be very helpful to us in determining whether or not we should include this section from Senator BRIDGES' bill.

Mr. MILLER. May I ask what the number of the bill is?

Senator ENGLE. S. 2370, introduced by Senator BRIDGES yesterday, August 3, 1961.

Senator MONRONEY. Mr. SCHOEPPEL and Mr. WILLIAMS of Delaware are cosponsors of the bill.

Senator ENGLE. Yes.

Senator MONRONEY. Are there any further questions?

Senator ENGLE. No.

Senator MONRONEY. Thank you very much, Mr. Miller, for your very helpful testimony on this. We will try our best to cooperate with you.

Our next witness is Mr. John H. Wanner, General Counsel, Civil Aeronautics Board.

Senator ENGLE. Thank you, Mr. Miller. You have been very constructive in your help.

Mr. MILLER. Thank you.

Senator MONRONEY. We are happy to have you here, Mr. Wanner. You may proceed in your own way.

Mr. CARROLL. I intended to ask the Senator one more question. Under the bill we are about to pass, is the death penalty mandatory, or discretionary?

Mr. MONRONEY. It is discretionary, and only on the finding of the jury will the death penalty apply.

Mr. CARROLL. The Attorney General's Office had a very strong feeling that there should not be a mandatory death sentence.

Mr. MONRONEY. That is correct. I think the Senator will find we complied with every view and desire of the Department of Justice, except that the provisions be neatly indexed in title 18.

Mr. CARROLL. There is no doubt about the purposes of the bill. The Senators who have worked on the bill should be commended, as I have done today. I raise these questions with regard to procedure, so that the RECORD will properly reflect them. I urge the other body not to amend the Federal Aviation Act in this manner. Even though the Commerce Committees of the House and of Senate retains jurisdiction of this bill, in the interest of clarification and to avoid great confusion these new laws imposing extreme criminal penalties should become a part of the Criminal Code under title 18—I repeat study carefully the procedure and the legislative history of S. 2972 and the enactment of Public Law 709, 84th Congress, 2d session, 70th Statutes at Large, page 538.

Mr. GOLDWATER. Mr. President, I should like to direct a question to the junior Senator from Oklahoma, in order to clear up the matter at least in this layman's mind.

This is not a part of the question. If we were to follow the practices suggested by the Senator from Colorado, I suspect that the Judiciary Committee would never finish the work loaded on it during the course of a year.

The fact is that the Federal Aviation Act, passed in 1958, was the child of the Commerce Department——

Mr. MONRONEY. Of the Commerce Committee. The Commerce Department did not help us, because we took the authority away from them.

Mr. GOLDWATER. That is a dreadful misstatement on my part, and I apologize.

The attempt which is now being made is to amend the act by recognizing the crimes under title 18 of the United States Code.

Mr. MONRONEY. That is correct.

Mr. GOLDWATER. Is that not sufficient, in the mind of the Senator, to make the request conform to what the Department of Justice might favor?

Mr. MONRONEY. I think it is. I say to my distinguished colleague from Arizona that, actually, we did not amend the maritime law and make it apply to trucks, buses, streetcars, space vehicles, or things like that.

We were simply attempting to amend the Aviation Act. We felt it was in the interest of air safety, primarily, to do so, and that is how we approached the problem. There had been a few hijackings. The Senator from California [Mr. ENGLE] started to work on the bill, and started an investigation. The Senator talked not only to the Department of Justice but also to the attorneys for the Federal Aviation Agency. We felt this was the course to be followed, after much discussion.

Again I say, this was no hasty job. We decided on the course to be followed. The result, after hearing the Attorney General and others, was the direction,

"You can take either path." Since we are experienced in aviation, the path we chose was, we thought, the better one, rather than to transgress upon title 18 of the Criminal Code. We merely wished to apply to the Aviation Act those sections already in the Criminal Code which would have specific application to aviation.

Mr. GOLDWATER. I point out to my colleagues that this is not an unusual procedure. In fact, it is more usual than unusual. To prove the statement I merely refer to one instance, which is Public Law 101 of the 80th Congress, commonly known as the Taft-Hartley Act. That was written more on the floor of the Senate than it was in the committee. Section 304 of the Act amends section 313 of the Federal Corrupt Practices Act, 1925, United States Code, 1940, title II, section 251, and was never referred to the Committee on the Judiciary.

I was not a Senator at the time, but I have read enough of the history of the Taft-Hartley Act to know that the section was offered as an amendment on the floor. It did not even receive the benefit of formal hearings. In essence what the amendment did was to add to the criminal offenses the spending of money, either by a person or a corporation, for elections at the Federal level.

That act carried much the same penalty that parts of the Aviation Act carry; namely, $1,000 fine or imprisonment for not more than 1 year. Of course, the new proposal is more severe.

I am sorry my friend from Colorado [Mr. CARROLL] has left the Chamber, for I merely wished to point out that we do these things frequently. We amend completely unrelated acts by our actions on the floor. We amend related acts, and we shall continue to do so.

In the opinion of this layman, if we were to send every bill which pertained to established law to the Committee on the Judiciary the committee would be even further behind in its work than it is. The Lord knows, with the vast volume of work it has, the committee is behind today. I am not criticizing the committee. I think the committee is overburdened with legislative proposals.

I merely wished to make the point that what the Senator from Oklahoma is trying to do is not a new procedure and is not an unusual procedure. It is a procedure we have followed. It is not necessary to send the proposal to a group of lawyers to figure out. The American people are getting a little tired of having their destinations changed while they are in the air.

I do not know if the Senator saw the interesting cartoon in the New Yorker magazine the other day. It was a cartoon showing a group of passengers on an airliner, and a little man saying, "Buenos dias, amigos. This is your new captain, Pedro Gonzales."

I think Americans are getting a little tired of that. When I start to Arizona sometime in the near future—I hope—I do not wish to finish the trip in Cuba. I should like to finish the trip in Arizona.

I have a much greater affection for Arizona than I have for Cuba, even though I am quite sure Fidel Castro would love to see me walk down the gangplank in Havana.

Mr. ENGLE. He would no doubt rather see the Senator walk the wing.

Mr. GOLDWATER. I would have a better chance there.

That was the intention of my having the colloquy with the Senator. I merely wished to point out that what we are doing is something we do every day.

CITY OF CORPUS CHRISTI, TEX., SUPPORTS THE PRESIDENT IN HIS DEFENSE OF THIS COUNTRY

Mr. YARBOROUGH. Mr. President, the President of the United States recently made a stirring speech upon the Berlin crisis which has drawn the approval and overwhelming support of the citizens of this country.

The city of Corpus Christi, Tex., under the leadership of its dynamic and able mayor, Ben F. McDonald, elected this year, has approved a resolution of support for the President's program of national defense.

I ask unanimous consent to have this resolution printed in the RECORD.

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

Whereas the President of the United States has called upon the citizens to support the President and the National Government in this time of crisis in defending democracy from all enemies; and

Whereas the city of Corpus Christi and its citizens are ready and willing to cooperate in the national defense effort proposed by the President of the United States: Now, therefore, be it

Resolved by the City Council of the City of Corpus Christi, Tex.:

SECTION 1. That the City Council of the City of Corpus Christi, as the elected representatives of the citizens of the city of Corpus Christi, Tex., hereby announces the wholehearted support of the city of Corpus Christi and its citizens, as a community, of the President of the United States and the national leaders in their announced program of defense, and pledge the cooperation of all of the citizens of this community in the carrying out of this program, in remaining constantly alert and in carrying out such measures as may be proper and necessary for the national defense.

Passed this the 26th day of July 1961.

BEN F. MCDONALD,
Mayor, the City of Corpus Christi, Tex.

Attest:

T. RAY KRING,
City Secretary.

Approved as to legal form this the 26th day of July 1961.

I. M. SINGER,
City Attorney.

FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic and social development and internal and external security, and for other purposes.

Mr. MUSKIE. Mr. President, I rise today in support of the provision for long-term financing of the development loan program contained in the Foreign Assistance Act of 1961 as reported out by the committee.

Last Friday, August 4, the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT] made out an impressive case for this provision. His presentation was articulate, hardheaded commonsense. He met objections and answered questions with understanding and precision. One need not agree with his views in order to admire his sincerity, honesty, and intelligence. To any who have questions as to the basis for this provision of the bill, there is really no need for further exposition of the case. The case was made last Friday. Certainly I cannot improve upon it. I only hope that I do not detract from it.

I speak because I believe in it. I speak because it is easier to be against it than for it. I speak because foreign aid has no constituency in this country and that, as a consequence, there are political risks in giving it support. The courageous position taken by the distinguished Senator from Arkansas ought to have the support of those of us who agree with him.

And so I rise, Mr. President, to state my reasons for supporting this provision of the AID bill in my own way.

I support this section of the bill because I believe it will improve the effectiveness of our aid program, it will reduce waste and inefficiency, and it will apply a sound financing principle in our international lending operations. It is a sound technique which has worked with great success in a number of domestic lending programs.

The objective of development lending is similar to commercial bank lending to private business. It is designed to produce prosperous clients. The difference is that, in the case of the foreign aid program, the clients we want to prosper are the independent nations of the free world. Like a commercial bank, our new foreign aid program will require its clients to demonstrate that they have a plan for the future, that it is a reasonably good plan, and that they are working toward its fulfillment. They will also have to show that their proposed use of our loans is consistent with their plan.

If we are to expect the underdeveloped countries to act like bank clients and to engage in planning, we ourselves must act as any bank must and assure them that when they have their affairs in order and can qualify for loans, there will still be cash in the vault. This can only be done by providing long-term development financing authority.

The only meaningful type of long-term authority is authority to borrow from the Treasury. This can be done without loss of congressional control. Such control under the bill would be exercised in four ways:

First, by limiting the authorized annual rate of borrowing;

Second, by the enactment of lending standards into law;

Third, by the power of Congress to amend the authorizing legislation at any time; and

Fourth, by the necessity for Congress to approve each year's proposed development lending budget in accordance with

the provisions of the Government Corporation Control Act.

Yesterday, the distinguished chairman of the committee proposed another check. This amendment would provide for a 30-day advance notice and congressional review by the Senate Appropriations and Foreign Relations Committees and House Appropriations and Foreign Affairs Committees of any proposed loan exceeding $10 million. The loan could not be made until 30 days after a complete report on the purposes and terms of the proposed loan had been submitted to Congress. The amendment would further strengthen the reporting and congressional oversight provisions of the bill.

While, in the face of these controls, any long-term commitments made to other countries by the aid agency would be of a contingent nature, under multiyear borrowing authority there is a presumption that funds will be available in the long run unless Congress takes action to curtail or terminate the program. Recipient countries will recognize the possibility that Congress will change its mind. But they will also recognize that the Congress is not a capricious or arbitrary body, and that it will not take such action unless it finds good cause.

There are four principal reasons why the President has deemed it essential that the Congress commit itself unequivocally to a long-term foreign aid program for the United States, and why he feels that long-term borrowing authority is an indispensable part of such a commitment.

Mr. GRUENING. Mr. President, will the Senator yield for a question, or would he prefer to complete his address?

Mr. MUSKIE. I am happy to yield to the Senator from Alaska.

Mr. GRUENING. I have listened with great interest to the presentation of my good friend from Maine. I believe that all of us, who believe that a foreign aid program of some kind should be enacted, whatever has been its past errors, and view with sympathy the idea that long-range planning is necessary, would like to approach this plan with hopefulness, but we have certain questions which naturally arise if the program is to be carried out as the administration visualizes it, and if it is to produce the reforms necessary for its success.

This morning I noticed an article in the New York Times, a dispatch from Punta del Este, where the meeting with Secretary of the Treasury Dillon is taking place. The article is rather alarming because it indicates that the United States has already, even in this preliminary stage, weakened on what to me is the very essence of the success of the program so far as Latin America is concerned: The alliance of progress; namely, the assurance that in exchange for the $20 billion which we are offering over a 10-year program, we will see land reform, equitable taxation, and riddance of the longstanding abuses which we know exists, which have established a political and financial upper class of a few while the great mass of the people live in misery. The whole alliance for progress, according to this administration, is predicated on reform in these Latin American countries. Obviously it is not going to be easy to ask an entrenched aristocracy to get rid of its feudal structure and reduce its privileged status. Yet, instead of being firm, our representatives have already yielded. What chance of success is there under these circumstances? If we do not get these reforms, the result may well be communism in Latin America, which we—and presumably the Latin American governments—are trying to forestall.

I should like to quote briefly from the article because it is pertinent:

LATIN PLAN LACKS REFORM DETAILS

While calling for land and tax reform in participating Latin countries to insure that benefits of the 10-year program are enjoyed by persons at all social levels, the draft does not list specific goals in those areas.

U.S. sources gave this rough breakdown on how they expected the $20 billion economic and social development program to be financed annually at the rate of $2 billion a year: From U.S. Government lending agencies, about $1,100 million; from the International Bank for Reconstruction and Development, the Inter-American Development Bank, and other international lending agencies, about $300 million; from U.S. private capital sources, about $300 million, and from European public and private sources about $300 million.

The five-nation charter draft eliminates entirely an earlier recommendation for a seven-man special multinational committee of experts, which was to evaluate development plans submitted by participating nations. The United States had favored the seven-man committee, but in the interest of maintaining harmony with the participating nations abandoned the idea without a real struggle.

The substitute plan agreed to by the United States calls for development plans and projects to be submitted to Inter-American Development Bank, which would appoint experts to evaluate them. Under the substitute plan, participating nations may submit plans to these experts but are not forced to do so.

Some sources were describing the change in draft as a defeat for the United States. On the other hand, top U.S. delegates were making it clear that their main interest was in getting the alliance for progress program off the ground.

Mr. President, in other words, in the very preliminary stages, when we are supposed to be getting down to brass tacks and to justify these long-range commitments, the United States has already weakened; has already conceded. Nothing is specific as to what the Latin American governments will commit themselves to do in exchange for our billions.

Consider what has happened in one Latin American country—Guatemala. An article on Guatemala, written by Edwin A. Lahey, was published in the Washington Post a week ago Sunday. It shows precisely the proposals which were made, and that in this other Latin American country land reform and taxation were needed, but have not occurred. The writer of the article, who is a very responsible newspaper correspondent and is known to all of us as a journalist with a national reputation for reliability and effectualness, said:

The architects of President Kennedy's "alliance for progress" say that if we dangle the bait of more billions in aid before the oligarchic societies of Latin America, they will enact tax and other reforms needed to bring themselves into the second half of the 20th century.

The theory is that the propertied classes of Latin America, thoroughly frightened by the wave of Castroism, will give a little now rather than lose it all later to the Communists. The theory simply hasn't worked in Guatemala.

The owner of a Guatemalan coffee plantation with an assessed valuation of $100,000 pays a real estate tax of $300 a year—and that is only part of the picture. According to competent authority here, there are vast coffee estates paying the $3 per $1,000 tax rate on assessed valuations that were computed 150 years ago.

"Actually, this is Guatemala's own business. But since the United States helped overthrow the Communists here 7 years ago, the successor governments have informally promised"—

I note those words, Mr. President—

"informally promised to enact tax reforms so that the propertied class would share more of the burden of the aid program."

These promises have not been redeemed despite many apparently well-intentioned gestures.

In July of 1955, on the first anniversary of the liberation from communism, the late President Carlos Castillo Armas said privately that Guatemala would enact its first income tax law in a matter of months. When Castillo Armas was assassinated in 1957, he still dreamed wistfully of taxing the middle and upper classes.

President Ydigoras has also urged Congress to adopt income tax legislation, but without success. A cynical Guatemalan says:

"The deputies in Congress are lawyers, professional men, and friends of the propertied classes. They are not about to start taxing themselves."

Well, it can be said that this is Guatemala, and it was not spelled out quite as much there as it is to be henceforth. However, yesterday, in Uruguay, the United States yielded on its program under which Latin American nations were to be asked to submit their plans, do not now have to do so.

I am frankly very much distressed that so early in the game we are showing this kind of weakness. The President's program for 5-year loans will fail unless we exact specific conditions, and spell them out, and get firm commitments. We have not shown the necessary fortitude and firmness at this important conference and suggested merely that as in the past we are a soft touch.

The question I would like to ask the Senator is whether he has any suggestion as to how Congress can write into the pending bill conditions which will insure that things of this kind we say we require will be carried out. If we merely go ahead in a kind of hazy, fuzzy, wishful, and idealistic way hoping that what we hope for will happen, it will not happen. All history, which is the only record we have to go by, shows the contrary. I believe this goes to the heart of the question. I would like to support the 5-year program. I believe it is a good idea. I believe it is sound and that it is essential. The corollary to its success is that we must have some assurance that the other part of the program will also be carried out.

Mr. MUSKIE. Mr. President, first of all, I am in complete sympathy with the point of view which the Senator from

Alaska has expressed. I remind the Senator that one of the arguments for a long-term loan program is that it will make it possible to hold out long-term development plans as an inducement to recipient countries to develop essential internal reforms. I will cover that point in my prepared remarks later.

Mr. GRUENING. I ask unanimous consent that the article from the New York Times be printed in the RECORD at this point.

Mr. MUSKIE. I am glad to have that done.

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

LATIN PLAN LACKS REFORM DETAILS—BUT AID NEEDS ARE SPECIFIED IN URUGUAY PARLEY DRAFT

(By Edward C. Burks)

PUNTA DEL ESTE, URUGUAY, August 9.—The draft of an alliance for progress charter offered by Latin American nations today was specific on the foreign aid needed, but somewhat general as to social reform measures planned.

The draft, prepared by Argentina, Brazil, Chile, Mexico, and Peru states that at least $20 billion in foreign aid is to be invested in Latin America during the next 10 years. The United States participated actively in preparation of the draft but has decided to remain in the background and allow what purports to be an all-Latin document to be adopted by the Inter-American Economic and Social Conference of Finance Ministers here.

While calling for land and tax reform in participating Latin countries to insure that benefits of the 10-year program are enjoyed by persons at all social levels, the draft does not list specific goals in those areas.

U.S. sources gave this rough breakdown on how they expected the $20 billion economic and social development program to be financed annually at the rate of $2 billion a year: From U.S. Government lending agencies, about $1,100 million; from the International Bank for Reconstruction and Development, the Inter-American Development Bank and other international lending agencies, about $300 million; from U.S. private capital sources, about $300 million, and from European public and private sources about $300 million.

The five-nation charter draft eliminates entirely an earlier recommendation for a seven-man special multinational committee of experts, which was to evaluate development plans submitted by participating nations. The United States had favored the seven-man committee, but in the interest of maintaining harmony with the participating nations abandoned the idea without a real struggle.

The substitute plan agreed to by the United States calls for development plans and projects to be submitted to Inter-American Development Bank, which would appoint experts to evaluate them. Under the substitute plan, participating nations may submit plans to these experts but are not forced to do so.

Some sources were describing the change in the draft as a defeat for the United States. On the other hand, top U.S. delegates were making it clear that their main interest was in getting the alliance for progress program off the ground.

The seven-man committee would have operated between the countries applying for aid and the lending agencies. But the larger Latin American countries saw in it an infringement on their sovereignty and a hinderance to their development plans.

Although Secretary of the Treasury Douglas Dillon had described such a supranational screening committee as helpful and influential, the official U.S. stands today was that the killing of the committee plan was perfectly acceptable.

AID IS AVAILABLE

Under the loosely worded substitute plan, a nation applying for aid could, at its own request, submit its plan to experts who would be selected by the Inter-American Development Bank with the help of other inter-American agencies.

The ad hoc committee of specialists could then lend its services in studying the development plan. This is far short of the original conception of a body of seven "wise men" that would screen projects before passing them on to the bank or to other lending agencies.

Even with the watered-down substitute, U.S. officials expressed hope that the Latin nations would find it more fruitful and speedy to use the services of the bank's expert committees.

U.S. officials conceded that various reform measures were not specific in the charter draft and that "it is not going to be easy" to push them through reluctant national congresses. But pressure is mounting in all countries for the needed economic and social reforms, the U.S. sources added.

In his major address to the Conference, Secretary Dillon said the alliance for progress would require the following: Tax reforms so that evaders would know they faced strict penalties; assessment of taxes in accordance with ability to pay; land reform to put underutilized big lands to full use and to permit small farmers to own their plots; and lower interest rates on loans to small farmers, and small business.

The draft charter presented today says on the subject of land reform that "frequently" fundamental reforms of land tenancy will be required. One difficulty in Latin America today is lack of agreement on what constitutes agrarian and land reform in the various countries, where there are many tenant farmers.

STRICT MEASURES ASKED

On the subject of tax reform, the charter draft calls for applications of strict measures and provision for collecting adequate and equitable taxes on high incomes and on land.

On agrarian reform, the draft says that "where necessary" reforms in agricultural structures and systems of land tenancy will be carried out so that every farm family can live on a decent level.

U.S. sources say that the charter must of necessity be relatively general but that in cases of poor performance on reforms aid can simply be withheld on the grounds that the applicant did not comply with the charter.

Among the aims of the alliance outlined in the draft are the following: The spread of benefits to all sectors of the population; reduction of dependence on one or two primary export products; industrialization; low-cost housing; minimum of 4 years of education for all children by 1970; the ending of adult illiteracy; better access of Latin exports to United States and world markets; the end of price fluctuations of Latin export products.

The draft charter calls for participating nations to prepare comprehensive development programs in the next 18 months. In the meantime, they are to push short-range development plans.

Mr. MUSKIE. Mr. President, I was setting out, prior to this colloquy with the Senator from Alaska, the four reasons why the President has deemed it essential that Congress commit itself to long-term foreign aid.

First. A long-term commitment by the Congress would support the attempt by the executive branch to obtain a greater sharing of the foreign aid effort by such countries as our NATO allies and Japan. Negotiations looking toward this objective have produced a hopeful beginning with the creation of the Development Advisory Group, which recently met in Tokyo. However, unless the United States is forearmed with long-term development authority, it will be much more difficult to participate in joint development projects, much less to organize them.

Second. Long-term development financing authority is necessary if the United States is to succeed in assisting the underdeveloped countries to undertake the economic and social reforms that may be essential to their economic growth. This is the point which was raised by the Senator from Alaska.

In many underdeveloped countries, today, economic progress is held back by antiquated tax systems that deprive governments of the revenues needed to build the schools, roads, water supply systems, and other facilities that are the first steps to development. Outdated land tenure systems deprive farmers of any incentive for increasing or diversifying their production. And, entrenched interests also keep governments from adopting the budgetary and administrative measures that are a precondition for progress.

Long-term development financing authority will make it possible to give long-term commitments to underdeveloped countries. If they call upon their citizens to make the temporary sacrifices that are a part of reform, U.S. aid will be forthcoming to help them over the difficult readjustment period. The assurance of such U.S. aid will help the countries to build popular support for the reform efforts. Our assistance could well spell the difference between successful reform and failure.

Third. Long-term development financing authority will mean better value for the U.S. aid dollar. To plan the best use of a country's resources and to identify the highest priority projects takes study and time. Even after a project is selected, it may take months before all the conditions for a loan can be met. To allocate development loan money for only a single year, therefore, inevitably means that many projects will be selected hastily in order to qualify for loan funds before the funds run out. Under such conditions, it is no wonder that the priorities that make the most sense in terms of long-term development goals are often ignored.

Long-term development financing authority will eliminate the need for hasty decisions. Combined with strict lending criteria, it will give an incentive to countries to utilize their most talented civil servants in ascertaining how their resources, and ours, can be combined to produce the maximum benefits.

Finally, a long-term commitment by the Congress to a foreign aid program is one of the best ways to improve employee morale. This is essential to high performance and to the recruitment of outstanding public servants from other parts of the Government, from business, and from the universities and foundations.

These are, I submit, ample arguments on behalf of the long-term lending authority requested for the Development Loan Fund. As I have indicated earlier, in adopting this approach to the financing of foreign aid lending projects, we are using a sound and established principle already in use in about 20 domestic lending programs, including the loan program under the Area Redevelopment Act, which we passed earlier this year.

This is an approach which has been used by Republican as well as Democratic administrations. As has been pointed out in this debate, the technique was first used in 1932, under President Hoover, to provide funds for the Reconstruction Finance Corporation. Furthermore, President Eisenhower requested the borrowing authority for development loans in 1957.

Using borrowing authority for long-term foreign aid lending activities is not new. From 1948 to 1954, under the Marshall plan, borrowing authority was used to provide funds for long-term, dollar repayable loans to 13 European Nations and to Turkey. Loans under this program totaled almost $1.2 billion. Amortization of these loans began in 1956, with the exception of Turkey, which was granted a moratorium until 1966. As of June 30, 1961, all of these loan accounts were current, and a total of $62 million in principal and $213.6 million in interest payments had been made. It is estimated that during fiscal year 1962 payments of $19 million in principal and $26 million in interest will be made. All of this money has been deposited with the Treasury Department.

And yet, in spite of the successful use of this technique in domestic and international lending programs, there are those who tremble and quake at the suggestion that we enact such a provision in this bill. They conjure up images of bureaucrats from the Department of State creeping into the back door of the Treasury Department in the still of the night to spirit away funds for secret operations in far-off lands. We, as Members of Congress, are warned against giving up rights which were ours from the foundations of the Republic, even though authorizations and appropriations were not separated until 1922. We are told that this is but another wedge in the drive to take away Congress power over the purse strings. The rhetoric is magnificent, but the logic is weak.

Under the terms of the Act for International Development, the annual rate of borrowing is specific and limited. Section 202 of the bill provides:

> The President is authorized to issue, during the fiscal years 1962 through 1966, notes for purchase by the Secretary of the Treasury in order to carry out the purposes of this title. The maximum aggregate amount of such notes issued during the fiscal year 1962 shall be $1,187,000,000, and the maximum aggregate amount of such notes issued during each of the fiscal years 1963 through 1966 shall be $1,900,000,000: *Provided*, That any unissued portion of the maximum amount of notes authorized for any such fiscal year may be issued in any subsequent fiscal year during the note-issuing period in addition to the maximum aggregate amount of notes otherwise authorized for such subsequent fiscal year.

In other words, the flow of funds for lending operations has an outside limit each year, and their use will depend on the actual demands on the program.

Borrowing from the Treasury for the Development Loan Fund is done out in the open, through the front door; the amounts borrowed are treated as "public-debt transactions of the U.S. Government" and are carried on the budget books, just as are appropriated funds.

Mr. GORE. Mr. President, will the distinguished Senator from Maine yield?

Mr. MUSKIE. I am happy to yield.

Mr. GORE. I find it intriguing that we hear currently used the expressions "back-door financing" and "front-door financing." Is not this a public session of the U.S. Senate?

Mr. MUSKIE. The Senator is correct.

Mr. GORE. Is not the Senate now debating a proposal to act in the near future upon a measure, with our eyes wide open, in public session, in public debate, with recorded votes, to act upon this manner, this means, of making funds available for purposes which the Senate considers to be in the national interest?

Mr. MUSKIE. The Senator from Tennessee is absolutely correct. I would add that, as has been stated by the Senator from Tennessee and other Senators in the course of the debate, this method of financing important development programs, both domestic and foreign, is traditional and has been used for many years. The public is familiar with it, and Congress is familiar with it. So there is nothing secretive, hidden, or mystifying about it.

Mr. GORE. Does not the Senate now have full opportunity to reject or approve the proposal?

Mr. MUSKIE. Exactly. It will have a similar opportunity every year, if the proposal is enacted.

I thank the Senator from Tennessee for his contribution to the debate.

Mr. President, repayments on loans made under this authority are made directly to the Department of the Treasury in U.S. dollars. They are not deposited in revolving fund accounts as are some of our domestic lending programs.

Lending standards are set in the act. This is a most important feature. Under section 201:

> The President is authorized to make loans payable as to principal and interest in U.S. dollars on such terms and conditions as he may determine, in order to promote the economic development of less developed countries and areas, with emphasis upon assisting long-range plans and programs designed to develop economic resources and increase productive capacities. In so doing, the President shall take into account (1) whether financing could be obtainable in whole or in part from other free-world sources on reasonable terms, (2) the economic and technical soundness of the activity to be financed, (3) whether the activity gives reasonable promise of contributing to the development of economic resources or to the increase of productive capacities in furtherance of the purposes of this title, (4) the consistency of the activity with, and its relationship to, other development activities being undertaken or planned, and its contribution to realizable long-range objectives.

Fifth—and this is responsive to the point raised by the Senator from Alaska—

> The extent to which the recipient country is showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures, and (6) the possible effects upon the U.S. economy, with special reference to areas of substantial labor surplus, of the loan involved. Loans shall be made under this title only upon a finding of reasonable prospects of repayment.

In addition to the annual reports required from the President on the overall operations of the Act for International Development, section 204 of the act imposes the following requirement for quarterly reports:

> At the close of each quarter of the fiscal year, the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives a report of activities carried out in such a quarter under this title, including appropriate information as to the amount of loans made under section 201(b), and notes issued under section 202(a), as well as any undertakings which have committed the U.S. Government to future obligations and expenditures of funds.

In the third place, Congress may amend the basic authorization at any time, including the borrowing authority. We do not give up that power by giving the administrators of the program more flexibility in managing the flow of lending funds. Furthermore, I see no reason to raise questions by implication about the capacity of our colleagues on the Foreign Relations Committee to oversee the operation of the program.

Finally, Congress must approve each year's proposed development lending budget in accordance with the provisions of the Government Corporation Control Act. Section 203(b) of the Act for International Development is very specific on this point:

> In carrying out the purposes of this title, the President shall prepare annually and submit a budget program in accordance with the provisions of sections 102, 103, and 104 of the Government Corporation Control Act, as amended (31 U.S.C. 847–849).

Under the Government Corporation Control Act, the Development Loan Fund will be required to submit an annual business-type budget program to the Bureau of the Budget, containing "estimates of the financial condition and operations of the corporation for the current and ensuing fiscal years and the actual condition and results of operation for the last completed fiscal year. Such budget program shall include a statement of financial condition, a statement of income and expense, an analysis of surplus or deficit, a statement of sources and application of funds, and such other supplementary statements and information as are necessary and desirable to make known the financial condition and operations of the corporation, title 31, United States Code, section 847.

The President is required to submit the budget program "as modified, amended, or revised by the President, to the Congress as part of the annual

budget required by the Budget and Accounting Act, 1921," title 31, United States Code, section 848.

Congress, in turn, must consider and act upon the budget request. Section 103 of the Government Corporation Control Act—title 31, United States Code, section 849—is very specific on this point:

> The budget programs transmitted by the President to the Congress shall be considered and legislation shall be enacted making necessary appropriations as may be authorized by law, making available for expenditure for operating and administrative expenses such corporate funds or other financial resources or limiting the use thereof as the Congress may determine.

This authority gives the Appropriations Committees power to review and act upon the annual budget of the Development Loan Fund. As the Foreign Relations Committee has stated in its report, the Agency for International Development must "obtain from Congress authority to obligate funds to carry out this program. As with appropriations, the amounts to be borrowed must be included each year in the Federal budget as new obligational authority. Congress, if it chooses, can limit the funds, that otherwise would be available for use; consistent with legislative practice in the case of other Government agencies having borrowing authority, it is anticipated that this would be done only in unusual circumstances"—Senate Report No. 612, page 10.

Because of the general interest in the question of annual review of development lending activities by the Appropriations Committees of Congress, Mr. President, and because of the questions which have been raised about the application of the Government Corporation Control Act to the AID bill, I requested an analysis of this matter by the executive branch. In response to this request, I received an excellent memorandum which presents in great detail the kind of congressional control which will apply to the Development Loan Fund under the bill as reported by the Senate committee.

Mr. President, for the purpose of presenting the administration's interpretation of the requirements of the Government Corporation Control Act, I ask unanimous consent that a memorandum entitled "Annual Review of Development Lending Program by Appropriations Committees" be printed at this point in the RECORD.

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

ANNUAL REVIEW OF DEVELOPMENT LENDING PROGRAM BY APPROPRIATIONS COMMITTEES

Much of the discussion which has taken place thus far regarding the proposal of the AID bill to finance the development lending program by means of 5-year borrowing authority has proceeded on the assumption that the granting of such authority would result in the elimination of any review of the development lending program by the Appropriations Committees of the House and the Senate during the 5-year period. This assumption is not correct. As a result of the inclusion in the AID bill of a provision making applicable to the development lending program certain provisions of the Government Corporation Control Act, the exercise of the borrowing authority will in fact be subject to annual review by the Appropriations Committees of both Houses.

Section 203(b) of the AID bill provides, in substance, that the development lending program shall be subject to the budget provisions (secs. 102, 103, and 104) of the Government Corporation Control Act. Section 102 of the Control Act requires the annual submission to the Bureau of the Budget by each corporation or agency which is subject to such budget provisions of a business-type budget, containing, among other things, an estimate of the financial operations of the corporation or agency for the ensuing fiscal year, including a statement of income and expense and a statement of sources and application of funds. Section 103 provides that all such budget programs shall be transmitted to the Congress as part of the President's budget. Section 104 reads as follows:

"The budget programs transmitted by the President to the Congress shall be considered and legislation shall be enacted making necessary appropriations, as may be authorized by law, making available for expenditure for operating and administrative expenses such corporate funds or other financial resources or limiting the use thereof as the Congress may determine and providing for repayment of capital funds and the payment of dividends. The provisions of this section shall not be construed as preventing Government corporations from carrying out and financing their activities as authorized by existing law, nor as affecting the provisions of section 831(y) of title 16. The provisions of this section shall not be construed as affecting the existing authority of any Government corporation to make contracts or other commitments without reference to fiscal year limitations."

The language of section 104 contains certain ambiguities, and these ambiguities are not fully clarified by the legislative history of the Control Act. As a result, the meaning of section 104 has been the subject of disagreement in past years. The following discussion sets forth the views of the executive branch as to the proper interpretation of section 104.

The Government Corporation Control Act can best be understood in the light of the statement of policy which the Congress included in that act reading as follows:

"It is hereby declared to be the policy of the Congress to bring Government corporations and their transactions and operations under annual scrutiny by the Congress and provide current financial control thereof."

The procedures which are provided to accomplish the policy as set forth above are spelled out in a report by Senator FULBRIGHT on the Control Act for himself and Senator BUTLER of the Senate Committee on Banking and Currency (S. Rept. 694, 79th Cong., 1st sess., 1945). The report states:

"The President is directed to transmit to Congress, as a part of the annual budget required by the Budget and Accounting Act of 1921 the budget programs of the corporations as modified, amended, or revised to conform to his recommended program for the Federal Government as a whole. The Congress will consider these budget programs and enact legislation making available such funds or other financial resources, with such directives and limitations as it may deem necessary. In this manner Congress will for the first time have a systematic procedure for annually scrutinizing and passing upon the budgets of the Government corporations as it now does for the regular agencies of the Government. Only in this way can the operations of Government corporations be brought into balance and proportion with all other Federal activities and in harmony with the financial and economic policies of the Congress. The budget procedure established by the bill provides for the information and the facilities for the exercise of congressional control over the budget program of each of the wholly owned Government corporations in the manner and to the extent considered appropriate and desirable."

Ever since the enactment of the Control Act, it has been the consistent practice of the executive branch to lay before the Congress annually budget programs for all corporations or agencies covered by the budget provisions of the Control Act, which have included appropriate information on the programs and financial transactions contemplated. Moreover, it has been the consistent practice of the Congress to review such budget programs and to include in appropriation acts specific language authorizing the conduct of the programs for the ensuing fiscal year, and providing limitations where Congress has so decided. One instance is known in which Congress failed to enact the usual legislation for a particular year with respect to a particular agency (Institute for Inter-American Affairs.) It is understood, however, that this failure was the result of a clerical error by which the name of the agency in question was accidentally dropped from a list of agencies forwarded by the executive branch with the usual recommendation for legislation.

The customary language used by the Congress for approving budget programs is as follows:

"(Name of agency or corporation) is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such (agency or corporation)."

As applied to the proposed development lending program, it is understood by the executive branch that the following procedure would prevail:

1. The President would annually submit a budget showing both obligations and expenditures for the contemplated program, in accordance with law.

2. The Congress would have the responsibility of reviewing the program and acting to authorize the use of the borrowing authority year by year. In accordance with past practice, from which there has been no deviation, this review would take place in the first instance in the Appropriations Committees of the respective Houses in the same manner as all other budget proposals. The authorization for the use of funds would appear in an appropriation bill.

3. Congress could limit the use of funds in accordance with its judgment. Limitations could be proposed by the Appropriations Committees or by amendment to the bill on the floor of either House in the same manner as Congress acts with respect to all other items in an appropriation bill.

4. The executive branch would be limited, both as to obligations and expenditures, by the amounts made available in the AID Act or in the appropriation act, whichever is the more limiting.

5. The President has already transmitted to the Congress his amendments to the 1962 budget for foreign assistance, including proposed language for development loans. Until Congress enacts the necessary language approving the budget program, neither obligations nor expenditures can be incurred. If in some subsequent year Congress failed to enact the necessary language approving the budget program and making the funds available for that fiscal year, the development lending program could not enter into further obligations or make expenditures other than those necessary to liquidate obligations entered into under previously authorized programs.

As indicated in the foregoing numbered paragraphs, the contemplated procedure admits of the possibility that limitations on

the development lending program might be imposed by the annual section 104 legislation. This is in accordance with an explicit provision of section 104 to the effect that the use of funds may be limited where Congress determines. However, the executive branch understands that it was the intent of the Congress, in enacting section 104, that limitations on budget programs would be imposed only where affirmative reasons existed for imposing them. There is strong support in the legislative history for this position. Thus, the report of the House Committee on Expenditures in the Executive Departments which accompanied the control act bill in 1945 contained the following statement:

"Section 104 provides for the consideration by the Congress of the budget programs and the enactment of legislation, if necessary, making available such funds or other financial resources as the Congress may determine. Under this procedure, it is contemplated that the budget programs as transmitted by the President to the Congress would include, as in the case of estimates of appropriations, language suitable for enactment as the authorizing legislation. Such programs would be referred to the House Committee on Appropriations and, after hearings, be reported to the House, in the form of (1) simple authorizing legislation, showing that the Congress had considered and approved the budget program but not setting a limitation on the corporate financial activities other than that provided by substantive law, or (2) legislation incorporating such specific limitations as necessary to enforce the will of Congress in the carrying out of the corporate financial activities or to conform such activities to the general financial program of the Government." (H. Rept. No. 853, 79th Cong., 1st sess., p. 12).

In fact, as the practice has developed under section 104, limitations have regularly been imposed with respect to administrative expenses. However, only in a few instances (e.g., in the case of the Federal Home Loan Bank Board and of the Federal Prisons Industries, Inc.) have limitations been imposed with respect to operating expenses. It would be the expectation of the executive branch that, in the case of the development lending program, limitations would be imposed upon the development lending program by the annual section 104 legislation only if affirmative reasons existed for imposing such limitations in order to assure the carrying out by the executive branch of the will of the Congress with respect to the development lending program, as expressed in the AID bill, or to conform the activities of the development lending program to the general financial program of the Government.

It is worth pointing out, as a point which is separate from, although related to, the points which are made in this memorandum with respect to the application of the Government Corporation Control Act, that section 202(a) of the AID Act, which establishes the borrowing authority, places fiscal year limitations upon the availability of funds pursuant to such authority. The result of these provisions is that the executive branch could not in any event enter into firm obligations with respect to the funds provided for any fiscal year prior to the commencement of that fiscal year. In other words, any long-term commitment which the executive branch might make providing for the lending of funds becoming available in a future fiscal year would have to be made subject to the condition that the borrowing authority had not been revoked prior to the commencement of that fiscal year.

The net result of the factors considered in this memorandum is that the exercise of the borrowing authority provided under section 202(a) of the AID Act would be subject to annual Appropriation Committee review and congressional action pursuant to section 104 of the Control Act. Long-term commitments of funds provided by the borrowing authority would have to be made subject to such congressional review and action (as well as being made subject to the nonrevocation of the borrowing authority, as indicated in the preceding paragraph). However, the executive branch would consider the enactment of the borrowing authority in the AID Act to constitute an expression of intent on the part of the Congress to provide funds over the 5-year period in the aggregate amount of $8.8 billion, and it would feel free to enter into conditional commitments with respect to these funds. It would be the expectation of the executive branch that the level of these funds would not be reduced, so as to render it impossible for the commitments of the executive branch to be carried out, unless the Congress considered that affirmative reasons existed for such reduction.

Mr. GRUENING. Mr. President, will the distinguished Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. GRUENING. I wish to ask the Senator from Maine, and also the distinguished Senator from Alabama [Mr. SPARKMAN] and the distinguished Senator from Idaho [Mr. CHURCH], two members of the Committee on Foreign Relations whom I observe in the Chamber, whether they have read the article in the New York Times this morning, a special dispatch from Uruguay, which indicates that the U.S. delegation has already weakened with respect to the proposal to try to secure assurances that in exchange for the $20 billion the United States is offering, there will be land reform, tax reform, and a different attitude generally. I have already received unanimous consent to have the article printed in the RECORD. I hope every Senator will read it. It is a most factual article. It shows that the original proposal of the United States, which was an attempt to guarantee that the Latin American nations would agree to consider this proposal, has been weakened. They have refused to agree and have submitted an alternative plan, which is much weaker, and we have yielded.

I am very much distressed by this event. I hope other Senators also will note it. We who would like to support the 5-year loan program wish to be assured that there will be some definite guarantees which the beneficiaries of the program will comply with; that in exchange for this generous system of grants and loans there will be land reform and tax reforms, and that there will be a definite understanding that the program will be carried out, not, as in the case of Guatemala, merely a promise to let it be carried out.

Mr. SPARKMAN. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. SPARKMAN. I call the attention of the Senator from Alaska to the fact that included in the bill is an amendment which I have proposed to it myself, conditioning the aid program for Latin America upon the Bogotá agreement, which was entered into a year ago. It provides that the nations participating will have to engage in tax reform, land reform, and similar activities. I believe what the Senator is referring to now—I have not read the particular article—is the reluctance of Latin American nations to accept the tight overseeing commission which the United States has proposed.

Mr. MUSKIE. Mr. President, I wish to complete my remarks within the time still available to me.

The PRESIDING OFFICER. The hour of 2 o'clock has arrived. Under the unanimous-consent agreement——

Mr. MANSFIELD. Mr. President, the meeting to which I referred earlier is still in progress. I, therefore, ask unanimous consent, in order to take care of the wishes of the Senator from Maine and the Senator from Virginia [Mr. ROBERTSON], that the vote on the passage of the pending bill be taken at 2:15 o'clock.

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

Mr. MUSKIE. Mr. President, the administration has offered a new aid program which makes use of sound banking procedures in our investment in the development of free nations.

This approach was advanced and strongly endorsed by Secretary of State John Foster Dulles. His statement before the Senate Foreign Relations Committee in 1957 is very pertinent:

The Development Loan Fund should be established upon a basis of continuity with sufficient capital for several years' operations. As I said here last month, economic development is a long-term process. It is not an annual event. If our assistance is to be useful at all, it should be provided on a sustained basis, that is consistent with the long-term nature of the job to be done.

It is not necessary that all the capital of the Fund be provided at once. But it is essential that there be initial provision for future availability. For this reason the President has asked that there be provided this year an appropriation of initial capital and the authority to borrow additional capital from the Treasury in the second and third years. Such borrowing authority has been used to capitalize other U.S. lending agencies. These additional funds which would be borrowed from the Treasury would not be available for obligation until such second and third years. However, the fact that they would be available will give the countries we wish to help and our own administrators the assurance they need to plan ahead.

The new approach we contemplate requires that we get away from the annual authorization or appropriations. These inevitably tend toward a system of illustrative programs as a basis for justifications. These are not compatible with the assurance of continuity essential to good planning and to the new long-term loaning concept. They are not compatible with cooperation with such organizations as the International Bank for Reconstruction and Development and Export-Import Bank which operate on a long-term businesslike basis, with established capital.

We can disagree—and do—as to the merits or the effectiveness of a national effort to assist underdeveloped countries. But surely we can agree that, once this effort is undertaken, it should be done effectively and efficiently. Surely we can agree that everything possible should be done to insure its success.

If, without relinquishing essential control, we can enable the administrators

to do a better job, to move more effectively toward the objective of the program, to get more results for the tax dollars expended, it seems to me it is our responsibility to do so. It is our duty to avoid waste of effort, waste of energy, waste of resources. Such waste is a disservice to our constituents. It dilutes our contribution on behalf of freedom, and economic and social growth in all parts of the globe.

It is because I believe the proposed long-term borrowing authority will promote efficiency and reduce waste that I support it.

APPLICATION OF FEDERAL CRIMINAL LAW TO CERTAIN EVENTS OCCURRING ON BOARD AIRCRAFT

The Senate resumed the consideration of the bill (S. 2268) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce.

The PRESIDING OFFICER. The hour of 2:15 p.m. having arrived——

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STENNIS. Mr. President, the recent hijacking of American passenger planes constitutes insults to the United States and seriously impairs our prestige in a family of nations. Further, it is a menace to the safety and welfare of our individual citizens. We owe them the utmost in protection.

No one can say exactly to what extent these events have been encouraged or participated in by the Castro regime. But it is certain that nothing has been done by the Castro government to discourage such incidents, and the evidence is clear that at least two of the incidents have been entirely condoned. In effect, the act of hijacking was approved and adopted by the Cuban Government when it failed to quickly repudiate it and to do everything possible to make restoration in every particular.

It is further clear that the quick return of the American plane and passengers, following the hijacking yesterday in Mexico City, was prompted by the fact that a high official of a South American country was aboard.

To protect our position and our individual citizens, the United States must announce our intentions and exactly what we will do if and when similar events again occur.

To this end, we must formulate and announce a policy that we shall follow in the event of recurrences. Our plan should include the announcement that we will keep military power standing by; that, in the event of recurrences, we will directly intervene and use, if necessary, force to protect the rights of our citizens.

Under present conditions, virtually every American citizen who boards a plane in this hemisphere runs the risk of being imperiled by this menace. No air traveler is safe. No longer can we afford to postpone a definite policy and firm action.

Perhaps these hijackings are all Communist inspired. The hour is already here when we must act in order to avoid what otherwise will be certain to come in the future. Frankly, I see no danger whatsoever of starting a war through protecting ourselves in this matter. In fact, the best way to avoid a war is to announce immediately our policy, and then follow with a plan of action from now on.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Maryland [Mr. BEALL] and the Senator from Kentucky [Mr. MORTON] are detained on official business.

If present and voting, the Senators from Maryland [Mr. BUTLER and Mr. BEALL], the Senator from Kansas [Mr. CARLSON], and the Senator from Kentucky [Mr. MORTON] would each vote "yea."

The result was announced—yeas 92, nays 0, as follows:

[No. 132]

YEAS—92

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

NAYS—0

NOT VOTING—8

Beall	Chavez	Neuberger
Butler	Fulbright	Symington
Carlson	Morton	

So the bill (S. 2268) was passed.

FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic and social development and internal and external security, and for other purposes.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that my remarks on the foreign aid bill be printed in the RECORD after the taking of the vote on the aircraft hijacking bill.

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

Mr. ROBERTSON. I also ask unanimous consent that if I am unable to conclude my remarks in 15 minutes, I may then yield, to permit the vote on the plane hijacking bill to be taken, with the understanding that following the vote, I shall have the floor again.

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

Mr. ROBERTSON. Mr. President, I wish to register three objections to the pending bill to authorize an enlarged foreign aid program on a 5-year basis. In the first place, we are now spending a larger percentage of our gross national product, and needless to say by far the largest amount in the terms of money, than that being spent by any other nation in the world, to protect the free world from the encroachments of communism; and in view of the very large deficit that will be incurred by spending schemes already authorized, I do not feel that we are in a financial position to borrow additional money to be given away or loaned with little chance of repayment. In the second place, I have consistently opposed the financing of genuine revolving funds as well as outright grants and unsecured loans tantamount to grants by authorization to draw directly upon the Treasury, commonly referred to as back-door financing. And, last, but by no means least, I urged the then Administrator of foreign aid, Mr. Paul Hoffman, in the late fall of 1949, to provide no more of our money to be poured down the rathole of socialistic schemes.

But that protest had no effect then, nor has the overall policy in that regard been materially changed.

The tremendous spending program of the current session of the Congress, involving deficits which may become highly inflationary, is too well known to need discussion at this time. For instance, House and Senate conferees agreed yesterday on the defense appropriation bill authorizing very essential spending in behalf of national security, totaling about $46½ billion. The Berlin crisis is still a very real crisis; and when the President recommended that we

strengthen our defense posture by increasing the Eisenhower defense budget by approximately $5 billion, we dare not assume the responsibility of saying, in effect, that we have nothing to fear concerning the Berlin situation, and, therefore, we refuse to cooperate along the lines he suggests for its successful solution.

Mr. President, in the preceding speech on this subject made by the distinguished Senator from Maine [Mr. MUSKIE], he was asked by the Senator from Tennessee [Mr. GORE] whether the Senate could vote down the provision of the bill granting the privilege to draw directly on the Treasury. The answer is, of course, that the Senate could do so.

The burden of my remarks is to express the hope that the Senate will strike out that provision, by adopting the amendment proposed by my colleague, the senior Senator from Virginia [Mr. BYRD].

BACK-DOOR FINANCING

Mr. President, back-door financing ordinarily refers to authority to expend from public debt receipts—in other words, to borrow directly from the Treasury—and to contract authorizations, when these are part of legislative bills. The term "back-door financing" may also refer to the operation of certain revolving funds and the cancellation of notes of Government corporations or other agencies.

Back-door financing generally involves nonappropriated Treasury funds expended by Government corporations or other agencies, or appropriated Treasury funds expended under contracts entered prior to the time appropriations were made. Authorizations to expend from public debt receipts are usually reported by congressional committees other than the Committees on Appropriations.

The most extensive use of back-door financing involves contract authority and authority to borrow directly from the Treasury. Article I, section 9, of the Constitution of the United States requires that—

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

This constitutional provision has been implemented in both Houses of Congress by adopting rules establishing the standing Committees on Appropriations. Rule XXV of the Standing Rules of the Senate pertains to the jurisdiction of the Committee on Appropriations. The rules requires that there be referred to the committee "all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects: First, appropriation of the revenue for the support of the Government."

Both the Constitution and the Standing Rules of the Senate, in my opinion, require the adoption, wherever possible, of the annual appropriations process for all types of Federal programs. To the extent that a bill—by back-door Treasury financing provisions—calls for the payment of money from the Treasury without the necessity of further action by the Congress, both the mandate of the Constitution and the mandate of the Senate are bypassed. To the degree that proposed legislation permits, prior to appropriation, Government agencies or other bodies to enter into contracts for future expenditures, these same mandates go by the board. Now is the time for us to reaffirm the wisdom of the Founding Fathers, as well as to comply with the rules of the Senate itself, by calling for annual appropriations, and by rejecting the unsound principle of back-door Treasury financing.

If, on the other hand, we allow back-door Treasury financing to proliferate, the Congress will offer additional blank checks on the Treasury, payable on demand, and without notice, for any amount up to statutory limits. That, in my opinion, is no way for the Congress to legislate in connection with its power to spend, tax, and print money. Let us, rather, hold fast to the long-tested regular appropriations process. This gives the Congress a regular oportunity to review programs, to authorize expenditures of maximum amounts, to influence the timing of such expenditures within fiscal years, and to recommend changes whenever needed in the public interest.

Appropriations financing has always provided a direct method of redirecting, expanding, reducing, or calling a halt to a program, in accordance with the past experience of the program and the demands of the future. Back-door financing, however, means that the regular appropriations process is utilized only to provide a formal annual authorization, if any; control over the program may be effected only through indirect limitations over administrative expenses. To correct the administration of a back-door-financed program might well require a large-scale investigation, followed by legislation for its revamping. The delays and expenses inherent in such a process provide a sufficient argument against this method of congressional operation.

The Comptroller General of the United States for a number of years has criticized back-door financing as a method of bypassing the regular appropriations procedure. In a letter dated April 22, 1958, to the chairman of the Senate Committee on Banking and Currency, Comptroller General Campbell stated, in part:

> The General Accounting Office has for many years taken the position that funds to finance Government activities should be made available to the corporations and agencies responsible for administering the programs through the normal appropriations processes rather than through authorizations to finance through public debt transactions.
>
> Authorizations to finance through public-debt transactions result in moneys being expended without the initial review by the Appropriations Committees and are usually stated in terms of a continuing maximum amount of obligations to the Treasury which can be outstanding at any time, thus avoiding the annual reviews by the Appropriations Committees. We believe that the financing of loan programs through public debt transactions, by combining program authority with funding, tends to perpetuate programs that might not otherwise stand the test of continued congressional scrutiny.

Back-door Treasury financing has already grown to unreasonable dimensions. At the end of the fiscal year 1960, outstanding borrowings from the Treasury under public debt transactions exceeded $33 billion. Up to the same date, a cumulative total of $114 billion had been borrowed. At the same time, unused authorizations outstanding under which additional borrowings could be made were more than $25 billion. I shall offer for the RECORD a table showing public debt transactions by each fiscal year from 1932 through 1960.

Authorization to spend money borrowed directly from the Treasury was first granted to the Federal land banks in 1918. The RFC in 1932 represented the first more recent use of such authority. The proponents of back-door financing argue that these and more recent precedents justify additional back-door Treasury financing. On the contrary, they merely emphasize the necessity of going no further, lest the great majority of Federal agencies and other bodies eventually operate on the same basis.

Some persons advocate using the borrowing authority for loan programs, and using the appropriations process for expenditure programs. I do not agree with this position. Merely because a program operates to extend loans, there is no guarantee that such loans will be repaid. We know of many cases in which the making of a loan was not equivalent to the making of an investment.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table which shows previous back-door financing amounts to $114,490 million.

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

Public debt transactions, June 30, 1932, to June 30, 1960

[In millions of dollars]

Fiscal year	Borrowings and other advances from Treasury during year	Unused authorizations outstanding at yearend	Outstanding borrowings from Treasury at yearend
1932	350	1,150	350
1933	1,235	2,537	1,585
1934	1,670	7,571	3,255
1935	825	5,590	3,655
1936	865	4,587	4,030
1937	227	4,998	3,630
1938	345	5,784	883
1939	426	6,235	273
1940	642	6,874	104
1941	798	9,374	302
1942	4,178	18,868	4,079
1943	6,969	15,775	7,519
1944	7,615	15,157	10,717
1945	4,149	16,810	12,169
1946	3,553	24,527	12,505
1947	7,347	21,206	16,580
1948	5,505	15,167	9,123
1949	5,851	13,474	13,184
1950	4,032	16,991	14,757
1951	3,781	17,605	15,361
1952	2,739	21,327	15,854
1953	4,420	20,006	18,369
1954	5,398	20,738	19,067
1955	6,224	19,245	22,348
1956	5,273	17,980	26,173
1957	6,078	19,834	28,888
1958	7,302	25,197	28,019
1959	9,959	25,186	32,828
1960	6,734	25,734	33,068
Total	114,490	----------	----------

Source: "Combined Statement of Receipts, Expenditures, and Balances of the U.S. Government for the Fiscal Year Ended June 30, 1960," U.S. Treasury Department, pp. 492–493.

Mr. ROBERTSON. Nor is there any reason why, in my opinion, Federal moneys advanced for loans should not be subject to the same annual scrutiny provided by the appropriations process for other types of outlays.

Recently, the Senate considered the omnibus housing bill, which committed the Federal Government to underwrite $9 billion in housing loans and grants over many years. Over $5 billion of this total was in the form of outright grants, and the remainder was in the form of loans. Nearly all this vast sum was authorized under some type of back-door-financing arrangement. When the Congress approved the bill, it in effect lost control, within specified limits, over the amount and timing of these back-door housing loans and grants, in some instances for as long as 40 years. It waived control for as long as one generation, despite whatever other demands might arise upon the Federal budget, and regardless of whatever future conditions might prevail in the general economy or in the housing market. Now is no time to compound this and other mistakes by authorizing additional use of back-door financing.

Our long-term commitments—even excluding the $26 billion in unused authorizations outstanding to draw funds directly from the Treasury, through back-door financing—are large, indeed. These commitments currently include approximately $9 billion in annual interest on the national debt, $1 billion in annual veterans' pensions, and other built-in expenditures over which the Congress holds no real control. We have already gone far enough—if not too far—in complicating Federal fiscal and monetary policy through the proliferation of different types of expenditure authority subject to little, if any, immediate congressional control.

Mr. President, my third objection is to the financing of socialistic projects.

THE FUTILITY OF FINANCING SOCIALISTIC PROJECTS

In the fall of 1949, other members of the Senate Appropriations Committee and I visited 14 countries in Europe, which were participating in what we then called the Marshall plan. I found evidences of lavish spending and inefficiency; and, immediately upon my return, I publicly advocated that the amount being appropriated should be reduced by at least a billion dollars. I also wrote to the then Administrator, Paul Hoffman, a long letter in which I commented upon the lavish use, by foreign governments, of American dollars, in the operation of socialistic enterprises which, in my opinion, could never successfully compete with the type of enterprise we have in this country; and I also predicted that there would be no real recovery in Western Europe unless and until the countries then receiving lavish help from us modified their extreme nationalism and promoted trade between themselves, by the reduction of tariff and currency barriers.

I wish to read that letter to the Senate, first, because everything I said has subsequently been proved to be true; and, second, because we are now engaged in making the same kind of mistake in South America, where our distinguished Secretary of the Treasury has promised not only a 5-year plan, but also a 10-year plan and a greatly increased contribution on our part, over and above the pending bill, unless European nations help out, which is most unlikely. Typical of the waste incident to socialistic operations are the tin mines in Bolivia, which under private ownership and operation were highly profitable, but under government operation and without any capital investment whatever have been kept afloat only through the use of our foreign aid funds.

And Chile is proposing to duplicate that unfortunate experiment where 90 percent of the tin-producing mines are now owned by American citizens. Chile plans to nationalize those tin mines either with a nominal payment to the present owners or through the issuance of bonds of the hope-long-deferred type, and eventually, like Bolivia, will wind up operating those mines through the use of the foreign aid recently promised them by Secretary Dillon. In the meantime, down the rathole of socialistic schemes will go our hard-earned American dollars. And the brave, eloquent words of Secretary Dillon: "We must add the new and broad dimension of social development in a conscious and determined effort to further social justice in our hemisphere" will become as a sounding brass and a tinkling cymbal. If there is any fundamental difference between the freedom of a representative democracy and the dictatorship of communism, it is the economic fact that social justice can neither be developed nor broadened by the state's taking over the instrumentalities of production, as recommended by Karl Marx.

In his new book entitled "George Mason: Reluctant Statesman," Dr. Robert A. Rutland, after quoting Mason's draft of Virginia's bill of rights concerning the inalienable rights of life, liberty, "and the means of acquiring and possessing property," said:

> Leave men alone and they will be clever enough to see that freedom and tolerance best serve their self-interests and permit them to enjoy the blessings of life and property. That is true liberty and the unfettered pursuit of happiness.

The pending foreign aid bill contemplates tremendous expenditures for military aid to Western Europe which has become so very prosperous since it eliminated the trade and currency barriers, to which I referred in the Paul Hoffman letter, that those countries are serious competitors of ours in the markets of the world and are sending textiles, steel, veneer, glass, and other imports into this country to an extent that it is creating genuine hardship among our domestic producers of the same products.

Mr. President, upon my return to the States after the inspection trip to Western Europe to which I referred, I wrote, on December 4, 1949, a letter to Hon. Paul G. Hoffman, Administrator of ECA. I ask unanimous consent that the letter may be printed in the RECORD at this point.

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

DECEMBER 4, 1949.

Hon. PAUL G. HOFFMAN,
Administrator, Economic Cooperation Administration, Washington, D.C.

DEAR PAUL: As the result of slightly more than a month in Western Europe, I feel that I have gained a better understanding of some of our economic and military problems in that part of the world. Surface impressions, of course, can be erroneous but, in addition to attending all official meetings, I made it a practice in each country to interview as many as I could with no government connections, hoping thereby to get an accurate cross section of opinion.

My visit to Europe has definitely convinced me that ECA was soundly conceived as an integral part of an overall peace program and has been as efficiently administered as so vast a program in a large number of foreign countries could hope to be. Our primary objective of stemming the onrushing tide of communism has been achieved.

The people of Western Europe now have, in an amount sufficient for a sustained effort, the three essentials of life—food, clothing, and shelter. Their productive capacity has not only been restored but in all countries except Germany and Greece, slightly exceeds the prewar level. Their chief problem now is one of exchanging items of which they have a surplus for items they do not possess or which are in short supply. In other words, the economic stability of Western Europe is now more dependent upon economic integration than upon our further dollar aid. The small nations of Western Europe favor economic integration but France and Great Britain pay lipservice to it only.

While there may be some lowering of trade restrictions in Western Europe before our aid ends, my present impression is that the program will be quite inadequate. The trend undoubtedly will be to unilateral trade agreements or small grouping, like Benelux, but nothing approaching free trade in Western Europe or free currency convertibility.

Anti-Communist governments are now safely entrenched in the area in question and have the ability, with such military aid as may be given them under the Atlantic Pact, to make it tough for a potential aggressor. But if the people of a given country do not prize their personal liberty enough to fight for it, American gold will not put that divine spark in their hearts.

I think that we have assumed at least a moral obligation to continue the ECA program through fiscal 1952. In fact, I personally feel that our own best interests would require us to do so. But I likewise feel that the time is approaching when we can make a substantial reduction in the dollar aid. When we told foreign representatives that our national debt was approaching $260 billion and that we would probably end the current fiscal year with a deficit of $5½ billion, it left them unimpressed. They seem to think we have the Midas touch and if we don't convert things into gold for them, it will be because we are selfish and want them to be underlings.

But I am deeply concerned over the fact that in the last few years, excluding strictly war expenditures, we have spent more than during the period from President George Washington to President Truman. I am convinced that if we go broke, which is a possibility, there is not a nation in the world that would lend us a thin dime. Consequently, as a member of the Appropriations Committee during the 2d session of the 81st Congress, I shall make the best fight of which I am capable for a reduced budget. Such a fight, of course, must include the next appropriation for ECA. I hope it will

be feasible for us to limit it to about $2½ billion and end it the following year with about $1 billion.

I realize, of course, that when the program ends, we will be cordially disliked in Europe and in some sectors actively hated. But Europe does not have our system of private enterprise as a stimulant to production, and never will, it does not have our area of free trade; no one country is so nearly self-contained with respect to raw materials as we; and, for other reasons needless to be enumerated, Western Europe did not have our standard of living before either of two World Wars and will never have it in the foreseeable future unless we are foolish enough to spend ourselves into bankruptcy.

As a means of curtailing ECA expenditures, I would recommend that ECA make no more loans, referring those who wish to borrow to the World Bank or the Export-Import Bank. We can't expect any European nation to go to the World Bank for 4½ percent money if we set up an agency to lend it at 2½ percent and possibly with a tacit understanding that it will never be repaid.

We should make every effort to establish satisfactory trade with India, from which country we can receive acceptable imports in exchange for surpluses we need to dispose of.

In the interests of a more stable world we should urge all nations who hold British war debts to refund those debts on a long-time basis and at an appropriate rate of interest. The Labor government of Great Britain will never realistically face the problem of competition in world markets so long as she can keep members of the labor unions employed in the production of high-priced goods for sale to sterling areas.

Spain desperately needs our wheat, cotton, and machinery, and never in her history has Spain defaulted on a debt. I would like to see Spain given an Export-Import Bank loan with a gentleman's agreement that the funds would be expended for the items mentioned.

When you have had an opportunity to reflect upon these suggestions, I shall welcome your reactions. As I said in the outset, they are merely surface impressions based upon an inadequate study, but I don't believe all of them can be wrong.

Cordially yours,

A. WILLIS ROBERTSON.

Mr. ROBERTSON. Mr. President, in that letter I called attention to the fact that our funds were being wasted in Europe on socialistic schemes, and how those countries needed to cut down their trade barriers. There was no real prosperity in Western Europe until the Common Market was created.

In Mr. Hoffman's letter in reply to my letter, he promised to cut out the program 2 years from that time. That would have been 10 years ago.

I ask unanimous consent that the letter from Mr. Hoffman in reply to mine be printed at this point in the RECORD.

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

ECONOMIC COOPERATION ADMINISTRATION,
Washington, D.C., December 13, 1949.

The Honorable A. WILLIS ROBERTSON,
U.S. Senate.

DEAR WILLIS: I am most grateful to you for your letter of December 4, 1949. In this complicated job ECA has to do it is of inestimable value to me to have the observations and conclusions of, intelligent, independent observers of the European scene. If such reports are available to us we have the means of verifying or correcting our own conclusions and as a result we are enabled both to avoid making continuing mistakes and to deal with new problems of which we may not have been fully aware.

I am also grateful to you for your kind words about the important place of the European recovery program in an "overall peace program" and for your endorsement of its administration.

I appreciate your suggestion to me that you would be glad to have my reactions to the points you make in your letter and I shall give these to you in complete frankness.

At the outset let me say that you have put your finger upon some of the most important questions and difficulties with which we are concerned. I fully agree with you that the success of the recovery program in Western Europe depends upon achieving effective economic integration, that we cannot permit the Western Europeans to overlook the conclusion that our aid must be a declining amount with a definite terminal date, that the future of the world depends upon the United States continuing strong and solvent and that the participating countries must realistically face the problem of increased dollar earnings and of competing in world markets. As you perhaps know, in my speech to the Council of the OEEC on October 31 I pounded hard on certain of these subjects and I believe with you that the participating countries must make substantial progress in dealing with these questions without delay.

I should now like to discuss in more detail some of the specific statements and conclusions in your letter.

You say, "But I likewise feel that the time is approaching when we can make a substantial reduction in the dollar aid." The context in which this appears in your letter might be taken to imply that you feel ECA does not agree with you on this point and will be reluctant to accept this policy. In fact, I feel as strongly as you do about this and I believe our actions bear this out. The first year of the program involved appropriations of roughly $5 billion, plus about $564 million for government and relief in Germany, which was contained in a separate appropriation for the Department of the Army. For the second year we requested about $4 billion and the Congress finally appropriated $3,778 million. This figure again was exclusive of a separate appropriation to cover expenditures for gvoernment and relief in Germany. If this latter item is added in, the total available for Western European recovery in the fiscal year 1949–50 comes to roughly $4,150 million. In testimony before congressional committees earlier this year, I stated my belief that further large cuts in subsequent fiscal years could be expected. Our continuing examination of the recovery program since that time confirms this belief. Though the President and the Bureau of the Budget have not as yet determined the amount to be requested for the fiscal year 1951, I can assure you that the request when submitted will show "a substantial reduction in the dollar aid."

You mentioned in your letter that you "hope it will be feasible for us to limit it to about $2½ billion." I assure you I should like nothing better than to be able to accomplish this but I believe that too large a cut would entail a most serious risk of failure in what I think we all agree has been a program of the greatest significance to world recovery and to the prospect of peace and security. I still believe that it does not make sense to use a 15-foot rope to rescue a man who is about to drown 20 feet from shore. I assure you we are not going to ask for a single dollar that we do not think is really needed for the purposes of successfully achieving our objective and I think you will agree that our record to date warrants confidence in us on this score. I would, therefore, urge you to preserve an open mind on this subject and not to conclude that $2½ billion will be enough until we have presented before you and others in Congress our detailed justification of our final budget estimates.

You are rightly concerned, as I am, with the tremendous expenditures of the U.S. Government and the possible consequences of such expenditures to our own stability and solvency. I assure you, however, that if enough funds are not appropriated to achieve European economic recovery and Europe relapses into the conditions of 1947 and early 1948, we should soon find communism on the march again with a consequent potentially disastrous threat to our own security. I for one am convinced that under these circumstances we should soon be forced to spend many times on increased military preparedness what we might have saved by relatively small reductions in ERP appropriations. Such a course, it seems to me, is not the way to protect either our solvency or our security or the peace of the world.

As I have already indicated both in this letter and in my speech to the Council of the OEEC, I agree with you concerning the vital importance of real progress toward economic integration in Western Europe. I have some disagreement with you, however, when you state "the economic stability of Western Europe is now more dependent upon economic integration than upon our further dollar aid." My view is that the economic stability of Western Europe is still dependent upon both and that it is impossible to say upon which of the two it is more dependent. It is quite true that an important element in recovery and stability will be the increase in exchange of goods between the participating countries. However, even with the maximum achievement in this respect there are certain goods needed by the participating countries for their recovery which are not produced in sufficient quantities anywhere in these countries and must be bought for dollars in the Western Hemisphere. If these countries were exchanging their surpluses either in Europe or elsewhere in the world for currencies convertible into dollars they would not require dollar aid but I am afraid this happy state of affairs is not immediately in prospect. In any event their continued recovery and stability cannot yet be fully achieved solely by improving exchanges among themselves and must for a while continue to depend upon some dollar aid.

You say in your letter, "While there may be some lowering of trade restrictions in Western Europe before our aid ends, my personal impression is that the program will be quite inadequate." I agree that this is a real danger. But at the same time I assert that, even though we may have some apprehension on this score, neither the Western European countries nor we ourselves can permit this program to be inadequate. Recovery and independence from our aid depends to such an important degree upon success in removal of trade restrictions that we just cannot accept the prospect of failure in this part of the program. I believe this is well understood by the leaders of the Western European nations and I for one believe that because it is so urgently necessary we shall see a real achievement in this respect.

You point out that, "Anticommunistic governments are now safely entrenched in the area in question and have the ability, with such military aid as may be given them under the Atlantic Pact, to make it tough for a potential aggressor." I submit that the main reason why this is so today is the improvement in economic conditions which has been brought about by the European recovery program. I think you will agree that without this improvement the condition you describe would not exist today. It seems to me that it follows inevitably that economic deterioration due to a failure to continue an adequate recovery program would soon

reverse the trend. Under such circumstances, even with continued military aid, I should doubt that we would find the anti-Communist governments very safely entrenched. I believe that in turning back the tide of communism the European peoples have demonstrated two things: first, that they do prize their liberties enough to work and fight for them, and second, that the stamina to make this major effort depends on the hope of tolerable and improving economic conditions. The economic prospects of Europe are not yet firmly enough based to survive the withdrawal of U.S. aid, nor an overdrastic cut in our support.

I think your statement that "we have assumed at least a moral obligation to continue the ECA program through fiscal 1952" needs some qualification. Our assumption of any obligations was contingent upon the participating countries performing their part of the bargain. So long as they do so and we see a reasonable prospect of success in the program, I do feel we have a moral obligation to continue. My view is that we must be able to continue to justify our participation as being in the interest of the United States and of a stable and peaceful world or we have no obligation. I may say that I presently think the continuation of the program can be abundantly justified on these grounds.

I note that you are disposed to recommend that ECA make no more loans and that we refer those who wish to borrow to the World Bank or to the Export-Import Bank. I should like to state that we have in fact constantly followed the policy of considering whether or not in any given situation a loan from these banks instead of an ECA loan was feasible. The problem is, however, that there are certain dollar expenditures of some of the participating countries which are essential to their recovery but which cannot properly be covered by bank loans. I think you will be able to repay loans and, therefore, it full agreement on this point. In these cases, however, the National Advisory Council has determined that the countries in question will be able to repay loans and, therefore, it is not necessary for ECA to furnish assistance on a grant basis. It seems to me better to obtain from these countries an obligation to repay than it is to give them the dollars without any repayment provision. If the problem were not handled in this way and in view of the fact that the necessary dollars could not be obtained from the banks, the result would be that certain countries would be short of dollars required for recovery purposes and thus the program would be threatened in these countries. I do not agree, therefore, that cutting out of ECA loans, even though these are a relatively small proportion of the total of recovery funds, would be a practicable way of curtailing ECA expenditures.

I quite agree that the British war debts constitute a very difficult problem. Both ECA and the Government of Great Britain are concerned with the so-called unrequited exports from Great Britain involved in this situation. As you correctly pointed out, the tendency is for British goods to move into certain parts of the world in payment for debts owed by Great Britain to these areas and as a result there is less incentive to the British exporter or manufacturer to compete in the tougher dollar market. I have, as you know, laid great stress on the importance of giving incentives and removing obstacles to greater sales in the dollar market and we do not propose to relax our efforts to deal with any situation which has a bearing on this problem.

I apologize to you for the length of this communication but you have raised such important and basic questions in your letter that they cannot be dealt with adequately in a few sentences. I should welcome very much the opportunity to discuss with you even more fully any of these points for it is vital that there be a real analysis of them and a thorough understanding as between the legislative and the executive branches of our Government concerning the objectives and requirements of the European recovery program for the coming year.

With kind regards.

Sincerely yours,

PAUL G. HOFFMAN,
Administrator.

Mr. ROBERTSON. I replied to that letter in a letter of December 19, 1949, which I ask unanimous consent to have printed at this point in the RECORD.

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

U.S. SENATE, COMMITTEE ON BANKING AND CURRENCY,
Lexington, Va., December 19, 1949.

Hon. PAUL G. HOFFMAN,
Administrator, Economic Cooperation Administration, Washington, D.C.

DEAR PAUL: Your letter of the 13th is intensely interesting to me. You need make no apology whatever for its length, because I know you realize that no Member of the Congress is more deeply interested than I in our whole program of international cooperation or more earnestly striving to get the type of information so essential for sound and wise conclusions. Even with the best efforts I can put forth in that behalf, I constantly feel the need, as expressed by Benjamin Franklin to the Philadelphia Constitutional Convention, for "the Father of Light to illuminate our understanding."

I am happy to learn from your letter that you and I are still in substantial agreement concerning the ECA program. Long ago I gave up any hope of comprehending the magnitude of a billion dollars and sometimes wonder if I really understand what even a million dollars means since it is so far beyond my personal transactions and experience. Consequently I take the position if one man says that the future foreign job can be done for $2½ billion and another says it should be $3 billion that neither is in position to be categorical about the exact amount. In dealing with sums beyond our finite grasp we can merely make guesses on the basis of the best available information: Therefore I hasten to assure you that I shall keep an open mind on the exact amount of the next ECA appropriation bill and shall closely follow the detailed information to be presented to our committee by your organization at that time, with full realization of the fact that no Member of the Congress spending 2 or 3 days in 12 ECA countries can come home with as much reliable information as you are able to present.

In my opinion, Mrs. Anna O'Hara McCormick of the New York Times is one of the best political commentators of the Nation. In a recent article on this subject, she took me gently to task for saying in my letter to you that Western Europe is more dependent upon economic integration than upon further dollar aid. The first letter that I prepared to send to you, written on the boat as we were returning from Europe, was twice as long as the second one which was mailed from New York. I frankly felt the second letter was too long to send to a man so busy as you, but in an effort to condense my views I made some sacrifice of clarity to brevity. I thought in other paragraphs that I had made it plain that our own self-interest as well as a moral obligation conditioned, of course, upon mutual performance required us to continue the program for the promised period. In the reference to economic integration and currency convertibility, which is a part of the mutual agreement, I merely sought to convey my personal impression that that type of self-help on the part of the Western Europeans was more important than a continuation of dollar aid in the present volume and that without it I did not see how any amount of dollar aid whatever would ever put Western Europe on a permanent self-supporting basis.

I went to Europe with the background of not only thousands of pages of testimony we had taken on the subject of ECA but with a previous experience of 10 years on the Ways and Means Committee of the House, during which I had made an eager and painstaking study of tariffs and international trade as well as our domestic tax structure. I went to Europe, therefore, knowing exactly the type of information I desired and was frankly flattered when other members of our party told me after each country we had visited that apparently I had been able to secure more information concerning economic conditions in the country visited than had they. In the course of my travels I asked pointed and searching questions not only of officials in our Government and officials of the country visited but of all the American and foreign businessmen I could reach. As indicated in my letter to you, I found the small countries are eager for freer trade in Western Europe but was frankly discouraged by what I found in France and Great Britain, without whose active cooperation the program cannot be a success. However, in the words of Robert Louis Stevenson, "I shall travel hopefully" with what you say in the second paragraph of page 3 concerning the success of that part of our program.

I also agree, with respect to Italy and France, with what you say in the following paragraph about the continuing danger of communism. But a great Greek fable writer wrote a story about a boy who cried wolf once too often, which I would like the present generation of Frenchmen to reread. I do not know what the official figures show but I was told in Paris that we are now putting up one-half of what the French Government is spending. If that be true and the statement is accompanied with a detailed analysis of what the French Government is spending on socialistic schemes instead of a rearmament program, it will be an issue next year a bit tough for the friends of the program to defend.

I am prepared to accept all that you say in the third paragraph on page 4 concerning loans, since the total thereof as you explained to me over the telephone in Washington is far less than I thought. I am also reassured to hear you say that your present loan program has the approval of the World Bank and the Export-Import Bank. I did not get the information from McCloy in Germany but did gather the impression from another responsible person in Europe that officials of the World Bank feel that 2½ percent ECA loans are making it tough for the World Bank to place loans at a much higher interest rate.

Since writing you the letter mentioning British war debts to India, Pakistan, Egypt, and so forth, totaling perhaps $3 billion, I heard a radio program in which the refunding of those debts is listed as a "must" for permanent British recovery. It, naturally, pleased me to have that information for it confirmed the information I had gotten on that subject in London.

As the late Dr. Alderman used to say, "I covet an opportunity" to more fully discuss these matters with you when I get back to Washington in January. In the meantime, I send you heartfelt wishes for a happy Christmas season and may a kind and graceous providence give you the wisdom to continue to lead us along the highroad to peace with the strength to be patient with those less informed than you but who, nevertheless,

seek to contribute to the success of the undertaking.

Faithfully yours,

A. WILLIS ROBERTSON.

Mr. ROBERTSON. Mr. President, on December 16, 1949, I addressed the student body of Washington and Lee University on this same subject, recounting how Senator STENNIS and I and others had visited Europe, that we had seen great cathedrals, but how they were all empty, and that the people there were not worshiping God any more, and that we had seen how our money was going down the rathole of socialistic schemes. I stated that we would not get any return on our lavish foreign aid expenditures unless we insisted that those funds be spent under a system of private enterprise, such as we had—which has not been done, and it is not going to be done in Latin America.

I ask unanimous consent to have printed in the RECORD at this point the speech I made at Washington and Lee University, Lexington, Va., on December 16, 1949.

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

ADDRESS OF SENATOR A. WILLIS ROBERTSON BEFORE THE STUDENT BODY OF WASHINGTON AND LEE UNIVERSITY, LEXINGTON, VA., AT TAP DAY CEREMONY OF ODK, FRIDAY, DECEMBER 16, 1949

Even in ruins, the monuments of ancient Greece and Rome are great but the visitor familiar with his ancient history knows that they are the products of slave labor, working under the lash of cruel taskmasters. When ancient Athens had a population of 1 million, 700,000 of them were slaves. As one Greek explained to me, on a recent visit to Athens, those slaves furnished the horsepower for the erection of the massive marble columns of the Parthenon and the Temple of Jupiter. History tells us that at one time every Roman Senator had a minimum of 400 slaves, the lives of whom had no value except at the caprice of the master.

It was the Christian religion, first brought to Rome by St. Peter and St. Paul, that eventually changed man's conception of human dignity and human rights. While in Rome this fall I visited the dungeon in which Peter and Paul had been imprisoned, the great cathedrals which bear their names and the picture galleries which reflect the sufferings of the early church. In Athens I visited Mars' Hill, where Paul addressed the men of Athens, and in Switzerland the dungeon of the Castle of Chillon, where Bonnivard was in prison for 6 long years because of his religious faith. As I stood before the bust of Lord Tennyson in Westminster Abbey, I recall that he had said, "We are the heirs of all the ages." The greatest thing that the British inherited from those ages is the Christian religion, on the basis of which we formulated our democratic institutions.

Communism cannot win in the world until the Christian religion has been destroyed—and that is one of the major objectives of the Soviet Politburo. In Europe are the largest and most beautiful cathedrals in the world, but they were virtually deserted. Consequently in our interview with Pope Pius, whose leadership of the Catholics of the world against communism is a major contribution to the present security of the world, I said that if the 600 million who profess Christianity would unite and become activated with the same zeal for their cause that motivates the 800 million or more Communists of the world we should have no difficulty in winning. With that Pope Pius agreed.

While I was in London the University of London conferred an honorary degree upon our Ambassador and my personal friend, Mr. Lewis W. Douglas. In presenting that degree the chancellor of the University of London referred to the material and spiritual forces which make up our world, to the fact that the University of London has always stressed the humanities and the social sciences and he said it did not intend to yield to the current pressure for emphasis upon the physical sciences.

One has to visit the wartorn areas of Europe to adequately appreciate the physical damage that was done. Those familiar with those areas told me that the Marshall plan aid worked a miracle in their restoration. Europe would not have won the war against communism without that aid and the aid was more than physical. It gave to the war-weary and depressed people of Europe a new hope. But apparently the political leaders of Europe are not giving it what it needs as much as dollar aid, namely spiritual leadership and a rebirth of the zeal and the courage of those early Christian leaders who were willing to die for their faith.

The people of Great Britain will fight for their freedom and so will those of the Scandinavian countries. My personal belief is that the divine spark of freedom still burns in the heart of the average Frenchman, but, with 182 Communists in the French Parliament and with the labor unions of France dominated by Communists, the picture there is far from clear.

Since the war we have spent through UNRRA, surplus military supplies, military relief in occupied areas, and the Marshall plan over $22 billion in our program of international cooperation. Industrial production in all Marshall aid countries, except Germany and Greece, is now above the prewar level while the acute need for food, clothing, and shelter has been met. Under these circumstances, I am satisfied that next year we can make a substantial reduction in our ECA appropriations and end the program in 1952.

While our Nation is blessed with vast natural resources and a large area of free trade, our world supremacy in productive capacity is not due to those two factors alone, and neither will those two factors be enough to maintain it. We excel in world production primarily because under our system of private enterprise we give the greatest incentive to the individual to produce. There is not a faint resemblance to that system anywhere in Western Europe or for that matter in the world. Each of the 14 countries we visited is socialistic to a greater or less degree. They do not have our standard of living now and the socialistic program will never produce it for them.

I had no opportunity, of course, to observe what communism had done to the countries behind the Iron Curtain, but all the evidence we could get on that subject led us to the belief that the standard of living in all Communist countries is below that of Western Europe.

But from our standpoint, the standard of living in Europe is bad enough and I returned home with the firm conviction to make the best fight of which I am capable to preserve American constitutional freedom and the American standard of living, based upon a system of competitive enterprise. The socialistic governments in Europe with our aid are trying to give the people what the government cannot afford to give and for which the people are not paying. The closest approach to paying is in Great Britain, the heaviest taxed country in the world outside of Russia. And yet, since the war, the Labor government has received dollar aid from the United States and Canada in the sum of $7 billion. As John T. Flynn, in his recent book, "The Road Ahead," says, "Socialism did not come to Great Britain by that name," and those who are trying to bring it to us have not so labeled it. With the exception of the liquor and tobacco monopolies in Italy, every nation in Europe is operating the enterprises owned by the government at a loss, or a profit that is nominal. Yet there are those in this country who would like for us to take over the utilities, the communications systems, the transportation systems, the coal mines, etc. And a bill was introduced in the House last year at the urgent request of the administration to authorize the appropriation of a vast sum of money to put our Government into the steel business.

Our salvation, as well as that of the remainder of the world, is for us to remain financially solvent. To do that the next session of the Congress must drastically curtail the spending program and make every effort to balance the budget, and it must likewise stoutly resist those bills, such as the civil rights bills, which all impartial lawyers recognize as being unconstitutional.

As a Member of the Senate I have been put on notice that, as soon as we meet, there will be brought up for action the pending FEPC bill, which is unconstitutional, economically and socially unsound and smells to high heaven of political demagogery.

We are living in a new world and it presents a challenge to the new generation. I give thanks for a school like Washington and Lee, which still trains young men in the humanities and the social sciences. They leave its sacred walls imbued with the spirit of Robert E. Lee, who taught the youth of the South after it had felt the iron heel of war, that if their fair Southland was to be rebuilt in a manner in which it could achieve its manifest destiny, it must be on the fundamental principle that duty is the sublimest word in the English language. No one knows how long the cold war will last or what it will cost. Those who passed on to us constitutional freedom and private enterprise sacrificed to do so. The cold war is a challenge to our democratic institutions and if we be unwilling to sacrifice to preserve them they could be lost forever.

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

Mr. ROBERTSON. I yield.

Mr. ERVIN. The Senator from Virginia made an allusion to the Secretary of State's suggestion that there should be social justice.

Mr. ROBERTSON. That is correct.

Mr. ERVIN. The record shows that the United States has been extending aid to Central American countries, under a similar plan, since 1954. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. ERVIN. The owners of large coffee plantations in Central American countries pay taxes on their property at a rate of 30 cents for each $100 evaluation, and they pay no income tax whatsoever. In view of the fact that the average American pays taxes upon his property at a rate of approximately $2.25 for each $100 of the value of his property, and in addition to that, pays to the Federal Government a tax upon his income at a rate of from 20 percent to 91 percent of his net income, and in view of the fact that the average American taxpayer in most cases also pays a substantial amount of income tax to the State in which he lives, does not the Senator from Virginia think that somebody ought to be concerned about the social injustice of taxing American citizens in such an exorbitant fashion as

that for the purpose of giving the money they pay in taxes away to people who refuse to tax themselves?

Mr. ROBERTSON. Absolutely. There is a great misconception about the word "equal." The word "equal" never has meant that everybody should have equal wealth. The word "equal" has never meant that everybody is equal in character, mentality, and energy. Social justice should mean only the opportunity, as George Mason said in our Declaration of Rights, of a man to acquire and possess property. And if people do not work for it, if they do not have our private-incentive system, they will never achieve the standard of living we have achieved. And anybody who tries to equate social justice with an equal standard of living is trying to do what never has been done and what never will be done.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 26, 41, 54, 64, and 65 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 69, 71, 74, and 75 to the bill, and concurred therein, severally, with an amendment, in which it requested the concurrence of the Senate.

REORGANIZATION PLAN NO. 7, RELATING TO THE FEDERAL MARITIME BOARD

Mr. SCHOEPPEL. Mr. President, I move that the Committee on Government Operations be discharged from further consideration of Senate Resolution 186, covering Reorganization Plan No. 7, relating to the Federal Maritime Board.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Must not the Senator who makes such a motion state that he supports the resolution?

The PRESIDING OFFICER. The rules so require. Does the Senator from Kansas support the resolution?

Mr. SCHOEPPEL. Yes.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Under the procedures by which it is proposed to consider the resolution, as I understand, there is to be an allocation of 1 hour of time, to be equally divided between the proponents and the opponents.

The PRESIDING OFFICER. Will the Senator from Montana permit the Chair to state the question?

The question is on the motion of the Senator from Kansas to discharge the Committee on Government Operations from further consideration of Senate Resolution 186, the subject of which is Reorganization Plan No. 7, relating to the Federal Maritime Board. The time will be equally divided between those favoring and those opposing the resolution, and debate thereon is limited under the law to not to exceed 1 hour.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be allocated so that 30 minutes will be under the control of the Senator from Kansas [Mr. SCHOEPPEL], and 30 minutes under the control of the chairman of the Committee on Government Operations, the Senator from Arkansas [Mr. McCLELLAN].

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

Mr. McCLELLAN. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Arkansas yield to himself?

Mr. McCLELLAN. Three minutes.

The procedure now being followed is a special procedure, and not the general rule of the Senate. This is a procedure that is prescribed when a reorganization plan is submitted, and the committee to which the reorganization plan is referred fails to take action on a resolution of disapproval that may have been referred to that committee.

So I felt that in view of the special procedure that is now being undertaken, I, on behalf of the committee, should make a brief statement for the RECORD, so that all Senators will understand why this course of action is being pursued.

Reorganization Plans Nos. 6 and 7, providing for reorganizations of the Federal Home Loan Bank Board and of the Maritime functions of the Federal Government, respectively, were submitted to the Congress on June 12, 1961, and referred to the Committees on Government Operations.

Resolutions of disapproval were filed in the House on June 12 and 13—House Resolutions 335 and 337 on plan No. 6 and House Resolutions 336 and 338 on plan No. 7. Hearings on the plans were held before a subcommittee of the House Committee on Government Operations on June 27, and the full committee voted to table the resolutions of disapproval on July 14, 1961.

Extensive hearings were also held before the House Committee on Merchant Marine and Fisheries on plan No. 7 on July 11, 12, and 13, 1961. An executive session was also held on July 18.

Under the procedure prescribed by the provisions of the Reorganization Act, motions to discharge the committee and to call up the resolutions—House Resolution 336, providing for the disapproval of plan No. 7, and House Resolution 335, providing for the disapproval of plan No. 6—for floor action were defeated in the House on July 20 and August 3, 1961, respectively. These actions were tantamount to approval of both plans by the House of Representatives.

As chairman of the Senate Committee on Government Operations, I requested the respective chairmen of the committees having legislative oversight jurisdiction over plans No. 6—the Senate Committee on Banking and Currency—and No. 7—the Committee on Commerce—to submit their views and recommendations on the plans.

I understand the Senate Committee on Commerce held hearings on plan No. 7 on July 19, and, at an executive session held on August 1, 1961, failed to reach an agreement as to what specific recommendations should be made to the Committee on Government Operations.

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

Mr. McCLELLAN. Mr. President, I yield myself an additional 3 minutes.

I have since received letters from the chairman, submitting the views of eight members of the Committee on Commerce. The chairman informed me that a majority of the committee favored the plan.

A letter was received by me as chairman of the committee from Senator JOHN SPARKMAN, chairman of the Subcommittee on Banking and Currency which considered a similar request made to that committee, favoring plan No. 6.

Senate Resolution 186, disapproving plan No. 7, was filed in the Senate on July 28, 1961, by the Senator from Maryland [Mr. BUTLER]. Senate Resolutions 187 and 188, disapproving plan No. 6, were filed on July 28 and July 31 by Senators DIRKSEN and CAPEHART, respectively. The one by Senator DIRKSEN 13 days ago, and the one by Senator CAPEHART only 10 days ago. All three of these resolutions were referred to the Committee on Government Operations.

The committee has had no requests for hearings on either of these resolutions. No communications have been received expressing opposition to either plan No. 6 or No. 7 except one wire from Mr. Everett T. Winter, ex-vice president of Mississippi Valley Association, against plan No. 7 and one other letter from the Maritime Audit Service. Three savings and loan organizations have, however, expressed an interest in plan No. 6, relating to the Federal Home Loan Bank Board, indicating that it would, in their view, improve the administration of the Board, if permitted to go into effect.

Inasmuch as hearings have been held on both of these plans by House committees and on plan No. 7 by the Senate Commerce Committee, and resolutions of disapproval were filed in the Senate on the dates I have stated, and only 14 days prior to the date the plans will become effective—August 11, 1961—unless disapproved by the Senate, it is my view that there has not been either sufficient time or the necessity for the Committee on Government Operations to hold hearings and thus duplicate the hearings held by other committees, nor is there sufficient time left to prepare and submit adequate reports to the Senate.

I point out those circumstances so that the Senate may know that the Committee on Government Operations actually has not had the time to hold hearings in order to process properly the resolutions of disapproval.

Subsequent to the filing of the resolutions, the Committee on Government Operations had no requests to hold hearings on the resolutions. The procedure today is in accordance with the Reorganization Act. If the committee takes no action, it is proper procedure for any Senator favoring the resolution to move to discharge the committee and to have a vote. Therefore, I say there is no serious objection on the part of the committee to being discharged from further consideration of the resolution but I wanted the RECORD to show that the reason the committee has not taken action is that there was actually no request for it, and because the resolution of disapproval was filed so late that we have not had fair opportunity to do so.

Mr. President, I yield 4 minutes to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I support Reorganization Plan No. 7 relating to Maritime and, consequently, oppose the resolution of disapproval. Basically at issue is that part of the plan which proposes to vest in the Secretary of Commerce the authority for promotion of the American merchant marine as embodied in the Merchant Marine Act of 1936. There appears to be substantial agreement that the separation of the functions—administrative from quasi-judicial—is desirable for better fulfillment of each. From this point it has been argued that since Congress can only accept or reject these plans it is the higher course of wisdom to take the bitter with the sweet and accept the new promotional structure.

It is my judgment that this argument overlooks the affirmative virtues of the plan before the Senate today. This was no hastily drafted or ill-thought-out product; it is perhaps the most carefully considered of all the plans submitted because it makes structural changes in an unusually sensitive field. The maritime industry and the agencies regulating it occupy positions where an atmosphere of public confidence is of the utmost importance. Theirs is a virtual partnership, frequently subjected to sharp criticism, but essential if the merchant marine is to fulfill its vital mission in both peacetime commerce and strategic emergency.

As I understand it, the initiative for defeating this plan comes from the merchant marine industry itself because of the fear that their substantial investments will be at the mercies of an arbitrary Secretary of Commerce. As the Senator from a noncontiguous State 99 percent dependent on service from an American merchant marine, no one realizes better than I do the need for protection and development of our privately owned ocean carriers. Primary assistance must be given to those long-term, responsible operators that will provide essential services despite the economic cycles common to trade by the seas. I would be as fearful as the industry if I thought that whim rather than fact, politics rather than principle, were to control the future course of their companies.

It is my firm belief that these fears are exaggerated. The Secretary of Commerce will have the affirmative function to promote the American merchant marine. And this is a measurable responsibility with reliable guides and standards developed over a period of time. Six, eight, twelve, or fourteen months from now Congress can evaluate how successful he has been—and Congress will be vigilant in this respect just as we have been a little negligent in the past. It can be determined readily whether the assigned function is being fulfilled—the Secretary is aware of this as well as the industry.

Moreover, one can hardly imagine a more forceful and powerful ally for this essential field than the Secretary of Commerce. Never before has this industry enjoyed a voice in the highest council of our Government, the Cabinet. Under this plan, they will have this representation. And far from him being a hostile spokesman, it has been the inevitable course of our administrative agencies for the sword to become a shield. Beginning with the ICC 80 years ago, the agencies always become the stanchest supporters and friend of the industry that originally imagined its death knell was sounding.

There is still another protection for the legitimate aims and investments in our merchant marine. In each case where a hearing is required or a hearing provided, the parties are entitled to and will receive all the guarantees of the Administrative Procedure Act. This act applies in every case unless specifically excepted—in the case of Reorganization Plan No. 7, there are no exceptions. As my colleagues know, these guarantees include appeal to the courts where abuse of discretion or arbitrariness can be corrected as in the case of other agencies.

The only argument advanced in opposition to plan No. 7 is that one man will now have the decisionmaking function previously exercised by a board of three. This appears to rest more on form than substance; however, to allay these fears the Secretary has agreed that the initial decision in subsidy matters should be made by the Maritime Administrator and his two top lieutenants. If he so chooses to exercise his authority it is an acceptable method. However, in the drafting of this plan extensive consideration was given to the problems of the past—mainly administrative delays and public distrusts of the exercise of the promotional functions. Many of us in this Chamber have at one time or another been sharply critical of the agency for deviations in these two particulars. And I believe this plan provides the mechanism for overcoming these shortcomings. When responsibility is diffused over a board of three—rather than centered in one man—there is the power to obstruct and delay. As we have experienced in the past, each points over his shoulder at the other but no decision ever appears. Finally, when one man is isolated with the decisionmaking power he is placed in a veritable glass cage where everyone can watch. He must of necessity place himself above suspicion of a decision influenced by ex parte representations or other communication. He can least afford the possibility of public distrust when he is above all the Secretary of Commerce.

Mr. President, far from this being a plan that is "livable," I believe it one that deserves the full support and cooperation of the Congress and the industry. It has been carefully designed to correct the failures of the old organization and prepare the groundwork for a more successful fulfillment of the ideals of the Merchant Marine Act, 1936. I hope that on closer examination all of my colleagues will find as I do that Reorganization Plan No. 7 deserves support.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may make a parliamentary inquiry without the time being charged to either side.

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

Mr. McCLELLAN. Am I correct in stating that there is an hour's time for debate on the pending motion to discharge the committee, equally divided between the proponents and opponents of the motion?

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. If the motion is adopted, that will automatically place the resolution on the calendar, will it not?

The PRESIDING OFFICER. That is correct.

Mr. McCLELLAN. Will a motion then be in order, after it is placed on the calendar, to call up the resolution for consideration?

The PRESIDING OFFICER. It is a privileged matter.

Mr. McCLELLAN. It is a privileged matter, but a motion would have to be made to call it up. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. It would be in order to call it up on motion.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. After it is called up, 10 hours of debate on the merits of the resolution would be in order. Is that correct?

The PRESIDING OFFICER. A maximum of 10 hours.

Mr. McCLELLAN. To be equally divided?

The PRESIDING OFFICER. Yes. That would be the maximum time provided by the act. The time could be reduced.

Mr. McCLELLAN. It could be reduced. The only thing I want to do is to advise Senators who may be interested in this subject matter that there will be ample time for debate, and that we do not have to crowd it all into this 1 hour.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCHOEPPEL. Mr. President, I yield myself 10 minutes. I appreciate the statement of the distinguished Senator from Arkansas [Mr. McCLELLAN]. I desire to state to the Senate that the resolution was submitted by the Senator from Maryland [Mr. BUTLER], who, if it were not for the fact that he is incapacitated and in the hospital at Baltimore, would be here in furtherance of the resolution. At the same time I wish to read, for the benefit of the Senate, a letter under date of August 4, which was sent to the Honorable WARREN G.

MAGNUSON, chairman of the Commerce Committee, by those of us who are on the minority side of the committee. The letter is as follows:

U.S. SENATE,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
August 4, 1961.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee, Washington, D.C.

DEAR SENATOR MAGNUSON: In accordance with the invitation which you expressed during our executive session on Tuesday, August 1, we are submitting herewith our views on Reorganization Plan No. 7 relating to the Maritime Board.

It is our understanding that you will transmit these views to the chairman of the Committee on Government Operations for the consideration of his committee. For that purpose an additional copy is furnished.

In our judgment, Reorganization Plan No. 7 properly separates the regulatory and the promotional activities of the present Maritime Board. We approve the transfer of the regulatory functions to a new Federal Maritime Commission. However, the testimony offered during consideration of Reorganization Plan No. 7 by our Merchant Marine and Fisheries Subcommittee amply justifies our view that it would be unsound to remove functions with respect to determination of subsidies from a statutory board and place those functions in the hands of the Secretary of Commerce.

As the record before our subcommittee shows (pp. 121 and 135 of transcript), former President Truman, in transmitting his Reorganization Plan No. 21, rejected the vesting of subsidy functions in a single individual and in so doing adhered to the recommendation of the Hoover Commission.

No doubt because of his awareness of these authoritative objections the Secretary of Commerce, in his testimony before our Merchant Marine and Fisheries Subcommittee, declared his purpose to establish within his Department a panel of three officials specifically charged with administering subsidy functions. Such a panel would exercise a delegated authority which, by its very nature, would be subject to countermand in particular instances or to complete revocation. It is notable that the shipping industry, with its own billions of dollars in investments to be considered, testified to its distrust of giving one man ultimate and sole responsibility for subsidy functions.

In our judgment the present Maritime Board should be retained and should continue in possession of the powers it now administers with respect to both ship construction and operating differential subsidies.

It should be noted in connection with plan No. 7 that although the reorganization plan respecting the Federal Communications Commission was disapproved, the Senate promptly enacted legislation to put into effect most of the provisions of the reorganization plan.

We would welcome similar action with respect to the Maritime Board and to that end we are willing to give prompt consideration and support to a bill which would establish a new Federal Maritime Commission and endow it with regulatory authority.

We respectfully recommend that the Senate Committee on Government Operations report favorably Senate Resolution 186 disapproving Reorganization Plan No. 7.

Sincerely,

ANDREW F. SCHOEPPEL.
JOHN MARSHALL BUTLER.
NORRIS COTTON.
CLIFFORD P. CASE.
THRUSTON B. MORTON.
HUGH SCOTT.

Mr. President, the distinguished Senator from Kentucky [Mr. MORTON] is en route to the Chamber. It had been my intention to follow with my own remarks his statement in favor of Senate Resolution 186. In his absence, I shall proceed with my statement.

I wish to emphasize that the nub of the problem with respect to Reorganization Plan No. 7 is that it was drawn too hastily and contains defects. Because it is a reorganization plan rather than a bill, it is before the Senate on a take-it-or-leave-it basis. We are without power to correct its defects. All we can do is accept it or reject it.

We had a similar problem when the reorganization plan relating to the Federal Communications Commission was before the Congress. When it was disapproved, both Houses moved promptly to enact the legislation that is genuinely needed. We can do the same with respect to the Federal Maritime Board.

I have heard nobody complain about part 1 of Reorganization Plan 7. This part would place regulatory functions in a five-man independent agency to be called the Federal Maritime Commission. It may seem strange to increase the number of Board members while splitting the work. It seems especially so in view of testimony that the regulatory phase properly comprises no more than about 10 percent of the total job to be done. However, nobody challenges the President's right to prefer a five-man over a three-man Commission. The important thing is that he recognizes in part 1 of his plan the wisdom of using a bipartisan independent board.

The President forsakes this wisdom in part II of the plan, and I can only judge that this is due to haste and oversight. At any rate, the White House quickly saw the error of seeking to put the administration of subsidies under the Secretary of Commerce rather than under a statutory board. To cure this defect, Secretary of Commerce Hodges announced that he would call upon a three-man panel of his own choosing to to make initial decisions in the subsidy area. Of course, such a panel could not make final decisions, because plan No. 7 specifically vests the power of decision in the Secretary himself.

Instead of trying to patch and shore up Reorganization Plan No. 7, the administration would have been better advised to send to the Congress a Reorganization Plan No. 7-a. This could have provided for the panel that the Secretary of Commerce sought to append as an afterthought to plan No. 7.

However, we cannot legislate on speculation or enact from hindsight. The concrete problem before us is that an unwise and defective reorganization plan will take effect on August 12 unless we stop it today. We can take the first step toward stopping it by voting now to discharge the Committee on Government Operations from the further consideration of the resolution of the Senator from Maryland [Mr. BUTLER] disapproving the plan.

I hope that the pending resolution will be agreed to. If it is, we can then expeditiously vote on the plan itself. In my humble judgment, we would not need the 10 hours of debate authorized by the Reorganization Act. Just a few minutes more should suffice. That would clear the way for us to deal in a legislative way with the problems of the Federal Maritime Board and the Maritime Administration. I, for one, would be ready to act without further hearings and would give my support immediately to a bill enacting part 1 of Reorganization Plan No. 7. Part 2 of the plan is controversial and defective. It could well wait until the next session.

Mr. President, I understand the distinguished Senator from Illinois [Mr. DIRKSEN] desires to speak on the resolution. He is not in the Chamber at the moment. I ask unanimous consent that I may suggest the absence of a quorum, the time for the quorum call to be charged to neither side.

Mr. McCLELLAN. Mr. President, will the Senator from Kansas withhold his suggestion of the absence of a quorum? In the temporary absence of the Senator from Illinois, I should like to yield time to two other Senators. In the meantime, the Senator from Illinois may come to the Chamber.

Mr. SCHOEPPEL. Mr. President, I withhold my suggestion of the absence of a quorum.

Mr. McCLELLAN. Mr. President, I yield 2 minutes to the distinguished Senator from Washington.

Mr. MAGNUSON. Mr. President, the Senator from Arkansas [Mr. McCLELLAN] stated correctly in his opening remarks on the motion the situation between the two committees of the Senate, namely, the Committee on Government Operations and the Committee on Commerce, with respect to Reorganization Plan No. 7.

The Senator from Arkansas, chairman of the Committee on Government Operations, has always been solicitous of the legislative committees having jurisdiction of the various reorganization plans which are submitted to his committee. He has always sought the advice and consent of such committees, and has even suggested that they hold the hearings on the proposed reorganization plans and give the Committee on Government Operations the benefit of such advice as they see fit.

The Committee on Commerce held hearings on Reorganization Plan No. 7. All members of the committee were not present at all the hearings, but there was a substantial attendance at each session. The committee heard representatives of the industry, the Secretary of Commerce, and other persons interested in this reorganization plan.

Much of the history of the maritime boards and commissions as they have existed in the Government was considered carefully, especially the old Maritime Commission, with the abolition of which the Senator from Washington had something to do at one time, and also the creation of the present Board under the Department of Commerce.

The new plan was discussed at the hearings and among the members of the committee. There were several views in the committee regarding the plan and some of its features. Some committee members expressed the feeling that they did not know if it was a good plan or not,

but were willing to try it out to see if it worked. As a result, I asked the individual members of the Committee on Commerce to send their views to me, as chairman, so that I might transmit them to the Senator from Arkansas, the chairman of the Committee on Government Operations. That was done.

The views of several members of the committee have been read by the Senator from Kansas [Mr. SCHOEPPEL]. Other members of the committee said they did not have any particular view and, therefore, implied that they thought the plan should become effective. Other members of the committee has differing views, but I believe there was absolutely no opposition, on the part of anyone who understands the entire maritime field and the operations of maritime commissions and the interest of the Government in that subject to the main part of the proposal, which would create a five-member Maritime Board to replace the present three-member Board or commission, and to place the operational part in the Department of Commerce, and to provide for the appointment of a proper person to handle it there.

The PRESIDING OFFICER (Mr. PELL in the chair). The time yielded to the Senator from Washington has expired.

Mr. MAGNUSON. Will the Senator from Arkansas yield 2 more minutes to me?

Mr. McCLELLAN. I yield.

The PRESIDING OFFICER. The Senator from Washington is recognized for 2 more minutes.

Mr. MAGNUSON. Mr. President, the main basis of some difference of opinion—although in no case was it particularly strong, as the Senator from Kansas has well stated—was as to whether the promotional group in the Department of Commerce should be composed of three persons appointed by the Secretary of Commerce or one person—as suggested by the reorganization plan—with two deputies.

Secretary Hodges testified that he thought the appointment of one person with two deputies would result in some semblance of unity in regard to these matters. Others said they thought the appointment of three persons might be preferable. However, no one has suggested that the opinions arrived at under such circumstances would necessarily be bad. But, as I told the Senator from Arkansas, the majority felt that we should try this proposed arrangement and see how it works.

Everyone is agreed in regard to the real core of the proposal, which is to separate the two functions and to add two more members to the Federal Maritime Board. Of course, if serious defects develop under this arrangement, we can make the necessary changes at the proper time.

I would say that the majority of the committee either have supported the plan in writing, or have made no statement at all regarding it—which, by implication, means that they do not object to it.

So I hope the plan carries.

I say to the Senator from Arkansas that I realize that we are now speaking on a motion to bring up the resolution, rather than on the resolution itself. I know it will be difficult for the Senator from Arkansas to speak in approval of a motion to discharge his committee. But I hope the motion to have the Senate consider the resolution will be agreed to, so that the Senate can vote on the proposal itself.

Mr. McCLELLAN. Let me say that it would not be difficult for me to vote for a motion to discharge the committee, if I thought that was the proper course to take.

Mr. MAGNUSON. Of course I realize that.

Let me say that if there is any defect in connection with the reorganization plan, it is the provision of so short a time between the time of submitting the plan and the time of its going into effect.

The PRESIDING OFFICER. The additional time yielded to the Senator from Washington has expired.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. What position does the Senator from Arkansas take in regard to the motion to discharge his committee, and why?

Mr. McCLELLAN. A moment ago I stated that this is a special procedure provided by the Reorganization Act. If the committee does not act on a resolution of disapproval, then a motion to discharge the committee is a privileged matter, and then is placed on the calendar, subject to immediate consideration.

I have no objection to having the Senate consider this matter on its merits. But these resolutions were filed only 10 days ago, and we have hardly had time to process them. We have not received a request for the holding of a hearing on the resolution.

Mr. LAUSCHE. Does the Senator think there should be hearings?

Mr. McCLELLAN. That is not the question now; in view of the fact that there is no time, we cannot hold hearings. These reorganization plans will go into effect tomorrow, unless the Senate first acts favorably upon a resolution of disapproval. But the Commerce Committee did hold a hearing.

Mr. LAUSCHE. I understand.

Mr. LONG of Hawaii. Mr. President——

Mr. McCLELLAN. I yield 2 minutes to the distinguished Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 2 minutes.

Mr. LONG of Hawaii. Mr. President, the acceptance of Reorganization Plan No. 7 is of urgent importance to me and to the people of my State.

We in Hawaii depend almost entirely on water transportation, in view of the fact that some two-thirds of our food and nine-tenths of other consumer commodities are imported by ship.

Further, our two major income-producing industries—sugar and pineapple—use ocean shipping entirely for moving hundreds of millions of dollars' worth of products to mainland markets.

Unfortunately, experience with the present organization shows that the problems of shipping between Hawaii and the mainland have never been afforded the expeditious treatment that they require. For example, our principal carrier filed a request for increased rates in September 1959; but still there is no decision from the Federal Maritime Board.

Other examples exist, with the result that neither consumers, shippers, nor carriers know where they stand. Such delays, Mr. President, impose an intolerable burden on our businessmen and consumers alike.

One of the main reasons for these inordinate delays is the fact that the present Board is charged with both promotional and regulatory functions. What we need—what we must have if we are to continue to prosper—is an agency that can and will give full-time attention to regulation in the public interest.

This, I firmly believe, will be the primary result of the implementation of Reorganization Plan No. 7.

I accept the statement of President Kennedy that promotional and regulatory functions should be administered by different agencies, in the interest both of efficiency and of single-minded regulation.

In this view Secretary Hodges fully concurs, as do the Bureau of the Budget and many others who are intimately acquainted with maritime problems.

I believe this reorganization is the first and most important step in securing the orderly regulation of shipping which the economy of Hawaii requires.

For these reasons, Mr. President, I am pleased to associate myself with other Senators who are supporting the administration in this matter, and I urge that the pending resolution of disapproval of the reorganization plan be defeated.

Mr. SCHOEPPEL. Mr. President, I allot 8 minutes to the distinguished Senator from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. President, I shall try to confine my remarks to less than 8 minutes.

Mr. President, as stated in the resolution which has just been read, the President transmitted Reorganization Plan No. 7 to the Congress on June 12. This is the plan which would reorganize the Federal Maritime Board. Under the terms of the Reorganization Act, it would take effect this coming Saturday, August 12, unless disapproved by either the House or the Senate.

The House has already had an opportunity to express its views, and through its vote on a motion to discharge the Committee on Government Operations from further consideration of a resolution of disapproval, it decided not to disapprove Reorganization Plan No. 7.

In the Senate, hearings were held on July 19 by the Merchant Marine and Fisheries Subcommittee of the Committee on Commerce. No hearings on the plan have been held by the Committee on Government Operations, which, since July 28 has had before it Senator BUTLER'S Senate Resolution 186. As 10 days have now passed since the introduction of that resolution without action by the Committee on Government Operations,

it is now in order to discharge the Committee on Government Operations from further consideration of Senate Resolution 186. That is the purpose of the resolution now before us.

I have mentioned that hearings on Reorganization Plan No. 7 were conducted by our Subcommittee on Merchant Marine and Fisheries. However, neither that subcommittee nor the full Commerce Committee recommended either approving or disapproving the plan. Instead, the committee authorized its members to transmit their views through the chairman of the Committee on Commerce to the chairman of the Committee on Government Operations. I ask that there be printed in my remarks at this point a copy of a statement of views dated August 4, 1961, which was sent to the chairman of the Committee on Commerce by all the minority members of that committee.

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

U.S. SENATE,
COMMITTEE ON COMMERCE,
August 4, 1961.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee, Washington, D.C.

DEAR SENATOR MAGNUSON: In accordance with the invitation which you expressed during our executive session on Tuesday, August 1, we are submitting herewith our views on Reorganization Plan No. 7 relating to the Maritime Board.

It is our understanding that you will transmit these views to the chairman of the Committee on Government Operations for the consideration of his committee. For that purpose an additional copy is furnished.

In our judgment, Reorganization Plan No. 7 properly separates the regulatory and the promotional activities of the present Maritime Board. We approve the transfer of the regulatory functions to a new Federal Maritime Commission. However, the testimony offered during consideration of Reorganization Plan No. 7 by our Merchant Marine and Fisheries Subcommittee amply justifies our view that it would be unsound to remove functions with respect to determination of subsidies from a statutory board and place those functions in the hands of the Secretary of Commerce.

As the record before our subcommittee shows (pp. 121 and 135 of transcript), former President Truman, in transmitting his Reorganization Plan No. 21, rejected the vesting of subsidy functions in a single individual and in so doing adhered to the recommendation of the Hoover Commission.

No doubt because of his awareness of these authoritative objections the Secretary of Commerce, in his testimony before our Merchant Marine and Fisheries Subcommittee, declared his purpose to establish within his Department a panel of three officials specifically charged with administering subsidy functions. Such a panel would exercise a delegated authority which, by its very nature, would be subject to countermand in particular instances or to complete revocation. It is notable that the shipping industry, with its own billions of dollars in investments to be considered, testified to its distrust of giving one man ultimate and sole responsibility for subsidy functions.

In our judgment the present Maritime Board should be retained and should continue in possession of the powers it now administers with respect to both ship construction and operating differential subsidies.

It should be noted in connection with plan No. 7 that although the reorganization plan respecting the Federal Communications Commission was disapproved, the Senate promptly enacted legislation to put into effect most of the provisions of the reorganization plan.

We would welcome similar action with respect to the Maritime Board and to that end we are willing to give prompt consideration and support to a bill which would establish a new Federal Maritime Commission and endow it with regulatory authority.

We respectfully recommend that the Senate Committee on Government Operations report favorably Senate Resolution 186 disapproving Reorganization Plan No. 7.

Sincerely,

ANDREW F. SCHOEPPEL.
JOHN MARSHALL BUTLER.
NORRIS COTTON.
CLIFFORD P. CASE.
THRUSTON B. MORTON.
HUGH SCOTT.

Mr. MORTON. Mr. President, I am certainly revealing no secret in pointing out that the administration is using all its influence to win approval, or rather to defeat disapproval of Reorganization Plan No. 7. There has been so much in the press about erosion of prestige through failure of the Congress to accept some of the reorganization plans that the White House has reacted with undue sensitivity. In consequence, it is prudent for the minority to reckon with the possibility that the only time we shall have to discuss Reorganization Plan No. 7 is the one-half hour accorded us on this motion to discharge. We are hopeful, of course, of winning enough Senators to our view so that the Committee on Government Operations will be discharged of further consideration and so that we shall then have an opportunity for a full debate on the merits. Nevertheless, I shall now seek to examine Reorganization Plan No. 7 as if this half hour will prove our only opportunity to debate it.

I am disturbed that we have been asked in Reorganization Plan No. 7 to approve sweeping changes in basic law with inadequate opportunity for detailed review of the effect of such changes on our maritime industry.

Briefly, Reorganization Plan No. 7 contains these proposals:

First. The plan would create a new Independent Statutory Board to administer the regulatory provisions in the Merchant Marine Act of 1916.

Second. The plan would abolish the present Federal Maritime Board and transfer to the Secretary of Commerce all of its promotional and administrative functions derived from the Merchant Marine Act of 1936.

These two proposals should be taken up separately, but the Congress, under the Reorganization Act must accept or reject plan 7 as a whole. Not so much as a comma in the President's proposal can be amended by the Congress, nor can we correct the technical and substantive deficiencies which exist in the plan.

At best, legislation by way of congressional inaction on reorganization plans is back-door legislation. The Reorganization Act of 1949 was intended to be limited to procedural and organizational changes necessary to increase efficiency in the executive branch. I should add that I am not against reorganization of Federal agencies as such. However, hastily drawn reorganization plans replete with deficiencies and incorporating sweeping changes in basic law amount to nothing less than the surrender of congressional authority and responsibility to the Executive.

Part 1 of plan No. 7 would establish a Federal Maritime Commission of five members and empower it to deal with regulatory matters under the Shipping Act of 1916.

Everyone agrees that effective regulation of the maritime industry is necessary, not only to protect the public, but also in the interest of the industry itself. However, effective regulation could be achieved without creating a new commission merely by increasing the number of regulatory employees available to the present Federal Maritime Board. This view is supported by Adm. Ralph E. Wilson, former Chairman of the Federal Maritime Board, and Adm. Emory S. Land, who in many quarters has been called the most able administrator we have ever had of our maritime programs.

Legislation is now before the Congress which would accomplish the administration objectives contained in part I of plan No. 7. If enacted, the Congress could then carefully consider the questionable and controversial features of part II. Further, through the legislative approach, it becomes possible to correct some technical deficiencies in part I which Congress is otherwise powerless to correct. For example, section 105 (b) and (c) provide a discretionary right of review by the Commission. If the Commission declines to exercise that right, the action of the subordinate "shall be deemed to be the action of the Commission." However, this conflicts with the Administrative Procedure Act. Under its section 8(b), parties have a statutory right to have an agency review their exceptions on appeal from a decision by subordinates in adjudicatory proceedings. The Attorney General's Manual on the Administrative Procedure Act, in this context says:

> Briefs on the law and facts which are filed by parties in support of their proposed findings and conclusions and exceptions, must be received and considered.

Part I of Reorganization Plan No. 7 would thus deprive parties in adjudicatory proceedings of rights which Congress has previously granted by law.

Part I also is deficient in transition language. To eliminate any question as to the status of orders already issued by the Federal Maritime Board, part I should provide that orders outstanding at the time of the transfer of responsibility to the proposed Federal Maritime Commission shall continue in force, subject to the same power of enforcement or review by the new agency as was vested in its predecessor. In the maritime industry, there is serious doubt whether existing rights to obtain judicial review of adverse agency decisions on regulatory matters are preserved by Reorganization Plan No. 7.

If the Congress avails itself of bills already introduced, or similar ones, there need be no delay in putting into effect part I of the proposed plan. We can do it before this session of the Congress adjourns. The maritime industry has indicated its support for this pro-

posal, and I believe it would receive the prompt support of both Houses of the Congress.

Part II of Reorganization Plan No. 7 presents far more serious problems than part I. Part II involves a basic revision of important features of the Merchant Marine Act, 1936. That act, Senators will recall, was specifically designed to develop and maintain an adequate and well-balanced American merchant marine sufficient to meet the economic and defense needs of the Nation. Accordingly, the Congress, after careful and extended review, decided that this purpose could best be accomplished by an act containing these safeguards:

First. The act is administered by an independent statutory board rather than by an individual.

Second. The Federal Maritime Board created by the 1936 act is an independent agency, its members being appointed by the President for a term of years with the advice and consent of the Senate. The Board is subject to the jurisdiction and supervision of the Congress, is free from subordination to the Executive, and its members are protected from removal by the President except for neglect of duty or malfeasance in office.

These requirements are expressly embodied in section 201 of the Merchant Marine Act of 1936.

Part II of plan No. 7 would abandon these basic concepts by transferring to the Secretary of Commerce all the functions and responsibilities now vested in the Federal Maritime Board excepting only such purely regulatory functions as would be transferred to the Federal Maritime Commission under part I. With one stroke of the pen there would be swept aside all of the many judicial and procedural protections inherent in an independent statutory board, and there would be substituted therefor executive branch determinations under the Secretary of Commerce.

The authority to be transferred from the independent Federal Maritime Board to the executive calls for the making of judgments on matters that can mean life or death to our American-flag merchant marine. The matters covered by the Merchant Marine Act of 1936 now within the jurisdiction of the statutory Federal Maritime Board which would be transferred to the Secretary of Commerce include the following:

First. The making, amending, and terminating of operating-differential and construction-differential subsidy contracts and conducting hearings related thereto.

Second. Make findings as to possible violations of contract provisions.

Third. Determining minimum manning scales, minimum wage scales, and minimum working conditions for all personnel employed on subsidized ships.

Fourth. Determining comparative foreign shipbuilding and operating costs.

Fifth. Determining relative costs of marine insurance.

Sixth. Approving characteristics and programing replacement shipping.

Seventh. Determining the adequacy of American-flag shipping on essential trade routes.

Decisions in these judgment matters can permanently affect the strength and adequacy of our American-flag merchant marine. They include the terms and conditions of long-range contracts and thus involve the commitment of large sums of money, both on the part of the Government and private contractors. The $4.5 billion long-range vessel replacement program undertaken by the industry in cooperation with the Government could be imperiled by injudicious or arbitrary handling of controversial issues which may arise between the principals and the Government.

In cases such as this impartial hearings are required under the safeguards provided in the 1936 act. Placing these important issues in the hands of a single administrator subject only to final review on appeal by superiors who do not have the time to deliberate and give comprehensive study to the issues is an invitation to pressure from all sides. Under the proposed plan, a presidentially appointed Maritime Administrator subordinate to the Secretary of Commerce, would be charged with all of these functions.

The Secretary of Commerce in testimony before the Senate Commerce Committee recognized that these quasi-judicial matters require consideration by more than a single official. He has stated that he will appoint two other officials in his department to serve as a panel with the Maritime Administrator in making these decisions. At best, however, this is a poor substitute for the statutory board which the plan would abolish.

While I realize that the Secretary of Commerce is trying to make the best of a bad plan, it must be remembered that a board which he says he would create and admits is necessary is not specifically included in the plan before us. It could be summarily abandoned even if it proved effective, at any time. In any event, such a panel would not have the bipartisan independent nature with continuity in office which the Congress has established as essential elements of the present Board. My distinguished colleague, Senator ENGLE, pointed out during hearings by the Commerce Committee on this proposal, that all three members of the Board proposed by the Secretary of Commerce will be his subordinates, so that if a secretary "wants to do some neckwringing he can do it all by himself." I noted myself, during the same hearings, that when I served in the executive branch of the Government, my assistants "jolly well agreed with me or they would not have been there very long."

The power to award operating differential subsidies and to fix the amount of operating differential and construction differential subsidies, closely parallels the granting of certificates of convenience and necessity or licenses by the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, and the Federal Power Commission. The grant of a subsidy, certificate, or license by these agencies, is tantamount to the power of life or death for the particular business entity involved. It is significant that all such licenses, certificates, or subsidies have been administered by statutory independent agencies. This is as it should be, especially where a choice must be made among mutually exclusive or conflicting applications.

Part II of Reorganization Plan No. 7 would reverse a carefully drawn and rarely violated historical legislative policy relating to quasi-judicial functions in the transportation area. One such instance I recall: Certain functions now under the Civil Aeronautics Board were once placed in the Department of Commerce. This proved unworkable and by Reorganization Plan No. 3, such authority was returned to the Civil Aeronautics Board. There has never been any explanation of why independent status is to be denied the agency controlling the maritime industry while it is retained for the agencies controlling all other forms of transportation.

The most difficult thing to understand is why a transfer of national maritime policy and program to the executive is now proposed since it has already been tried and found wanting. Prior to 1936, supervision of the national merchant marine policy program was actually in executive departments. The Post Office Department awarded and administered the ocean mail contracts authorized by the Merchant Marine Act of 1928. Effective in August 1933, the President, under statutory authority and by Executive Order 6166, abolished the U.S. Shipping Board and transferred its functions to the Department of Commerce. This method of administration was unsatisfactory. Following extensive departmental studies and recommendations and almost 2 years of congressional hearings, the Congress deliberately placed the administration of the Merchant Marine Act of 1936 in the hands of the independent statutory Federal Maritime Board. Through such action the Congress rejected the philosophy of executive control of the Merchant Marine Act of 1936 and instead placed responsibility under the statute in an independent agency composed of members appointed by the President with the advice and consent of the Senate for fixed and staggered terms.

In 1950, President Truman considered the advisability of transferring the Federal Maritime Board's function to the executive branch. He decided to retain an independent tribunal to handle subsidy matters and went to some lengths in submitting Reorganization Plan No. 21 to the Congress to emphasize:

> While the award of subsidies is a promotional rather than a regulatory function and might logically be assigned to the Maritime Administration instead of the Board, its impact on the shipping industry and on individual carriers is such as to make desirable the deliberation and combined judgment of a board. Accordingly, I have adhered to the recommendations of the Commission on Organization (the Hoover Commission) that this function be vested in a multiple body rather than a single official.

He also pointed out that the proposed reorganization would, as one of its "principal advantages, preserve the benefits of a bipartisan board for the determination of subsidies."

There has been no criticism of the functioning of the present Federal Maritime Board under the Merchant Marine Act of 1936 nor of the Maritime Administration. The extensive criticism which has received attention in the press relates to the regulatory activities of the Board under the 1916 Shipping Act. This is what is involved in part I of the President's proposed reorganization and has no bearing in any way upon part II. While no showing of necessity has ever been advanced for the sweeping changes proposed in part II, it has been suggested that placing these quasi-judicial responsibilities under the Secretary of Commerce would make for more efficient administration. This is a thin excuse for radical changes in national policy—it is small comfort to those who have invested their resources in our American merchant marine.

The administration has also urged, in principle, that a better job of promoting the American merchant marine can be accomplished under the administration of a single individual, the Secretary of Commerce. These assertions of high purpose without any specifics are vague in the extreme. What is overlooked in these arguments is that 11 years ago, by Reorganization Plan No. 21 of 1950, the Secretary of Commerce was vested with complete authority in the fields of research and development, and cargo and trade promotion. Such authority, however, has never been fully exploited in the past. It can and should be in the future. But the proposal made in part II of Reorganization Plan No. 7, to transfer quasi-judicial authority to the Secretary is in no way essential to this end.

The 15 private American steamship companies who have entered into subsidy contracts with the Government have committed almost a billion dollars toward the development of the finest peacetime fleet the United States has ever known. This heavy commitment, for what is in fact a rather small industry, relies upon a program of Government-industry cooperation grounded in the Merchant Marine Act of 1936. The industry is also under commitment to advance over $2 billion more during the next 10 or 12 years to complete the carefully programed fleet modernization now in progress. The confidence upon which this industry-Government partnership is grounded will be seriously shaken if one of the basic tenets of the partnership is radically changed as proposed in part II of Reorganization Plan No. 7.

I hope that the Senate will disapprove Reorganization Plan No. 7 and as a step in that direction will vote to discharge the Government Operations Committee from further consideration of the disapproval resolution. That will be our action if we heed the wise counsel of Adm. Emory Scott Land. Admiral Land was for 8 years Chairman of the U.S. Maritime Commission and was from February 9, 1942, until it was abolished, Chairman of the War Shipping Administration. More than any other man he deserves credit for the creation and successful operation of the vast fleets of merchant vessels which helped carry our forces to victory in World War II.

Admiral Land commented on Reorganization Plan No. 7 in a letter which he wrote to the chairman of the Senate Commerce Committee on July 6. He said in part:

> It is a step backward to the days before the 1936 act was enacted. It will not be slightly more expensive, but greatly more expensive.

If the Senate heeds Admiral Land's wise counsel, it will vote "aye" on the pending resolution.

Mr. President, in conclusion, I suppose I am for 90 percent of the proposal the administration has sent to Congress. Basically, what is concerned is that we have today a Maritime Board which handles not only regulation, but promotion. These two positions are incompatible. I think we all agree with that.

I commend the President and the members of his administration for sending to Congress the reorganization plan to do something about it. It takes the regulatory body outside of the Department of Commerce and sets it up independently. Its budget would be independently justified and would be included in the independent offices appropriation bill. But it leaves in the Department the promotional features. This I agree with.

However, I think there should be a board, rather than one man. What is proposed is to give one man the authority to spend $2 billion in the next 10 years. I myself would not want that job. Secretary Hodges, our very able Secretary of Commerce, realized this was a weakness, so when he came before our committee, he said:

> Well, I will appoint two deputies for him, so it will really be a three-man board.

Mr. President, I served in the administrative branch of Government. I had a deputy when I served as Assistant Secretary of State. We got together at staff meetings. We worked out policies. We reached certain conclusions. Once we had, he had to agree with me or he would be fired before dark. Providing two deputies under a man who has $2 billion at his disposal just would not get the job done.

I wish it were possible, under our procedures, to amend this measure, because I agree with the separation of the regulatory and promotional functions of the Board. However, that is not possible, but what we can do is what we did with the help of the Senator from Rhode Island [Mr. PASTORE]. We can write our own bill to reorganize the Maritime Commission, as we did the Federal Communications Commission. We have a bill introduced for that purpose today. We can get it passed and sent up to the White House and signed in a week.

I hope the Senate will think very carefully before it votes to give any one man the power of life and death over our great merchant marine. I do not know who would want the job. I would hate to take a job where I had to spend $2 billion on my own.

It is said that this will bring less pressure and less lobbying to bear, and will help the one man who has to make the decision. I think the decision should be made by three men, not more than two of them being from one political party. They should be appointed for a term of years, with the advice and consent of the Senate, so they will have some security there.

Mr. President, doling out $2 billion in the next 10 years is a great responsibility. I have great respect for the Secretary of Commerce. I point out that Henry Wallace was once Secretary. But one man with two deputies would make this decision.

I hope the Senate will reject the organization plan now before us.

Mr. SCHOEPPEL. Mr. President, I allocate 5 minutes to the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN].

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, first, I think we should clarify the parliamentary situation. The motion before us, as I understand it, is a motion to discharge the committee from further consideration of Reorganization Plan No. 7.

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. If that motion prevails, that, of course, terminates any consideration of the plan.

Mr. McCLELLAN. No. If it prevails, the Senate goes right on.

Mr. DIRKSEN. If the motion does not prevail, then the plan will not be considered on its merits.

The PRESIDING OFFICER. If the motion is approved, then the measure is put on the calendar and can be taken up when called up. If the motion is not approved, the measure does not go on the calendar.

Mr. DIRKSEN. If the motion is voted down, then, of course, that is the end of the proceeding.

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. Mr. President, I heard the inquiry addressed by the dinstinguished chairman of the Commerce Committee to the distinguished Senator from Arkansas that perhaps the plan ought to be discussed, rather than to sustain, or not, the motion to discharge the committee, so that it would not actually be before us.

Mr. MAGNUSON. To vote it up or down.

Mr. DIRKSEN. I did not catch the response of the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, what was the question?

Mr. DIRKSEN. Whether or not the Senator from Arkansas shared the view expressed by the Senator from Washington.

Mr. McCLELLAN. What view? I made a statement a while ago.

Mr. DIRKSEN. I was not in the Chamber at the time.

Mr. McCLELLAN. I said I had no serious objections to the committee being discharged, and I had no serious objections to the resolution being considered on its merits. I explained why the committee had not acted, and why the motion was made.

Mr. DIRKSEN. I utter the hope that the committee will be discharged and that the plan will come up for further consideration, because there are a number of highly important elements of consideration involved.

In 1953 President Truman reduced the number on the Board from five to three. The proposal before us now is to raise the number from three to five. I thought President Truman, in 1953, was pretty explicit in his reasons for it and why he thought the Board ought to be reduced in number.

Certainly, among other things, one can point out that it is proposed to add several appointive jobs, at $20,000 a year, plus the cost that goes with it. I am fully aware of the fact that $20,000 is a drop in the bucket as we spend money today. Yet, in the same breath, we are talking about sacrifices which must be made in a time of crisis.

So I prefer the Truman viewpoint, and would retain the number at three, instead of raising the number to five.

The second, and more important, part of the question is the matter of subsidies. I had these figures looked up. In 1961, the construction differential subsidy was $126 million. In 1962 it was $98 million. The only reason for the diminution was that there were some funds not obligated in fiscal 1961.

The operating subsidies were $150 million in 1961 and $182 million in 1962.

Actually, under the plan, that whole subsidy matter is going to be determined by a single person rather than a multiple board or a number of people.

To be sure, one could add deputies. One could add other people to help resolve the problem of subsidies. However, I think, in the interest of the American taxpayers, to have that resolved by a number of people after careful consideration would be infinitely preferable to imposing the entire authority in the hands of a single person.

The third important reason why I think this ought to come before us on its merits, and why I think the plan ought to be rejected, is the same one found in respect to some other reorganization plans; namely, the delegation of power.

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

Mr. SCHOEPPEL. Mr. President, I yield the Senator 3 more minutes.

Mr. DIRKSEN. Mr. President, actually the delegation of power was the real reason for the defeat of the SEC plan, of the Federal Communications plan, and also of the plan for the National Labor Relations Board.

I believe under section 105 that power can be delegated to a commissioner, to a group of employees, or even to a single employee. That would mean such broad powers as rate control, regulation of rates, practices, and agreements among maritime carriers could be committed to the hands of a single individual.

When we add to that the fact that there is no right of review, this would go a long, long way toward forestalling the right of the public to really get a day in court. The public would be cut off from a decision by the Commission itself, if that kind of power were delegated to an employee of the Board, and even more important is the fact that the right of review would be cut off. In the first instance, power could be delegated to an employee; and, in the second instance, if one came in for a review, the Commission would not be in a position even to review the action of one of its employees.

I do not believe anything more needs to be said, with one possible exception. A Maritime Administrator is set up under the plan, but is prescribed no duties whatsoever. The only duties he will have are the duties to be prescribed for him by the Secretary of Commerce. To me it is an amazing thing to set up a Maritime Administrator and then to prescribe no duties in the plan itself.

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

Mr. SCHOEPPEL. Mr. President, I yield the Senator 1 additional minute.

Mr. DIRKSEN. Mr. President, I have stated the reasons why I think the plan ought to be rejected. There is the broad power to a single individual with respect to subsidies. There is delegation of power to lower levels, including to an employee, who might deal with rates, contracts, and practices in the shipping industry. There is the cutting off of the right of review by the Commission itself.

I know of no other reasons which need to be stated why the plan on the merits ought to be rejected. Therefore, the committee ought to be discharged so that the plan can come before the Senate.

Mr. McCLELLAN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 4 minutes.

Mr. McCLELLAN. Mr. President, I yield 2 minutes to the distinguished Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I have been a member of the Committee on Commerce for 4½ years. During that period of time I have developed an attitude which has grown in doubt about the prudence with which our subsidy money for the merchant marine has been spent.

To speak with absolute sincerity, I have suffered anguish in observing the members of the merchant marine come before the committee and espouse every request for increased subsidies. It has been painful.

I do not subscribe to giving to one man the power to expend the huge sum of money involved, but in this instance I do not believe it will be any worse than the present situation. I have faith in the Secretary of Commerce. I believe he will do well.

I noted that in the previous administration the President of the United States did not want two passenger ships built, at a huge cost, but the merchant marine, in charge of the promotion, came in to advocate it.

I shall support the proposal made, and if it does not work we can subsequently, by statute, change it.

Mr. McCLELLAN. Mr. President, how much time remains on each side?

The PRESIDING OFFICER. The Senator from Arkansas has 2 minutes remaining, and the Senator from Kansas has 8 minutes remaining.

Mr. McCLELLAN. Mr. President, I yield myself the 2 minutes.

Mr. President, I wish to make it clear to my colleagues that in my judgment, the Committee on Government Operations has in no way neglected its duty. The committee is not compelled under the law or under the rules to process reorganization plans in any way. The committee is not even compelled to process a resolution of disapproval.

In this instance, the resolutions were not received in time for consideration. Had they been received in time, the committee would have held hearings and would have undertaken to make a report.

I am placed in a peculiar position, Mr. President. As chairman of the Committee on Government Operations, I do not like to vote to discharge my own committee. I do not like to vote against giving Members of the Senate an opportunity to consider a resolution on its merits. I have no objection to the resolution being considered on its merits, or to the Senate using 10 hours or any part of the 10 hours to debate, in the consideration of the resolution on its merits.

The House voted down the motion to consider the resolution of disapproval in the House. This whole question can be ended by a vote against the motion to consider the resolution. If the motion fails, that will end all consideration of the plan, and the plan will go into effect tomorrow.

If the Senate wishes to debate the plan, the only way it can be debated on its merits, to be considered for the 10 hours or for any part of the 10 hours, as the law provides, is for the Senate to vote to discharge the committee.

I am going to ask, Mr. President, that I be excused from voting, for the reasons I have stated. I hope my colleagues, under the circumstances, will grant me that privilege.

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

Mr. McCLELLAN. I am glad to yield.

Mr. HOLLAND. How else may the Members of the Senate be given a right to pass favorably or unfavorably upon the reorganization plan, unless it comes before the Senate?

Mr. McCLELLAN. I am sure every Senator knows that. I was saying very definitely I had no objection to that being done. I do not personally wish to vote to discharge my own committee. If other Senators wish to do that, it is all right, under the circumstances.

Mr. HOLLAND. Mr. President, would the Senator have any objection to a unanimous-consent request?

Mr. McCLELLAN. I have said I would not. If I were in the Senator's position and wished to discuss the plan on its merits, I would vote to discharge the committee. This is a circumstance over which we do not have control. The procedure is provided by the rules, so as to make certain that the Senate or the

House of Representatives can vote on these plans, and no committee can kill them. I only wish to emphasize that the Committee on Government Operations, under no circumstances and in no manner, undertook to withhold action on these plans. We are perfectly willing for them to be considered by the Senate.

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

Mr. LAUSCHE. Mr. President, will the Senator from Kansas yield me 1 minute?

Mr. SCHOEPPEL. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. While I favor the plan submitted, I still believe the Senate ought to have an opportunity to discuss the plan on its merits. Therefore, I shall vote to discharge the committee.

Mr. SCHOEPPEL. Mr. President, I allot myself 1 minute of my time.

I say to the Senators that I have profound respect and affection for the Senator from Arkansas, the chairman of the distinguished committee. Were it not for the procedural phase of the problem, to which we are forced to adhere in order to bring the resolution before the Senate, the motion to discharge the committee which operates under the distinguished Senator from Arkansas never would have been made. There is no recourse for us, other than to proceed along this line.

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

Mr. SCHOEPPEL. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. I wonder if the distinguished Senator from Arkansas, the very able chairman of the committee which has done such a fine job in so many fields, would have any objection to a unanimous-consent request that the motion of the Senator from Kansas be agreed to so that the Members of the Senate may vote the reorganization plan up or down on its merits.

Mr. McCLELLAN. Mr. President, I have stated over and over again that I have no objection to the reorganization plan being considered on its merits. However, I do not feel that I should be required to go on record as voting to discharge my own committee.

Mr. HOLLAND. Mr. President, I make such a unanimous consent request, merely because I think that every Senator has a responsibility on this question, as has every member of the Committee on Government Operations a responsibility.

Mr. DOUGLAS. Mr. President, reserving the right to object, if we approve of the plan—and I personally do—we can show such approval in a simple way by voting down the motion of the Senator from Kansas. I object.

Mr. SCHOEPPEL. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas [Mr. SCHOEPPEL] to discharge the committee from further consideration of Senate Resolution 186, relating to Reorganization Plan No. 7.

The motion was agreed to.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1962—CONFERENCE REPORT

Mr. ROBERTSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. ROBERTSON. Mr. President, I wish to make a relatively brief statement on the conference action on H.R. 7851, the Defense Department appropriation bill for fiscal year 1962. I hope to cover all the major points contained in the conference. I shall be happy to attempt to answer any questions when I am finished.

The conference action which is before you contains a total of $46,662,556,000. This is an amount $3,951,451,000 over the action by the House and $185,736,000 under the action by the Senate. It represents the largest peacetime budget in the U.S. history. I hope that a future generation will be able to point to it as a significant and successful deterrent to war.

In round numbers, it contains $11.8 billion for the Army, $14.5 billion for the Navy, $18.8 billion for the Air Force, $1.3 billion for the Office of the Secretary of Defense, and $207,600,000 for civil defense.

I shall now describe briefly the major changes made in the bill by the conference committee. You will recall that on July 26 the President submitted a supplemental request to the Senate for funds totaling $3,454,600,000. The conferees agreed to all of these increases.

In general terms, the increases provided will strengthen the combat readiness of Army divisions, improve the sealift and antisubmarine warfare capability of the Navy, and improve the airlift and strengthen the nuclear strike and air defense capability of the Air Force. Since the acting chairman and others described these items in full detail only a few days ago when the bill was originally presented to the Senate, I shall not describe them more fully at this time, unless requested to do so.

Included also by the conference were $514,500,000 for the continued production of long-range bombers, and $400 million for the development, test, and evaluation of the B–70 weapons system. Ten million dollars was also included for utility transport aircraft procurement. It is the hope of the members that these funds, which exceed the budget request in some instances, will be utilized by the administration in the coming year.

The conference restored half of the $58 million reduction made by the House for major repair and modification of facilities and provided language which, while permitting the utilization of funds for needed repairs to facilities, tightened the controls in section 637 over abuses of that activity.

The $40 million which the Senate added for the Army deficiency in the 1961 military personnel account was not approved. Instead, the committee agreed that the Secretary of Defense should investigate thoroughly the causes and responsibilities related to this matter and take corrective action.

Senate action was approved relating to drill pay for Air Reserve recovery units; operational funds for transport aircraft apart from MATS, SAC, and TAC; increased fuel costs for the Naval and Marine Air Reserve; Naval Academy repairs; three aviation maintenance battalions of the Army National Guard; and the maintenance costs of stepped-up C–97 conversions in the Air National Guard. An increase over the House of $5 million for the Air National Guard was also approved.

You will recall that included in the President's July 26 submission was $207.6 million for civil defense, which the Senate approved. The House conferees did not feel that they could agree to this amendment and the item was taken back to the floor of the House in disagreement. The House has concurred in the Senate amendment, so that the $207.6 million remains in the bill.

The conference agreed upon a number of language changes in the bill. The research, development, test, and evaluation accounts, which the House had split into two sections in order to limit operation funds to 1 year's availability, were restored to their original form, but notice has been served in the report that the Congress expects the services to provide uniform procedures to control housekeeping functions.

In section 612(c) the conference approved Senate action requested by the President providing authority to increase the size of the Armed Forces if necessary.

The provision which the Senate added to section 623 regarding the awarding of contracts on a formally advertised competitive basis to the lowest responsible bidder was approved, as was the Senate proviso to section 632 which would permit the Secretary of Defense to waive the limitation on the hire of motor vehicles, if deemed in the national interest.

Because of a possible national emergency, the Senate action deleting the limitation on travel expenses was agreed to, but section 633 retained the earmarking of funds for commercial passenger sea transportation on American-flag vessels. Senate action deleting section 534, the flight pay limitation, was also approved.

The section dealing with advertising costs was amended in the conference by deleting the last two exceptions provided by the Senate. As agreed in the conference, the prohibition shall not apply to recruitment of personnel by a contractor, the procurement of scarce items, and the disposal of scrap or surplus materials.

Section 638, inserted by the Senate, providing for a 6½-percent payment to retirement systems for National Guard personnel was not approved. The House conferees were adamant on this matter. The conference committee approves in principal a retirement system for these employees, but feels that appropriate legislation should precede appropriations.

In section 640, the conference approved a limitation of $200 million and appropriate language permitting the Secretary of Defense to transfer appropriations if required in the national interest.

In section 641, the conference approved validation of foreign duty pay to enlisted personnel who served on Texas towers.

In other actions, the conference approved the biweekly pay period system, increased funds for rifles and ammunition for rifle clubs, expediting a study relating to missile site support aircraft, the House limitation on the funds for the Dyna-Soar program, and the House figure related to the limitation on oversea dependent school costs.

I wish to pay tribute to all the members of the conference and to the chairman of the Senate subcommittee, Senator DENNIS CHAVEZ, who worked so hard on this bill. Generally speaking, I believe that the measure has been materially strengthened by the action of the Congress on the budget requests.

I ask unanimous consent that a table showing the House, Senate, and conference action on the bill be inserted at this point in my remarks.

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

Congressional action on H.R. 7851, the Department of Defense appropriation bill for fiscal year 1962

TITLE I—MILITARY PERSONNEL

Item	Appropriations, 1961	Budget estimates, 1962 (revised through July 26, 1961)	House action	Senate action	Conference report
Military personnel, Army	[1] $3,254,548,000	[2] $3,697,000,000	[3] $3,202,000,000	[3] $3,737,000,000	[3] $3,697,000,000
Military personnel, Navy	[4] 2,523,244,000	[5] 2,692,000,000	[6] 2,600,000,000	[6] 2,692,000,000	[6] 2,692,000,000
Military personnel, Marine Corps	[7] 606,746,000	[8] 629,000,000	[9] 629,000,000	[9] 629,000,000	[9] 629,000,000
Military personnel, Air Force	[10] 4,019,676,000	[11] 4,197,000,000	[12] 4,033,000,000	[12] 4,197,000,000	[12] 4,197,000,000
Reserve personnel, Army	233,998,000	199,000,000	221,000,000	221,000,000	221,000,000
Reserve personnel, Navy	87,584,000	84,600,000	84,600,000	84,600,000	84,600,000
Reserve personnel, Marine Corps	24,831,000	26,400,000	26,400,000	26,400,000	26,400,000
Reserve personnel, Air Force	54,000,000	52,000,000	52,000,000	56,000,000	56,000,000
National Guard personnel, Army	230,277,000	202,000,000	235,000,000	235,000,000	235,000,000
National Guard personnel, Air Force	46,000,000	47,000,000	47,000,000	47,000,000	47,000,000
Retired pay, Department of Defense	[13] 789,500,000	[14] 920,000,000	920,000,000	920,000,000	920,000,000
Total, title I, military personnel	11,870,404,000	12,746,000,000	12,050,000,000	12,845,000,000	12,805,000,000

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army	$3,208,522,000	[15] $3,716,000,000	$3,330,460,000	$3,747,710,000	$3,735,710,000
Operation and maintenance, Navy	2,598,297,000	[16] 2,905,000,000	2,695,885,000	2,896,900,000	2,889,535,000
Operation and maintenance, Marine Corps	176,725,000	[17] 188,000,000	186,700,000	187,900,000	187,300,000
Operation and maintenance, Air Force	4,315,398,000	[18] 4,542,000,000	4,299,740,000	4,498,541,000	4,486,740,000
Operation and maintenance, Army National Guard	166,316,000	171,300,000	169,900,000	173,300,000	171,000,000
Operation and maintenance, Air National Guard	189,481,000	193,400,000	193,600,000	206,400,000	199,600,000
National Board for the Promotion of Rifle Practice, Army	501,000	500,000	500,000	500,000	500,000
Operation and maintenance, Alaska Communication System, Army	7,230,000	6,300,000	6,300,000	6,300,000	6,300,000
Salaries and expenses, Secretary of Defense	19,850,000	21,000,000	20,000,000	20,000,000	20,000,000
Claims, Department of Defense	19,575,000	19,000,000	19,000,000	19,000,000	19,000,000
Contingencies, Department of Defense	15,000,000	30,000,000	15,000,000	15,000,000	15,000,000
Salaries and expenses, Court of Military Appeals	425,000	445,000	445,000	445,000	445,000
Total, title II, operation and maintenance	10,717,320,000	11,792,945,000	10,937,530,000	11,771,996,000	11,731,130,000

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army	$1,495,352,000	[19] $2,564,000,000	$1,991,360,000	$2,543,642,000	$2,532,602,000
Procurement of aircraft and missiles, Navy	2,141,760,000	[20] 2,735,600,000	2,148,160,000	2,691,760,000	2,680,888,000
Shipbuilding and conversion, Navy	2,316,360,000	[21] 2,915,000,000	2,897,860,000	2,897,860,000	2,897,860,000
Other procurement, Navy	420,980,000	[22] 869,400,000	689,920,000	855,320,000	852,012,000
Procurement, Marine Corps	91,180,000	[22] 270,000,000	198,940,000	265,940,000	264,600,000
Aircraft procurement, Air Force	3,251,449,000	[24] 3,200,500,000	[25] 2,916,684,000	[25] 3,223,444,000	[25] 3,199,614,000
Airlift modernization, Air Force	310,788,000	[26] 380,600,000	320,656,000	403,256,000	401,604,000
Missile procurement, Air Force	2,615,120,000	[27] 2,800,800,000	2,736,160,000	2,744,960,000	2,744,784,000
Other procurement, Air Force	877,171,000	[28] 1,124,100,000	981,274,000	1,103,374,000	1,100,932,000
Total, title III, procurement	13,520,160,000	16,860,000,000	14,881,014,000	16,729,556,000	16,674,896,000

[1] In addition $260,000,000 to be derived by transfer from stock fund. (Excludes $40,000,000 submitted in H. Doc. 180 which amount was recommended in Senate bill for fiscal year 1962, but excluded in conference.)

[2] Reflects decrease of $199,000,000 in H. Doc. 124. In addition, same document proposes increase of $215,000,000 to the $125,000,000 proposed in the January budget request to be derived by transfers. Includes increase of $495,000,000 in S. Doc. 39.

[3] In addition, $340,000,000 to be derived by transfer from stock and industrial funds.

[4] In addition, $75,000,000 to be derived by transfer from stock fund.

[5] Reflects decrease of $45,000,000 in H. Doc. 124. In addition, same document proposes $55,000,000 to be derived by transfer. Includes increase of $92,000,000 in S. Doc. 39.

[6] In addition, $55,000,000 to be derived by transfer from stock and industrial funds.

[7] In addition, $500,000 to be derived by transfer from stock fund.

[8] Reflects decrease of $3,000,000 in H. Doc. 124. In addition, same document proposes $11,000,000 to be derived by transfer. Also, includes increase of $12,000,000 in H. Doc. 179.

[9] In addition, $11,000,000 to be derived by transfer from stock fund.

[10] In addition, $30,000,000 to be derived by transfer from stock fund.

[11] Reflects decrease of $30,000,000 in H. Doc. 124. In addition, same document proposes increase of $39,000,000 in amount to be derived by transfer together with $25,000,000 proposed in the January budget request. Includes increase of $164,000,000 in S. Doc. 39.

[12] In addition, $64,000,000 to be derived by transfer from stock and industrial funds.

[13] Includes $14,500,000 granted in 4th supplemental appropriation bill, 1961.

[14] Includes $25,000,000 in H. Doc. 124.

[15] Includes $65,000,000 in H. Doc. 124. In addition, includes $394,000,000 in S. Doc. 39.

[16] Includes $94,000,000 in H. Doc. 124 and $3,000,000 in H. Doc. 179. In addition, includes $184,000,000 in S. Doc. 39.

[17] Includes $2,000,000 in H. Doc. 124 and $7,000,000 in H. Doc. 179.

[18] Includes $37,000,000 in H. Doc. 124. In addition, includes $165,000,000 in S. Doc. 39.

[19] Includes $109,000,000 in H. Doc. 124 and $100,000,000 in H. Doc. 179. In addition includes $552,000,000 in S. Doc. 39.

[20] Includes $192,000,000 in H. Doc. 124 and $543,600,000 in S. Doc. 39.

[21] Includes $1,090,000,000 in H. Doc. 124.

[22] Includes $79,000,000 in H. Doc. 124 and $165,400,000 in S. Doc. 39.

[23] Includes $25,000,000 in H. Doc. 124 and $38,000,000 in H. Doc. 179. In addition, includes $67,000,000 in S. Doc. 39.

[24] Includes decrease of $51,000,000 in H. Doc. 124 and increase of $211,500,000 in S. Doc. 39.

[25] In addition, $225,000,000 to be derived by transfer from funds appropriated in prior years.

[26] Includes $141,000,000 in H. Doc. 124 and $82,600,000 in S. Doc. 39.

[27] Includes decrease of $19,000,000 in H. Doc. 124 and increase of $8,800,000 in S. Doc. 39.

[28] Includes $25,000,000 in H. Doc. 124 and $122,100,000 in S. Doc. 39.

Congressional action on H.R. 7851, the Department of Defense appropriation bill for fiscal year 1962—Continued

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Item	Appropriations, 1961	Budget estimates, 1962 (revised through July 26, 1961)	House action	Senate action	Conference report
Research, development, test, and evaluation, Army	$1,053,286,000	[29] $1,205,400,000	[30] $1,202,700,000	$1,203,700,000	$1,203,200,000
Research, development, test, and evaluation, Navy	1,218,624,000	[31] 1,306,000,000	[32] 1,300,937,000	1,302,000,000	1,301,470,000
Research, development, test, and evaluation, Air Force	1,552,863,000	[33] 1,943,000,000	[34] 2,002,924,000	2,452,440,000	2,403,260,000
Salaries and expenses, Advanced Research Projects Agency, Department of Defense	215,000,000	[35] 186,000,000	186,000,000	186,000,000	186,000,000
Emergency fund, Department of Defense	[36] 150,000,000	[36] 150,000,000	[36] 150,000,000	[36] 150,000,000	[37] 150,000,000
Total, title IV, research, development, test, and evaluation	4,189,773,000	4,790,400,000	4,842,561,000	5,294,140,000	5,243,930,000
Grand total, titles I, II, III, and IV	40,297,657,000	46,189,345,000	42,711,105,000	46,640,692,000	46,454,956,000

TITLE V—CIVIL DEFENSE

Civil defense		[38] $207,600,000		$207,600,000	$207,600,000
Grand total, titles I, II, III, IV, and V	$40,297,657,000	46,396,945,000	$42,711,105,000	46,848,292,000	46,662,556,000

[29] Includes $75,000,000 in H. Doc. 124.
[30] Includes $372,700,000 for operation and maintenance of facilities and installations.
[31] Includes $39,000,000 in H. Doc. 124.
[32] Includes $447,537,000 for operation and maintenance of facilities and installations.
[33] Includes $241,000,000 in H. Doc. 124 and $65,000,000 in H. Doc. 179.
[34] Includes $447,724,000 for operation and maintenance of facilities and installations.
[35] Includes $21,000,000 in H. Doc. 124.
[36] In addition, $300,000,000 to be derived by transfer from other appropriations available for obligation in the respective fiscal year; $150,000,000 for regular emergency fund purposes and $150,000,000 to accelerate missile or satellite programs.
[37] In addition, $500,000,000 to be derived by transfer from other appropriations available for obligation in the respective fiscal year, $150,000,000 for regular emergency fund purposes, $150,000,000 to accelerate missile or satellite programs, and $200,000,000 to further improve the readiness of the Armed Forces.
[38] Included in S. Doc. 39.

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

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. Were the conferees unanimous in approving the report?

Mr. ROBERTSON. There was disagreement on the civil defense item. We disagreed on that item with the House conferees. The House, however, agreed to the position of the Senate conferees on the floor of the House today.

Mr. HUMPHREY. Mr. President, will the Senator tell the Senate whether the Senator from Massachusetts [Mr. SALTONSTALL], the ranking minority member of the conferees, supported the conference report?

Mr. ROBERTSON. There was one amendment that the Senator from Massachusetts [Mr. SALTONSTALL] took exception to, but the conferees agreed on it. The amendment related to the 1961 deficiency of $40 million for military personnel, Army. The remainder of the conferees agreed on it.

An amendment had been offered by the Senator from New Hampshire on exhibit advertising. The conference finally agreed that it be deleted.

Mr. HUMPHREY. The reason the Senator from Minnesota asked the question is to ascertain whether or not in the conference report the Senator from Virginia has the full support of both the majority and the minority.

Mr. ROBERTSON. All the conferees signed the report.

Mr. HUMPHREY. I call to the attention of the minority leader that all members of the conference signed the report.

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished Senator from Virginia concerning the item on civil defense. What was the nature of the compromise that was finally effected?

Mr. ROBERTSON. The compromise was that we agreed to the full amount that the President had requested.

Mr. DIRKSEN. The conference agreed to the full amount.

Mr. ROBERTSON. The conferees could not agree. The House conferees took the item back to the House, and the House moved to recede and to agree to the Senate position. The Senate position was that the entire amount of $207,600,000 be approved, so it all went in and is all agreed to now.

Mr. DIRKSEN. Mr. President, the $207,600,000 provided in the report is in addition to the amount that was requested in the first instance. The President made his supplemental request after he addressed the country, and I understood the amount was in addition to the original request.

Mr. HUMPHREY. The Senator is correct.

Mr. DIRKSEN. I wonder what the total amount for civil defense now is.

Mr. ROBERTSON. The President made a budget request earlier in another bill. We had a budget estimate for the Civil Defense Mobilization Director for a little over $85 million. That provision was in the independent offices bill. On July 26, the President recommend an additional $207,600,000, and that amount is in the present bill. That is all the civil defense money that is in the bill, and that was the President's last estimate.

Mr. DIRKSEN. Then the total amount provided for civil defense in the defense appropriation bill for 1962 and the independent offices appropriation bill aggregates something in excess of $300 million, as I recall?

Mr. ROBERTSON. The Senator is approximately correct.

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

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. What is the total amount appropriated?

Mr. ROBERTSON. Forty-six billion six hundred and sixty-two million five hundred and fifty-six thousand dollars.

Mr. HUMPHREY. What was the total amount contained in the Senate bill before the bill went to conference?

Mr. ROBERTSON. Forty-six billion eight hundred and forty-eight million two hundred and ninety-two thousand dollars. The conference report is $185,736,000 below the Senate figure.

Mr. HUMPHREY. That was the result of the conference.

Mr. ROBERTSON. In the interest of economy, a 2-percent reduction was taken on all procurement items except two.

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

Mr. ROBERTSON. I yield.

Mr. MILLER. May I ask the Senator from Virginia what action was taken on the advertising problem?

Mr. ROBERTSON. The problem, the Senator understands, applies only to cost-plus contracts. If a man obtains a firm bid contract, he can advertise as he sees fit, but he is subject to the general provisions about advertising being deducted as a necessary item of doing business. On cost-plus contracts he can advertise for scarce materials. He can advertise to dispose of surplus material. He can advertise for needed personnel, subject to regulations to be issued by the Secretary of Defense.

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

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. In a letter to the Secretary of Defense the committee chairman inserted a statement about exhibits at Government expense for advertising.

Mr. ROBERTSON. The Senator is correct. To make the point clear, it did not apply to the advertising that a man would do if he had a firm-bid contract.

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

Mr. ROBERTSON. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. May I say to the chairman of the conference that he did an excellent job, and I think that in the conference report the position of the Senate came off substantially as we had voted.

Mr. ROBERTSON. I thank the distinguished Senator from Massachusetts.

Mr. SCHOEPPEL. I wish to express my appreciation to the distinguished Senator from Virginia for the excellent

job he has done with reference to the conference report.

Mr. ROBERTSON. I thank my friend.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7851, which was read, as follows:

Resolved, That the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7851) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes."

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 26, 41, 54, 64, and 65 to the aforesaid bill, and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 69 to aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

"SEC. 636. No part of the funds appropriated herein shall be available for paying the costs of advertising by any defense contractor, except advertising for which payment is made from profits, and such advertising shall not be considered a part of any defense contract cost. The prohibition contained in this section shall not apply with respect to advertising conducted by any such contractor, in compliance with regulations which shall be promulgated by the Secretary of Defense, solely for (1) the recruitment by that contractor of personnel required for the performance by the contractor of obligations arising under a defense contract, (2) the procurement of scarce items required by the contractor for the performance of a defense contract, or (3) the disposal of scrap or surplus materials acquired by the contractor in the performance of a defense contract."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 71 to aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted, insert the following: "acquisition of new facilities, or alteration, expansion, extension or addition of existing facilities."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 74 to aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "SEC. 638. During the current fiscal year, the Secretary of Defense may, if he deems it vital to the security of the United States and in the national interest to further improve the readiness of the Armed Forces, including the reserve components, transfer under the authority and terms of the Emergency Fund an additional $200,000,000: *Provided,* That the transfer authority made available under the terms of the Emergency Fund Appropriation contained in this Act is hereby broadened to meet the requirements of this section: *Provided further,* That the Secretary of Defense shall notify the Appropriations Committees of the Congress promptly of all transfers made pursuant to this authority."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 75 to aforesaid bill, and concur therein with an amendment, as follows:

Change the section number to "639";

Agree to subsection "a";

Concur in subsections (b) and (c), amended to read as follows:

"(b) The Comptroller General of the United States, or his designee, shall relieve disbursing officers, including special disbursing agents, of the United States from accountability or responsibility for any payments described in the first paragraph of this section, and shall allow credits in the settlement of the accounts of those officers or agents for payments which are found to be free from fraud and collusion.

"(c) Appropriations available to the United States Air Force for the pay and allowances of enlisted personnel shall be available for payments under this section."

Mr. ROBERTSON. Mr. President, these are language amendments, and I move that the Senate concur in the House amendments to the Senate amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Virginia.

The motion was agreed to.

FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 1983), to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic and social development and internal and external security, and for other purposes.

REORGANIZATION PLAN NO. 7, RELATING TO THE FEDERAL MARITIME BOARD

Mr. SCHOEPPEL. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 186.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 186) disapproving Reorganization Plan No. 7 transmitted to Congress by the President on June 12, 1961.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DIRKSEN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. What is the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kansas that the Senate proceed to the consideration of Senate Resolution 186.

Mr. DIRKSEN. I understood the question before the Senate now to be the resolution to disapprove Reorganization Plan No. 7.

The PRESIDING OFFICER. The resolution is not yet before the Senate.

Mr. DIRKSEN. Then why do we not proceed to consider it?

The PRESIDING OFFICER. The question is whether the Senate will take it up.

Mr. DIRKSEN. I thought that question had been resolved. If not, I move that the resolution be laid before the Senate.

The PRESIDING OFFICER. That is the pending question. The Senator from Illinois has asked for the yeas and nays.

Mr. DIRKSEN. What is the pending business?

The PRESIDING OFFICER. The pending business is the consideration of the motion of the Senator from Kansas [Mr. SCHOEPPEL] to proceed to the consideration of Senate Resolution 186. The yeas and nays have been ordered.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded.

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

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Is it now proper to make a motion to proceed to the consideration of the resolution?

The PRESIDING OFFICER. That motion has already been made by the Senator from Kansas [Mr. SCHOEPPEL].

Mr. McCLELLAN. Is it proper now to vote on that motion?

The PRESIDING OFFICER. It is proper to vote on it now.

Mr. McCLELLAN. I suggest that we vote on it.

Mr. DIRKSEN. Will the Chair state for the benefit of the Senate exactly what the proposition is before the Senate?

The PRESIDING OFFICER. The proposition before the Senate is the motion of the Senator from Kansas [Mr. SCHOEPPEL] to proceed to the consideration of Senate Resolution 186.

Mr. DIRKSEN. As I understand it now, the Chair has stated that the question is on agreeing to the motion to consider the resolution. I thought we had disposed of the motion to consider it. What we desire is a yea-and-nay vote on the proposal to disavow Reorganization Plan No. 7.

The PRESIDING OFFICER. First it must be taken up.

Mr. McCLELLAN. Mr. President, I shall state what I believe to be the parliamentary situation. The earlier motion that was adopted was the motion to discharge the committee. When the committee was discharged, the resolution was automatically placed on the calendar.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. The resolution was then subject to being called up. The motion now is to call it up so that we can vote on it.

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the motion of the Senator from Kansas [Mr. SCHOEPPEL] that the Senate proceed to the consideration of Reorganization Plan No. 7.

The motion was agreed to.

Mr. DIRKSEN. Mr. President, on the question of agreeing to the resolution, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. MAGNUSON. As I understand, Senators who favor Reorganization Plan No. 7 will vote "nay" on the resolution of disapproval; Senators who disapprove of the reorganization plan will vote "yea."

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Mr. President, the question is still debatable, is it not?

The PRESIDING OFFICER. The Senator is correct. Ten hours of debate are provided under the rule.

Mr. SCHOEPPEL. Mr. President, I know of no Senator on this side of the aisle who desires to make a statement, unless he so indicates now.

Mr. DIRKSEN. Mr. President, I shall simply summarize what I said before. The reorganization plan proposes, first, to increase the membership of the Commission from three to five, which adds to the expense of the Commission. Second, it concentrates control over subsidies in the hands of one man. Third, it authorizes a delegation of power by the chairman not merely to a commissioner, but to a group of employees or to a single employee. It would make it possible to take away from the Board control over rates, contracts, and shipping practices and lodge it in the hands of a single employee of the Board. Fourth, that power could be lodged in the hands of a single employee, and no member of the public who might be aggrieved by such action could get a review by the Commission of any practice, any rate, any contract, or anything which appertains to the shipping industry.

It was for that reason that the plans to reorganize the Securities and Exchange Commission, the National Labor Relations Board, and the Federal Communications Commission were disapproved.

Finally, the proposal would create a Maritime Administrator, but would prescribe no duties for him except only those which may be assigned by the Secretary of Commerce.

Mr. President, this is, indeed, a very far reaching plan. In some respects, it goes infinitely further than some of the plans which were before the Senate before.

For these reasons, I believe the plan to reorganize the Maritime Commission should be disapproved and that the vote should be "yea."

The PRESIDING OFFICER. Do the Senators in control of the time yield back the remainder of their time?

Mr. HOLLAND. Mr. President, I wish to be heard on this question, but I am not quite ready. If some other Senator wishes to speak first, I shall be happy to defer to him.

Mr. LAUSCHE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield time to the Senator from Ohio?

Mr. LAUSCHE. Is the time allocated?

The PRESIDING OFFICER. The time is limited.

Mr. McCLELLAN. Automatically, by the rule relating to reorganizations, 10 hours of debate are allowed, 5 hours to each side. I shall be glad to yield to the Senator from Ohio as much time as he wishes.

INTIMIDATION OF SCHOOL-AID VOTES

Mr. LAUSCHE. Mr. President, last week a rather lengthy discussion took place in the Senate about the motives for inducing opposition to the efforts to add, by way of amendment, provisions which would enable the payment of moneys due to federally impacted school districts. Yesterday, August 9, the Washington Daily News published an editorial entitled "Intimidating School Votes." I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

INTIMIDATING SCHOOL VOTES

Schemers for federalized public education, temporarily blocked in Congress, are threatening economic reprisals which fall little short of blackmail.

To coerce votes for $2.5 billion in general school subsidy, they are threatening to withdraw aid to the "impacted" areas. They insist the two be tied in the same package.

"Impacted" areas include districts whose schools have been swamped by children whose parents have moved in to work for Government installations. There have been abuses of the system, sought to be corrected by our last two Presidents, but the principle is just. Lacking this customary aid, these school districts would be in severe trouble. Some would not be able to operate.

And since the districts are widely scattered, the threat puts heavy pressure on many Congressmen.

While some of the poorer States need help and all have to sacrifice to pay for good schools, the propaganda concerning a national education emergency is a fake. School expenditures have grown many times faster than enrollments. Average teaching loads have been reduced and teacher salaries, though still low, are rising considerably faster than the national average.

Injustice to gifted teachers remains but hardly can be corrected so long as pay and recognition are linked to college degrees, rather than individual proficiency—a system comparable to gaging musical genius by the number of lessons taken.

As an obvious vote-catching device the school subsidy bill provides cash for the wealthy States, as well as the poor, again emphasizing the obvious fundamental aim of this campaign which is gradually to take control of the schools away from the local boards and turn it over to professional educator-bureaucrats. This would be accomplished through regulations which are bound to accompany subsidies.

If there were sincere desire to ease local school tax burdens, this could be accomplished without either Federal subsidies or Federal controls. Remission of a few excises, such as the taxes on telephone service, would permit the States to reimpose them and raise their own money. But this would bypass the Federal bureaucrats and is not even being considered.

PURCHASE OF RECREATION AREAS FROM NATIONAL LAND RESERVE

Mr. McGEE. Mr. President, Mr. James Howard, the editor of my hometown newspaper at Laramie, Wyo., on August 6, 1961, wrote an excellent editorial lauding the recent announcement by the Secretary of Interior that recreation areas may now be purchased from the national land reserve for $2.50 an acre or lease them for 25 cents an acre per year.

The editorial further compliments the Secretary for the recently announced public land pricing schedule that will permit States, local governments, and nonprofit private organizations to obtain land sites for school construction for $2.50 an acre.

As pointed out in the editorial, we in the Western States, which have a large amount of public lands within their borders, are very much pleased with these new proposals. They represent this administration's sincere efforts to encourage the development of recreational areas and assistance in our educational endeavors, while at the same time abetting the transfer of suitable public land to public use under State or local control.

The Laramie Boomerang clearly states that the Secretary of Interior and the administration is putting into practice the principle that public lands do indeed belong to the public. I ask unanimous consent, that the editorial be printed at this point in the RECORD.

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

PUBLIC LANDS FOR THE PUBLIC

Two recent announcements from Secretary of the Interior Stewart L. Udall received practically no attention in the West where they will have their greatest effect.

One announcement from Udal' said State and local governments in public land States may purchase recreation areas from the national land reserve for $2.50 an acre or lease them for 25 cents an acre per year.

The other announcement told of a new public land pricing schedule that will permit States, and local governments and nonprofit private organizations to obtain land sites for school construction for $2.50 an acre.

Udall says the steps are another step in the Interior Department's program to encourage transfer of suitable public land to public use under State or local control.

Particularly in the West, and most particularly in the Rocky Mountain West these new proposals deserve acclaim.

This area certainly needs additional recreation areas and the demands on our education facilities are increasing daily.

For too many years public lands have not been used to their full capacity. Secretary Udall deserves our thanks for getting maximum benefits from these lands for the maximum number of people.

We hope he extends the present program even further. He is putting into practice the principle that public lands do indeed belong to the public.

CONVERSION, ALTERATION, AND REPAIR OF NAVAL VESSELS AT PRIVATE SHIP REPAIR YARDS

Mr. CANNON. Mr. President, recently I had the pleasure to sponsor together with Senator BUTLER and Senator BUSH, a bill, S. 721, to require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship repair yards.

A statement relative to this important subject matter of Navy yard competition with private enterprise was recently presented by the Shipbuilders Council of America before the special Subcommittee on Utilization of Naval Shipyard Facilities of the House Armed Services Committee, which sets forth the issues involved in an enlightened and clear perspective.

I ask unanimous consent that the statement be printed at this point in the RECORD.

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

STATEMENT BY EDWIN M. HOOD, VICE PRESIDENT, SHIPBUILDERS COUNCIL OF AMERICA, BEFORE SPECIAL SUBCOMMITTEE ON UTILIZATION OF NAVAL SHIPYARD FACILITIES, HOUSE ARMED SERVICES COMMITTEE

Mr. Chairman, members of the subcommittee, my name is Edwin M. Hood. I am vice president of the Shipbuilders Council of America, a national trade association of shipbuilding, ship repairing and allied industry companies. Rather than take up your time unduly with testimony from a series of individual witnesses, I have been asked to state the collective position of the industry.

We deeply appreciate this opportunity to give you our views on shipyard facilities to support the naval fleet. But, first, may I say, with deep conviction and genuine sincerity, we have a healthy and abiding respect for the U.S. Navy, and a continuing admiration for the officials, officers, and men of the Navy. Under increasingly difficult circumstances, the Navy has maintained the fleet in a state of readiness capable of meeting any emergency despite totally inadequate appropriations to replace our rapidly aging World War II fleet. We recognize the practical problems with which the Navy is confronted and want to help in their solution.

Through the years, we have built and repaired many ships for the Navy. And we want to continue to do so. The Navy is our principal customer. But, as Admiral James has said many times, the Navy, by the operation of naval shipyards, is also the biggest competitor of the private shipyards. This situation is true of no other defense industry. This odd phenomenon has not diminished the high regard in which we hold the Navy and particularly the staff of the Bureau of Ships.

On the first day of your hearings, Assistant Secretary BeLieu applied the word "system" in describing the naval shipyard support complex, and then rhetorically asked: "Would a different course increase our national security?" He also added that the naval shipyards "form the logistic base upon which our fleet depends for needed shore support." But, later in the same testimony, Secretary BeLieu said:

"And if you remember, I spoke of our need to maintain not only trained people and modern ships, but a logistics base.

"And this logistics base includes the naval shipyards, it also includes private shipyards, and it includes the whole strength of the country, as far as that is concerned."

In this same regard, you, Mr. Chairman, in your telegram of July 21, very aptly referred to the importance and indispensability of the private shipyard industry in this country. But, unfortunately, the private yards are not being maintained at suitable levels to meet this logistical responsibility.

It is to these points, which in our judgment are basic, we should like to address ourselves.

A review of the Nation's shipyard capability, both privately owned and Government owned, to mobilize for all contingencies cannot ignore the larger issues of national survival under past, present and future circumstances. Particularly under cold war conditions, economic and military goals are inseparable. The capacity of our economic system to produce the wherewithal, in sufficient quantity and regularity, to pay for ever-increasing, more costly defense requirements is the proven alternative to national calamity and national insolvency.

We must have a sound and ever-expanding economy if we are to achieve fiscal stability and protect our way of life while undertaking added military burdens. Our private economy generates the tax revenues necessary to finance military programs. And profits provide the incentive and the means for expansion.

The Federal Government promotes economic growth mainly by the contributions that it makes to conditions favorable to the exercise of private individual initiative and effort. Government action is not the principal, let alone the sole, determinant of the rate of economic growth. In our competitive enterprise system, growth requires that productive job opportunities be created in private employment.

This economic system has historically placed supreme reliance on privately owned industrial, business and commercial enterprises. Our tremendous economic growth, our prosperity, our productive capacity, our high standards of living, have developed because free men and women have followed the precepts of our forebears who settled in this country to escape burdensome taxation, governmental restrictions and often governmental suppression of freedoms. Our people and our entire Military Establishment are committed to the preservation of a way of life by which this great Nation has become the envy of the balance of the world.

In preserving and expanding our great heritage, the private shipbuilding and ship repairing industry of the United States seek to cooperate with the Congress, the Department of Defense and the Department of the Navy in the development of appropriate policies affecting naval ship procurements. The privately owned shipyards of this country seek to cooperate in the development of sound policies which advance national objectives and which are in the best public interest.

It is to be regretted that all too frequently there are those in the Government who look upon private industry as a mortal enemy. This unfortunate attitude overlooks the source of revenues by which the manifold interests of the government, at all levels, are sustained.

The role of privately owned shipyard facilities in our economic and defense structure needs restatement. In truth, it is the private shipyards, not the Government-owned facilities, which fundamentally serve the economic well-being of the Nation. A free market economy, composed of privately owned facilities, produces taxes while public enterprise consumes taxes. It is the private plus naval shipyard complex, properly and equitably utilized, which supports the material readiness of the naval fleet and maintains the American tradition of victory at sea.

Oddly enough, this complex exists half free and half nationalized, in contradiction to the free, competitive economic system we cherish and strive to nourish. Oddly enough, we have the anomaly of nationalized industrial activity competing with private industry. If seminationalization is good for naval purposes, why, then, aren't all other industries furnishing weapons, aircraft, and other military materiel similarly nationalized? A report of the House of Representatives, Committee on Government Operations, dated July 21, 1954, gives a reasonable answer to that question:

"If Government competition with private enterprise were pushed to its logical conclusion, the Government would ultimately destroy its source of income—commit national economic suicide."

There is nothing sacrosanct about the Government-owned, Government-operated shipyards. They possess no vested rights. The naval shipyards duplicate all that the private shipyards can do. Or, said differently, the private yards can do all that the naval shipyards can do where shipbuilding, ship repairing, ship alterations, and ship conversions are concerned. There is no basic prohibition to a greater utilization of private shipyard facilities. More realistic practices would better serve the need for economic well-being. And, thereby, the capacity of our economic system to produce the funds to pay for military defense will be strengthened.

But, what of the military role of the private shipyards? Adm. Arleigh A. Burke, the retiring Chief of Naval Operations, in defining seapower, assigns to the Nation's shipbuilding capacity an importance equal to that of weapons, armament, ships, and geography. The former Deputy Chief of Naval Operations for Logistics, Vice Adm. Ralph E. Wilson, has publicly testified that "the Navy is dependent, as heretofore, on private shipyards to assist in the activation, conversion, construction, and modernization of public and merchant shipping needed to maintain a strong posture to deter a war, to fight a war, and to assist in achieving the national objectives in peace and war." In 1959, Admiral Wilson also assured the mobilization planners that "the private ship repair industry is essential in maintaining our mobilization potential."

Sir Winston Churchill and other leaders of the free world, on more than one occasion, have paid tribute to the American shipbuilding and production genius which made it possible for the Allies in the 1941–44 period to balance "current losses with new ships," and eventually to "replace all our earlier losses." That shipbuilding and production genius, I do not have to remind this distinguished committee, was provided by both the private and naval shipyards of the United States—but, in far greater measure, by the private shipyards.

High naval authorities attest to, and the path of history has proven, the essentiality of the private shipyards to the Nation's mobilization potential. But, idle capacity in the private yards—and there is considerable today—is hardly contributing to economic health, let alone to national security.

Compare this fact, if you will, with the situation in the Government yards. To support a fleet of 10,000 vessels in the last World War, 11 naval shipyards were required. Today, 16 years after the end of World War II, to support a fleet of 817 naval ships, the same 11 naval shipyards remain at relatively high levels of employment. In the last 15 years, more than 20 private yards on all coasts have gone out of business because of a lack of work, and most of the remaining yards are operating at far less than normal capacities. Curiously, in that period, not one naval shipyard has been obliged to shut down, and predetermined employment levels in these shipyards are maintained through the assignment of work with little reference to the ultimate cost of the Government, effect upon our economic

base, or availability of privately owned, tax-producing facilities.

Today, as was illustrated by the charts submitted earlier in these hearings, there are, in terms of Navy shipwork, twice as many people employed in the naval shipyards as in the private yards. The figures, as Admiral James gave them, are roughly 97,000 people in the naval shipyards and about 48,000 in the private yards. A correlation of these figures indicates that in World War II, under peak circumstances, the naval shipyards required 34 men per ship, but now nearly 120 men per ship are needed. One more comparison is striking. In the great port of New York, the Brooklyn Navy Yard now employs close to 13,000 people, but employment in all of the privately owned shipyard facilities totals only 2,350.

In the last analysis, a congressional committee is the "board of directors" of a national government business enterprise. The taxpayers—the stockholders if you will—have every reason to expect that their funds will be spent wisely and effectively. The naval fleet is confronted with the problem of bloc obsolescence, and more money for new ships is badly needed. It is for you, as members of the "board of directors," to decide whether or not there is too much, non-tax-generating capacity in the naval shipyards, and whether or not this country should proceed farther along the road to nationalized industries. It is for you, as members of the "board of directors," to decide whether or not in the national interest the naval shipyards are overutilized and the private yards underutilized. We firmly believe the naval shipyards to be overutilized and the private yards underutilized.

The private shipbuilding and ship repairing industry has not, and does not now, advocate the elimination of naval shipyards. Adoption of the Constitution put the Government in the business of minting money and running the postal service. And it is conceded that even within the framework of a free, competitive economic system, government and private industry must engage in certain partnerships with precise limitations for the public good. President Kennedy puts it this way: "Working together, business and Government must do better—putting people back to work, using plants to capacity and spurring savings and investments with at least a large part of our economic gains—beginning not when our economy is back at the top, but beginning now."

Private and naval shipyards can and do work together harmoniously and efficiently. They complement each other, provided means are taken to insure to each its due relative precedence and weight in the determination of practical questions. To this end, a realistic decrease in employment and work levels in the naval shipyards is advocated. Every dollar of ship procurement contracts awarded to private industry instead of Government-owned, Government-operated facilities travels a greater distance in supporting our economic and defense structure. We believe the naval shipyards to be overutilized, and we believe an opportunity to get more mileage out of appropriated dollars for the construction, repair, alteration and conversion of naval vessels through a greater utilization of private shipyard facilities is being overlooked.

REORGANIZATION PLAN NO. 7, RELATING TO THE FEDERAL MARITIME BOARD

The Senate resumed the consideration of the resolution (S. Res. 186) covering Reorganization Plan No. 7, relating to the Federal Maritime Board.

Mr. McCLELLAN. Mr. President, does the minority leader have any further requests for time to discuss the reorganization plan?

Mr. DIRKSEN. I have no further requests for time on this side of the aisle.

Mr. McCLELLAN. The Senator from Florida has requested some time. I yield to him as much time as he may desire.

Mr. HOLLAND. I thank the Senator from Arkansas.

Mr. President, I thoroughly agree with the policy of the reorganization plan in dividing into two appropriate portions the duties of the present Maritime Board. I think the regulatory duties should be in one place, and the other duties in another place. However, I do not believe it is sound government or that it is anything which the Senate would wish to approve to place in the control of any one man—I do not care how good a man he is—the authority for the expenditure of the vast sums of money which are included in the two subsidies which would be handled by the Maritime Administrator under the provisions of the plan. The amounts of those subsidies for this year alone are $98 million for the construction differential subsidy and $182 million for operating differential subsidies, a total of $280 million—more than a quarter of a billion dollars.

Lest there be some misunderstanding, I wish to make it very plain that I have complete and unlimited confidence in the present Secretary of Commerce.

He is one of the finest men in government. He made a superb Governor of North Carolina, which is one of the finest and best governed States. I applauded heartily when he was named to the secretaryship of the Department of Commerce. I handle the appropriations for that Department in the subcommittee of which I have the responsibility to serve as chairman. Our relations are most cordial. I reiterate that I have complete and unlimited confidence in his probity, his integrity, and his sound judgment. As a matter of fact, there are few other persons in Government whom I put on a par with him, so far as fine judgment and decency are concerned.

However, I do not believe it is sound Government to apportion or allot to any one public servant, particularly to an appointive public servant, one who may be changed from time to time, and in this instance one who, I regret to say, will not be Secretary of Commerce indefinitely or permanently—I wish he would be, and I wish we had the assurance that such a good man would be Secretary of Commerce always—it is not sound government to place in one public servant, who is an appointive political servant, and necessarily in one political party, the right to control the expenditure of so much public money. I do not care how much affection we may have for Secretary Hodges—and there is no Senator whose affection for him surpasses mine—it is not doing a kind thing to him, and certainly it is not doing a good thing in government, to give to him the responsibility of the apportionment of contracts among serious competitors, who are fighting all the time to see who will build the new, modern ships, and how much money they will get from the Federal Government to subsidize the payment for those ships, and who will get the money in the form of subsidies for the routes which are traveled by those ships.

I do not think it is sound government to give to one man the apportionment of all that money; and I think it is sure to lead to difficulties on the part of the Administrator, and to doubts and suspicions on the part of the general public. So I think it is not the right thing to do.

Mr. President, let me compare and contrast this situation with what happened in regard to the Civil Aeronautics Board. The Civil Aeronautics Board handles substantially smaller sums of money than these, in providing for the subsidization of our commercial air carriers. But in the case of the Civil Aeronautics Board we require not only that there be a Board to handle those sums; we also require that the Board be bipartisan. We insist that not more than a simple majority of the Board can be composed of persons who belong to the same political party. I think that is sounder government and will bring satisfactory results. I believe that no matter how exemplary the individual concerned may be, we set a wrong precedent when we give to one person, no matter how exemplary he may be—and certainly there is no better man in our Government than the present Secretary of Commerce—the right to apportion, hand out, and distribute $280 million of Federal funds to highly competitive industries which are fighting for business in connection with the construction of ships, in the course of 1 year.

Mr. President, 1 year involves only a part of the effort, only a bit of the time. The principle runs much longer. It may run much past the time of the service of the present Secretary of Commerce. But regardless of that, and despite the fact that I have the greatest respect, as he well knows, for the able chairman of the Senate committee, who, I understand, holds a contrary view, I wish to say that I do not think we would be practicing sound government to approve a reorganization plan which would take the handling of this matter away from a bipartisan board, and, instead, would give it to one appointive political servant of our country, no matter how fine he may be.

For that reason, I shall vote against this reorganization plan, despite the fact that I think it is sound in at least one of its proposals; namely, separating the regulatory functions from the others. I think that would be a wise approach to this program. I am very sorry that we cannot vote for parts of this program without voting for all of them, and I am sorry that it is not subject to amendment.

I believe the legislative committee can do a much better job in handling this program than the one which would be done by means of this reorganization plan. I do not believe that any Senator who considers this matter seriously will feel that it is sound government to turn over to one appointive political servant the expenditure of more than one-quarter of a billion dollars of Federal funds in 1 year, in distributing that amount

among the highly competitive industries—all highly suspicious of each other—that are covered by the operations of this Board.

So, Mr. President, I shall vote against approval of the reorganization plan.

Mr. McCLELLAN. Mr. President, let me ask whether Senators on the other side wish to use any further time.

Mr. SCHOEPPEL. I think not.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kansas will state it.

Mr. SCHOEPPEL. Have the yeas and nays been ordered on the question of agreeing to the resolution of disapproval of the reorganization plan?

The PRESIDING OFFICER. Yes, the yeas and nays have been ordered.

Mr. McCLELLAN. Mr. President, I have no other requests for time, from Senators on this side.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. On this question, a vote "yea," will be in disapproval of the reorganization plan; and a vote "nay" will be in approval of the reorganization plan. Is that correct?

The PRESIDING OFFICER. That is correct. A "yea" vote will be in disapproval of the reorganization plan.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Is all remaining time yielded back?

Mr. DIRKSEN. Mr. President, I yield back all remaining time under my control.

Mr. McCLELLAN. Mr. President, I yield back the remainder of the time available to those in opposition.

The PRESIDING OFFICER. All remaining time on this question has been yielded back.

The question is on agreeing to the resolution of disapproval of Reorganization Plan No. 7. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Maryland [Mr. BUTLER]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Maryland would vote "yea."

On this vote, the Senator from Missouri [Mr. SYMINGTON] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Missouri would vote "nay," and the Senator from Kansas would vote "yea."

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BUTLER] is absent because of illness.

The Senator from Kansas [Mr. CARLSON] is absent on official business.

On this vote, the Senator from Maryland [Mr. BUTLER] is paired with the Senator from New Mexico [Mr. CHAVEZ]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from New Mexico would vote "nay."

On this vote, the Senator from Kansas [Mr. CARLSON] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Missouri would vote "nay."

The result was announced—yeas 35, nays 60, as follows:

[No. 133]

YEAS—35

Allott	Curtis	Morton
Beall	Dirksen	Mundt
Bennett	Dworshak	Prouty
Boggs	Goldwater	Robertson
Bridges	Hickenlooper	Saltonstall
Bush	Holland	Schoeppel
Byrd, Va.	Hruska	Scott
Capehart	Javits	Smith, Maine
Case, N.J.	Keating	Tower
Case, S. Dak.	Kuchel	Wiley
Cooper	Long, La.	Young, N. Dak.
Cotton	Miller	

NAYS—60

Aiken	Hartke	Monroney
Anderson	Hayden	Morse
Bartlett	Hickey	Moss
Bible	Hill	Muskie
Burdick	Humphrey	Neuberger
Byrd, W. Va.	Jackson	Pastore
Cannon	Johnston	Pell
Carroll	Jordan	Proxmire
Church	Kefauver	Randolph
Clark	Kerr	Russell
Dodd	Lausche	Smathers
Douglas	Long, Mo.	Smith, Mass.
Eastland	Long, Hawaii	Sparkman
Ellender	Magnuson	Stennis
Engle	Mansfield	Talmadge
Ervin	McCarthy	Thurmond
Fong	McClellan	Williams, N.J.
Gore	McGee	Williams, Del.
Gruening	McNamara	Yarborough
Hart	Metcalf	Young, Ohio

NOT VOTING—5

Butler	Chavez	Symington
Carlson	Fulbright	

So the resolution of disapproval was rejected.

FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title for the information of the Senate.

The Senate resumed the consideration of the bill (S. 1983) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world in their efforts toward economic and social development and internal and external security, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the four Byrd amendments be considered en bloc. I make that request with the full approval of the Senator from Virginia.

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

REORGANIZATION PLAN NO. 6, RELATING TO FEDERAL HOME LOAN BANK BOARD

Mr. DIRKSEN. Mr. President, I do not see the distinguished chairman of the Committee on Government Operations in the Chamber, but I promised I would advise the Senate that with respect to Reorganization Plan No. 6, to reorganize the Federal Home Loan Bank Board, I did submit a resolution of disavowal, but I do not intend to press it. It was submitted only because of the time factor involved, to give an opportunity for some manifestation of interest by the building industry and others. There is no great interest in resisting that particular plan, and it is certainly not my intention to seek to have the resolution considered. I thought the Senate ought to be advised on that point.

COMMUNICATION SATELLITE

Mr. HUMPHREY. Mr. President, I wish to invite the attention of the Senate to a statement by Dr. Robert Larsen, who is associated with a Minnesota firm named Midwest Technical Development Corp.

Dr. Larsen is close to the electronic industry in Minnesota which, he points out, is the fourth largest in the United States and is made up of numerous small businesses. This statement was filed today with the Subcommittee on Monopoly of the Select Committee on Small Business. The Senator from Louisiana [Mr. LONG], who chairs this subcommittee, is doing a thorough and painstaking job of examining this complex subject. Much valuable information has been brought out on the economic effects of the ownership of a communications satellite system. This knowledge will prove very valuable to the Congress in making policy decisions in this area. Dr. Larsen points out that small equipment manufacturers have an interest in eventual ownership of the system as he believes that it will affect the ability of small manufacturers to participate in the program.

He also points out that the large international carriers have inhouse electronic capabilities and that precautions must be taken to safeguard the right of small equipment manufacturers to bid on the manufacture of equipment for the system.

I might also add that the policy of the Congress on the subject of ownership must be formulated very carefully. The ultimate solution of outer space activities and the formulation of international law are extremely complex subjects and they are inextricably bound up in the solution of our policies for the communications satellite.

Mr. President, I ask unanimous consent that the statement be inserted in the body of the RECORD.

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

STATEMENT PREPARED FOR THE SELECT COMMITTEE ON SMALL BUSINESS OF THE U.S. SENATE, JULY 31, 1961

Mr. Chairman, I am very appreciative for the opportunity to appear before this committee to present my views on the role that

can be played and the difficulties that confront small business in the procurement of electronic systems. In particular, I wish to address my comments to the proposed establishment of a communications satellite system, to the method by which it might be procured, and to the effect that the method of procurement might have on the possibilities of small businesses sharing in this program.

My knowledge in this area comes from my background as a director and consultant for the Midwest Technical Development Corp. This is a closed-end investment trust, located in Minneapolis, Minn. Midwest Tech's function is to supply venture capital for small, technically oriented companies with the thought that its investment will grow in value as the companies prosper. In this connection, we have made investments in some 17 electronic companies who would be classified as small business corporations. This has given us an insight into problems which are common to all as they seek business and attempt to grow. It has given us a base from which to generalize.

In some ways, the Midwest area as it pertains to the electronic industry is, at this point in time, unique. In particular, this statement applies to the area surrounding the Twin Cities of Minneapolis and St. Paul. Starting 10 years ago from a base of one large company and several smaller ones, the Twin Cities have developed an electronic capability that is thought to be the fourth largest in the United States. By necessity, this total potential is made up, mainly, of a large number of small, electronically oriented business companies who because they have been in business but for a few years are still relatively small in size.

I have attached a list of such concerns to this statement. This list was prepared for me by the Small Business Administration regional office in Minneapolis.

As I understand it, there is under consideration, three general methods for the procurement of the communications satellite system. The first is that this system be built by four companies now dominating the communications field in the United States. These are A.T. & T., Western Union, I.T. & T, and RCA Communications. A second is that the work on the system be divided among a number of large companies with perhaps no more than 10 percent of the system going to any one concern. The third is that the U.S. Government act as prime contractor of the communications satellite system.

Under which of these alternatives would small electronic companies have the best chance of getting part of this business on a subcontract basis? Experience dictates that the chances are the least for the first alternative, and that they are improved under the second and third alternatives.

The work on the communications satellite system by 10 or more companies would mean that each of these companies would have the responsibility for the building of sections of the system. It is likely that several of these business concerns would not have the inhouse capabilities for the building of the design and the building of all parts of their section of responsibility. For example, in the Twin City area, Minneapolis-Honeywell subcontracts between 50 and 80 percent of the work that they undertake. Quite naturally, if Minneapolis-Honeywell is to be a part of this program, they would turn to those small businesses adjacent to their facilities with which they have established a satisfactory vendor-buyer relationship. This situation would be repeated around the country.

If the Government were to own the system, then by the mechanism of open bid distributed through the Small Business Administration, each small business would have the opportunity of learning of the business to be had.

Under any procedure, it is apparent that a central coordinator would be required. In the latter case, an agency of the U.S. Government would serve this function. In the case of multiple ownership, either the Government or a business firm could serve this function.

It cannot be denied that the need for coordination is lessened if the communications industry are the only companies involved. These companies have large inhouse electronic capabilities, and it is only natural that they would turn to their own divisions, subsidiaries, and affiliates in order to accomplish the work. It will be difficult, however, for outside small business to break into this complex.

It can be argued that the small business clause in Government contracts will give relief to this problem. By so doing, open bids will be made upon which any interested party can bid. In practice, however, we have found that this system has serious drawbacks.

In such a subcontract bid the requirements of the contract are set out in a series of specifications. These specifications can be drawn in such a way so that only one or two companies are able to satisfy these requirements. In many cases, these requirements are important to the successful completion of the job. In others, however, they are not. In fact, it has been often said that the important job of a technical salesman in the electronic industry is to influence the drawing of specifications so that only the product of his company will comply. Let me cite two examples.

Most all electronic components are packaged in a certain form. Because of this, by the expedience of a size specification, it is possible to exclude from the design all products except those of a certain company. Often, a competing company can change their model to meet this specification but quite often this requires a complete change in electronic circuitry, and thus the expense of this change makes the small business concern noncompetitive.

Specifications are also written on facilities. While such requirements are often very meaningful, the requirements are not always so and they can be so written as to exclude the chances of a particular small company.

Quality control measures are an example. Many small houses depend upon the reliability checks of their suppliers. The small business depends upon the thorough check of the final device to assure workability. A specification can be written to require checks of the subcomponents as well as the final device, and a larger house which makes this subcomponent is the only one which can satisfy this requirement. The net effect is such a specification is a directed procurement even though the smaller house can do the same job and often at a lower price.

The solution to these problems is not an easy one. It is quite natural that companies should wish to work with those subcontractors which are most familiar to them. It is probably wishful thinking to hope that directed specifications can be avoided by arbitrary rules. Consequently, the solutions appear to be to place the prime contracts in the hands of a disinterested party; for example, the Government, or to spread the prime contracts among enough large companies so that on a geographical basis, all small business concerns have an opportunity to place subcontractual bids with companies with whom they were previously affiliated. This latter situation is more nearly met by the proposal that the communications satellite system be divided among at least 10 prime contractors.

Thus, if it is the desire that the work on the communications satellite system be placed so that small business concerns have the best chance of obtaining a piece of the work, then it would be my recommendation that the work on the sections of the total system be widely dispersed.

Dr. R. A. LARSEN.

SMALL BUSINESS ADMINISTRATION,
Minneapolis, Minn., July 28, 1961.

List of electronic firms registered with the Minneapolis office of Small Business Administration (region VIII) having research and development capabilities:

Acrometal Products, Inc., 616 North Fifth Street, Minneapolis, Minn., specialize in processing ultrafine magnet wire used in the electronic field.

ADC, Inc., 2833 13th Avenue South, Minneapolis, Minn., design and development of transformers and electromagnetic components for use in electronic equipment.

Advanced Scientific Instruments, Inc., 5249 Hanson Court, Minneapolis, Minn., design of computers for controlling industrial processes. Peripheral equipment for digital and analog computers.

American Monarch Corp., 2801 37th Avenue NE., Minneapolis, Minn., telephone control power equipment. Voltage and current regulations, switches. Converters, inverters, rectifiers, and transformers. Relays and amplifiers.

American Television & Radio Co., 300 East Fourth Street, St. Paul, Minn., design and development of electronic components and accessories such as inverters, powerpacks, and rectifier units.

Beck's, Inc., 300 East Fifth Street, St. Paul, Minn., research, design, and development of high-temperature printed circuitry of both imbedded and flush type circuits, production of miniaturized and microminiaturized circuitry, design and production of miniature electronic components such as resistors, capacitors, potentiometers, and switches.

Buckbee Mears Co., Toni Building, St. Paul, Minn., photographic processes, techniques, and equipment as applied to metal etching, electroformed masks, glass etching, glass reticles, micromesh sieves.

Bureau of Engraving, Inc., 504 Fourth Street South, Minneapolis, Minn., design, production, and development of special printed circuits.

Central Engineering Co., 417 Taylor Street NE., Minneapolis, Minn., design and development of ignitron power controllers and high voltage and high current power supply units.

Consolidated Engineering Service, Inc., 807 13th Avenue South, Minneapolis, Minn., design and development of instrumentation for testing of electronic equipment, on computers, missiles, and allied devices.

Data Display, Inc., 1820 Como Avenue, St. Paul, Minn., radio, radar, and telemetering systems and equipment utilized to discover and determine the existence of a target or object. Design of electronic components, circuit elements, basic electronics, interference elements, and circuitry. Computing machinery and devices for readout and display of computer information.

Electric Motor Supply Co., 100 Third Avenue North, Minneapolis, Minn., the design and manufacture of electric control panels and control centers for portable power and plant starting systems.

Electro Nuclear Systems Corp., 3054 Excelsior Boulevard, Minneapolis, Minn., research equipment design for computers, instrumentation, method, and techniques.

Electro-Craft Corp., 1015 South Sixth Street, Minneapolis, Minn., production and design of elapsed time indicators, servomotors, reactors, magnetic clutches and brakes, magnetic servoamplifiers, high-temperature solenoids, and flight instruments.

Electro-Mation Co., 1821 University Avenue, St. Paul, Minn., design and develop-

ment of electronic control devices for automation of industrial processes.

Electro-Med, Inc., 3300 University Avenue SE., Minneapolis, Minn., specialize in medical electronic devices in the field of bioelectricity and telemetering equipment for physiological reactions and electrocardiotachometers.

Electronic Medical Systems, Inc., 1449 University Avenue, St. Paul, Minn., specialize in complete instrumentation systems and central readout of medical data for hospitals and clinics.

FluiDyne Engineering Corp., 5740 Wayzata Boulevard, Minneapolis, Minn., experimental research in flight simulation facilities and test techniques, studies of equipment and techniques for simulating space flight and environments, reentry, space connections.

General Electronic Control, Inc., 8001 Access Road, Bloomington, Minn., design and engineering of industrial control equipment, servomechanisms and servosystems. Design of automatic antenna couplers, RF test sets and RF dummy loads. Develop and design of audio transducer and amplifiers, transistorized amplifiers, and discriminators.

General Magnetics, Inc., 2461 Louisiana Avenue South, Minneapolis, Minn., design and development of electronic equipment including pulse transformers, fluid flow sensors and switches, magnetic systems and components.

Graham Research, Inc., 666 22d Avenue NE., Minneapolis, Minn., design and development of electromechanical precision parts for use in instrument and control application.

Instrument Control Co., 2309 Snelling Avenue South, Minneapolis, Minn., electronic welding control system, pressure gages, and cycle counters. The design and development of data-computing and data-scoring equipment for intelligence and aptitude testing.

E. F. Johnson Co., Waseca, Minn., design and production of electronic circuits, components, and equipment.

Lightning & Transients Research Institute, Inc., 2011 Foshay Tower, Minneapolis, Minn., radio noise reduction and lightning protection for aircraft.

Magnetic Controls Co., 6405 Cambridge Street, Minneapolis, Minn., design and production of solid-state and iron-core reactor-type precision temperature control systems for missiles, aircraft, radar delay lines, etc., the development of digital and analog data-processing equipment for use in logic circuitry and for submitting data on carrier frequency.

Melco Products, Inc., 301 Fifth Avenue South, Minneapolis, Minn., design and production of transformers and coils.

Micronics, Inc., 2613 Fourth Street SE., Minneapolis, Minn., permanent marking of anodized aluminum nameplates, instrument dials and panels, measuring instruments, etc. Instrument for measuring gas conductivity. Measures and controls humidity, temperature, pressure, radiation, voltage, and current.

Minco Products, Inc., 740 Washington Avenue North, Minneapolis, Minn., research, design and development of miniaturized and subminiaturized thermistors, temperature sensors, and heaters and thermoribbons for airborne and industrial application.

Miniature Instruments, Inc., 9440 Science Center Drive, Minneapolis, Minn., electrical connectors and Swiss components for inertial guidance and computer systems. Gear drive and gear trains, miniature and microminiature components for missile and computer industry.

Miratel, First Street SE., and Richardson, New Brighton, Minn., electronic display units for TV and pulse code readout. HF and UHF transceivers. Major components and complete sets such as: transmitters, receivers, television cameras, etc., their design performance, operation, maintenance countermeasures, etc. Visual display units for infrared pickup devices. Television for hazardous area observance launching, handling, etc. Visual data reduction and television optical systems.

National Connector Corp., Science-Industry Center, Minneapolis, Minn., the design and production of special electrical connectors and insulating elements of silicon and apoxy laminates for electronic industry.

Nobles Engineering & Manufacturing Co., 645 East Seventh Street, St. Paul, Minn., research and development of sound recording and sound amplification systems.

Nu-Line Industries, Inc., 1015 South Sixth Street, Minneapolis, Minn., research and development of special connectors for electronic use, quick disconnect, RF breakaway, environment resistant, high and low voltage. Subminiature connectors for computers and missiles. Precision miniature electrical connectors for flight instrumentation and navigational control units.

Precision, Inc., 4748 France Avenue North, Minneapolis, Minn., electronic component manufacturers.

Professional Instrument Co., 6824 West Lake Street, Minneapolis, Minn., basic research in connection with development of ultra-accurate machines for producing spherical, cylindrical, and flat surfaces. Design and development of air bearing spindles, slides, and related devices for guidance and control systems.

Ramsey Engineering Co., 1853 West County Road C., St. Paul, Minn., design of components, systems, laboratory and testing devices for computers and instrumentation.

Raven Industries, Inc., Box 227, Sioux Falls, S. Dak., design and fabrication of "sky hook" balloon for high-altitude tests. Electromechanical components and assemblies, precision resistors, wiring harnesses.

Research, Inc., Post Office Box 6164, Edina Station, Minneapolis, Minn., analog computers and power controllers. Aircraft landing arrester systems, including complete electronic controllers, engagement devices, and energy-absorbing devices.

Rosemount Engineering Co., 4900 West 78th Street, Minneapolis, Minn., design and production of precision temperature transducers. Aeronautical research in areas of basic aeronautical and fluid flow.

G. T. Schjeldahl Co., 202 South Division Street, Northfield, Minn., design and development of pressure transducers, temperature sensers, infrared radiation devices, blood-flow meters, printed circuitry, mechanical variable speed transmissions. Research development, design, and manufacture of stratospheric balloons and flight instrumentation.

Setohall-Carlson, Inc., New Brighton, Minn., manufacture FM tuners (88 to 108 megacycles) also AM tuners (550 kilocycles to 1600 kilocycles), TV receivers (home), TV monitors. Television IF coils. High-voltage flyback transformers. Radio (AM and FM) IF and RF coils.

Superior Plating, Inc., 315 First Avenue NE., Minneapolis, Minn., electrical plating, space age metals. Application of metallic coatings to nonconductors with and without the usual silvering methods to obtain conductivity. High-temperature point circuits.

Terado Co., 1068 Raymond Avenue, St. Paul, Minn., design and development and manufacture of converters, battery chargers, and microminiature relays.

Tescom Corp., 2633 Fourth Street SE., Minneapolis, Minn., conduct studies of fluid control systems for ground support equipment.

Transistor Electronics Corp., design and production of miniaturized neon and incandescent indicator lights and digital display unit using transistor circuitry to operate lights from low signal and/or supply voltages. Design and production of semiconductor test instruments.

Washington Scientific Industries, Inc., 13111 Wayzata Boulevard, Minneapolis, Minn., airborne electromechanical instrumentation. Servomechanism controls. Precision miniature gear train assemblies.

The Waters Corp., Post Office Box 529, Rochester, Minn., design and production of electromedical instruments.

Winzen Research, Inc., 8401 Lyndale Avenue South, Minneapolis, Minn., research and development of stratospheric balloons and plastic containers, electronic instrumentation, radio beacons, altimeters, controls, and telemetering systems.

Wright Zimmerman, Inc., New Brighton, St. Paul, Minn., specialize in the design and development of RF coils, speakers, and flyback and pulse transformers and similar electronic equipment.

FREEDMEN'S HOSPITAL

Mr. HUMPHREY. Mr. President, I was extremely pleased to see that yesterday the House of Representatives passed the bill to build a new teaching and community service facility for Freedmen's Hospital and to transfer administrative control of the hospital from the Department of Health, Education, and Welfare to Howard University. From my inspection tour, I know the importance of this House action. I know the hope it must bring to those persons responsible for running Freedmen's. Now it is my hope that prompt Senate action can be secured this session.

As Senators know, I have introduced a bill, S. 2265, which is essentially the companion measure to H.R. 6302, the bill passed yesterday by the House. There is, however, one fundamental difference. Whereas the House bill authorizes a hospital of not to exceed 500 beds, including the 150 beds already existing in the 20-year-old annex, my bill sets an 850-bed limit, excluding the annex. I believe this is a very important difference.

The 500-bed figure was recommended by the Department of Health, Education, and Welfare. This particular figure stems from the Freedmen's Hospital Study Commission, which in 1955 reported on the critical lack of adequate facilities at Freedmen's and recommended that a 500-bed hospital be built immediately. Without criticizing the work of this Commission in any way, let me say in all frankness that I have been unable to find any justification for the 500-bed recommendation. Apparently this number was selected as a convenient and reasonable size to recommend. No departmental survey was undertaken to determine what really were the hospital's needs.

I have recently received a letter from Mr. Clifford E. Rucker, executive director of Minnesota's Human Rights Commission. Let me quote several illuminating sentences from Mr. Rucker's letter:

> At that time [1955], as our report indicated, Freedmen's Hospital was sorely in need of a new modern facility; and it is amazing that now 6 years later these same, or even more depressing, conditions prevail. Further, in 1955, there did not seem to be one decent reason why this antiquated and steadily deteriorating structure should not be replaced; and while our recommendation was for a new 500-bed hospital, that figure was not a substantiated one.

Mr. Rucker continues:

I am convinced the need for an 850-bed facility as proposed in your bill is much more realistic. * * * The needs of Freedmen's Hospital, serving unusually large clientele, and ineligible to receive Hill-Burton funds, were highly urgent then, and I am certain even more so now.

Mr. President, I think this is a very important statement from a member of the staff that prepared the Study Commission report. I ask unanimous consent that Mr. Rucker's letter be printed in full in the RECORD at this point in my remarks.

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

STATE OF MINNESOTA,
GOVERNOR'S HUMAN RIGHTS COMMISSION,
St. Paul, July 21, 1961.

Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR HUBERT: I have just finished reading your remarks to the Senate on the Freedmen's Hospital situation as printed in the CONGRESSIONAL RECORD of Monday, July 17, 1961. Having been a staff member of the 1955 Freedmen's Hospital Study Commission appointed by the then Secretary Oveta Culp Hobby, your appraisal of the Howard University situation certainly rings a familiar note.

At that time, as our report indicated, Freedmen's Hospital was sorely in need of a new modern facility; and it is amazing that now 6 years later these same, or even more depressing, conditions prevail. Further, in 1955 there did not seem to be one decent reason why this antiquated and steadily deteriorating structure should not be replaced; and while our recommendation was for a new 500-bed hospital, that figure was not a substantiated one.

I am convinced the need for an 850-bed facility as proposed in your bill is much more realistic. It was clear to those of us who worked with the Study Commission in 1955 that the Federal Government had not met its responsibility to provide Freedmen's Hospital with an adequate physical plant. We noted, for example, that every other major hospital facility in the Washington metropolitan area had either constructed or had underway new physical plants.

The needs of Freedmen's Hospital, serving unusually large clientele, and ineligible to receive Hill-Burton funds were highly urgent then, and I am certain even more so now. I am hopeful the Congress of the United States will give immediate and favorable consideration to your bill S. 2265 in establishing an adequate teaching hospital for Howard University and a major hospital facility for the citizens of the District of Columbia.

With best wishes.

Sincerely yours,

CLIFFORD E. RUCKER,
Executive Director.

Mr. HUMPHREY. Mr. President, while a survey was not made in 1955, one has recently been completed by the medical staff of the hospital. A careful, scientific study of each medical department was made and sent to the Public Health Service for evaluation. This report has been printed in full in the RECORD on pages 12671–12674. On the basis of this departmental survey, 850 beds were recommended by the hospital's medical and teaching staff. I believe this evidence demands the most serious consideration before the authorized size of the new Freedmen's Hospital is finally established. Yesterday I sent a letter to Assistant Secretary of Health, Education, and Welfare Wilbur Cohen asking that their recommendation for 500 beds be reconsidered in light of the hospital's report. I am confident this request will receive the Department's prompt attention.

Why does Freedmen's need 850 beds? We must remember that Freedmen's is the teaching hospital for the Howard University School of Medicine. This is a most important point. In order to maintain accredited residency programs in various medical specialties, a certain minimum bed capacity must exist. To the layman it sounds somewhat crass, but medical students need a full supply of cases to work with. One cannot learn medical specialties without day-to-day exposure to a number of cases. This calls for a minimum number of beds in each department. When Freedmen's staff added everything up, the total requirements were 850 beds.

Moreover, as Mr. Rucker noted in his letter, the additional beds can be justified merely on the shortages of hospital space existing in the Washington metropolitan area at the present time. While Freedmen's has never been a segregated hospital, a large majority of its patients are Negroes. It is well known an above-average shortage of readily available hospital beds exists for most Negroes. Any reasonable act that will improve this situation should, in my opinion, be taken immediately.

Let us not forget that it takes about two generations of talking, planning, pleading, and working to build a hospital of this type. Once this pending measure has become law, it will be many, many years before any additional construction is even considered. Dedicated people have been actively working for this new building since 1938. Mr. President, that is 23 years to get where we are today. So let us act with foresight when we pass this bill. Let us build a hospital sufficiently large to last a few years before becoming critically overcrowded. In short, let us do the job right.

Again, I want to say how pleased I am about the House's action. The bill's sponsor, Mrs. GREEN, of Oregon, should be highly commended for her excellent leadership, both in committee and on the floor. She and her colleagues on the Education and Labor Committee have made a fine contribution, and they should be congratulated.

My bill must now be considered by the Labor and Public Welfare Committee. I do not know the committee work schedule at this time, but I sincerely hope this proposed legislation can be taken up by the committee in time for full Senate action this session. The committee has passed this general bill before—in 1958—and I know the able chairman, the Senator from Alabama, recognizes the importance of this bill in 1961. The hospital has had 3 more years to deteriorate.

I believe it will take about 5 years following this authorization to actually acquire a new, working hospital. Since this is the case, I sincerely hope Senate action will be possible this session.

Mr. President, I ask unanimous consent that news stories on Freedmen's Hospital printed in the Washington Post and Times Herald and the Washington Evening Star be printed in the RECORD.

There being no objections, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 10, 1961]

HOUSE PASSES BILL TO BUILD NEW FREEDMEN'S HOSPITAL—FIVE-HUNDRED-BED FACILITY WOULD COST UNITED STATES ABOUT $10 MILLION

(By Morton Mintz)

The House passed and sent to the Senate yesterday a bill to replace Freedmen's Hospital with a new 500-bed institution costing $9 to $10 million.

The bill passed on a rollcall vote of 321 to 61 after a floor debate that ranged into the question of what impact the new hospital would have on segregation of Negro physicians and patients throughout the District.

A companion bill has been introduced in the Senate by Senator HUBERT H. HUMPHREY, Democrat, of Minnesota.

During the House debate the need to replace Freedmen's was not challenged. Freedmen's was established by the Federal Government at the close of the Civil War to care for sick and destitute Negroes who poured into Washington.

CALLED A DUMP

Its main building was built 53 years ago. It has been termed a dump by, among others, Abraham A. Ribicoff, Secretary of Health, Education, and Welfare, who backed the legislation.

The provision of the bill which evoked considerable questioning, would convert Freedmen's into a medical school for Howard University.

Representative EDITH GREEN, Democrat, of Oregon, the bill's sponsor, said the overriding consideration is that Howard, which has trained about half the Nation's Negro physicians, have its own teaching hospital. She said this would provide "better administration, better care, and better training."

And, she added, the 437-bed Freedmen's is the only community hospital in the United States run by the Federal Government.

She told the House that her bill protects fully the salaries, retirement, and other rights which Freedmen's employees have under civil service.

EMBARRASSING CHATTEL

Representative ALBERT H. QUIE, Republican, of Minnesota, said that the administration wants to transfer Freedmen's because it is embarrassed to be the owner of a segregated institution.

Representative CHARLES E. GOODELL, Republican, of New York, said that only about 30 of the city's 270 Negro physicians have courtesy privileges in District hospitals other than Freedmen's.

He said he is fearful that the transfer would perpetuate the "pattern of discrimination" against Negro physicians.

Mrs. GREEN and Representative JAMES ROOSEVELT, Democrat, of California, disagreed, saying that Howard, which is federally financed, is integrated. "This will help," ROOSEVELT said of the transfer. "Howard University has made every effort not to be a segregated institution."

Many of the votes opposing the bill were cast by southern Democrats, including Chairman JOHN L. MCMILLAN, Democrat, of South Carolina, of the House District Committee and some committee members.

[From the Washington Evening Star, Aug. 10, 1961]

SENATE GETS BILL TO MOVE FREEDMEN'S—APPROVAL EXPECTED AFTER HOUSE PASSES MEASURE, 321 TO 61

(By John McKelway)

Freedmen's Hospital, frequently described as a dump and plagued by the joint direc-

tion of the Federal Government and a private institution, today seemed on the brink of becoming a major contributor to the advance of local medicine.

After a long, hard fight of more than 5 years, the House yesterday passed and sent to the Senate a bill which authorizes the transfer of the hospital to Howard University. The vote was 321 to 61.

Passage also is expected in the Senate. Senator HUMPHREY, Democrat, of Minnesota, has introduced a similar bill, to be screened by the Senate Education and Labor Committee.

The transfer was recommended by a special Study Commission set up in 1955 under former Health, Education, and Welfare Secretary Oveta Culp Hobby. The Commission recommended that to assure hospital discipline, effective coordination and control of good business management, the hospital's ownership and supervision should be vested in Howard.

BALKED BY EMPLOYEES

But the Federal employees of the hospital objected to the transfer, largely on the grounds they would lose their civil service benefits. Their argument impressed Members of Congress and the transfer never took place.

This year, however, Representative GREEN, Democrat, of Oregon, who was convinced Federal employees would lose little in the transfer, guided the bill through the House Education Committee and saw it pass the House yesterday.

In yesterday's House debate on the bill, Mrs. GREEN assured Members that hospital employees would not have their salaries reduced, they would continue their civil service retirement programs and they would retain seniority rights now enjoyed with service to the hospital.

AUTHORIZES NEW HOSPITAL

Even frugal Representative GROSS, Republican, of Iowa, had no objection to the bill, which authorizes a new 500-bed hospital to replace facilities most recently described by Welfare Secretary Ribicoff as in the dump category.

As Mrs. GREEN pointed out yesterday, Freedmen's is the only community hospital operated by the Federal Government.

This came about as a result of a flood of freed slaves who arrived in Washington shortly after the Civil War. Its purpose at that time was to care for sick and destitute Negroes.

Since that time, its control has passed among the old War Department, the Interior Department, the District government, the Federal Security Agency, and finally the Department of Health, Education, and Welfare.

As Mrs. GREEN put it yesterday, the bill gives the Government an opportunity to get out of the business of operating what was largely a private hospital.

She denied the assertion by Representative QUIE, Republican, of Minnesota, that the sole purpose of the bill was to free the Federal Government from the embarrassment of operating a segregated hospital for Negroes.

Mrs. GREEN said the hospital is not segregated and that it needs new facilities desperately.

THE ROLE OF MILITARY OFFICERS IN PUBLIC FORUMS

Mr. THURMOND. Mr. President, I note with some interest the comments of the President in his news conference today with regard to the role of military officers in public forums. I sincerely regret to see that the President apparently expressed himself as favorable to the modification of the 1958 National Security Council directive which established the policy whereby military leaders and facilities are to be used in the efforts to inform their personnel and the public on the menace of the cold war. I ask unanimous consent that the text of the Associated Press and United Press International reports of the President's press conference on this matter be printed in the RECORD at this point in my remarks.

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

Kennedy was asked about the controversy which grew from a memo that Senator FULBRIGHT sent to Secretary of Defense McNamara protesting the role of military officers in public forums, which the Senator said had distorted their declared objective of educating Americans on the Communist menace.

The President said the Constitution wisely keeps the military out of politics. A problem will always exist, he went on, in enabling military men to express their views on great problems while keeping them out of political life and maintaining civilian control over the Armed Forces. But he said the National Security Council should clarify the directive on which the military services have based their educational programs.

President Kennedy said today the chief objective of a Defense Department directive about public statements by military officers is to prevent the exploitation of service leaders.

Kennedy told his news conference, in response to questions, that he believes that Senator FULBRIGHT performed a useful service in sending the Defense Department a memorandum on the matter.

FULBRIGHT, chairman of the Senate Foreign Relations Committee, wrote Secretary of Defense Robert S. McNamara that public forums held by the military in some cases were being given over to the dissemination of radical ideas by speakers who regard the internal Communist menace as greater than the external threat.

The Fulbright memorandum has been criticized by some Republicans and some Democrats as having contributed to a Defense Department directive they say has muzzled military officers on foreign and domestic issues.

Kennedy said McNamara had requested the memorandum from FULBRIGHT. He said that the administration will be glad to hear from other Senators and Members of Congress on the issue.

As far as he is concerned, Kennedy said he regards it as one of the wisest actions of the constitutional founders to have kept the military out of politics.

AUGUST 10, 1961.

WASHINGTON.—President Kennedy sided with Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas, today in a congressional dispute over whether military leaders should be allowed to speak out on political matters.

The President told his news conference that FULBRIGHT performed a service in challenging propaganda activities of some military officers.

He described the American tradition of keeping a military officer out of politics as a most important protection for both the country and for the military. FULBRIGHT sharply questioned indoctrination courses set up by some military commanders which have followed extreme rightwing views.

FULBRIGHT has been criticized by Senator STROM THURMOND, Democrat, of South Carolina, for issuing a memorandum condemning the activities of some officers. THURMOND charged the memorandum threatened to infringe on the rights of the military to speak out on matters of public concern.

Kennedy, asked about the dispute, said the U.S. Military Establishment, because of one of the wisest actions of our constitutional founders, has been kept out of politics.

He said he had no knowledge of the politics of the members of the Joint Chiefs of Staff, although he had appointed two of them.

"This is a most important protection for our country, and it is an equally important protection for the military," he said.

He added that this protection guards military officials against being exploited or discriminated against by politicians in either political party.

Kennedy said there is a constant problem about how to keep the military out of politics and maintain civilian control while having officers express their educated views on some of the great problems that face us around the world.

He said part of the current problem arose from a 1958 National Security Council assignment of special responsibility to military officers. He suggested that this Security Council decision should be clarified.

The President expressed the belief that FULBRIGHT had performed a service in advancing his viewpoint and said he hoped all Senators would give their opinions on this and other issues to the administration.

Mr. THURMOND. Mr. President, according to the wire service reports of the President's news conference, the President stated that the Secretary of Defense had requested the memorandum from the chairman of the Foreign Relations Committee on the subject of public expressions by military officers which has been discussed here on the floor in recent days and reported in the press. According to the wire service reports, the President also issued an invitation to other Senators and Members of Congress to express themselves on this issue to the administration. Perhaps I anticipated the invitation somewhat, for I have expressed my views on this issue to both the President and the Secretary of Defense, as well as to the Congress. I have written to both the President and the Secretary of Defense calling their attention to my remarks on the Senate floor of July 26, at which time I discussed the matter at some length. It is my hope that subsequent to an investigation of this matter by the Armed Services Committee, the Congress will see fit to express itself formally on this subject.

Mr. President, the issue at hand is not a conflict between civilian and military control of policy. This argument must not be permitted to shield the real issue involved in the current attempts to gag our military personnel. Not one shred of evidence has been produced that military personnel are attempting to usurp policymaking functions from civilian authorities, although it is readily apparent that efforts have been and are being made to substantiate such a charge through a campaign in the press utilizing innuendo and smears through associations.

The wire services report that the President said that the purpose of the new Defense Department directive is to prevent the "exploitation of service leaders." Mr. President, I do not believe for one second that our military leaders are so naive and gullible as to be subject to exploitation. If there is any evidence of any attempts to exploit our military

leaders, successful or unsuccessful, such evidence should be disclosed to the Congress and for that matter, to the public also by a duly authorized investigation where allegations will be subject to cross examination under oath. It would be very helpful to the Congress to know who it is, if anyone, who is attempting to exploit our military leaders.

Mr. President, I have no way of knowing whether the President has read the memorandum of the chairman of the Foreign Relations Committee and the attachments to it which were printed in the CONGRESSIONAL RECORD on August 2, 1961, and to which he directed his remarks in today's news conference. I also have no way of knowing whether he had in mind any of the civilians mentioned in the memorandum when he spoke in terms of "exploitation of service leaders." One of the organizations mentioned in the memorandum and singled out in the first attachment or list of "instances of education and propaganda activities of military personnel" is the Institute for American Strategy which conducts a program of military and industrial conferences across the country. I feel quite sure that the President is familiar with this organization, and the splendid work it is doing, even in the face of smear campaigns directed at it in the press. I base my assumption of the President's knowledge and approval of these military and industrial conferences by the Institute for American Strategy in part on a telegram directed to D. A. Sullivan, managing director, National Military Industrial Conference, Hotel Sherman, Chicago, Ill., dated April 10, 1961. The telegram reads:

> It is a pleasure to send greetings to this group of educators, business, and Government leaders as it begins its Seventh Annual National Military-Industrial Conference. It is important and vital work you are doing—alerting the attention of America's youth to the need for vigor as it prepares to face the realities of a world in conflict. This work of itself must give satisfaction. More rewarding still will be the satisfaction you derive from seeing our young people responding to the challenge of the times with increasing ability to meet that challenge.
>
> With every best wish.

The telegram is signed "John F. Kennedy."

Mr. President, I concur wholeheartedly in the President's commendation of this fine organization. So that all the Members of the Congress and the American public can better judge for themselves the activities of these conferences, the people who participate in them, and the organizations which sponsor them, I ask unanimous consent that the program of the Seventh Annual National Military-Industrial and Educational Conference held at the Sherman Hotel, Chicago, Ill., on April 10, 11, and 12, 1961, be printed in the RECORD at the conclusion of my remarks.

(See exhibit A.)

Mr. President, the American people need to know the facts on the total menace of communism. This need must not be frustrated by a pattern of censorship which goes far beyond either security reasons, or insuring that military personnel do not make statements in conflict with national policy established by civilian authorities.

Mr. President, the change in policy by the Department of Defense is going far beyond the requirements to insure that security considerations are protected and that military leaders do not usurp the policymaking function vested under our system of government in civilian authorities. It is my intention to address the Senate tomorrow with regard to this matter, and at that time I shall discuss a specific instance where this excessive zeal for gagging the military has resulted in the frustration of vital efforts in our drive to thwart the Communist threat to our own hemisphere.

EXHIBIT A

SEVENTH ANNUAL NATIONAL MILITARY-INDUSTRIAL AND EDUCATIONAL CONFERENCE, APRIL 10, 11, 12, 1961, SHERMAN HOTEL, CHICAGO, ILL.

"It is most urgent that the American educational system tackle in earnest the task of teaching American youth to confront the reality of totalitarianism in its toughest, most militant form, which is communism, with the facts and values of our American heritage."—President Kennedy.

COOPERATING AGENCIES

Educational:

U.S. Department of Health, Education, and Welfare.

Council of Chief State School Officers.

The National Association of Secondary School Principals.

The American Textbook Publishers Institute.

American University of Beirut, Lebanon.

American Vocational Association.

Armour Research Foundation of Illinois Institute of Technology.

Committee on Discussion and Debate Materials of the National University Extension Association.

DePaul University.

Freedoms Foundation at Valley Forge.

Foreign Policy Research Institute of University of Pennsylvania.

Foundation for Religious Action in the Social and Civil Order.

The Hoover Institution on War, Revolution, and Peace of Stanford University.

Illinois Institute of Technology.

Loyola University.

National Safety Council.

The Ohio State University.

Scientific Manpower Commission.

University of Notre Dame.

Industrial:

American Security Council.

American Society for Industrial Security.

American Society of Association Executives.

Armed Service Industrial Readiness Council.

The Associated General Contractors of America, Inc.

Association of Industrial Advertisers.

Defense Orientation Conference Association.

Chicago Association of Commerce and Industry.

Illinois Manufacturers' Association.

Illinois State Chamber of Commerce.

Public Relations Society of America (Chicago chapter).

National Association of Manufacturers.

National Defense Transportation Association.

National Sales Executives, Inc.

The Research Institute of America, Inc.

Civic:

AMVETS.

The American Legion.

Association of the U.S. Army.

Chicago Council of the Navy League of the United States.

4-H Girls Club, Barrington, Ill.

Reserve Officers Association of the United States.

Toastmasters International.

Governmental:

Chemical Corps, U.S. Army.

Corps of Engineers, U.S. Army.

Headquarters, 5th U.S. Army.

Headquarters, 9th Naval District.

Industrial College of the Armed Forces.

Illinois Civil Defense Agency.

Office of Civil and Defense Mobilization.

U.S. Air Force (Engineering).

U.S. Department of Commerce.

WHY THIS CONFERENCE?

"The purpose of our educational system is to communicate to the youth of the land the facts and ideas necessary both for abundant living and for meeting the issues of life and death in today's dangerous world."—President John F. Kennedy.

Of the issues of life and death in today's dangerous world the rapid expansion of totalitarianism is predominant. This issue absorbs nearly half of our annual national budget. It exacts 2 years or more out of the lives of most of our young men. It has placed a high demand on the scientific and management skills of the Nation.

Because this issue is so predominant in our lives, much effort has been devoted in the last 5 years by educators, businessmen, the Government and private organizations to improving our Nation's ability to produce young scientists and citizen-leaders who are as well equipped as possible to meet totalitarianism's challenge to freedom. Past annual national military, industrial, and educational conferences have been devoted to a discussion of the means of increasing our Nation's supply of scientists and technicians.

This year's conference is devoted to the social studies and the question of how our Nation can, through social studies programs, increase the number of well grounded citizen-leaders capable of effectively utilizing our national political, scientific, and military power in freedom's struggle against totalitarianism.

What role can the educator play in this? Mr. Allen Dulles, head of our Central Intelligence Agency, has put it this way: "Let us call on our educators to expand realistic teaching of the history and policies of communism." President Kennedy has said "It is most urgent that the American educational system tackle in earnest the task of teaching American youth to confront the reality of totalitarianism in its toughest, most militant form, which is communism, with the facts and values of our American heritage."

WHY IS THIS IMPORTANT?

Thirty years ago Americans of all ages forgot to do their homework on a matter of life and death. Most of us didn't read "Mein Kampf." We had never heard of Haushofer, Goebbels, or Schacht, the intellectual engineers of Nazi strategy for world domination.

Beguiled by a deep yearning for peace, we demobilized our armies, dismantled our navies, and engaged in business as usual. Instead of alerting our people to Nazi tactics while we still had time to build deterrents to avoid World War II, we tried appeasement, which only inflamed Nazi aspirations for world conquest.

CAN HISTORY REPEAT ITSELF?

The 1960's are much like the 1930's. We have peace. We have business as usual. We have another group of totalitarian dictators who have written a number of books prophesying our burial, books that are still not a part of our homework. In the past decade, communism has leapfrogged 10,000 miles across continent and ocean to Cuba. More than half of the world is tuned in to the dialectics of Marx and the psychological warfare of Khrushchev. The danger of 1960 is

equally as great to freemen as was the danger of 1939.

Unless we take up the hard intellectual work required by the impact of Communist philosophy and power politics on our world, history may very well repeat itself. Unless we undertake the task of preparing our youth to meet the challenge of a world of conflict, our 2,000 years of struggle to build a free society in the name of human dignity may have been in vain.

PREPARING OUR YOUTH TO MEET THE CHALLENGE

With increasing frequency, our Nation's educational, governmental, and business leaders have urged the need to strengthen our high school and college curriculums in the teaching of the nature, strategy, and tactics of modern communism. This suggestion has not been made with the notion of "teaching communism" to our young people. It is intended to indicate that a greater awareness of the Soviet threat on the part of our youth would enable them better to understand and appreciate our democratic system and how it can best be mobilized to meet that threat. Through a comparative teaching of democracy and communism the strengths of the former can be pitted in the classroom and in later life against the weaknesses of the latter. There is no doubt that the youth of the 1930's were taught as much about the democratic way as are our youth today. The school has been and still is the fount of American patriotism.

Youth's problem then was similar to that of today: its patriotism needed focusing on the major forces affecting the world. Surely, education for American citizenship should encompass an awareness of the ideological and military threat to our way of life, including an objective, systematic study of the goals and methods of communism.

Courses of such a nature are already being taught by earnest educators in a number of our high schools and colleges. It is an aim of this conference to present some of these models for circumspection in order that they may be expanded and improved upon in school systems across the land.

OBJECTIVES OF THE CONFERENCE

Here is a challenge to the best brains in America from our schools and government, from industry and research, from the military and communications:

How can we provide the citizens and statesmen of 1975—now in our schools—with an accurate and meaningful understanding of the nature of communism and its challenge to America and freedom?

How can we emphasize and revivify for them the fundamentals of our own political, social, and economic order and the democratic values inherent therein?

How can we instill in our youth the qualities of dynamic leadership which will enable them to demonstrate to the peoples of the world the efficacy of the values of the free society?

How can we find effective and efficient ways and means of introducing into our high schools and colleges training to develop in our youth such understanding and awareness?

If we, the educational, business, governmental, and community leaders of America, cannot meet this challenge, then humanity for a thousand years may be the loser. That is the why and hope of this conference.

ANNOUNCEMENT

We are proud to announce for the third time, the trustees, directors, and officers of Freedoms Foundation at Valley Forge announce with pleasure the selection of Institute for American Strategy by the distinguished national and school awards jury to receive the George Washington Honor Medal award for its national military, industrial, and educational conference.

An outstanding achievement in helping to bring about a better understanding of the American way of life.

School awards announcement on Benjamin Franklin's birthday, January 17.

National awards announcement on George Washington's birthday, February 22, at Valley Forge.

PROGRAM

MONDAY, APRIL 10

Registration: 8 to 10 a.m., mezzanine foyer.

Opening session: 9:30 to 12 noon, Crystal Room.

"The nature of the threat to freedom"

Chairman: Edwin A. Locke, Jr., president, Union Tank Car Co.

Invocation: The Right Reverend Monsignor William E. McManus, superintendent, archdiocese of Chicago School Board.

Welcome: Mayor Richard J. Daley.

Cochairman: Frank S. Flick, president, Flick-Reedy Corp.

Speaker: Russell J. Humbert, president, De Pauw University—"Freedom Through Education: an Introduction to the Conference."

Speaker: William C. Sullivan, Chief of Research, Federal Bureau of Investigation, "Communism and Education in the United States."

Speaker: Dr. William Yandell Elliott, professor of government, Harvard University, "The Soviet Cultural Offensive Against Freedom."

Luncheon: 12:15 p.m., grand ballroom.

Chairman: Robert S. Ingersoll, president, Borg-Warner Corp.

Speaker: Charles H. Percy, president, Bell & Howell Co., "Democratic Versus Communist Values: The Challenge to American Educators."

Afternoon session: 2 p.m., Crystal Room.

"The goals of education in Russia and America—A comparative view"

Chairman: Dr. Charles A. Ford, vice president and editorial director, Compton's Pictured Encyclopedia.

Speaker: Dr. Samuel M. Brownell, superintendent of public schools, Detroit, Mich., "The Soviet Challenge to American Education."

Speaker: Dr. Benjamin C. Willis, general superintendent of schools, Chicago, Ill., "The Assets of the American Education System Available To Meet the Soviet Challenge."

Speaker: James E. Allen, Jr., commissioner of education of the State of New York, "Education: For the Nation or the Individual?"

Evening session: 7:30 p.m., grand ballroom.

Chairman: Dr. John T. Rettaliata, president, Illinois Institute of Technology.

Speaker: The Honorable WALTER H. JUDD, Member, House of Representatives, U.S. Congress, "The Ideological Struggle."

Panel: "Toward the development of a program for education about communism."

Moderator: Dr. William Yandell Elliott, professor of government, Harvard University.

Panelists: The Reverend Stanley J. Parry, C.S.C., head, Political Science Department, University of Notre Dame, "The Basic Issues To Be Taught."

Prof. Daniel J. Boorstin, Department of History, University of Chicago, "The Role of American Ideals in Teaching About Communism."

Prof. William M. McGovern, professor of political science, Northwestern University, "A Political Science Program at the College Level."

John C. Broger, Deputy Director, Office of Armed Forces Information and Education, Department of Defense, "Education About Communism."

Dr. Erling M. Hunt, chairman, Department of the Teaching of Social Studies, Teachers College, Columbia University, "High School Possibilities and Needed Teaching Resources."

W. Glenn Campbell, director, Hoover Institution on War, Revolution, and Peace, Stanford University, "Research Institutions as an Aid to Teachers and Administrators."

TUESDAY, APRIL 11

Morning session: 9:30 to 12 noon, Crystal Room.

"Education, communism, and our American heritage—Business, labor, and the military look at the problems"

Chairman: Edward G. Logelin, vice president, United States Steel Corp.

Speaker: Lemuel Boulware, retired vice president, General Electric Co., "Education at the Crossroads."

Speaker: Arthur G. McDowell, director, Department of Civic, Educational and Governmental Affairs, Upholsterers' International Union of North America—(subject to be announced).

Speaker: Lt. Gen. George W. Mundy, U.S. Air Force, commandant, Industrial College of the Armed Forces, "Education in Public Affairs: An Essential for Survival."

Luncheon: 12:15 p.m., grand ballroom.

Chairman: James E. Rutherford, vice president, Prudential Insurance Co. of America and president of the Chicago Association of Commerce and Industry.

Selections by the Culver Military Academy Glee Club, Claude Zetty, director.

Speaker: Adm. Arleigh Burke, Chief of Naval Operations, "Education for Responsibility—The Answer to the Communist Challenge."

Afternoon session: 2 p.m., Crystal Room.

Chairman and Moderator: Dr. Austin J. McCaffrey, executive secretary, the American Textbook Publishers Institute.

Panel: "Problems in Developing a Program for our Schools: Case Studies."

Panelists: Dr. James R. Hayden, assistant superintendent of schools, New Bedford, Mass., "A Program for the Junior High School."

Lewis W. Gilfoy, director of secondary school service section, Indianapolis public schools, "A Program for the High School."

A presentation of a typical class on communism by the Indianapolis public schools, "The Program in Action."

Dr. William J. Reid, coordinator of civic education, the school committee of the city of Boston, "A Program for the High School: Another View."

Maj. Gen. Delmar T. Spivey, U.S. Air Force, retired, superintendent, Culver Military Academy, "A Program for the Private School."

Dr. A. M. Woodruff, chairman, Department of Government, George Washington University, "A Program for the College."

The Reverend Timothy L. McDonnell, S.J., chairman, Department of Political Science, University of San Francisco, "A Program for the College: Another View."

Evening session: 7:30 p.m., Crystal Room.

"What is communism really like?—An eyewitness report"

A special seminar for teachers, students, and industry.

Chairman: Harry Henderson, vice president, Burson-Marsteller Associates.

Speaker: Robert J. Muntzel, president, Mission Development Co. of Kansas, "What I Saw and Heard in Russia and Its Satellite Countries."

Speaker: Charles Vetter, U.S. Information Agency, "What U.S. Officials Need To Know About Foreign Duty."

WEDNESDAY, APRIL 12

Morning session: 9:30 to 12 noon, Crystal Room.

"The philosophy of freedom"

Chairman: The Very Reverend James F. Maguire, S.J., president, Loyola University.

Speaker: Dr. Kenneth D. Wells, president, Freedoms Foundation at Valley Forge, "Freedom From Terror: A Basic Right of Man."

Speaker: Dr. Masamichi Inoki, professor of history, University of Kyoto, Japan, "The Communist View of Freedom: A Criticism."

Luncheon: 12:15 p.m., grand ballroom.

Chairman: James M. Barker, business consultant and former chairman of the board, Allstate Insurance Co.

Speaker: Herbert R. Mayes, editor, McCall's magazine, "Some Thoughts Most of Us Are Not Thinking Out Loud."

Afternoon session: 2 p.m., crystal room.

Chairman: Frank R. Barnett, director of research, the Richardson Foundation.

Cochairman: James M. Barker, business consultant and former chairman of the board, Allstate Insurance Co.

Committee report: "The Steps Ahead—Some Substantive and Organizational Prerequisites of a School Program for Teaching About Communism."

Report of the program development committee: Dr. William Yandell Elliott, chairman, and Dr. Gerhart Niemeyer, secretary.

Report of the educational advisory committee: Msgr. William E. McManus, chairman, and Dr. Don C. Rogers, secretary.

Speaker: Lyman B. Kirkpatrick, Inspector General, Central Intelligence Agency, "Teachers, Textbooks, and Travel: Communist Action in the World's Schools."

Speaker: Edward L. Katzenbach, Jr., Deputy Assistant Secretary of Defense for education and manpower resources (designate), "The Future Dimension of Education in the Services."

Speaker: Thomas H. Coulter, chief executive officer, Chicago Association of Commerce and Industry, "Education and Freedom in a World of Conflict: A Summary of the Conference."

Evening session: 7:30 p.m., grand ballroom.

Chairman: Morris I. Leibman, partner, Crowell & Leibman, representing the Chicago bar.

"The Spy Next Door," a documentary presentation of the ramifications of the Communist international espionage organization shown through courtesy of the Armstrong Cork Co.

Moderators: U.S. Senator ROMAN L. HRUSKA, of Nebraska; Congressman FRANCIS E. WALTER, of Pennsylvania; Congressman MORGAN MOULDER, of Missouri.

Educational advisory committee:

James E. Allen, Jr., commissioner of education of the State of New York.

Prof. Bower Aly, executive secretary, National University Extension Association, University of Oregon.

Clarence K. Anderson, principal, Roald Amundsen High School, Chicago.

Frederick C. Barghoorn, Department of Political Science, Yale University.

Dr. C. E. Barthel, Jr., program director for foreign science activities, National Science Foundation.

Frederick Bellinger, chief, Material Sciences Division, Georgia Institute of Technology.

Dr. George C. S. Benson, president, Claremont Men's College.

Prof. Daniel J. Boorstin, Department of History, University of Chicago.

Prof. Anthony T. Bouscaren, Department of History and Political Science, LeMoyne College.

Francis X. Bradley, Jr., assistant dean, University of Notre Dame.

Prof. Zbigniew Brzezinski, the Russian Institute, Columbia University.

Dr. Samuel M. Brownell, superintendent of public schools, Detroit.

Dr. Kenneth D. Colegrove, C. W. Post College of Long Island University.

The Rev. John F. X. Connolly, S.J., president, University of San Francisco.

G. E. Cornwell, first assistant superintendent of public instruction, State of Illinois.

Glenn S. Dumke, president, San Francisco State College.

J. W. Edgar, commissioner of education, State of Texas.

Dr. William Yandell Elliott, professor of government, Harvard University.

Prof. R. Barry Farrell, Department of Political Science, Northwestern University.

Dr. John H. Fischer, dean, Teachers College, Columbia University.

Prof. Ralph T. Fisher, Jr., center for Russian language and area studies, University of Illinois.

Lewis W. Gilfoy, director of secondary schools service section, Indianapolis public schools.

Svend A. Godfredsen, assistant to the president, Roosevelt University.

Dr. M. H. Groves, associate dean of the Graduate School, Illinois Institute of Technology.

Dr. Harold F. Harding, Department of Speech, the Ohio State University.

Dr. James R. Hayden, assistant superintendent of schools, New Bedford, Mass.

The Reverend Cletus Healy, S.J., Marquette University High School.

Dr. Erling M. Hunt, chairman, Department of the Teaching of Social Studies, Teachers College, Columbia University.

Dr. Evron Kirkpatrick, executive director, American Political Science Association.

Dr. Donald F. Kline, former Assistant U.S. Commissioner of Education.

Dr. Joseph Leese, professor of education, State University of New York.

Dr. William B. Logan, the Ohio State University.

Dr. Kurt London, George Washington University.

Dr. Charles W. Lowry, president, Foundation for Religious Action in the Social and Civil Order.

Thaddeus J. Lubera, associate superintendent, Board of Education, Chicago.

Prof. Axel Marin, University of Michigan.

The Right Reverend Monsignor William E. McManus, superintendent, Archdiocese of Chicago School Board.

L. S. Michael, superintendent, Evanston Township High School.

Frederick J. Moffitt, assistant to the Commissioner, Department of Health, Education, and Welfare, Office of Education.

John W. Morrison, Department of State.

The Reverend R. W. Mulligan, S.J., vice president and dean of faculties, Loyola University.

Dr. Gerhart Niemeyer, Department of Political Science, University of Notre Dame.

The Very Reverend Comerford J. O'Malley, C.M., president, DePaul University.

Noble J. Puffer, superintendent, Cook County Schools.

Dr. William J. Reid, coordinator of civic education, the school committee of the city of Boston.

Prof. Julius Rezler, Graduate School, Loyola University.

Dr. Don C. Rogers, retired assistant superintendent, Chicago public schools.

Dr. Warren W. Shearer, professor of economics, Wabash College.

James H. Smith, deputy superintendent, board of education, Chicago.

Dr. Paul E. Smith, secretary, International Relations Committee, National Education Association.

Maj. Gen. Delmar T. Spivey, U.S. Air Force, retired, superintendent, Culver Military Academy.

Dr. Robert Strausz-Hupe, director, Foreign Policy Research Institute, University of Pennsylvania.

Dr. Ernest van den Haag, New York University.

Dr. Ernest H. Volwiler, chairman of the board, Abbott Laboratories.

Dr. Richard L. Walker, University of South Carolina.

W. Allen Wallis, dean, Graduate School of Business, University of Chicago.

Dr. Kenneth R. Whiting, Research Studies Institute, Air University.

Dr. Benjamin C. Willis, general superintendent of schools, Board of Education, Chicago.

Dr. A. M. Woodruff, School of Government, George Washington University.

Prof. Arnold J. Zurcher, New York University.

Arrangements committee:

Capt. Carl J. Bordiga, U.S. Army, 5th U.S Army.

John L. Buckley, president, American Society for Industrial Security.

Col. J. B. W. Corey, Jr., U.S. Army, procurement officer, Chicago district, Corps of Engineers.

Virgil L. Couch; Director, Industry Office, Office of Civil and Defense Mobilization.

Thomas H. Coulter, chief executive officer, Chicago Association of Commerce and Industry.

Lt. Gen. Emerson L. Cummings, U.S. Army, commanding general, 5th U.S. Army.

Col. H. R. Eichenberg, U.S. Army Reserve, market development consultant.

David Ferguson, assistant to the vice president, United States Steel Corp.

Rear Adm. John M. Higgins, U.S. Navy, commandant, 9th Naval District.

Lt. Col. M. H. Manchester, Reserve Officers Association of the United States.

John O. Marsh, Jr., attorney at law, Strasburg, Va.

John C. Neff, Richardson Foundation.

Col. John T. O'Neill, U.S. Army, engineer, 5th U.S. Army.

Mrs. Milton E. Parker, 4–H Girls Club.

Carl Polaski, Chicago district, Corps of Engineers.

Henry Regnery, Henry Regnery Co.

Lt. Gen. Walter L. Weible, U.S. Army, retired, executive vice president, Association of the U.S. Army.

Roswell B. West, West & West.

Public information committee:

Chairman: Ivan Hill, executive vice president, Cunningham & Walsh, Inc.

Milburn P. Akers, editor, Chicago Sun-Times.

Col. Lee Baker, U.S. Air Force, Deputy Director of Information, Air Materiel Command.

Luke P. Carroll, managing editor, Chicago American.

Robert Cunningham, public relations director, Chicago Association of Commerce & Industry.

Col. H. R. Eichenberg, U.S. Army Reserve, chairman, National Education Committee (ROTC).

A. C. Field, Jr., manager, public affairs, station WGN.

Maurice Fisher, city editor, Chicago Daily News.

Owen Frisby, public relations, Standard Oil Co.

Clark George, vice president, Columbia Broadcasting System.

Alvin Kreig, district director of public relations, United States Steel Corp.

Sidney S. Lovitt, vice president, Julius Klein Public Relations, Inc.

Lt. Col. M. H. Manchester, U.S. Army Reserve, deputy director, Reserve Officers Association.

Howard Mayer, chairman, Mayer & O'Brien, Inc., public relations counsel.

Comdr. R. M. McCool, U.S. Navy, public information officer, 9th Naval District.

George Murray, columnist, Chicago American.

Hale Nelson, vice president for public relations, Illinois Bell Telephone Co.

Sterling Quinlan, vice president, American Broadcasting Co.

Harold B. Rorke, public information consultant.

Albert Rosenthal, public information director, Chemical Corps, U.S. Army.

Col. James Sheridan, U.S. Air Force, chief, Secretary of Air Force's Office of Information in Chicago.

Col. W. L. Slisher, U.S. Army, public information officer, 5th U.S. Army.

Godfrey Sperling, Chicago correspondent, Christian Science Monitor.

John Taylor, executive director, Chicago Educational Television Association.

John Hall Thompson, military affairs editor, Chicago Tribune.

John Van Zant, vice president for public relations, J. Walter Thompson Co.

Lloyd E. Yoder, vice president, National Broadcasting Co.

Washington liaison committee:

Secretary: Dr. C. E. Barthel, Jr., program director for foreign science activities, National Science Foundation.

Brig. Gen. Donald Armstrong, U.S. Army, retired, former commandant, Industrial College of the Armed Forces.

Thomas I. Bell, FBI, Washington, D.C.

Earl Emerson, director and former president, Armco International Corp.

E. B. English, manager, defense products department, Caterpillar Tractor Co.

Rear Adm. H. Arnold Karo, Director, Coast and Geodetic Survey, U.S. Department of Commerce.

Col. William R. Kintner, deputy director, Foreign Policy Research Institute, Unversity of Pennsylvania.

Fred T. Marshall, the B. F. Goodrich Co.

J. Lewis Powell, U.S. Department of Defense.

Adm. Arthur W. Radford, U.S. Navy, retired, former Chairman of the Joint Chiefs of Staff.

Dr. Marlin S. Reichley, director of instruction, Industrial College of the Armed Forces.

Conger Reynolds, Director, Office of Private Cooperation, U.S. Information Agency.

William C. Sullivan, Chief of Research, Federal Bureau of Investigation.

Lt. Gen. Arthur G. Trudeau, U.S. Army, Chief of Research and Development, Department of the Army.

Lt. Comdr. James C. Watkins, U.S. Navy, assistant director, the American Legion.

Lt. Gen. Walter L. Weible, U.S. Army, retired, executive vice president, Association of the U.S. Army.

James Wilson, Jr., director, National Security Commission, the American Legion.

ANNOUNCEMENTS

Question periods

The final portion of each session will be devoted to questions from the floor. In order to proceed in an orderly manner it is necessary to have these questions in written form. Please hand yours to an usher during the session, and please indicate your name and school or organization and to whom the question is addressed. The session chairman will read as many questions as possible during each question period.

Special Exhibit: "The Sights and Sounds of Communism"—Parlor "O", Mezzanine Floor.

A special exhibit on Communist propaganda, showing how the Communists utilize posters, newspapers, radio, motion pictures, pamphlets, and other communications media for political propaganda purposes in Europe, Asia, Africa, Latin America, and the United States will be on display in parlor "O", mezzanine floor, near the registration desk throughout the conference. Recent travelers to Communist countries will be present to answer questions about this unusually complete collection of current Communist propaganda.

Books and literature: The Institute for American Strategy has available for sale at the registration desk some of its publications, including "American Strategy for the Nuclear Age" ($1.45), "The U.S. Economy in a World of Conflict" ($2.00), and "Peace Is War" ($1). Additional copies of the educational materials distributed at the Monday evening and Tuesday afternoon sessions, (1) "Teaching About Communism and Democracy in Our Public Schools: The Problems Ahead—The Progress Thus Far," (2) "Teaching About Communism and Democracy: Case Studies," and (3) "World Communism: A Selected Bibliography," are available there at cost, as are copies of some conference talks.

Kroch's & Brentano's Bookstore has set up a booth in the mezzanine lobby with a selection of important books on foreign affairs and national security.

A free literature booth has been set up in the mezzanine lobby with a broad selection of publications from private and governmental sources on communism, foreign policy, and national security. Conferees are invited to browse through these literature displays and to visit the educational exhibits provided by the Army, Navy, and Air Force which are located on the mezzanine floor.

Conference registration fee: The registration fee admits registrants to all sessions of the conference (including evening sessions) and entitles each registrant to a copy of the conference proceedings which will be published and mailed this summer.

Evening sessions open to the public: The evening sessions are open to the public. There will be no charge for the Tuesday evening session. There will be a $2 charge—proceeds donated to Radio Free Europe and Radio Liberation—for the Monday and Wednesday evening sessions. Persons intending to attend these sessions are advised to register for the whole conference in order to receive the conference proceedings.

THE INSTITUTE FOR AMERICAN STRATEGY

The principal sponsor of the Annual National Military, Industrial, and Educational Conference is the Institute for American Strategy, a nonprofit, educational corporation, whose objective is furthering public understanding of the nature of the contemporary totalitarian challenge to American freedom. It seeks to accomplish this through education programs designed to increase public awareness of the nature, objectives, and methods of communism and of the ideals and assets inherent in our free society for meeting its challenge. The institute is a tax-exempt, nonpartisan, privately managed organization financed by the contributions of over 100 of America's corporations and a number of foundations.

Institute programs

The institute envisions the National Military, Industrial, and Educational Conference as an open forum for the free discussion by educational, governmental, and business leaders of the national security and foreign policy problems facing our Nation in this century of conflict. Past conferences have dealt with such subjects as the Soviet economy, the American economy, and mobilizing our technical manpower. Through the conference and its many other activities, the institute seeks to be an agency for the promotion of continuing close cooperation between education, the Government, and industry in the articulation for the public of our national goals and strategy in securing and expanding the domain of human freedom.

The institute has participated in and sponsored adult education programs, such as the Annual National Defense Strategy Seminar for Reserve Officers at the National War College and local and regional strategy seminars open to the public in over 25 cities across the land in the last year. These seminars are a cooperative effort of educators, businessmen, government, and military leaders and private educational, civic, and commercial organizations to bring to the public a discussion of communism, its threat, and the need for an American response thereto based on our democratic heritage and institutions.

Institute publications

In furtherance of this end the institute has published a Doubleday paperback, "American Strategy for the Nuclear Age," ($1.45), being a collection of articles for the layman and student on the political, economic, and military aspects of national strategy by such men as Dean Acheson, Walt W. Rostow, Dr. Robert Strausz-Hupe, Hanson Baldwin, Robert L. Garner, and Lt. Gen. Arthur Trudeau. The institute has distributed 10,000 copies of this book to high schools and colleges across the land. The institute has also published Ilusion Communista y la Realidad Democratica, a translation of a speech by J. Edgar Hoover, which is being distributed via educational and business channels in Latin America.

THE INSTITUTE FOR AMERICAN STRATEGY—BOARD OF DIRECTORS

President: Lenox R. Lohr, president, Museum of Science and Industry.

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PROCLAMATION OF THE MAYOR, CITY OF CHICAGO

Whereas students everywhere are prime targets for Communist aggression in the cold war battle for the minds of men; and

Whereas a thorough understanding of the strengths which support our American way of life, as well as an understanding of the false pretensions and degrading actualities of existence under totalitarian Communist tyranny is their best personal defense against being deceived; and

Whereas American educators are continuously examining many ways in order to find the best way to guide our sons and daughters to a clearer perception of contemporary truth and social well-being; and

Whereas a significant gathering of distinguished educators will occur for this purpose in Chicago April 10–12 during the seventh annual National Military-Industrial-Educational Conference, which has as its theme "Education and Freedom in a World of Conflict";

Now, therefore, I, Richard J. Daley, mayor of the city of Chicago, do hereby proclaim the week beginning April 10, 1961, as Education for Freedom Week and urge the people of Chicago to join in support of the programs to be held during that week under the auspices of the Institute for American Strategy in cooperation with the U.S. Department of Health, Education, and Welfare.

RICHARD J. DALEY,
Mayor.

HONORARY CHAIRMAN OF CONFERENCE: MAYOR RICHARD J. DALEY

CONFERENCE PARTICIPANTS

Dr. James E. Allen, Jr., president of the University of the State of New York and commissioner of education, received his A.B. degree from Davis and Elkins College and studied economics and public finance in the Graduate School of Princeton University, before receiving the degrees of master of education and of doctor of education from Harvard University. Dr. Allen also holds honorary degrees from Syracuse, Alfred, Niagara, Yeshiva, Fordham, and Harvard Universities, as well as from Davis and Elkins, Hobart and William Smith, Hofstra, Marshall, Adelphi, and Middlebury Colleges. Dr. Allen has been West Virginia chief of State aid and statistics, research associate in the Princeton surveys, and secretary to the faculty and director of placement in the Harvard Graduate School of Education. From 1944 to 1945 Dr. Allen served in a civilian capacity as an operations analyst for the Air Force and later he became assistant professor of education and director of the bureau of school services at Syracuse University. He was appointed executive assistant to the New York State commissioner of education in 1947. Dr. Allen has received the Charles Evans Hughes Award, the Ninth Annual Award by the Times Square Club for outstanding service to American education, and the Distinguished Service to Education Award of the Education Societies of Long Island University. Dr. Allen is a member of the New York Civil Defense Commission, of the Committee on Social Education and Action of the Synod of New York of the Presbyterian Church in the United States of America and chairman of the New York Committee on Fulbright Scholarships, among many similar posts of honor. He and Mrs. Allen live in Albany, N.Y., with their son and daughter.

James M. Barker, retired chairman of Allstate Insurance Co., is an engineering graduate of Massachusetts Institute of Technology who was a designer-draftsman for American Bridge Co., an engineer for Canadian Pacific Railway and a New York City bureau, and a sales manager for a steel company before becoming an assistant professor of MIT and later at Harvard. Expenses of a growing family (now four children and six grandchildren) suggested a career change, but it was only after 2 years of study that he sought and got his job with Boston's First National Bank. As Buenos Aires manager, Banker Barker presently assisted Lessing Rosenwald in a survey of the Argentine market. A year later he was in Chicago as assistant to the then senior vice president of Sears, Roebuck and Co. Since November 1928, Mr. Barker assumed growing responsibilities with the mail order and store chain in retailing and finance. In 1935 he was treasurer of Sears, Roebuck and Co. and director of Allstate Insurance Co. His other directorships presently included railroad, oil, and banking enterprises. He also is trustee of Northwestern University and of five other seats of learning. Besides as economic consultant to the Governments of Turkey and Iran, Mr. Barker has served many American governmental and public service activities. He is an accomplished linguist.

Mr. Frank R. Barnett, director of research for the Richardson Foundation, Inc., is one of the Nation's leading experts on Russian affairs and psychological warfare. A former Rhodes scholar, college professor and military government official in Berlin, he is a cold war strategist and proponent of a plan to recruit Iron Curtain exiles into a Legion of Freedom. In addition to his duties with the Richardson Foundation, he is a director of the American Friends of Russian Freedom. Mr. Barnett served in World War II as a Russian interpreter with the first American division to meet the Red army at the Elbe River. He has received the Freedoms Foundation Award. Recently he has lectured to the Army War College and to national conventions of the NAM, the Reserve Officers Association and many other groups, on techniques of Soviet conflict management.

Dr. Daniel J. Boorstin has been professor of American history at the University of Chicago since 1944. He entered Harvard when he was not quite 16. After receiving highest honors from the college (1934) in English history and literature, he went as a Rhodes scholar to Balliol College, Oxford, England, where during 3 years of study he attained a double first (highest honors) in two law degrees (B.A. in jurisprudence, 1936; B.C.L., 1937). He was also enrolled as a student at the Inner Temple in London, and in 1937 was "called" as a barrister-at-law of the Inner Temple, becoming one of the few Americans qualified to wear a wig and plead in Her Majesty's high courts. He returned to a Sterling fellowship at Yale Law School (1937–38), from which he received a doctor's degree for his work in legal history. From 1938–42, he taught English and American history and literature at Harvard College and legal history at the Harvard Law School. Meanwhile, he was admitted to the Massachusetts bar, and worked for a while (1942) as a lawyer in the Office of General Counsel of Lend-Lease Administration and the Office of the Assistant Solicitor in Washington. He then taught European and American history in Swarthmore College (1942–44), until he was called to the University of Chicago in 1944. Dr. Boorstin was born in Atlanta, Ga., and schooled in Tulsa, Okla. He and Mrs. Boorstin have three sons, who made the trip too when Dr. Boorstin was visiting professor of American history at the University of Rome, consultant to the Social Science Research Center at the University of Puerto Rico, and visiting professor of American history at Kyoto University, Japan. He was sent under the auspices of the U.S. Department of State to lecture on American history and civilization (November 1959–March 1960) in Turkey, Iran, Nepal, India, and Ceylon. For several years, Boorstin was the editor of American history for Encyclopedia Britannica. He is editor of the Chicago History of American Civilization, a series of 20-odd volumes. His most recent book is "The Americans: The Colonial Experience."

Lemuel R. Boulware retired from business as vice president of General Electric and general manager of its subsidiary manufacturing corporations. He previously held similar positions with Celotex and Carrier Corps. following service as marketing manager for Easy washing machines and as public accountant, comptroller, purchasing agent and factory manager. From May 1947, through December 1960, Mr. Boulware helped General Electric pioneer new concepts in "Relations"—employee, community, union, investor, educational and public relations. A native of Springfield, Ky., he was graduated by the University of Wisconsin where he had been captain of the baseball team. He taught commercial law and accounting classes there, and also in night schools. Two honorary doctorates of law and an honorary degree of doctor of humane letters have been awarded Mr. Boulware. During World War I he served as captain of infantry, and in World War II he was Operations Vice Chairman of the War Production Board, a service recognized by the award of the Medal of Merit by the President and by a Navy citation. Although retired, Mr. Boulware is active as lecturer, author, and consultant.

Mr. John C. Broger is Deputy Director of the Defense Department's Office of Armed Forces Information and Education and Vice Chairman of the Armed Services Committee of the President's people-to-people program. Previously he served as consultant to the Joint Chiefs of Staff, a duty additional to those of the president (1945–59) of the Far Eastern Broadcasting Co., a nonprofit organization which operates 18 medium and shortwave transmitters in the Philippines, Taiwan and Okinawa. Born in Nashville and an alumnus of Georgia Institute of Technology, Southern California Bible College and Texas A. & M., Mr. Broger served as electronics officer in the Navy 1942–45. After writing and editing 38 texts and manuals then for Navy radio and radar training, he was attached to Night Torpedo Squadron 91 aboard aircraft carrier *Bon Homme Richard* in Task Force 38. A frequent lecturer at war colleges of all services, Mr. Broger has been honored by awards from AMVETS and the Freedoms Foundation.

Dr. Samuel Miller Brownell was born, educated through college and started his teaching in Nebraska. After serving as teacher and high school principal, he did his graduate work at Yale University. After 12 years, 11 of which were as superintendent of schools in Grosse Pointe, Mich., he returned to Yale as professor of educational administration in the graduate school, a position he held until September 1956 when he became superintendent of schools in Detroit. As a member of the Yale faculty he had served 7 years as President of New Haven State Teachers College, under a cooperative arrangement. During 1953–56 he was on leave of absence from Yale to serve as U.S. Commissioner of Education. His activities also included the direction of 23 surveys of school systems located in New England, New York, New Jersey, Nebraska, and Hawaii, and teaching in summer sessions in such universities as Cornell, Harvard, University of Southern California, Wisconsin, and Michigan. He has been active in church and community affairs, and is presently a Rotarian, on the board of directors or advisory boards of the YMCA, Boy Scouts, United Foundation, and Economic Club. He is the father of four children whose elementary and high school education has been in the public schools.

Adm. Arleigh A. Burke, U.S. Navy Chief of Naval Operations, was born in Boulder, Colo., on October 19, 1901. On June 8, 1923, he was graduated from the U.S. Naval Academy, commissioned ensign in the U.S. Navy,

and married to Miss Roberta Gorsuch of Washington, D.C. Throughout his professional career, Arleigh Burke served in battleships, destroyers, and studied to receive the degree of master of science in engineering at the University of Michigan. In World War II he successively commanded Destroyer Division 43, Destroyer Division 44, Destroyer Squadron 12, and Destroyer Squadron 23, known as the Little Beavers, which covered the initial landings in Bougainville in November 1943, and fought in 22 separate engagements during the next 4 months. Because he pushed his destroyers just under boiler-bursting speed, he became known as "31-knot Burke." From Destroyer Command in the South Pacific, he reported in March of 1944 as Chief of Staff to Commander, Fast Carrier Task Force 58, Adm. Marc Mitscher. He flew many combat missions and he was aboard both *Bunker Hill* and *Enterprise* when they were hit by Japanese suicide planes during the Okinawa campaign. At the outbreak of the Korean war, Adm. Forrest Sherman, then CNO, ordered Admiral Burke to duty as Deputy Chief of Staff to Commander Naval Forces, Far East. From there, he assumed command of Cruiser Division 5, and in July 1951 he was made a member of United Nations truce delegation to negotiate with the Communists for a military armistice in Korea. After 6 months in the truce tents, he returned to the Office of Chief of Naval Operations where he served as Director of Strategic Plans Division until 1954. In April 1954, he took command of Cruiser Division 6, and in January 1955 assumed command of Destroyer Force Atlantic Fleet in which capacity he served until he succeeded Adm. Robert B. Carney as Chief of Naval Operations in August 1955. Admiral Burke has received numerous combat awards during his 37 years in the Navy including the Distinguished Service Medal, the Navy Cross, the Legion of Merit, and the Purple Heart.

Dr. W. Glenn Campbell, director of the Hoover Institution on War, Revolution, and Peace at Stanford University, was born in Canada and received his A.B. at University of Western Ontario. His marriage occurred as he started earning his M.A. and Ph. D. at Harvard, and he became a U.S. citizen in 1953, just before the birth of the first of his three daughters. After teaching at Harvard, Dr. Campbell was research economist for the U.S. Chamber of Commerce, and research director for American Enterprise Association in Washington before going to Stanford last year. He is member of the Committee on Welfare of the Commission on Intergovernmental Relations, of the board of trustees of the Institute for Social Science Research, of the Advisory Committee on Medical Economics of the American Medical Association, and was codirector for the report on American competitive enterprise written for the Senate special committee studying foreign aid. He has lectured at the Industrial College of the Armed Forces and is a five-time author.

Thomas H. Coulter since 1954 has headed the largest chamber of commerce in America. As chief executive officer of the Chicago Association of Commerce and Industry, he directs an association of business leaders representing America's largest, most diversified manufacturing center. Mr. Coulter has a background in business as an executive and a management consultant. He has traveled extensively, built and operated plants in Australia and the Far East, and is well versed in the problems of world trade. Born in Canada but now an American citizen, he holds a degree in industrial engineering from Carnegie Institute of Technology. He also holds a master's degree in economics and business from the University of Chicago. Mr. Coulter has been honored by both of his alma maters for outstanding professional achievement and public service. Widely active as a civic leader, he is a director of the American Red Cross Chicago chapter, the Chicago Crime Commission, and the Economics Club. He is also a trustee of the Institute for Psychoanalysis. In 1956 Mr. Coulter was a member of a management seminar team sent to the Middle East under the sponsorship of the U.S. operations mission of the International Cooperation Administration. In 1958 he served in a similar capacity in a top management team sent to Japan.

Dr. William Yandell Elliott, Williams professor of government at Harvard University and director of the university summer school, is a Tennessee native who earned his A.B. and A.M. at Vanderbilt University and studied at the Sorbonne prior to reading for his Ph. D. at Balliol College, Oxford. Dr. Elliott taught at Vanderbilt and California universities before joining the Harvard faculty in 1925. He is proud of his five sons, and of many opportunities to serve the country as, in 1936, consultant to the President's Committee on Administration Management; in 1940, National Advisory Defense Commission; in 1941, Office of Production Management; in 1945–46, House Special Committee on Postwar Economic Policy and Planning. Dr. Elliott was member of Senator Tydings' mission to the Philippines in 1945, Director of the Stockpile and Transportation Division, WPB, and Vice Chairman for Civil Requirements. He was staff director of the House Select Committee on Foreign Aid, 1947–48; staff director of the House Committee on Foreign Affairs, 1947–49, and Assistant Director of ODM, 1951–53. He was member of the Planning Board of the National Security Council, 1953–57, and later consultant to the State Department. Dr. Elliott served with the 114th Field Artillery, 30th Division, AEF, as first lieutenant. He is graduate member of the Business Advisory Council, Department of Commerce, and member of Sigma Chi, Phi Beta Kappa, and the Disciples of Christ Church.

Frank Flick, president of the Flick-Reedy Corp. and chairman of the board of the Henry George School of Social Science, is a graduate of Loyola Academy and the University of Illinois. He also is president of the National Fluid Power Association and director of the National Committee for Economic Freedom and chairman of the education committee of the Northwest Traffic Safety Council. He has served as chairman for the March of Dimes and holds the distinguished service award of Theta Kappa Phi. He is a frequent writer on engineering subjects. With six children, Mr. and Mrs. Flick live in Oak Park, Ill.

Dr. Charles A. Ford, editorial director of "Compton's Pictured Encyclopedia," is a native of Columbus, Ohio, and earned all his degrees at Ohio State University. High school principal and superintendent of schools in Brown Township, Miami County, Ohio, Dr. Ford served as director of research for the Ohio Bureau of Juvenile Research. He then joined the Tulane University faculty where he was head of the psychology department, director of evening and extension classes, and administrative assistant to the president before becoming dean of Temple University's Community College and Technical Institute. For Pennsylvania's area college center program, Dr. Ford organized and operated Martin, Rittenhouse and Sproul Colleges. His World War II service was as a captain in naval communications, and he holds a Legion of Merit Award and a unit commendation. He and Mrs. Ford have two sons and live in Hubbard Woods, Ill.

Lewis W. Gilfoy, director of instruction, secondary schools service section, Indianapolis public schools, was graduated from Clinton, Ind., High School in 1929. He received his B.S. degree from Indiana State Teachers College in 1933 and his M.A. degree from the University of Michigan in 1939. Mr. Gilfoy began his teaching career in 1933 at Dana, Ind., joining the staff of the Indianapolis public schools in 1939 as a teacher of social studies at Thomas Carr Howe High School. He became head of the social studies department there in 1943. In 1946 Mr. Gilfoy left the Indianapolis public schools to become director of teacher placement and assistant to the director of the evening division at Butler University and later served as director of student teaching there. He became director of alumni relations and field specialist in social studies at Indiana State Teachers College in 1947. Mr. Gilfoy returned to the Indianapolis system in 1949 and was named vice principal of Harry E. Wood High School in 1953. He began his present assignment in 1955. Mr. Gilfoy has served as president of the Indiana State Teachers College Alumni Association, the Indianapolis Education Association, and at present is president of the Indiana unit of the Association for Supervision and Curriculum Development. Mr. Gilfoy served as a special consultant for the Association for Student Teaching at its national conference in Puerto Rico during the summer of 1959.

H. Harry Henderson, vice president and general manager of Burson-Marsteller Associates, received his B.S. degree in premed and geology from Valparaiso University and his master's degree in journalism from Northwestern University's Medill School of Journalism. He organized and directed the public relations-advertising department of the large YMCA of Chicago for 3 years and he was also Midwest public relations representative for Ford Motor Co. and manager of communications for Owens-Corning Fiberglas Corp. He also worked 2 years on the Chicago Sun in 1941 and 1942. During World War II, he was a radioman with Navy amphibious forces and underwater demolition teams or frogmen. He is a private pilot, a member of the Mach Busters Club. He participated in an atomic test series as the guest of the Federal Civil Defense Agency in recognition of his volunteer public relations services. He has raised prize hogs, lived (as part of a journalistic assignment) with bums on Chicago's Skid Row for 1 month, and was awarded the Toledo Community Chest bronze plaque for public service. Mr. Henderson has traveled throughout the world, including Russia and China, and has talked with some of the world's leading propagandists as part of his hobby of collecting propaganda. He lives in Park Forest, Ill., with his wife and three sons.

Dr. James R. Hayden is deputy director of civil defense for New Bedford, Mass., as well as assistant superintendent for secondary education in public schools there. Boston College awarded his A.B. and M.A. degrees, and Boston University conferred the Ed. D. degree. Dr. Hayden has been high school mathematics teacher, school system psychometrist, director of pupil personnel services, and visiting lecturer at Boston University Graduate School of Education. He served the U.S. Air Force in World War II in cryptographic and radio communications, and now Lieutenant Colonel Hayden is commander of the 9235th Air Reserve Squadron in New Bedford, as well as member of the board of directors of the New Bedford chapter of the Red Cross, junior achievement, Mental Health Clinic, Science Fair, and Educational Enrichment, Inc.

ROMAN L. HRUSKA, Republican Senator from Nebraska, was admitted to the bar in 1929 and practiced law in Omaha until his election to Congress in 1952. His public services includes terms as member, board of regents, University of Omaha, 1950–57; national vice president and legal counsel Western Bohemian Fraternal Association (Cedar Rapids, Iowa), since 1942; appointed in 1944 to Board of County Commissioners, Douglas County, Nebr., elected in 1946 and 1950,

served as chairman 1945–52; member advisory committee to the Nebraska Board of Control 1947–52. Mr. HRUSKA was elected to the 83d Congress November 4, 1952, elected to the U.S. Senate November 2, 1954, to serve unexpired term of the late Senator Hugh Butler, and reelected for a full term November 4, 1958. Senator HRUSKA is a member of the Senate Appropriations and Judiciary Committees and was chairman of the Nebraska State delegation to the Republican National Convention, 1960.

Dr. Russell J. Humbert, president of DePauw University since 1951, is a distinguished Methodist clergyman, author, speaker, and broadcaster. Bachelor of science at Wooster College and master of theology at Boston University, his doctorate of divinity was earned at Mount Union College precedent to award of doctorates from six other centers of learning. His pastorates were in Ohio and preceded his joining the faculty at DePauw. Dr. Humbert is national committeeman of the Boy Scouts and of the Advisory Mental Health Council, as well as of the Commission of Christian Higher Education, university senate of the Methodist Church and the Methodist Board of Education. He has served as chairman of the Indiana White House Conference Committee and of the Akron Community Chest as well as in many another post of religious and community responsibility.

Dr. Erling M. Hunt, chairman of the department of teaching social studies at the Teachers College of Columbia University, is also professor of history on the Jacob H. Schiff Foundation and a frequent author on historical, social science, and educational subjects. He is a New Hampshire native and was an alumnus of Dartmouth when he earned his master's degree and doctorate at Columbia. Dr. Hunt has been editor of Social Education, president of the National Council for Social Studies and, since 1953, chairman of the Public Affairs Committee of the American Association of University Professors. A bachelor, Dr. Hunt, has homes on Riverside Drive in New York City and in Norwich, Vt.

Robert S. Ingersoll, president and chief executive officer of Borg-Warner Corp., began his business career in 1937 when he was graduated with a bachelor of science degree from Sheffield Scientific School of Yale University. His first employer was the American Rolling Mill Co., (now Armco Steel Corp.) in Middletown, Ohio. In 1939 he joined Borg-Warner in the first of a long succession of positions which were eventually to qualify him for his present executive responsibilities. After serving in various managerial capacities at the division level, including research and development, production, and general administrative work, Mr. Ingersoll was named administrative vice president of the parent Borg-Warner Corp. in 1953. He was chosen a director in 1955, and president of the company in 1956. The additional responsibilities of chief executive officer were assigned to him in 1958. He is a director of several other large companies and a number of business organizations as well. He participates in educational, charitable, religious, and civic activities in Chicago and his home community of Winnetka, a northern suburb of Chicago.

Prof. Masamichi Inoki has held the chair of political science at Kyoto University, Japan, since 1949. This is his second visit to the United States, the first having been in 1957 as one of the Japanese leaders who come to this country as guests of the U.S. State Department. Professor Inoki was born in Kyoto and was graduated in economics by Tokyo University, after which he joined the Mitsubishi Trust Corp. and presently became fellow of the Mitsubishi Economic Research Institute. He taught 3 years at Seikei Junior College before joining the faculty at Kyoto University. He is author of seven authoritative books on political science subjects, including studies of Russian, Communist, and dictatorship histories. Professor and Mrs. Inoki have three daughters in college and 15-year-old Takenori Inoki in Viator High School, Kyoto.

Dr. WALTER H. JUDD, Republican Congressman from the Fifth District of Minnesota, was born in Rising City, Nebr., and worked on a farm every summer until he graduated from high school. Then he worked his way through the University of Nebraska and medical school by various jobs, including teaching zoology at the University of Omaha. He enlisted at a private in the U.S. Army during World War I and was discharged a lieutenant in the field artillery. In 1925, under the Foreign Mission Board of the Congregational Church, Dr. Judd went as a medical missionery to bandit- and malaria-infested south China. He survived the bandits and Communists but repeated malaria attacks forced his return after 6 years to the United States. He received a fellowship in surgery in 1932 at the Mayo Clinic at Rochester, Minn.; then in 1934 returned to Asia, this time to north China, where for 4 years he superintended a 125-bed hospital. He and his staff brought the hospital through a Communist revolution and the Japanese invasion, and at the same time improved its work from 33 to 83 percent self-supporting. When Japan's armies moved into his area he was under their control for 5 months and saw things which made him feel it imperative that we stop building up the Japanese war machine. He came home in 1938 to carry that message to more than 1,400 audiences in 46 States in 2 years. In January 1941 he took up his medical practice in Minneapolis. After Pearl Harbor, many individuals and groups representing all segments of the community urged Dr. JUDD to become a candidate for Congress from the Minnesota Fifth District. He was elected in 1942 and has been reelected every 2 years since then. Dr. JUDD is a member of the Committee on Foreign Affairs and served as delegate to the General Assembly of the United Nations in 1957 and delegate to the World Health Organization Assembly in 1950 and 1958. He made the keynote speech at the 1960 Republican convention.

Edward L. Katzenbach, Jr., Deputy Assistant Secretary of Defense for Education and Manpower Resources, attended Princeton University and received his doctorate in philosophy in 1953. Since then he has taught at Columbia, Brandeis, Princeton, and Harvard Universities. At Harvard he was director of the Harvard defense studies. For years Mr. Katzenbach has lectured and written on defense problems. He served in the Marine Corps in World War II and Korea, and is now a lieutenant colonel of Marine Reserves.

Lyman B. Kirkpatrick, Jr., Inspector General of the Central Intelligence Agency, is an editor who went to work for "Wild Bill" Donovan in 1942 when people called Donovan's organization the Office of the Coordinator of Information. By V–E Day, he was Major Kirkpatrick of the OSS, detailed to the General Staff Corps as briefing officer for General Bradley and wearing five battle stars, the Legion of Merit, Bronze Star, and the French and Belgian Croix de Guerre. A Rochester native who played football at Deerfield Academy and Princeton University, Major Kirkpatrick majored in international relations. He went to work for David Lawrence as assistant managing director of the Bureau of National Affairs, publisher of professional journals. From these duties and editing assignments for U.S. News, Mr. Kirkpatrick turned to problems of concern to General Donovan until, in 1945, he returned to World Report as an editor. In 1947, Gen. Hoyt Vandenberg asked Major Kirkpatrick to join the Central Intelligence Agency. Last year his services were recognized by awards from the National Civil Service League and from the Princeton class of 1938, which annually recognizes the graduate whose work personifies Woodrow Wilson's concept of "Princeton in national service." The Kirkpatrick family lives in Fairfax, Va., and includes two sons and two daughters.

Morris I. Leibman, is the senior partner of the Chicago law firm of Crowell & Leibman, which numbers among its clients a number of nationally and internationally known corporations. He graduated from the University of Chicago Law School in 1933 having received the degrees of Ph. B. and J.D. He has been active in all fields of the law and is a director of a number of corporations. He has served in the principal legal societies of his profession and is a fellow of the American Bar Foundation. Mr. Leibman has worked with a number of educational and charitable institutions and has lectured at many of the law schools in the Midwest. He has been active as a civilian in national strategy affairs, including participation in the Secretary of Defense's Joint Civilian Orientation Conference and the Defense Orientation Conference Association. He is a director of the Institute for American Strategy, serves on its executive committee and his firm is counsel for the institute.

Edwin Allen Locke, Jr., president of Union Tank Car Co., has a wide and varied background in business, finance, and government. Following graduation from Harvard in 1932, he joined the Chase National Bank in New York City. Part of his service with Chase was spent in oversea assignments in Paris and London. During World War II, Mr. Locke served in various capacities for the U.S. Government in Washington, D.C. Toward the end of the war, he became executive assistant to the personal representative of the President. He was named the President's personal representative in 1945 and his special assistant in 1946. In 1947 Mr. Locke returned to the Chase National Bank in New York City, as a vice president. In 1951 Mr. Locke was appointed special representative of the Secretary of State to the Near East, with the personal rank of Ambassador. Mr. Locke came to the Union Tank Car Co., Chicago, in 1953. He is director as well as president. In addition to his active participation in many Chicago charitable, civic, and political organizations, Mr. Locke is chairman of the executive committee, Institute for American Strategy.

Edward C. Logelin, vice president of United States Steel Corp., is a native Chicagoan who started as a stenographer, attended night school at Northwestern University and rose through the public relations department to the position of corporation vice president in Chicago. Starting in the advertising department of United States Steel's Universal Atlas Cement Co. in 1930, he transferred to public relations in 1937 and was appointed assistant director of public relations when that department was established in Chicago. He was named principal assistant in the corporation's public relations headquarters in New York in 1943 and remained there until his appointment as director of public relations in Chicago in 1946. He was promoted to his current position in 1954. The Logelins and their two children, Eleanor and Edward III, live in Riverside, Ill.

Maj. Lenox R. Lohr is an honor graduate from Cornell University who is distinguished as an engineer, scientist, author, and educator. He is president of the famous Museum of Science and Industry in Chicago's Jackson Park. This three-dimensional, activated encyclopedia of display and demonstration makes clear to children and adults alike the "hows" and "whys" of human accomplishment from Roman roadbuilding to the management of atomic energy. Major Lohr is remembered widely also as director of the Chicago Century of Progress in 1933–34, of the Railroad Fair in 1948–49, and of the Centennial of Engineering in 1952. He was once president of National Broadcasting Co. and formerly served as chairman of an Illinois

commission to serve higher education in the State. Prior to World War I, Major Lohr was on active duty with the Corps of Engineers, U.S. Army, and later was first executive secretary of the Society of American Military Engineers.

Loyola University's 20th president, the Very Reverend James F. Maguire, S.J., was born across the street from St. Ignatius High School on Chicago's west side in 1904. Later he received his secondary school education there, and joined the Society of Jesus in 1922. Before his ordination in 1937, Father Maguire attended St. Mary's College (Kansas) and the Jesuit seminary at Florissant, Mo. He received his bachelor's and master's degrees from St. Louis University. At the completion of his training after ordination he taught for a year at the University of Detroit High School and then became president of St. Xavier High School, Cincinnati. Before coming to Loyola University in July 1955, the Jesuit was president for 6 years of West Baden College, a Jesuit seminary in West Baden Springs, Ind., and president for another 6 years of Xavier University, Cincinnati. Under his guidance, Loyola University embarked in 1960 on a 40-year "Horizons for the Centuries" program providing expanded educational facilities and community services on four Chicago area campuses.

Herbert R. Mayes, editor of McCall's magazine, has been editor of one magazine or another since 1920, including 20 years as editor of Good Housekeeping. Currently and for the last 2 years editor of McCall's, he is vice president and director of the McCall Corp. Associate in journalism at Columbia University, Mr. Mayes was awarded the Editorial Management Medal in 1960, highest award by the Art Directors' Club of New York, and was voted Editor of the Year in 1960 by American and Canadian magazine editors and the Council for Periodical Distributors Association. He also has the Gold Medal Award for Editorial Achievement from University of Southern California. Mr. Mayes is author of "Horatio Alger, a Biography Without a Hero," and "Editor's Choice."

Dr. Austin J. McCaffrey, executive secretary of the American Textbook Publishers Institute, was born in Lincoln, N.H., and was educated in schools of that State until he took his B.A. and Ed. M. degrees from University of New Hampshire. He earned his Ed. D. at Harvard. Dr. McCaffrey has been a teacher, principal, and superintendent of schools in five New Hampshire communities, and in 1954 he became State commissioner of education, earning in the process the citation for Distinguished Service to Education of the New Hampshire Educational Association. Among many other professional and public service responsibilities, Dr. McCaffrey has served as president of the New England School Development Council. He and Mrs. McCaffrey now live with their four sons in New York City.

Rev. Timothy L. McDonnell, S.J., chairman of the Political Science Department of the University of San Francisco, was born in San Francisco and educated in San Francisco schools, entering the Jesuit novitiate in 1936. He earned a master's degree in philosophy at Gonzaga University with a thesis on "A Thomistic Criticism of Marxian Dialectical Materialism." He taught social sciences at St. Ignatius High School in San Francisco before earning another master's degree in government at St. Louis University. While he was studying theology at Alma College, Los Gatos, Calif., Father McDonnell was ordained to the priesthood in San Francisco in 1949. Graduate study at St. Louis University and Georgetown University earned him the Ph. D. in political science. Besides with his academic duties Father McDonnell is busy as a lecturer on communism on the radio and to professional and scholarly groups in the San Francisco Bay area.

Arthur G. McDowell, executive secretary-treasurer of the Council Against Communist Aggression with headquarters in Philadelphia, also is director of the Department of Civic Education and Governmental Affairs of the Upholsterers' International Union. Daughters of the American Revolution gave him the award for student achievement in history when young McDowell was graduated from high school in Butler, Pa. Two years later, the University of Pittsburgh disputed his activities on behalf of organized labor and civil liberties, ending McDowell's formal study. In 1930 he refused unconditional reinstatement offered by the university, for then he was directing the governorship campaign of the Socialist nominee who was president of the Pennsylvania's Federation of Labor. As trade union and Socialist Party leader, McDowell fought Communist attempts to penetrate and break up these organizations during 1933–37. The pacifist Socialist policy with respect to Hitler caused McDowell to resign Socialist offices in 1940, and to leave the party entirely in 1941 as a result of his advocacy of lend-lease. As a textile union official, he led the first successful attempt in 1943 to get a CIO group to condemn the Soviet Union for the secret execution of Polish and Jewish democratic and labor leaders. He remains active in national affairs of the AFL–CIO and as an author. In 1959, McDowell received the Freedom Book Award for Labor of the American Heritage Committee at New Bedford, Mass., and he holds a bipartisan Senate citation for his work in bringing the "Freedom Commission" bill before Congress and to unanimous passage by the Senate August 31, 1960.

Dr. William Montgomery McGovern, professor of political science at Northwestern University, could deliver his speech here as easily in Japanese, Chinese, or nine other languages as in English, as he intends. Born in Manhattan, he grew up in the Orient and studied at Oxford, University of London, the Sorbonne in Paris and the University of Berlin. Later he explored the Amazon, dug for Inca remains in Peru, did research work in the Balkans, the Near East and India, and penetrated the forbidden city of Lhasa in Tibet disguised as a coolie, reporting these experiences in many books and lectures. Commander McGovern, USN Reserve, was assigned to Joint Chiefs of Staff at the start of World War II and contributed to intelligence and strategic survey projects which caused him to visit every theater of combat. As consultant to the congressional Committee on Foreign Affairs, Dr. McGovern is famous for a report on the Far East that predicted the Communist invasion of South Korea among other foresights, all of which came true. His most recent book is "Strategic Intelligence and the Shape of Tomorrow."

Rt. Rev. Msgr. William E. McManus, superintendent of schools of the Archdiocese of Chicago, is a native Chicagoan educated at the Ascension Parochial School in Oak Park and at Quigley Preparatory Seminary, Chicago, and St. Mary of the Lake Seminary, Mundelein, Ill., before earning his M.A. at the Catholic University of America in Washington, D.C. Monsignor McManus fulfilled parish assignments in Chicago in 1939–45, and 1943–45, and served as assistant director, department of education, National Catholic Welfare Conference from 1945 to 1957. Monsignor McManus was a member of President Eisenhower's Advisory Committee for the White House Conference on Education, and also is active in many professional organizations concerned with the welfare of the Nation's schools.

MORGAN M. MOULDER, of Camdenton, Camden County, Mo., was born August 31, 1904, in Linn Creek, Mo. He was educated in the public schools of Linn Creek and Lebanon, Mo.; University of Missouri; and graduated from Cumberland University, Lebanon, Tenn., with a LL.B. degree. He was admitted to the bar, March 31, 1928; elected and served four terms as prosecuting attorney of Camden County; 3½ years as special assistant to the U.S. district attorney, western district of Missouri; and appointed judge of the 18th judicial circuit to fill an unexpired term, in which position he was serving when elected on November 2, 1948, to the 81st Congress. He has been reelected to each succeeding Congress. He serves on the Committee on Interstate and Foreign Commerce and is also the ranking Democratic majority member of the Committee on Un-American Activities of the U.S. House of Representatives.

Lt. Gen. George Warren Mundy, U.S. Air Force, commandant of the Industrial College of the Armed Forces, has behind him a balanced military career: senior command (commander, 2d Air Force, SAC); combat command in World War II (commander, 39th Bomb Group, and later 313th Bomb Wing—B–29's—in the air offensive against Japan); supply and services (Director of Supply, Maintenance and Services, AMC and Headquarters (USAF)); and research and development (commander, Air Proving Ground); as well as training (commander, 33d Flying Wing, Central Flying Training Command). He is a graduate of the U.S. Military Academy, the Army-Navy Staff College, and the National War College. He is rated a command pilot, combat observer, technical observer and is qualified in the current jet operational bombardment and transport aircraft. Among the decorations he has been awarded are the Silver Star, the Legion of Merit, Distinguished Flying Cross with one Oak Leaf Cluster, Air Medal with two Oak Leaf Clusters, the Bronze Star, Purple Heart, Distinguished Unit Citation with one Oak Leaf Cluster, and the Asiatic-Pacific Theater Ribbon with three Battle Stars. Since taking command of the Industrial College of the Armed Forces in 1957, General Mundy has made a determined and successful effort to instill in the curriculum a realistic appraisal of the U.S. position in the world, against the backdrop of the total power pattern—military, political, and economic.

Robert J. Muntzel, realty developer of Mission, Kans., is a Russian-speaking American who three times has visited the U.S.S.R., most recently in 1959 by auto for a 4,620-mile tour which took him and Mrs. Muntzel off beaten tracks and behind the scenes of setpiece displays contrived to impress visitors. Mr. Muntzel, is a member of the board of regents of Donnelly College and of Rockhurst College, and for 16 years has been chairman of the Missouri Valley Red Cross of 18 chapters. As Red Cross representative, Mr. Muntzell enjoyed unusual freedom from restraints by the totalitarian governments of U.S.S.R. and six satellite nations so as to obtain detailed understanding of the school systems of Stalingrad, Moscow, and Rotovon-Don, as well as notably clear impressions of unposed citizens as they actually live day by day. Mr. Muntzel is a frequent writer and lecturer on his experiences, and invites questions.

Dr. Gerhart Niemeyer, professor of political science at Notre Dame University, was born in Essen, Germany, and studied at Cambridge University, and the University of Munich, receiving his LL.B. and J.U.D. at Kiel University. He was an assistant to Prof. Herman Heller, Frankfurt, and later lecturer in law, University of Madrid; lecturer in politics, Princeton University; and professor of political science, Oglethorpe University. Professor Niemeyer was a member of the staff, U.S. Department of State, 1950–53, and of the Council on Foreign Relations, 1953–55. He has been professor of political science at Notre Dame University since 1955. In 1959 he took leave from this position to serve as a member of the Department of Political Affairs of the National War College for 1 year. He is author of "Law Without

Force"; the "Function of Politics in International Law" (Princeton University Press, 1941); "An Inquiry Into Soviet Mentality" (New York, Praeger, 1956); and coeditor, "Handbook on World Communism," published in Germany, 1958. He has served as a consultant on communism to the House Committee on Un-American Activities. This consultation was published as a committee print entitled "The Irrationality of Communism" (85th Cong., 2d sess.). He also prepared for them "Facts on Communism, Volume I: The Communist Ideology" (1960).

Rev. Stanley J. Parry, C.S.C., has been head of the Department of Political Science at the University of Notre Dame since 1953. A native of Mauch Chunk, Pa., Father Parry is a 1941 Notre Dame graduate. He received a master of arts degree in political science from Georgetown University in 1947, and a doctor of political science degree from Yale University in 1953. Father Parry entered the Holy Cross Fathers' novitiate in 1936 and was ordained to the priesthood in Notre Dame's Sacred Heart Church on June 10, 1945, by the Most Reverend Amleto Cicognani, former Apostolic delegate to the United States. The author of many scholarly articles, Father Parry wrote the introduction to Aquinas' "Treatise on Law," published in 1955 by Regnery Co. He is a member of numerous professional and public service organizations, including the American and the Midwestern Political Science Associations.

Charles Harting Percy, president of Bell & Howell Co. and chairman of the 1960 Republican Convention platform committee, was born in Pensacola, Fla., on September 27, 1919, the son of Edward H. and Elizabeth Harting Percy. He entered the cooperative training program of Bell & Howell Co. in 1936, while attending the University of Chicago, and was elected to the board of directors in 1942 at the age of 23. Upon his return from active duty with the Navy, which he started as apprentice seaman in 1943 and ended as lieutenant in 1945, he was made corporate secretary and was given responsibility for Bell & Howell's industrial relations and foreign manufacturing programs. He became president of the company at the age of 29 in 1949. Mr. Percy is director of the Burroughs Corp. and two banks, trustee of the University of Chicago; chairman of the board, Fund for Adult Education of the Ford Foundation; member of board, World Brotherhood, Inc., and member, special studies project, Rockefeller Bros. Fund, Inc. In 1949 he was named one of the 10 outstanding young men in the United States by the U.S. Chamber of Commerce. In 1956 he attended the Presidential inaugural ceremonies in Peru and Bolivia as a personal representative of President Eisenhower, with the rank of Special Ambassador. At the University of Chicago he was president of the Inter-Fraternity Council; and of the senior men's honorary society as well as captain of the university's Big Ten championship water polo team and university marshal. Percy lives in Kenilworth, Ill., with his wife and five children.

William J. Reid is head of the history department, Hyde Park High School, and coordinator of the civil education program of Boston public schools. A native Bostonian, graduate of Boston Latin School and Dartmouth College, he holds graduate degrees in education from Boston Teachers College and Harvard, with a Ph. D. in American history from Boston University. Dr. Reid began teaching in junior high schools, of Boston, moved to the high schools, and later became assistant professor at Boston Teachers College, before his present appointment. He is coauthor of a textbook, "Massachusetts, History and Government of the Bay State" (Oxford Book Co., 1956) and has contributed articles to the World Book Encyclopedia, Collier's Encyclopedia, and Collier's Encyclopedia Yearbook, 1960. Dr. Reid served with the Navy during World War II as officer-in-charge of the Naval Flight Preparatory School, College of Wooster, Ohio, and as operations officer with Acorn units in the Pacific. He was awarded the Bronze Star, and he is still a commander in the U.S. Naval Reserve.

President John T. Rettaliata of Illinois Institute of Technology is outstanding not only as an educator, but also as an engineer, industrialist, and community leader. Born in Baltimore, Dr. Rettaliata earned his degrees at Johns Hopkins University and then had honorary doctorates added by Michigan College of Mining and Technology and Valparaiso University. He has been head of the department of mathematics at Baltimore College Center, laboratory technician for the U.S. Department of Agriculture, manager of research and gas turbine development for Allis-Chalmers Co., and, since 1945, professor, dean, and president of I.I.T. He is president also of Armour Research Foundation of Illinois and the Institute of Gas Technology. President of the Western Society of Engineers and fellow of the American Association for the Advancement of Science and of the American Society of Mechanical Engineers, Dr. Rettaliata is member as well of the boards of directors of 12 financial and manufacturing corporations. He has guidance responsibilities with 28 civic organizations, and of his 9 clubs, he is on committees of 3 and president of the Economic Club of Chicago. Two sons and a daughter keep Dr. and Mrs. Rettaliata abreast of student opinion at elementary, secondary, and college levels.

Dr. Don C. Rogers, retired associate superintendent of Chicago Public Schools, has taught and earned degrees, including the Ph. D., at Northwestern, Chicago, Iowa State, and Wisconsin Universities. In Chicago he started as a classroom teacher and presently was responsible for 340 schools, 9,000 principals and teachers, and 290,000 pupils of the elementary system for 10 years. He has commanded his American Legion post, served as International President of Civitan service clubs, and been otherwise active in numerous civic and professional organizations. Dr. Rogers was in the Army in World War II, and, of his four children, three sons served in World War II. With Mrs. Rogers, he still lives in Chicago.

James E. Rutherford, vice president in charge of mid-America operations of the Prudential Insurance Co. of America, is a graduate of the University of Arkansas and of the Arkansas Law School. He began selling real estate while attending law school and continued in the real estate business until 1931, when he entered the life insurance business in Little Rock. In 1942, he was chosen the first executive vice president of the National Association of Life Underwriters (New York City) and served in that capacity until July 1, 1949, when he joined the Prudential Insurance Co. of America as a vice president in its home office in Newark, N.J. He was named vice president in charge of mid-America operations in February 1953, and moved to Chicago early in 1955. Mr. Rutherford served as chairman of the Chicago chapter of the American Red Cross and a trustee of the Community Fund-Red Cross joint appeal during 1957–58 and 1958–59 and has continued to be active in both organizations. He is president of the Chicago Association of Commerce and Industry, a member of the board of managers of the YMCA of Metropolitan Chicago, a director of the Economic Club, a member of many other community service and social groups. He and Mrs. Rutherford live on the near North Side of Chicago and their son is practicing medicine in New Canaan, Conn.

Maj. Gen. Delmar T. Spivey, U.S. Air Force, retired, is superintendent of Culver Military Academy, a former commandant of the Air War College of the Air University, and Chief of U.S. Air Force War Plans Division. Shot down over Germany in World War II, General Spivey spent nearly 2 years as prisoner of war. From William and Mary College, General Spivey entered West Point and served in the infantry before his flying training. He was flying instructor, executive officer of the Air Proving Ground and presently operations officer for Southeast Training Command before assignment to the 8th Air Force, which preceded his capture by the enemy. With the 5th Air Force, he commanded the 314th Air Division over Korea and later was responsible for airspace over 26 Central States in command of Central Air Defense Force in Kansas City. His decorations include the Distinguished Service Medal, Officer of the British Empire, and Purple Heart. General and Mrs. Spivey's son is 2d Lt. Delmar B. Spivey, U.S. Air Force.

William C. Sullivan is Chief of the Research Section, Domestic Intelligence Division, for the Federal Bureau of Investigation and has been associated with the FBI for the past 19 years. He was a teacher and a U.S. Internal Revenue Service representative before becoming a Federal investigator. Mr. Sullivan holds a bachelor of arts degree and a master of public education degree and has attended the American University, Clark University, George Washington University Graduate School, State Teacher's College at Fitchburg, Mass., and Boston College Graduate School at Newton, Mass. During World War II he served in all sections of the United States and overseas on many confidential assignments.

Charles T. Vetter, Jr., of the professional training faculty of the U.S. Information Agency is a Columbus, Ohio, native reared in Detroit and New York City. An A.B. at Hamilton College after war service as naval aviator, he attended the School of Advanced International Studies in Washington, D.C., Georgetown University Law School, the Academy of International Law at The Hague, and received his LL.B. from National University Law School in 1953. He was admitted to the bar of the District of Columbia in 1954 and received his LL.M. from George Washington University Law School in 1959. Mr. Vetter was adviser to the director of public relations of the government of East Pakistan and later an USIA lecturer in political science in West Pakistan. On his return from Pakistan in 1956 he joined the professional training staff of the U.S. Information Agency to teach international communications and communism. In 1959 he visited Czechoslovakia, Poland, and the Soviet Union on a 3-month assignment as a supervisor and training officer for the American guides at the American national exhibition in Moscow.

FRANCIS E. WALTER, chairman of the current Democratic caucus and rules committee and coauthor of the Walter-McCarran Immigration and Nationality Act, is the Pennsylvanian who ranks ninth in seniority among Democrats in the House of Representatives. Alumnus of Georgetown and George Washington Universities, Attorney WALTER was solicitor for Northampton County before his election to Congress. Seaman and ensign in World War I, he was lieutenant commander in World War II and later was member of the congressional committee which did the background work for the Marshall plan. A doctor of laws at Norwich University, Congressman WALTER'S 19 other awards and citations for distinguished service include recognition from Japan, the Netherlands and Italy, as well as from American patriotic and civic groups of many sorts. Congressman WALTER'S chairmanships have included that of the Un-American Activities Committee.

Dr. Kenneth D. Wells, president of Freedom Foundation at Valley Forge, is a Northwestern University alumnus whose doctor-

ate in humane letters was earned at Temple University prior to award of doctorates also from Florida Southern and from Trinity Colleges and Texas Christian University. Born in Akron, Dr. Wells was an oilfield roustabout in California at 14 and later an executive of Union Oil Co. there. He taught economics at University of Akron and at Southern California University and he also is an experienced advertising professional. His nine honor awards come from such distinguished sources as the Veterans of Foreign Wars, the Boy Scouts of America, the Poor Richard Club of Philadelphia, the Elks, and the National Shrine, for numerous public services. Dr. and Mrs. Wells have two sons and four foster children.

Dr. Benjamin C. Willis, general superintendent of Chicago public schools since 1953, also has been chief executive of the school systems of a Maryland county, of Yonkers, and of Buffalo, N.Y. He is president-elect of the American Association of School Administrators, and trustee of the Chicago Planetarium Society and of the Seabury-Western Theological Seminary. Among many positions of public service and responsibility, Dr. Willis is member of the National Advisory Committee of the Girl Scouts and of the Chicago executive branch of the Boy Scouts and the YMCA. He also is a director of Northwestern Mutual Life Insurance Co. A native of Baltimore, Dr. Willis was graduated from George Washington University, earned his master of arts at University of Maryland, and holds doctorates from Columbia, Northwestern, Bradley, and Harvard Universities and from Central Michigan College. Lecturer and writer, Dr. Willis also is at home on television, which particularly pleases his daughter and three grandchildren.

Dean A. M. Woodruff of the School of Government, Business, and International Affairs of George Washington University, is an alumnus of Williams College, and a doctor of philosophy from Princeton University. An executive of Prudential Insurance Co., he became professor of business administration at University of Pittsburgh and later joined the faculty at the Rutgers Graduate School of Banking before moving to his current post. Active in Pittsburgh civic affairs as an economist and as a tax and urban renewal expert, he also is director of the Washington Trust branch of the Western Pennsylvania National Bank. Since writing the David A. Wells prize essay on farm mortgages at Williams College, Dr. Woodruff has published a book on small factory management, many monographs and is about to publish a book on municipal, county, and State administration of the ad valorem tax.

THE UNITED NATIONS

Mr. ERVIN. Mr. President, the time-consuming nature of our work here is such that we frequently do not have the time to give our attention to writing and speaking about many of the pressing problems and institutions of our day.

From time to time, I have spoken on various aspects of the operations of the United Nations. Although I have not always been in full accord with its decisions, I have been steadfast in my thinking that it is making an outstanding contribution to mankind in providing a forum for discussing and negotiating the pressing world problems of today. The August 6 edition of the Raleigh (N.C.) News and Observer carried an article by Mr. Ralph McGill entitled "What If There Had Been No U.N.?"

It is my feeling that Mr. McGill, in a very succinct article, propounds the most salient contributions which the United Nations has made. It is these contributions to world peace which I feel make the United Nations an indispensable organization during the periods of tension and strife which have abounded since the advent of the United Nations.

I associate myself with the remarks of Mr. McGill for I feel that the United Nations is our last hope in solving many of the great and complex world problems confronting us.

I ask unanimous consent to have Mr. McGill's article printed at this point in the RECORD.

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

WHAT IF THERE HAD BEEN NO U.N.?

(By Ralph McGill)

UNITED NATIONS, N.Y.—It is the alternatives which we must try to keep in mind these years of fear as we confront the fatalities brought on by collapsing empires and seek, through diplomacy, to bring into being new approaches short of the most dreadful alternative of all, nuclear war.

Here at this place, which the poets and idealists call "the City of Man," one may honestly pose the question, "What would have happened since 1945 had there been no United Nations?"

The answer is quite plain. The U.N. has saved the world from war. There is, perhaps, a paradox in saying it has not managed to bring peace to the world, but that it has prevented a vast and consuming war. But this is what it has done.

The United Nations is the place where a nation can save face. In a time of acute crisis, when all the explosives of national pride, prestige, and ambitions are involved, the U.N. provides a way out. The nations can thunder and talk big, but they also can speak piously and say they will, being members of the U.N., take the matter there.

So long as the U.N. is around, a nation doesn't have to chicken out in a tough situation.

Every day we see the continued disintegration of an old pattern of power and the appearance of new political and military power centers. In all of this, to be frank, the U.N. offers but a marginal hope. But at no other time in world history has there been even this. Whatever the causes which produced the fall of the Roman Empire, barbarism and intellectual darkness replaced it.

In point of sober fact, what the U.N. has accomplished, measured against the volume of change, is almost unbelievable. In just a little more than 15 brief years, we have seen Western Europe's control over Asia and Africa brought almost to an end. Here and there, as in Portuguese-Angola, it holds on bloodily and, of course, hopelessly. But all of Asia has emerged from colonial or semicolonial control. The travail of African emergence is before our eyes in the Congo, in Algeria, in Angola, and in smaller areas where the first stirrings of independence are seen.

If we look at the status of control as it was when the Second World War ended and view it now, we see that the process of disintegration and the growth of new forms has been vast almost beyond comprehension. There has been no slow, corallike growth. There has been, rather, a great deal of the business of springing full born from the forehead of the disturbing god of change.

In many of these moves to independence violence was a major element. Turbulence and disorder, some of it brutal affronts to the tenets of civilization, were and are in the headlines of our papers and in the voices of news commentators. That none of these produced a war into which the powers, large and small, were drawn is almost unbelievable. This is the more incredible when we consider that a corollary to this convulsive change was a tremendous increase in suspicion, hostility, and distrust. Radical shifts, revolutionary conditions, and the Wagnerian thunder of ill-prepared states filling the vacuum left by departing imperialisms did not bring us to nuclear war.

There was always the U.N. No matter how big the statesmen and the generals had talked, they didn't have to take the alternative of the big, hot, consuming nuclear weapons. They didn't have to chicken out. They could say, with perhaps phoney piousness, they would accept "the presence of the United Nations," or they would bring it before the General Assembly.

It has been, and will continue to be, a sort of cliff-hanging existence. In the past the decline of one power brought yet another to control. We are now trying something new. Communism thinks it can win, without war, by the strength of its Marxist promise to the poor and landless whose expectations are rising faster than reform.

We are, indeed, treading a new and difficult road. We are trying to move toward a form of international security instead of going to war to resolve the challenge of new powers. Mankind has had an evil inheritance of violence. The U.N. is the only alternative.

THE ENLARGEMENT OF FORT RALEIGH

Mr. ERVIN. Mr. President, I am certain that the Senate will be pleased to be advised, as I am, that H.R. 5518, providing for the establishment of additional acreage at Fort Raleigh on Roanoke Island, N.C., has been passed by both Houses of Congress and sent to President Kennedy for his signature. It is my sincere hope that the President's signature will be affixed to the same in order that a protective provision may be made for one of the Nation's most historic establishments.

It was on Roanoke Island that Sir Walter Raleigh, under the banner of Queen Elizabeth, set down the foundations of the New World. The original Fort Raleigh was constructed on the island 377 years ago, in 1584. The present fort was rebuilt in recent times as a monument to frontiersmen of an earlier day.

Ninety thousand Americans visited this unique area last year. The facilities are inadequate for the blossoming influx of our countrymen who annually make the hegira to this great American landmark. The bill which is now on the President's desk will enlarge the land area, which now stands at 18.5 acres, to 143.5 acres. The area surrounding the old fort will thus be protected and new possibilities for archeological investigation will be opened.

My enthusiasm for the legislation moves me to remark at this time on the enormous advantages which it provides. We seek to establish new frontiers, but the preservation of our old ones from the depredations of time and progress must not escape our caution.

I commend the Senate and the House for their early action on a matter of principal interest both to the people of North Carolina, and to the citizens of the Nation.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I wish to make a unanimous-consent request. I have discussed it with the distinguished Senator from Virginia [Mr. BYRD], who is the author of the so-called Byrd amendment to the foreign aid bill, and also with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. I have tried to consult Senators on both sides of the aisle. The unanimous-consent request is that there be allowed 7 hours of debate on the Byrd amendment, beginning at the conclusion of the morning business tomorrow, the time to be equally divided between the Senator from Virginia [Mr. BYRD] and the Chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT].

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

Mr. MANSFIELD. Mr. President, for the further information of the Senate, it is anticipated that tomorrow the morning hour will be concluded as soon as possible. The Senate will remain in session tomorrow night until there is a vote on the Byrd amendment, and with that amendment out of the way, it is contemplated that the Senate will go over until Monday morning.

To make what I have said clear again, there will be a vote on the Byrd amendment before adjournment tomorrow night, and at the conclusion of the 7 hours, or whatever portion thereof is used in the discussion of the amendment.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Friday, August 11, 1961, at the conclusion of routine morning business, during the further consideration of the bill S. 1983, the Foreign Aid Act of 1961, debate on the pending amendment of the Senator from Virginia [Mr. BYRD] and all amendments thereto, or any motion or appeal, except a motion to lay on the table, shall be limited to 7 hours, to be equally divided and controlled by the mover of any such amendment or motion and Mr. FULBRIGHT: *Provided,* That in the event Mr. FULBRIGHT is in favor of the amendment or any amendment thereto or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said amendment shall be received.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight, it adjourns to meet at 11 o'clock a.m. tomorrow.

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

RAYMOND MOLEY SUPPORTS ELECTORAL COLLEGE REFORM

Mr. MUNDT. Mr. President, the current issue of Newsweek contains a carefully written and highly informative commentary entitled "For a Better Republic" written by widely respected Raymond Moley. I recommend its serious reading by all who receive the CONGRESSIONAL RECORD.

Mr. Moley points out the necessity for electoral college reform in this country if our free institutions are to survive and succeed. He also emphasizes the dangers to freedom involved in the elimination of our electoral college safeguards through adopting a system of popular elections by a direct vote of the people. He points out how this must lead inevitably to the Federal control of elections and a final breakdown of States rights.

As author of the former Mundt-Coudert amendment and coauthor of Senate Joint Resolution 12, which is very similar to this earlier proposal for electoral college reform, I am, understandably, highly gratified by the support Mr. Moley gives this specific suggestion and I am likewise pleased and gratified by the enthusiastic support which former President Harry Truman gave Senate Joint Resolution 12 in the testimony he presented to the Senate Committee on the Judiciary.

I ask that the Moley article be printed at this point in the RECORD.

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

FOR A BETTER REPUBLIC

(By Raymond Moley)

A Senate subcommittee has held lengthy hearings on the long-needed reform in our method of electing Presidents and Vice Presidents. Thirteen proposed constitutional amendments are pending in the Senate. Former Presidents Hoover, Truman, and Eisenhower have called for reform.

To meet the need for public education and understanding of the problem, the American Good Government Society (810 Dupont Circle Building, Washington 6, D.C.) is organizing a committee representing every State and is issuing a fine statement of the problem and proposed remedies.

Since all efforts in earlier years have failed, the danger is that in frustration a method might be adopted which would be worse than the present system: Straight, popular election. In fact, two of the proposed amendments would provide just that.

One of these, sponsored by Senators SMITH, MORSE, BEALL, CHAVEZ, and AIKEN, would nominate candidates in a nationwide primary, with a runoff in case no candidate secured a majority in his party. Then there would be the election, with another runoff if no candidate received a majority. All these primaries and runoffs would be between July and December. Another popular-election proposal, by Senators KEATING and MANSFIELD, is only slightly less objectionable.

IRREPARABLE DAMAGE

Popular elections would irreparably damage the very nature of the Republic. The States would lose control of their own elections. The President and Vice President would be responsible only to a vague "general will" identical with Rousseau's plan for democratic despotism, the concept behind the French Revolution. Congress would continue to be a representative body. Thus there would remain only half a republic.

State laws would substantially be wiped out so far as presidential elections were concerned. Political-party organization, now based on a representative principle, would have to be reconstructed.

Most serious would be the practical impact upon those who might aspire to be candidates. Under the Smith-Morse plan, an aspirant would have to campaign over the Nation two and possibly four times in less than 4 months. Nobody but a Kennedy, a Rockefeller, a Ford, a Du Pont, or a Getty could afford the expense, unless he became obligated to vast special-interest groups. Nobody but a super Paul Bunyan could survive the physical strain.

The only one of the proposed plans which would retain the Federal, representative character of the Republic is that offered by Senators MUNDT, MCCLELLAN, HRUSKA, THURMOND, and MORTON. (This was formerly called the Mundt-Coudert plan.)

TRUMAN'S PLAN

It would presumably retain the present system of party nominations and elect electors in newly created districts equal in number to the Members of the House from each State, with two elected at large. If no candidate should receive a majority of electors, the President and Vice President would be selected by a joint session of Congress from among the three candidates having the highest number of votes. To prevent a deadlock, the choice on the fifth ballot would be between two candidates for President and Vice President, respectively.

Former President Truman's statement on the subject shows a most interesting maturity of judgment. He said that the present system of giving all electoral votes to the candidates with the popular majority in each State encourages "the emergence of the big cities into political overbalance, with the threat of imposing their choices on the rest of the country." He would follow the Mundt principle of election by districts with two electors elected at large in each State. But Truman would use the existing congressional districts rather than creating new ones. Also, in case there is no majority he would retain the old method of election by the House of Representatives, with one vote per State. In my judgment, his idea of using existing districts is better than MUNDT'S, but MUNDT'S plan of election by a joint session of Congress is preferable. Either the Mundt or Truman plan, however, is in the true principle of representative government.

SECRET BALLOT ON STRIKES

Mr. CASE of South Dakota. Mr. President, one great gap in our laws relating to strikes is the failure to provide adequate opportunity and procedures for secret balloting on strikes.

In January 1947 when the junior Senator from South Dakota introduced a bill in the House of Representatives as a followup to the so-called Case labor bill of 1946 which had been vetoed by President Truman, I included a provision to make an unfair labor practice of the calling of a strike without a secret vote by the persons who would be called out.

I have always regretted that such a provision was not included in the Taft-Hartley Act from the outset. Recent happenings in the field of industrial labor relations have pointed up the need for such legislation.

My colleague, the senior Senator from South Dakota [Mr. MUNDT], has introduced a bill which spells out in detail fair procedure for the conducting of strike elections in which secret ballots would be available to the membership. He has been joined in the sponsorship of that bill by a number of Senators including myself.

This proposal has attracted considerable editorial attention throughout the country. At this time I desire to place in the RECORD editorials from two daily newspapers in South Dakota, the Daily Plainsman of Huron, and the Argus-Leader of Sioux Falls, and ask unani-

mous consent that they may be printed at this point.

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

[From the Daily Plainsman, July 21, 1961]

MUNDT ASKS A VOICE FOR UNION MEMBERS

Individual union members participate by vote in authorizing a strike in a few unions, such as the Typographical and the Machinists Unions. The majority, however, have no such right. Strikes are called by union officials or the bargaining committee.

Since the average worker and his family carry the burden of any strike a half-dozen Senators are cosponsoring a bill introduced by Senator KARL E. MUNDT, South Dakota Republican, to require a secret ballot of union members to call a strike.

As a practical matter, notice of negotiations is usually given 60 days in advance. The strike vote would not be authorized until the 60 days had transpired, when the issues are drawn, and counterproposals made. The vote would be to strike or accept the proposals. It would put the responsibility for the decision on the members, who would be directly affected.

[From the Sioux Falls Argus-Leader, July 20, 1961]

WHO WILL OPPOSE SECRET STRIKE BALLOT?

U.S. Senator KARL MUNDT and six of his colleagues have introduced a bill which would help immeasurably in preventing costly strikes before they occur.

It is a bill to give union members the secret ballot in a vote to strike. The bill would guarantee the democratic procedure of the secret ballot and an honest count of those ballots in a strike vote.

The approach of this new measure is important. It provides both the union and the employer a better chance to effect a settlement before the strike, rather than trying to develop new procedures or authorities for ending the strike after it has begun.

Under the measure, collective bargaining negotiations would be carried on the same way as they are now conducted in the 60 days prior to the expiration of a contract. Any party desiring to modify or terminate the contract must serve written notice of such intent.

If, at the end of the negotiating period, the union representatives were not satisfied with the offer of the company, they could call for a referendum in which the worker could vote by secret ballot whether or not to strike.

Where appropriate, the union members would have a choice: to strike or to accept the employer's final offer. If the majority votes for a strike, the union representative has full legal authority to call a strike. He also has the option to continue negotiations as the strike authorization is good for a 60-day period.

If the majority vote of the union members is for acceptance of the employer's final offer, the employer is legally obligated to sign a contract containing such terms as extended in his final offer.

WHAT THE BILL PROTECTS

The prime purpose of the bill is one of protection.

It protects the right of free choice for the individual labor union member who is confronted with the question of striking and losing his paycheck during the strike, or seeking agreement.

It protects the labor leader against charges of making a decision not in keeping with the will of a majority of his union membership.

It protects the company involved in a collective bargaining dispute from an arbitrary action by a handful of labor representatives or one leader.

It protects the public from strikes which would not have been called in the first place had the decision been left in the hands of the membership.

As Senator MUNDT said on the Senate floor: "This bill does nothing more than to establish in the law a thoroughly democratic procedure for the authorization of strikes. * * * The right to strike is carefully and fully preserved and protected."

What is lost? The pressure of the group against the individual union member. Many members of labor unions are not provided with the opportunity to determine for themselves, in an atmosphere free from coercion, intimidation, and mob hysteria, whether or not they wish to strike.

Let any union man stand up and say why members of his union shouldn't have a chance to vote secretly on a strike.

CONGRESS SHOULD PASS IT

Cosponsors with Senator MUNDT of this bill are Senators FRANCIS CASE, of South Dakota; JOHN MCCLELLAN, of Arkansas; WALLACE BENNETT, of Utah; JAMES EASTLAND, of Mississippi; ANDREW SCHOEPPEL, of Kansas, and STROM THURMOND, of South Carolina. The measure has bipartisan support—three Democrats and four Republicans.

The strike ballot bill was introduced June 22 and has been referred to the Committee on Education and Labor in the Senate.

Congress would do well to pass this bill—and the sooner the better for our country.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate there will be no further votes this afternoon. For the further information of the Senate, the fact that when the Senate completes consideration of the Byrd amendment and votes on it tomorrow night the Senate will adjourn until Monday does not mean that I want Senators to get the idea that not meeting on Saturday is in the form of a "carrot." We had a very sorry experience with a Saturday session some time ago. I am sorry to say that not very much was accomplished in that Saturday session. That does not mean, however, that there will be no Saturday sessions in the future.

MAJOR LEGISLATIVE ACTION THUS FAR IN CONGRESS

Mr. MANSFIELD. Mr. President, I think every Member of the Senate can take pride in the record compiled by the Senate since it convened in January.

There have been many stories in the press about the success the President has enjoyed with his legislative program. They are true stories, and credit must certainly be paid those in the executive branch who have contributed to this success.

But an energetic and resourceful executive branch can accomplish little, Mr. President, without a similarly hard-working Congress. It requires thousands of hours of work—in holding hearings, in drafting bills, in preparing speeches, in debate—to accomplish the kind of record the Senate has made during this session. The President, as a former Senator who contributed much to the legislative record of past Congresses, understands this, and he has at all times displayed his grasp of the problems confronting the Congress as it labored to effectuate his program.

This record has been made, Mr. President, not by Democrats alone; on many occasions it was only because of the diligence and abilities of Members on the other side of the aisle that legislation was brought to fruition.

Mr. President, in order that the country may have this record before it in one document, I ask unanimous consent that a list of the major legislative actions taken by the 1st session of the 87th Congress be printed at this point in the RECORD.

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

MAJOR LEGISLATIVE ACTION, 87TH CONGRESS, 1ST SESSION, THROUGH AUGUST 7, 1961, SENATE DEMOCRATIC POLICY COMMITTEE

The Senate has passed 670 measures, confirmed 43,558 of the President's nominees and ratified 6 conventions or treaties. The Senate, at the present time, is working on the foreign aid program and following passage, we have ready for floor consideration the Peace Corps proposal, National Defense Education Act, the wilderness bill, the shorelines bill, Airport Extension Act, and numerous other proposals. The following summary includes some of the more important bills we have passed, on many of which final action has been completed.

In the economic area we have:

Omnibus farm bill: Enacted major farm bill designed to reduce wheat and feed grain surpluses; authorized Secretary to consult with farmers, farm organizations, and other groups to develop new farm programs; extended the Agricultural Trade and Development Act to December 31, 1964; consolidated and modernized the Farmers Home Administration; extended the Wool Act for 4 years to March 31, 1965; and extended Great Plains conservation program to December 31, 1971; authorized a 5-year extension of the school milk program to be paid by direct appropriations; and extends the Veterans' Administration and armed services milk program to 1964, with CCC furnishing the funds (Public Law 87–128).

Federal Aid Highway Act: Enacted the Federal Aid Highway Act of 1961, revising the original estimated authorization for 41,000-mile 13-year program of interstate highways by increasing the Federal Government's share from $25 billion to $37 billion. The measure also extended for 2 years the "incentive" bonus for States to enter into agreements for billboard controls (Public Law 87–61).

Housing Act of 1961: Enacted a housing program, authorizing $4.9 billion in new funds. The act provides for a new 2-year experimental plan of low-interest-rate, 35-year mortgage loans for middle-income housing (except in hardship cases the mortgages may be extended to 40 years); requires a 3-percent downpayment on low-income housing, with a permissive inclusion of settlement costs; authorizes $75 million for mass transportation systems, and $50 million for "open space" grants; and includes a reauthorization of approximately 100,000 public housing units (Public Law 87–70).

FHA: Increased by $1 billion the mortgage insurance authorization of FHA (Public Law 87–38).

Veterans' home loans: Extended direct and guaranteed home loan programs for World War II veterans to July 26, 1967, and for Korean conflict veterans to February 1, 1975; authorized an additional $1.2 billion for direct loan program through fiscal 1967 (Public Law 87–84).

Social security: Increased minimum old-age insurance benefits and benefits to widows

under the Social Security Act; provided reduced benefits to men at 62; liberalized disability provisions; increased tax for workers and employers by one-eighth of 1 percent; increased (for 1 year) the amount of public assistance payments for old-age assistance, aid to the blind, and aid to the permanently and totally disabled (Public Law 87–64).

Water pollution control: Authorized an additional $270 million to help communities construct sewage treatment plants to control water pollution, thus raising the annual limit on grants from $50 million yearly to $80 million for fiscal 1962, $90 million for fiscal 1963, $100 million for fiscal 1964, through and including 1967. In addition, this measure increased from $3 to $5 million the annual Federal matching grants to States to administer water pollution control programs and extended the program through June 30, 1968, and authorized $5 million a year for the Secretary to use to develop demonstration programs to treat sewage, to measure pollutants, and to evaluate the effects of sewage treatment (Public Law 87–88).

Debt limit: Increased the public debt limit by $13 billion to $298 billion through June 30, 1962 (Public Law 87–69).

Corporate-excise extension: Extended for an additional year the existing 52-percent corporate income tax rate, excise tax rates on automobiles, liquor, and tobacco, and taxes on local telephone calls and passenger transportation—thus preventing a loss of revenue of some $2.5 billion (Public Law 87–72).

Federal unemployment compensation: Authorized Federal advances to permit the States to extend unemployment benefits up to an additional 13 weeks for workers who have exhausted their regular benefits during the recession, thus providing an unemployed worker with benefits up to a total of 39 weeks—in an effort to ease the unemployment problem throughout the country (Public Law 87–6).

Railroad unemployment compensation: Approved benefits of a similar nature for unemployed railroad workers under the Railroad Unemployment Insurance Act (Public Law 87–7).

Aid to dependent children: Authorized a 14-month program, from May 1, 1961, through June 1962, an aid-to-dependent-children program, permitting States to aid needy unemployed persons and their children who are not now eligible for aid in which the Federal Government participates; and increased by $3 the minimum amount to which the Federal Government will participate on a matching basis in State programs carrying out the special medical care provision for recipients of old-age assistance.

Minimum wage: Increased minimum wage to $1.25 (from $1) and extended coverage to 3.6 million additional workers (Public Law 87–30).

Area redevelopment: Established the Area Redevelopment Administration in the Department of Commerce, and authorized a 4-year program of $300 million in loans and $94 million in grants for industrial plants and public facilities in economically distressed areas (Public Law 87–27).

ICC loans: Extended for 27 months (to June 30, 1963, authority of Interstate Commerce Commission to make loans to help ease the credit difficulties of railroads (Public Law 87–16).

Feed grain: Authorized a 1-year emergency price support for the 1961 crop of corn at $1.20 a bushel with the other feed grains to be supported at fair and reasonable levels in relation to corn in an effort to raise the incomes of feed-grain producers and to reduce the mounting surpluses of feed grains in Government hands (Public Law 87–5).

Drought relief: Enacted a temporary 1-year program authorizing the sale of Government surplus corn and feed grains to needy farmers and ranchers in drought areas at 75 percent of Government price support levels and permitting grazing of livestock on grasslands idled by the soil bank and other conservation programs or moving hay on these lands in or near drought areas (Public Law 87–62).

San Juan-Chama: Authorized $221 million in appropriations to construct the Navajo Indian irrigation project and the San Juan-Chama project, to irrigate land and help stabilize the economy of the water-deficient Rio Grande and Canadian Basins (S. 107).

Small towns and rural counties: Established a 20-member bipartisan Commission on Problems of Small Towns and Rural Counties to study and investigate Federal policies and programs relating to the needs and problems of such areas (S. 1869).

AEC sales: Accelerated property sales to stimulate the economic growth of atomic energy communities (S. 1622).

Metal scrap: Extended to June 30, 1962, the existing suspension of import duties on metal scrap (Public Law 87–110).

Farm loans: Increased proportion of appropriated farm loan funds available for individual farms with debt over $10,000 from 10 to 25 percent to help meet the rapidly increasing cost of farming (Public Law 87–8).

Cotton farmers' relief: Authorized emergency relief to cotton farmers where floods have made it impossible to plant (Public Law 87–37).

Duty-free allowance: Reduced the duty-free exemption from $500 to $100 through June 30, 1963, to counter our unfavorable balance of payments (Public Law 87–132).

In the international area we have:

Latin American aid: Appropriated $600 million for the Latin American aid program, which includes $100 million in disaster relief for Chile, $394 million for loans by the Inter-American Development Bank, $6 million for social and economic programs of the Organization of American States, and $100 million for loans and grants by the International Cooperation Administration (Public Law 87–41).

OECD: Ratified the creation of the Organization for Economic Cooperation and Development consisting of 18 European member nations, the United States, and Canada, to promote economic stability and an orderly growth of the economies of the member states.

Battle Act revision: Strengthened U.S. policy abroad by authorizing the President to permit economic aid to Iron Curtain countries, except the Soviet Union and Communist-held areas of the Far East, when he considers it important to U.S. security (S. 1215).

Foreign bank tax exemption: Exempted foreign central banks from payment of taxes in this country on interest accrued from ownership of U.S. Government securities not used or held for commercial purposes (Public Law 87–27).

U.S. Travel Service: Established a U.S. Travel Service in the Department of Commerce to promote and encourage tourist travel from abroad (Public Law 87–63).

Cultural exchange: Consolidated all cultural and educational exchange programs in an effort to promote these programs to a more important position in our foreign relations. The exchange programs combined are the Fulbright Act, the Smith-Mundt Act, the Finnish Debt Payments Act, the Mutual Security Act of 1954, as amended, the Agricultural Trade Development and Assistance Act of 1954, and the International Cultural Exchange and Trade Fair Participation Act of 1956 (S. 1154).

U.N. food reserve: Expressed an interest in exploring with other nations the possibility of establishing an international food and raw materials reserve under the United Nations and related international organizations to acquire and store in appropriate countries raw or processed farm products and other raw materials exclusive of minerals.

Red China: Expressed as the sense of Congress that:

1. The United States should continue to support the Government of the Republic of China as the representative of China in the United Nations;

2. The United States shall continue to oppose seating the Chinese Communist regime in the United Nations so long as that regime persists in defying the principles of the U.N. Charter; and

3. The American people support the President in not according diplomatic recognition to the Chinese Communist regime (S. Con. Res. 34).

Mercy fleet: Supported the establishment by the President of a White Fleet—a force of mercy ships to assist in disaster areas in any coastal region of the world, as well as to carry on a regular program of logistics support in the public health field and other works of technical assistance.

Inter-American Children's Institute: Continued U.S. participation in and contributions to the Inter-American Children's Institute (S.J. Res. 66).

Caribbean Organization: Authorized the President to accept on behalf of the United States the agreement establishing the Caribbean Organization; the participation of Puerto Rico and the Virgin Islands in the Organization; made available to the Organization the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act; and authorized the Secretary of State to appoint a U.S. observer to the Organization. (Organization is to concern itself with social, cultural, and economic matters of common interest to the Caribbean area) (Public Law 87–73).

Fulbright Act: Authorized legally classified American nationals to qualify and receive financial assistance under the Fulbright Act for advanced education abroad (S. 539).

Agricultural aid: Authorized the administration to continue and expand the use of our agricultural abundance in helping needy people in the less-developed countries through development programs under title II of Public Law 480, Agricultural Trade Development Act (Public Law 87–92).

Repatriation assistance: Enacted an emergency 1-year repatriation assistance program to provide temporary assistance to U.S. citizens and dependents of U.S. citizens returning from abroad without available resources. Aid can consist of money payments, medical care, temporary billeting, or other goods or services needed for the health and welfare of the recipients (Public Law 87–64).

Surplus as aid: Authorized disposal of additional $2 billion in surplus commodities under the Agricultural Trade Development and Assistance Act (Public Law 87–27).

Sugar Act: Extended the Sugar Act of 1948 for 15 months to June 30, 1962, fixing quotas of domestic and foreign producers; and continuing the President's authority to exclude Cuban sugar imports and reallocate its quota (Public Law 87–15).

Brazil: Ratified a treaty of extradition with Brazil.

Columbia River: Ratified a treaty between the United States and Canada for cooperative development of the Columbia River.

German war bonds: Ratified a second agreement with Germany for the validation of East German dollar bonds to enable owners of these bonds to establish they were acquired from legitimate sources and not through Soviet sources in Berlin at close of World War II.

Loadline: Ratified a modification to the International Load Line Convention.

Oil pollution: Ratified the International Convention for the Prevention of Pollution of the High Seas by Oil.

NATO: Extended through June 30, 1962, the life of the U.S. Citizens Commission on NATO, a Commission established to explore means of increasing cooperation and unity of purpose among NATO countries (Public Law 87–116).

In the area of welfare and general government we have:

Aid to education: Enacted a $2,550 million 3-year Federal aid to education program for school construction and inceasing teachers salaries (S. 1021).

College housing: Increased the loan authorization by $300 million for each of the 4 years beginning July 1, 1961, through 1964 (Public Law 87–70).

Circuit judges: Created 73 additional U.S. district and circuit court judgeships to help ease the present workload and overcrowded court calendars (Public Law 87–36).

Mass transit: Authorized a new $75 million program to help overcome commuting problems in cities. The $25 million is authorized for demonstration grants (covering up to two-thirds of project cost) for projects to explore ways of overcoming mass transit problems. Authorized $50 million for low-interest loans to public bodies for the acquisition, construction, and improvement of transportation facilities and equipment (Public Law 87–70).

Government reorganization: Restored the authority of the President to submit plans for the reorganization of the Government (Public Law 87–18).

HEW: Authorized two additional Assistant Secretaries—one to handle international affairs—the second to handle medical and scientific matters (S. 2073).

Labor: Authorized an additional Assistant Secretary to perform functions relating primarily to the employment and effective utilization of women in our labor force (S. 1815).

FTC reorganization: Provided for the reorganization of the Federal Trade Commission to expedite the present workload (plan No. 4). Effective July 9.

CAB reorganization: Authorized the reorganization of the Civil Aeronautics Board to provide greater flexibility and a more expeditious handling of CAB cases (plan No. 3). Effective July 3.

Maritime reorganization: Authorized reorganization of Maritime Board (plan No. 7). Effective August 12.

FCC reorganization: Authorized FCC to delegate functions in adjudicatory cases to expedite and improve the administrative process (S. 2034).

Hijacking: Established criminal penalties for hijacking aircraft and for various other crimes committed on board aircraft in flight (S. 2268).

Educational TV: Authorized Federal grants up to $1 million for any State to purchase TV transmission equipment for educational purposes, providing the State or sponsoring agency to furnish the land, building, and guarantee to operate and maintain the channel (S. 205).

Disabled veterans' compensation increase: Provide increases in rates of service-connected disability compensation (to reflect cost of living increases since last compensation raise in 1957) ranging from 2.6 to 16.7 percent, depending upon degree of disability; restores for 2 years after January 1, 1962, the eligibility of veterans who served between October 8, 1940, and April 24, 1951, to apply for national service life insurance (H.R. 879).

Disability benefits: Increased weekly disability benefits for longshoremen and harbor workers to $70 (from $54); provided comparable increases in death case from $81 to $105; and increased statutory maximum compensation payable for all injuries other than cases of permanent total disability or death from $17,280 to $24,000 (Public Law 87–87).

Travel expenses: Increased the allowances of Government employees for traveling expenses when on official business. Increases include from $10 to $16 per diem allowances and from 10 to 12 cents a mile by private automobile (H.R. 3279).

Jury commissioners: For the first time since 1884, increased the fees of jury commissioners in the U.S. district courts from the present $5 to $10 per diem for each day employed in the performance of duties (S. 1899).

Postal pay: Eliminated discrimination against postal employees with respect to longevity pay increases by providing benefits comparable to those enjoyed by regular civil service employees (S. 1459).

Oceanography: Established a national 10-year program of oceanographic and Great Lakes research to promote commerce and navigation, to secure the national defense, to expand ocean, coastal, and Great Lakes resources and to enhance the public health and general welfare (S. 901).

Wabash River Commission: Established a Wabash Basin Interagency Water Resources Commission to coordinate Federal, State, and local plans for developing the water and land resources in the Wabash River Basin (S. 811).

Cape Cod Park: Established Cape Cod National Seashore Park to preserve for public enjoyment the scenic, scientific, and historic features of the cape (Public Law 87–126).

Juvenile delinquency: Authorized a program of Federal grants to communities and nonprofit agencies of $5 million a year for 4 years to aid in financing projects to combat juvenile delinquency (S. 279).

Geodetic Survey: Improved and expanded the Coast and Geodetic Survey Act of 1948 to induce qualified scientists and mathematicians to join the service (S. 685).

Nurses' scholarships: Extended for 4 years (to June 30, 1965), $5 million a year program for grants and scholarships for train- of practical nurses under Vocational Education Act (Public Law 87–22).

Vocational teacher training: Authorized two 1-year programs of Federal grants for training teachers of the deaf, and advanced training of speech pathologists and audiologists (S. 336).

Internal Revenue employees: Appropriated funds for an additional 4,265 Internal Revenue Service employees (H.R. 5954).

Rural carriers: Increased equipment allowance for rural mail carriers to 12 cents a mile (S. 189).

In the area of defense and space exploration we have:

Ready Reserves: Granted authority, requested by the President, to call to active duty up to 250,000 ready reservists, authority to continue until July 1, 1962, and to grant discretionary authority to the Secretary of Defense to extend enlistments, appointments, and other service obligations up to 12 months, which would otherwise expire on July 1, 1962 (Public Law 87–117).

Military procurement: Authorized $12.4 billion procurement program for aircraft, missiles, and naval vessels for fiscal 1962 (Public Law 87–53).

Additional military procurement authorizations: As requested by the President, authorized additional funds to provide for additional equipment primarily to improve the nonnuclear defense capabilities of our ground forces and of the Navy and Air Force; to provide increased airlift and sealift; and to expand our antisubmarine warfare program. The overall request for additional authorization for procurement of weapons, equipment, and ammunition was for $1,753 million; however, of this amount, additional authorizations are required only for $958,-570,000 (Public Law 87–118).

Military construction: Authorized $831 million for construction and improvement projects at military bases at home and abroad, including missile sites and nuclear submarine bases (Public Law 87–57).

Aeronautics and Space Council: Reactivated and strengthened the usefulness of the Aeronautics and Space Council, and provided that it be administered by the Vice President (Public Law 87–26).

NASA authorization: Authorized $1,784,-300,000 for the National Aeronautics and Space Agency (Public Law 87–98).

Civil aviation insurance: Extended until 1966, for 5 years, title XIII of the Federal Aviation Act of 1958, which provides that in the event of war the Nation's civil air fleet would have adequate insurance coverage for war risks (Public Law 87–89).

Marine Corps: Improved the combat effectiveness of the Marine Corps by providing for the expanded assignment of supply-duty-only officers to unrestricted duty (Public Law 87–123).

AEC authorization: Authorized $370,440,-000 for a total of 40 AEC projects including the Stanford linear electron accelerator and electric-generating facilities for the new production reactor at Hanford, Wash. (H.R. 7576).

Reserves: Reduced from 8 to 6 years the total Reserve obligation of certain military personnel and improved certain Armed Forces Reserve policies (H.R. 5490).

CRIME

Agency investigations: Prohibits obstruction of any lawful inquiry or investigation by the Departments of Justice or Treasury and strengthens prohibitions against injuries to persons furnishing information in connection with the inquiry (S. 1665).

Gambling devices: Broadened the definition of "gambling devices" to cover additional types of machines manufactured for gambling purposes, and requires detailed records of all such devices shipped in interstate commerce (S. 1658).

Racketeering enterprises: Prohibits the use of the mail or any transportation in interstate or foreign commerce for the purpose of distributing the proceeds of any unlawful activities (business enterprises involving gambling, bootlegging, narcotics, etc.) (S. 1653).

Transmission of bets: Forbids the use of wire communications (telephone, telegraph, or any other means of interstate wire communications) for gambling. Exempts information carried for use of the press and wireless communication (S. 1656).

Wagering paraphernalia: Prohibits interstate transportation of wagering paraphernalia for bookmaking, wagering pools, numbers game, or similar games carried by means other than common carrier in the usual course of its business, but allows transportation of equipment from a State where it is manufactured into a State where parimutuel betting is legal.

APPROPRIATIONS FOR FISCAL 1962

H.R. 7444: Agriculture and related agencies (Public Law 87–112).

H.R. 7577: General government matters (Public Law 87–125).

H.R. 7445: Independent offices (Public Law 87–141).

H.R. 6345: Interior appropriations (Public Law 87–122).

H.R. 7035: Labor-HEW (Public Law 87–290).

H.R. 7208: Legislative (in conference).

H.R. 7371: State, Justice, judiciary (passed House 6 to 1).

H.R. 5954: Treasury-Post Office (in conference).

H.R. 7581: Defense (in conference).

H.R. 8072: District of Columbia appropriation for 1962 (passed House July 12, 1961).

H.R. 8230: Military construction for 1962 (passed House July 12, 1961).

THE CONGRESSIONAL FELLOWSHIP PROGRAM

Mr. HUMPHREY. Mr. President, I rise to acknowledge the conclusion of another highly successful congressional fellowship program and to express the thanks and appreciation of the Senate to the congressional fellows and to the American Political Science Association for again sponsoring this outstanding program in education and public service.

I know most Members of this body are thoroughly familiar with the congressional fellowship program. It began in 1953–54 with a grant from the Edgar B. Stern Family Fund of New Orleans and its purpose was to bring outstanding young political scientists and political journalists to work with us in Congress and thereby develop greater knowledge and insights into the legislative process.

The more accurately and incisively these teachers and writers of American politics understand our labors in Washington, the more effectively they can communicate with their students and readers in future years. Mr. President, if more teachers and reporters of American government possessed this understanding today, I am convinced that this Nation would comprehend more clearly the problems and challenges which confront the free world.

In addition to broadening their understanding of Congress, these highly talented and highly skilled political scientists, journalists, and law school faculty members make substantial contributions as staff members in the various offices and committees. Surely this is an arrangement where everyone benefits.

Since 1953 when the first six congressional fellowships were awarded, the program has grown impressively in terms of numbers and reputation. This past year eight political scientists, seven journalists, and two law school faculty members participated in the program. The congressional fellowship program was originally financed by the Edgar Stern Family Fund. The financial resources of this outstanding family carried the program through the formative years until its continued survival was assured. In 1957–58 the program was financed jointly by the Stern Family Fund and the Ford Foundation. Beginning in 1958, the program was principally financed by the Ford Foundation, as well as such other foundations as the Courier-Journal and Louisville Times Foundation, the New York Times Foundation, the Shinner Foundation, the Poynter Fund, the Revlon Foundation, the Helen Dwight Reid Foundation, Time, Inc., and Cyrus Eaton. I think we owe these foundations a sincere expression of thanks for providing the financial resources which makes it possible for us to have the services of the fellows for a session of Congress. This is, I might add, the equivalent of having an unpaid staff member in the office.

I can speak for my office by saying that I have had a very outstanding staff member, Mr. John G. Stewart, who has been working closely with me, confining much of his attention to the work of the Appropriations Committee. I have had good fortune indeed with these congressional fellows, and I rise to pay personal tribute to them.

Congressional fellows are selected from several hundred applicants through an intensive series of screenings and personal interviews throughout the United States. Final selections are made by the advisory committee to the congressional fellowship program. This is an outstanding group of public servants, scholars, and political analysts. This past year the advisory committee included Roger Hilsman, Director of Intelligence and Research, State Department, as chairman; Senators Gene McCarthy and John Williams; Representatives John Brademas and John Lindsay; Douglas Cater of the Reporter magazine; Marquis Childs, columnist for the St. Louis Post-Dispatch; Richard Scammon, Director of the Census Bureau; Harold Green, noted attorney and professor of law at George Washington University; and Joseph McCaffrey, television commentator for the American Broadcasting Co.

Following their arrival in Washington in November, the fellows participate in a 1-month orientation program which acquaints them with the general political scene in Washington. During this period they also make arrangements for their assignments in the House. During the Easter recess the group moves to Senate offices and committees, and the program concludes on August 15.

In conjunction with the opportunity for practical working experience, the fellows also meet as a group for interviews with a number of Senators, Congressmen, and other Washington political figures. I have met with the group for a number of years and I am always impressed by their grasp of the legislative process on the Hill, by their critical awareness of what is going on up here. Often their questions make a session of "Meet the Press" seem like a picnic by comparison.

I wish to emphasize that these people do not come to Washington to observe Congress in action. You never learn by just observing. They come to work with us and they make valuable contributions to the operation of an office or committee staff. In my office I have turned over entire areas of legislative staff work to congressional fellows. They learn a great deal from their experiences but they also teach us a great deal. Every office on the Hill can always use some fresh perspective, some fresh insights, and a fresh viewpoint in its day-to-day operations. A congressional fellow is well equipped to provide this valuable change of pace.

I wish to emphasize strongly that the program is rigidly nonpartisan in nature. Congressional fellows work in both Republican and Democratic offices. I understand that the issues we debate so vigorously here on the Senate floor are just as enthusiastically argued among the congressional fellows.

Mr. President, I ask unanimous consent that a list of the congressional fellows for 1960–61 be printed in the RECORD at this point, together with a list of their offices. Both Democratic and Republican offices are listed here.

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

CONGRESSIONAL FELLOWS OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION FOR 1960–61

Lee Anderson, 26, research assistant in political science, University of Illinois; Representative Robert Giaimo, of Connecticut, Senator Frank Church, of Idaho.

Avard W. Brinton, 27, teaching fellow in government, Harvard University; Representative Ed Edmondson, of Oklahoma, Senate Interstate and Foreign Commerce Committee.

Patrick J. Conklin, 32, assistant professor of political science, University of Tulsa; House majority whip office, Mr. Albert, of Oklahoma. Senate majority whip office, Mr. Humphrey, of Minnesota.

Samuel Halperin, 30, assistant professor of political science, Wayne State University; House Committee on Education and Labor; Senate Subcommittee on Education and Special Committee on Aging.

Ronald H. McDonald, 25, teaching assistant and Ph. D. candidate, University of California, Los Angeles; Representative Peter Frelinghuysen, of New Jersey, Senator Thomas H. Kuchel, of California.

David M. Olson, 30, research assistant and Ph. D. candidate, University of California, Berkeley; Representative Homer Thornberry, of Texas, Senator Vance Hartke, of Indiana.

John G. Stewart, 25, Ph. D. candidate, University of Chicago; Representative Richard Bolling, of Missouri, Senator Hubert H. Humphrey, of Minnesota.

Seth P. Tillman, 29, assistant professor of political science, Massachusetts Institute of Technology; Representative John Lindsay, of New York, Senate Committee on Foreign Relations.

Luther J. Carter, 32, reporter, Virginian-Pilot, Norfolk, Va.; Representative Charles E. Bennett, of Florida, Senator Lee Metcalf, of Montana.

Lorraine E. Geittmann, 26, reporter, South Bay Daily Breeze, Redondo Beach, Calif.; Representative B. F. Sisk, of California, Senator Edmund Muskie, of Maine.

Ivan N. Kaye, 28, reporter, United Press International; Representative Robert Kastenmeier, of Wisconsin, Senator William Proxmire, of Wisconsin.

Eugene Lichtenstein, 30, assistant editor, Esquire magazine; Representative Chet Holifield, of California, Senator Claiborne Pell, of Rhode Island.

William R. MacKaye, 26, reporter, Minneapolis Star; Representative Frank Thompson, of New Jersey, Senator Joseph S. Clark, of Pennsylvania.

Robert A. Popa, 29, reporter, Detroit News; Representative Robert P. Griffin, of Michigan, Senate Antitrust Subcommittee.

Daniel S. Greenberg, 29, reporter, Washington Post; Representative John Brademas, of Indiana, Senate Antitrust Subcommittee.

Arthur E. Ryman, Jr., 31, professor of law, Cumberland University; Representative Peter Dominick, of Colorado, Senator Spessard L. Holland, of Florida.

John D. Scarlett, 37, associate professor of law, Wake Forest College; Representative Torbert H. Macdonald, of Massachusetts, Senator Thomas J. Dodd, of Connecticut.

Mr. HUMPHREY. Mr. President, in conjunction with the Asia Foundation, the American Political Science Association also sponsors several Asian fellows as part of the program. Everyone concerned with creating better understanding between the United States and the countries of Asia will immediately see the value of this program. It is a fine program. During 1960–61 the American Friends of the Middle East added a fellow from Iran. This aspect of the program will continue in 1961–62. Mr.

President, I ask unanimous consent that a list of the Asian fellows also be printed in the RECORD at this point.

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

FELLOWS OF THE ASIA FOUNDATION AND THE AMERICAN POLITICAL SCIENCE ASSOCIATION FOR 1960–61

Abdullah Ahmad, Republic of Malaya; Representative John Kyl, of Iowa, Senator Oren E. Long, of Hawaii, and Vice President Lyndon B. Johnson.

Shariff Ahmad, Republic of Malaya; Representative Clem Miller, of California, Senator Howard W. Cannon, of Nevada.

Matine-Daftary Hedayatollah, Iran; Representative Samuel Stratton, of New York, Senator Edward V. Long, of Missouri.

Miss Kimiko Okamura, Japan; Representative Sidney R. Yates, of Illinois, Senator Ernest Gruening, of Alaska.

Abdul Kadir Shaikh, Pakistan; Representative Dante Fascell, of Florida, Senate Subcommittee on Education.

Dong Suh Bark, Korea; Senator William Proxmire, of Wisconsin.

Mr. HUMPHREY. Mr. President, the congressional fellows for next year have already been selected. In order to introduce them to you and to make their names known to you and your staffs, I ask unanimous consent that a list of the 1961–62 congressional fellows, including their present academic and journalistic affiliations, be included in the RECORD.

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

CONGRESSIONAL FELLOWS OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION FOR 1961–62

Donald C. Bacon, 26, reporter, Wall Street Journal, Jacksonville, Fla.

James H. Chubbuck, 27, graduate assistant, department of government, Louisiana State University, and former reporter, Beaumont, Tex., Journal and Enterprise.

Michael N. Danielson, 27, metropolitan region fellow, Columbia University and Ph. D. candidate in political science, Princeton University.

Charles A. Frye, 24, Ph. D. candidate in political science, Yale University.

Daniel S. Guy, 33, assistant professor of law, Ohio Northern University.

Jack I. Heller, 29, teaching fellow and research assistant, Harvard Law School.

Fredrick P. Jellison, 29, research assistant and Ph. D. candidate in political science, University of Michigan.

James R. Kerr, 30, Ph. D. candidate in political science, Stanford University.

Edmund B. Lambeth, 29, reporter, Milwaukee (Wis.) Journal.

Teddy Roe, 27, formerly reporter for Des Moines Register and Tribune and Great Falls (Mont.) Leader.

John S. Saloma, 26, teaching fellow and Ph. D. candidate in political science, Harvard University.

David J. Stern, 33, Ph. D. candidate in political science, Claremont Graduate School.

Donald G. Tacheron, 33, copy editor and reporter, Eugene (Oreg.) Register-Guard.

Frank Tysen, 29, Ph. D. candidate in political science, Claremont Graduate School.

Richard D. Warden, 29, reporter, Great Falls (Mont.) Tribune.

David Welborn, 26, research associate and lecturer in government, Indiana University.

Wesley F. Willoughby, 31, reporter, San Francisco News-Call Bulletin.

Dr. Evron Kirkpatrick, the executive director of the American Political Science Association—and, I might add, a loyal Minnesotan, a former professor of mine at the University of Minnesota, and a very dear and close friend; and Mr. Mark Ferber, director of the congressional fellowship program, are to be congratulated for their fine direction and administration of this program. As the present congressional fellows return to their teaching and reporting assignments throughout the nation, they merit our congratulations and appreciation for a job well done.

Mr. President, I ask unanimous consent that various items describing the purpose and operation of the congressional fellowship program be printed in the RECORD.

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

FACTS ABOUT THE CONGRESSIONAL FELLOWSHIP PROGRAM

HOW THE PROGRAM OPERATES

The congressional fellowship program, sponsored by the American Political Science Association since 1953,

(a) Provides practical experience working with Members of Congress or congressional committees for younger political scientists, journalists, and law school teachers. Such experience, combined with earlier training, is designed to improve the participant's understanding of the organization, procedures and problems of Congress and to provide a broader and deeper knowledge of American politics and the problems confronted by Congressmen.

(b) Aims to provide an experience of both depth and breadth. Depth is achieved by long periods of service in single offices in the House and Senate. Breadth results from an initial 1-month "orientation program," followed by a continuing series of conferences during the year with distinguished Members of Congress, congressional staff, political journalists, political scientists, and others closely associated with the functioning of Congress.

The orientation program, which begins in the middle of November, is intended to provide a limited theoretical framework relative to the structure and functions of Congress; the role of Congress in the American system of government; political behavior in the congressional context; the political decision making process as it operates within Congress, and between Congress and other institutions within the total structure of American Government; and other related aspects of what some would call the congressional, or legislative process. During the orientation program the group meets morning and afternoon for informal discussions with a wide variety of persons associated with Congress, or with congressional relations in the executive branch.

By the first week in January, all fellows are at work with a Representative or a House committee of their choice, with whom they serve for the 3½ months the group spends on the House side. About the time of the Easter recess the group moves to the Senate, where members of the group work either for Senators or Senate committees. Fellows remain in Senate offices until the conclusion of the program around the middle of August. Services of the fellows are made available free of charge to congressional committees and the Members of Congress for whom they work.

HOW CONGRESSIONAL FELLOWS ARE SELECTED

Congressional fellows are selected in nationwide competition from among political journalists, political scientists, and law school teachers, in the 23 to 35 age range with superior training and experience.

Applications are first screened by a committee of three persons in Washington, consisting of a journalist, a political scientist, and a Government official. Between 35 and 50 applicants are then invited to appear before regional interviewing boards usually consisting of a political scientist, a journalist, and a third member selected from a related field. These boards submit reports on all interviews, which are then reviewed by the original screening committee. The screening committee drafts a recommended list of winners and alternates, which is given final review and approval by the advisory committee for the congressional fellowship program. The advisory committee, in addition to selecting the fellows, is responsible for helping the association determine policy for the program. It consists of two Members of the House and two of the Senate, divided equally between the two parties; three journalists; and two political scientists.

Announcement of winning fellows is made in the early spring, immediately following final selection. Winners are notified immediately, but they do not have to appear in Washington until the beginning of the orientation program in the fall.

TYPES OF SERVICES PERFORMED BY CONGRESSIONAL FELLOWS

Congressional fellows perform a wide variety of services for the Members of Congress or committees for whom they work. One fellow, who worked in the office of the chairman of the subcommittee responsible for the legislation, was given major responsibility for a bill extending the Surplus Agricultural Disposal Act. During his 4 months in the office, he followed the entire path of action of the bill in the Senate. He began by studying and digesting more than 35 documents, speeches, and hearings from previous years. Then he proceeded to sound out Government departments and private agencies, and to construct a list of possible witnesses. From that point to the adjournment of Congress, he was immersed in preparing questions for the hearings, drafting speeches and press releases, talking to Government representatives as well as private parties, inviting various witnesses to testify, preparing opening statements for the hearings, handling all telephone and mail inquiries and keeping in touch with the companion bill as it made its way through the House.

Other illustrations are contained in the following excerpts from reports by fellows on their activities:

"There is no point in listing the many varied duties I have performed for the Congressman. I think it more appropriate for me to state that he and I have enjoyed a close personal relationship; that we have spent a good deal of time together discussing pending legislation which could have a serious effect politically on his career. He values my judgment as a home State newsman who is familiar with the problems and personalities of his constituency. * * * During the past 4 months, I have written his weekly newsletters, his press releases and radio scripts, roughly a dozen extension of remarks for the CONGRESSIONAL RECORD, a number of extremely important letters to committee chairmen and heads of Federal agencies, and assisted with a myriad of other public relations chores.

"On legislative matters, one of my jobs is to sift the CONGRESSIONAL RECORD daily for items of special interest to the Congressman. More important is my regular attendance at the open session of the Foreign Affairs Committee and my perusal of the transcripts of the executive sessions—especially those which have recently begun on the foreign aid bill. Sometimes I sit right behind the Congressman at hearings and feed him suggested questions to put to the witnesses. More often we take time before or after a hearing and discuss the pattern of testimony and the issues it raises, and I then suggest matters which I think he should try to get clarified in the record.

"One of the best meetings was a briefing on the White House Conference on Education, which I followed up with press releases on the Senator's backing for a State conference. The State had taken no action, so I wrote some letters for him to the proper officials, got their plans, released them to the press also, and followed up with another statement. As a result the Senator got a letter telling him they got faster action in less than a week from his State than they could have gotten in 6 months."

THE SPONSOR

The American Political Science Association, founded in 1903, is the professional organization for political science within the United States. Its series of distinguished presidents has included: A. Lawrence Lowell, Woodrow Wilson, Charles E. Merriam, Charles A. Beard, Edward S. Corwin, Robert E. Cushman, Arthur W. Macmahon, and Ralph J. Bunche, to mention a few. It has performed numerous tasks for the President, for executive departments, congressional committees, Members of Congress, and State teachers of politics, Government administrators, Cabinet officials, university presidents, lawyers, and those active in the business world. It is the American affiliate of the International Political Science Association.

SOURCES OF FUNDS FOR THE CONGRESSIONAL FELLOWSHIP PROGRAM

For the first several years of its operation, the congressional fellowship program was financed by the Edgar Stern family fund of New Orleans. In 1957–58, the program was financed by both the Stern family fund and the Ford Foundation. Beginning with 1958, the program was financed by the Ford Foundation, as well as such other foundations as the Courier-Journal and Louisville Times Foundation, the New York Times Foundation, the Shinner Foundation, the Poynter Fund, the Revlon Foundation, and the Helen Dwight Reid Foundation.

ASIAN FELLOWS

Beginning with the 1958–59 program, the Asia Foundation has sponsored several Asian fellows who are affiliated with the overall congressional fellowship program but who receive special assistance. The applications and selection of the Asian fellows are handled jointly by the Asia Foundation and the association.

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

Mr. HUMPHREY. I am glad to yield.

Mr. HOLLAND. I wish to associate myself with the Senator from Minnesota in warmly praising the congressional fellow program of the American Political Science Association and those persons and agencies which have made the program possible. One of the fellows under this program, Arthur E. Ryman, Jr., Esq., is now working in my office. We have found his services to be most helpful, and I trust that the experience has been of value to him from an educational and experience standpoint. Mr. Ryman is an outstanding young man who received his master of laws degree from Yale University. He served last year on the faculty of Cumberland Law School at Lebanon, Tenn. Beginning in September, he will join the faculty of Drake University Law School, Des Moines, Iowa.

Mr. Ryman has been particularly helpful in conducting thorough and detailed research of the type which my staff has difficulty in finding time to perform. He has made a thorough study of the Senate rule pertaining to unlimited debate, airline labor problems, the funding of civil service retirement payments, and similar complex subjects.

Mr. Ryman's service in my office should be beneficial to his law students by giving him a firsthand practical view of the making of Federal statute law. I appreciate the opportunity I have had of having his able assistance in the work of my office.

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

Mr. HUMPHREY. I yield.

Mr. METCALF. The Senator from Minnesota has performed a valuable service in calling to the attention of the Senate and of the country the fine group of young men and women who have served us so well during the past few months. The program is one with which I have been familiar since it was started. I have been fortunate to have three of these young men serve in my office. I have observed a number of the congressional fellows, including a few young women, who have served in the program during the years it has been in existence.

Among the young men who have been associated with me is Mr. Luther Carter, of Norfolk, Va., who has served in my office diligently and as a good right hand. As the Senator from Minnesota has said of the fellows who serve on his own staff, Mr. Carter has been a mighty fine member of my staff.

Before that, I had as an assistant Mr. Boyd Finch, of Ventura, Calif., a newspaper reporter. When Mr. Finch finished his service with me, he returned to his work in Ventura and is now one of the New Frontiersmen, working with Secretary Udall in the development of natural resources. His first interest in natural resources was gained in Montana, where he learned of our interest in the forests, rivers, streams, and mountains of that western part of our country.

Then I had on my staff Mr. Charles Young, of California, who returned to the University of California. He is now an assistant to the president. Here he learned about the various educational programs. He served well in spreading the same sort of gospel about which the Senator from Minnesota has spoken.

So these young men, I know from personal experience, have been devoted and dedicated in performing their research service. I know the country is better off because of the program instituted by the American Political Science Association. I am glad the Senator from Minnesota has placed in the RECORD the list of the fellows for next year, because I am proud that two of them will be Montanans, who, as have their predecessors, will delve into the mysteries of congressional procedure which are not taught in colleges and universities. I look forward to working with them.

I thank the Senator from Minnesota for yielding.

Mr. HUMPHREY. The fellows, I feel certain, will be more than grateful for the remarks made by the distinguished Senator from Montana, and the American Political Science Association will be doubly grateful for this testimonial as to the quality, caliber, and effectiveness of the congressional fellows.

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

Mr. HUMPHREY. I yield.

Mr. KUCHEL. The congressional fellows perform an excellent service for the Members of Congress with whom they are associated. I think it may be said that the Members of Congress, in their day-by-day deliberations, in their research, in their quest to find what is in the public interest in the bill which will be pending before them on the morrow, give to those young people in America who are able to participate in the program a unique education in the processes of the Republic, particularly as they receive those processes, parliamentarywise, with which we deal in the Senate and House of Representatives every day.

The Senator from Minnesota deserves congratulations for indicating the breadth of the program and the fact that it will be a continuing one.

I must say, speaking personally, that the very fine young man, Ronald H. McDonald, who has been associated with me for some time, will, as he leaves my office shortly to return to his homeland—California—take with him the best wishes of the personnel of my office and certainly the best wishes of the Senator from California.

In discussions which take place in my office with members of my staff, to determine what policy this one Senator should follow with respect to proposed legislation which, in many instances, is somewhat perplexing, Ron McDonald has participated. I feel certain that that pattern is followed throughout the entire congressional organization.

I speak as a Republican. I wish to see two strong parties in the Nation. I do not want this Nation ever to become a one-party country or to have a one-party government. Neither do I desire to see a multiplicity of splinter parties, from which one of our gallant neighbors across the seas suffered for so long a time.

When the Senator from Minnesota and other Senators representing the great Democratic Party, participate in this program, and when many of us on this side of the aisle participate in the same program, and have the joint opportunity to demonstrate, in some areas of legislation that there are conflicting views, honorably arrived at, then I think there is a keener appreciation of the fact that on the anvil of debate is the truth hammered out, not merely in theory, but usually also in actuality. From that experience these young people, men and women alike, return to their homelands refreshed and invigorated from an experience which I feel certain will permit them to invigorate both political parties in America in the days ahead.

Mr. HUMPHREY. I thank the Senator from California. I wish to associate myself with the views he has expressed in terms of the vitality of the two-party system.

I would be remiss if I did not pay special thanks to Mr. Patrick J. Conklin, of the University of Oklahoma, Tulsa, who worked with me in the office of the majority whip. He studied during the first period of his congressional service in the

office of the House majority whip, under Representative ALBERT, of Oklahoma. He then came to me and asked to have an opportunity to work in the office of the Senate majority whip. I was more than happy to agree, and I found Mr. Conklin to be a remarkable man. He will be all the better as a teacher and a professor. He did some splendid research work, not only upon the activities of the office of the majority whip now, but also in relation to the whole history of the office background and in terms of congressional life. He also gave me great help in the field of foreign policy, particularly as it relates to Latin America. He is a keen student of that area of the world; and I am deeply indebted to him.

I also wish to mention the name of Mr. John G. Stewart, a candidate for a doctor's degree at the University of Chicago. He has worked with me in recent months. Prior to that, he worked with Representative RICHARD BOLLING, of Missouri. He found a very rewarding experience with that splendid, brilliant, outstanding Member of the House of Representatives.

I wish to say publicly to Mr. Stewart that I shall ever be indebted to him for his diligence, for his concentration on the subject matters assigned to him, and for his splendid work generally, and particularly as it related to the activities of the Senate Appropriations Committee. I am a new member of that committee, and I needed help; and I found in Mr. John Stewart a reliable associate.

I am confident that he will return to his work better prepared and enriched in experience and in spirit. Surely he has made a great contribution to my office; and I know my constituents appreciate his kindness and his helpfulness.

Mr. PELL. Mr. President, I, too, would like to associate myself with the remarks of the Senator from Minnesota [Mr. HUMPHREY] in commending and praising the program providing for Government fellows. For their generosity in this respect, I wish to praise particularly the Stern family—and particularly Philip Stern, a good friend of mine, for whom I have great respect and great admiration—who have done so much to bring about this program.

My own office has been helped by the presence of Eugene Lichtenstein, who has helped us immeasurably in the last several months with his research, his knowledge, and, more particularly, his writing ability.

This program seems to me to be a very good one, because it encourages these young men to have an interest in government; and without the program, they might not have such an interest. In fact, in not too many years some of us may have the privilege of being defeated by some of them.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 2034) to amend the Communications Act of 1934, as amended, in order to expedite and improve the administrative process by authorizing the Federal Communications Commission to delegate functions in adjudicatory cases, repealing the review staff provisions, and revising related provisions, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROGERS of Texas, Mr. FLYNT, Mr. MOSS, Mr. ROGERS of Florida, Mr. BENNETT of Michigan, Mr. SPRINGER, Mr. YOUNGER, and Mr. THOMSON of Wisconsin, were appointed managers on the part of the House at the conference.

THE RECORD OF THE KENNEDY ADMINISTRATION ON BEHALF OF AGRICULTURE

Mr. HUMPHREY. Mr. President, I wish to have printed in the RECORD certain material relating to the agricultural program.

The Congress has passed and the President has signed the most important agricultural legislation since the passage of the basic Agricultural Act of 1938. The passage of the Agricultural Act of 1961 represents a singular achievement on the part of the Congress and the administration. Credit is due in particular to the Secretary of Agriculture, Mr. Orville Freeman, for the manner in which he presented the administration's farm program, and for the broad and comprehensive understanding of agricultural problems and policies that he so fully revealed in his testimony before the committees of the Senate and the House.

Mr. President, I wish to commend also the chairman of the Senate Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], and the chairman of the House Committee on Agriculture, Representative COOLEY, and their associates on both sides of the aisle, for the work they have done at this session on the Agricultural Act. I have served for 8 years on the committee, and I can assure all my colleagues that the work on it requires a great many hours, much concentration of effort, and a considerable amount of judgment in the designing of agricultural and conservation policy.

In my opinion, the Agricultural Act of 1961 represents a major step forward in this administration's program for improving farm income. The act strengthens the agricultural economy and provides the Department of Agriculture with the facilities, the authority, and the means to bring about a better relationship between producers and consumers, with adequate regard for strategic food stockpiles reserves, our foreign policy commitments, and the use of American food and fiber as an instrument of economic and social development at home and abroad.

The President, in signing this important legislation, properly heralded it as a program of far-reaching importance not only to the farmer, but to the consumer; not only to agriculture, but to industry: not only to rural America, but to the urban areas and, indeed, to the entire Nation and the world.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the President's statement at the time of the signing of the bill and also the statement of the Secretary of Agriculture.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Is there objection?

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

REMARKS OF THE PRESIDENT ON SIGNING S. 1643—THE AGRICULTURAL ACT OF 1961

The Agricultural Act of 1961 is a major step toward a sound agricultural economy and a better life for the farmers of this country. It is designed to improve farm income, expand the markets for agricultural products, reduce our stocks of grains and wheat, and relieve our taxpayers of carrying some of the costs of carrying these stocks. I believe these objectives are in the best interests of our farmers and our country.

Of particular significance is the extension of the use of marketing orders to additional farm commodities. This will offer producers an opportunity to influence the market and offer the consumers advantage in quality, regularity of supply and stability of prices. I am also pleased that the act permits us to increase the present scope of our program for the distribution of agricultural commodities abroad, and extends the school lunch program to assure millions of our children better nutrition and better health.

These programs have long proved their merit and in these critical times and days they do assume significance for the welfare of our Nation. The benefits of the farm program that will result from this act are all in the right direction. They should help us toward the achievement of our goals for American agriculture, because American agriculture is of concern to us all, whether we live on the farm or in the city, and of concern to hundreds of millions of people around the world who look to this tremendous capacity which we have, with a relatively limited number of people, to produce food for ourselves and a good portion of the world. This is really a most outstanding accomplishment of our civilization in this century, to produce more food with less people than any country on earth. And it contrasts to the efforts of those behind the Iron Curtain in Russia and China where by entirely different systems they have had great difficulty. We wish for them well in this area because we want food available for all people.

We do point with pride to the record the American farmers have made and I hope that this legislation—I am sure and I know it will keep to increase that record. So that in this bill today we serve our people, our farmers and also people around the globe.

STATEMENT BY SECRETARY FREEMAN ON THE SIGNING OF THE AGRICULTURAL ACT OF 1961

I regard the Agricultural Act of 1961 as the most constructive and promising farm legislation in many years. It is a significant step toward a healthier farm economy and will therefore strengthen the economy of the entire Nation. It represents real progress in the right direction, and can serve as a stimulus for further steps toward achieving the goals we seek for agriculture.

I am of course disappointed that the act does not include the President's recommendations to enable farmers to adjust their production and marketing more effectively on a long-term basis, with sufficient flexibility to meet changing needs and conditions. However, this disappointment is tempered by a recognition that the gains already achieved are such that the downward trend in farm income over the years just past can be reversed, and progress toward greater gains lies ahead.

I should like to highlight a few of the most constructive aspects of this new legislation.

First, the Agricultural Act of 1961 will bring about very substantial gains to the farmers of our Nation. These gains will result from the provisions relating to wheat and feed grains, the expansion of marketing order programs, and the improvements in our program for rural credit.

We expect that income for producers of wheat and feed grains should be increased by $600 to $800 million in the 1962 wheat year. We know that marketing trends, forces of nature and international affairs may be involved. But if farmers participate as enthusiastically as they have in this year's feed grains program their incomes will be increased as our stockpiles are reduced.

Marketing orders, which have already assisted producers of many commodities in achieving better incomes, can be extended to more commodities. This will give farmers greater influence on the marketing of these commodities, and at the same time offer consumers better and more consistent quality, greater regularity of supply and more stable prices.

In the long run, the significance of these measures may lie in the fact that they represent an implicit recognition by the Congress of the need for adjusting our abundant agricultural productivity to existing need and for encouraging balanced marketing programs for farm commodities. In the two areas in which the imbalance was in greatest need of correction—wheat and feed grains—this act confirms the principle of supply adjustment.

Better farm incomes can also be expected as the result of provisions in the new act that expand and improve the supervised credit service of the Farmers Home Administration. Loan limits have been modernized to meet the changing and increasing requirements for capital on the farm. The act removes restrictions that have in the past kept the agency from serving large numbers of family farmers who urgently need supervised credit to work their way out of their difficulties. We will now be able to be far more effective in meeting credit needs of young farmers struggling to get started and of established farmers who need to make major adjustments in their operations. Supervised credit will now be a more powerful instrument in eliminating rural poverty, strengthening family farms, and revitalizing rural communities.

Second, the act includes measures to expand consumption of our farm products. Most important is its extension and improvement of the Agricultural Trade Development and Assistance Act, a significant feature of the Agricultural Act of 1961. The 3-year extension of the programs under Public Law 480 gives us greater opportunities to expand the utilization of our agricultural abundance to help further economic growth in other nations of the free world. At the same time we contribute to our own national interest and security by raising standards of nutrition and health for the people of friendly nations. We look forward to facing, squarely and constructively, the interrelationship that exists between, on the one hand, the capacity of our agriculture to produce more than our domestic needs, and, on the other, the unmet needs existing in the rest of the world. We seek to resolve this situation in the best interests of both the American farmer and our national security.

Extension of the school milk program for 5 years will contribute better health and nutrition to millions of American children.

Third, the wheat and feed grain programs under the new act will result in substantial savings to the taxpayers by reducing storage costs for these commodities. For the 1962 grain crops alone the savings over the amount the old programs would have cost, will be between $750 million and $1 billion.

The U.S. Department of Agriculture will seek to carry out its responsibilities under the new programs with maximum concern for their success. We shall seek to consult and cooperate with farmers wherever appropriate, and to welcome suggestions from producers and groups of producers who seek to improve programs that affect their economic welfare. We shall seek effective implementation of the intent of the Congress as expressed in this act. We expect to learn from our experience under these programs, to the end that they may be improved and perfected.

We regard the period immediately ahead as an opportunity for further study and evaluation of proposed policies and programs, and most particularly for further efforts to build greater public understanding of the farm situation. We regard it as a challenge to formulate the next steps in seeking to reach our goals.

Mr. HUMPHREY. Mr. President, I have asked the Department of Agriculture to prepare a summary of the Agricultural Act of 1961, and also to prepare a summary of the achievements and the progress of this administration in the field of agriculture in the past 6 months. I ask unanimous consent that the record of the Kennedy administration of the past 6 months be printed in the RECORD at this point in my remarks, and also that the thoughtful summary and highlights of the Agricultural Act of 1961 be printed at this point in my remarks.

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

U.S. DEPARTMENT OF AGRICULTURE, REPORT, JULY 1961, THE FIRST 6 MONTHS

This administration has set forth positive goals for its agricultural programs. It is the purpose of this report to summarize progress made during the past 6 months toward the achievement of these goals.

The goals might be expressed as follows:

I. Better utilization of the Nation's abundant agricultural productivity to achieve:

A. Improved levels of consumption and nutrition in the United States.

B. Increased use of U.S. farm commodities to improve nutritional and living levels and to support economic development in underdeveloped parts of the world.

II. The strengthening of the agricultural economy by:

A. Assuring to the efficient, adequate-sized family farm the opportunity to achieve parity of income by adjusting production to the kinds and quantities that can be used under this expanded demand.

B. Strengthening and improving agricultural services in research, marketing, extension, and credit, with emphasis on cooperatives, the Rural Electrification Administration, and Farmers Home Administration.

C. The eradication of poverty in agriculture through assistance to low-production farmers and emphasis on rural area development.

III. The recognition of agriculture as an integral and indispensable part of the Nation's entire economy and future well-being.

A. Development, in cooperation with all appropriate agencies, of a program for land, water, and forest resource conservation and utilization that is consistent with the long-term social goals and national requirements of the United States, particularly for the production of food, fiber, and forest products, for recreation, for general economic well-being and for national security.

B. A recognition of the need for strategic security reserves in agricultural products.

C. Public understanding of the contributions of agriculture to the American economy and standard of living, and a recognition on the part of the public of the importance of solving the farm problem.

D. Cooperation and coordination of agricultural programs and policies with those other national programs and policies directed toward the solution of common problems: e.g., how Americans jointly meet the challenge of automation and technological revolution that brings about unemployment in industry and underemployment in agriculture; and how the United States gears our agricultural programs and policies to maximize their contribution to international needs and national security.

ACTION BY THE U.S. DEPARTMENT OF AGRICULTURE TOWARD THE ACHIEVEMENT OF THESE GOALS

I

A. Better utilization of abundant agricultural productivity to achieve improved levels of consumption and nutrition in the United States.

1. Distribution to those in need:

(a) Food procurement operations expanded: Two days after President Kennedy issued Executive Order No. 1 calling for an expansion in the volume and types of food to be distributed to needy families, the Agricultural Marketing Service launched into procurement operations to obtain the additionally needed supplies. The foods bought provide a substantial supplement to the commodities such as flour, cornmeal, rice, and nonfat dry milk which previously had been made available to needy families. Foods bought for this expanded distribution included 84 million pounds of dried beans, 47.2 million pounds of rolled oats, 76.5 million pounds of lard, 22.2 million pounds of dried eggs, 68.8 million pounds of canned pork and gravy, 40.3 million pounds of canned chopped meat, and 23.5 million pounds of peanut butter.

Additional purchases included 12.3 million pounds of carcass lamb for distribution to eligible nonprofitable charitable institutions, 7.1 million pounds of young chickens for the school lunch program, and 2.4 million pounds of cabbage principally for the school lunch program.

Purchases of livestock products alone, including meats, lard, dried eggs, and poultry have exceeded $105 million since the issuance of Executive Order No. 1.

(b) More food for more needy families: The distribution of food to needy families has been rapidly expanded both in terms of the number of people benefiting and the volume and variety of foods distributed to them. Total distribution in the last 6 months has amounted to about $101 million or more than three times the level in the same period of the previous year. In addition, the number of people receiving commodities has increased from 4 million persons in January to about 6½ million in June.

(c) Areas of special need: The U.S. Department of Agriculture is launching a special effort to distribute food to needy families in Fayette and Haywood Counties, Tenn., in these cases providing labor costs and supervisory assistance which are not locally available. It is expected that 7,000 persons in each of these counties will immediately benefit from this distribution, and that this figure could easily double by fall.

(d) Pilot food stamp projects: Arrangements have been completed for the operation of the food stamp program in eight pilot areas. The project in southern Illinois opened July 12, and was the last project in the series to get underway. The first to open was in McDowell County, W. Va., on May 29. Others in operation are in Floyd County, Ky.; Virginia-Hibbing-Nashwauk and adjacent areas in Minnesota: Silver Bow County, Mont.; San Miguel County, N. Mex.; Fayette County, Pa.; and the city of Detroit, Mich. At the present time, close to 200,000 persons have been certified to participate in the program.

Carefuly study is being made of these pilot programs as a basis for further planning and policy determination.

(e) Special milk program: Legislation has been passed to extend this program through the fiscal year 1962, with an increase in the authorization from $95 million to $105 million. Through this program children in 85,500 schools, child-care institutions and summer camps were provided the opportunity of obtaining increased quantities of milk at nominal cost. It is estimated that more than 25 million children drank milk daily the past year under the school lunch and special milk programs—consuming more than 4.7 billion half pints, the equivalent of about 4 percent of the total nonfarm consumption of milk.

(f) School lunch program: Congressional action is pending on the administration's request to increase the regular national school lunch program appropriation, and to add $10 million to be directed to schools in distressed areas. Also before Congress is the administration's recommendation for the first major change in the National School Lunch Act since it was passed in 1946. The proposed amendment would result in a more equitable distribution of funds. Pilot projects have been initiated in two counties in West Virginia and one county in eastern Kentucky, in cooperation with appropriate State and local officials, to provide lunches to children in especially needy areas where a lunch-time food service is not available.

2. Research and educational activities to improve quality and utilization for American consumers.

(a) The Agricultural Research Service publicizes nutritional information indicating how the nutritional health of many adolescents and adults in the Nation could be improved by adding more fruits and vegetables and more milk and milk products to the daily diet. It also releases menus and other information to help families use to best advantage the foods now offered in the distribution program.

(b) The Department, in cooperation with the U.S. Atomic Energy Commission and the Department of Health, Education, and Welfare, is testing an ion-exchange method for removing strontium-90 from milk, designed to provide a practical method of assuring a safe milk supply in case of a nuclear attack.

(c) The Agricultural Research Service has developed a new method of dehydrating potatoes, carrots, and other vegetables that will improve the quality and decrease the cooking time for such products; and a new method for spray drying cottage cheese whey, which for the first time opens up the possibility of large scale commercial use of this dairy product. Whey is now mainly a waste product and disposal is frequently costly. High protein cottage cheese whey powder could find a use in both foods and feeds.

B. Better utilization of the Nation's abundant agricultural productivity to increase use of U.S. farm commodities abroad, both in commercial markets and to improve nutritional and living levels, and to support economic development in underdeveloped parts of the world.

1. Agricultural exports in fiscal year 1961 broke all previous records in both value, estimated at $4.9 billion, and volume. The increase over the previous year was in both dollar sales and special programs. Wheat and cotton accounted for most of the increased exports, with wheat exports being a record 650 million bushels.

2. The food-for-peace program was stepped up. High on the priority list for new legislation was an increase of $2 billion in authority under title I of Public Law 480, to permit the signing of programs in the remainder of calendar year 1961. This authority was enacted by the Congress in April. Programs in negotiation against the new authorization total about $1.1 billion, and programs under active consideration total an additional $0.7 billion. One of those in negotiation is the multiyear program with Pakistan which will total about $950 million.

3. The barter program, title III of Public Law 480, was the subject of a public meeting for the first time since its inception. At this meeting importers, exporters, suppliers and others were consulted on how to improve and expand the barter program. From this group a private trade task force was appointed to consider helping U.S. distressed areas by processing foreign raw materials; reducing the outflow of dollars for offshore defense and other procurement; assisting the less-developed countries by trading for their materials; and streamlining the procedures for barter for export of U.S. agricultural commodities.

4. Market development has been given increased emphasis.

(a) A joint Government-industry task force was called to review the cooperative program of oversea market development. This not only helped streamline the program but also helped expand it more than 50 percent over any previous year.

(b) In June USDA opened in London its first oversea trade center, operated jointly with the Department of Commerce, to promote the sale of food products and agricultural commodities.

(c) A marketing specialist was stationed in Hamburg, Germany, in April 1961, to work closely with the food-importing trade in this large-consuming, hard-currency area. It is planned to expand this program by placing other marketing specialists in key trading areas overseas.

(d) In the search for expanded markets USDA is aggressively investigating the use of new food products, such as bulgur wheat, to assure wider use of abundant food supplies.

5. Trade agreements that will expand U.S. exports have been vigorously sought. By aggressive pressure through GATT and with individual countries for reduction or elimination of trade barriers to U.S. agricultural exports, specific food items have been liberalized in the important dollar markets of Germany, Japan, Italy, and the United Kingdom. Acceptable tariffs affecting $500 million in agricultural trade have been negotiated with the Common Market, and negotiations are continuing on an additional $200 million worth of trade.

6. World food budget: Maximum utilization of agricultural productivity to meet human needs must be predicated upon an appraisal of what those needs are. Upon taking office in January, the administration was amazed to learn that there was no estimate of world food needs. USDA initiated a world food budget survey. The preliminary results show a free world deficit in 1962 equivalent to 50 million metric tons of wheat, 3.9 million metric tons of vegetable oil, 1.8 million metric tons of nonfat milk solids and 0.6 million metric tons of dry beans and peas. The Department is seeking estimates of needs, not only for 1962, but the years immediately ahead. On the basis of the final estimate of world food needs it will be possible to plan more intelligently and effectively how to gear programs to meet those needs.

7. The extension of Public Law 480, with certain essential improvements, notably long-term authorization, is incorporated in the omnibus agriculture bill now before Congress.

II

A. The strengthening of the agricultural economy by assuring to the efficient, adequate-sized family farm the opportunity to achieve parity of income by adjusting production to the kinds and quantities that can be used under this expanded demand.

1. To raise farm income we have raised support levels under existing authority and secured the passage of the 1961 feed grain program. Estimates now indicate that the farm operators' realized net income in 1961 will be at least a billion dollars higher than in 1960—an increase of about 10 percent—with this increase largely the result of action taken by this administration.

Original estimates were that the feed grain program would not only increase farm income but would enable the Government to save at least $500 million. It now appears that these estimates were conservative and that savings will be even greater.

To help farmers meet spring planting and other costs there was made available to them before the end of the storage year one-half the payments earned by storage of grain on farms under the reseal program—the advances totaling about $25 million. The reseal program was extended and broadened so as to permit, along with a continuation of the 1-year program for oats, barley, and rye, a 2-year program for corn, wheat, and grain sorghums—thus encouraging farmers to plan ahead for adequate storage facilities.

2. An important development in connection with support programs is the action by the new administration to revitalize the farmer committee system for the administration of farm programs. Regulations of the Department have been revised to return to farmers complete responsibility for the election of their own ASC committeemen.

3. Immediate assistance in drought and flood disaster has been provided.

4. The Department drafted, and supported vigorously before the Congress, an omnibus agriculture bill which would provide farmers with tools by which production could be adjusted, commodity by commodity, to quantities that can be used. While the Congress is apparently not ready at this session to provide the major enabling legislation asked for, it appears that it will still enact the most constructive farm legislation since 1938. Two major accomplishments are in sight: (a) the acceptance of the principle of supply adjustment by the enactment of such provisions applying to wheat and feed grains—the commodities most in surplus at present; and (b) the awakening of interest in and understanding of the need for the incorporation of that principle in legislation that is flexible enough and broad enough to apply to all commodities where supply adjustment is needed—the beginning of an educational process that will bear fruit in later sessions.

B. Strengthening and improving agricultural services.

1. Research and regulatory activities have scored progress in pest and disease control and greater productive efficiency.

2. The Rural Electrification Administration has been revitalized. The electrification loan program is being administered with a view to protecting the security and effectiveness of REA-financed systems, and generation and transmission loans are being evaluated from that point of view. Since January 20, REA has approved 145 loans for $166,901,218 for rural electrification purposes. These included the largest single loan ever approved by REA—for $60,225,000—to finance a 198,000-kilowatt generating plant in Indiana and a transmission line network to bring adequate, low-cost power to 16 REA-financed cooperatives in 44 counties.

REA has completed plans for a broad reorganization of the agency to enable it to be of more effective assistance to borrowers. It has redirected its power use promotion and education activities to help member-consumers make more effective use of power in the home and on the farm. A special promotion plan is being developed for farm water systems.

The telephone loan program has resulted in REA's approval, since January 20, 1961, of 126 telephone loans totaling $40,926,000. This total includes one of REA's largest telephone loans to date, to a North Carolina

borrower, which will provide new or improved service to 12,000 subscribers.

3. The Farmers Home Administration has expanded its farm housing loan program. In February, President Kennedy made available through the Farmers Home Administration an additional $50 million for farm housing loans. These funds had been appropriated by Congress but were withheld by the previous administration.

With the aid of the funds released in February, the Farmers Home Administration advanced more funds for farm housing in fiscal 1961 than in any previous year—a total of approximately $70.5 million.

In June, following recommendations made by President Kennedy, the Congress passed an omnibus housing bill which further expanded the farm housing program. The new legislation makes approximately $430 million available for farm housing loans over the next 4 years, and broadens the eligibility requirements to include families living in rural areas even though not engaged in farming.

The Housing Act marks another advance in housing legislation by authorizing the Farmers Home Administration to make small improvement loans without taking a mortgage on the farm for security, and permits the making of farm housing loans without taking a mortgage on the entire farm. This will cut down loan closing costs and speed up loanmaking.

The new legislation also authorizes extensive research in farm housing needs, construction and design, permits housing loans to farmers who do not own their land but have long-term leases, and authorizes the Farmers Home Administration to insure loans for housing and related facilities for domestic farm labor.

Operating loan program expanded

In February the administration made available an additional $35 million for farm operating loans. These funds had been appropriated by Congress but were withheld by the previous administration.

With the aid of the funds released in February, the Farmers Home Administration advanced more money to farmers to help defray operating expenses in fiscal 1961, than in any previous fiscal year. Operating loans made during the year totaled approximately $233.5 million.

The Farmers Home Administration also amended its regulations for making operating loans so as to use all of the authority granted by Congress and serve the needs of all farmers who could profitably use the credit and repay debts.

In addition the agency reversed the policy of the previous administration and instructed its field staff to concentrate on assisting those farm families most in need of supervised credit.

In March President Kennedy signed Public Law 87–8 authorizing the Farmers Home Administration to use up to 25 percent of the funds annually appropriated for operating loans to make loans that would bring the borrower's indebtedness above the $10,000 level. Previously only 10 percent of the funds could be used for this purpose.

Total lending operations in fiscal 1961 reached alltime high

The funds released in February for farm housing, and farm-operating loans increased the total amount of credit available to farmers through the Farmers Home Administration by 28 percent.

By June 30, 1961, the agency had advanced a total of $396 million for all loan purposes. This is the largest amount loaned by the agency in any fiscal year.

Loan appropriation for fiscal 1962 increased

The Agriculture Appropriation Act for 1962 will provide, when approved, $321.5 million for farm operating, farmownership, soil and water conservation, and watershed loans. This compares to the $186 million requested for fiscal 1962 by the previous administration.

Farmers now know their credit needs are recognized

As a result of the way the administration is administering the Farmers Home Administration's credit program, farmers now know the Federal Government recognizes their credit needs. The mail received in the national office from farmers needing credit assistance rose 450 percent during the first 2 weeks in March compared to the same period the previous year.

Total applications for loans during the spring of 1961 increased 50 percent over those of the previous spring.

Drought-stricken farmers quickly assisted

To meet the needs of drought-stricken farmers the Farmers Home Administration has streamlined emergency loan area designations. Field offices have been told to reduce the time previously consumed in surveying the need for emergency credit. During May and June 180 counties in 7 States were designated as areas where emergency loans can be made to help farmers fight the effects of the drought.

Agency mobilizes to take part in rural areas development

The Farmers Home Administration is moving rapidly to carry out its assigned duties in the rural areas development program. All field personnel were immediately notified of the duties assigned to the agency by Agriculture Secretary Freeman. State directors have been told how to set up the technical assistance panels needed to implement the program.

Watershed loan program speedup

Under the small watershed loan program the Agency helps local organizations finance the construction of dams, drainage canals, and similar improvements. Steps have been taken to speed the processing of these loans. Since January as many small watershed loans have been approved as had been approved in the previous year and a half.

C. Strengthening the agricultural economy by the eradication of poverty in agriculture through assistance to low-production farmers and emphasis on rural area development.

1. Since January 20 the Department has taken important steps to mobilize its resources and personnel for a greatly expanded program of rural areas development. The Secretary has issued directives indicating clearly to all departmental personnel that this program is a major responsibility of the Department and cooperating State agencies.

2. A special Rural Areas Development Board, representing 12 agencies, was set up to coordinate and give leadership to the program. Adequate staffing was provided the Board through establishment of a new Office of Rural Areas Development. This Office includes five area specialists who work closely with State and local leaders in promoting rural development.

3. With the assistance of departmental agencies, State leaders are currently taking steps to establish broad rural areas development programs in all States.

The Board and Office of Rural Areas Development are providing assistance of their resources into "area development" type programs, such as community assistance, rural industrialization, improvement of farm and nonfarm housing, small watershed development, improved marketing and processing of products produced in rural areas, and economic research on low-income problems.

Important accomplishments toward rural area development have already been reported for the Farmers Home Administration and for the Rural Electrification Administration. The FHA is moving rapidly toward carrying out other phases of the rural areas development program. The agency has issued instructions to the field staff on how to establish an efficient technical assistance panel to the State rural areas development committees. This panel will assist rural areas development committees in developing and carrying out all phases of the rural areas development program, conducting studies to identify problems, including areas economic development programs and the extension of program projects.

The Federal Extension Service has developed a set of suggested guidelines for extension's organizational and educational responsibilities in the rural areas development program for the State cooperative extension services to use in implementing the rural areas development program. The guidelines provide suggestions to States as to the functions of State and area rural areas development committees, how they are to be organized and their relationship to other USDA agencies. It puts emphasis on area planning and points out that the major emphasis and purpose of rural areas development are to stimulate economic activity for the purpose of increasing incomes, increasing employment and reducing underemployment through economic development and resource adjustment.

The States are moving ahead in reorganizing their State rural area development committees. Many have expanded the membership to include wider interests and competencies, and are in the process of delineating rural-area-development areas and in incorporating some existing economic development areas into rural-area-development areas.

Beginning this week, Federal Extension Service is holding regional meetings with State directors of extension to discuss their responsibilities to the rural-area-development program and means of getting areas organized and underway in line with the objectives of rural areas development and the guidelines.

The Soil Conservation Service has continued to promote its programs of resource development in rural areas. The increased emphasis on multipurpose watershed structures will help develop rural America. These structures will provide protection against flood damage, water for industrial uses, water for recreation and wildlife. In addition, Soil Conservation Service will make major contributions in the planning of overall economic development programs for all rural areas.

The Forest Service has prepared a number of suggested pilot projects to aid in providing employment in underemployed areas. These projects would add to the industrialization of low-income areas and would aid in the overall economic development.

The Economic Research Service has assisted the rural area development program by:

(a) Preparation of the task force report, "Guides to Development in Depressed Rural Areas."

(b) A program of research in some 20 low-income farm areas of the United States. Greater emphasis has been placed on the problem of low income in agriculture by organizing and giving greater impetus to this activity in the establishment of a new branch entitled Rural Development Branch with a professional research staff of approximately 30 people.

(c) Preparation of income data for every county in the United States for all families and for farm families, and furnished further analysis of these data to establish criteria for designation of rural development areas.

(d) Preparation of a suggested outline for rural development plan. This has been published under the title "Suggested Content of an Overall Rural Areas Economic Development Program," Office of Rural Areas Development, June 1961.

(e) Serving as consultants to the Office of Rural Areas Development in its negotiations with the Area Redevelopment Administration, Department of Commerce.

The Farmer Cooperative Service has prepared a kit to provide source information on setting up and operating a cooperative association. This will be of assistance to groups interested in forming cooperatives in rural areas.

The agency is also revising information folders to reflect current information on cooperative meat processing and rural credit unions.

The Agricultural Conservation and Stabilization Service has sharpened its farm development and improvement programs to fit the needs of low-income areas.

Other agencies including particularly the Statistical Research Service, the Agricultural Research Service, and the Agricultural Marketing Service, have contributed to the study of the overall needs of areas of underemployment and low income.

Area Redevelopment Act. Rural activities under the Area Redevelopment Act are awaiting decisions and delegations of authority to the U.S. Department of Agriculture from the U.S. Department of Commerce. The Department of Agriculture has made recommendations on designations of areas to receive assistance for acceptance by the Department of Commerce.

III

A. Recognition of agriculture as an integral and indispensable part of our Nation's entire economy and future well-being by an emphasis on conservation of forest, land, and water resources.

1. In the field of forestry, principal accomplishments since January 20, 1961, may be summarized as follows.

(a) The small woodlands program is being expanded in accord with the direction given in the President's messages on natural resources and agriculture, and the current budget was revised to help small woodland owners particularly in depressed areas.

(b) The national forest short-range program has been revised to broaden its coverage to include increased emphasis on the recreation resources, including a Visitor Information Service to provide interpretive programs on the ground, increased access road developments, a more rapid consolidation of national forest areas and other changes. The revision has been submitted to the Secretary and was made to meet President Kennedy's natural resource recommendations for giving more attention to the forest resources of the country.

(c) To meet this greater emphasis on recreation the Department has, in the past 6 months, reconstructed 1,800 family camping space units and has constructed 1,200 new units. Plans for fiscal year 1962 call for rehabilitation of an additional 10,000 existing units and construction of 1,700 new ones.

(d) The Forest Service is working with State fish and game departments in planning improvements for each area. Highlights of the program include: planting shrubs, grasses, and herbaceous plants on 1.5 million acres of game range; clearing openings, food patches, and game ways for wildlife in dense vegetation on 400,000 acres; and improvement of 7,000 miles of fishing streams and 56,000 acres of lakes by stabilizing banks, planting streamside cover, and constructing channel improvements.

(e) Increased coordination between the Departments of Agriculture and Interior is directed toward uniform forest management procedures.

(f) Forest Service research programs are being developed on fire protection; transport of woodpulp chips in water pipelines and other means to make timber harvest more efficient; disease and insect control by antibiotic and chemical means; intensified research on the utilization of abundant but little used species and low quality timber, especially in areas of underemployment.

(g) A new national forest was established in Oregon.

2. In the field of soil and water conservation:

(a) The Department entered into cooperative working relationships with 17 new soil conservation districts during the first half of 1961;

(b) It entered into contracts with 1,090 farmers and ranchers in the 10 Great Plains States to carry out complete conservation plans under the Great Plains conservation program;

(c) It stepped up the small watershed program in response to President Kennedy's messages on natural resources and agriculture. On May 19 USDA transmitted to Congress 20 watershed work plans; it presented a revised budget request to increase the watershed appropriation by $7.5 million for fiscal year 1962 which was unanimously accepted by Congress. During the past 6-month period the Soil Conservation Service authorized the planning of an additional 55 watersheds, as compared with 38 approvals in the previous 6 months.

The most significant speedup has been in completion of plans and the stepping up of construction activities. During the first 6 months of 1961, 23 additional projects were authorized for operations. A much larger number of completed plans were in process of approval, which is expected before the adjournment of this session of Congress. Committees of the Congress had 15 plans before them for approval. The Bureau of the Budget had 10 plans ready to transmit to the Congress early in July. An additional 18 plans under review by other Federal agencies and the States will be ready for transmittal to Congress by the middle of August. If all of these 52 plans are approved by the Congress, this will represent the largest increment to the small watershed program since it was authorized in 1954.

Total obligations for watershed construction—$20.5 million during the first half of 1961—also establishes a new record for any 6-month period since the program began. During the last 6 months 43 projects made new construction starts as compared with 6 in the prior 6 months. More new construction starts normally occur during the last half of a fiscal year than during the first half.

3. USDA is launching a comprehensive study of the entire question of land utilization, with emphasis both on desirable long-term goals and short-term programs where the need is crucial.

B. The Department is engaged in a study of the need for strategic security reserves in agricultural products to meet the needs of the Nation in case of war. USDA soon will have plans and recommendations for action in this area.

C. USDA regards as extremely important the function of increasing public understanding of the contributions of agriculture to the American economy and to the U.S. standard of living; and of increasing public recognition of the importance of solving the farm problem. Efforts to promote this increased understanding, and to thus create a new attitude toward the farmer and farm problems and a new sense of common interest and interdependence, are constantly being made through every appropriate means.

Achievement in this field is hard to measure. In terms of articles and editorials in publications ranging from the Saturday Evening Post to the New Republic, the U.S. News & World Report, and the New York Times, it seems that real progress is being made. USDA believes that this is a major effort that must be kept up if long-term goals are to be achieved.

D. USDA is emphasizing means of developing cooperation with other departments and agencies in order to coordinate agricultural problems and policies with other national programs and policies directed toward solution of common problems.

USDA is especially concerned with two areas:

1. How can the Department jointly meet the challenge of automation and the technological revolution that brings about both unemployment in industry and underemployment (accompanied by low income and surpluses) in agriculture? There is too little general recognition of how much the frontier, with its homesteads and farm opportunities, delayed and mitigated unemployment problems in the past, and of the modern corollary of how much a homesteads-in-reverse movement of people off the farms could add to the unemployment problem today. In other words, there is too little general recognition of the interdependence—and of the concern—that both labor and agriculture should share in problems of technological advance, increasing productivity, and their effects and demands on U.S. social and economic order. A common attack on these problems could be most productive.

2. How can USDA gear agricultural programs and policies to maximize their contribution to international needs and national security? The answer to this requires interdepartmental and interagency cooperation which USDA seeks to develop in every way.

SUMMARY AND HIGHLIGHTS, THE AGRICULTURAL ACT OF 1961

The Congress now has enacted S. 1643 after thorough study and hearings based on the proposals submitted by President Kennedy on March 16, 1961. While this amended bill does not contain all of the provisions recommended by the President, it still is comprehensive farm legislation.

It will provide during the next crop year a successful method of reducing the Nation's most pressing overproduction problems in feed grains and in wheat. Billions of dollars and millions of acres are involved in these major commodities, and effective handling of these problems will have far-reaching consequences for virtually every American citizen. Programs of the last several years have only magnified the problems. The new legislation guided by the dramatic success of the 1961 feed grain program, which is reducing production and simultaneously increasing the level of farm income for the crops involved, will have great assurance of success. The principle of the 1961 feed grain program has been followed in developing a wheat program for 1962.

If farmers vote "yes" in the national wheat referendum on August 24, 1961, and subsequently cooperate fully in the 1962 acreage retirement program, their incomes will increase by 10 to 15 percent. At the same time their voluntary actions will bring about a decrease of about 100 million bushels in Government wheat stocks. When coupled with the 1962 feed grain program, the gain in farm income could reach $600 to $800 million next crop year and ultimate costs to the Government could be reduced by from about $750 million to $1 billion.

Marketing order programs—self-help in a true sense—are being authorized on more commodities.

Important measures are provided to strengthen our Agricultural Trade Development and Assistance Act (our use of food for peace), credit programs for farmers who lack sufficient private credit, and the Wool Act, the Great Plains program, and the school milk program.

This legislation also helps assure consumers of fair and stable prices. Taxpayers will be benefited by savings of as much as $1 billion. Finally, as the sagging farm economy

is made healthy once more, farmers will increase their purchases of all kinds of industrial manufactured products, thereby benefiting wage earners, and so the entire Nation will receive great additional long-range benefits.

TITLE I

A. Authorizes Secretary to consult with farmers, farm organizations, processors, and others in connection with the formulation of legislative proposals and to pay transportation expenses and per diem as authorized under the Travel Expense Act of 1949 for Federal employees.

Significance: Farmer participation in formulating programs is essential if progams are to be successful.

B. Establishes 1962 crop wheat program. Provides a mandatory acreage retirement of 10 percent if farmers adopt marketing quotas by a two-thirds majority vote; voting eligibility for the 1962 wheat marketing quotas specified for producers who had over 13.5 acres of wheat in at least one of years 1959, 1960, or 1961; price supports available only to cooperators in commercial producing areas (if producers should disapprove quotas, price support would be available to cooperators at 50 percent of the parity price of wheat); a voluntary reduction of an additional 30 percent of 10 acres whichever is higher; 15-acre exemption reduced to either 13.5 acres or the highest acreage planted to wheat on the farm in 1959, 1960, or 1961; payment for diverted acres to be made in the 10-percent reduction bracket at 45 percent of the value (in cash or kind as the Secretary may direct) of the basic county support rate per bushel; producers diverting up to an additional 30 percent (or the balance of the small farm 10-acre maximum) of the farm wheat acreage would be paid at rate of 60 percent of the value of the yield per acre for the farm; for those who wish to use wheat entirely on their farm, not more than 30 acres may be produced for human or animal consumption; durum wheat, now in short supply, will be subject to a special program.

Significance: Government stocks of wheat, now 1¼ billion bushels, would probably increase by another 100 million bushels from the 1962 crop if the program were changed. Under this bill, stocks could be reduced by more than 100 million bushels rather than increased by nearly 100 million. This will result in savings on this one crop of $50 million in the first crop year and ultimately $258 million. The previous program offered little hope of increasing farm income. The new program will increase net farm income for wheat producers 10 to 15 percent. Under the new program, price supports will be set at about $2 a bushel; retired acreage percentages will be 10 up to 40 for 1962 with opportunity to reduce as much as 10 acres on small farms.

C. Establishes feed grain program. Provides for price support on corn at not less than 65 percent of parity. Limits price support for corn, grain sorghums, and barley to the normal production of the 1962 acreage of each eligible farm and requires as a condition of eligibility for price support on corn and grain sorghums that the producer participate in the special 1962 program for corn and grain sorghums and not knowingly exceed his base acreage of barley. Similarly, as to barley, the producer must participate in the special 1962 program for barley and not knowingly exceed his base acreage of corn and grain sorghums. Authorizes a special program under which payments will be made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and make an equivalent increase in their average acreage of cropland devoted in 1959 and 1960 to approved soil conserving crops or practices. (Special provisions are made for producers of malting barley.) Diverted acreage shall be devoted to conservation uses including summer fallow and measures to control insects, weeds, and rodents shall be taken. Such acreages may be used for castor beans, guar, safflower, sunflower, or sesame but no payment shall be made for acreage so used. (Guar is a bean cash crop as well as a soil-building legume. It can provide high protein meal and a valuable gum for manufacturers.) Payments on the first 20-percent diversion are determined on the basis of the basic county support rate and an amount of the commodity not in excess of 50 percent of the normal production of the diverted acreage. Payments on an additional 20-percent diversion are determined on the basis of the basic county support rate and an amount of the commodity not in excess of 60 percent of the normal production of the diverted acreage. The feed grain provisions are substantially the same as for 1961 except for the addition of the provisions relating to barley.

Significance: During the 1961 emergency feed grain program, due to excellent cooperation among farmers, stocks are being reduced, and taxpayers are probably saving about $750 million as compared with costs that would have been incurred under the previous program. Here, again, as in the wheat program previously mentioned, the level of farmer income will rise substantially in the 1962 crop year. Nationally, for both wheat and feed grains programs, the increase in income of producers of these grains above that which they would receive under existing law will probably be about $600 to $800 million in the 1962 crop year. The two programs should reduce ultimate costs to the Government, as compared to existing law, by between $750 million and $1 billion.

D. Extends to additional commodities the authority for marketing orders and agreements (without producer quotas) originally enacted in 1937. Marketing order authority is extended to peanuts by areas of production, turkeys, and turkey hatching eggs, cherries and cranberries for canning or freezing, and apples, both fresh and for canning or freezing, and products (except canned or frozen products), produced in Michigan, New York, New England, Maryland, New Jersey, Indiana, and California. The present existing authority under the act for orders applicable to soybeans is terminated. There are added to the commodities subject to import regulation under the act, when marketing orders are in effect on the same commodities in the United States, oranges, onions, walnuts, and dates (except dates for processing).

Significance: Self-help through marketing orders has proved invaluable to producers of some commodities. Experience with milk, citrus fruit, vegetables, and other important commodities indicates that additional benefits may be realized. The principle of self-help as contained in marketing orders is an important means available to farmers for developing and adjusting their industry. Consumer interests also are adequately protected in these orders.

E. Extend the Wool Act for 4 years.

Significance: This act has been a successful one. It is carried on through annual incentive payments to domestic producers. A self-help program for advertising, promotion and related market activities on wool and lambs is authorized, if approved by producers. The 4-year extension should tend to improve and stabilize the industry.

TITLE II

A. Extends for 3 years Public Law 480 (Agricultural Trade Development Act) and provides additional money for title I sales (up to $4.5 billion in total with not more than $2.5 billion in 1 year); authorizes the use of foreign currencies for dollar sales to American tourists; improves agricultural marketing development activities in foreign nations by setting aside 5 percent of the foreign currencies acquired each year for this purpose. (Public Law 480 has been in existence 7 years. It provides for constructive means of utilizing U.S. agricultural commodities. Title I programs—sales for foreign currencies, have been the largest under this act with exports directed largely to underdeveloped countries and distributed through private trade channels. Foreign currency proceeds from sales of U.S. agricultural commodities are used to accelerate economic development in the countries where the sales are made and to finance U.S. work in those countries. Title II permits the President to help friendly peoples in case of natural disasters. Title III authorizes donations of CCC-owned commodities in the United States and abroad through nonprofit U.S. voluntary relief agencies and intergovernmental organizations; it also authorizes barter of CCC commodities for strategic or other materials. Title IV provides for long-term supply and credit contracts to expand or maintain export sales of agricultural commodities for dollars.)

Significance: Extension of Public Law 480 affords opportunity for better planning. It will be a key instrument in U.S. foreign relations. It is essential in implementing the food for peace program in expanding exports of food and fiber, and assuring emerging nations of our continuing interest in supplying agricultural commodities for economic growth. It is also essential to the establishment of a national food policy and development of a world food budget.

TITLE III

A. Consolidated lending authorities of Farmers Home Administration for making farmownership, operating, disaster and water facility loans, with some easing of credit for farms of less than family size and for nonterm operating loans. This title is a consolidation and modernization of statutes authorizing loans to eligible farmers who cannot obtain credit elsewhere for acquisition, improvement, and operation of farms. It will not, of itself, increase the cost of these credit programs.

1. Real estate loans would be available to persons who are or will become owner-operators of not larger than family farms. Available to all farmowners and tenants for soil- and water-conservation measures. Loans may be made to certain nonprofit organizations for conservation, drainage and flood control with insured loan limit of $1 million and direct loan limit of $500,000. Sets limits on loans to individuals for land acquisition at $60,000. Both insured and direct loans may be made up to 100 percent of normal value of the farm. Provides interest rate not to exceed 5 percent plus fees.

2. Operating loan limit increased from $20,000 to $35,000 and limits loan to 7 years at 5 percent. Single loans cannot exceed $35,000 and outstanding indebtedness and total loans cannot exceed $500,000 in any one year in the case of soil conservation districts.

3. Emergency loans not to exceed 3 percent interest under terms applicable to real estate and operating loans.

Significance: A sharp increase in demand for credit has resulted from low farm incomes of recent years along with the rapid development of machines, chemicals, and other elements of modern technology. The farmer who does not have the necessary credit to adopt the new technology or reorganize his farming when necessary cannot compete. Those who cannot produce efficiently at commercial levels cannot benefit adequately from other farm programs which are aimed at increasing farm income. Improved credit and related service for those who cannot obtain sufficient credit from cooperative and private sources are essential and would be provided by this legislation. Young farm people especially would benefit.

TITLE IV

A. Extends to December 31, 1971, the period that contracts may be entered into under the Great Plains program rather than the final date such contracts can remain in effect.

Significance: This program is completely voluntary; it helps landowners and operators in the Great Plains to achieve a more stable production to protect the lands from erosion, to develop farming and ranching practices more adequate to cope with the hazards of climate which characterize the area, and generally to stabilize the economy of the region. The program supplements other conservation programs and activities in 361 counties of 10 States. Farmers and ranchers may enter into cost-sharing contracts for a minimum of 3 and a maximum of 10 years. A good start has been made toward helping the farmers of the plains adapt their agriculture to the dangers of recurring droughts and other hazards peculiar to the area. Continuation of the program is essential for the development of a sound permanent agriculture.

B. Extends school milk program 5 years, to June 30, 1967, and veterans and Armed Forces dairy programs 3 years, through December 31, 1964.

Significance: These milk programs have found nationwide acceptance, and their continuance is a recognition of their value. The school milk program is a prime example of wise use of the farmers' abundant production.

Mr. HUMPHREY. Mr. President, I thank my colleagues for their patience while permitting me to make these statements and to request the making of these insertions in the RECORD.

THE PRESIDENT'S FOREIGN AID PROGRAM

Mr. PELL. Madam President——

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Senator from Rhode Island.

Mr. PELL. Madam President, when the Senate passed the area redevelopment bill, we recognized that distressed areas in any part of our country weaken the country as a whole. We are now considering the act for international development; and I believe it most important that we keep in mind the same principle—namely, that distressed areas in any part of the free world weaken the strength of the whole free world. To put it bluntly, even if there were no threats from international communism, America and the other developed nations of the world simply can no longer afford to live in an island of comparative luxury in the midst of a sea of poverty and disease.

Moreover, it is interesting to note that the only—the only—areas of the world where the Communists have succeeded in securing power in the last decade have been those in which the people have been poorly fed and poorly educated.

There are no exceptions to that; and it is because of that situation that we would like to see more peoples in the world well fed, well housed, and well educated, because in those circumstances communism has little chance.

Madam President, when we discussed the area redevelopment bill, we debated at length the question of Treasury borrowing. During the course of that debate, an amendment to strike out the Treasury borrowing provision was defeated. I am confident that the Senate, in its wisdom, will defeat similar proposals to strike the Treasury borrowing provision from the Act for International Development which we are now considering.

The distinguished chairman of the Senate Foreign Relations Committee and other able Senators have cited many precedents for Treasury borrowing. It has been pointed out that the concept of using Treasury borrowing for foreign assistance is not new, and that President Eisenhower's administration made the same recommendation.

Madam President, many distinguished observers of world affairs have expressed the hope that the United States will take more initiative. I share this point of view, and believe that by authorizing Treasury borrowing for long-term dollar loans we shall indeed be taking the initiative. Admittedly, if we enact this provision, we shall be doing something we have never done before in our foreign-assistance program. This does not make me apprehensive. I think we must do—and I stress the word "do"—new things if we are effectively to meet new challenges and opportunities. In today's fast-moving world, what was sufficient in 1951 is not sufficient in 1961. This is true, not only of the world of space, but also of the underdeveloped world right here on this planet.

When we discuss Treasury borrowing to enable us to make long-term dollar loans to be repaid in dollars, we are talking about putting our assistance program on a businesslike basis. No business and no country can plan on a year-to-year basis. Giving the President authority to negotiate long-term dollar loans which will be repaid in dollars, will greatly strengthen our foreign-assistance program in two principal ways:

1. When negotiating loans with countries who have not made the necessary internal reforms to insure that our aid reaches the grass roots, our representatives will have the leverage of being able to offer long-term assurances if certain reforms are undertaken.

2. Governments assisted will be able to engage in long-range planning which will make our aid far more effective and will generally encourage a sounder attitude toward economic development questions.

Madam President, development loans are the heart of the President's program for the decade of development. They will be our principal tool for enabling the peoples of Asia, Africa, and Latin America, who now know it is possible to improve their lot, to do so without resort to authoritarian means and without succumbing to the blandishments of the Soviet bloc. One of the central questions we are dealing with today is whether the economic conditions of over one and a half billion people will improve under a non-Communist system. The people who will be affected by our decisions have per capita incomes ranging as low as $50 a year, compared to the $2,500 average in the United States.

The Development Loan Fund can provide such an alternative in those countries, where the principal bottleneck to advancement is a low rate of investment. As we know, investment can rise by one of two means: either through increased domestic savings or from external aid. To raise the level of savings sharply in many of these less-developed countries is virtually impossible. When one's income is barely enough to sustain mind and body, saving is academic. We have an obligation not only to provide an alternative to such desperation measures, but to identify our own Nation with the forces of change and to play a role in channeling toward constructive political, economic, and social solutions the energies which have now been unleashed throughout the world.

Madam President, we often hear the question: "Can the United States afford this program?" The simple answer, it seems to me, is that the United States can afford whatever is needed for our national future and survival—just as we were able to "afford" World War II and the Marshall plan, and just as we were able to afford this year's Defense Department appropriations of $46,848,292,000 which we passed by a vote of 85 to 0 last Friday.

Actually, the burden of the Marshall plan was really much greater than that now contemplated by President Kennedy's proposals. References to our current Federal debt burden often overlook the significant fact that it now stands at about 58 percent of our gross national product for 1 year, whereas, at the start of the Marshall plan, the percentage of our Federal debt in relation to our gross national product was more than 96 percent. The foreign assistance, both military and economic, proposed in the legislation now before this body is approximately 1 percent of our national income, or about one-tenth of the Biblical tithe. By contrast, foreign assistance appropriations in 1949 were about 2½ percent of our national income.

An economic assistance program which holds out a reasonable prospect for success will cost less over the entire decade of the sixties than our defense budget for 1962. There is no question of the need for our defense budget. There should also be no question of the need to win the long, hard struggle for development and progress on which the survival of the free world ultimately depends.

Our objective should be that the people of the whole world eventually will be fairly well educated and reasonably prosperous.

Madam President, yesterday I received from the Textile Workers Union of America a most thoughtful communication which I am anxious to share with all of my colleagues.

As my colleagues know, the textile industry has many problems and the workers in this industry have suffered severe hardships. Therefore, I was particularly struck by the truly statesmanlike passage in Mr. Pollock's telegram which refers to the difficulties of the industry, and then states, "However, we realize that an even bigger issue for all Americans is to take steps to prevent many underdeveloped countries from being drawn into Communist orbit by promises of economic aid."

Therefore, I ask unanimous consent that a telegram from William Pollock,

general president, Textile Workers Union of America, AFL–CIO, supporting the proposed Foreign Assistance Act, S. 1983, be inserted in the RECORD.

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

Despite fact that Textile Workers Union has fought to limit imports of textile products we earnestly request and urge that you vote for S. 1983 in form presented to Congress. We shall continue our efforts for protection of domestic textile industry. However, we realize that an even bigger issue for all Americans is to take steps to prevent many underdeveloped countries from being drawn into Communist orbit by promises of economic aid. Our union has debated this issue at several conventions and has always voted overwhelmingly to endorse type of program embodied in S. 1983. We believe that it is in the interest of membership and indeed of all citizens of free world to support broadest possible long-term assistance programs aimed pressing needs of peoples of newer countries in Asia, Africa, and Latin America.

WILLIAM POLLOCK,
General President, Textile Workers Union of America, AFL–CIO, Washington, D.C.

Mr. CASE of New Jersey. Madam President, I rise in opposition to the amendments offered by the Senator from Virginia to the Foreign Assistance Act of 1961.

The bill before the Senate—the Foreign Assistance Act of 1961—is, I believe, one of the most important pieces of legislation that will come to this Congress.

We are going to have a foreign aid program: I think everybody concedes that. We are going to have to have it, because it is necessary. But the pending bill contains several controversial provisions, the most important of which is the proposal to give the Development Loan Fund authority to borrow from the Treasury to cover its commitments over a 5-year period. To me, this borrowing authority is the heart of the bill, and it would be eliminated by the Byrd amendment.

This long-term feature is not, as some have indicated, a new proposal. In 1957 the Eisenhower administration proposed a long-term program which was approved by a bipartisan majority in the Senate. Unfortunately, this provision was lost in conference. Again in 1959, the idea was considered but a House amendment deleted the long-term commitment plan.

This year a 5-year program has been proposed. Secretary of the Treasury Douglas Dillon, who served as Under Secretary of State in the Eisenhower administration, supported the long-term commitments before the Senate Foreign Relations Committee in the following words:

Long-term financing authority is an essential tool for the achievement of our foreign policy objectives. I am equally convinced, as Secretary of the Treasury, that this is the most efficient and least costly method of providing development assistance.

In recent years the problem of making our foreign aid program more effective has been the subject of extensive studies both in the executive and legislative branch of our Government. Without exception, they have resulted in the recommendation that the program be put on a long-term basis. Thus, the weight of expert opinion supports the recommendation of both the Eisenhower and Kennedy administrations on this point.

There are a number of reasons for this consensus. I should like briefly to refer to several of them.

First, the bill's provision for long-term lending authority will give the aided governments confidence that they can rely on firm commitments from the United States in carrying out their own long-term programs. Economic and social development is not an easy task. Most of these countries face an enormous job. Their willingness to undertake it, and their ability to accomplish it, will be greatly strengthened by the assurance of our continuing support—assurance that is not subject to the hazards of a yearly appropriation process.

If they are to achieve real economic and social progress, these countries have to provide for tax reforms, agricultural reforms, and administrative reforms, and take many other difficult but essential steps. Without the confidence that can be supplied by long-term U.S. commitments, these countries can hardly be expected to put out the effort and take the political risks which will be required.

Perhaps the best way to illustrate the advantages of long-term commitments would be to quote an unidentified Foreign Minister who said of himself and his people:

In the past, not knowing the exact volume of aid to be received, we were often forced to be either too conservative, thereby missing opportunities for fruitful investments, or to be overoptimistic in our expectations and commit ourselves too deeply. Under the proposed plan, by knowing several years in advance the exact amount of U.S. aid, we would be in a position to draw more accurate plans in accordance with financial responsibility and to get the greatest returns out of every aid dollar invested.

Even as we debate now there is in progress a meeting of the Inter-American Economic and Social Council in Uruguay where plans are being made for the long-term reforms necessary for Latin American development. Secretary of the Treasury Dillon heads the U.S. delegation to that meeting. From Uruguay, Secretary Dillon has cabled the chairman of the Foreign Relations Committee as follows:

Three days here have heavily underlined the overriding importance of our having authority to make long-term commitments to match the major effort which Latin-American countries are now prepared to make on their own behalf.

Secretary Dillon is not given to overstatement. It seems clear that the success of the conference in Uruguay will depend in large measure upon our action here. And what is true of Latin America is equally true of all the other underdeveloped areas of the world.

By putting the lending program on a long-term basis, Congress will give the executive branch the tools it has long sought and needed. In return the Congress can and should hold the administration responsible for:

First. Good administration.

Second. The economic soundness of the activities to be financed.

Third. The consistency of such activities with other plans proposed or performed.

Fourth. The recipient's responsiveness and his clear determination to take effective self-help measures.

Fifth. The effect on the U.S. economy.

Moreover, the long-term commitments will assure our allies of our continuing interest in the underdeveloped areas. This can and should be useful in persuading them to do their share toward the development of these areas.

Finally, if we would help the developing nations maintain their freedom and independence in their quest for economic and social progress, the aid we offer must be no less adequate to their needs than the long-term assistance held out by Soviet Russia and Communist China.

All in all, it is both to our benefit and to the benefit of the aided countries to be able to give multiyear commitments with the assurance they will be fulfilled.

But the 5-year program is meaningless without the provision for borrowing from the Treasury. This borrowing has been labeled "back-door financing." It is not. Congress will not lose control.

The President must make quarterly reports on lending operations to the Congress. Furthermore, under the Government Corporations Control Act the President must include, as part of each annual budget, the proposed lending program of the Development Loan Fund for the coming year. In the Appropriations Committees these programs will be reviewed annually, and any limitations whatever can be recommended by the committees and enacted by Congress as a part of the annual appropriation bills.

But while the proposal would not take from Congress its ultimate control over foreign aid, it is true that under the bill the burden would be on Congress of justifying to itself any action it might take to cut any proposed program which is within the general lending authority provided by the bill. It would prevent a few individuals in strategic positions who oppose the whole foreign aid program from using their power over appropriations to make arbitrary reductions and eliminate programs without specific and affirmative reasons for such action.

The Committee on Foreign Relations is, in my judgment, to be congratulated upon presenting to us a formula which will provide both the benefits of the long-term lending authority and, at the same time, retain basic congressional control.

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

Mr. CASE of New Jersey. I am happy to yield.

Mr. JAVITS. I remained for a while, since the Senator was kept waiting. I was anxious to state to the Senator what I shall now state.

We who are going to back this provision of the bill are a relatively small band on this side of the aisle. We are likely to prove to be a very important and critical small band in regard to the vote.

I must say that personally I welcome the Senator's position, and find therein deep gratification and confirmation of my own position. He has a longstanding record of being one of the most enlight-

ened public servants in our country. What he is stating as his view typifies this position.

Does the Senator feel, as I do, in view of the fact that there will be fundamental congressional control, except that Congress will have to be self-activating? As the Senator says, a very few Members of Congress will not be given rather heavy powers over the rest of us through their positions on committees. The issue of congressional control is an illusory issue. The real issue is whether one is for or against a substantial, major commitment in the foreign aid field, over a period of years, which will provide the amount of time required for the purpose of using the aid the most advantageously in order to meet the needs of the free world and the competition of the Communists, both in Red China and in the Soviet Union. Does the Senator agree with me that is the issue, rather than congressional control?

Mr. CASE of New Jersey. The Senator from New York has put his finger on the very heart of the problem. That is exactly the point. I do not characterize any of the opponents, nor do I single out anyone, but the opponents, I think, are really opposed to this provision in the bill because they are opposed to long-term financing and because they are opposed to foreign aid in their very deep philosophical beliefs. Even those who do not think this is the reason, if they should succeed in putting the Byrd amendments into the bill, in my judgment would be playing directly into the hands of the small group of people who, in my opinion, have been misusing the power given to them. I do not characterize their motives, and the power was given to them by virtue of their positions in the Congress, so Congress is responsible. They have used the power to prevent the will of the Congress from being fulfilled.

In my judgment, also, this has been much to the detriment of our foreign policy for many years.

I think it would be a tragedy if the Byrd amendments were adopted either in the Senate, or their equivalent, in substance, in the other body, because I think we have at long last an opportunity to put this program on such a basis as to really serve the needs it must serve if we are to succeed in maintaining a decent, stable world, one in which peace is possible.

Mr. JAVITS. I should like to have the Senator address himself to another question. Is it not a fact that the appropriations for the Development Loan Fund have been cut to ribbons since 1958, and that, therefore, there could be no reasonable expectation of other countries relying upon our authorizations? I have the record. It is being compiled now. I shall put it into the RECORD in the course of my own argument tomorrow.

The record shows that the appropriations, no matter how close to the date of the authorizations, have been cut to ribbons.

Mr. CASE of New Jersey. There is no doubt about it. We shall be in much worse shape if we adopt the Byrd amendments. As the Senator from New York has pointed out, there is a record of constant reductions in the appropriation process of the amounts authorized in the basic legislative acts. On the basis of that record, and against that background, no country could possibly assume that the future course of Congress would not be the same as it has been in the past.

We would be in very bad shape if the Byrd amendments were agreed to, against the background which the Senator has mentioned. I am glad the Senator is going to put the specific facts in the RECORD tomorrow. It would be very difficult to induce the Latin American countries or any of the rest of the underdeveloped areas of the world to accept assurance of the executive branch of the Government on the basis of history.

Mr. JAVITS. I consider it an honor to stand shoulder to shoulder with my colleague in this very major effort for our country. This is the real offensive of the free world of which we are now talking. I consider it quite typical of the statesmanship and character of the Senator to find him enrolled in this fight in the way he is.

Mr. CASE of New Jersey. Madam President, I am most grateful to my colleague. I can think of no one whose commendation is more precious to me. It is typical of his generosity. The fact that he happens to agree with me—as happens, I am glad to say, on a good many occasions—strengthens my own convictions that I am correct.

Madam President, opponents of foreign aid have suggested that Treasury borrowing is a new, untried method of obtaining funds. This is not true. The Reconstruction Finance Corporation, formed under the Hoover administration, was the first agency to use this system. Since that time the Federal National Mortgage Association, the Federal Savings and Loan Insurance Fund, the investment guaranty program, the Export-Import Bank, the Area Redevelopment Act and many others have used this same system. As a matter of fact the proposed lending program would consume each year only one-eighth of the average annual amount borrowed from the Treasury during the latter part of the last administration.

No one is under any illusions concerning the effectiveness of past foreign aid programs. No one is happy with the waste and mismanagement that have occurred. Yet the way to improve matters is not to make it more difficult to operate but rather to provide basic procedures which promise a better opportunity for maximum efficiency. This, I believe, the pending bill will do.

No one can be sure that even with this we can attain the goals we seek. But these goals are crucially important to us and to the entire free world. It is unthinkable that we should refuse to give ourselves the best possible chance of reaching them.

Madam President, I urge the Senate to reject the Byrd amendments.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 10, 1961, he presented to the President of the United States the following enrolled bills:

S. 82. An act for the relief of Naoko Ishiwatari White;

S. 207. An act for the relief of Jean Goedicke;

S. 231. An act for the relief of Helga G. F. Koehler;

S. 435. An act for the relief of Knud Erik Didriksen;

S. 489. An act for the relief of Dellarose J. Dowler;

S. 700. An act for the relief of Fung Wan (Mrs. Jung Gum Goon);

S. 825. An act for the relief of Vasiliki Yeannakopoulos;

S. 944. An act for the relief of Mr. Najm Boulos Rihani;

S. 1085. An act to provide for the disposal of certain Federal property on the Minidoka project, Idaho, Shoshone project, Wyoming, and Yakima project, Washington, and for other purposes;

S. 1294. An act to supplement and amend the act of June 30, 1948, relating to the Fort Hall Indian irrigation project, and to approve an order of the Secretary of the Interior issued under the act of June 22, 1936;

S. 1373. An act for the relief of Giuseppa Lanza Lascuola;

S. 1673. An act for the relief of Blagoje Popadich; and

S. 1815. An act to provide for one additional Assistant Secretary of Labor in the Department of Labor.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. SMITH of Massachusetts. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate adjourn until 11 o'clock a.m. tomorrow, pursuant to the order previously entered.

The motion was agreed to; and (at 5 o'clock and 30 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, August 11, 1961, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate, August 10, 1961:

THE JUDICIARY

James B. Parsons, of Illinois, to be U.S. district judge for the northern district of Illinois, vice Philip L. Sullivan, deceased.

FEDERAL RESERVE SYSTEM

George W. Mitchell, of Illinois, to be a member of the Board of Governors of the Federal Reserve System for the remainder of the term of 14 years from February 1, 1948, vice M. S. Szymczak, resigned.

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Joseph F. Donelan, Jr., of New York.
Joseph J. Jova, of New York.
Alexander Schnee, of New York.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Roger C. Dixon, of Virginia.
Turner B. Shelton, of California.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Arthur B. Allen, of Virginia.
John Calvin Hill, Jr., of South Carolina.
Homer W. Lanford, of Alabama.
Lawrence Koegel, of Maryland, for appointment as a Foreign Service officer of

class 3, a consul, and a secretary in the diplomatic service of the United States of America.

Maurice J. Scanlon, of Wisconsin, for appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

Edward J. Chesky, Jr., of Kansas, for promotion from Foreign Service officer of class 6 to class 5 and to be also a consul of the United States of America.

John J. Helble, of Illinois, now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Mrs. Winona Eyre Hanlin, of Colorado, for appointment as a Foreign Service officer of class 7, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Kenneth E. Block, of Maryland.
Paul H. Boeker, of Ohio.
Kenneth L. Brown, of California.
Balfour B. Cassen, of California.
Joseph R. Chesen, of Wisconsin.
James R. Cobbledick, of Connecticut.
Robert G. Davis, of Nebraska.
Gerald de Santillana, of California.
David K. Edminster, of Virginia.
Frederick D. Elfers, of New York.
Otho Evans Eskin, of the District of Columbia.
Robert E. Ezelle, of California.
David J. Fischer, of the District of Columbia.
Frederick A. Hahn, of New York.
Robert F. Illing, of California.
Robert H. Knickmeyer, of Missouri.
C. William Lafe, of Pennsylvania.
Stephen R. Lyne, of Vermont.
Richard H. Melton, of Maryland.
Bert C. Moore, of Ohio.
James H. Moss, of Colorado.
Ernest C. Ruehle, of Missouri.
Peter Bird Swiers, of New York.
Charles T. Sylvester, of Rhode Island.
Haven N. Webb, of Tennessee.
Richard L. Wilson, of Iowa.
Warren Zimmermann, of the District of Columbia.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

William C. Buell, of Washington.
Milton M. Chase, of Ohio.
Harold E. Engle, of the District of Columbia.
Thomas J. Flores, Jr., of New York.
Richard M. Long, of Colorado.
Paul E. A. Van Marx, of Connecticut.
Earl J. Wilson, of Maryland.

John R. Wood, of Georgia, a Foreign Service Reserve officer, to be a consul general of the United States of America.

Albert S. Bonner, Jr., of Maryland, a Foreign Service Reserve officer, to be a consul and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service Reserve officers to be vice consuls of the United States of America:

William D. Carey, of Virginia.
Peter B. Edmonds, of New York.
Robert L. Fambrini, of California.
Stephen R. Gibson, of California.
Mrs. Lillian L. P. Mullin, of Virginia.
Patrick H. Ramsey, of Texas.
James Frederick Smith, of Ohio.
James K. Welsh, Jr., of New York.

Stephen Winsky, of Maryland, a Foreign Service Reserve officer, to be a vice consul and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Edwin F. Atkins, of the District of Columbia.
William V. Broe, of Maryland.
William B. Caldwell, of Texas.
G. Huntington Damon, of Maryland.
Ralph J. Katrosh, of Pennsylvania.
John F. Markham, of the District of Columbia.
Gray M. Randall, of Washington.
Carl R. Sharek, of New Hampshire.
Eugene S. Staples, of the District of Columbia.
Ernest G. Weidul, of the District of Columbia.

The following-named Foreign Service staff officers to be consuls of the United States of America:

John J. Curtis, of Ohio.
Samuel P. Dieli, of Michigan.

The following-named Foreign Service officers for promotion from class 8 to class 7:

James A. Placke, of Nebraska.
Herbert E. Wilgis, Jr., of Maryland.

IN THE NAVY

The following-named officers for temporary promotion in the Medical Corps of the U.S. Navy, in the grades indicated, subject to qualification therefor as provided by law:

To be captains

Allebach, Newton W.	Hodges, James C., Jr.
Aune, Edwin F.	Ingram, William B.
Brown, Roy G.	Jenkins, Judson H.
Cowart, Elgin C., Jr.	Nelson, Albert D., Jr.
Garland, Charles M., Jr.	Nielsen, Orville F.
	Rulon, David B.
Giknis, Francis L.	Taylor, George W., Jr.
Gray, Oscar, Jr.	Waite, Charles L.

To be commanders

Bernstine, Richard L.	Martin, Stuart H.
Johnson, Burt C.	Milnes, Roger F.

To be lieutenant commanders

Ciliberti, Angelo A.	Kibbey, Ianthus I.
Hurvitz, Seymour A.	Stinely, Regis W.

The following-named officers for temporary promotion in the Dental Corps of the U.S. Navy, in the grades indicated, subject to qualification therefor as provided by law:

To be captains

Armstrong, Lloyd M.	Mumme, Henry T., Jr.
Brigance, Frederick W.	Naylor, Merlin E.
Brown, James J., Jr.	Nelson, Wayne A.
Carmen, Marvin	Newman, Dwight W.
Conglis, Peter C.	Nystul, Oliver G.
Cordonier, Louis H.	Pape, Thomas J.
Elder, Stewart T.	Papera, Fiore A.
Ellis, Frank N.	Peterson, William A.
Folkers, Charles W.	Pfaffmann, George A.
Hagerman, Wade H., Jr.	Ralls, Walter E.
	Rovelstad, Gordon H.
Hancock, Joseph G.	Sedlacek, James W.
Hanson, Thomas J.	Smith, John H.
Hawkins, Donald C.	Sochowski, Richard T.
Hicks, Henry H.	Stolitsky, Justin F.
Hodder, Edwin J.	Suehs, Leon G.
Hoffman, Seymour	Thimes, Carl B.
Hoyt, Joseph J.	Valentin, Enrique, Jr.
Hurka, Joseph S.	Wheat, Alva A.
Hutton, Edward G.	Wilhelm, Carl L.
Mayo, Thomas H.	Williams, Leonard E.
Monroe, William A., Jr.	Wood, Quentin L.

To be commanders

Beall, Frank P., Jr.	Swanson, Carl J.
Hutchinson, William G.	Zustiak, Michael

The following-named officers for temporary promotion to the grade of lieutenant in the line of the U.S. Navy, subject to qualification therefor as provided by law:

Cracknell, William H., Jr.
McMichael, William L.

The following-named officers for temporary promotion to the grades indicated subject to qualification therefor as provided by law:

To be chief warrant officers, W–2

Aldrich, Marvin M.	Ellis, John W., Jr.
Allen, Raymond S.	Enzminger, Kenneth A.
Allerdings, Robert D.	Epoch, Paul
Anderson, James C., Jr.	Erdner, Homer F.
Arnett, William C.	Esenwein, Robert G.
Baca, Raymond W.	Evans, Lockwood F.
Bacha, Michael	Felder, Kelly R.
Bailey, Howard L.	Ferguson, John R.
Baker, Oscar M.	Fickett, Lawrence E.
Baney, Richard L.	Filina, George F.
Barlow, Gerald F.	Fortney, Doyle W.
Barnett, Bryan R.	Foster, Russell L.
Barratt, James F.	Friel, Joseph A., Jr.
Barrett, James L.	Fuller, Laverne H.
Bates, Arthur H.	Gall, Ernest R.
Beckley, Wendell	Ganey, Walter F.
Bishop, John F.	Garrett, Kenneth E.
Blankman, Ernest R., Jr.	Gerbis, Daniel
	Giglio, John R
Block, Marvin G.	Giles, Guy M.
Bober, John T.	Gilligan, Thomas F.
Bodge, George R.	Gilmore, Fredrick W.
Boehle, William A.	Glaab, George W.
Boesenhofer, Karl, Jr.	Gleason, Albert J., Jr.
Bolling, Fredrick M.	Gohrband, Howard F., Jr.
Booth, Thomas G.	
Borer, William J.	Gomez, Fabian J.
Bostick, Daniel C.	Gonzalez, Ernest G.
Boucher, Leonard R.	Graham, Frank
Boyer, Robert E.	Gudger, Floyd H.
Briody, John H.	Hafslund, Robert H.
Brockman, Edward B.	Haldeman, Leonard D.
Brown, Albert L., Jr.	Hamlett, Clyde, Jr.
Brown, Charles D.	Hamlin, William R.
Brown, Edward C.	Hanna, Adrian L.
Brown, Hall G.	Hardin, Billie R.
Brown, William H., Jr.	Haskins, Richard L.
	Hathcock, Milton T.
Bruce, Hance R.	Heckman, Robert J.
Budacki, Frank J.	Hedrich, Charles L.
Budrevich, John P.	Hendricks, Jack M.
Bull, Charles H.	Hendricks, Roy L.
Burnett, Lee R.	Hendricks, Thomas B.
Burns, John C.	Hillhouse, William C.
Butler, Henry C.	Hoffman, Richard P.
Butler, Kelly, Jr.	Hofmann, Clifford H.
Cady, Howard P.	Hogle, Walter D.
Carl, Charles L., Jr.	Hohe, Joseph D.
Carlin, John T., Jr.	Holdridge, Oscar A.
Carlson, Kenneth L., Jr.	Holzinger, John J.
	Hornbuckle, John D.
Carr, Robert G.	Hornick, James F.
Carson, Joe W.	Huffman, James W.
Cassie, Lawrence	Hughes, John C.
Castleberry, Noble R.	Hughes, Raymond F.
Cedarstaff, Carl A.	Hutchins, Elmer S., Jr.
Chandler, Neil B.	Hyatt, Gerald C.
Chastain, Edward C.	Isebrands, Arthur B.
Chatterton, Edward M.	Jacobs, Meredith D.
Cislo, Walter J.	Jaggard, Joseph F.
Clark, "J" "B"	James, Howard L.
Clark, Lloyd E.	Jensen, Dana C.
Clarke, George E., Jr.	Johnson, Charles J.
Cochrane, James E.	Johnson, Roland L.
Coke, Carroll E.	Jones, John D.
Correll, James A.	Jones, Willard E.
Cote, Roland F.	Jones, William W.
Cox, James H.	Jordan, Robert L.
Creel, Winford L.	Julius, Paul A., Jr.
Crisler, Clifton C.	Kamperschroer, Glenn N.
Davenport, William K.	
Deming, Robert L.	Kellner, Edward J.
Dersham, Dayton L.	Kemske, William M.
Dick, Gene R.	Kesterson, Joseph A.
Dickerson, Roy E.	Ketels, Yung H.
Disney, Charles	Ketterer, Frank R.
Dodson, Ola A.	Kimble, Kenneth K.
Dolan, John	Kimbrough, Edward L.
Donahue, Donald J.	King, Alfred E.
Dore, John C.	Kinnie, Phillip B., Jr.
Dowdey, Jesse C., Jr.	Kitch, Dale
Duncan, Burrell E.	Kliem, Arnold W.
Duncan, Floyd A.	Knight, Edwin L., Jr.
Durland, Ray M.	Koehler, Merle H.
Durren, Richard L.	Koenig, Robert L.
Dutcher, Clinton E.	Kosley, Andy D.
Dyer, William J.	Kraft, James R.
Early, George, Jr.	Kremsner, Carl J.
Edwards, Charles R.	

Kubovsak, Joseph E.
Kulik, Charles A.
Kunkel, Melvin L.
Kunold, Gerald J.
Kurrus, John B.
Lamb, Gerald M.
Lamb, Harold E.
Landon, Stewart N.
Largent, Gilbert M.
Larrin, John A.
Lasater, Marion H.
Layel, Coy L., Jr.
Leach, Rudolph D.
Leduc, Donald E.
Lee, Willard
Lewis, John A.
Lindholm, Garth F.
Luther, Bert S.
Malley, James O.
Mann, Arthur M., Jr.
Marlin, Richard E.
Martin, Robert J.
Martin, Virgil, Jr.
Martinez, Roy B.
Mathews, Donald B.
Mattox, Lewis E.
McBride, Gene
McFarland, Archie P.
McGowen, George F.
McKellips, Charles M.
McKimens, Paul K.
McKinley, Robert N.
McKnight, William N.
McMahill, Thomas A., Jr.
McMurrain, Robert L.
McNease, Sollie, Jr.
Megil, Thomas L.
Melvin, Van
Meyer, Harry W.
Mikesell, Robert H.
Milne, Douglas S.
Minard, Glenn F., Jr.
Minges, Edward H.
Minor, Robert G.
Mitchell, Harold J.
Mitchell, Robert F.
Moniot, James L.
Morton, Joseph W.
Moss, Clarence D.
Munger, Robert H.
Murphy, William J.
Murray, Douglas L.
Myers, Paul R., Jr.
Myers, Wayne E.
Myers, William H.
Nadal, Jaime B.
Neely, Benjamin C.
Neil, Richard C.
Nelson, Warren H.
Newton, Killraine, Jr.
Nicholas, Harry J.
Nicholas, Robert M.
Nichols, William E.
Nickens, Samuel L.
Oakes, Glenn N.
Oates, Bob, Jr.
Olmsted, Andrew R.
Olmsted, Stanley H.
Orr, Charles P.
Pace, James C., Jr.
Page, Harold D.
Parrish, Solomon A.
Patton, Kuemen B.
Peacock, Virgil N.
Pehosh, Nicholas
Pelkey, Frank D.
Pendleton, Edmund P., Jr.
Perkins, Daniel J.
Perry, Roy L.
Peters, Randolph
Peterson, Donald L.
Peterson, Richard N.
Pettigrew, Melvin N.
Pierce, Burton M.
Pike, Clifford L., Jr.
Pink, William E.
Player, Charles E.
Plummer, Willis R.
Powell, Claudious A., Jr.
Powell, Morrison, Jr.
Powers, Kenneth W.
Preston, William J.
Probst, Richard W.
Proctor, Marlow
Putnam, Charles M.
Quicker, Joseph M.
Radliff, Eugene J.
Rathke, John E.
Reber, Forrest C.
Reynolds, Dexter H., Jr.
Roberts, Alvin E.
Roberts, Clinton O.
Robinson, Paul
Roche, Patrick J.
Ross, Ralph
Saffell, Charles R.
Salamon, William
Saunders, James H. E.
Scales, John W., Jr.
Scarlett, Bernard
Schardein, Edgar A.
Schmidt, Christopher G., Jr.
Schneider, James M.
Schuman, Daniel D.
Scott, Lawrence J.
Shaffer, Charles T.
Shew, Henry C.
Shultz, Robert C.
Sleeper, Joseph R.
Sluss, Charles S.
Smith, Charles S.
Smith, David N.
Smith, George D.
Smith, Henry A.
Smith, James E.
Smith, Randell C.
Smith, Roy B.
Specht, Kenneth W.
Spencer, Robert R.
Stanton, Robert E.
Steadman, Joseph D.
Steagall, Inman
Steele, Olson R.
Stiles, Roger L.
Stowers, Bernard L.
Stuart, Edward W.
Talley, Richard M.
Tarkington, Dewey A.
Taylor, Harley V.
Teagle, Fred J.
Teal, Roy A.
Tenerowicz, Walter J.
Terry, Donald L.
Terry, James
Thomas, Richard E.
Thomas, Robert C.
Thomas, Welcome J.
Thompson, Robert J.
Thornley, Robert, Jr.
Thornton, Terrence E.
Torres, Edward G.
Trivett, Donald H.
Tuegh, David E.
Turetz, Richard
Turner, Jack D.
VanArtsdalen, John P.
Varnado, Richard A.
Ventresca, Arthur
Wagner, Charles P., Jr.
Walker, Robert O.
Walker, Willie A.
Waller, James R.
Ward, Charles W.
Wass, Merle S.
Waters, Daniel L.
Wheless, Willie R.
Whitcomb, Winfield J.
Wilkens, Bernard H.
Wilkes, Roy W.
Witte, Ernest R.
Woodford, Duval S.
Wyatt, Robert N.
Yarborough, Lawrence B.
Youngdahl, Robert J.
Zack, Henry C.
Zielinski, Raymond J., Jr.
Zulick, Paul

To be chief warrant officers, W–3

Anagnostou, Angelo
Bagwell, Carols D. T.
Baldasari, Nilo J.
Behrens, Clifford H.
Bowman, Glenn P.
Boyce, John H., Jr.
Butler, Creighton F.
Campbell, William H.
Canfield, Glenn R.
Carryl, James J.
Case, Joseph R.
Connery, Robert E.
Daniels, William J.
Dignon, Donald H.
Donovan, Peter B.
Doss, Edward H.
Faini, Orlando R.
Floyd, James H.
Gay, William C.
Gilbert, Grady E.
Goldberg, Sol
Golden, Edward L.
Goodwin, William H.
Gurecki, Thaddeus J.
Hamilton, Frank P., Jr.
Hixson, James T.
Hutchison, Frank
Karl, Walter L.
Kear, Kenneth L.
Leu, Walter P.
Lind, John J.
Martz, Donald B.
McGroarty, Edward J.
Mitchell, Leonard T.
Molloy, Stephen J.
Murray, Leo J.
Nagle, Richard R.
Neyer, Arthur E.
Powell, Norman R.
Pyke, Ross M.
Reeves, Howard S.
Seppe, Angelo L.
Shrum, Wayne A.
Smith, George H.
Spriggs, Max E.
Stewart, George W.
Swanson, Joseph L.
Warnes, William K.
White, Charles R.
Whitt, William F.
Wright, Scott E.

To be chief warrant officers, W–4

Adams, Nicholas, Jr.
Adcock, Cecil A.
Anderson, Frank C.
Anderson, Kenneth E.
Anderson, Rodger W.
Albert, Cyril H.
Arnn, Clifton J.
Asseier, August H.
Atwood, Ellsworth L.
Bacon, Everett R.
Baldwin, Joseph C.
Barksdale, Leon K.
Beardsley, Francis L.
Birchard, Mervale B.
Blaess, Archie
Book, Mac
Bowen, William D.
Bowker, Elmer E.
Brad, Carl
Brinson, Marion H.
Brock, Woodrow W.
Brooks, Loyn R.
Bruno, Dominic P.
Burdyshaw, Loyd R.
Carlquist, Robert A.
Case, Alexander
Chapman, Raymond L.
Chisholm, Perry L.
Christensen, Knud H.
Clarke, Wiot L.
Corday, Earl F.
Cornelison, Charles H.
Crawford, Gorden H.
Crosthwaite, Frederick N.
Cunningham, Albert L.
Danaher, John S.
Davis, Clifford
Dersham, George E.
Dickenson, Waldo E.
Dmoch, John
Dorton, Charles C.
Drechsler, Max K., Jr.
Ettling, Sheldon
Evans, Joseph L.
Falconer, Leroy D.
Farmer, Eddie L.
Farmer, Paul E.
Farmer, Walter E.
Farmer, William L.
Garrison, Randolph J.
Groff, Edward A.
Grunwald, Otto A., Jr.
Hamilton, Donald L.
Hammock, James C.
Harrell, Dexter E.
Hart, Robert N.
Hayes, William R.
Heifner, Raymond B.
Hill, James A.
Holden, James B.
Holewinski, Joseph J.
Holland, John W.
Howard, John R.
Ischar, Douglas H.
Jackson, George H.
Jackson, Wilfred R.
Jones, Harold E.
Kalberg, Kenneth O.
Karetnuk, Anthony
Kline, Eugene R.
Knight, Lyle G.
Knutson, Orton L.
Lalley, James M.
Lankford, John R.
Lasley, Claude H.
Lazenby, James H.
Lewis, Don E., Jr.
Little, Richard W.
Ludwig, Russell L.
Maroney, Frank J.
Marshall, Ancel V.
Maurer, Richard H.
Malik, Joseph, Jr.
Martin, Clarence J.
Mathews, Kenneth C.
McGraner, Everett J.
Messersmith, Eugene K.
Miller, Andrew J., Jr.
Moon, William N.
Moore, Forrest D.
Morrow, Paul E.
Neth, Robert L.
O'Connell, William E.
Oulie, Keith N.
Padget, Bernard B.
Palmer, Robert W.
Parker, Guy J.
Pratt, Andrew C.
Radcliff, George T.
Red, Samuel C.
Rice, Roy L.
Riposa, Guiseppe
Rivers, Lee D.
Robinson, James W.
Rosko, Walter P.
Schardin, Roy K., Jr.
Seacrist, Richard L.
Shannon, Mark L.
Shick, Clifford D.
Shurick, George A.
Smith, Thurlow S.
Snoey, Jakob
Stark, George R.
Stone, Lewis H., Jr.
Styers, Roy W.
Sutton, Delmar F.
Svenningsen, Arne R.
Swartz, Charles W.
Swisher, Glenn A.
Taft, Harold E.
Trotter, Roy W.
VanAuken, Merrill J.
VanOrden, Gene R.
Wicks, Clifford C.
Wininger, Darrell
Wright, Robert

The following-named officers for permanent promotion to the grade of chief warrant officer, W–4, in the U.S. Navy, subject to qualification therefor as provided by law:

Clarke, Wiot L.
Jackson, Wilfred R.
Mathews, Kenneth C.
Palmer, Robert W.

The following-named officers for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Church, Edgar C
Fleming, James J.
Hoene, Edward R.
Johnson, Robert D.
Kelley, Robert D.
Kopec, Thad L.
Rocray, Samuel E.
Thorne, Charles E.
Yetter, William S.

SUPPLY CORPS

Leeson, Donald D.
Lytle, James A.
Overman, Douglas R.

NURSE CORPS

Warner, Patricia A.

Franklin B. Shakespeare for transfer to and appointment in Supply Corps of the U.S. Navy in the permanent grade of lieutenant.

Richard A. Hough, for temporary promotion to the grade of lieutenant in the U.S. Navy, subject to qualifications therefor as provided by law.

The following named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Alan S. Lammey
Malcolm B. Moore
William L. Mosteller
Samuel L. Vernallis

John A. Spear (Naval Reserve Officers Training Corps candidate) to be a permanent ensign in the Civil Engineer Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named graduates from naval enlisted scientific educational program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Owens, Thomas
Sekula, Basil, Jr.

The following named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Peter J. Anastasia
Lee E. Bockhacker
Gregory H. Cross
James R. Dickson
Clinton M. Furuya
Robert E. Mammen
George A. Pohle
Mario E. Rosa-Garcia

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Martin L. Fackler, Jr.
Henry T. H. Grant
Howard "D" Kurland
Carl R. Peterson
Charlie O. Sennett, Jr.
Herbert A. Steimel

The following named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

William C. Best
Dudley E. Brown, Jr.
George M. Kroncke
Theodore J. Trumble

James F. Scott (Naval Reserve officer) to be a lieutenant commander in the Dental Corps of the Navy, for temporary service, subject to the qualifications therefor as provided by law.

Gertrude H. Nelson, U.S. Navy retired officer, to be reappointed a permanent commander in the Nurse Corps of the Navy, pursuant to title 10, United States Code, section 1211.

The following-named lieutenants (junior grade) USN(T) to be lieutenants in the

Navy, limited duty only, for temporary service in the classification electronics in lieu of avionics as previously nominated and confirmed to correct classification, subject to the qualifications therefor as provided by law:

Jack Hamer.
Chester A. Murphy.

IN THE MARINE CORPS

The following-named officers for temporary appointment to the rank of captain in the Marine Corps, subject to the qualifications therefor as provided by law:

Busch, Peter M.
Driscoll, Bruce W.
Jacobsen, Donald E.
Lockwood, Robert H.

The following-named officers for temporary appointment to the rank of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Armentrout, Terrence J.
Chancey, John A.
Deibert, John C., III
Grissett, Larry K.
Letchworth, Rodney R.
Lewis, Dayton A.
McBrien, Thomas P.
Mead, William H.
Melville, Robert H.
Nebel, Rudolf M.
Omer, Jack L.
Peters, Thomas H.
Rever, William H., Jr.
Schober, Frederick J.
Schwenkler, Ronald G.
Seward, William H.
Simpson, James D.
Strawn, James E.

The following-named officers for permanent appointment to the rank of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Buchanan, John H.
Cox, George F.
Davis, Jay M.
Ditto, John H.
Eichelberger, John M.
Hart, George R.
Laughlin, William S.
Marshall, William H.
Stein, William L.
Taffe, Henry W.
Wood, David V.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 10, 1961:

U.S. REPRESENTATIVE TO THE EUROPEAN COMMUNITIES

W. Walton Butterworth, of Louisiana, to be the representative of the United States of America to the European communities, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

INTERNATIONAL MONETARY FUND

Frank A. Southard, Jr., of New York, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years.

COLLECTOR OF CUSTOMS

John Frank Kovacic, of Ohio, to be collector of customs for customs collection district No. 41, with headquarters at Cleveland, Ohio.

Marguerite R. Benson, of Wisconsin, to be collector of customs for customs collection district No. 37, with headquarters at Milwaukee, Wis.

Earl D. Roberts, of California, to be collector of customs for customs collection district No. 25, with headquarters at San Diego, Calif.

DuBrutz Cutlar Moore, Sr., of North Carolina, to be collector of customs for customs collection district No. 15, with headquarters at Wilmington, N.C.

EXTENSIONS OF REMARKS

Lindsay Asks Rusk, Is Bobby Meddling Again?—No Reply

EXTENSION OF REMARKS
OF
HON. ROBERT H. MICHEL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 10, 1961

Mr. MICHEL. Mr. Speaker, during the course of the Cuban tractor fiasco, I called attention to Bobby Kennedy's pathetic attempt to direct from behind the scenes, Mr. Hooker's futile blackmail negotiations with Castro. I need not emphasize the fact that the aforementioned activity ended with the administration in complete disgrace.

Now I find that my good friend and colleague, JOHN LINDSAY, has written to Secretary Rusk in order to obtain his thoughts regarding Bobby's behind-the-scenes maneuvering on the Berlin question. Mr. Rusk's silence has expressed more than any number of words.

Mr. Speaker, under unanimous consent, I include an article by Doris Fleeson from the Washington Star dated August 9, 1961, discussing the Lindsay letter, to be reprinted at this point in the RECORD.

LINDSAY AWAITS RUSK'S REPLY—DELAY IS CITED IN ANSWERING CRITICISM OF ROBERT KENNEDY-MENSHIKOV MEETING

(By Doris Fleeson)

When a Member of Congress does not receive a reply to a letter he has written a member of the President's Cabinet it is news, for Congress controls the purse strings.

It is especially noteworthy when this occurs in the Kennedy administration, which is justly renowned for its personal courtesy to Senators and Representatives. The noteworthiness increases when the letter is written by a liberal internationalist who is also a Republican.

Few Democrats receive from their President and his aids the tender loving care accorded such Republicans, who are all too few for Kennedy purposes in this session of Congress. They are particularly treasured in the House where the Kennedy "Waterloos" most frequently take place.

Still it is possible that Representative JOHN V. LINDSAY, of New York City's silk stocking district, was not too surprised when Secretary of State Rusk failed to answer his letter of July 27 last though a reply was requested before the Secretary left the country.

The letter follows:

"DEAR MR. SECRETARY: First I should like to congratulate you for the splendid off-the-record presentation that you gave to the Senate-House foreign policy group at luncheon last week. As I wrote you when you first took office, I was delighted with your appointment and I have no cause for regret over my vote of confidence. I increasingly like your brand of 'quiet diplomacy.'

"Therefore, I was all the more disturbed when I read yesterday, in a column by Joseph Alsop, of a meeting, apparently supported by the President, between the Attorney General, unaccompanied by anyone else, and the Soviet Ambassador to the United States, Mr. Menshikov. According to the Alsop report, Berlin and related matters of the greatest sensitivity, possibly affecting the safety of the entire world, were discussed, the Attorney General reportedly authorized to speak for the President.

"If the report is correct, I am deeply disturbed about this turn of events.

"First, it bypasses your office and your Department, and in so doing runs great risks.

"Second, it appears to be part of a growing pattern—namely, the conduct of foreign relations in a casual or loose-reined ad hoc manner, too often involving personalities untrained in foreign policy and the art of diplomacy.

"Third, it makes it difficult for those of us who have a responsibility to our constituents and to the country to make sound evaluations which should lead to bipartisan support on foreign policy.

"I should be pleased if you would advise me whether the meeting occurred as reported. If so, I would like to know the circumstances surrounding it and your frank opinion as to whether this is a proper way in which to conduct foreign policy in general or to negotiate on the explosive question of Berlin.

"Respectfully yours,
"JOHN V. LINDSAY,
"Member of Congress."

The Attorney General is, of course, the President's brother, Robert.

A Distinct Public Service Performed by WIP

EXTENSION OF REMARKS
OF
HON. KATHRYN E. GRANAHAN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 10, 1961

Mrs. GRANAHAN. Mr. Speaker, as the Eichmann trial draws to a close following many weeks of almost unbelievable testimony, I would like to take this opportunity to call attention to the distinctive public service performed by an independent radio station in Philadelphia—WIP—which has been rebroadcasting the complete trial with concurrent English translation every night on its FM facility.

I do not know whether any other radio stations in the Nation, or anywhere in the world outside of Israel, for that matter, have carried this entire historic proceeding. Mr. Harvey Glascock, vice president and general manager of WIP, is to be congratulated, along with his entire staff, for their initiative and resourcefulness as well as spirit of public service in carrying the details of the trial of the hideous exterminator of millions of people during World War II.

WIP engaged an Israeli electronic engineer and shipped him hundreds of reels of recording tape as well as recording equipment in order to have every word of the trial on tape for rebroadcast in Philadelphia. This is in keeping with the station's tradition of broadcasting in full every session of the United Nations General Assembly and Security Council, and the President's news conferences.

Normally I would hesitate to single out a single station among the many good ones in Philadelphia for a tribute of this nature, but the circumstances are such in connection with the Eichmann trial that I feel justified in doing so.