

## HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 1, 1961

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Hebrews 13: 1: *Let brotherly love continue.*

Almighty and most merciful God, Thou art always waiting and willing to make the humble spirit and contrite heart of man Thy dwelling place.

Grant that in this Lenten season we may penitently beseech Thee to give us the blessings of Thy pardoning grace and forgiving love for our sins and shortcomings, and our many faults and failures.

May our hearts go out to Thee not only in penitence but in praise for Thy gracious presence, empowering and encouraging us when we face arduous tasks and heavy responsibilities for which our own human wisdom and strength are unequal.

Fill us also with more of gratitude for our fellow men who are continually inspiring us with a vision of the greatness and grandeur of life, and contributing to our happiness and welfare by their friendship and good will.

We pray that our own personal life may be radiant in character and conduct, and may we long to be closely united with one another in the bonds of brotherhood and with our blessed Lord in faith and in obedience to Thy holy will.

Hear us in His name. Amen.

### THE JOURNAL

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

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

### MESSAGE FROM THE SENATE

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

S. RES. 100

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Honorable Walter M. Mumma, late a Representative from the State of Pennsylvania.

*Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

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

*Resolved*, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn until Thursday next.

The message also announced that, pursuant to law, the Senator from Virginia [Mr. ROBERTSON] had appointed the Senator from Illinois [Mr. DOUGLAS] a

member of the Joint Committee on Defense Production to fill an existing vacancy.

### EXTENSION OF TIME FOR FILING OF ECONOMIC REPORT OF THE PRESIDENT

Mr. PATMAN. Mr. Speaker, according to the Employment Act of 1946 the Joint Economic Committee is supposed to file its report on the Economic Report of the President on March 1 of each year. In order to allow more time for presentation of the views of the incoming administration the committee has had to extend the date of its hearings and has agreed to request that it be given until April 30 to file its report. The report will be filed earlier, if possible.

Mr. Speaker, I ask unanimous consent that the time be extended as above indicated.

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, and I might say I will not object, I would simply point out that, of course, the majority can do this, but there was opposition registered to it in the committee.

The law requires that the Joint Economic Committee make this report at this time. The President has made three or four economic reports to the Congress presenting an economic picture with which some of us disagree. The Joint Economic Committee is required to evaluate the economic situation for the benefit of the congressional committees that are working with legislation. Much of the legislation recommended by the President is predicated upon his estimation of our present economic picture. The Joint Economic Committee should have brought in a report by now. I regret that this request is being made.

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

There was no objection.

### FIFTEENTH ANNIVERSARY OF THE EMPLOYMENT ACT OF 1946

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, this is the 15th anniversary of the Employment Act of 1946. In these 15 years the act has had an illustrious history. No one would be so bold as to say that the act is perfect, that economic wisdom has come to complete flower, or that we will not learn more about how to conduct the Government's business with the view to providing the best opportunity and best climate for realizing the great potential which our system of private initiative promises. Even so, I believe all fairminded people would agree that great progress has been made and that our learning processes are still bearing fruit.

During this Nation's history, there have been a number of occasions when almost the whole public opinion came into agreement and rose to high hope concerning some self-evident truth, or some common aspiration for our Nation's future. It has been on these occasions that great and lasting declarations of policy have been adopted. I believe that the wide agreement and the high hopes we had in 1946, when the Employment Act was passed, was one of these occasions.

#### EXPRESSED A NATIONAL ASPIRATION

The great and prolonged depression of the 1930's and World War II taught us many lessons. At the end of the war, there seemed to be universal agreement that this Nation could and should avoid ever having another depression. No one then doubted that by proper management of the affairs of the Federal Government, we would avoid depressions.

After the experience of World War II, during which our economy rose to an unprecedented challenge and heights, and turned out such vast quantities of goods and armaments as the world had never considered possible, we felt—almost all of us felt—that certainly we could, in peacetime, have full employment and produce enough of the material things of life for everybody to have a good life. We could, we thought—and with good reason—become the first nation in history to eliminate poverty, ignorance and disease in its society.

The great depression had not been brought on by bad management in the realm of the private economy. It had been brought on by bad management on the part of Government. It had been brought on by failure of the Federal Government to recognize and assume its proper role in the economy. I would not say that today we know with precision what that proper role is yet; but we recognized in the Employment Act of 1946, and we recognize today, that with proper utilization and coordination of the resources, plans, and policies of Government, our private enterprise economy will continue to grow and bear abundant fruit.

The Employment Act of 1946 declared that henceforth it would be the continuing policy of the Federal Government to—and I quote:

Coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

Let us note that this declaration of policy does not say that Government shall replace free competitive enterprise. It says that the Government will coordinate and utilize all of its plans, functions, and resources in a manner to foster and promote free competitive enterprise, and in this way maintain maximum employment, production, and purchasing power.

I do not know any place where the Members of Congress work harder than on the Joint Economic Committee, and do a more conscientious job of mastering difficult intellectual questions. I venture to suggest that, with the exception of myself, you cannot find anywhere in the country a group of people who are better informed on the workings of our economic system than the members of the Joint Economic Committee.

#### PROPOSALS FOR THE FUTURE

Many of the members know, of course, that a great many professional people and university professors do a great deal of thinking about the problems which the Employment Act tries to deal with. The same is true of many thoughtful business people who participate in business planning and believe, not that the Government should plan our private economic lives, but that the Government should plan its own business. In this way, some deficiencies in the act have been found and, naturally, improvements are being suggested.

It seems that the National Planning Association has become something of a recognized center to which this thinking and these suggestions are directed. Accordingly, I would like to call the members' attention to a statement by Mr. Sonne, which appeared in the National Planning Association bulletin for February, which is as follows:

#### THE EMPLOYMENT ACT, 1946-61

(By H. Christian Sonne, chairman, NPA board of trustees)

Fifteen years ago the Employment Act of 1946 became the law of the land. It was signed by the President on February 20, after it had been adopted by the Congress with overwhelming bipartisan support. The act was hailed as a milestone on the road toward the development of an economic system which would combine the great scope of private initiative and responsibility with those Government policies which are needed to maintain a satisfactory rate of employment. The act grew out of the experience of the great depression and was originally designed to prevent the recurrence of such an economic catastrophe.

#### THE NPA RECOMMENDATIONS, 1956

By 1956, however, at the time of the 10th anniversary of the Employment Act, it was clear that other problems had moved into the center of the stage. At that time, the National Planning Association was urged by many groups inside and outside the Government to arrange under its auspices an anniversary celebration. For this occasion an anniversary report was published, surveying the experience of one decade under the Employment Act, and making recommendations for the future. Besides President Truman and President Eisenhower, leading members of the Joint Economic Committee and of the Council of Economic Advisers, business, farm, and labor leaders, and prominent economists contributed to this anniversary report.

A joint statement, signed by 250 members of NPA's national council and standing committees, suggested improvements in the Employment Act and in procedures and policies under the act. Among the recommendations made at that time were the following:

Each economic report should include an economic projection of potential and feasible growth covering the current year and 5 subsequent years ("National Economic Budget").

There should be a budget outlook covering the same years to assure coordination between economic and budget planning.

There should be a better coordination of fiscal and monetary policies.

The consultation procedure between the council and various interest groups should be intensified.

None of these recommendations required new legislation. It was believed that these proposals were in complete accord with the letter and spirit of the Employment Act. During the subsequent 5 years no action was taken on these recommendations which were supported by many outstanding individuals in every walk of life.

The proposals appear even more urgent today than 5 years ago. Recent economic reports have presented highly useful economic analyses but they have not come any closer to the realization of the purpose of the Employment Act.

The Employment Act requested the President to include in the Economic Report a statement of the level of employment, production, and purchasing power needed to achieve the objectives of the act, and of the likelihood that these objectives could be reached under prevailing trends. The act was not specific with respect to the form or period to be covered by this statement because at that time—15 years ago—it was felt that more experience was needed to develop the most effective way in which these requirements could best be met.

With the experience gained during the last 15 years by the Joint Economic Committee, business organizations, and research organizations (the NPA among them), it should be possible now to implement the provision for national economic budgeting. National economic budgeting could give the Government and the public a tool for appraising the potential increase in productive resources, their allocation to various private and public uses, the need for new policies and the feasibility of policies that are being considered.

The Budget Bureau has experimented with longer range budget outlooks which have demonstrated the feasibility and usefulness of projecting Government operations in a longer span perspective than that of the next 365-day period. The requirement of an economic budget and a Government budget covering the same period of time would force the agency to take a longer-run look at the contribution which Government operations can and should make to economic growth and stability.

In recent economic reports, President Eisenhower refrained from making any statement about future monetary policy because he believed that by including such a statement he would impinge on the independence of the Federal Reserve System. It is difficult to see how a consistent program for promotion of growth and stability can be developed without indicating the role that monetary policy is to play in it. The spirit of the Employment Act requires cooperation between the various agencies concerned with economic and fiscal programs and the monetary authorities. Such cooperation can be achieved without changing the status of the Federal Reserve System within the structure of the Government.

Cooperation of the Government with business and labor groups has become especially urgent to achieve the objective of maximum purchasing power—an objective which implies reasonable price stability. Price stability cannot be accomplished by monetary policy alone. This is particularly true with respect to the cost-push or market-power type of inflation. The economic reports of the President and the reports of the Joint Economic Committee have emphasized these facts, as have outside observers. However, nothing beyond exhortation has been used extensively to keep prices, costs, and pro-

ductivity gains in a workable relationship. This is one area in which management-labor consultation is of utmost importance.

#### A FORWARD STEP

The President's economic message of February 2, 1961, marks a significant step forward in implementing more fully the requirements of the Employment Act. It is significant that the President began this message by stating realistic economic goals for 1961 and subsequent years. He states that with current trends in manpower and productivity we could obtain a rate of 3.5 percent in annual growth. With possible expansion of the Nation's investments in physical and human resources, and in science and technology, he believes that the potential growth rate should be raised beyond the 3.5 percent. This, I think, is a significant step toward establishing targets for American economic growth which could be used as guides for policy planning in both public and private sectors.

The message also recognizes the relationship between economic and fiscal policy on the one hand and budget policy on the other. However, no price tags were attached to the various policy proposals. We will have to wait for a subsequent budget message before it is possible to appraise the quantitative significance of the President's various proposals. So far, no information has been presented which permits a judgment as to what extent the policy proposals will contribute to the accomplishment of our economic goals.

The message is also significant because, for the first time in many years, it included a statement about monetary policy. I am convinced that including such statements in the President's reports, presumably after consultation with the Chairman of the Board of Governors of the Federal Reserve System, will give the latter an increasing weight in the councils of Government, rather than endanger his independence.

Finally, the message announces the establishment of the President's Advisory Committee on Labor-Management Policy, with members drawn from labor, management, and the public. The Committee is directed to advise the President with respect to "actions that may be taken by labor, management, and the public which will promote free and responsible collective bargaining, industrial peace, sound wage policies, sound price policies and stability, a higher standard of living, increased productivity, and America's competitive position in world markets."

I am by no means certain that representatives of labor, management, and the public can be found who on the one hand are independent enough to work out the policy recommendations which are needed in the public interest, and on the other hand have enough influence with the rank and file of their organizations to make possible the implementations of such policies. Nevertheless, I am deeply convinced of the need to try such a cooperative approach. Unless voluntary efforts succeed, it might become necessary to establish by legislation price and wage analysis boards for those industries which are of crucial importance for stabilization, along the lines of proposals which have been previously made.

#### THE CHALLENGE AHEAD

The President's message of February 2, only 2 weeks after his inauguration, gives high promise that new and vigorous steps will be taken to implement more fully the Employment Act of 1946 and to provide for economic programing in the Executive Office of the President. Significant as this first step is, we should not underestimate the tasks that still lie ahead. The present economic situation is characterized by a relatively mild recession superimposed on a longer term economic deterioration. We

must at this time not only promote recovery but also raise the rate of growth from the 2.5 percent for the past few years to somewhere between 4 and 5 percent for the future. We must deal not only with the unemployment due to the recession but also with the more persistent problems of chronic unemployment. We must accomplish a rising export surplus in order to be able to meet our international commitments. The only available practical means for raising export surpluses in a high-wage economy are rapid technological advances. These in turn, while promising to mitigate the international problem, will aggravate the problems of technological unemployment.

These problems were not foreseen when the Employment Act was under consideration 15 years ago. At that time it was felt that the repetition of depression of the size and duration of that of the 1930's would endanger the American economic system at home. This is still true today. But in addition, free economic and social institutions everywhere will be threatened by the failure to meet out economic problems in the present decade. Thus operations under the Employment Act, even though they are primarily oriented toward our domestic economic problems, are also of crucial importance in the international struggle with the competing economic system of world communism.

**A PERMANENT PEACE CORPS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 98)**

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

*To the Congress of the United States:*

I recommend to the Congress the establishment of a permanent Peace Corps—a pool of trained American men and women sent overseas by the U.S. Government or through private organizations and institutions to help foreign countries meet their urgent needs for skilled manpower.

I have today signed an Executive order establishing a Peace Corps on a temporary pilot basis.

The temporary Peace Corps will be a source of information and experience to aid us in formulating more effective plans for a permanent organization. In addition, by starting the Peace Corps now we will be able to begin training young men and women for oversea duty this summer with the objective of placing them in oversea positions by late fall. This temporary Peace Corps is being established under existing authority in the Mutual Security Act and will be located in the Department of State. Its initial expenses will be paid from appropriations currently available for our foreign aid program.

Throughout the world the people of the newly developing nations are struggling for economic and social progress which reflects their deepest desires. Our own freedom, and the future of freedom around the world, depend, in a very real sense, on their ability to build growing and independent nations where men can live in dignity, liberated from the bonds of hunger, ignorance, and poverty.

One of the greatest obstacles to the achievement of this goal is the lack of trained men and women with the skill to teach the young and assist in the operation of development projects—men and women with the capacity to cope with the demands of swiftly evolving economies, and with the dedication to put that capacity to work in the villages, the mountains, the towns, and the factories of dozens of struggling nations.

The vast task of economic development urgently requires skilled people to do the work of the society—to help teach in the schools, construct development projects, demonstrate modern methods of sanitation in the villages, and perform a hundred other tasks calling for training and advanced knowledge.

To meet this urgent need for skilled manpower we are proposing the establishment of a Peace Corps—an organization which will recruit and train American volunteers, sending them abroad to work with the people of other nations.

This organization will differ from existing assistance programs in that its members will supplement technical advisers by offering the specific skills needed by developing nations if they are to put technical advice to work. They will help provide the skilled manpower necessary to carry out the development projects planned by the host governments acting at a working level and serving at great personal sacrifice. There is little doubt that the number of those who wish to serve will be far greater than our capacity to absorb them.

The Peace Corps or some similar approach has been strongly advocated by Senator HUMPHREY, Representative REUSS, and others in the Congress. It has received strong support from universities, voluntary agencies, student groups, labor unions, and business and professional organizations.

Last session, the Congress authorized a study of these possibilities. Preliminary reports of this study show that the Peace Corps is feasible, needed, and wanted by many foreign countries.

Most heartening of all, the initial reactions to this proposal have been an enthusiastic response by student groups, professional organizations, and private citizens everywhere—a convincing demonstration that we have in this country an immense reservoir of dedicated men and women willing to devote their energies and time and toil to the cause of world peace and human progress.

Among the specific programs to which Peace Corps members can contribute are: teaching in primary and secondary schools, especially as part of national English language teaching programs; participation in the worldwide program of malaria eradication; instruction and operation of public health and sanitation projects; aiding in village development through school construction and other programs; increasing rural agricultural productivity by assisting local farmers to use modern implements and techniques. The initial emphasis of these programs will be on teaching. Thus the Peace Corps members will be an effective means of implementing the development programs of the host coun-

tries—programs which our technical assistance operations have helped to formulate.

The Peace Corps will not be limited to the young, or to college graduates. All Americans who are qualified will be welcome to join this effort. But undoubtedly the Corps will be made up primarily of young people as they complete their formal education.

Because one of the greatest resources of a free society is the strength and diversity of its private organizations and institutions much of the Peace Corps program will be carried out by these groups, financially assisted by the Federal Government.

Peace Corps personnel will be made available to developing nations in the following ways:

1. Through private voluntary agencies carrying on international assistance programs.

2. Through overseas programs of colleges and universities.

3. Through assistance programs of international agencies.

4. Through assistance programs of the U.S. Government.

5. Through new programs which the Peace Corps itself directly administers.

In the majority of cases the Peace Corps will assume the entire responsibility for recruitment, training, and the development of oversea projects. In other cases it will make available a pool of trained applicants to private groups who are carrying out projects approved by the Peace Corps.

In the case of Peace Corps programs conducted through voluntary agencies and universities, these private institutions will have the option of using the national recruitment system—the central pool of trained manpower—or developing recruitment systems of their own.

In all cases men and women recruited as a result of Federal assistance will be members of the Peace Corps and enrolled in the central organization. All private recruitment and training programs will adhere to Peace Corps standards as a condition of Federal assistance.

In all instances the men and women of the Peace Corps will go only to those countries where their services and skills are genuinely needed and desired. U.S. operations missions, supplemented where necessary by special Peace Corps teams, will consult with leaders in foreign countries in order to determine where Peace Corps men are needed, the types of job they can best fill, and the number of people who can be usefully employed. The Peace Corps will not supply personnel for marginal undertakings without a sound economic or social justification. In furnishing assistance through the Peace Corps careful regard will be given to the particular country's developmental priorities.

Membership in the Peace Corps will be open to all Americans, and applications will be available shortly. Where application is made directly to the Peace Corps—the vast majority of cases—they will be carefully screened to make sure that those who are selected can contribute to Peace Corps programs and have

the personal qualities which will enable them to represent the United States abroad with honor and dignity. In those cases where application is made directly to a private group, the same basic standards will be maintained. Each new recruit will receive a training and orientation period varying from 6 weeks to 6 months. This training will include courses in the culture and language of the country to which they are being sent and specialized training designed to increase the work skills of recruits. In some cases training will be conducted by participant agencies and universities in approved training programs. Other training programs will be conducted by the Peace Corps staff.

Length of service in the Corps will vary depending on the kind of project and the country, generally ranging from 2 to 3 years. Peace Corps members will often serve under conditions of physical hardship, living under primitive conditions among the people of developing nations. For every Peace Corps member service will mean a great financial sacrifice. They will receive no salary. Instead they will be given an allowance which will only be sufficient to meet their basic needs and maintain health. It is essential that Peace Corps men and women live simply and unostentatiously among the people they have come to assist. At the conclusion of their tours, members of the Peace Corps will receive a small sum in the form of severance pay based on length of service abroad to assist them during their first weeks back in the United States. Service with the Peace Corps will not exempt volunteers from selective service.

The United States will assume responsibility for supplying medical services to Peace Corps members and ensuring supplies and drugs necessary to good health.

I have asked the temporary Peace Corps to begin plans and make arrangements for pilot programs. A minimum of several hundred volunteers could be selected, trained and at work abroad by the end of this calendar year. It is hoped that within a few years several thousand Peace Corps members will be working in foreign lands.

It is important to remember that this program must, in its early stages, be experimental in nature. This is a new dimension in our oversea program and only the most careful planning and negotiation can ensure its success.

The benefits of the Peace Corps will not be limited to the countries in which it serves. Our own young men and women will be enriched by the experience of living and working in foreign lands. They will have acquired new skills and experience which will aid them in their future careers and add to our own country's supply of trained personnel and teachers. They will return better able to assume the responsibilities of American citizenship and with greater understanding of our global responsibilities.

Although this is an American Peace Corps, the problem of world development is not just an American problem. Let us hope that other nations will mobilize the spirit and energies and skill

of their people in some form of Peace Corps—making our own effort only one step in a major international effort to increase the welfare of all men and improve understanding among nations.

JOHN F. KENNEDY.

THE WHITE HOUSE, March 1, 1961.

#### FARM LEGISLATION

Mr. RAINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. RAINS. Mr. Speaker, I have recently introduced a bill to authorize a farmowner who is displaced by reason of acquisition of his farm by an agency having right of eminent domain, to release to the county committee all or any part of his farm acreage allotment during the period such allotment remains in the allotment pool. The acreage so released to the county committee would then be available for reapportionment to other farms in the county having allotments for the crop.

I feel that this bill, if enacted, would do much to stabilize farm income in areas where a substantial allotment acreage is placed in an allotment pool, because such acreage would be available for production of the crop on other farms until the displaced owners could reestablish their farming operations. For example, in Cherokee County, Ala., approximately 2,000 acres allotted for cotton has been placed in an allotment pool for later transfer to other farms owned or acquired by the displaced owners. Under present law this acreage is not available for production of cotton except as the displaced owners reestablish their farming operations and request transfer of the allotments. Under my proposal such acreage could be released by the displaced owners and reapportioned to other farms in the county. Thus, the farm sector of the economy of Cherokee County and surrounding areas would be spared the loss of this much-needed production.

I shall exert every effort to push this bill for early enactment.

#### GOV. MENNEN WILLIAMS

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. DORN. Mr. Speaker, Governor Williams is doing the cause of freedom a great disservice during his present trip to Africa by repeating Communist slogans such as "Africa for the Africans." He is playing into the hands of the Russians. He is creating dissension among our allies.

The Communists constantly attack colonialism in the hope that communism will replace it. Governor Williams shocked many people in the United States by comparing some of the Com-

munist-inspired revolutions to our own Revolution in 1776. The Governor should know that there is as much difference between Lumumba and George Washington as between Genghis Khan and John Wesley.

The American Colonies at the time of the Revolution were more familiar with self-government than England under George III. They were, in fact, more familiar with self-government than any nation in the world at that time or in the previous history of the world. For 100 years prior to the Revolution, the American Colonies practiced self-government with their colonial assemblies and local rule.

The greatest authorities on self-government in the history of the world were our Founding Fathers; men like Washington, Jefferson, Adams, Franklin, Hancock, Madison, and Hamilton. They were students in the art of self-government from the very beginning of time. They were educated, cultured men.

There is no comparison between the training of our Founding Fathers and some of the leaders, clamoring for self-rule in Africa and Asia today. Our Government today could do the cause of freedom a disservice by promoting self-government in areas where the people are not yet ready for it.

Some revolutionists today are breaking away from a more democratic relationship than they themselves could possibly formulate in 100 years. England, France, and Belgium have greatly encouraged freedom and progress in Africa. Their great influence must not be replaced by barbarism and communism.

#### UN-AMERICAN ACTIVITIES COMMITTEE

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. ASHLEY. Mr. Speaker, I am constrained to vote against this resolution providing for additional funds for operation of the House Committee on Un-American Activities. I do so not because I question the purposes for which the committee was established, but because I am drawn to the conclusion that it frequently has exceeded its proper scope of authority, thereby trespassing upon fundamental rights of individual citizens, and because I believe the committee's legitimate business requires no additional funds at this time.

All of us are keenly aware that the forces of communism are unswervingly dedicated to the destruction of this and other free nations. In the 2 years I spent with Radio Free Europe, I gained a firsthand knowledge of the tactics used to subvert Poland, Czechoslovakia, Hungary, and other central European countries. Nothing could be more clear than our responsibility to be vigilant and to expose the Communist conspiracy which openly is pledged to our downfall.

But surely we are aware, too, that communism is not the only threat to our liberty. The individual freedoms guar-

anteed in the Bill of Rights can be lost or diluted through our own action or inaction, and if this is allowed to happen by our own hand, the loss of liberty is no less than if imposed by an alien adversary.

Are we as ready and willing to defend our individual freedoms in the House of Representatives as we are on the battlefield? I believe this is the issue, Mr. Speaker.

Fear of taking a position which may be misunderstood will never be a legitimate reason for acquiescing to an exercise of Government power which violates the basic freedoms set forth in the Bill of Rights as an integral part of our Constitution. If these freedoms are to be preserved, if they are to continue to have meaning and to mean something to us as Americans, we must be willing to curb abuses of Government power wherever they are found to exist. To fail in this responsibility is to invite the same shameful excesses of the McCarthy period which still lie heavily upon the conscience of Congress and our country.

#### H.R. 4806, UNEMPLOYMENT COMPENSATION

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. ASHLEY. Mr. Speaker, I arise in support of this badly needed legislation extending temporary unemployment benefits to our unfortunate jobless citizens whose eligibility for unemployment compensation under their State programs has expired.

There can be no serious question of the Federal Government's responsibility to act promptly in this area. Extended unemployment effecting millions of American workers is a national problem of highest priority. And because it is a national problem, the responsibility rests with this Congress to take whatever steps are necessary to alleviate the tragic hardships which accompany widespread involuntary unemployment.

If there is any question as to the seriousness of the problem, Mr. Speaker, it should be quickly dispelled by the official figures for January. In the first month of the new year, 5,400,000 workers were jobless and an additional 1,700,000 had only part-time jobs. Of the 3,400,000 persons receiving unemployment compensation benefits in January, 1,300,000 had been out of work 13 weeks or longer. Most pertinent of all, Labor Secretary Goldberg estimated that 500,000 persons had exhausted their unemployment benefits and he is said to fear that by April 1, 1962, some 3 million workers will have exhausted benefits before getting jobs.

The bill before us provides temporary relief of an emergency nature. Through a grant of Federal funds to the States, unemployment insurance benefits will be extended for a period of 13 weeks, or a maximum of 39 weeks total eligibility. In order to pay for this emergency measure, the net Federal unemploy-

ment tax levied on employers will be raised from four-tenths of 1 percent to eight-tenths of 1 percent for fiscal 1962 and 1963. I think it is generally accepted that this is far more preferable than maintaining the present tax rate but increasing the taxable base from \$3,000 to \$4,800 per year.

Finally, Mr. Speaker, let me say that many thousands of our distressed and discouraged unemployed regard our action today as the only hope of immediate help. These are the men and women who live in States which cannot or will not take action to extend benefits beyond the duration of their State programs. Only action by the Federal Government offers any hope for the immediate relief which increasing numbers of our jobless must have if they are to be saved from destitution.

#### TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1961

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 195 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4806) to provide for the establishment of a temporary program of extended unemployment compensation, to provide for a temporary increase in the rate of the Federal unemployment tax, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, the said amendment shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 6]

Ashmore	Harrison, Va.	Murray
Blatnik	Jensen	Powell
Bonner	Jones, Ala.	Rabaut
Celler	Kee	Smith, Miss.
Clark	Montoya	Wright
Davis, Tenn.		

The SPEAKER. On this rollcall 416 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### SUBCOMMITTEE ON THE PANAMA CANAL

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on the Panama Canal may be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

#### TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1961

Mr. ELLIOTT. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown], and pending that, I yield myself such time as I may require.

Mr. Speaker, this resolution provides for 3 hours of general debate. Thereafter, amendments offered by direction of the Committee on Ways and Means shall be in order. These amendments may be offered to any section of the bill, but the amendments themselves shall not be subject to amendment.

The bill is designed on the theory that the period of time during which an unemployed worker is paid compensation, while he tries to find a new job, is not long enough during a sharp and serious recession when fewer new jobs are available.

So, this bill provides for an additional number of weeks of unemployment compensation equal to one-half the number of weeks to which the unemployed worker was already entitled under State and Federal law. In other words, a worker, as in Alabama, who has received 20 weeks of unemployment compensation, and who has exhausted his entitlement under the laws of the State would be eligible under this bill for 10 additional weeks of unemployment compensation, provided he remains unemployed during this period.

During these 10 new weeks, the compensation would be paid at the same rate that it was paid during the original 20 weeks. These new payments will be subject to all the disqualifications and penalties that may be contained in the unemployment compensation law of the State where the unemployed worker resides.

The bill H.R. 4806 provides for additional unemployment compensation for persons who have used up their unemployment compensation benefits under existing State and Federal laws.

The need for this legislation is dramatized by the fact that unemployment is today 20 percent higher than it was in 1958 when the economy was suffering a similar setback and Congress passed a similar bill.

The evidence before the House Committee on Rules tended to indicate that unemployment may grow worse before it gets better.

The bill provides that to the extent that a State already pays more than 26 weeks of unemployment compensation benefits, the State will be reimbursed for the number of weeks paid in excess of 26 and this number of reimbursement weeks will be subtracted from the worker's potential entitlement of 13 weeks.

The bill that the proposed rule applies to contains its own financing provisions. It provides that the present net Federal unemployment tax on employers of four-tenths of 1 percent of the first \$3,000 of wages in covered employment shall be increased for calendar years 1962 and 1963 to the level of eight-tenths of 1 percent with the amount of the increase going into a special Treasury account designed to repay advances made by the Treasury to cover the payment provisions of this bill. Excess tax proceeds will be returned to the States. It is estimated that the cost of these benefits will be \$1 billion.

The bill provides that payments may be made for weeks of unemployment beginning 15 days after enactment. This could be as early as April 1. Persons eligible will be those who have exhausted benefits under State law after June 30, 1960, and are unemployed in the benefit week.

The bill will continue to apply to persons who exhaust benefits before April 1, 1962, and payments for these individuals can possibly continue through June 30, 1962.

This bill involves changes in both the Social Security Act and the Internal Revenue Code. For that reason it was believed by the Committee on Rules that it would be desirable to grant the request of the Committee on Ways and Means for a closed rule on this bill with debate limited to 3 hours. The fact that this particular subject has its roots in two very complicated pieces of legislation persuaded the Committee on Rules to grant a closed rule. In the circumstances that exist there is great need for rapid congressional action in order that the stomachs of unemployed people and their dependents may be fed while they diligently search and hopefully wait for the return of their jobs.

Mr. Speaker, in America human beings cannot be allowed to starve. Their children must be clothed. Their rent must be paid. They must be given an opportunity to live until times get better, and until work picks up and they can get their jobs back.

I personally have known the pangs of hunger. I have known what it is to be unemployed. I have experienced the despair that descends at dark when one has spent a day looking for a job when there are no jobs.

The bill to extend unemployment compensation should be passed. This rule should be adopted.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Alabama [Mr. ELLIOTT] has very ably described the content and purpose of the bill which this resolution or rule makes in order.

However, first I think I should call the attention of the House to the fact that this is perhaps a rather historic occasion, for this happens to be the first rule brought out of the newly constituted Committee on Rules, since we changed its membership not long ago by action of the House, by a very narrow margin; making in order consideration of any bill.

I feel I should also mention at this time, because I am sure Members will all be interested in noting it, that while the membership of the Committee on Rules was changed for the purpose of seeing to it, or so we were told by many of our liberal friends, or perhaps I should say our critics, that the House be permitted to work its will on legislation. Yet here, the very first rule brought out to make in order consideration of a bill, is a "closed" or "gag" rule, which specifically prohibits any Member of the House from offering any amendment to the bill. So in effect under this new system, this new arrangement which was presumed to permit the House to work its will on all matters, on this particular piece of legislation the House will be required to vote yea or nay, as the case may be, taking or rejecting the bill in its entirety.

Now as to the bill itself which this rule makes in order. The rule does provide for 3 hours of general debate, the time to be controlled equally by the majority and minority sides of the Committee on Ways and Means. It does not permit any amendment to be offered or considered, as I mentioned a moment ago.

The bill in itself, in my opinion, provides for something we have to do because of the serious situation which confronts the country at the present time as far as unemployment is concerned.

In my opinion, this measure, as reported from the Committee on Ways and Means, is a much better bill than the original one suggested or sponsored by the administration itself, because the original administration bill would have called for increasing, on a permanent basis, from \$3,000 to \$4,800 the amount of annual wage which would be subject to unemployment taxes as levied on employers, not only by the Federal Government, but by the States themselves. The tax money would have been used for a time under that particular measure to finance the payment of this additional unemployment compensation up to 13 weeks as a gift to the State on a temporary basis, and not as a loan, as provided in the law we had a couple of years ago.

So the Committee on Ways and Means in its wisdom rejected the suggestion for a permanent increase in the annual wage subject to unemployment-compensation taxes and instead substituted a proviso which you will find in this bill to double, just increase by 100 percent, for 2 years only, for the calendar years 1962 and 1963, the tax to be levied and collected for unemployment purposes by the Federal Government; in other words, from the present four-tenths of 1 percent to eight-tenths of 1 percent, on a temporary basis only, with the new increased

tax to expire at the end of the 2-year period.

As an employer, I think I should call attention to this arrangement because you are going to have questions from the employers at home about the content of this legislation. So I think every Member should be on notice. Of course, the Congress last year did increase from three-tenths to four-tenths of 1 percent, effective just January 1, last, the tax to be levied by the Federal Government on employers only. Remember, the employees pay nothing in the way of taxes to meet unemployment-benefit costs. So the new rate went into effect at four-tenths of 1 percent on January 1, last, for the present calendar year.

At the present time, employers are paying 33½ percent more in unemployment taxes to the Federal Government than ever paid in prior years. Under the bill that is before us, they will pay an increase of 100 percent more in tax on top of that, which is quite an increase.

I should like to point out another thing, if I may, because I am sure you will be questioned on it. This bill, and I do not know how you would do it any other way, to be honest and frank about it, levies a tax to meet the cost of this additional unemployment compensation on the "good" employers, or on employers who give steady work to their employees, year-round work. In order to do what? To take care of unemployment in certain industries where men are laid off more or less regularly. Remember that employers in industries which are seasonal, or where there are not many people working full time, do not pay any of this tax because they do not have any or many employees on the payroll. Therefore, they are not taxed, and so this new tax is levied against the employer who gives full-time employment. Maybe the conditions of his industry will permit it, and maybe they will not. Maybe he endeavors to take care of his employees in time of need regardless of his own good or bad fortune, as the case may be.

There may be other employers who will say, "Well, we don't need those workers, so let them go, let them draw unemployment compensation, because my neighbor employer across the street will pick up the tab, he will pay the taxes to support them." And that is a weak spot in this bill. Yet, I say to you very frankly, I do not know just how the committee could have corrected it.

There is one other matter I feel should be called to your attention. In the Committee on Rules hearing, it developed that in certain circumstances—and I want you to listen to this, if you will—under certain circumstances, right here in the District of Columbia—as well, as in some States, a person who has retired from Federal Government employment, or who has some other retirement income for that matter—perhaps \$300 or more a month—can also draw unemployment compensation under present law. He can do better than that if he is past 65. If he is older than 65, he can also draw social security, believe it or not. And if we enact legislation just out of the Committee on Ways and

Means to expend an additional \$305 million in the next few months, relatively speaking, to give aid to dependent children of the unemployed man, if he has any children he is supposed to support, who are under the age limit of 18, he can draw an additional \$30 to \$60 a month for each such child. But this is a matter that the Committee on Ways and Means itself did not attempt to deal with because all of this chiseling being done under State law, or under Federal law, so far as the District of Columbia is concerned, passed by this Congress. That situation should be, and I am mentioning it here today for that purpose, called to the attention of the various State legislatures, and certainly to the Committee on the District of Columbia here in the House, so that corrective legislation can be enacted either in the legislatures back in the several States, or here in the Congress, because I believe it is the intent and purpose, and the desire, of the average Member of Congress, and the average American for that matter, to take care of those unemployed who are in real need, but not to give windfalls in the way of public tax funds to people who are not actually, or morally, at least, if they are legally, entitled to it under present laws.

I bring these matters to your attention because I believe, and it is my feeling, that when we hold these hearings in the Committee on Rules, the membership of the House of Representatives is entitled to know something of the information we have been able to obtain about legislation before they are required to vote on the rule. I know of no opposition to the rule.

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

Mr. BROWN of Ohio. I yield to the gentleman from New York.

Mr. TABER. Is there anything in this bill that does away with this practice relative to a man taking a job in some other line than the kind of work he has been doing.

Mr. BROWN of Ohio. That refers to the rule of suitability, that the employment has to be suitable.

Mr. TABER. That is right.

Mr. BROWN of Ohio. There is nothing in this bill on that point. Let me point out again in fairness to the Committee on Ways and Means, because there was quite a bit of discussion about it—if the Committee on Ways and Means by national legislation attempts to fix the standards for unemployment compensation that has to be paid by the State, the next thing you know the States themselves will have nothing to say about it and the Federal Government and the great bureaucracy here in Washington and the Central Government will be running the thing completely. That, of course, is something we do not want. It has been a problem to the committee, and it is a problem for the Congress to deal with. How we can do what you suggest and still limit it so the States do not lose control of their own unemployment laws and their own unemployment practices.

That is the reason why I have said what I have here today, in the hope that

these bad practices will be called to the attention of the various States, and so Members may call the situation to the attention of their own States as to the need for certain corrective legislation on the State level.

Mr. Speaker, I reserve the balance of my time.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, it is not often that a bill in the national interest has such widespread support as that manifested for H.R. 4806, known as the Temporary Extended Unemployment Compensation Act of 1961. It is national in scope, because it will help to stimulate our sagging economy.

Statistics reveal that the number of beneficiaries who have exhausted their unemployment compensation benefits during the year ending January 31, 1961, has increased by an average of 57.1 percent. Among the 50 States, plus the District of Columbia and Puerto Rico, 47 show an increase, and only 5 report a decrease.

We have discovered from previous recessions that unemployment continues to rise even after the economy starts to recover. Even an upturn by spring would not solve this problem. It is estimated that some 3 million unemployed workers will receive payments under this emergency measure. The widespread support for H.R. 4806 is based on the practical reason that the increase in consumer purchasing power provided by this measure will aid and sustain the business upswing.

The extended benefits will meet individual needs, and the material help over this transitional period will rescue and strengthen our human resources.

This is heartening evidence to our own people, and proof to the world, that under our representative system of government, we are able to solve this type of problem by prompt and effective action.

The companion bill to aid needy children of jobless workers is both compassionate and realistic in its understanding of the need for extra benefits to aid the dependents of a breadwinner who has exhausted his unemployment compensation—and is unable to find a job that will support them.

Briefly, H.R. 4806 will provide up to 13 weeks of additional payments to men and women who exhausted their regular unemployment compensation benefits after June 30, 1960, or will lose them before April 1, 1962, depending upon the programs in the various States. Under no circumstances would a worker receive more than 39 weeks of benefits.

The estimated cost of this program, \$927 million, will be financed by a temporary increase in the net Federal unemployment tax of four-tenths of 1 percent on the existing wage base of \$3,000, effective for the calendar years 1962 and 1963. Extended benefits for Federal employees and ex-servicemen, at an estimated cost of \$63 million, will be paid for by the Federal Government out of general revenues.

Most State unemployment compensation programs are not designed to meet

the needs of long-term, recession-created unemployment. In 1958, the Congress enacted a Temporary Unemployment Compensation Act to deal with the recession of that year. In following that precedent—this year—we are providing emergency relief, pending long-range improvements in the Federal-State unemployment compensation program.

The fact that we must enact this second extension, indicates that the States must update their programs to make provision for these special problems, because, in the economic cycle, we are bound to have other recessions in the future. Their damaging effects can be minimized by having State programs in readiness to meet these occasional but pressing demands.

H.R. 4806, is one part of the administration's action program to take up the slack, and then provide the incentives for our economy to get moving again, so that it will catch up with its developing potentialities.

To extend subsistence benefits for the unemployed, during this temporary lull, is the first step toward recovery and renewed progress.

Mr. BROWN. Mr. Speaker, I yield 30 minutes to the gentleman from New York, our new member on the Committee on Rules [Mrs. St. GEORGE].

The SPEAKER. The Chair recognizes the gentleman from New York as a new member of the committee.

Mrs. ST. GEORGE. Mr. Speaker, being new I shall be very brief.

This rule comes to the House as a closed rule which I understand is customary for such legislation. I regret that it is a closed rule, because there is one amendment I should like to offer to this bill.

It seems to me we are attacking this matter in a rather piecemeal way. We are adding 13 weeks to the period during which unemployment compensation can be paid over and above the weeks paid by the several States. Unemployment compensation is not new; it has existed in many countries all over the world for a very long time. As a matter of fact, the first unemployment law, I think, originated in Germany in 1868; so the principle goes back quite a long way. In some of these countries I would suggest that unemployment compensation lasts for 52 weeks if necessary.

I agree with the ranking member of the Rules Committee that there have been abuses in the past; and, as far as we know, under present legislation there will be some abuses in the future; nevertheless, we should not legislate simply on the basis of correcting a few abuses. It seems to me if people are unemployed they need help, whether it is for 1 week, 13 weeks, 16 weeks, or longer; they need help as long as the emergency lasts. That is one of my objections to the bill. I, therefore, hope in view of what has been said and in view of the testimony we have received before the Rules Committee that something will be done to tighten up and prevent some of these very glaring, though few, things that have happened that distress us and that are not correct. Nevertheless, Mr. Speaker, I am absolutely positive, as we

all are, that the average American does not want to go on unemployment compensation; the average American man and woman wants a job that will enable him to hold his head up and live decently in this great country of ours.

So, as far as we are concerned, I think we can say that this is a recognized need; and undoubtedly the legislation, though it lacks certain things, should be passed by the House of Representatives.

Mr. Speaker, I yield back the balance of my time.

Mr. BROWN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I have noted with grave concern the recent press accounts of a document reportedly sent to the Secretary of Defense by the Secretary of State calling for a revolutionary change in the long-established defense policy and strategy of the United States.

I have additionally noted that although the first press articles on this matter have since been denied by the Department of State and characterized as gross distortion, the newspaper concerned only last night stated flatly that its original articles were absolutely correct.

For some days the House Armed Services Committee has been undertaking a very serious examination of the defense posture of our country. I believe very deeply that it is the duty of our committee, before it proceeds further, to obtain directly from the Secretary of State or the Secretary of Defense a copy of the document in question together with such explanations as may be in order that the committee, the Congress, the American people and, indeed, our friends and foes in the world, may not continue with a confused understanding of America's defense plans. I believe just as strongly that Secretary Rusk's letter to Secretary McNamara should, if possible, be made public, and if its statements are not to be the policy of the new administration, then I believe that together with the publication of the letter there should be appropriate denials of its content.

I have discussed these matters with the chairman of the House Armed Services Committee, who is one of the finest patriots our country has ever known. I have explained to him how fundamental this matter is in my judgment, and have urged that we not only interrogate the Secretary of State and the Secretary of Defense in respect to these matters but also that the document itself be introduced into the records of the committee so that all possibility of confusion and uncertainty in our country's councils and among the American people can be removed.

I have full confidence that Chairman VINSON will move swiftly to cooperate with all of us in clearing up this confusion. I bring this matter before the House of Representatives at this time only to underscore the extreme importance of these recent developments as they relate to the defense of the United States. I emphatically point out that if the United States is now going to deprive itself of full feasibility of the use

of missile weapons, and if the United States is now suddenly going to reject our sharply motivated defense policies evolved during these past 8 years under the leadership of President Dwight D. Eisenhower, then the House Armed Services Committee, the Congress as a whole, and all the American people need to understand this matter in all of its detail before it is put into effect.

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

Mr. ARENDS. I yield to the gentleman from Michigan.

Mr. FORD. I want to say for the record that I have discussed this matter with the gentleman from Illinois. I wholeheartedly endorse and agree with what he has said. I hope and trust that these hearings will be held promptly on this matter, and that it will be investigated thoroughly.

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

Mr. ARENDS. I yield to the gentleman from New York.

Mr. STRATTON. Does the gentleman from Illinois mean to tell me that there should not be any informal communications between the Secretary of State and the Secretary of Defense on military matters without having it fully explored in the press?

Mr. ARENDS. Not at all, but anything as important as this is and as fundamental as this is to the future welfare and defense of the United States of America should be brought out into the open, and through our Armed Services Committee which, as the gentleman is aware, is presently holding exhaustive hearings on the whole subject of our defense posture.

Mr. STRATTON. The gentleman would not maintain that the Secretary of State and the Secretary of Defense could not speak informally on these matters or exchange memoranda?

Mr. ARENDS. I stated I felt that either one of them might well come up here and produce the document under discussion.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. I want to commend the gentleman, because, in my opinion, a national policy of this country may be in danger. In other words, are we going to continue to tell Russia that in the event of a war we will use everything we have, including nuclear weapons, or are we going to follow a line of appeasement?

I commend the gentleman again.

Mrs. ST. GEORGE. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I take this time to ask the gentleman from Alabama why this rule is a gag rule—why the bill is brought to the floor of the House under a rule waiving all points of order and prohibiting the offering of amendments by any Member?

Mr. ELLIOTT. May I say to the gentleman that, as he already knows, bills of this nature have come from the Committee on Rules during the time he has

served in the Congress and during the time I have served in the Congress under similar rules. It is my understanding that because of the very nature of the subject dealing, as it does, with two aspects of two complicated laws that the Committee on Rules has always granted a closed rule.

Mr. GROSS. The gentleman is not saying that there is anything complicated about this bill? What is complicated about it?

Mr. ELLIOTT. The gentleman may judge for himself whether this is a complicated bill or not. I will say to the gentleman it is my understanding this type of rule has been used on this type of bill for a long time.

Mr. GROSS. Much too long, I may say to the gentleman.

Now, what makes the Ways and Means Committee some kind of a sacred bull in the House of Representatives, so that the Members cannot work their will on bills that come from that committee? Can the gentleman explain that to me?

Mr. ELLIOTT. I will say to the gentleman that the nature of the subject matter with which that committee of the House deals has resulted in the judgment of the House being that bills coming from that committee be considered under a closed rule.

Mr. GROSS. I certainly do not agree with the gentleman. I think the House of Representatives, certainly on this bill, ought to have the opportunity to work its will. It is the wrong way to legislate, and I am opposed to it. Moreover, Members of the House were told when the gentleman and others voted to pack the Rules Committee that a new day was in the process of dawning; that hereafter the democratic process would prevail; that Members would have the opportunity to work their free will on any and all legislation. What happened to those glittering pledges?

Mr. ELLIOTT. Mr. Speaker, there being no further requests for time, I move the previous question on the resolution.

The previous question was ordered. The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4806, to provide for the establishment of a temporary program of extended unemployment compensation, to provide for a temporary increase in the rate of the Federal unemployment tax, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4806, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MILLS. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, the committee has before it the bill H.R. 4806, representing the first legislative proposal reported by a committee of the House, dealing with



suggestions of the President for handling and improving the present economic situation. This bill was placed on his list as the No. 1 suggestion as far as timing is concerned. It was so placed on the agenda of the Committee on Ways and Means, as far as timing is concerned.

Mr. Chairman, I want to take just a brief few minutes to explain what is in the bill, and to point out some of the reasons why I think the legislation should be passed by the House.

In the first place, Mr. Chairman, there is nothing in this bill that in any way is a precedent, for in 1958, at the request of the President at that time, the Congress passed a program of temporary unemployment benefits, that insofar as benefits are concerned, and insofar as the timing of the program is concerned, was almost identical with the bill before the House today. Those of you who were in the Congress, and who supported that legislation, did so at that time, because in the month of January 1958, we had approximately 4.5 million people unemployed, and we were having more than the usual number of people who exhausted the benefits provided them under their State unemployment programs. In January of this year the situation, so far as unemployment is concerned, was somewhat more severe, and the number of people who have exhausted benefits under State programs was somewhat higher, so that if there was justification in 1958 for the adoption of a program—and I thought so then, and the majority of this Congress did—there is certainly as much, if not more, justification for action today to extend these benefits.

I think that this program itself will have as much effect during this calendar year as the program had in 1958 through replacing lost purchasing power, to help the economy to march back up the hill, as the economy did following the downturn of that period. I anticipate that this bill will make a like contribution to the recovery that we are looking to and desiring sometime this year. The purchasing power created by this bill will when spent contribute to making more jobs, which is what the unemployed people really want. Without the bill there will be no purchasing power in the hands of many of these people who have become unemployed and for whom State benefits have expired.

What do we do in this bill, Mr. Chairman? Just as we did in 1958 we say that when an individual, under a State system of unemployment compensation, has exhausted the benefits that are available to him and he remains unemployed because he cannot find a job neither by himself nor through the State employment service, we will provide him in the way of compensation with just half the number of weeks, overall, in the weekly amount that the program that his State provided him. However, we will not pay to him any more than 13 weeks of benefits if he happens to be in one of the States that pays him initially under its program for 26 weeks of unemployment.

We are doing exactly the same thing that we did in 1958. We are not affect-

ing any State laws. We are superimposing this upon State laws. No State legislature will be required to take any action whatsoever. We are not, through the device of temporary unemployment compensation, saying to a State, as some would have us, "We do not like the practices that you carry out in your own program so that, for purposes of this, it is necessary for you to change your own State laws." Coming from where I do and believing as I do, I think there are some things that States are in better position to determine than we are here. And certainly in the context of this bill I am not going to quarrel with the decisions in my own State as to how unemployment compensation should be paid and for what period of time; certainly as of now I am not.

We are not interfering with any of the laws of the States. We are carrying this out under those laws and letting those State agencies, the employment security agencies, administer this program, still imposing the same tests upon people, that they be available for employment, that they have not had suitable employment offered to them and that no employment is found for them. Then under those circumstances prevailing within the State, generally they will be entitled under this program to 50 percent of what the State does.

Mr. Chairman, let me state a case. In some States there are variable durations of time that unemployment benefits may be paid. Let us say that in your State a person is entitled to 10 weeks of unemployment compensation. What we are saying here is that at the end of that period of 10 weeks, if the man is still unemployed, this program will pick him up and provide the same amount that the State pays him per week, for 5 additional weeks. And at the end of that period, he has exhausted all of his rights under this program, just as he had previously exhausted all of his rights under the State program.

There is a difference in the way this works, in some respects, from the program we had in 1958; and I want to discuss that. In 1958 we gave to the States the option of coming under this program or not coming under it. We give to the States in this legislation the option of coming under this program or not coming under it. We say that they must sign an agreement just as they had to do in 1958 with the Secretary of Labor in order to avail their unemployed of the benefits of this program.

But now, when we come to the question of how this money advanced by the Treasury initially for temporary compensation is to be paid back, we find that this bill varies from the program in 1958. In 1958 the State electing to come under the program, in effect, had to impose on the employers of that State an additional tax burden so it could reimburse the Federal Treasury. Those sums were lent to the States. They are subject to repayment under the terms of the act of 1958.

Here we do not follow that arrangement. We say that all employers throughout the Nation will be subjected to a temporary increase in tax imposed

by this bill and that they will be required to repay the amounts that are given to the unemployed in these additional unemployment benefits. All employers, in your State and mine, every employer who is covered by this tax, will be required to pay four-tenths of 1 percent additional unemployment tax. That will develop for purposes of repaying for this program, we think, around \$984 million when applied to the wages in the calendar years 1962 and 1963. This money that we extend now to these people will, therefore, be repaid under this tax to the Treasury in a 2-year period.

I want to get this thing over with, get it behind us, and have the repayment to the Treasury occur at the earliest possible date. This is not what was in the original bill as introduced carrying out the President's original suggestion. The administration suggested that we not increase the tax rate, but that we obtain this money through the vehicle of broadening the base for the tax. The base at the moment under Federal law is \$3,000. It was suggested that we increase the base to \$4,800.

I found fault with that device, and I so stated to those within the administration with whom I was discussing the matter, because for one thing it did not develop enough money to pay back these advances from the Treasury short of about 5 years. However, the Administration thought that that was a more equitable way to develop this money than that which is in the bill and that was what it recommended. But I can assure you that there is no quarrel on the part of the administration with the method for developing these funds that the committee wrote into this bill. The Secretary of Labor told us in committee in executive session that if the committee wanted to follow a different method they had no fixed views about it that would cause them to object to this different method; that what they were interested in was having this money available for distribution by these State agencies to the unemployed at the earliest possible date.

The President is satisfied with the financing arrangements developed by the Committee on Ways and Means. He is willing to follow our judgment in this matter. His main concern is with getting a temporary emergency unemployment compensation program into operation. As I say he recommended a different method of financing it but he understands our concern about his method.

We thought in the committee that since the employers of the country were the ones that had to carry this burden in the final analysis, and since they wanted this method of taxation if they were to be taxed at all, the least we could do was to accommodate them by placing the burden upon them in the way they recommended. As far as the business representatives before our committee were concerned, all of them said that if we were going to do this, that is, pass this program of temporary unemployment benefits, then tax them as we are proposing to tax them under this bill.

Mr. Chairman, there are many other features of the bill about which I could talk. I have covered the important features, and I think they will enable Members of the House to have some understanding of what is contemplated. The program itself during its lifetime will make available additional benefits in the amount of about \$927 million to people who have exhausted their State benefits under State systems. In addition to that, under title XV there are Federal employees, and there are ex-servicemen who are entitled to unemployment compensation. We are extending to them this extension of benefits as we are to everyone else. That will cost \$63 million. Since the Federal Government is the employer, that additional amount will come from the general fund of the Treasury just as do those amounts which they receive now under the regular program involved with reference to that situation.

It is estimated that about 3 million unemployed workers will receive payments under this program.

The difference between the amount to be collected and the \$927 million to be spent, if there is any, will be given back to the unemployment accounts of all of the States in the percentage that their taxable wages bear to the total taxable wages of the Nation. If in the State of California, for example, the total taxable wages are one-tenth of the total of the Nation, you would get one-tenth of the surplus because it has been paid on the basis of taxable wages in your State and should go back on that basis.

As is the case in any Government program, it is always desirable that we have pertinent information about the people affected by the program and how the program affected them. It is hoped that the Secretary of Labor will make provisions for collecting this kind of information on an adequate sample basis about recipients under the present act. This sort of information should be in somewhat greater detail than the information collected in various sample surveys about recipients under the Temporary Unemployment Compensation Act of 1958.

Mr. Chairman, I hope there will be no opposition to this legislation. We have enacted similar legislation before. The situation today is just as critical if not worse than it was when we acted before. There are people in this country for whom this kind of legislation can make the difference between their having something on the table and having nothing on the table. I know of no other thing that this Congress can do whether it be immediate tax reduction or anything else that has the capacity for giving assistance to those who are in the most need as this program itself does. In proper time these other things can help.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. First, I want to compliment the chairman of the Committee on Ways and Means for the speedy action he has taken on this most urgent

request. Secondly, I would like to suggest that I thought the more equitable way to extend these benefits would have been the original proposition of the President of raising the tax base from \$3,000 to perhaps \$4,800—or if not to \$4,800 to some compromise figure between \$3,000 and \$4,800 because in a State like mine and in 16 or 17 other States, we took advantage of the loans in the 1958–59 recession, and it is going to be difficult for such States to assume this added load of four-tenths of 1 percent because they will have to pay back what they borrowed in 1958–59. In my State we owe \$6 million, and this additional load on this fund is going to hurt our fund because for 11 years now we have been on the verge of bankruptcy.

Mr. MILLS. What the gentleman is saying is that in his State the confirmation of these two things makes it more difficult to build up your own State fund. Certainly, I must agree with the gentleman.

Mr. FOGARTY. Secondly, it puts us in a position of some disadvantage as far as competition with other States because our basic rate now is \$3,600 and not \$3,000 which is the national rate. It works out to some disadvantage to us in that respect. Is that a fair presumption?

Mr. MILLS. The gentleman's assumptions are always fair. The approach to this matter is not on the basis of trying to do something here to correct an inequitable situation among the States that results from separate action within all the States.

I have had that argument advanced to me as a basis for the Federal Government's requiring the States to go in a certain direction under certain Federal standards with respect to payments of benefits, and for a certain period of time. But it is a weak argument, to my mind, that we should do it because of the unfair competition existing between States that results solely on the basis of State judgments as to what they ought to do in this field. There may be other compelling reasons that would prompt the gentleman to support such arguments.

Mr. FOGARTY. Does the gentleman have any idea how much it is going to cost to administer the program?

Mr. MILLS. It will cost about \$28 million: \$10,500,000 in the first year and \$17,500,000 in the next.

Mr. FOGARTY. So the Appropriations Committee will be called upon to increase this appropriation?

Mr. MILLS. I understand there is a problem right now because we have reached the ceiling limitation on administrative costs. In the social security amendments of 1960 we fixed \$350 million for administrative costs. There are pending requests before the Appropriations Committee that would raise the amount to \$366 million.

We have taken no action here to make it possible to increase appropriations by the Congress because this is a temporary proposition and the question has to do with the operation not only of this program but of the permanent unemployment compensation in the States.

Mr. FOGARTY. Should the Senate see fit to increase the ceiling from \$350 million to \$375 million or \$400 million, how would the gentleman feel about that?

Mr. MILLS. I am not prepared to say in advance. In my experience as a conferee I have found it is never advantageous to disclose one's position before going into a conference.

Mr. FOGARTY. One more question, if the gentleman will permit.

Mr. MILLS. Certainly. I want to be serious with the gentleman. I assure him I have every desire to consider this ceiling matter.

Mr. FOGARTY. The President a short time ago said that he would be sending to Congress and to your committee suggestions for permanent legislation. He says the end of March. If it gets here by the end of March can the gentleman give me any idea when hearings might be held and when we might expect some action on the permanent changes in this legislation to keep it abreast of modern times?

Mr. MILLS. The gentleman from Rhode Island will recall that the Committee on Ways and Means held I believe 8 days of hearings in 1959 on the so-called standards bill. I have no idea what the final decision will be with respect to the overall agenda of our committee; but just between you and me in evaluating some of these proposals that are being sent to Congress it looks like two-thirds are coming to our committee. I do not know how fast we can move or in what order, but I do know that those things that have the characteristics of being emergency proposals we will consider first. So we are working on the question, and as fast as time will permit the committee will consider these proposals. When, I do not know.

Mr. FOGARTY. I thank the gentleman.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. VAN ZANDT. The gentleman mentioned earlier in explaining the bill something about its covering people under State compensation laws, civil service employees, as well as ex-servicemen.

Mr. MILLS. That is because we have a Federal program of unemployment compensation operated by the States in accordance with State laws for unemployed Federal employees and ex-servicemen.

Mr. VAN ZANDT. Does the gentleman know of any legislative activity that would cover the 50,000 railroaders who are unemployed and who have lost their entitlement to unemployment compensation?

Mr. MILLS. As you know, we do not have jurisdiction of that in the Committee on Ways and Means.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I will yield to the gentleman from Arkansas [Mr. HARRIS] because the subject matter comes under the jurisdiction of the gentleman's Committee on Interstate and Foreign Commerce.

Mr. HARRIS. I would be glad to answer the question of the gentleman from Pennsylvania.

First, let me ask the gentleman from Arkansas, is it contemplated this bill will be completed and passed this afternoon?

Mr. MILLS. Yes, it is; and I hope it is on the President's desk by March 15, because then the benefits under the bill may be made effective on April 1.

Mr. HARRIS. The reason I asked the question is this: Several days ago I brought this matter up with reference to the treatment for the railroad industry. Only yesterday did we complete our negotiations and discussions regarding this matter and how they may be taken care of. A bill has been drawn, I think it is about completed, and we are working on it. In fact, I am introducing it this afternoon. In our committee this morning we agreed we would introduce a bill and, if there is an opportunity, we would take it up the first thing in the morning. Should this bill not pass today we would consider requesting my colleague from Arkansas to offer an amendment. However, if the bill is going to be passed this afternoon it is the general understanding that we would handle it in the regular way, and I want to assure the gentleman from Pennsylvania it will be handled expeditiously.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from California.

Mr. GUBSER. Many individual States now have 39 weeks of unemployment compensation. Would this bill authorize loans for an additional 13 weeks, making a total of 52?

Mr. MILLS. There are two types of payment under this bill. If a State has given an unemployed worker 39 weeks of unemployment compensation in its regular or regular-plus emergency program, it is not extended. Under the program, the employers of that State are going to be taxed, but the employees will not get any additional weeks. What we will do is reimburse the State for that 13 weeks that we are giving in other States so that the moneys that are paid double by the employers, if that is the case, would revert back.

The employers in those States are already paying an amount for benefits over a 39-week period. If we tax them under this, the people in his State either should get the 13 weeks additional benefit or the States' unemployment account should get that money. We are giving it to the State account.

Under our program the maximum of coverage for any individual in any State is 39 weeks. That is the point that the gentleman from New York [Mrs. ST. GEORGE] raised when she suggested she would like to have had it provide for a 52-week program.

If a worker has exhausted 26 weeks of benefits, he could receive the maximum of 13 weeks provided under the bill.

If a State has paid him 30 weeks of benefits, the State would be reimbursed for 4 weeks and the worker would get 9 weeks—making the total 13 weeks.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from California.

Mr. McDONOUGH. Is there any mention in the committee's report to cover the cost of the malingering cases where there is employment and unemployment in a family?

Mr. MILLS. Let me say to the gentleman that I have heard so much about this business of the inability of the States to run these programs satisfactorily that I believe you gentlemen are about to convince us that we ought to have a Federal program, or that we ought to have Federal standards. I have thought that was unwise. You cannot tell a State that it cannot do something under this program without leading yourself in the other direction and that will result in your winding up telling the State what it should do and what it should not do.

Mr. McDONOUGH. If the money is going to be squandered on malingering cases something should be done, and I am sure the committee is conscious of that fact.

Mr. MILLS. We are not conscious of such a fact, at least I am not. All we say here is that when an individual has exhausted all of his benefits under a State program, we are going to give him not more than 13 weeks additional benefits under exactly the same program. If we cannot trust the State of California, and if we cannot trust other States to administer this program on a regular, effective basis, then you are leading yourselves to no other conclusion than that the only people who can handle it are those people here in Washington, and that is one thing I do not want to do in this bill.

Mr. McDONOUGH. I understand that there is no penalty for any States squandering money.

Mr. MILLS. No penalty? There are fraud penalties. There are fraud penalties in the laws of all States. If a man is not sincerely seeking work, if he is unemployed, and accepts these benefits, if he does so willfully, there are penalties for fraud. But, not all of these people are malingers by any means.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I want to commend the gentleman for bringing in this bill, and I would like to have a point clarified to determine the position of the people of the State of Pennsylvania. If we have a maximum of 39 weeks, this bill in and by itself will not give these people who are unemployed 13 weeks additional. It will only give the States the funds to make it available to the people.

Mr. MILLS. Let me tell you how it works in Pennsylvania. If I recall your law, you have 30 weeks of benefits.

Mr. SAYLOR. That is right.

Mr. MILLS. Fifty percent would be 15 weeks, but we say 13 weeks is the maximum under the bill. But your State has paid this individual 4 weeks longer than the 26 weeks duration that we take into account. For that 4 weeks

we reimburse your State fund because the man has already gotten that 4 weeks, but then because he has not yet gotten 39 weeks we make an additional payment for 9 weeks to him, so that altogether under this bill no one will receive as a maximum more than 39 weeks, but anyone entitled to it will either get it under this program or under the State program, of course a State on its own can go beyond the 39 weeks we are talking about.

Mr. SAYLOR. I thank the chairman for that statement.

Mr. FOGARTY. Mr. Chairman, I wish to speak in support of H.R. 4806. The promptness with which President Kennedy sent this proposal to Congress after his inauguration demonstrates his awareness of the present unemployment situation and his sensitiveness to human need. I also wish to compliment the Committee on Ways and Means, and its able chairman, for the promptness with which action was taken on this proposal.

This bill, as Mr. MILLS has said, will not only pour almost a billion dollars of purchasing power into the economy during the next year, but will alleviate the distress of over 3 million workers who have, or will, exhaust their unemployment benefits. The bill will be of special help to Rhode Island. During the week ended February 4, the rate of insured unemployment—that is, of workers on the unemployment compensation rolls—in Rhode Island was 9.8 percent as against an average rate of 8.3 percent for the country as a whole. The number of workers exhausting benefits is also rising in Rhode Island, as it is in the country as a whole. In January, the number of workers exhausting benefits in Rhode Island rose to 1,350, a third more than in December, and 39.2 percent more than in January 1960. Since unemployed workers on the average draw about 20 weeks of benefits in our State, this measure will, on the average, make workers who exhaust benefits in Rhode Island eligible for an additional 10 weeks and will make more than a third of them eligible for the maximum of 13 weeks provided by the bill. This will mean, for many workers, the difference between being able to buy groceries and seeing his family go hungry. I therefore heartily support the benefit provisions of the bill.

I am greatly disappointed, however, that the committee did not follow the recommendation of the President to finance this bill by an increase in the taxable wage base from the first \$3,000 of each worker's annual earnings to \$4,800. This would not only have financed the cost of these extended benefits, but would have greatly strengthened the financing of the State laws, especially in States that are hard pressed to raise adequate funds to finance their unemployment benefits. In my State of Rhode Island, contribution rates have had to be kept for over 10 years at or very close to the maximum credit allowable against the Federal unemployment tax rate of 2.7 percent. In addition, Rhode Island had to raise its taxable wage base from \$3,000 to \$3,600 in 1956 to keep its head above water financially,

something that only five other States have dared to do in the face of the competitive disadvantage it placed on their employers. Only by taking these drastic tax measures and exercising the strictest economy—in fact by deliberalizing our law in certain respects—has the Rhode Island unemployment fund been able to remain solvent. We have also had to lag behind many other States in the benefits we have provided because of our stringent financial position. If the committee had followed the President's recommendation to raise the taxable wage base to \$4,800, it would have not only enabled Rhode Island to get in sound financial shape without putting our employers at a competitive disadvantage with employers in other States, but would also have enabled Rhode Island to provide more adequate benefits to its workers.

An increase in the wage base from \$3,000 to \$4,800 is long overdue. As the Secretary of Labor testified, the proportion of wages that are taxable under the \$3,000 base has dropped from 97 percent of payrolls covered by the program to about 60 percent.

The freezing of the tax base at \$3,000 has benefited the high-wage industries, which have paid taxes on a decreasing proportion of their payrolls. An increase in the Federal tax rate on the \$3,000 base, as proposed in this bill, will give additional tax advantages to these high-wage industries by increasing their Federal taxes on a smaller proportion of their payrolls than low-wage industries, which will have their taxes increased on all or most of their payrolls.

I understand that the Committee on Ways and Means substituted a temporary increase in the tax rate because the benefit features of the bill are temporary, while the increase in the tax base would have been a permanent measure. I hope that the committee, when it considers permanent improvements in the Federal-State unemployment compensation program, will include in that measure the increase in the tax base to \$4,800 that is so badly needed. I understand that many States favor an increase in the tax base, but are waiting for Federal action, because of their fear of interstate competition. In fact, 27 States have provisions in their laws which would automatically increase the State taxable wage base when the base of the Federal unemployment tax is increased.

The President, in his economic message, said that he would send to Congress by the end of March a program of permanent legislation "to revise and strengthen the benefit and financing provisions of the system."

As the President said in his message:

Our permanent Federal-State unemployment insurance system, which has become an institution essential to the efficient functioning of our labor markets as well as a strong defense against economic contraction, is in need of permanent reform. As I said in 1958, I believe it would be a tragic mistake to embark on a Federal supplementation program geared to the present emergency without also strengthening the underlying system \* \* \*. This time, we must establish a permanent unemployment compensation system which can do the job it was intended to do.

I trust that the distinguished chairman of the Committee on Ways and Means, when this program for permanent improvement in the system is received, will see that it receives prompt consideration and action, and will not let other proposals interfere with such action.

Finally, Mr. Chairman, I wish to express my regret that the committee did not include in the bill a provision to remove the present ceiling of \$350 million on grants to the States for employment security administration which is in the basic Social Security Act.

The Congress appropriated \$325 million for State administration of the employment security program for fiscal year 1961. However, because of a 65-percent increase in claims over the number expected when the appropriation was made, the Department of Labor is requesting a supplemental appropriation of more than \$40 million, which, if approved by the Congress, would mean that the total appropriations for 1961 would exceed the statutory ceiling of \$350 million by over \$15 million. While it is expected that business improvement will result in a somewhat smaller claims load in fiscal 1962, there is always a lag in re-employment after business levels rise, so that, along with other factors, the Department estimates that the States again will need more than the \$350 million ceiling in fiscal 1962.

In addition, the President has directed the Secretary of Labor to take steps to improve the Employment Service to meet the needs of the modern age, and I am informed that this will require a substantial increase in appropriations. Added to this will be the additional work placed on the Employment Service by the bills pending to provide assistance to the dependent children of unemployed parents and to provide for redevelopment of distressed areas. And, finally, the bill before us will cost a substantial amount to administer—in the neighborhood, I understand, of \$25 million during the next 15 months.

I have had representations from the State employment security administrators expressing their concern over the problems that this \$350 million limitation creates. I would, therefore, like to respectfully ask the chairman of the Committee on Ways and Means how he plans to meet this problem.

Despite these questions which I feel obliged to raise, I want again to recommend that this bill be speedily enacted so that the hundreds of thousands of workers who have exhausted their unemployment compensation and the several million additional workers that will exhaust their benefits in the coming year will have some means for supporting their families and themselves.

In support of this recommendation I cite the following report on the present status of the economy of my State of Rhode Island:

**THE CURRENT STATUS OF THE RHODE ISLAND ECONOMY AND ITS NEED FOR RESTRENGTHENING**

Having been faced with a long-term decline in its industries since 1949, Rhode Island must take all possible steps to rebuild and restrengthen its economy. The history of Rhode Island since the war has

been mostly one of declining employment and payrolls and of persisting underemployment for its work force. This has resulted in continued high levels of unemployment and heavy drains on the benefit fund.

The chief cause of Rhode Island's economic difficulties in the postwar years has been the loss of a major part of its textile industry. Some 40,000 of the jobs in this industry have been permanently lost to this State. From the nearly 70,000 employed in our textile plants in 1947 and 1948, we have scarcely 26,000 left now—and, it would seem, this exodus has not yet ended.

During the same period, our metalworking industries, especially the machinery segment, have also experienced declining payrolls. We now have at least 5,000 fewer workers employed in this group than we had in the earlier postwar years, when the payroll total ranged from 35,000 to 38,000. It is well to remember that these metalworking jobs were among the highest paid jobs in the State.

As an immediate step toward rebuilding our economy, our State needs an augmented employment security program to provide a minimum of necessary income for our unemployed workers. Thousands of our Rhode Island workers have in the past year exhausted their unemployment benefit rights, and thousands of them are still unemployed through no fault of their own. Each week more and more unemployed workers join the ranks of these exhaustees—left without jobs and now without further unemployment benefits as well.

Rhode Island has succeeded in drawing in some new industries and jobs in recent years, but these have not been nearly enough to offset the large-scale losses we have suffered in our textile payrolls and, to a lesser extent, in our metals industries. The net result is that we still have, today, some 40,000 fewer manufacturing jobs than we had in 1947 and 1948, when our factory employment totaled above 155,000. Thus, it is clear that we have by no means recovered from the loss of more than half of our textile industry and a full one-sixth of our metals and machinery payrolls.

These losses over the years, together with other weaknesses in our industrial structure, such as the predominance of our soft goods industries, have left their mark on our Rhode Island economy. Reflecting this condition, our State has, throughout the whole postwar period, been noted for its high unemployment and its high benefit costs. Our rate of unemployment has remained among the highest of any of the States and our benefit costs among the heaviest. We have exceeded the national averages in both respects in every year since the war, seldom by less than 50 percent and often by more than 100 percent. Our lowest ratio of unemployment for any year was 6.1 percent for 1953, when the national average was only 2.9 percent. And, again, when we had our highest unemployment level of 13.9 percent for 1949, the national average was only 5.9 percent. Thus, in each of these years our jobless rate was more than double the national average.

Another serious consequence of our persistent high unemployment has been the experiencing of one of the highest benefit exhaustion ratios of any State. In other words, proportionately more Rhode Island workers have been left without jobs and without benefits than in most other States, year after year, with correspondingly more financial distress for our unemployed workers.

To all appearances, in the matter of comparative rates of payroll declines and unemployment, Rhode Island seems to have been faring somewhat better in the past 2 years. Thus, we show an average jobless rate of 7 percent for 1960, as compared to an estimated 5.6 percent for the Nation. It might, therefore, seem that we are closing

the gap that has so long existed between the Rhode Island rate and the average for the Nation. This would, however, be an illusory view of the real situation. The fact is that the current nationwide recession has been primarily in the heavy or hard goods industries, of which Rhode Island has comparatively little. Two-thirds of our manufacturing employment is in the nondurable goods, and only one-third in the durables, whereas in the Nation at large durable goods payrolls exceed the nondurables by a substantial margin.

Although the soft goods industries in the Nation have also experienced a decline during the current recession, it is worth noting that the decline in the hard goods segment has been at least twice as severe. Accordingly, it is not surprising that, with our lesser ratio of hard goods industries, the impact of the current slowdown in the national economy has been less drastic in Rhode Island than in the heavy industry areas such as Detroit, Pittsburgh, and many others. Nevertheless, Rhode Island has suffered greatly from the current decline in the national economy. Moreover, the latest indications are that the gap between our rate of unemployment and that of the Nation has begun to widen again. Our unemployment this January has climbed to an estimated 34,600, or 9.8 percent of the labor force, compared to 6.6 percent for the Nation as a whole. It is true that much of our increased unemployment during the past month is seasonal, but this is, to some extent, true of the Nation as well.

Thus, our relatively and temporarily better showing cannot unfortunately be regarded as a sign of recovery, for unemployment in Rhode Island is still growing and our benefit claims still rising. Our comparatively improved position in the past year has apparently not lasted long enough to warrant any optimism. There is no reason to suppose that when the Nation recovers from the present hard goods slump and returns to normal employment levels, that Rhode Island will necessarily benefit to the same degree, since durable goods industries have formed a much smaller part of our economy. We must remember that high unemployment has been more or less a chronic problem in Rhode Island. At most, the present nationwide slowdown has only served to aggravate this problem for us.

Accordingly, the only realistic outlook for Rhode Island with its present economic makeup is still for continued high levels of unemployment and benefit costs, regardless of how soon recovery may come in the Nation. We can remedy our position only by continued efforts to expand and strengthen our economic structure and thus provide more adequate job opportunities for our growing work force.

To achieve this goal, we must train our new entrants and retrain our idled workers for the industries and occupations that in the future are likely to play a leading role in the economy. This will call for an intelligent and adequate training program on a broad scale—a program which necessarily will require considerable financial aid.

Experience has clearly shown that the extensive training program contemplated could not be financed by Rhode Island without Federal assistance.

Once we have the required training for our unemployed workers and suitable plant facilities to offer, we will be in a better position to attract new industries and perhaps better able also to hold our present industries.

In the meantime, we will also need Federal aid to provide extended unemployment benefits for those of our unemployed who have exhausted their existing credits. Although we were fortunate in adding nearly \$3,691,000 to our benefit fund during 1960 and raising the reserve to \$32,501,500 at the

year's end, our financial position remains more on the weak side than might appear. This balance gives us a reserve ratio of 4.6 percent of taxable payrolls, leaving us lower than most States, and still well below our possible benefit liabilities in the light of some of our bad years such as 1949, 1954 and 1958. In fact, we are still a considerable distance from the reserve ratio of 6.5 percent required under our present merit-rating law for granting reduced tax rates to our eligible employers and in this way removing their competitive disadvantage with employers in other States who already enjoy modified tax rates under the merit system.

Accordingly, the funds for providing additional weeks of benefits to our unemployed workers should, we believe, be advanced by the Federal Government rather than be taken out of our present reserve. We strongly believe that such Federal aid is necessary to safeguard the solvency of our benefit fund and at the same time to contribute to the achievement of a more attractive taxing and economic atmosphere for our existing and any prospective new industries.

Mr. MASON. Mr. Chairman, I yield such time as I may desire.

Mr. Chairman, the very excellent explanation of the bill that we have just listened to is quite convincing as to the merits and the needs of the bill. But, I must say that I am not convinced yet.

Mr. Chairman, the Congress has again been asked to enact a temporary program of extended unemployment compensation benefits. The last time this matter was before the House was in 1958 pursuant to a request by President Eisenhower. At that time President Eisenhower said in part as follows:

I believe these workers and their families should be enabled temporarily to receive weekly benefits for a longer period of time than is now in effect so that in the current economic situation they and their families can obtain a greater measure of security. \* \* \* These recommendations reflect my strong convictions that we must act promptly \* \* \* to temper the hardship being experienced by workers whose unemployment has been prolonged.

The legislation that is before the House today, H.R. 4806, is pursuant to a request for legislation extending unemployment compensation made by President Kennedy. I had some misgivings about the 1958 legislation because I thought that the situation then was something that the States could deal with effectively, but the legislation that passed the House in 1958 constituted a much better bill than the legislation that is before us today. The basic differences between the two legislative proposals involve the way the program is to be implemented and the method of financing.

In 1958 the Congress approved a bill providing a program of temporary unemployment compensation benefits equal to 50 percent of the total amount payable to an individual under the State law pursuant to which he exhausted his benefit. To this extent the 1958 proposal and the proposal before us today were generally similar. However, in 1958 the system operated on the basis of repayable advances to the States with participation being entirely voluntary on the States. Seventeen States participated in that TUC program in 1958 and five

other States had internal programs of extended benefits.

Now, the 1961 version of this legislation proposes a voluntary program but one which will subject the employers in every State to special compensatory taxes to pay for the cost of the program even though a State may be inclined not to participate in this Federal TUC program. Therefore, while the system is voluntary in theory, the practicalities of the matter are that every State will virtually have to participate because the employers in every State will be taxed regardless. This 1961 program will be financed by a 100 percent increase in the net Federal unemployment tax for calendar years 1962 and 1963. This tax will add approximately \$1 billion to the payroll taxes imposed on our free enterprise economy.

Mr. Chairman, to view the impact of this additional payroll tax in proper context it is important that we discuss for a brief moment other aspects of payroll taxes not directly related to this bill. The sum and substance of my reference on this point of payroll taxes is that the increases in the tax schedule in present law plus those increases proposed by the administration will add approximately \$6 billion to the payroll tax burden by 1963. This total of \$6 billion is arrived at in this way: First, on January 1, 1963, the OASDI tax is scheduled to be increased by 1 percentage point—one-half of 1 percent on employer and employee alike—to a level of 7 percent on the first \$4,800 of income. This will add \$2.2 billion to the social security payroll taxes without any further liberalization or improvement in the act. The increase has to occur just to pay for the present program. Second, the OASDI changes that have been proposed by the administration and which are embodied in H.R. 4571 would be financed by a proposed increase in the tax rate effective January 1, 1963, of one-half of 1 percent—one-fourth of 1 percent on employer and employee alike. This would take another \$1.1 billion from the payrolls. Third, the health program submitted by the administration would be financed by an added social security tax of one-half of 1 percent which would mean another \$1.1 billion. Another part of the financing of the health care program would be an increase in the taxable wage base from its present level of \$4,800 to \$5,000. This would take approximately \$700 million from the payrolls.

Thus, when we combine the \$5.1 billion that will be added to the social security taxes with the \$1 billion that this program will cost, we arrive at a payroll tax increase slightly in excess of \$6 billion. I am sure I need not point out that these taxes are applicable to a taxable base that does not allow for exemptions or deductions and that strikes the hardest at low-income individuals.

Mr. Chairman, not only do these taxes strike the hardest at the low-income individual but they also constitute an added cost of goods sold which is reflected in higher prices to our consumers as well as making it more difficult for

American-produced goods to compete in the markets of the world. That, Mr. Speaker, is the story with respect to payroll taxes that must be considered in evaluating the legislation that is before us today.

Mr. Chairman, another feature of this pending legislation which causes me concern has to do with the basis under which a State will be reimbursed by the Federal Government for benefit durations in excess of 26 weeks. My concern on this point is directed to the fact that this reimbursement technique constitutes what has been characterized as a "back-door approach" to Federal standards. I am concerned that this reimbursement technique is a further instance of coercion by the Federal Government on the States with respect to benefit duration which has traditionally been a matter for State consideration.

Mr. Chairman, one of the functions of government, in my view, is to create an environment that stimulates private production and employment; it is not the function of government to substitute public spending for private spending nor to extend government domination over private activity. It is proper that under the unemployment compensation program we seek to provide an insurance system whereby a worker's purchasing power is protected during a period of temporary layoff. In times of recession when the period involved in seeking re-employment may be longer than normal it may be appropriate for a system of temporary unemployment compensation to be put into effect but such a temporary unemployment compensation program should not do violence to the State insurance system and should not turn the program into a relief proposal. We must not permit growing costs of unemployment to prolong unemployment itself.

Mr. Chairman, I would suggest that the administration can do much to encourage job opportunities for our citizens if responsible officials in that administration would stop going about the country proclaiming recession and depression and pledging Government action to make wages rise, Government benefits increase, and a Government guarantee of a job. These promises that cannot be delivered by Government are inconsistent with the recent pronouncements of President Kennedy pledging the administration to the achievement of price and wage stability. Also I believe that this administration could make a contribution to the creation of job opportunities if it would make its policies clear on the subject of taxation and thereby allay the uncertainty and concern that exist because of the past advocacy of removal of many of the incentive features in our Federal tax structure by persons now in positions of official responsibility.

Mr. Chairman, I am opposed to H.R. 4806 because of my conviction that the States can adequately deal with economic security for the unemployed under present conditions and because of my conviction that if a system of Federal aid were necessary, H.R. 4806 would be the wrong way to provide that aid.

Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I would first like to get this matter into context. This is an insurance program. This is not a welfare program. Except for one point in the chairman's remarks, his exposition was excellent, but I regretted the note on which he ended, which confused this very important thing that must not be confused as to whether this is welfare or insurance. Indeed, this is not a question whether men and their families will have food on the table. It is a question of whether they are going to have food on the table under the insurance program or under the general assistance program. But, we may rest assured in this great country of ours that if they do not have it under unemployment compensation, every State in the Union or county or municipality within those States will take care of our people.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Arkansas.

Mr. MILLS. I certainly did unintentionally confuse my friend as to what I meant. What I was talking about was that this type of approach offered more benefits for these particular people than some other suggestions that have already come to us from different sources for dealing with this question. This puts money in the hands immediately; a tax reduction might not.

Mr. CURTIS of Missouri. Point 2 is that we are trying to maintain a system which in my judgment, at any rate, is one of the finest systems that we have developed in our society, the Federal-State unemployment insurance system. And, is it not a strange thing that a system that really is insurance, has the title, compensation, temporary extended unemployment compensation, and a system that is not insurance but is welfare has the title, insurance. And, I am referring to the OASDI program, what we call social security. So, the issues involved between those who might disagree with this extension are not on the basis of wanting to help or not help our people who are unemployed, to put food on the table, but rather how can we preserve an insurance system, if we possibly can, and if we need to do something in the welfare field, yes, then let us take a look at welfare.

But we are here before you with an insurance program. I supported the 1958 Temporary Unemployment Compensation Act in the last recession and I am supporting this one today. But I am doing so at the same time trying to lay the groundwork so that we will not have a third extension 3 years from now if and when we have another recession.

I seems to me that it is a perfectly legitimate area for unemployment insurance to extend the coverage during periods of national recession. What is the unemployment insurance program trying to do? We know that in a dynamic economy, there is a constant switch between jobs. Men go from one employer to another. A skill becomes

obsolete or nonexistent. The worker learns a new skill and gets another job. There is a transition between when a man goes out of one job and takes on another and that transition period, according to the wisdom of most States, might cover as long as 26 weeks. That is the period most States have for unemployment insurance coverage. I say insurance, because the premiums are paid. This is a solvent insurance fund. Indeed, there is some \$6.5 billion in the reserve, the State unemployment insurance funds. That is how solvent this program is.

But here is the point. In a period of a recession, when there is a national economic slump, this normal period of 26 weeks to find the new job becomes greater. Just in the natural course of events it takes a man who is diligent in looking for a new job longer to find a new job. And I think very appropriately in 1958 we took cognizance of that fact at the Federal level and we said we are going to step in here on a temporary basis and provide additional coverage under the insurance program. We asked the States to think about this and come forward with programs. And I am very happy to say that some 17 States did respond. Some States—and this is very important—saw the wisdom of this to the extent that they made it part of their permanent unemployment insurance program, a permanent program, that during recessions the length of time during which a man could seek a job and still remain on the program was increased. It was triggered into action. On page 3 of our committee report this very important statement is made:

It is the hope of the committee that more States will act to deal effectively with the special problems imposed on the Federal-State unemployment compensation program so that the need for Federal action during times of recession can be alleviated.

Really, it has not been long enough to give the States the opportunity to put in these programs or even to test the effectiveness of the programs that were put into effect. For that reason I have gone along with this new temporary extension in this new recession, to give time to test out the adequacy and the goodness of, for example, California's program. California triggered a program, and I hope that in the ensuing months, when we get out of this recession—and we will—that our States start putting in this kind of program knowing that the economic cycle will come around again and we will have these periods. Then we do not have to come to the Congress to put in a program like this on a temporary, hurried-up basis. Indeed, this is something that can become part of what is, in my judgment, this very fine Federal-State program.

There is this one other thing I do want to call attention to. I am worried about the way we have done this particular temporary job. There are elements of this program that we are recommending to this House that take it away from the insurance program and into the area of welfare. I regret that, and I want to call attention to it. I compliment the gentleman from California [Mr. Urr] and

the gentleman from Texas [Mr. ALGER] on their minority views. I hope everyone will read them, because their concern, as I read it, is that even what we are doing here has moved too far away from the insurance concept toward the welfare concept. Those gentlemen are not disinterested in the welfare of our people and our unemployed. Of course, they are as concerned as anyone. But they see the importance of the distinction between insurance and welfare, and trying to preserve the validity of this insurance program.

I can assure you that there are minds at work in this country that are trying to undermine this great system and are deliberately trying to confuse this and create a welfare program out of it and put it up here at the Federal level run by a bureaucracy in Washington, D.C. They are using the human misery involved in this unemployment situation to bring this about. I say their interest is not the welfare of their fellow man, their interest is their ultimate objective of federalizing our system. So I think it is important to weigh out these aspects of the program we have presented here to be sure that we preserve these insurance elements and do not make a welfare program out of it.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. GRIFFIN. Being from Michigan, a State that is conscious of the competition among States for industry, I was interested in the remarks made by the gentleman from Rhode Island [Mr. FOGARTY]. He indicated that he wished the committee had left the tax rate unchanged and had spread the base from \$3,000 to \$4,800, because of difficulties which his State has competing for industry. I have given his remarks some thought, and I cannot understand the logic. If the committee had elected to spread the base upon which the tax is based, as I understand it, the low-wage employers in low-wage States would be let off scot free and would pay little or nothing, whereas the high-wage employers in high-wage States would be required to bear the burden of this program. Does the gentleman agree with me?

Mr. CURTIS of Missouri. I certainly do. In the hearings some of the witnesses who were urging that we go to a higher base urged it on that basis. I said, "Wait a minute, are you not actually putting a burden on those industries that pay high wages thus favoring the low-wage industries?" I might say, and I think anyone can read it in the hearings, that the answer became quite obvious. It is quite obvious that that is what it would do. Far from equalizing the situation for industries in States that pay high wages so they would have a more equal competition with industries in low-wage States, it actually made the competition more severe.

Mr. GRIFFIN. Under this bill, as the committee has reported it, all of the employers would be paying an equal tax on the \$3,000 base.

Mr. CURTIS of Missouri. I agree with the gentleman. I think it is good, sound, social philosophy.

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Montana.

Mr. BATTIN. The committee report on page 2 states:

These payments would be made only in those States which choose to enter an agreement with the Secretary of Labor providing for such payments.

Then there is an assumption.

It is anticipated that all States will enter into such agreements.

Did the committee take into consideration that in a great many of the States the legislatures are now pending their deliberations for another 2 years?

Mr. CURTIS of Missouri. We discussed it. As I recall, the testimony was that most States actually did not need enabling legislation, and that all States would take it because they were going to be taxed. This is a compulsory program, do not forget that. There is nothing optional about this. That is one of the bad features about it, in my judgment.

Mr. MASON. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. UTT].

Mr. UTT. Mr. Chairman, I take this time for the purpose of opposing the passage of the legislation before us at the present time. With all due deference and appreciation to the chairman of our committee and to the majority of the minority Members, I respectfully have to disagree and I do disagree upon four or five basic principles. Namely, is the fact that this is not a repeat of the 1958 unemployment program. This is not a loan which can be voluntarily taken and paid back. This is a system which will be imposed upon the 50 States in this Union when there are only 10 States that are actually in trouble. I just examined the account of the gentleman from Rhode Island a moment ago. He wanted a different way of repaying the money. Rhode Island has a year and one-half surplus in its account even after Rhode Island pays the \$6 million which they owe from the last loan. Therefore, in no sense is this a repeat of the Eisenhower program of 1958. It is a brandnew attempt to socialize, to federalize, and to nationalize unemployment insurance, and as my colleague, the gentleman from Missouri, has said, we are taking an unemployment insurance program and converting it—or perverting it, I should say—into a welfare program because in every respect it has the earmarks of permanency and it has the earmarks of socialism. For example, the State of Texas that has the lowest rated unemployment of covered employment at the present time—4.5 percent. Texas will be taxed exactly the same as you tax the employers in New York or in California, and you will pay the money to the State of Alaska, which has a 20-percent unemployment of employed coverage, and the State of Texas has absolutely no control over the eligibility, the time of duration, and the amount of money that is

going to be paid to the employee in Alaska. Therefore, you are taking from him who can afford it and giving it to him who needs it, which is the basis of relief. If you want to make it a relief bill, I am willing to tax California for the relief of Alaska under a welfare program, but not under an insurance program.

Secondly, I say it has the earmarks of permanency. When the bill came up from the White House, it had a provision for a continuing tax—a permanent tax. So there is an idea that it should be made permanent.

But, the Department of Labor is so anxious to have this legislation passed that it is willing to accept any form of taxation that we happen to want to give them. And why? If you will look at the bill, there is a disclaimer of any federalization or any Federal control. You will find on page 4 of the bill, where it says:

(c) Except where inconsistent with the provisions of this Act, the terms and conditions of the State law or title XV under which an individual most recently exhausted his rights shall apply to his claim for temporary extended unemployment compensation and to the payment thereof.

The important thing there is:

Except where inconsistent with the provisions of this Act.

If you will turn two more pages of the bill, let us see what is inconsistent with this act. In the first place, the Secretary, and that is the Secretary of Labor enters into an agreement with the State. In the next paragraph, it says that the State shall be the agent of the Federal Government.

If he is going to be the agent of the Federal Government, he is going to be under the rules and regulations of the Federal Government.

Go to page 9, section (b), where you will find this language:

(b) Each agreement under this Act shall provide the terms and conditions upon which the agreement may be amended, suspended, or terminated.

That is absolute control by the Department of Labor—at any time that it disagrees with the State of California as to the way that we are administering it they can terminate that contract.

Let us go to the next section, "No denial of State benefits":

Any agreement under this Act shall provide that regular unemployment compensation otherwise payable to any individual will not be denied or reduced for any week by reason of any right to temporary extended unemployment compensation under this Act.

In other words, if the State of California, which, by the way, has a sufficient amount of reserve in its account today to carry this program for an additional 13 weeks—it has already passed legislation to continue it for 13 weeks; it has already made that legislation effective and is already paying on the additional 13 weeks; and it has \$800 million surplus in its reserve at the present time. They took action just last week to move the effective date ahead to the present time.

So again it gives the Secretary of Labor the right to cancel these agreements any time he wants to, but the State of California will still have to pay \$12 for every employed person into the general fund. So again I say it will be distributed to those States which have not taken care of their unemployment legislation as they should have.

The State of New York just last week voted an additional 13 weeks of payment. The States have moved along; 16 or 17 of them have enacted the necessary legislation.

This bill will be passed, but it should be understood that this is supposed to be a bill to relieve business so that they can create new jobs. Let me say to you that that is not the type of New Frontier I would head for. I agree with ex-President Eisenhower; and might I say that I have no fear of contradiction in the statement I am about to make, because I have 10 feet of video tape to support me on this point, and that is, that if this is the New Frontier, we are going to have to gallop backwards to reach it. That is what I do not want to do.

We have been told that there are, roughly, 5½ million people unemployed. We cannot find out who they are or where they are. My own information is that there are 700,000 of them in the teenage group and 50 percent of that 700,000 are attending school, many of them still living on the unemployment they drew from their 4 months' work in the summer, and we are going to carry them on down to next summer, when they can go back to work again.

Then there are another 700,000 jobs filled by wives, not breadwinners, wives not constantly in the labor market, wives that come and go as seasonal work appears.

But the Labor Department will not give us those figures. We are told over and over again how many are unemployed, but you cannot find out who. So if we subtract these categories from the alleged 5½ million unemployed, we cut it down to 3½ million, which makes quite a bit of difference.

Then, again, consider the fact that there are 500,000 temporarily unemployed in the building trades because of the very severe winter we have had this year. They have been taken care of out of regular unemployment insurance, but now they are beginning to go back to work as winter comes to a close and you will see great improvement in that unemployment position.

The leaders go down to the O.K. Corral at the other end of Pennsylvania Avenue for a weekly roundup, and when they come out they talk of the terrible economic situation and say we are in a great depression, almost as deep as the one we had in 1932. But I submit to you that the gross national product of the last quarter of last year was only one-half of 1 percent under the highest quarter this country has ever enjoyed. You know, some points can best be brought out by a story rather than an argument. It is like the man who comes out of the house and sees the thermometer has dropped from 100 to 99½, goes back to the closet and gets out his overcoat be-

cause he thinks that a cold wave is coming. That is the kind of reasoning that has been employed on this matter of depression.

They do not say anything about the number who are employed, 64½ million—2 million more than were employed a year ago. Some of my colleagues say they are afraid to vote "no" on this bill because of the emotion involved.

But that is how they seek to pass such legislation through Congress. We are asked to vote our emotions. I say to you today, as I have said to many other colleagues, that we should not vote on the basis of emotions. Let us vote on facts and on principles.

Let us stand up when there are principles to be fought for regardless of how large or how small they are, and not begin to cave in to a program that we know in our hearts is leading to nationalization, federalization, socialization, a totality of government, and a totality of taxation. Those are the things I expect to fight against. I do not know what you are going to do. I do not have any idea that we are going to stop this flood-tide, but let me say to you I will continue to fight this type of bureaucracy in my committee, on the floor of the House, in the villages and cities of my district, until I have warned my people that we are heading for a complete totality of government and bureaucracy control. I say to you that the State of California can administer its unemployment insurance program better than the Secretary of Labor under a contract. Some of the things that are going to be in those contracts will result in a complete dictatorship over this program by the Department of Labor.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN. Mr. Chairman, I strongly urge the Members of the House to support the pending bill to provide temporary extended unemployment compensation benefits.

It is a fact that the current recession which the new administration inherited from its predecessor is more severe in terms of unemployment at a corresponding stage than any we have had since World War II. This is due principally to the fact that the current recession began so soon after the 1958 recession when there had been only a very mild recovery.

In my opinion the present bill is more necessary than was the bill of 1958. Unemployment is now higher by almost a million persons than it was in the winter of that year. The number of persons who have exhausted their State unemployment compensation benefits is almost 25 percent higher than it was at this point in the 1958 recession.

The new bill in many respects follows the same technique as the 1958 legislation. It certainly could not be considered as pressing the panic button, as suggested earlier in the debate. The major difference is in the method of financing. The 1958 bill was financed by Federal loans to the States. More than half of the States stayed out of the 1958 temporary program and in my

opinion the loan arrangement was the principal reason so many of the States did not participate. Those that did have been left with a burden of repayment which can only be accomplished by some increase in the State tax on employers and the presence of this obligation undoubtedly will be used as an effective argument by employers to prevent benefit increases in those States.

The present bill will be financed by an increased Federal tax on employers which will be spread uniformly among the States. This recognizes that to a significant extent the cost of high unemployment in our industrial centers is connected with the decline in general economic conditions throughout the country and that this is a national rather than an entirely local problem. The uniform Federal tax which will be applied whether or not a State goes into the program should assure that all States will participate. This is a great improvement over the 1958 act. Repayment will be completed by the end of the calendar year 1964.

Looking beyond the present bill, I should like to call attention to the more fundamental issue of why this legislation is necessary. The necessity arises basically out of the inadequacy of our present State unemployment compensation programs.

The bill recognizes the desirability of providing a total duration up to 39 weeks. In this regard it is similar to the 1958 act. I cannot help but note this pattern. Our temporary extension bill of 1958 picked up persons who had exhausted benefits after June of 1957 and continued some kind of extended benefit payments through June 1959. Our current bill picks up persons who have exhausted after June 1960 and will provide some extended benefits through June 1962. Assuming passage of the present bill, an examination of the 5-year period from July 1957 through June 1962 will disclose that under Federal legislation we will have provided for a large number of people the equivalent of 39 weeks of unemployment compensation duration. In one sense or another a 39-week duration has been in effect for 80 percent of this 5-year period despite the fact that the majority of the State laws still provide a maximum duration of about 26 weeks. This points to the need of a permanent 39-week duration requirement.

The other broad observation I would like to make is that the present legislation is required as a matter of economic policy because existing unemployment compensation programs in so many of the States provide a relatively small replacement for lost wages. Previous administrations have called attention to the inadequacy of benefits. I quote from page 65 of the 1958 economic report of the President:

It is again suggested that the States increase maximum benefits so that the great majority of the covered workers will be eligible for payments equal to at least half their regular earnings.

The States are not making anything close to the kind of benefit increases that would move the program closer to



achieving such adequacy. The benefit increases that have occurred have been just about enough to prevent the program from falling much farther behind the half the regular earnings criterion but they have not made progress toward it.

One of the leading students of unemployment compensation, Prof. Richard Lester of Princeton University, made an exhaustive analysis of unemployment compensation experience in the three postwar recessions prior to the current one. In his report, which appeared in the November 1960 issue of the Review of Economics and Statistics, he concluded:

Benefits for total joblessness under the regular State and railroad programs of unemployment compensation seem to compensate, on the average, for no more than 20 percent of the wage loss from total unemployment. If the wage loss from partial unemployment is included, the compensation rate (including partial benefits) averages only about 15 percent.

State unemployment benefit levels are not geared to provide adequate replacement wages for the typical industrial worker who is thrown out of a job. In fact they are far below the half the regular earnings criterion.

When the administration bill was introduced as H.R. 3864, it contained a provision that the extended duration benefits should be paid for by raising the wage base of the unemployment tax from \$3,000, where it has been ever since 1936, to \$4,800. On this proposition the Committee on Ways and Means held public hearings. The testimony was rather moving about the inconvenience that would be placed upon State legislators in having to adapt their own tax to a higher wage base. I do not recall that any State legislators testified about this inconvenience, but there was concern among the employers of each State about how inconvenient this arrangement would be for the State legislators.

The difficulty, of course, is that the higher wage base of \$4,800 would make it possible for States with their present rate of tax to increase the yield of their own tax by about one-third. This would be a sufficient amount of money to make substantial benefit improvements. By having this increased base apply to all States at the same time, much of the usual argument about interstate competition as a reason for keeping down the tax rates would be eliminated. The original administration bill, in effect, provided the States with an excellent opportunity to get the revenue necessary to make a realistic upward adjustment in their benefit levels and this might have been done without compulsory Federal standards. It could have been done by voluntary State action through the higher wage base.

The employer groups that were so solicitous of State legislators in their testimony before the Committee on Ways and Means quite obviously did not want it to be convenient for States to raise the wage base and provide the kind of benefit levels that a realistic unemployment compensation program requires. They wanted to make the claim

that by letting the States rock along on the present basis we do get \$1 or \$2 increases in benefit levels every couple of years and that we should be satisfied with this.

To my mind the nature of the protest against the \$4,800 wage base is clear evidence that the States do not intend to voluntarily undertake the kind of action that would be necessary in order to achieve adequate duration and benefit levels.

In my opinion there will not be adequate provisions until we enact Federal standards and until we provide Federal requirements for a decent level of unemployment compensation we will continue to have this problem whenever there is a recession, of trying to beef up the unemployment compensation program.

Mr. MASON. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, the subject has been covered quite well and I certainly want to commend my colleagues, particularly the gentleman from California [Mr. UTT] for some of the remarks he made. We, in the committee, as you all know, have different points of view, and I think I have been on the committee long enough to know and to tell you that we can disagree without being disagreeable.

First of all, it was said to us that there was precedent for this bill. I categorically tell you that the 1958 temporary unemployment compensation bill was not a precedent for this bill, if you look between the covers of the bill. No, indeed. This is the precedent or the bridge, if you please, from the States' prerogatives to full and complete Federal standards. So, I am going one step further. I know what Secretary Goldberg and the administration has in mind for us in the way of Federal standards, and I can tell you why I say Federal standards are injected into this bill. Furthermore, you were told that this does not affect State law. I categorically deny that. Furthermore, you were told that it is the option of the State to take this program. I can categorically deny that. And, further, you heard talk of State failure, through failure to check malingering, or other State administrative actions so that the Federal Government moves in to set Federal standards. Look at the various rather radical programs that we have had in this country where the Federal Government has moved in because allegedly the State program was not doing the job. I simply call your attention to the Federal bureaucracy's failure to solve problems and leave it at that.

I have already become the whipping boy on occasion because I am against various programs. I trust you will give me the benefit of the doubt. I am simply one of those who asks how best can we solve the problem, how best can we take care of our needy, and how can we take care of frictional unemployment? Various important questions concerning jobs arise today in our highly industrialized society. It is on this ground that we should debate our differences and not be berated by some who are against me by saying that I am against people. That is ridiculous. And, you see it even in the

press. I look at unemployment compensation, as the gentleman from Missouri has stated to you, as an insurance program. So, do not tell me I am against people when they are in need. I am saying to you that this present bill is welfare, this is relief. Now, you can disagree with me, and I will respect you for it, but do not underestimate the fact that it is a relief program. Let us debate it on that ground. If you were in our committee hearings both now and 2 years ago, you would recognize clearly that we have two needs, neither of which are met by this bill. First of all, there is a need for jobs for people who are out of work. Secondly, there is a need for those who do not have clothing, food, or shelter.

This bill is not intended to provide jobs, nor to be a relief bill. Remember that, gentlemen. This is not a relief bill.

Mr. Chairman, let me read from the original report in the 74th Congress in 1935, Report No. 615, in April of that year. It said this:

Unemployment insurance cannot give complete and unlimited compensation to all who are unemployed. Any attempt to make it do so confuses unemployment insurance with relief, which it is designed to replace in large part. It can give compensation only for a limited period and for a percentage of wage loss.

Then it goes on to say:

Each State is, of course, free to assess not only employers but employees.

And, by the way, it might interest you to know that even Mr. Meaney, the head of a great labor union, admitted that he at one time had said that the employees should contribute. I am not here saying that employees should contribute. I am simply saying that you should relate this bill to the experience rating, that this is a program under which the employers carry the full cost. And who do you suppose pays the bill? The employer? Of course not. It is passed on to the consuming public.

Now, when we talk about buying power, or putting money into the hands of the people so that they may have buying power, it seems to me we should not do something that may very well raise prices.

It has been pointed out to you that this is a compulsory tax. It is a compulsory tax on all employers in all States, provided the employer employs four or more people and is covered.

Secondly, the point is made that this is State coercion. I say to you that it is, that it provides a Federal standard. Why? You cannot get reimbursement at the State level unless your State has in effect the full amount of 26 weeks and you have paid out beyond that. Then you can start getting the money back. Which, among our States, are going to withstand this offer of Federal reimbursement? Some may, it is true. I know that Texas is one of those States that many times turns down Federal aid. But how long can a State withstand Federal reimbursement when it is being taxed up to its ears to pay the cost, and cannot get the money back unless it changes its laws? It has to do that in order to get the reimbursement, and it

has to do it according to Federal standards—in this case the payment of unemployment compensation beyond 26 weeks.

Also, it is employer coercion, coercion on the employer. The employers of your State have no option, whether they are covered or not. They are going to be covered, like it or not. And in each State the employer will be picking up the tab for employers of other States where they do not have representation. I categorically tell you that this is taxation without representation, because the employers of one State do not control the employers of other States for whom they are picking up the tab.

Rather than this being like the 1958 plan of a loan from the Federal Government, which only something like 22 States took, I would rather call this more of a preferential dole, with the employers in certain States picking up the tab for employers in other States.

Mr. Chairman, I point out to you that this is the forerunner of Federal standards. I understand that even now Federal standards are being prepared by the administration to present to our committee very shortly. So those of you, when they see us come before you with Federal standards, I say do not be surprised. I am doing my small part in forewarning you.

Mr. Chairman, I have already mentioned the fact that prices will go up. Look at the actual facts as to cost. This bill will cost the employers, those who employ four or more, as the gentleman from California [Mr. UTT] has told you, \$12 more per employee per year. Multiply that out and you will see that the cost is going to be a high figure. And it will have to be passed on in increased prices. If it is not passed on in increased prices, and is absorbed, then the employer who is trying to stay in competition with his competitors, if he cannot increase prices, may very well have to lay off people. That could result in further unemployment.

Mr. Chairman, how about the balanced budget? To those of you who are interested in maintaining a balanced budget, rest assured that this unbalanced it somewhere, we estimate, between \$300 million to \$600 million the first year, and progressively less as the act takes effect. I may be a little bit off on that figure, but the idea itself certainly stands, even though my figures may not be exactly correct.

Mr. Chairman, let me point out to you some of the other programs that will come before you in social security this year. This is not the whole ticket. Let me give you the cost that is about to be passed on to our people; by the way, to the so-called little people, the people of modest income, who are hit the hardest.

On January 1 of 1963 under existing law the OASDI tax goes up 1 percent. There is a cost of \$2.2 billion. Then there will be administrative changes asked of us in connection with the OASDI, for an additional cost of \$1.1 billion. Beyond that, there is the health care bill, which is another \$1.1 billion. Then we have additional increases un-

der health care by raising the wage base up to \$5,000. This again hits the folks in the smaller income brackets by another \$0.7 billion. And the bill now under consideration will cost \$1 billion. How much do you think that figures? \$6.1 billion. I think you have to take this unemployment compensation into consideration with these other figures.

It strikes me that the reason for the haste with which this bill is being passed—and I am speaking only for myself on this—is that we have to hurry to get this bill on the books so that it can match the upturn in business in April when business is expected to improve and when jobs are on the upturn seasonally, as they are. This is for political benefit.

I am not against helping the needy. I made a swing around the country when Secretary Goldberg did and I commend Mr. Goldberg for calling attention to the fact that we have 64½ million people employed, a very high employment figure. It is just a case of which side of the cloud that you look at. As far as other economic indexes go, personal income, the gross national product, expenditures for plant and equipment, and so forth, we are not in tough times. Some people are out of work, no doubt about that, but if we start crying on each other's shoulders every time there is an economic adjustment and devise a temporary program, and then put another temporary program on top of that, and do not repay the first temporary program, where do you think we will end up? We will run out of money. We will be broke. We are already almost a trillion dollars in debt.

Mr. Chairman, it seems to me we ought to recommit this bill and work out a permanent program, rather than putting one temporary program on top of our present Federal-State program which works so well.

We might well remember the report accompanying the unemployment compensation in 1935—to remember the basic insurance nature of this program:

#### UNEMPLOYMENT COMPENSATION

Unemployment is an even more prevalent cause of dependency than old age; in fact, it is the most serious of all hazards confronting industrial workers. During the years 1922 to 1929 an average of 8 percent of the industrial workers in this country were unemployed, and in the 4 depression years, 1930 to 1933, the unemployment rate was above 25 percent. Of all urban families now on relief, more than four-fifths are destitute because of unemployment.

Unemployment is due to many causes and there is no one safeguard that is all-sufficient. It can be dealt with in a reasonably adequate fashion only through a twofold approach, similar to that recommended for dealing with the old-age problem. Provisions must be made for the relief of those now unemployed, and there should also be devised a method of dealing with the unemployment problem in a less costly and more intelligent way in future years. It should be clearly understood that State unemployment compensation plans made possible by this bill cannot take care of the present problem of unemployment. They will be designed rather to afford security against the large bulk of unemployment in the future.

For those now unemployed the best measure of protection is to give them employ-

ment, as is contemplated in the work-relief bill. To provide something better than relief on a needs basis for the unemployed of the future, the establishment by the States of unemployment compensation systems is urgently to be desired. Titles III and IX seek to encourage States to set up such systems and to keep them from being handicapped if they do so.

The essential idea in unemployment compensation, more commonly but less accurately called "unemployment insurance" is the accumulation of reserves in times of employment from which partial compensation may be paid to workers who become unemployed and are unable to find other work. Unemployment insurance cannot give complete and unlimited compensation to all who are unemployed. Any attempt to make it do so confuses unemployment insurance with relief, which it is designed to replace in large part. It can give compensation only for a limited period and for a percentage of the wage loss.

Unemployment compensation, nevertheless, is of real value to the industrial workers who are brought under its protection. In normal times it will enable most workers who lose their jobs to tide themselves over, until they get back to their old work or find other employment, without having to resort to relief. Even in depressions it will cover a considerable part of all unemployment and will be all that many workers will need. Unemployed workmen who cannot find other employment within reasonable periods will have to be cared for through work relief or other forms of assistance, but unemployment compensation will greatly reduce the necessity for such assistance. Unemployment compensation is greatly preferable to relief because it is given without any means test. It is in many respects comparable to workmen's compensation, except that it is designed to meet a different and greater hazard.

Unemployment compensation is valuable to the public as well as to the industrial workers themselves. It is a measure tending to maintain purchasing power, upon which business and industry are dependent. Had there been a system of unemployment compensation throughout the country in the years from 1922 on, with a 3-percent contribution rate, not only would practically all unemployment of the prosperity period have been compensated, but it is estimated that \$2,500 million would have been available for payment of benefits with the beginning of the depression in 1929. Such an amount paid to unemployed workmen at that time would unquestionably have had a most wholesome, stabilizing effect upon business.

Unemployment compensation has behind it an extensive European experience. No country which has experimented with unemployment insurance has ever abandoned it. In this country it has been endorsed by numerous Federal and State commissions and committees, but prior to this year only one State enacted such a law, and this came into operation less than a year ago.

The failure of the States to enact unemployment insurance laws is due largely to the fact that to do so would handicap their industries in competition with the industries of other States. The States have been unwilling to place this extra financial burden upon their industries. A uniform, nationwide tax upon industry, thus removing this principal obstacle in the way of unemployment insurance, is necessary before the States can go ahead. Such tax should make it possible for the States to enact this socially desirable legislation.

This is one of the purposes of title IX of this bill. In this title a tax is imposed upon employers throughout the country against which a credit is allowed of up to 90 percent of the tax for contributions made by em-

ployers to unemployment compensation funds established pursuant to State law.

That this tax is imposed on employers is indicative of the conviction that employers should bear at least a part of the cost of unemployment compensation, just as they bear the cost of workmen's compensation. Each State is, of course, free to assess not only employers but employees; and in this connection it may be noted that in European countries, and under the law recently passed by the State of Washington, employees are required to contribute.

The amount of benefits payable for unemployment from contributions amounting to 3 percent of payroll would vary from State to State. The maximum period for which benefits may be paid depends not only upon the rate of unemployment, but also upon the percentage of wages paid as benefits, the length of the required waiting period, the ratio of weeks of employment to weeks of benefits, and other provisions. The scale of benefits which States will be able to pay from a 3-percent rate of contributions on payrolls will carry the great majority of unemployed workers through normal years until they are able to secure employment again. While the Federal tax is limited to 3 percent (1 percent in 1936 and 2 percent in 1937), some States will probably increase the benefits payable by requiring also contributions from the employees or the State government. Under a reasonable scale of benefits, reserves would accumulate in normal years to carry the fund through minor depressions or the first years of a major depression.

The bill permits the States wide discretion with respect to the unemployment compensation laws they may wish to enact. The standards prescribed in this bill, which are described in part II of this report, are designed merely to insure that employers will receive credit against the Federal payroll tax only for payments made under genuine unemployment compensation laws.

Yet the Federal Government, under this bill, has important functions to perform in order to make it possible for the States to have unemployment insurance laws and to facilitate their operation. It equalizes competitive conditions through the imposition of the employment excise tax provided for in title IX. The bill further provides that the Social Security Board, which is created in title VII to administer all parts of the social security program other than aids coming within the scope of operation of existing bureaus, shall have the duty of studying and making recommendations with respect to the broad problems of economic security. This Board will be able to render important actuarial and scientific services to the States in connection with their unemployment insurance systems. In title III financial aid is given the States by the Federal Government to defray their costs in administering unemployment insurance. Finally, the Federal Government is to handle all unemployment reserve funds, in a trust account in the U.S. Treasury for the benefit of the State to which they belong.

This last provision will not only afford maximum safety for these funds but is very essential to insure that they will operate to promote the stability of business rather than the reserve. Unemployment reserve funds have the peculiarity that the demands upon them fluctuate considerably, being heaviest when business slackens. If, in such times, the securities in which these funds are invested are thrown upon the market for liquidation, the net effect is likely to be increased deflation. Such a result is avoided in this bill through the provision that all reserve funds are to be held by the U.S. Treasury, to be invested and liquidated by the Secretary of Treasury in a manner calculated to promote business stability. When business conditions are such that invest-

ment in securities purchased on the open market is unwise, the Secretary of the Treasury may issue special nonnegotiable obligations exclusively to the unemployment trust fund. When a reverse situation exists and heavy end drains are made upon the fund for payment of unemployment benefits, the Treasury does not have to dispose of the securities belonging to the fund in open market but may assume them itself. With such a method of handling the reserve funds, it is believed that this bill will solve the problem often raised in discussions of unemployment compensation, regarding the possibility of transferring purchasing power from boom periods to depression periods. It will in fact operate to sustain purchasing power at the onset of a depression without having and counteracting deflationary tendencies.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Chairman, I support this bill and am hopeful it will be passed by the Congress in a short time and with relatively little opposition.

I think it would be proper to give due credit in this case to the distinguished chairman of our committee for the speed with which he brought this matter before the committee and before the House, and to the membership of the committee on both sides of the aisle for the recognition of the emergency nature of this bill and the cooperation they gave in bringing it before the House in as short a time as we have.

As Members of the House, we are very frequently criticized for the fact that maybe we do not bring before the Congress, as rapidly as some people would like, some of the new programs submitted by the executive department. I think in this instance the Congress is acting with due speed and with due consideration, and much of the credit for this should be given to the distinguished chairman of our committee.

The bill before us differs in some respects from the bill as presented by the administration to the Congress. It differs in the fact that the repayment is to be made by an increase of the rate rather than by an increase of the base. I think the Committee should know that the Secretary of Labor when he was before the committee said there was an honest controversy as to that provision and that he saw no objection to whatever method the Congress would adopt to repay the obligation.

I might say that some of us felt that the increase of the rate base might be the better method for several reasons, but since it was a controversial matter we felt we would not argue that point at this time but would cooperate with the other members of the committee in getting the bill before the House.

There are two features of the bill which I believe have not been discussed at length which I think the membership ought to know about.

The bill as presented to Congress in the first instance would have made the eligibility date for benefits which exhausted after October 31, 1960. The committee has changed that date from October 31 to June 30, 1960, and I think wisely because particularly in my State, there are many who are suffering from the effects of this recession and whose

payments have run out before October 31. I believe it has been estimated that about 127,000 additional unemployed will be brought under the provisions of this bill by changing the eligibility date to June 30, 1960. I think it is a very good amendment. I am sure the executive department will look with favor upon that amendment.

The other change in the provisions of the bill, which I believe has been discussed by the chairman, is in the time for repayment. By a greater increase in the tax than was originally suggested, the time for repayment would be about 2 years rather than 5 years as originally contemplated. I think that is a good thing because it would pay for the costs of this program in a shorter time than was originally intended, and if we should enter upon another recession of this kind in the next 3 or 4 years, we would then be in a position of not having to be repaying the bill for the previous recession.

Mr. Chairman, I think this bill is a very good bill. I think it is a bill of an emergency nature. I think at some later time in this session of the Congress, we should consider legislation which would not make it necessary to introduce this type of bill every 3 or 4 years. I think the question of Federal standards is one which should be determined later on. I am not going to bring that into the argument today because we are trying to make this bill as noncontroversial as possible. As I said before, the bill was passed by a nearly unanimous vote in committee. I favor the bill and I urge its adoption. I hope it will be adopted by an overwhelming majority.

Mr. Chairman, I yield back the balance of my time.

Mr. MASON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, I arise to support H.R. 4806 a bill to provide for the establishment of a temporary program of extended unemployment compensation, to provide for a temporary increase in the rate of the Federal unemployment tax, and for other purposes.

In supporting this bill I should like to point out that my district in central Pennsylvania comprising the counties of Blair, Centre, and Clearfield has been classified as a labor surplus area for the past several years. At the moment in the Altoona labor market, 13.4 percent of the 53,000 are unemployed; while in the Clearfield-Du Bois labor market, 14.8 percent of the 35,200 are unemployed.

In other words, of the nearly 90,000 jobs that make up these 2 labor markets in my congressional district an average of 14 percent or about 13,000 are unemployed. Of course, all of the 13,000 unemployed are not eligible for unemployment compensation because of the fact that nearly 4,500 are covered by Railroad Unemployment Insurance Act leaving approximately 8,500 eligible for State unemployment compensation benefits.

Mr. Chairman, of the approximate 8,500 unemployed in my district and eligible for benefits as of January 1, 1961,

556 of them have already exhausted their benefits and it is estimated additional exhaustions will average 300 a month which means by July 1, 4,356 will have exhausted their eligibility for unemployment compensation.

Many of these unemployed have suffered previous periods of unemployment because of the distressed conditions in the central Pennsylvania area which have prevailed for many years. Therefore, their earnings over a period of years have not been adequate to meet the cost of living for themselves and their families. As a result, when their unemployment compensation terminated they were forced as they are now to seek relief from the Pennsylvania Department of Public Assistance and in addition live on surplus commodities distributed to needy families.

Mr. Chairman, in connection with public assistance benefits in Pennsylvania, it is a requirement that a home owner give the Commonwealth of Pennsylvania a lien on his home to cover the amount of public assistance benefits he has received.

In many instances these unemployed when losing their eligibility for unemployment compensation benefits find themselves with homes partially paid for, and this requirement that they give a lien on their homes means they are further handicapped in having to compensate the State of Pennsylvania for the amount of public assistance benefits received.

Mr. Chairman, I have been talking about my own congressional district, but I should like to speak briefly about the State of Pennsylvania as a whole. At this moment about 11 percent of Pennsylvania's labor force of 4,653,000 or about 504,000 are unemployed.

As you know, in Pennsylvania the unemployment compensation benefits are the most liberal of any in the Nation because as far as the duration provisions are concerned, 30 weeks of benefits are payable to all qualified claimants.

The number of Pennsylvanians exhausting their unemployment compensation benefits since December 1959, totals 112,400. It is estimated there were 15,400 more in January, another 18,000 in February, and 20,000 for March and April. The total of those exhausting their benefits during 1960, and up to March 1, 1961, means that more than 145,800 of the unemployed in Pennsylvania will receive no further benefits during their present benefit year. This number of 145,800, as I have pointed out, is expected to increase sharply in the coming months.

As mentioned in the case of the unemployed in my congressional district, most of these 145,800 jobless Americans have been, or will be, forced to live on public assistance and surplus commodities.

Mr. Chairman, the conditions that I have outlined in my congressional district, and in the entire State of Pennsylvania, in good conscience cannot be ignored. It is a situation which demands our immediate action on H.R. 4806 now before us.

While I support H.R. 4806, I deem it necessary to call the attention of the

House to the fact that the bill ignores the plight of some 50,000 unemployed railroaders who have lost their eligibility to railroad unemployment insurance, because they have less than 10 years of service.

When mention was made of extending unemployment benefits, on February 9, I introduced H.R. 4178, in behalf of the unemployed railroaders, and this bill was referred to the House Committee on Interstate and Foreign Commerce.

On February 15, I not only wrote to Secretary of Labor Arthur J. Goldberg, calling his attention to the necessity of amending H.R. 4806, or approving my bill, H.R. 4178, but under date of February 23, I sent a telegram to President Kennedy soliciting the support of his administration in behalf of my efforts to give unemployed railroaders equal treatment with those who will benefit from H.R. 4806, if enacted into law.

Mr. Chairman, since I have not received a reply from either the President, or the Secretary of Labor, I am making part of my remarks copies of the telegram and letter which I mentioned earlier:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., February 15, 1961.

HON. ARTHUR J. GOLDBERG,  
The Secretary, Department of Labor,  
Washington, D.C.

DEAR SECRETARY GOLDBERG: I have just read your statement of February 15, 1961, before the House Ways and Means Committee regarding H.R. 3864, the "Temporary Extended Unemployment Compensation Act of 1961," and I was disappointed to learn that no mention was made of a similar extension for those covered by the Railroad Unemployment Insurance Act.

For your information, some 50,000 unemployed railroad employees all with less than 10 years of service, would qualify for an extension of benefits in the event the Railroad Unemployment Insurance Act is amended while only 40,000 would actually draw such benefits at an overall estimated cost of \$25 million.

In my congressional district, there are 549 unemployed railroaders who have or in a matter of weeks will have exhausted their unemployment compensation benefits. Of this number, 255 reside in my hometown of Altoona, Pa.

I am enclosing a copy of my bill, H.R. 4178 which extends additional benefits for certain unemployed individuals who have exhausted their rights to unemployment compensation under the Railroad Unemployment Insurance Act. It is my belief that H.R. 3864 should be amended to include this group of individuals; thus, equal rights would be given to those covered by the Unemployment Compensation Act and the Railroad Unemployment Compensation Act.

It is my hope that favorable consideration can be given to my proposal as this group of unemployed individuals is deserving of every possible assistance.

Thanking you and with best wishes, I am,  
Sincerely yours,

JAMES E. VAN ZANDT.

FEBRUARY 23, 1961.

THE PRESIDENT,  
Washington, D.C.

DEAR MR. PRESIDENT: You will recall that in 1958 the Eisenhower recommendations for extending unemployment compensation benefits for individuals who had exhausted their benefit entitlement included railroad workers. No similar endeavors are currently being made by the administration to help

this deserving group of Americans. I have previously written to Secretary Goldberg in regard to this matter and strongly urge that your administration give the plight of our railroad workers careful consideration. I have pending a bill, H.R. 4178, that would help our railroad workers receive more adequate protection during periods of unemployment. I would appreciate the support of the administration in behalf of the enactment of this necessary legislation.

JAMES E. VAN ZANDT.

Mr. Chairman, when the Eisenhower administration in 1958 extended unemployment benefits, they did not forget the unemployed railroaders.

Therefore, I hope the Congress will take action on my bill, H.R. 4178 to provide additional unemployment benefits for certain individuals who have exhausted their rights to unemployment compensation under the Railroad Unemployment Insurance Act.

Mr. MASON. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, a couple of days ago I received a dividend check on my Government life insurance. With that check, enclosed in the envelope was a slip, labeled "Important Notice." Let me read the first sentence of this notice:

The VA is paying ahead of schedule the 1961 dividend on Government life insurance as part of the President's program for advancing the economy.

I wonder if, when the checks go out, under this blown-up unemployment compensation bill, whether there will be a similar slip stating in effect that the checks are being issued out of the kindness of the heart of the President of the United States. Now the President did not pay me that dividend out of Federal funds. It is my money he is using to "advance the economy." In other words, I am "advancing the economy," and so is every other ex-serviceman who paid into this insurance fund. I resent this kind of political propaganda.

Mr. KARSTEN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. KARSTEN. I do not know about that, but I can assure the gentleman that we have no intention on the Committee on Ways and Means of sending anything of that sort out. It is my hope that the gentleman from Iowa will vote for this bill in order that he can receive some of the credit along with the administration and along with the Congress.

Mr. GROSS. I would like assurance from the gentleman that this kind of slip will not be sent out from the White House or any other agency of Government when checks go out under the provisions of this bill.

Mr. KARSTEN. Of course, the gentleman realizes the States will be sending the checks out under the pending bill.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I commend the gentleman for bringing this very serious matter to the floor of the House.

I regard this as very low politics. I am shocked to find the President of the United States doing such a thing, if he is the one who is responsible for this kind of slip going into these dividend payments. I have seen that happen before in Missouri. I regard it as the cheapest kind of politics.

Mr. GROSS. I thoroughly agree with the gentleman from Missouri. Mr. Chairman, I have listened attentively to the debate this afternoon and I have heard not one speaker on either side of the aisle supporting this bill mention one of the heavily contributing factors to unemployment, and that is the flooding of this country with foreign imports, the exporting, if you will, of jobs. I have heard no mention of unemployment brought about because of the Democrat free-trade policy that we have to endure and which helps provide the alibi for legislation of this nature.

You may recall the other day when the gentleman from Pennsylvania [Mr. DENT], spoke on the subject of ruinous imports. I pointed out that the Ford Motor Co. recently spent some \$364 million to acquire an automobile plant in Great Britain and almost simultaneously announced the permanent closing of a Ford plant in Pennsylvania with a payroll of 1,500 to 2,000 heads of families who were thrown out of work.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I gladly yield to my friend from Illinois.

Mr. MASON. The gentleman has put his finger on one of the real contributing factors to unemployment in this Nation, the flood of goods coming in from foreign nations who pay wages one-third of ours.

Mr. GROSS. Of course. It is as effectively exporting jobs and swelling the ranks of unemployed as though deliberately planned that way.

This bill deals with effects and not causes. When is this Congress going to start dealing with causes and stop this business of glossing over the evils that beget this kind of legislation?

Mr. MILLS. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, I favor the unemployment compensation program. I expect to vote for this bill because I will not have an opportunity to vote for the kind of motion to recommit I would like to see offered.

Let me say at the outset that I agree with the chairman of the committee and am in full concurrence with his statement that he does not want to see Federal standards set up by this program. At the same time, however, I want to call attention to a situation that exists on which the chairman and myself do not see eye to eye the correction of which I think would not be setting a Federal standard.

I refer to the fact, that I learned only the other day to my astonishment, that a Federal employee who has been retired on a pension to which the Federal Government had made a contribution, is also permitted to draw unemployment compensation. To cite a specific case,

this employee—and there are many more like her, I have since found out—draws retirement pay of around \$300 a month and yet goes down here to the District of Columbia Board and represents herself as being unemployed and gets unemployment compensation.

I do not think there was any intention on the part of Congress to provide unemployment benefits for a case such as that. I have since discussed it with a number of Members of Congress who evidently are better informed than I, for they say that that is nothing, that as a Member of Congress if you are defeated and have reached retirement age you can take the retirement pay to which you have contributed and to which the Government has contributed and you can also draw such social security benefits as you may have built up in some other industry, and then represent yourself as being unemployed. I think abuses such as this should be corrected. I think we should have put a provision in this bill to the effect that unemployment compensation would not be payable to anyone drawing a retirement pension to which the Federal Government has contributed.

The taxpayer has contributed to that one retirement. He is also contributing that portion of the unemployment fund. So I feel that any time the Congress provides Federal funds we have the responsibility of determining how those funds are spent. Again, I am for States rights. I do not want to see the Congress try to tell the various States how they should administer their laws, but I do say that before Federal money gets into the channel there should be some safeguarding that that money is not going to be used to further compensate a person to whom the Federal Government has contributed a part of their pension and particularly when that pension is adequate enough to provide a good livelihood. Those people are not entitled to the provisions of an unemployment law and it was not set up for that purpose. Again I say I am in favor of States rights. I will probably have to vote for this bill although I dislike voting for a bill that puts the stamp of approval on the kind of a practice that I believe is contrary to the intention of Congress.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the distinguished gentleman from Arkansas, chairman of the Committee on Ways and Means.

Mr. MILLS. As I understood the gentleman's example referred to Members of Congress. I want to set the record straight because there is enough misinformation circulated at all times about the status of Members of Congress. No Member of Congress defeated for reelection will be eligible for unemployment compensation under title XV.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. JONES of Missouri. Let me ask the gentleman this question: Under some State laws or the regulations of the States, if a Member is defeated for re-

election to Congress, and although he might be entitled to retirement benefits, he would still be eligible to apply and qualify for unemployment benefits under the standards of some of the States and the District of Columbia.

Mr. MILLS. Not unless you built up a benefit year in employment other than that in Congress, you would not.

Mr. JONES of Missouri. The Federal employee who has built it up and retires, gets a retirement pension. Is not the same thing applicable there?

Mr. MILLS. Members of Congress are not Federal employees for the purpose of unemployment compensation and are not so designated under title XV of the Social Security Act. People who are Federal employees—for example, those that are in the classified civil service—may upon losing their job, have unemployment benefits available to them in keeping with the provisions of the State law in which they live. We have no uniform application. We find it both ways. If a person is unemployed in your State because of losing a Government job that person gets benefits under your State law just as any other employee would. But the gentleman from Missouri must bear in mind, that individual must be available for employment and there must be an absence of suitable employment.

Mr. JONES of Missouri. Does it have to be employment compatible with the State laws?

Mr. MILLS. It has to be what is defined under your State law as suitable employment. It does not have to be Federal employment.

Mr. JONES of Missouri. The fellow who is a bookkeeper, if they offered him a ditch-digging job he would not be compelled to take it?

Mr. MILLS. I am not going to quarrel with the gentleman about what the good people of Missouri want in their laws.

Mr. JONES of Missouri. I am in favor of the people of Missouri making their own laws.

Mr. MILLS. The people of Missouri should not tell the people of my State what ought to be in our laws.

Mr. JONES of Missouri. We have discussed this, and our only point of difference is this: You contend that we would place a restriction on the terms of unemployment of the Government employee who is retired, and who is drawing retirement, and say that would be an interference with the laws of the District of Columbia or of the States, and that would be your reason for opposing it?

Mr. MILLS. No, there are other reasons. That is one of them.

Mr. JONES of Missouri. Did you not tell me that you felt a person who was drawing \$300 a month pension should not avail himself or should not be permitted to avail himself of unemployment compensation?

Mr. MILLS. If I were passing judgment on this matter in the State, I would certainly vote that way, yes. But I am not going to tell the State of Arkansas or the State of Missouri that my judgment is better than their judgment.

Mr. JONES of Missouri. I do not intend to, either. But did you not agree that as Members of Congress we have a responsibility to preserve the Federal taxpaying dollar?

Mr. MILLS. Federal taxpaying dollar?

Mr. JONES of Missouri. Yes, the dollars that are collected by the Federal Government.

Mr. MILLS. Yes, but in this instance, if we go to the extent that I am afraid the gentleman's suggestion would lead us, we would be imposing a Federal program on top of the State program without regard to what the State's arrangements were for the duration of a weekly payment.

Mr. JONES of Missouri. I just say that I am sorry we cannot agree. I just do not agree with your philosophy on this.

Mr. MILLS. There is no difference in our philosophy on this particular point. I have tried to make it clear to the gentleman. The difference is where to correct the situation. The gentleman remembers what took place before the Committee on Rules yesterday in connection with the District of Columbia unemployment compensation law. Our committee does not have jurisdiction over those people. If the District unemployment laws do not operate as we want them to operate, there is a proper committee of the Congress that has jurisdiction over that matter. But, I do not want this Congress telling the people of my State—at the moment I do not, at least—how to run their affairs, and I have not thought it was advisable for the Congress of the United States to tell my legislature and the people of my State what kind of unemployment compensation law was best for the people of Arkansas.

Mr. JONES of Missouri. I agree with you 100 percent. I do not want the Congress to tell my people what to do, and I do not want the Congress to tell the people of the District of Columbia what to do. I want the Committee on the District of Columbia to do it. But, I still say if we take Federal money before it goes to the States and before it goes to the District of Columbia and just make a prohibition on that one category, that we are not destroying and we are not interfering with the program. And, I am with you 100 percent. I want the District of Columbia to try to correct this system now. I am, again, with you on that.

Mr. MASON. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. BAKER].

Mr. BAKER. Mr. Chairman, after careful study and consideration I voted for this bill as a member of the Committee on Ways and Means, and I shall vote for it here. I shall give the same thorough consideration to all proposals from the executive department. It is my hope and belief that if we take steps to keep this Nation's economy on as even a keel as possible, that this program will be more temporary than is contemplated under this bill under consideration.

Mr. MASON. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I hope that the chairman of the committee will not be offended later on in the year when I remind him of his concern about preserving States rights in this program and in the integrity of the States with respect to it, because as long as he holds to that position he will always find me on his side. I would mention to the Members here that that is an issue that will no doubt face us one of these days, because there is no secret being made of the fact that the present administration does intend to ask this Congress for the establishment of Federal standards and to superimpose our judgment on the States. I serve notice at this time that I shall oppose any such proposals and oppose anything in that direction with every capacity that I have at my command.

The legislation before us today, however, Mr. Chairman, I put in an entirely different light. It is not a Federal standards program. It is a temporary program. I will admit it is a program of Federal benefits with a Federal tax tied to the current Federal unemployment tax, but it does not involve a change of State systems. I will agree that this is not a perfect solution of problems we face in periods of general economic declines, where we have a high rate of unemployment over a protracted period of time.

I would suggest, as I suggested to the Secretary of Labor when he appeared before our committee, that we have two distinct problems with respect to unemployment. One is the problem incident to normal unemployment; the technicians refer to it as frictional unemployment. And to meet the problems of that type of unemployment we set up years ago the system of Federal-State unemployment compensation. I am proud to say that Wisconsin was one of the fore-runners in establishing such a system. But it was never intended, and I do not think that it should be intended today, that the system should meet every kind of unemployment that may exist under all circumstances.

I think we have a special problem with relation to those periods when unemployment is for a protracted period and at a high rate, call it recession unemployment, if you will. In that situation we should recognize that a person who becomes unemployed has a much more difficult task of finding suitable employment in what would be considered a reasonable period of time.

I suggested to the Secretary that consideration should be given to the development of a permanent program of temporary assistance to the unemployed during periods of high and protracted unemployment. We should have a permanent program of some kind either at the Federal level or at the State level, or a combined Federal-State program that would be triggered into effect to take care of the problems of the unemployed when the rate and duration of unemployment is unusually high. We should not encumber the present Federal-State system of unemployment compensation that has worked so well with the responsibility of taking care of conditions that arise in a national recessionary period.

Mr. Chairman, the question now before us, however, is what our attitude should be with respect to the specific proposal before us. I think we have to ask ourselves two questions. No. 1, should anything be done at this time? Do we have a problem in many of the States and in the country which gives rise to a concern and a need for doing something for the people who are unemployed and who have been unemployed for some considerable period of time and who are unable to find jobs, and whose unemployment compensation benefits have expired? Frankly, I think we are justified in considering their plight and in doing something to alleviate that situation. I think we must recognize that although some States have taken some action which automatically triggers an extension of their unemployment programs in the case of protracted unemployment, the number is very, very small. We also know that the problem of doing it in each State presents serious difficulties if it is going to be of any particular effect at the present time. I come to the conclusion that something should be done.

Then we face the question of what should be done. We have no permanent program. We have only one thing to do; that is, we can look back to the experience this Congress and the country faced in 1958. What did we do then? Because of the fact that it takes time to develop the kind of program that we would be willing to enact on a permanent basis, we must find a temporary solution to this temporary problem. The people we want to help need help now. They are not going to need the aid, we hope, in September or October or November. If there is a need, it is now. The economists point to the fact that there is every expectation of an upturn in the economy. I should say at this point that I think we would get that upturn faster if the President would stop talking about how bad everything is and how bad things might be tomorrow. But these people need something now. So if we are to do something we must act as soon as possible. To do this, we have to look at what experience we have had and what has been tried before. That is what we have done. In general we have taken the 1958 program as it related to the determination of who would be entitled to benefits, the amount of the benefit, the duration of benefits, and how they should be paid. This is not identical to the 1958 program, however, because, as has been pointed out by some of my colleagues, we do finance it in a different way.

I want to compliment the committee for not accepting the program in financing as sent to us by the administration. The administration proposed to finance the program by an increase in the base against which the tax rate applies, and they also proposed a permanent increase in the unemployment tax. The committee has made this a temporary tax that coincides with the temporary aspect of the benefits involved. This program is therefore separate from the regular program. It is not tied in with the general unemployment compensation program. A separate benefit, and a separate tax, both of which have definite expiration dates. Instead of increasing the base,

as recommended by the administration, the committee bill increases the tax rate and does not disturb the base. This is a much more desirable way to raise the additional funds. To pay back the moneys advanced by the general funds of the Treasury under the administration proposal would have taken up to 6 years. We said no, we should pay it within a reasonable period of time to get it behind us, and not have it hanging over our heads. I believe this too was a wise decision. It will be financed in 2 years rather than 6.

I think one of the mistakes we made in 1958 and we still have it hanging over our heads today is that the States were not expected to begin paying back the loans until 1963. The very fact that that is hanging over the heads of a number of States made it inadvisable to have another loan program which would be put on top of a loan program already in existence which has not been repaid.

What we are faced with today is a matter of finding the most expeditious, the most equitable, and the soundest way of providing aid to those currently unemployed who have exhausted their normal unemployment compensation.

I think the bill before us is about the best we can do. As a temporary program, I support this bill. I would hope, however, that after the rainy day and in the sunshine we may consider doing something to repair this roof with a permanent program to take care of these temporary situations.

Mr. SCHENCK. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Ohio.

Mr. SCHENCK. I understand this program is one which is administered entirely by State officials and under State laws. Therefore, we as the U.S. Congress have no part in determining any rules or regulations as to eligibility.

Mr. BYRNES of Wisconsin. As to eligibility or the amount of benefits or duration, that is generally true.

Mr. SCHENCK. Yes. Several suggestions have been made in various State legislatures, I understand, to require those applying for unemployment compensation to meet some duty for remaining eligible. I think we will agree that probably unemployment resulting from automation will be a continuing problem, and that the people most adversely affected will be those who are the least trained.

Mr. BYRNES of Wisconsin. I would agree with the gentleman.

Mr. SCHENCK. Therefore, I am wondering, Mr. Chairman, if any suggestion could be made to the appropriate officials of the several States to suggest to them that as a requirement of eligibility, they might ask those who are receiving these benefits to attend a vocational school at night in facilities already available in these communities, and whether or not the gentleman feels the new skills learned and whether such educational opportunities might be helpful in meeting the problem of automation and also the problem of unemployment.

Mr. BYRNES of Wisconsin. I would say to the gentleman there is no question in my mind that the need for greater

emphasis on vocational training must be recognized if we are to cope with the problem of unemployment resulting from automation. Certainly, there is nothing that would prevent the States from taking action along the line suggested, but I would caution my colleague because I would not, under any circumstances, want to start writing here the criteria and conditions and standards that the State laws must comply with because as soon as we do that, we might just as well take the whole system into the Federal Government and operate it as a Federal system. I would be opposed to our dictating to the States, but I certainly hope the States read the remarks of the gentleman and perhaps get the idea.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may extend their remarks on the bill at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WALLHAUSER. Mr. Chairman, with the level of unemployment at a temporary high level, it seems clear to me that the need for relief is clearly established and the unemployed workers of our Nation must be given a further transition period in which to become employed. This is provided under the terms of H.R. 4806.

I am convinced that our economy will right itself in the near future, when delayed construction projects can be undertaken and inventory replacements are begun, so that this program, so successfully employed in the 1958 recession, appears to me to be a logical one. It should be emphasized that it is an insurance program and not a welfare handout.

State unemployment programs, in the main, are not designed to overcome critical situations resulting from long-term unemployment. I join with the Members of the Committee whose hope it is that more States will act to deal effectively with the special problems imposed on the Federal-State unemployment compensation program so that the need for action at the Federal level during times of business slack can be lessened.

Mr. ROBISON. Mr. Chairman, the humanitarian motives that once again impel us to provide the several States with the means for alleviating the distress of prolonged unemployment should not be permitted to blind us to certain other broad, social questions that, so far, remain unanswered.

I doubt that there is a Member of this body that does not appreciate full well how useful a device our Federal-State system of unemployment insurance has become. It has time and again demonstrated its ability not only to relieve distress but to bring a certain measure of stability to our economic system as it goes through recurring patterns of normal upturns and downturns that we so far have been unable to avoid. Let us recognize, however, as we prepare to use this vehicle once again in an atmosphere

of real emergency need, that this system was only designed and intended to provide temporary benefits to what might be called normal workers to help them through limited and therefore normal periods of unemployment.

So designed and intended, the program which we now seek to expand upon represented a judgment on the part of our society that a particular group of unemployed workers is properly helped in this special way because they are marked by a particular set of circumstances: They are regular members of the labor force. Their wages are sufficiently high to make an insurance payment based thereon significant. They are normally employed, but at jobs which are normally subject to relatively brief periods of unemployment at the end of which they can normally expect to be reemployed.

One can readily see that normality is therefore the key concept on which we have based a determination that benefits originating through such a program should be limited in duration. The boundaries of that limitation are subject to debate. Short of federalizing a standard limit, the several States will probably continue to determine their own separate limits for themselves, based upon their separate experience and understanding of circumstances that are peculiar to their separate situations. Whether or not it would be wise for the Federal Government to intervene in this area is the subject of another congressional committee and discussion thereof is not germane to the action we may take on H.R. 4806.

I will support H.R. 4806, even though I have some serious reservations over the fairness, State by State, of the financing provisions it includes as contrasted to the optional loan program we approved in 1958. Under the closed rule nothing can be done about those reservations, and I am willing to submerge them in recognition of the fact that the national interest seems to indicate that this bill should pass. In giving it our approval, however, as we seem prepared to do, let us recognize that in dealing with unlimited unemployment as we now are, we are dealing not with a normal but with an abnormal condition which perhaps should not be the proper concern of any soundly conceived scheme for unemployment insurance.

If it were, then there would be no point or need for having any limit for benefits whatsoever, and we would be moving, on the basis of a further judgment on the part of our society, toward abandonment of what has proven to be a fine tool of limited application, properly funded by employer contributions that have become a normal or budgetable part of the cost of doing business, in favor of a new social operation calling for heavier equipment and different engineering.

There would then be no magic, if magic there is, in the present 26-week benefit limit which has been set by my State of New York. There would be no magic in extending that limit to 39 weeks as New York will undoubtedly now do with Federal funds. For, with none of

us wanting to see any of our people go hungry or unsheltered, with all of us dedicated to measures that, without the requirement of a debasing means test, will avoid the unreasonable hardships that are the lot of people out of work, how could we tell the head of any family that he will not suffer unduly for 39 weeks but thereafter society will be unable to provide for him? If unemployment insurance is good for 39 weeks, then why is it not good for 52 weeks, or 104 weeks and so on, ad infinitum, ad ridiculum?

The answer is, of course, that while we may now do so for the second time in 2 years, we should not go on indefinitely relying on the weak reed of extending unemployment insurance benefits as the only means of dealing with prolonged or abnormal unemployment in the first place, and that it may well be an indictment of all governments, both State and Federal, that we have so far been unable to devise any better method for dealing with emergencies like the one we now face.

It has become an accepted part of our system that an employer should invest in unemployment insurance designed to protect his own employees from the hardships of layoffs resulting from a decline in his particular business endeavor. This is an investment that all employers understand is a social necessity and make willingly. But I am sure they could find little logic in being required to provide all the funds, at least in the long run, which would be used to support all persons out of jobs indefinitely in a real recession or depression. If we were to load such an additional burden on the employers of the Nation at the very time they were struggling to get out of the doldrums themselves we might find that, on the small-business level at least, we would be adding to the Nation's burden of unemployment. Even if we are only trending in that direction I think that, in all fairness, before going further we should pause and consider the logic of requiring our job producers alone to shoulder the cost of extending tax-free benefits to all workers, including secondary wage earners, such as young, single men and women, particularly those living at home, the married woman whose husband continues to work, the retiree, the casual worker, and those who in one way or another have caused their own unemployment, instead of just to those steady workers who have a bona fide attachment to the labor market.

Perhaps, indeed, we might better be devoting our attention to seeking ways and means of creating more job opportunities and of training our people in order that they may be better prepared to take advantage thereof. Putting people back to work and providing the estimated 4,000 new jobs that will be necessary each day from now on to take care of the persons entering the army of job-hunters for the first time is a community responsibility, in which both management and labor and government at all levels must play a part.

So, Mr. Chairman, as we act today to alleviate distress, let us also address our-

selves with alacrity to the longer range but nonetheless immediate problem of encouraging economic growth, thus permitting our employers to create the job opportunities which are the real key to prosperity in a healthy economy.

I am happy to see that our new administration has concerned itself with the necessity for doing so. Only recently, Secretary of Labor Arthur J. Goldberg was quoted by the Associated Press as saying:

The forward progress of the economy rests primarily with private industry in the United States and its ability to provide good jobs, at good wages.

Mr. Goldberg then added:

This administration, working now to revive economic life, will move forward with broad policies to create a climate of business opportunity that will fuel a higher rate of economic growth.

Only in that way can we stimulate our economy so that it will once again work as we must have faith that it can, providing us with the rich human and material blessings from which, under freedom, have flowed our strengths. I am convinced there are hidden resources, almost beyond comprehension, in the free-enterprise system, that we have so far scarcely tapped.

Mr. JOELSON. Mr. Chairman, I believe that I followed the course of simple human compassion in voting to extend the duration of unemployment compensation benefits to those who, through no fault of their own, are unable to find work.

We should not fool ourselves, however, into thinking that the extension of the duration of unemployment compensation benefits constitutes any real solution of the problem of unemployment. This is merely a stopgap measure.

I feel that the influx of foreign-made goods produced with cheap labor, coupled with the spread of automation in domestic production, present problems which must be faced and solved.

I hope that the resolution which I have introduced to study the possibility of a sliding scale of tariffs based on an international fair labor standards schedule will receive serious consideration by the Congress, and that the Special House Committee on the Impact of Automation on Unemployment, of which I am a member, will also contribute to the solution of this problem which causes such hardship and despair to so many people.

Mr. ADDONIZIO. Mr. Chairman, as early as last spring our economy began its downward slide into what I hope we can all at last agree upon is its present recessionary state. This makes it our fourth recession in the last 13 years—clearly a reflection of more deep-seated trouble than just the rolling inventory readjustment that some economists and politicians would have us accept it as. This game of nomenclature we have indulged in during recent periods of economic decline does not hide the facts from the intelligent observer. As Prof. Paul Samuelson in his task force report to President-elect Kennedy so wisely pointed out:

He misreads the role of confidence in economic life who thinks that denying the obvi-

ous will cure the ailments of a modern economy.

President Eisenhower in the waning days of his administration chose to ignore the economic facts of life around him and opposed taking any deliberate action to promote an upturn. This ostrich approach to Government economic responsibility which was displayed in 1957-58 as well may have been one of the contributing factors in the economy's never completing its comeback from the 1957-58 recession.

The 1959 and 1960 years of recovery, when we were out to set new records in production and in the full employment of our economic resources, proved to be sadly disappointing. With the exception of a single month, February 1960, national unemployment rates—seasonally adjusted—have never fallen below 5 percent in the past 3½ years. A minimum of at least 3.4 million Americans have been out of work during the period and of this number some 1 million have been unemployed for 15 weeks or more. Persistently high unemployment has led to 20 major labor markets, such as Detroit, Pittsburgh, and Atlantic City, and 83 smaller areas—including Bridgeton, Long Branch, and Ocean City—Wildwood-Cape May in my own State—being classified as chronic labor surplus areas potentially eligible for Federal depressed area assistance under President Kennedy's program. The great industrial center of Newark, my home, is an area of substantial unemployment. I can vouch for the appalling human suffering and misery that lies behind the cold statistics.

Some 500,000 of the 5.4 million unemployed today have exhausted their unemployment compensation benefit rights due to the longevity of their unemployment and an estimated 1.5 million more will join them in their unfortunate circumstances by mid-1961. During the week ending February 11, 1961, State-insured unemployment reached 3,358,400, the highest weekly volume ever recorded. This represents a rate of 8.1 to 8.3 percent of the total workers covered by unemployment insurance. Just in this week alone 23,100 claimants exhausted their benefit rights. Steadily growing unemployment is increasingly having its impact on personal income and retail sales.

While unemployment has remained discouragingly high since the closing months of 1957, our gross national product, too, has never regained its full potential. Gross national product was at a virtual standstill throughout 1960. Had our national economic capacity been fully utilized last year, output might have been at least 8 percent above its present \$503.2 billion level. The steel industry alone, an important factor in our economic well-being, has been operating at below 60 percent of capacity for many months. Accompanying this sluggishness in productive output, business investment, profits, construction, and inventory turnover are all below predicted levels.

One need not be a trained economist to realize that our economic problems are deeper than those of a temporary



inventory readjustment or business slowdown. We cannot hope to restore vigor and vitality to our national industrial machine by sitting back and waiting for the decline to run its course. To entertain such an idea is folly, for it involves the waste of valuable American productive capacity and the abandonment of many of our fellow citizens to a state of human misery. A fundamental consideration we must keep in mind—"more fraught with significance for public policy than the recession itself is the vital fact that it has been superimposed upon an economy which, in the last few years, has been sluggish and tired"—to quote the able Professor Samuelson again.

Not content to follow the example of the Eisenhower administration in its policy of inaction, within 2 weeks after his inauguration President Kennedy sent to the Congress an extensive program to restore momentum to the American economy. This program looks beyond an upturn in the recession to the basic weaknesses holding back our maximum economic growth. Many of the measures he advocated have subsequently been initiated by administrative action. Among these have been the liberalization of FHA mortgage credit, a speedup in college housing and urban renewal outlays, expanding the variety and quantity of surplus food distributions, the early payment of veterans life insurance dividends, and the acceleration of Government procurement and public works spending. There has been no thought of undertaking a massive public works program because the situation today apparently does not warrant such a step, but President Kennedy has sought to expedite already initiated projects to help stimulate employment and the flow of consumer income.

At this point it might be well to comment on the argument traditionally used to oppose the expansion of public works expenditures as an antirecessionary measure—that is, the lag between conception and effectiveness. Even should the trough of the recession be reached within a matter of several months, which many economists now doubt, an accelerated public works program in areas where the projects are desperately needed can serve as a stimulant to insure continuing economic prosperity and the attainment of dynamic economic growth.

An interesting and encouraging action since the advent of the present administration was the announcement this week by the Federal Reserve Board that it was abandoning its 8-year practice of confining its open market operations to short-term Government securities. The international balance-of-payments problem has necessitated our maintaining or even raising Government short-term interest rates to stem the gold outflow. In order to stimulate economic activity through the easing of credit restraints the Federal Reserve intends to lower long-term interest rates through its dealings on the Government security markets in longer term maturities. With lower long-term interest rates, small business, State and local governments, and home-

builders, who have long felt the pinch of tight credit, can undertake investment spending programs which in turn will spur on demand in the durable goods sector and general economic expansion. This approach has been sought by a number of Members of Congress for some time to little avail. Now that the Federal Reserve has adopted this new approach it can become one of the cornerstones of President Kennedy's economic policy.

In addition to the administrative moves which have been expeditiously handled in the executive branch, President Kennedy requested action by the Congress on a number of measures to alleviate the suffering from the recession and to revive the economy. The measure which requires the most immediate attention is the temporary extension of unemployment insurance, because of its fast economic impact. The President has asked that unemployment benefits be temporarily extended for an additional 13 weeks to aid those who have already exhausted their insurance rights. The income put into the hands of the chronically unemployed will flow back into the economy immediately in the form of additional purchasing power. It is the fairest and the most effective step, for it provides money where it is most needed and where it will be fully utilized in consumer spending. The Ways and Means Committee is to be commended for reporting this legislation, and the measure to extend aid to dependent children of the unemployed under the Federal-State public assistance programs. I urge the House to accord speedy approval to these bills. Though this is only a temporary remedy and not a substitute for the needed revision of the whole unemployment compensation system, the economic emergency requires action at once, and a complete overhauling of the system could not be completed in time to be effective during this 1961 recession.

President Kennedy also recommended a realistic distressed area redevelopment program, a raise in, and an extension of the minimum wage, five improvements in the old-age, survivors, and disability insurance program. In each case these measures would inject vital income into special areas of the economy where the need is most desperate. It is sad to reflect that had the depressed areas bill we passed, either in 1958, or in 1960, not been vetoed, many of those presently among the chronically unemployed might now be making an adequate living in a revived local economy, rather than having to rely on public assistance, or food surplus programs for survival. Now that we have a President in the White House who is touched by the plight of these areas, and their populations, we should with due speed enact depressed areas legislation, and try to make up for the 3 lost years, when assistance could have been available. I am gratified that a House Banking and Currency Subcommittee, under the able chairmanship of the Honorable WRIGHT PATMAN, is now holding hearings on this vital legislation of which I am a sponsor.

I cannot stress too highly the need for prompt action. We cannot allow political considerations to color our deliberations on these measures which are clearly for the general welfare. Speed is of the essence if we are to gain the maximum value from these recovery programs, and if we are to end the waste of our human and technical resources. Congress has an obligation to the American public not to delay a day in giving the President's legislative request its careful consideration.

In closing, let me respond to those who would have us think that these programs will cause a renewed inflationary spiral, and therefore should not be undertaken. Mr. Chairman, the American economy cannot operate on a reduced number of cylinders in order to insure absolute price stability. Our basic national goals of maximum economic growth and full employment cannot be pushed aside because of a threat that real American prosperity may entail a degree of creeping inflation. The challenge of inflation must be met, but not at the risk of impairing our economic well-being, and increasing the hardship of unemployment. In this world of ours, economic stagnation can only lead eventually to the final deterioration of our free democratic Nation.

Mr. RYAN. Mr. Chairman, I urge the Members of the House to vote for H.R. 4806.

In his state of the Union message President Kennedy ended the "refuse to face the facts" era. The President courageously told the American people that—

The present state of our economy is disturbing \* \* \*. Save for a brief period in 1958, insured unemployment is at the highest peak in our history. Of some 5½ million Americans who are without jobs, more than 1 million have been searching for work for more than 4 months. And during each month some 150,000 workers are exhausting their already meager jobless benefit rights.

Only an informed public and an informed legislature can meet the problems of the Nation with vigor and intelligence. The economic facts of the recession show that H.R. 4806 must be passed.

Since last July unemployment has risen from 3,800,000 to 5,400,000. Recently, the Federal Reserve Board declared that the decline in industrial production which began last year continued into January. Using May 1960 as base of 100, the January level was 93. Secretary of Labor Arthur J. Goldberg stated that approximately 500,000 persons have already exhausted their benefits, and it is estimated the number will be 600,000 by April 1, 1961, and by April 1, 1962, some 3 million workers will have exhausted their benefits before getting jobs.

The committee report clearly indicates that the State unemployment benefit programs are not designed to aid the unemployed on a long term basis. The report states:

On a nationwide average in 1960, an individual making his first claim for unemployment benefits had a potential duration of 24½ weeks \* \* \*. In a time such as the present, however, when unemployment is widespread and people are being laid off at a

high rate it becomes very difficult for an unemployed individual to find work during the period of his benefit entitlement under State law.

H.R. 4806 is not a drastic measure. This bill seeks to aid those who have exhausted their unemployment benefits and are still unemployed. The bill grants only limited aid.

This legislation provides that an unemployed worker could receive unemployment benefits after he has exhausted his benefits under State law. Such benefits would be provided for 50 percent of the number of weeks provided under the State program. The extended benefits, however, would not be provided for more than 13 weeks. The proposed program will not be a drain on the general fund of the Treasury. To finance the program a four-tenths of 1 percent Federal unemployment tax increase is proposed, and a separate account in the unemployment trust fund is set up. The program covers employees who have exhausted their benefits under State law after June 30, 1960, and before April 1, 1962.

It may well be that this bill does not go far enough. I feel that a greater increase in benefits, instead of an extension for only 50 percent of the number of weeks covered by the State program, may be advisable. However, this is a first necessary step toward relieving the recession.

In considering the increase let us keep in mind that this proposal is not only aimed at helping the unemployed but also would aid the entire Nation by rapidly pumping nearly a billion dollars into the economy.

Mr. MORGAN. Mr. Chairman, recent figures released by the U.S. Department of Labor indicate that there are now more than 5 million workers unemployed. This is 6.6 percent of our labor force. In addition, there are 1.7 million non-farm workers on short time because of business conditions. Over 1 million workers have been unemployed for 3½ months and 643,000 have been seeking work for more than 6 months.

In my congressional district in Pennsylvania which embraces three counties, Washington, Greene, and Fayette, more than 15 percent of the insured labor force is presently unemployed, and this is a very conservative estimate. In Greene County there are 1,509 insured unemployed or 15.7 percent of the insured labor force. In Washington County there are 8,640 insured unemployed or 17.4 percent of the insured labor force. In Fayette County the present unemployment rate has risen to 27.9 percent, which is the highest rate of employment in all of the 67 counties in Pennsylvania. In Fayette County as of January 15, 1961, the total able-bodied civilian labor force was 47,000; the total unemployed labor force was 13,000. The following unemployment compensation payments were made for the year 1960:

Uniontown office: Number of payments, 111,400; amount, \$3,285,000.

Connellsville office: Number of payments, 62,300; amount, \$1,833,000.

Brownsville office: Number of payments, 64,000; amount, \$1,885,000.

The total payments for Fayette County were 237,700, and the total amount \$7,003,000. In addition, there were 19,197 continued interstate unemployment claims filed by residents of Fayette County for out-of-State unemployment benefits. These figures do not begin to tell the whole story, however, because many of those unemployed are working only part time, some only a day or two a week.

There has been a serious unemployment problem in my district for some time. In Greene and Fayette Counties, employment in the coal mines has been steadily declining over the past decade. In Washington County, the steel mills are operating at about a 50-percent capacity, and a great number of the workers are employed part time or have lost their jobs entirely. For example, the steelworkers union local in Donora, Pa., informs me that 70 percent of its 3,500 members are now on layoff status and the remainder are on part time. Their unemployment benefits were exhausted as of December 1960. Another local in Allenport suffered a layoff of 1,500 in May 1960—nearly 60 percent of their membership—and 1,100 were still unemployed in mid-January. Their supplemental unemployment benefits program has been gradually cut and in January benefits were only 30 percent of the original amount, and most of them were receiving their last SUB checks by the end of January.

Today an estimated half million workers have exhausted all of their benefits and are living without income. During the next 6 months about 1.5 million more will use up their benefits before finding jobs. It is believed that this bill will affect an estimated total of 3 million unemployed.

A compassion for the physical suffering of the families of millions of workers is in my opinion sufficient reason for enacting this legislation even if there were no other. It will mean that these families can look forward to some meager subsistence for a few weeks longer while the breadwinner looks for a job.

The loss of income of large numbers of our citizens not only causes personal hardship; it depresses consumer spending thus delaying recovery. Unemployment insurance was designed as a cushion during recessions and to give the consumer some purchasing power during unemployment. It is one of the "built-in stabilizers" of our economy. There is need for adjustment in the duration of the benefits when they become exhausted by large numbers of unemployed before finding employment.

Not only are many families in difficulty now, their children without sufficient food, clothing, and heat during this hard winter, but many more will be in similar conditions as each month passes.

Mr. Chairman, the need for this legislation is urgent. I hope the bill will pass.

Mr. RAY. Mr. Chairman, I am opposed to H.R. 4806. I regard it as unnecessary, unfair, and disciplinary as between States and I support the more detailed statements made by Congress-

man UTT and Congressman ALGER in their discussion of the bill.

#### HALF MILLION WORKERS STILL UNEMPLOYED HAVE EXHAUSTED UNEMPLOYMENT BENEFITS

Mr. BOLAND. Mr. Chairman, I rise in support of President Kennedy's proposal to extend unemployment benefits on a temporary basis. This is the President's first antirecession economic measure to come to the floor and it deserves the support of the House. Last month's figures showed 5.4 million workers were still without jobs. About 3.4 million were receiving unemployment compensation.

This legislation would extend unemployment payments to those persons who are out of work and have exhausted their 26 weeks of benefits. Under terms of the measure the workers would be entitled to draw weekly unemployment benefits for an additional 13 weeks, if they cannot find jobs in the meantime.

By giving the unemployed these additional benefits, we are trying to stave off any possibility of undue hardship on them and their families, and maintain purchasing power in their pocketbooks. Maintenance of purchasing power will be a great stimulant to the economy. Many of the breadwinners of families have been unemployed for longer than 26 weeks and have exhausted their benefits. They have not been recalled to their jobs. They are idle through no fault of their own. I am sure we all agree that these men and women would be much happier at work than they now are drawing unemployment benefits or seeking welfare assistance.

Mr. Chairman, I urge my colleagues to support President Kennedy and vote in favor of extending unemployment compensation to the half million persons who have already exhausted their benefits but are still unemployed.

Mr. SAYLOR. Mr. Chairman, I would like to commend the members of the Ways and Means Committee for promptly bringing this legislation to the floor of the House for action. The excellent presentation of the technical aspects of this bill clearly indicate that the members of the committee weighed all possible methods of determining how the Unemployment Compensation Act could be extended.

It is indeed unfortunate that the bill was brought before the House under a closed rule. Had it been presented under an open rule, those persons who are employed in the railroad industry could have been included rather than wait for a separate measure to be reported out of the House Interstate and Foreign Commerce Committee.

While this bill extends benefits for an additional 13 weeks, or a total of 39 weeks, unfortunately the people of Pennsylvania will only receive the benefit of the Pennsylvania Unemployment Compensation Act which provides benefits for 30 weeks, rather than 26 weeks as provided in the basic Federal legislation.

The State of Pennsylvania will be compensated for a full 13 weeks under the provisions of this bill. However, 4 of those 13 weeks have already been or will have been expended to recipients of unemployment compensation. Those individuals having exhausted their bene-

fits will receive an additional 9 weeks of compensation.

The passage of the extension of the Unemployment Compensation Act is a welcome development in what I hope will be a series of steps toward reviving the economy of depressed areas. I trust our speedy action here today will provide the needed impetus for immediate acceptance by the Senate. With quick action by the White House, the legislation can get procedural machinery in operation in time to begin payments by April 1.

While, of course, this measure creates only a stopgap against continued hardship, the money pumped into our economy will put new life into areas of heavy unemployment. By the time the 13-week extension of payments is exhausted, Congress will have, I hope, acted favorably on depressed area legislation, thus opening the way for growth of more job opportunities on a permanent basis.

Mr. VANIK. Mr. Chairman, this legislation to extend the period of unemployment compensation benefits by 50 percent, or an additional 13 weeks, is most important.

The unemployment total in Greater Cleveland has reached 70,700. Almost 9 percent of the labor force are currently unemployed.

Continuing claims for unemployment benefits have now reached 47,446. These claims have continuously increased since November 25. Over 1,000 persons were added to the continuous claim list last week.

Of the 70,700 workers presently unemployed, 33,255 have either exhausted unemployment benefits or have no eligibility.

The extension of benefits under this bill and the companion bill to extend aid to children of unemployed workers are absolutely necessary to maintain minimum standards of family life in my community.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment. No amendment is in order to the bill except amendments offered by direction of the Committee on Ways and Means.

The bill is as follows:

H.R. 4806

A bill to provide for the establishment of a temporary program of extended unemployment compensation, to provide for a temporary increase in the rate of the Federal unemployment tax, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Temporary Extended Unemployment Compensation Act of 1961".*

#### DEFINITIONS

SEC. 2. For purposes of this Act—

(1) The term "compensation period" means, in the case of any individual, the period beginning with the first day of a benefit year (determined under applicable State law) for such individual and ending on the day before the first day of the next benefit year (determined under applicable State law) for such individual. If the applicable State law does not define a benefit year, then for purposes of the preceding sen-

tence such term has the meaning prescribed by the Secretary.

(2) The term "first claim" means the first request for determination of an individual's right to temporary extended unemployment compensation, without regard to whether or not any compensation is paid.

(3) The term "State unemployment compensation" means the regular unemployment compensation payable to an individual under the State law or title XV, and any additional unemployment compensation payable to such individual under the State law or title XV during periods of high unemployment.

(4) The term "Secretary" means the Secretary of Labor of the United States.

(5) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

(6) The term "State agency" means the agency of the State which administers its State law.

(7) The term "State law" means the unemployment compensation law of the State, approved by the Secretary under section 3304 of the Internal Revenue Code of 1954, and the unemployment compensation law of Puerto Rico during the last six months before January 1, 1961.

(8) The term "temporary extended unemployment compensation" means the additional unemployment compensation payable under this Act.

(9) The term "title XV" means title XV of the Social Security Act.

(10) The term "week" means a week as defined in the applicable State law.

#### PAYMENT OF COMPENSATION

##### Eligibility

SEC. 3. (a) Payment of temporary extended unemployment compensation shall be made, for any week of unemployment which begins in the covered period specified in section 6, to individuals who have, after June 30, 1960, exhausted (within the meaning prescribed by the Secretary by regulations) all rights under the State law and title XV and who have no rights to unemployment compensation with respect to such week under any such law or under any other Federal or State unemployment compensation law.

##### Weekly benefit amount

(b) The temporary extended unemployment compensation payable to an individual for a week of total unemployment shall be the weekly benefit amount (including allowances for dependents) for total unemployment which was payable to him pursuant to the State law or title XV under which he last exhausted his rights before making his first claim under this Act. The temporary extended unemployment compensation payable to an individual for a week of less than total unemployment shall be computed on the basis of such weekly benefit amount, except that in such computation allowances for dependents shall be taken into account in the manner provided by the applicable State law with respect to such a week of less than total unemployment.

##### Application of State laws

(c) Except where inconsistent with the provisions of this Act, the terms and conditions of the State law or title XV under which an individual most recently exhausted his rights shall apply to his claim for temporary extended unemployment compensation and to the payment thereof.

#### REIMBURSEMENT

SEC. 4. The United States shall reimburse any State, with which an agreement has been entered into under section 7 which includes the provisions specified in subsection (a) (2) thereof, for any State unemployment compensation paid by it to an individual with respect to a week of unemployment

beginning in the covered period specified in section 6, to the extent that the sum of such payment, plus the State unemployment compensation paid by such State for prior weeks of unemployment in the compensation period and not reimbursed under this section, exceeds 26 times the weekly benefit amount (including allowances for dependents) for total unemployment which was payable to such individual pursuant to State law or title XV in such compensation period.

#### LIMITATION ON TOTAL PAYMENTS AND REIMBURSEMENTS

##### Overall limitation

SEC. 5. (a) The sum of the temporary extended unemployment compensation payable to any individual, plus the State unemployment compensation paid to such individual with respect to which any State is entitled to reimbursement under this Act (or would be entitled to such reimbursement but for the fact that such compensation is paid under title XV), shall not exceed whichever of the following amounts is the smaller:

(1) An amount equal to 50 percent of the total amount of State unemployment compensation (including allowances for dependents) which was payable to him for his first compensation period, or

(2) An amount equal to 13 times his weekly benefit amount for his first compensation period.

##### Limitation based on compensation period

(b) Payment of temporary extended unemployment compensation (and reimbursement of State unemployment compensation) shall not be made with respect to any individual for any week of unemployment, to the extent that such payment or reimbursement, when added to the sum of State unemployment compensation and temporary extended unemployment compensation paid to such individual with respect to prior weeks in the compensation period, would exceed 39 times such individual's weekly benefit amount for such compensation period.

##### Definitions

(c) For purposes of this section—

(1) The term "first compensation period" means—

(A) in the case of any individual whose first claim under this Act is for a week of unemployment before his first reimbursement week, the compensation period in which he last exhausted his rights to State unemployment compensation before making such first claim, or

(B) in the case of any other individual, the compensation period in which his first reimbursement week occurs.

(2) In the case of any individual, the term "first reimbursement week" means the first week with respect to which any State is entitled to reimbursement under section 4 (or would be entitled to such reimbursement but for the fact that the compensation was paid under title XV).

(3) An individual's weekly benefit amount for any compensation period is the weekly benefit amount (including allowances for dependents) for total unemployment which was payable to him in such compensation period pursuant to the State law or title XV.

##### COVERED PERIOD

SEC. 6. In the case of any individual, the covered period referred to in sections 3 and 4 is the period—

(1) beginning on whichever of the following is the later:

(A) the 15th day after the date on which the Act is enacted, or

(B) the day after the date on which any applicable agreement is entered into under section 7 or 8, and

(2) ending—

(A) on March 31, 1962, or

(B) on June 30, 1962, in the case of an individual who (for a week beginning before April 1, 1962) had a week with respect to which temporary extended unemployment compensation was payable under section 3, reimbursement was payable under section 4, or reimbursement would have been so payable but for the fact that the unemployment compensation was payable under title XV.

#### AGREEMENTS WITH STATES

##### *In general*

SEC. 7. (a) The Secretary is authorized on behalf of the United States to enter into an agreement with a State, or with the agency administering the State law, which shall include the provisions described in paragraphs (1) and (2) or in either of them:

(1) Such State agency will make, as agent of the United States, payments of temporary extended unemployment compensation to the individuals referred to in section 3 on the basis provided in this Act, and will otherwise cooperate with the Secretary and with other State agencies in making payments of temporary extended unemployment compensation under this Act.

(2) The United States will reimburse the State for regular unemployment compensation paid under the conditions specified in section 4.

Except as provided in section 8, temporary extended unemployment compensation shall be paid, and reimbursement under section 4 shall be made, only pursuant to an agreement entered into under this section.

#### *Amendment, suspension, or termination of agreement*

(b) Each agreement under this Act shall provide the terms and conditions upon which the agreement may be amended, suspended, or terminated.

#### *No denial or reduction of State benefits*

(c) Any agreement under this Act shall provide that regular unemployment compensation otherwise payable to any individual will not be denied or reduced for any week by reason of any right to temporary extended unemployment compensation under this Act.

#### *Review*

(d) Any determination by a State agency with respect to entitlement to temporary extended unemployment compensation pursuant to an agreement under this Act shall be subject to review in the same manner and to the same extent as determinations under the State law, and only in such manner and to such extent.

#### EK-SERVICEMEN AND FEDERAL EMPLOYEES

##### *In States which do not have agreements*

SEC. 8. (a) For the purpose of paying temporary extended unemployment compensation to individuals who have, after June 30, 1960, exhausted their rights to unemployment compensation under title XV in a State with which there is no agreement under section 7 which applies with respect to the weeks of unemployment concerned, the Secretary may extend any existing agreement with such State. Any such extension shall apply only to weeks of unemployment beginning after such extension is made. For the purposes of this Act, any such extension shall be treated as an agreement entered into under this Act.

##### *In the Virgin Islands*

(b) For the purpose of paying temporary extended unemployment compensation to individuals who have, after June 30, 1960, exhausted their rights to unemployment compensation under title XV in the Virgin Islands, the Secretary may utilize the personnel and facilities of the agency in the Virgin Islands cooperating with the United States Employment Service under the Act of June 6, 1933 (29 U.S.C. 49 and following), may delegate to officials of such agency any authority granted to him by this Act whenever the

Secretary determines such delegation to be necessary in carrying out the purposes of this Act, and may allocate or transfer funds or otherwise pay or reimburse such agency for the total cost of the temporary extended unemployment compensation paid under this Act and for expenses incurred in carrying out the purposes of this Act.

#### *Review*

(c) Any individual referred to in subsection (b) whose claim for temporary extended unemployment compensation has been denied shall be entitled to a fair hearing and review as provided in section 1503(c) of title XV.

#### PENALTIES

##### *False statements, and so forth*

SEC. 9. (a) Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment under this Act shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

##### *Recovery of overpayments*

(b) (1) If a State agency or the Secretary, as the case may be, or a court of competent jurisdiction, finds that any person—

(A) has made, or has caused to be made by another, a false statement or representation of a material fact knowing it to be false, or has knowingly failed, or caused another to fail, to disclose a material fact, and

(B) as a result of such action has received any payment under this Act to which he was not entitled,

such person shall be liable to repay such amount to the State agency or the Secretary, as the case may be. In lieu of requiring the repayment of any amount under this paragraph, the State agency or the Secretary, as the case may be, may recover such amount by deductions from any compensation payable to such person under this Act. Any such finding by a State agency or the Secretary, as the case may be, may be made only after an opportunity for a fair hearing, subject to such further review as may be appropriate under sections 7(d) and 8(c).

(2) Any amount repaid to a State agency under paragraph (1) shall be deposited into the fund from which payment was made. Any amount repaid to the Secretary under paragraph (1) shall be returned to the Treasury and credited to the current applicable appropriation, fund, or account from which payment was made.

#### INFORMATION

SEC. 10. The agency administering the State law shall furnish to the Secretary such information as he may find necessary or appropriate in carrying out the provisions of this Act.

#### PAYMENTS TO STATES

##### *Payment on calendar month basis*

SEC. 11. (a) (1) Except as provided in paragraph (2), there shall be paid to each State which has an agreement under this Act, either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this Act for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

(2) Any payments to a State pursuant to section 4 shall be by way of reimbursement, and shall be used only for the payment of cash benefits to individuals with respect to their unemployment, exclusive of expenses of administration.

#### *Certification*

(b) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State which has an agreement under this Act sums payable to such State under paragraphs (1) and (2) of subsection (a). The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the Federal extended compensation account. Sums payable to a State under paragraph (2) of subsection (a) shall be paid by transfers from the Federal extended compensation account to the account of such State in the Unemployment Trust Fund.

#### *Money to be used only for purposes for which paid*

(c) All money paid a State under this Act shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this Act, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this Act may be made.

#### *Surety bonds*

(d) An agreement under this Act may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from funds for carrying out the purposes of this Act.

#### *Liability of certifying officers*

(e) No person designated pursuant to an agreement under this Act as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States be liable with respect to the payment of any compensation certified by him under this Act.

#### *Liability of disbursing officers*

(f) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this Act if it was based upon a voucher signed by a certifying officer designated as provided in subsection (e) of this section.

#### *Cost of administration*

(g) For the purpose of payments made to a State under title III of the Social Security Act, administration by the State agency of such State pursuant to an agreement under this Act shall be deemed to be a part of the administration of the State law.

#### REGULATIONS

SEC. 12. The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act. Such regulations shall include regulations prescribing the method of computing an average weekly benefit amount where there is more than one weekly benefit amount payable in a period.

#### FEDERAL EXTENDED COMPENSATION ACCOUNT

##### *Establishment of account*

SEC. 13. Title IX of the Social Security Act is amended by adding at the end thereof the following new section:

#### "FEDERAL EXTENDED COMPENSATION ACCOUNT

##### *"Establishment of account*

"Sec. 905. (a) There is hereby established in the Unemployment Trust Fund a Federal extended compensation account. For the purposes provided for in section 904(e), such account shall be maintained as a separate book account. There are hereby authorized to be appropriated, without fiscal year limitation, such amounts as may be necessary to make the payments of compensation pro-

vided by sections 3 and 8 of the Temporary Extended Unemployment Compensation Act of 1961 and the reimbursements provided by section 4 of such Act. The amounts so appropriated shall be transferred from time to time to the Federal extended compensation account on the basis of estimates by the Secretary of the Treasury after consultation with the Secretary of Labor of the amounts required to make such payments and reimbursements. Amounts so transferred shall be repayable advances (without interest), except to the extent that such amounts are used to make the payments of compensation provided by sections 3 and 8 of the Temporary Extended Unemployment Compensation Act of 1961 to individuals by reason of the exhaustion of their rights to unemployment compensation under title XV. Such repayable advances shall be repaid by transfers, from the Federal extended compensation account to the general fund of the Treasury, at such times as the amount in the Federal extended compensation account is determined by the Secretary of the Treasury, in consultation with the Secretary of Labor, to be adequate for such purpose.

#### "Transfers to account"

"(b) The Secretary of the Treasury shall transfer (as of the close of each month in the calendar years 1963 and 1964), from the employment security administration account to the Federal extended compensation account established by subsection (a), an amount determined by him to be equal to 50 percent of the amount by which—

"(1) transfers to the employment security administration account pursuant to section 901(b)(2) during such month, exceed

"(2) payments during such month from the employment security administration account pursuant to section 901(b)(3) and (d). If for any such month the payments referred to in paragraph (2) exceed the transfers referred to in paragraph (1), proper adjustments shall be made in the amounts subsequently transferred.

#### "Transfers to State accounts"

"(c)(1) The Secretary of the Treasury shall transfer (as of December 31, 1964), from the Federal extended compensation account to the accounts of the States in the Unemployment Trust Fund, the balance in the Federal extended compensation account as of such date. Such balance shall be determined by deducting from the amount in the account on December 31, 1964, the amount of the outstanding advances made to such account pursuant to subsection (a).

"(2) Each State's share of the balance to be transferred under this subsection—

"(A) shall be determined by the Secretary of Labor and certified by him to the Secretary of the Treasury before that date on the basis of reports furnished by the States to the Secretary of Labor before December 1, 1964, and

"(B) shall bear the same ratio to the balance in such account as of December 31, 1964, as (1) the amount of wages subject to contributions under such State's unemployment compensation law during 1962 and 1963 which have been reported to the State before May 1, 1964, bears to (2) the total of wages subject to contributions under all State unemployment compensation laws during 1962 and 1963 which have been reported to the States before May 1, 1964.

#### "Termination of account"

"(d) Except as provided by subsection (c), no transfer to or from the Federal extended compensation account shall be made after December 31, 1964."

#### TEMPORARY INCREASE IN RATE OF TAX

##### Temporary increase

SEC. 14. (a) Section 3301 of the Internal Revenue Code of 1954 (relating to the rate

of the Federal unemployment tax) is amended by adding at the end thereof the following new sentence: "In the case of wages paid during the calendar years 1962 and 1963, the rate of such tax shall be 3.5 percent in lieu of 3.1 percent."

#### No change in credits

(b) Section 3302(d)(1) of such Code (relating to credits against tax) is amended to read as follows:

"(1) RATE OF TAX DEEMED TO BE 3 PERCENT.—In applying subsection (c), the tax imposed by section 3301 shall be computed at the rate of 3 percent in lieu of 3.1 percent (or, in the case of the tax imposed with respect to the calendar years 1962 and 1963, in lieu of 3.5 percent)."

The CHAIRMAN. The Clerk will report the committee amendment as printed in the reported bill.

The Clerk read as follows:

Committee amendment on page 9, line 1, strike out "regular" and insert "State".

The committee amendment was agreed to.

The CHAIRMAN. Are there any further committee amendments?

Mr. MILLS. There are no further committee amendments, Mr. Chairman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the Chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4806) to provide for the establishment of a temporary program of extended unemployment compensation, to provide for a temporary increase in the rate of the Federal unemployment tax, and for other purposes, pursuant to House Resolution 195, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MASON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MASON. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. MASON moves to recommit the bill, H.R. 4806, to the Committee on Ways and Means.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MILLS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 392, nays 30, not voting 10, as follows:

[Roll No. 7]

YEAS—392

Abbitt	Diggs	Kastenmeier
Abernethy	Dingell	Kearns
Adair	Dominick	Kee
Addabbo	Donohue	Keith
Addonizio	Dooley	Kelly
Albert	Dowdy	Keogh
Alexander	Downing	Kilgore
Alford	Doyle	King, Calif.
Andersen,	Dulski	King, N.Y.
Minn.	Durno	King, Utah
Anderson, Ill.	Dwyer	Kirwan
Andrews	Edmondson	Kitchin
Anfuso	Elliott	Kluczynski
Arends	Ellsworth	Knox
Ashley	Everett	Kornegay
Aspinall	Evins	Kowalski
Auchincloss	Fallon	Kyl
Ayers	Farbstein	Laird
Bailey	Fasell	Landrum
Baker	Feighan	Lane
Baldwin	Fenton	Langen
Baring	Finnegan	Lankford
Barrett	Fino	Latta
Barry	Fisher	Lennon
Bass, N.H.	Flood	Lesinski
Bass, Tenn.	Flynt	Libonati
Bates	Fogarty	Lindsay
Becker	Ford	Lipscomb
Beckworth	Forrester	Loser
Belcher	Fountain	McCormack
Bell	Frazier	McCulloch
Bennett, Fla.	Frelinghuysen	McDonough
Bennett, Mich.	Friedel	McDowell
Betts	Fulton	McFall
Blatnik	Gallagher	McIntire
Blitch	Garland	McMillan
Boggs	Garmatz	McSweeney
Boland	Gary	Macdonald
Bolling	Gathings	MacGregor
Boiton	Gavin	Machrowicz
Bonner	Gialmo	Mack
Bow	Gilbert	Madden
Brademas	Glenn	Magnuson
Bray	Goodell	Mahon
Breeding	Gooding	Mailliard
Brewster	Granahan	Marshall
Brooks, La.	Grant	Martin, Mass.
Brooks, Tex.	Gray	Mathias
Broomfield	Green, Oreg.	Mathews
Brown	Green, Pa.	May
Buckley	Griffin	Meador
Burke, Ky.	Griffiths	Merrow
Burke, Mass.	Gubser	Michel
Burleson	Hagan, Ga.	Miller, Clem
Byrne, Pa.	Hagen, Calif.	Miller,
Byrnes, Wis.	Haley	George P.
Cahill	Halleck	Miller, N.Y.
Cannon	Halpern	Milliken
Carey	Hansen	Mills
Casey	Harding	Minshall
Cederberg	Hardy	Moeller
Celler	Harris	Monagan
Chamberlain	Harrison, Va.	Montoya
Chelf	Harrison, Wyo.	Moore
Chenoweth	Harsha	Moorehead,
Chipperfield	Harvey, Ind.	Ohio
Church	Harvey, Mich.	Moorhead, Pa.
Clancy	Hays	Morgan
Coad	Healey	Morris
Cohelan	Hébert	Morrison
Collier	Hechler	Morse
Colmer	Hemphill	Mosher
Conte	Henderson	Moss
Cook	Herlong	Moulder
Cooley	Hiestand	Multer
Corbett	Hoeven	Murphy
Corman	Hollifield	Natcher
Cramer	Holland	Nelsen
Cunningham	Holtzman	Nix
Curtin	Horan	Norblad
Curtis, Mass.	Hosmer	O'Brien, Ill.
Curtis, Mo.	Huddleston	O'Brien, N.Y.
Daddario	Hull	O'Hara, Ill.
Dague	Ichord	O'Hara, Mich.
Danels	Ikard	O'Konski
Davis,	Inouye	Olsen
James C.	Jarman	O'Neill
Davis, John W.	Jennings	Osmer
Dawson	Joelson	Ostertag
Delaney	Johnson, Calif.	Passman
Dent	Johnson, Md.	Patman
Derouian	Johnson, Wis.	Pelly
Derwinski	Jones	Perkins
Devine	Jones, Mo.	Peterson
	Judd	Pfost
	Karsten	Philbin
	Karth	

Pike	Santangelo	Thompson, N.J.
Pilcher	Saund	Thompson, Tex.
Pillion	Saylor	Thomson, Wis.
Pirnie	Schadeberg	Thornberry
Poage	Schenck	Tollefson
Poff	Schneebell	Trimble
Powell	Schwelker	Tuck
Price	Schwengel	Tupper
Pucinski	Scott	Ullman
Quie	Scranton	Vanik
Rains	Seely-Brown	Van Pelt
Randall	Selden	Van Zandt
Reece	Shelley	Vinson
Reifel	Shipley	Wallhauser
Reuss	Shriver	Walter
Rhodes, Ariz.	Sibal	Watts
Rhodes, Pa.	Sikes	Weaver
Riehlman	Siler	Wels
Riley	Sisk	Westland
Rivers, Alaska	Slack	Whalley
Rivers, S.C.	Smith, Iowa	Whitener
Roberts	Smith, Va.	Whitten
Robison	Spence	Wickersham
Rodino	Springer	Widnall
Rogers, Colo.	Stafford	Williams
Rogers, Fla.	Staggers	Willis
Rogers, Tex.	Steed	Wilson, Calif.
Rooney	Stephens	Wilson, Ind.
Roosevelt	Stratton	Winstead
Rostenkowski	Stubblefield	Yates
Roudebush	Sullivan	Young
Rutherford	Taylor	Younger
Ryan	Teague, Calif.	Zablocki
St. George	Thomas	Zelenko
St. Germain	Thompson, La.	

## NAYS—30

Alger	Findley	Nygaard
Ashbrook	Gross	Ray
Battin	Hall	Rousselot
Beermann	Hoffman, Ill.	Scherer
Berry	Hoffman, Mich.	Short
Bromwell	Johansen	Smith, Calif.
Broyhill	Kilburn	Taber
Bruce	McVey	Teague, Tex.
Dole	Martin, Nebr.	Utt
Dorn	Mason	Wharton

## NOT VOTING—10

Ashmore	Jones, Ala.	Smith, Miss.
Boykin	Murray	Wright
Clark	Rabaut	
Jensen	Sheppard	

So the bill was passed.

The Clerk announced the following pair:

Mr. Wright with Mr. Jensen.

Mr. WILSON of California changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### EXPENSES OF STUDIES AND INVESTIGATIONS BY COMMITTEE ON GOVERNMENT OPERATIONS

The SPEAKER. The unfinished business is the further consideration of House Resolution 70, providing for the expenses of conducting studies and investigations authorized by rule XI(3) incurred by the Committee on Government Operations.

##### WHO LIKES BEING PUSHED AROUND?

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include an editorial appearing in the Saturday Evening Post.

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

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, other generations of Americans, having been independent and, as a whole, successful, earned and enjoyed a greater degree of freedom and prosper-

ity than people elsewhere, disliked being pushed around. Even with the present generation, perhaps more can be accomplished through requests and enlightenment than by orders.

The Speaker is credited with having given advice to Congressmen that "if you want to get along, go along," and, undoubtedly, if one has no convictions of his own, is somewhat complacent, that is good advice. However, some just cannot make so-called success their sole objective in life.

Perhaps there is something worthwhile in the Saturday Evening Post editorial in its issue of March 4, and which reads:

##### CONGRESS COULD WEARY OF THE KENNEDY SPEEDUP

Inasmuch as it has always been possible for the House of Representatives to vote on any measure on which the Members really wanted to vote, there was a touch of unreality about the "Battle of the Century" between Speaker SAM RAYBURN and Representative HOWARD SMITH, of Virginia, chairman of the House Rules Committee, over whether to add three new members to the committee. Despite the almost universal view to the contrary, Mr. SMITH's committee has never been able for long to bottle up bills on which a vote was desired. Many of the Kennedy welfare bills came to a vote in the postconvention session of Congress last August. So what was the fuss about?

After the inauguration, Poet Laureate Robert Frost was quoted as saying to the new President, "Don't be afraid of power." The lengths to which the administration went to pressure House Members into voting to enlarge the Rules Committee suggest that President Kennedy may have taken the poet a little too seriously. It is all very well to use power, but one should pick the right spots. Was it the essence of political wisdom to get into a knock-down-drag-out combat with a branch of the Congress merely to compel it to do what it would eventually have to do anyway? Conceivably the enlarged Rules Committee will dump big spending bills on the House floor faster than previously. The Speaker may be able to dictate the flow of bills and prevent amendments on the floor. But a vote of 217 to 212 hardly presages a pushover for everything the administration wants.

In short it could turn out that the President has strengthened the determination and influence of Members on both sides of the House who have well-reasoned doubts of the value of inflationary spending as a solution for our current ills. In his state of the Union message the President gave the impression that the Eisenhower administration had left things in a terrible mess. The recession is real enough, but, as Walter Lippmann wrote in his column, "The great majority of Americans are well off, and the dangers abroad present no immediate threat to their comfort and tranquillity." Statistics show that, even in that supposedly bleak year of 1960, the American people as a whole had more spendable income than ever before in their history. If our miseries must, as Mr. Lippmann adds, "be seen with the eye of the mind and the imagination and felt with the compassionate heart," many statesmen are going to need considerable imagination and compassion before voting endless billions to cure a malady from which a good many people don't know they are suffering.

Politics demands some strange sacrifices of good taste, not to mention principle. It was even considered necessary to send two members of the Kennedy Cabinet to a dinner in honor of Representative ADAM CLAYTON POWELL, a performance which the New York Times characterized as "an action entirely unworthy of the high principles and

the inspiring projects of the Kennedy administration."

As this is written, the White House seems unsure as to whether a missile gap exists. This and the successful experiments with Minuteman and Samos must cause many to question the honesty of the Democratic campaign's attacks on the Eisenhower administration's allegedly laggard indifference to the space age. These triumphs were hardly achieved during our first fortnight on the New Frontier.

A reasonable number of these retreats from rectitude will be accepted as occupational necessities for politicians, but if they become a habit, people will begin revising their estimate of the high principles and inspiring projects of those who practice them. And should that happen, Members of Congress who want time to consider expensive legislation will find plenty of popular support.

Mr. Speaker, yesterday, because I believed that an appropriation of \$640,000 for the Committee on Government Operations was unnecessary for this session's activities and excessive, attention was called to some of the proceedings of that committee.

It has been my privilege to serve on that committee since 1937; in the 80th and 83d Congresses as chairman.

When we took over, we retained all of the regular committee Democratic employees who wished to continue on the staff, giving Democrats on the committee a 50-percent representation.

During recent years, much of the time and money at the committee's disposal have been used to criticize the Republican executive departments, and, on the regular committee, representatives of public power as opposed to private enterprise have directed many of the investigations and hearings of the committee. A reference to the CONGRESSIONAL RECORD of yesterday, pages 2860-2865, will show that fact.

The chairman of the committee, the gentleman from Illinois [Mr. DAWSON], is an exceptionally effective politician. It is my understanding that he has been and is a very influential member in the national Democratic organization. He was recently offered the position of Postmaster General by our President. He has long been recognized as an able, adroit, effective politician who gets results by persuading, through the means of one argument or another, the Negroes on the South Side in Chicago, who make up an overwhelming majority of the population, to vote as he suggests. It has been reliably reported that he controls a million votes.

Hence, it is not surprising, inasmuch as he believes in the Democratic platform, that the political activities of the committee have been directed toward advancing the interests of his party. Those interests he apparently believes are good, not only for his party but for the country as a whole.

Chicago and voters of the South Side of Chicago at the last election gave the President enough votes to decide the election.

At the last election, out of a total of 68,833,341, Mr. Nixon received 34,108,646 votes, Mr. Kennedy 34,221,349—a majority for Mr. Kennedy over Mr. Nixon of 112,703 votes; a winning percentage of

49.92, or, if all votes are counted, a percentage of 49.55.

If the Republican Party and its leaders do not care to insist that we have a fair representation on subcommittees, there seems to be no reason why I should continue my futile opposition.

There is every reason, at least, in my humble judgment, why Republicans, who increased their membership in the House by 22 seats, should have a fair representation on regular, special, and subcommittees of the House. On the regular committees our leadership has secured for us a representation based on the ratio of 6 to 4.

On Government Operations, when the Democrats were in control in the 85th Congress, out of 77 committee employees, other than the 2 granted us by the statute, Republicans had just 1. Today, with \$640,000 to spend, we have the same number.

But, as just stated, if the leadership will not join in the fight, and when courageous Republicans, like the gentleman from Missouri [Mr. CURTIS] and my beloved party colleague from Iowa [Mr. GROSS], "fold up their tents and silently steal away," it would appear to be a waste of time for me to stick out like a lightning rod and attract unjustifiable criticism.

As has been so often stated, inasmuch as Mr. Kennedy did not receive the support of a majority of the voters, as Republican philosophy and the Republican candidate, Mr. Nixon, failed to win the Presidency by a slim 112,703 votes, we in the House, again in my judgment, have no reason, no excuse, to desert those who voted for Republicans and our party principles and cowardly give up and follow the lead of a minority President and his politically minded advisers.

However, as long as it is my privilege to serve the people of my district, my voice will be heard and my vote will be cast in favor of the principles to which I know they adhere, for again, in my judgment, adherence to those principles will best promote our national welfare and the security of our Republic.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. BURLISON. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 167) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That, effective January 3, 1961, expenses of conducting the investigations authorized by section 18 of rule XI of the Rules of the House of Representatives, incurred by the committee on Un-American Activities, acting as a whole or by subcommittee, not to exceed \$331,000 including expenditures for employment of such experts, special counsel, investigators, and such clerical, stenographic, and other assistants, and which shall also be available for expenses incurred by said committee or subcommittees

outside the continental limits of the United States, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. That the official stenographers to committees may be used at all hearings, if not otherwise officially engaged.

Mr. BURLISON. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, under the circumstances surrounding this resolution appropriating money to the Un-American Activities Committee to carry on its functions for the calendar year 1961, I feel it appropriate to comment first on the parliamentary situation as I understand it.

As you are aware, this is a privileged resolution. Some Members seemingly have the impression that it is not possible for those opposing to have their day in court. As I understand the procedure here today, it is not necessary to yield to those who wish to reduce the sum appropriated to the Un-American Activities Committee in order that the House may work its will.

The opponents of this measure will have the right to demand a rollcall vote on the previous question, and should the previous question be voted down, the resolution is then subject to amendment. As a lawyer, and as a Member of this body, it is not my desire to limit in any way the privilege of a Member to express himself, whether pro or con.

Therefore, Mr. Speaker, it is not my intent to yield to any Member for the purpose of introducing an amendment for the reduction of the funds requested by the committee, unless the previous question is voted down. In the event that a demand is made for a vote on the previous question, and in the further event that the previous question be voted down, then it would be obvious that those voting against the previous question would favor a reduction in the funds involved. Should the previous question be voted down, then we would be back where we started, and the opponents would then control the time, and could then offer amendments as they saw fit.

I make these comments, Mr. Speaker, in view of the fact that the House Administration Committee has received thousands of letters and petitions on both sides of this issue.

A number of organizations, and many individuals, made the demand that public hearings be held by the committee. As chairman of the House Administration Committee, I declined to yield to the demands, simply because I did not propose that the committee should furnish a forum to many of the leftwing groups in this country which obviously sought such an opportunity.

It would not be considerate to say that every person, or even every organization making these demands were radicals in the sense we use it today, nor would I leave the impression that those who oppose granting adequate funds to the Un-American Activities Committee are Communists or Communist sympathizers. I do maintain, however, that starving the committee for lack of funds

is not the way to dispose of the issue as to whether it should exist or not.

Mr. Speaker, I should add that while these demands have been tremendous since the beginning of the Congress, and since it was the decision not to hold public hearings, adequate notice was given to all Members who desired to be heard, and a number appeared before the Subcommittee on Accounts to voice their views. So, as a matter of fact, Mr. Speaker, the committee was not exactly a closed hearing, because the Members who appeared in opposition or support not only had the privilege of expressing their personal view, but also the privilege of expressing the views of others with which they were familiar. If a Member was or is willing to lend his name to individuals or organizations opposing or supporting this matter, then he has had the privilege of doing so.

It hardly seems necessary that anyone should review the creation and the history of the Un-American Activities Committee. It really seems unnecessary that its more recent efforts and accomplishments should be reviewed. The fact that the committee was re-created on January 3, at the beginning of this new Congress, seems evidence enough that this House approves of the continuation of the committee and its functions.

I am well aware that the committee's methods have been criticized from time to time, and doubtless some who will engage in this discussion will attempt to recite specific actions and specific occasions in an effort to prove the committee has deprived citizens of their rights. I can find nothing in the report of the committee or from facts developed by inquiry where anyone has been abused, and in fact, I think it is the other way around.

The very fact that the Committee on Un-American Activities exists has a salutary effect by mirroring the activities of individuals and organizations in our country who would destroy our form of government.

Therefore, Mr. Speaker, I hope that when the vote occurs on the previous question that the previous question will be sustained and that funds in the sum of \$331,000 provided in the resolution be granted to the Un-American Activities Committee for its continued operation.

Mr. Speaker, I shall be happy now to yield to the gentleman from Ohio [Mr. SCHENCK] whatever time he wishes to consume for him to yield to others.

The SPEAKER. How much time does the gentleman from Texas yield?

Mr. SCHENCK. I understood, Mr. Speaker, such time as I might want to use.

Mr. BURLISON. Not more than half an hour, if we divide the time, the usual procedure. I yield to the gentleman now and he in turn may yield to whomever he wishes.

Mr. SCHENCK. Mr. Speaker, I yield myself 2 minutes.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. SCHENCK. Mr. Speaker, I should like to associate myself with the remarks of the chairman of our committee and to commend him both for his

clear statement and the manner in which he presides over the Committee on House Administration. It is also my desire to point out to the Members of the House it is my understanding that most all hearings on appropriation matters are executive hearings and also point out that adequate opportunity was given Members of the House to express their views in a hearing a few days ago held by the Subcommittee on Accounts which I attended and after which I voted on this bill.

The Subcommittee on Accounts, under the capable leadership of the gentleman from Maryland [Mr. FRIEDEL], heard all the testimony from Members of both the majority and minority sides of the Committee on Un-American Activities. These members were in full agreement as to the amount justified for the operations of the committee and the staff of the committee. The Subcommittee on Accounts was unanimous in approving this request for appropriations.

Mr. Speaker, I ask the chairman to yield such time as he feels he can for a statement by my colleague from Ohio, the ranking minority member of the committee, the gentleman from Ohio [Mr. SCHERER].

Mr. BURLERSON. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SCHERER].

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. GOODELL. Mr. Speaker, I rise today to urge support of the resolution providing operating funds for the House Committee on Un-American Activities.

I support the unrelenting vigilance of Congress with reference to the Communist conspiracy. Such vigilance must be exercised primarily through our committees. The Un-American Activities Committee has not always done things in the way that I would have done them had I chaired the committee. But this is inevitably true of every committee and every Congressman.

Mr. Speaker, we are today faced with awesome forces which would destroy the social, economic, and religious life of our citizens, if given the free hand it so earnestly seeks. We stand firm against any open intrusion into our national affairs by another power. We must also stand firm against the insidious infiltrations perpetrated by that power in our everyday lives.

This is not to say that we should curb freedom of the press or of speech. It simply means that every effort should be made to uproot, in honest fashion and under constitutional procedure, those elements, which, left undetected, could destroy us.

At some future age, I hope none of us will ever find ourselves dominated by alien forces, curtailed in our most ordinary activities, and saying wistfully, "This could have been prevented."

Enslavement of our children will not likely come overnight, but it nonetheless can come. The youth of our Nation can be gradually dragged down to the levels of state-dominated, spiritless beings. Such is not a pretty picture. The continuation of the House Un-American Activities Committee is important to the continued alertness of our citizenry to the dangers that threaten this country from within.

For that reason, I rise today to support the resolution and to urge my colleagues to do the same.

Mr. SCHERER. Mr. Speaker, it is often said that there is more than one way to kill a cat. If you are not agile enough to catch it and twist off its neck, you can starve it to death.

Last year the gentleman from California tried to kill off the Committee on Un-American Activities. The Congress and the American people would have none of it.

Now the leftwing, the pinks, and the Communists in this country are trying to starve the committee to death. They ask that you cut off 80 percent of its necessary operating funds. If this House should follow that course today, it would be one of the greatest victories ever achieved by the Communist apparatus in this cold war, but it would be the darkest day for the American people since Pearl Harbor.

The gentleman from California released to the press his testimony given in executive session before the Committee on House Administration.

It is a 17-page tirade against the Committee on Un-American Activities. To say that his statement is distorted is being charitable. The committee is charged with wasting money while the new administration is pledged to economy. Crocodile tears are shed for the taxpayer. The gentleman from California is not really concerned about the \$331,000 that the committee needs for its work. His whole purpose now, as it has been in the past, is to destroy and discredit and to heap scorn and vilification upon the committee and its members.

He has charged on the floor of this House, and I quote the gentleman from California:

This committee is closer to being dangerous to America in its inception than most of what it investigates.

In simple language, this means that the members of the House Committee on Un-American Activities are more dangerous to this country than the Communist conspirators who are operating in our midst. As I have said before, I have heard this charge made over and over again from coast to coast by hard-core members of the Communist apparatus, by men who are dedicated to overthrowing this Government of ours, but I never expected to hear it from a colleague of mine on the floor of the House of Representatives.

Of course, never did I expect to hear any committee or Members of this House being charged by a colleague with being a cancer, sanctimoniously cruel, a thoroughly bad institution, a national problem, and a degrading spectacle, and its

activity little better than insulting to the intelligence of the House and this country.

Yesterday this House, on the recommendation of the Committee on House Administration, approved a budget for the Highway Investigating Subcommittee, on which I also serve. It is an important and necessary subcommittee but only a subcommittee, with 18 employees, compared to a staff of 41 for the Committee on Un-American Activities. The gentleman from California registered no objection to granting to the Highway Investigating Subcommittee a budget of \$386,000, which is substantially more than the request of the Committee on Un-American Activities.

Of course, we need a Highway Investigating Committee. Highways are important. Everyone knows I have championed the highway program. But on the basis of value to the country, you cannot talk about these two committees in the same breath.

Mr. Speaker, we are spending over \$40 billion a year to protect this Nation from Soviet aggression from without. It is necessary that we do so. As long as the firepower of the East and the West is fairly well balanced, as I believe it is, we are not going to have an all-out nuclear war. The Soviets are not dumb; they are not going to risk the total destruction of their cities. And why should they?

#### INTERNAL SUBVERSION NEW WEAPON

Mr. Speaker, look how far they have come in the short space of 40 years, largely through the use of a new weapon of warfare; namely, internal subversion. In fact, the top experts in the field of psychological warfare frankly state that the Soviets have abandoned the centuries-old concept of war. They believe a man killed by a bullet can mine no coal, a city destroyed can mill no cloth. These experts say the Soviets seek to take intact the peoples and their possessions so that they can be put to use.

Anyone who says that Communist internal subversion stops 90 miles from our shore in Cuba is either a fool or a Communist agent. J. Edgar Hoover many times, in a dozen different ways, has said that the threat of internal subversion by the Communist apparatus is greater today than at any time in the past.

There are three agencies in this Government that have been set up to help combat, to slow down, to stop if possible, this new weapon of warfare—internal subversion. They are the Federal Bureau of Investigation in the executive branch, the Senate Subcommittee on Internal Security, and the Committee on Un-American Activities of this body. It is our duty to develop the facts and the evidence which will support legislation to give us the necessary legislative tools to meet and deal effectively with the ever-changing techniques of the Communist apparatus, which are aimed at destroying the internal security of this Nation.

Here is an omnibus bill, introduced by the distinguished chairman of this committee and me. It contains 17 separate provisions to plug up holes in the security dike of this Nation, and also to meet, circumvent, and correct a long series of



decisions of the Supreme Court which have all but destroyed that dike.

The Committee on Un-American Activities is asking this House to pass this omnibus bill. As an example, among other things, it will enable us to deal effectively with Communist security risks, potential espionage agents, and saboteurs in defense plants, on our waterfront facilities, in our merchant marine, and in our communication system.

The budget of this committee is \$331,000 for 1961. This is only a small part of the cost of just one of the thousands of weapons in our defense arsenal—weapons we may never have to use. This House is today asked to authorize the expenditure of only \$331,000 to combat the Communist weapon of internal subversion which, day in and day out, at this very moment, is being used against us right here at home.

Why do you think this committee has become the target of a campaign of vilification, a campaign of abolition, spear-headed behind the scenes, by known, hard-core, dedicated Communist agents? One of the most notorious Communist-front organizations has a budget of \$100,000 a year. Most of its budget is used to try to destroy the House Committee on Un-American Activities. Remember, the Emergency Civil Liberties Committee is only one of dozens of such Communist-front organizations which would like to see the House Committee on Un-American Activities hung from the yardarm.

We all know that the committees of this House are jealous of their prerogatives and jurisdiction, and this is as it should be. The gentleman from California, in his testimony before the Committee on House Administration, which he released to the press, devotes the greater part of his 17-page attack against the Committee on Un-American Activities to an attempt to prejudice the Members of this House against the committee by charging that it is constantly transgressing its authority and interloping, as he puts it, into the fields of other committees of this House.

Anyone who understands in the smallest degree the Communist techniques of internal subversion knows or should know that it is directed to infiltrating and subverting almost every activity and institution of American life. It does not act in a vacuum.

Since the committees of Congress are set up to deal with legislation that also covers the broad spectrum of American life and institutions, it should be obvious to the least informed that Communist subversion and propaganda must necessarily from time to time affect matters or institutions whose normal activities come within the jurisdiction of the various committees of the Congress. If we follow the reasoning of the gentleman from California and those who support his position, it would mean that almost every committee of Congress would need a subcommittee of experts to deal with Communist penetration.

Will anyone contend that the investigation of attempted Communist penetration of labor unions or our educational institutions should be handled by the

Committee on Education and Labor, headed by the gentleman from New York?

Will anyone seriously contend that Communist propaganda and penetration directed against our systems of communication and news media should be investigated by the Committee on Interstate and Foreign Commerce?

Should the Committee on Un-American Activities be barred from investigating Communist propaganda activities within the Farmers Union and the Committee on Agriculture be required to set up a subcommittee to carry on this function?

Last session this House passed a bill recommended by the Committee on Un-American Activities after exhaustive investigations, which would enable the Coast Guard to again screen off our merchant marine vessels' Communists, security risks, potential espionage agents, and saboteurs. Neither the distinguished chairman nor any member of the Committee on Merchant Marine and Fisheries had his feelings hurt, nor contended that there had been any interloping.

The Committee on Un-American Activities, after a long series of hearings in the past year, showed conclusively that 10 million pieces of Communist propaganda, in 13 different languages, were coming into this country each year from Communist countries through the U.S. mail. Should the Committee on Post Office and Civil Service have a subcommittee of experts on Communist propaganda to recommend legislation such as came out of the Committee on Un-American Activities and passed this House last year to close the loopholes in the Foreign Agents' Registration Act?

We all know that such a system would mean chaos. Furthermore, the cost of such a system would be many times the budget of the Committee on Un-American Activities. If we followed the suggestion of the gentleman from California that these investigations be divided among the 19 committees of the House, it would not only be tremendously costly but would for all practical purposes destroy the investigation of Communist subversion and propaganda in the United States. This is what the Communists want.

The gentleman from California, in opposing the request of the Committee on Un-American Activities for operating funds, has said, among other things, that the committee's own conduct largely precipitated the San Francisco riots against the committee. He further charges that the film of the riots, taken by newsreel and television cameras, is distortive and defamatory. The gentleman from California admits that the San Francisco riots and the controversy over the film concededly do not concern the committee's budget. Why is it then discussed in his nationwide press release? Could it be that this has been done in a further attempt to discredit the Committee on Un-American Activities and thus create a climate of public opinion adverse to the committee which might be transmitted to the Members of this House and thus bring about the

80-percent curtailment in the committee's budget?

It is a rather serious charge to say that the committee's own conduct was largely responsible for the San Francisco riots in the light of the established facts. It is grossly unfair to say that the film of the riots is distortive and defamatory. Let us deal with these two charges in order.

Let me recite for the Members of this House what has already been established beyond any peradventure of a doubt, and then you decide whether the criticisms are justified. About 2 weeks before the San Francisco riots the gentleman from California on the floor of this House made one of the most bitter and vitriolic attacks ever made against a committee of the Congress and its members.

Here are some of the choice epithets hurled at nine Members of this Congress on that occasion: The gentleman from California called this committee and its work "bumptious," "plain silly," "incredible," "harmful," "useless," "bad," "evil," "abortive," "cruel," "appalling," "perverse," and "destructive." He charged the committee and its work with being "vicious," "a cancer," "sanctimoniously cruel," "a thoroughly bad institution," "a national problem," and a "degrading spectacle."

This was by no means all of the venom in the speech. According to the gentleman from California:

The major activity of the committee is the abridgement of the citizens' freedoms.

The essence of the committee's work is name calling.

The committee is "an agency for the destruction of human dignity and constitutional rights."

It displays "contempt for the legal rights of its citizens."

It makes false claims of protecting the internal security of the Nation.

It passes "moral judgments on matters of immense intricacy and great shadings."

It defies "both due process and common decency."

It is guilty of "misuse" of its authority.

It abuses "the rights and feelings of our citizens," and "disregards the limits which our rules impose on its operations."

It is on an "endless quest for attention" and "just does not know or will not recognize the limits of its jurisdiction."

The committee's activity is "little better than insulting to the intelligence of this House and this country."

It is a "continuing discredit to the country and, more immediately, to this House."

The committee "indicts itself and the indictment is an unavoidably grave one."

The gentleman from California concluded by saying that the committee is closer to being dangerous to America in its inception than most of what it investigates. In other words, the nine members that comprise the House Committee on Un-American Activities are more dangerous to this country than the Communist conspirators operating within our borders.

It was this April 25 speech which was distributed among the rioters at San Francisco. Identified Communists took the witness stand in San Francisco armed with this speech and taunted the members of the subcommittee with what the gentleman from California had said about them in his speech on the floor of the House. Placards of the demonstrating pickets carried quotes from this speech. Five thousand copies of the speech were sent airfreight by the gentleman from California directly to Ralph Izard, one of the top Communists on the west coast and one of the leaders of the riots. Another 10,000 copies went to the Committee To Preserve American Freedoms in California. This committee is a Communist dominated and controlled organization. It is headed by Frank Wilkinson, an identified and convicted Communist who is leading the national drive to bring about the abolition of the Committee on Un-American Activities.

Following the San Francisco hearings, Senator STROM THURMOND, of South Carolina, discussed the rioting on the floor of the Senate. In connection with his remarks, he read an editorial from the Charleston, S.C., News and Courier of May 16. The editorial reads in part as follows:

In considering the ugly attack on the subcommittee, which might have resulted in physical harm to Members of Congress, Californians should bear in mind the recent abuse heaped on the committee by U.S. Representative JAMES ROOSEVELT, Democrat, of California. He is to some degree responsible for the climate of opinion that made possible the storming of the subcommittee hearings.

Now let us turn for a few minutes to the charge that the film of the rioting was distorted or, as has been charged in some quarters, forged, and that the San Francisco riots were not led by Communists but were a spontaneous uprising of students against the Committee on Un-American Activities.

I could talk for hours about what happened at San Francisco. It would be said that my version of what happened and my conclusions were slanted and distorted because I happen to be a member of the Committee on Un-American Activities. Rather than do this, I am going to merely call your attention to what some unprejudiced eyewitnesses to the San Francisco episode had to say and the findings of J. Edgar Hoover, the head of the Federal Bureau of Investigation.

There were about a dozen ministers who attended the hearings. They saw what happened. They did not depend on hearsay. They were willing to take time from their busy schedules so that they might know firsthand how the Committee on Un-American Activities operates. Seven of them joined in two voluntary statements, setting forth what they saw and heard. Those who issued the statement were: Dr. G. Archer Weniger, of Oakland; Rev. Don. Watson, of Oakland; Dr. H. Austin, of San Francisco; Rev. Robert F. Hakes, of Alameda; Dean William G. Bellshaw, of the San Francisco Baptist Seminary; Dr. H. O. Van Gilder, of the Western Baptist Bible College; and Dr. Arno Weniger, of San Francisco.

Here follows their own eyewitness account of what transpired inside the hearing room:

More than a dozen ministers were in attendance at the congressional hearings of the House Un-American Activities Committee in San Francisco on May 12 and 13 in the supervisors chambers in the city hall. What we witnessed was utterly fantastic. The shameful demonstration against law and order and against this duly constituted committee of the Congress defies description. We sat in the rear of the room on a raised platform where we could easily observe the proceedings, right in the midst of the student demonstrators. We studied the crowd carefully for hours and could easily discern which were the masterminds of the mob riots. It is our certain conviction that this indefensible demonstration against law and order was conceived, planned, and directed by a few hard-core Communist agitators who were carrying out their textbook orders on insurrection with classic success. Leaders of the mob included faculty members and well-known leftist lawyers for the fifth-amendment Communists.

We were sitting where we were able to observe the giving of instructions by the riot leaders who had gained access to the room. The Daily Californian, which was distributed widely at the scene, gave explicit instructions on the front page of the Thursday issue on exactly how to harass the committee. They were told to laugh out loud at every incident that appeared to be amusing in order to make the Congressmen look ridiculous. These well-disciplined mobsters laughed on the dotted line and obeyed their masters to the last jeer. We watched a national committeeman for the party line up a dozen Communists near the railing and throw every sneer, invective, abusive language, vile profanity, and fiendish charge at the Congressmen they could conceive. For nearly 15 minutes at one point, this lawless crowd of students from the university, together with party cadres, had the chambers almost in their control. The students, comprising the rear third of the audience stood upon their seats and yelled, jeered, hissed, and scoffed at the Congressmen. It was almost complete breakdown of law and order. We witnessed more violations of the law in 15 minutes than we have seen in 15 years.

The only criticism we have of the police authorities was of allowing this element to make such a mockery out of law and order, without jailing every one of the leaders.

The height of their devilish hypocrisy was reached when they had the consummate nerve to profane the national anthem by singing it at the peak of their demonstration, and giving expression of their treasonable delight by singing "Mine Eyes Have Seen the Glory of the Coming of the Lord." The depth of their deceit was reached when this mob element put their hands over their hearts and pledged allegiance to the flag. We shall never forget the hisses and boos that greeted Mr. Arens when he first mentioned the name of God in connection with one who broke from the party.

We are at a loss to understand how clergymen, such as Bishop James Pike, could give any aid and comfort to this lawless kind of activity by statements deriding the committee, and by allowing his assistant pastor to address one of their despicable rallies.

We came away from this hearing absolutely convinced of the overwhelming necessity of continuing the House Committee on Un-American Activities. No free agent could view the hearings without being impressed with the fairness, justice, and dedication to a thankless, but positively necessary task.

Chairman EDWIN WILLIS was unusually temperate and patient. We have nothing but unbounded admiration for Richard Arens, committee counsel, whose skill and

understanding of this perilous conspiracy was a blessing to behold. We apologize to these devoted public servants from Congress for the devilish and deceitful conduct of an infinitesimally small but alarmingly arrogant segment of this area, who are willing to be tools of the Communist conspiracy which would make a shambles out of the liberty which marks this great Nation as the land of the free and the home of the brave.

#### EYEWITNESS MINISTERS CERTIFY ACCURACY OF FILM "OPERATION ABOLITION"

The frightening drama of the Communist-inspired student riots of May 12-14, 1960, has been captured in a startling film authorized by the House Un-American Activities Committee entitled "Operation Abolition." The film is a 40-minute documentary taken by news cameramen both inside and outside the city hall. Local Communists are identified as they incite the crowds to wild disorder and violence, in which several policemen were hospitalized. Communist charges of police brutality are ridiculous. One could not be an eyewitness to this tragedy without a fear of those few who are dedicated to this party of treason and yet who so successfully staged this dress rehearsal for revolution in our own area. This film is one of the most effective counterblows for liberty imaginable. These Communists, together with their fellow travelers, dupes, suckers, unwitting tools, and a few regrettable allies in the ministry, little realized that they would be making a permanent record which would expose their treasonable activity.

Inasmuch as the Communist conspiracy has launched a massive attempt to discredit this film, we ministers, who were eyewitnesses to this horrifying development locally, wish to certify that this film is a true and accurate representation of the activities of the hearings. The commentary is truthful. The film is not doctored. The sound track is not distorted. The leftwing charge that this film is a forgery is a manifest lie. While the original films were probably 5 hours in length, most was repetition of the obstructionist tactics of the subpoenaed witnesses. Nothing was eliminated which would show the rioters in any better light. In fact, we were amazed that the committee would allow witnesses Wm. Mandell and Douglas Wachter to freely express their vicious propaganda attack upon the Congressmen.

We feel that it is our duty to warn citizens to beware of a Communist-doctored version of the film, which has been so grossly emasculated that it bears little resemblance to reality and constitutes a clever piece of propaganda for the Reds.

We urge that every citizen see the true version of the film, and then make every effort to have it shown as a patriotic gesture before every church, civic, governmental, commercial, educational and private group possible. No film has stirred more interest over the Nation. Your local police department can probably tell you where copies can be secured.

Moreover, we feel that this is the hour when citizens should close ranks behind our courageous Congressmen who are bearing the heat and burden of the day in this struggle. The Communist conspiracy is mobilizing the full strength of every sympathizer to destroy these absolutely essential committees. Write today to Chairman FRANCIS WALTER, Democrat, of Pennsylvania, House Office Building, Washington, D.C. Inform your own Congressmen.

In addition to the seven who joined in the foregoing voluntary statements, there were two other ministers who attended the hearings who were representatives of the National Council of Churches. In fact, both of them were

directors of the Regional Council of Churches. The Reverend Curtis R. Nims, of the First Baptist Church of San Francisco, resigned as the result of the adoption and promulgation of a resolution against the showing of the film of the riots against the Committee on Un-American Activities. In announcing his resignation from the National Council group, Rev. Mr. Nims said:

I believe the film presents a fair representation of the deplorable events surrounding the city hall riots.

The critical resolution was irresponsible and that it gives aid and comfort to those who aid and abet the Communist conspiracy. I prayerfully suggest that no more publicity releases concerning controversial subjects be issued by uninformed people, using unconfirmed sources of material.

Rev. Mr. Nims went on to charge that the Council of Churches in adopting the resolution of criticism ignored five points, as follows:

1. A report of the FBI and the subversive squad of the San Francisco Police Department, confirming the fact that the riots were Communist-led and that the students were used as dupes.

2. The fact that 39 of the 68 persons arrested during the riot have been involved in other demonstrations, including picketing the Federal office building in protest against the report of J. Edgar Hoover on the riots, and attendance at pro-Castro meetings in Union Square.

3. They did not take into account the basic news stories of the incident.

4. They ignored the comment by Judge Albert Axelrod who said the students "let themselves become victims of those who profit by creating unrest, riots, and the type of conduct which is outlawed by the penal code."

5. They disregarded the fact that some of the students involved in the city hall riots endeavored to incite another riot when the film was shown at the First Baptist Church.

Incidentally, Rev. Mr. Nims and one other member of the directors of the Council of Churches were the only directors who were actually present at the student demonstrations, and neither of them was consulted by the board of directors before the passage of this resolution in question. In short, the resolution was adopted on the strength of hearsay and propaganda, by those who voted for it, and those who were actually on the scene were given no say-so in it.

Let us take a look at what Mayor George Christopher, of San Francisco, who addressed the rioters during the demonstrations, had to say about the film and what happened during the rioting:

I'm happy to reply to your question regarding the riots at the city hall during the hearings of the Un-American Activities Committee.

There has been quite some controversy as to the authenticity of the film of the House Un-American Activities Committee meeting in our city. While I believe the pictures of the demonstrators speak for themselves, perhaps a further explanation would be enlightening. As mayor of San Francisco, I want to be fair and certainly would not wish to point an accusing finger at someone unless there was, in my opinion, complete justification. I was an eyewitness to most of the episodes involved and believe I can speak with authoritative knowledge.

The House Un-American Activities Committee conducted the meetings in the chambers of our board of supervisors. These chambers have a seating capacity of about 500 and are situated directly across the hall from the office of the mayor. Long before the meetings began, the chambers were filled and hundreds more were standing.

Immediately, numerous attendants, some of whom were later identified as college students, began to chant, sing, stamp their feet, yell at the committee and interrupted their statements incessantly. Led by several well-known Communists, they used every tactic to disrupt the orderly process of the hearings. Finally, when the chambers were filled to more than capacity, the doors were closed and a large crowd gathered outside the chambers. As room became available, however, inside the chambers, more spectators would be admitted.

However, the spectators inside and the group outside began a systematic procedure of interference—shouting, singing, booing, and in general prohibiting the orderly processes of the hearings. The city hall was disrupted, courts were adjourned and business in general came to an abrupt end.

The demonstrators were warned many, many times. They were told to grant the hearings that privilege which they professed to espouse, namely our democratic processes and the right of peaceful assembly and the right of all parties to be heard whether you agree with them or not. But the young students, prompted by professionals, agitators and Communists, persisted in disrupting the meeting.

Those outside the chambers caused even more disturbance, being heard even on the fourth floor of the city hall. Finally the people outside the chambers who could not, in any event, see what was going on inside, were ordered to move outside the building. This they refused to do. They refused to move—but sat down, formed a circle, began to chant loudly, "we will not move, we will not move." One person attempted to remove a policeman's effects including his gun from his hip pocket. Another spat on a policeman and there was a general challenge of the law. The jostling and turmoil that followed called for definite action. But the police were properly reluctant to use undue violence knowing as they do that oftentimes they are accused of so-called police brutalities. When some of the challenged policemen did try to show authority, there was an upsurge and sometimes the policemen were threatened. When some of the people challenged the policemen, one sergeant then removed the firehose and told them that if they came any closer they would be sprayed. The sergeant then, not having any other alternative except to use his gun or his club, or other forceful means, did spray them with water. Of course, I must confess that this was an unfortunate episode, but I must also realize that even police can lose their patience and, in this instance, the policemen did have their patience exhausted. And these men had to uphold the law—after all, because the violators were disrupting the entire city hall including the courts.

The general commotion that followed is very evident in the film. Later, I personally went to the street where a large crowd had gathered and there I tried to speak to them over the police loudspeaker. Again the deluded and duped followers booed. I replied as follows: "I have just returned from the Soviet Union. There I talked to thousands of students. Not one of them agreed with what I said about our free enterprise system, about our capitalist system, about our democratic process." "But," I said "not one of those Soviet students booed their public officials either."

And with this, five of the student ring-leaders came into the office and I emphatically laid down the rules of procedure. No

one, without exception, would enter the city hall and stand outside the chambers as long as the chambers were filled. Any booing or other disrupting demonstration would be cause for the eviction of the entire assembly. Thus the meetings were concluded.

But, I believe the film speaks for itself. If these people had not disrupted these meetings, if they had not challenged the police, if they had not violated the law, there could have been no need for police action. Known Communists, and I repeat this emphatically, known Communists were in the lead of this demonstration. The students were dupes who joined some of these causes of agitation believing it is an innocent and harmless expression of civil liberties not realizing that while they are doing this they are at the same time, violating every precept of the liberties they profess to cherish. As much as they may now wish to protest, I must say that these people did violate every rule of conduct and that the police were left with no alternative—other than perhaps to be real brutal and to do some of the things that would have happened had such instances taken place in countries such as the Soviet Union itself.

The pictures I believe speak for themselves. They are true. They are authentic. They tell the real story and, of course, at the same time, they are most unfortunate to say the least.

FBI Director J. Edgar Hoover, who is certainly in a better position to know the truth about the San Francisco riots than anyone else in the country, prepared an official report on the riots, "Communist Target: Youth." Mr. Hoover wrote:

It is vitally important to set the record straight on the extent to which Communists were responsible for the disgraceful and riotous conditions which prevailed during the HCUA hearings. It is vitally important that not only the students involved in that incident, but also students throughout the Nation whom Communists hope to exploit in similar situations, recognize the Communist tactics which resulted in what experienced west coast observers familiar with Communist strategy and tactics have termed the most successful Communist coup to occur in the San Francisco area in 25 years.

In his report, Mr. Hoover devoted five pages to factual material on just how the Communist Party went about planning the demonstrations and then carrying them to a successful conclusion. The evidence he presented is too extensive and detailed for me to quote or even summarize here. The following brief, generalized statements from his report, however, flatly contradict the truth advanced by the Washington Post and completely support the committee film:

An officer warned that fire hoses would have to be used if the crowd did not disperse, but the crowd, instigated by Communists who had maneuvered themselves into strategic positions, became more unruly.

Immediately after the affair ended, the party's national leader, Gus Hall, congratulated the west coast comrades for the initiative and leadership they displayed at all stages of the demonstrations.

The Communists demonstrated in San Francisco just how powerful a weapon Communist infiltration is. They revealed how it is possible for only a few Communist agitators using mob psychology, to turn peaceful demonstrations into riots.

Looking at the riots and chaos Communists have created in other countries, many Americans point to the strength of our Nation and say "It can't happen here." The

Communist success in San Francisco in May 1960 proves that it can happen here.

Mr. Hoover also mentioned the riots in the course of a major address he delivered on October 18, 1960. He said in this address:

The diabolical influence of communism on youth was manifested in the anti-American student demonstrations in Tokyo. It further was in evidence this year in Communist-inspired riots in San Francisco, where students were duped into disgraceful demonstrations against a congressional committee.

These students were stooges of a sinister technique stimulated by clever Communist propagandists who remained quietly concealed in the background. These master technicians of conspiracy had planned for some time to use California college students as a front for their nefarious operations. This outburst was typical of these cunning conspirators who constantly play active, behind-the-scenes roles in fomenting civic unrest in every conceivable area of our society.

Now let us take a look at what some of the newspapers which had reporters on the scene said about who was responsible for the riots and what happened. Here are a few excerpts of the truth as they found it:

San Francisco Examiner (May 14, 1960): "The riot apparently was triggered shortly before 1:30 p.m. when the mob rushed the door of the supervisors chambers.

"When all the seats in the chamber were filled, Patrolman Ralph Schaumleffel, on duty at the door, closed it, informing the crowd there were no more seats.

"The mob then climbed over the barricades and stormed the door, knocking Schaumleffel down.

"Then, the officer said, while he was on his back a student grabbed the policeman's nightstick and hit him over the head with it.

"Inspector Mike Maguire of the intelligence detail then grabbed a fire hose and ordered it turned on."

San Francisco News-Call Bulletin (May 14, 1960): "The hearing room was packed, and the mob in the corridors and rotunda was becoming more and more unruly.

"Judges in upstairs courtrooms were complaining the racket was interfering with due processes of law.

"Patrolman Ralph Schaumleffel, 33, standing guard, was trampled underfoot as a stampede to the hearing room began.

"One of the mob wrested the policeman's billy club from his hand and walloped him on the head.

"Another kicked him in the groin.  
"The mob smelled blood, and the riot was on."

San Francisco Chronicle (May 16, 1960): "Friday afternoon's mob of 200—mostly students, but not all of them innocents in the art of mass demonstration—threatened to force its way into the Un-American Activities Committee meeting room against the orders and warning of the police. What, we wonder, does the concept of 'law and order' mean to these students? What do the sight of a policeman's uniform and the sound of his command mean? Apparently, to this mob, nothing but a challenge to get more stubborn and defiant.

"The performance by college and university students in so ill-mannered, boorish, and obviously dangerous a way gets no sympathy from us as an exercise of youth groping to understand and improve the democratic process."

Perhaps the most interesting of all the news accounts of the riot is one by the students themselves, describing events which occurred during the first

day of the hearings. The official University of California student newspaper, the Daily Californian, stated on page 1, Friday, May 13:

Fights and violence erupted at the House Un-American Activities Committee hearings yesterday in San Francisco. Much of it sparked by university students.

In view of this eyewitness testimony by unbiased and unprejudiced persons, is it not a little unfair to say that the committee's own conduct largely precipitated the rioting and that the film is distorted and defamatory?

Mr. BURLISON. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks in the RECORD on this subject.

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

There was no objection.

Mr. BURLISON. Mr. Speaker, I yield to the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Speaker, I wish to compliment the chairman of the full Committee on House Administration for so ably presenting this resolution to the House. I also wish to state that every Member of Congress had the opportunity of familiarizing himself with the resolution which was published on February 17 in the CONGRESSIONAL RECORD. The subcommittee of the Committee on House Administration had a meeting on February 21. At that meeting 8 members of the subcommittee were present out of 10. I wish to state that every Member of Congress was given all the time needed to speak for or against this amount of money. The subcommittee felt after the hearing, after everything was said, that the Committee on Un-American Activities had justified the full amount of \$331,000. It passed our subcommittee by a unanimous vote of 8 out of 8. Mr. Speaker, we were also assured that the rights of all Americans would be protected, and we had that assurance from the chairman, the gentleman from Pennsylvania [Mr. WALTER]. One of the questions asked at this committee hearing was: were any of the funds of the Committee on Un-American Activities used for the printing of the film showing the incident in San Francisco? We were assured that not one penny went toward the printing of that film. I think everyone that attended that meeting will have to admit that they were given fair treatment; they had every opportunity to speak their views. We understand that some expressed their views in opposition to this appropriation as a matter of principle. There were some who expressed the view that the amount was too high, but the committee itself felt that the funds were justified, and I voted for the full amount.

Mr. BURLISON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, may I say first that I want to express my appreciation to the chairman of the full committee and also the chairman of the subcommittee for their always very

gracious and courteous treatment. I do believe that we had an ample opportunity to present our case.

Mr. Speaker, I do not want to rehash at this time all of the arguments which have been made previously. You will find my testimony in the RECORD of only 2 days ago. I believe with all my heart that those of us who have taken exception to some of the actions of the House Committee on Un-American Activities should be given the consideration that we did so from a deep-felt feeling of principle. I think that all we have to do is to look at the decisions rendered by the U.S. Supreme Court only last Monday, decisions which were split 5 to 4 and which raised very serious, fundamental questions, which are exactly the same questions which we have been raising.

Mr. Speaker, at this time I ask unanimous consent for permission to include as part of my remarks those dissenting opinions by Mr. Justice Black, and his colleagues.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ROOSEVELT]?

There was no objection.

[From the New York Times, Feb. 28, 1961] EXCERPTS FROM SUPREME COURT'S OPINIONS IN WILKINSON AND BRADEN CONTEMPT CASES

(Justice Hugo L. Black dissenting, with the concurrence of Chief Justice Earl Warren and Justice William O. Douglas)

In my view, the majority by its decision today places the stamp of constitutional approval upon a practice as clearly inconsistent with the Constitution, and indeed with every ideal of individual freedom for which this country has so long stood, as any that has ever come before this Court. For, like Mr. Justice Douglas, I think it clear that this case involves nothing more nor less than an attempt by the Un-American Activities Committee to use the contempt power of the House of Representatives as a weapon against those who dare to criticize it.

The majority does not and, in reason, could not deny this for the conclusion is all but inescapable for anyone who will take the time to read the record. They say instead that it makes no difference whether the committee was harassing petitioner solely by reason of his opposition to it or not because "it is not for us to speculate as to the motivations that may have prompted the decision of individual members of the subcommittee to summon the petitioner." The clear thrust of this sweeping abdication of judicial power is that the committee may continue to harass its opponents with absolute impunity so long as the "protections" of Barenblatt are observed.

Since this is to be the rule under which the committee will be permitted to operate, I think it necessary in the interest of fairness to those who may in the future wish to exercise their constitutional right to criticize the committee that the true nature of those protections be clearly set forth.

#### LIMITATION AT ISSUE

The first such "protection" relates to the question of whom the committee may call before it. Is there any limitation upon the power of the committee to subpoena and compel testimony from anyone who attacks it?

On this point, the majority, relying upon the fact that at a previous hearing the petitioner was told by a paid informant that petitioner was a Communist and upon statements by the committee's counsel to the

effect that the committee had information that petitioner had been sent to Atlanta by the Communist party, says simply: "It is to be emphasized that the petitioner was not summoned to appear as the result of an indiscriminate dragnet procedure, lacking in probable cause for belief that he possessed information which might be helpful to the subcommittee."

Significantly, the majority does not say just how much its emphasis on this point is worth, if anything. Thus, for all that appears, in the majority opinion, there is no assurance that the committee will be required to produce any information at all as a prerequisite to the exercise of its subpoena and contempt powers. Assuming for the sake of argument, however, that such a requirement will be imposed, it then becomes relevant to inquire as to just how much this requirement will mean in terms of genuine protection for those who in good faith wish to criticize the committee.

That inquiry is, to my mind, satisfactorily settled by a look at the facts in this case. So far as appears from this record, the only information the committee had with regard to petitioner was the testimony of a paid informant at a previous committee hearing. The only evidence to the effect that petitioner was in fact a member of the Communist Party that emerges from that testimony is a flat conclusory statement by the informant that it was so. No testimony as to particular happenings upon which such a conclusion could rationally be based was given at that hearing.

When this fact is considered in conjunction with the fact that petitioner was not accorded the opportunity to cross-examine the informant or the protection of the statute permitting inspection of statements given to the FBI by paid informants, it seems obvious to me that such testimony is almost totally worthless for the purpose of establishing probable cause.

#### PERJURY POINT RAISED

For all we know, the informant may have had no basis at all for her conclusion and, indeed, the possibility of perjury cannot, in view of its frequent recurrence in these sorts of cases, be entirely discounted. Thus, in my view, the protection afforded by a requirement of some sort of probable cause, even if imposed, is almost totally worthless.

In the atmosphere existing in this country today, the charge that someone is a Communist is so common that hardly anyone active in public life escapes it. Every member of this Court has, on one occasion or another, been so designated. And a vast majority of the members of the other two branches of Government have fared no better. If the mere fact that someone has been called a Communist is to be permitted to satisfy a requirement of probable cause, I think it plain that such a requirement is wholly without value. To impose it would only give apparent respectability to a practice which is inherently in conflict with our concepts of justice and due process.

The other such protection afforded to critics of the Un-American Activities Committee under these decisions is included in the majority's so-called balancing test. Under that test, we are told, this Court will permit only those abridgements of personal beliefs and associations by committee inquiry that the Court believes so important in terms of the need of the committee for information that such need outweighs the first amendment rights of the witness and the public.

#### LITTLE PROTECTION FOUND

For my part, I need look no further than this very case to see how little protection this high-sounding slogan really affords. For in this case the majority is holding that the interest of the committee in the information sought outweighs that of the witness

and the public in free discussion while, at the same time, it disclaims any power to determine whether the committee is in fact interested in the information at all. The truth of the matter is that the balancing test, at least as applied to date, means that the committee may engage in any inquiry a majority of this Court happens to think could possibly be for a legitimate purpose, whether that purpose be the true reason for the inquiry or not. And under the tests of legitimacy that are used in this area, any first-year law school student worth his salt could construct a rationalization to justify almost any question put to any witness at any time.

Thus, in my view, the conclusion is inescapable that the only real limitation upon the committee's power to harass its opponents is the committee's own self-restraint, a characteristic which probably has not been predominant in the committee's work over the past few years.

The result of all this is that from now on anyone who takes a public position contrary to that being urged by the House Un-American Activities Committee should realize that he runs the risk of being subpoenaed to appear at a hearing in some far-off place, of being questioned with regard to every minute detail of his past life, of being asked to repeat all the gossip he may have heard about any of his friends and acquaintances, of being accused by the committee of membership in the Communist Party, of being held up to the public as a subversive and a traitor, of being jailed for contempt if he refuses to cooperate with the committee in its probe of his mind and associations, and of being branded by his neighbors, employer, and erstwhile friends as a menace to society regardless of the outcome of that hearing.

#### A FORMIDABLE OPPONENT

With such a powerful weapon in its hands, it seems quite likely that the committee will weather all criticism, even though justifiable, that may be directed toward it. For there are not many people in our society who will have the courage to speak out against such a formidable opponent.

If the present trend continues, this already small number will necessarily dwindle as their ranks are thinned by the jails. Government by consent will disappear to be replaced by government by intimidation because some people are afraid that this country cannot survive unless Congress has the power to set aside the freedoms of the first amendment at will.

I can only reiterate my firm conviction that these people are tragically wrong. This country was not built by men who were afraid and it cannot be preserved by such men. Our Constitution, in unequivocal terms, gives the right to each of us to say what we think without fear of the power of the Government. That principle has served us so well for so long that I cannot believe it necessary to allow any governmental group to reject it in order to preserve its own existence. Least of all do I believe that such a privilege should be accorded the House Un-American Activities Committee.

(Justice Douglas dissenting, with concurrence of Chief Justice Warren and Justice Black)

If it is un-American to criticize, impeach, and berate the committee and to seek to have it abolished, then the committee acted within the scope of its authority in asking the questions. But we take a dangerous leap when we reach the conclusion that criticism of the committee was within the scope of the [House] resolution:

Criticism of government finds sanctuary in several portions of the first amendment. It is part of the right of free speech. It embraces freedom of the press. Can editors be summoned before the committee and be made to account for their editorials denouncing the committee, its tactics, its prac-

tices, its policies? If petitioner can be questioned concerning his opposition to the committee, then I see no reason why editors are immune. The list of editors will be long, as evident from the editorial protests against the committee's activities, including its recent film, "Operation Abolition."

We cannot allow this man to go to prison for 12 months unless we hold that an investigation of those who criticize the Un-American Activities Committee was both authorized and constitutional. I cannot read the resolution as authorizing that kind of investigation without assuming that the Congress intended to flout the first amendment.

#### BRADEN CASE

(Justice Stewart for the majority)

The principal issues raised by the petitioner are substantially identical to those considered in Wilkinson, and extended discussion is not required in resolving them. Based upon the same record that was brought here in Wilkinson, we conclude for the reasons stated there that the subjects under subcommittee investigation at the time the petitioner was interrogated were Communist infiltration into basic southern industry and Communist Party propaganda activities in the southern part of the United States. We conclude for the same reasons that the subcommittee's investigation of these subjects was authorized by Congress, that the interrogation was pertinent to a question under subcommittee inquiry, and that the petitioner was fully apprised of its pertinency.

In asserting a violation of his first amendment rights, the petitioner here points out that he was asked, not simply whether he was or had been a Communist Party member, as in Wilkinson and Barenblatt, supra, but whether he was a member "the instant you affixed your signature to that letter." The letter in question, which had admittedly been signed by the petitioner and his wife, urged opposition to certain bills in Congress. The petitioner emphasizes that the writing of such a letter is not only legitimate but constitutionally protected activity, and points to other evidence in the record to indicate that he had been active in other completely legitimate causes.

Based upon these circumstances, he argues that the subcommittee did not have a proper legislative purpose in calling him before it, but that it was bent rather on persecuting him for publicly opposing the subcommittee's activities. He contends that under such circumstances an inquiry into his personal and associational conduct violated his first amendment freedoms. On these grounds, the petitioner would differentiate the constitutional issues here from those that were before the court in Barenblatt, supra.

#### Judgment is upheld

But Barenblatt did not confine congressional committee investigation to overt criminal activity, nor did that case determine that Congress can only investigate the Communist Party itself. Rather, the decision upheld an investigation of Communist activity in education. Education, too, is legitimate and protected activity. Communist infiltration and propaganda in a given area of the country, which were the subjects of the subcommittee investigation here are surely as much within its pervasive authority as Communist activity in educational institutions.

The subcommittee had reason to believe that the petitioner was a member of the Communist Party, and that he had been actively engaged in propaganda efforts. It was making a legislative inquiry into Communist Party propaganda activities in the Southern States. Information as to the extent to which the Communist Party was utilizing legitimate organizations and causes in its

propaganda efforts in that region was surely not constitutionally beyond the reach of the subcommittee's inquiry. Upon the reasoning and authority of Barenblatt, we hold that the judgment is not to be set aside on first amendment grounds.

The petitioner in this case raises two additional issues. First, he says that it was error for the trial court not to leave it for the jury to determine whether the questions asked by the subcommittee were pertinent to the subject under inquiry. Second, he asserts that he could not properly be convicted, because in refusing to answer the subcommittee's questions he relied upon his understanding of the meaning of the previous decisions of this court. We think that both of these contentions have been foreclosed by *Sinclair v. United States* (279 U.S. 263).

At the trial the district judge determined as a matter of law that the questions were pertinent to a matter under inquiry by the subcommittee, leaving to the jury the question whether the pertinence of the questions had been brought home to the petitioner. It is to be noted that counsel made no timely objection to this procedure and, indeed, affirmatively acquiesced in it.

#### *Sinclair case quoted*

But we need not base rejection of the petitioner's contention here on that ground, for in any event, it was proper for the court to determine the question as a matter of law. This is precisely what was held in *Sinclair v. United States*, where the court said at 279 U.S. 299: "The reasons for holding relevancy and materiality to be questions of law apply with equal force to the determination of pertinency arising under section 102 (the predecessor of 2 U.S.C. 192). The matter for determination in this case was whether the facts called for by the question were so related to the subjects covered by the Senate's resolutions that such facts reasonably could be said to be 'pertinent to the questions under inquiry.' It would be incongruous and contrary to well-established principles to leave the determination of such a matter to a jury."

During his interrogation the petitioner was asked: "Now do I understand that you have refused to answer the question as to whether or not you are now a member of the Communist Party solely upon the invocation of the provisions of the first amendment, but that you have not invoked the protection of the fifth amendment to the Constitution. Is that correct?"

He gave the following answer: "That is right, sir. I am standing on the Watkins, Sweezy, Konigsberg, and other decisions of the U.S. Supreme Court which protect my right and the Constitution as they interpret the Constitution of the United States, protecting my right to private belief and association."

#### *Deliberate refusal*

It is now argued that because he relied upon his understanding of this Court's previous decisions he could not be convicted under the statute for failing to answer the questions. An almost identical contention was also rejected in *Sinclair v. United States*:

"There is no merit in appellant's contention that he is entitled to a new trial because the Court excluded evidence that in refusing to answer he acted in good faith on the advice of competent counsel. The gist of the offense is refusal to answer pertinent questions. No moral turpitude is involved. Intentional violation is sufficient to constitute guilt. There was no misapprehension as to what was called for. The refusal to answer was deliberate. The facts sought were pertinent as a matter of law, and section 102 made it appellant's duty to answer. He was bound rightly, to construe the statute. His mistaken view of law is no defense."

Here, as in *Sinclair*, the refusal to answer was deliberate and intentional.

(Justice Black dissenting with the concurrence of Chief Justice Warren and Justice Douglas)

The petitioner in this case has some time been at odds with strong sentiment favoring racial segregation in his home State of Kentucky. A white man himself, the petitioner has none the less spoken out strongly against that sentiment.

This activity, which once before resulted in his being charged with a serious crime, seems also to have been the primary reason for his being called before the Un-American Activities Committee. For the occasion of that committee's compelling petitioner to go from Rhode Island, where he was vacationing, to Atlanta for questioning appears from the record to have been the circulation of two letters, both in the nature of petitions to Congress, urging that certain legislative action be taken which, in the view of the signers of the petitions, would help those working against segregation. The record shows that the committee apparently believed that petitioner had drafted both of these petitions, and that he had circulated them, not—as would appear from the face of the petitions—for the purpose of furthering the cause of integration, but for the purpose of furthering the interest of the Communist Party, of which the committee claimed to have information that he was a member, by fomenting racial strife and interfering with the investigations of the Un-American Activities Committee.

Again I must agree with the majority that insofar as the conviction is attacked on constitutional grounds, the decision in Barenblatt constitutes ample authority for its action, even though it cannot be denied that the committee's conduct constitutes a direct abridgment of the right of petition. Indeed, I think the majority might well have, with equal justification, relied upon a much earlier decision of this court, that in *Beauharnais v. Illinois*. For it was there that a majority of this court first applied to the right of petition the flexible constitutional rule upon which the decision in this case is based—the rule that the right of petition, though guaranteed in precise and mandatory terms by the first amendment, may be abandoned at any time Government can offer a reason for doing so that a majority of this Court finds sufficiently compelling.

#### *Must secure liberty*

If the House Un-American Activities Committee is to have the power to interrogate everyone who is called a Communist, there is one thing certain beyond the peradventure of a doubt—no legislative committee, State or Federal, will have trouble finding cause to subpoena all persons anywhere who take a public stand for or against segregation. The lesson to be learned from these two cases is, to my mind, clear. Liberty, to be secure for any, must be secure for all—even for the most miserable merchants of hatred and unpopular ideas.

Both Barenblatt and Beauharnais are offspring of a constitutional doctrine that is steadily sacrificing individual freedom of religion, speech, press, assembly and petition to governmental control. There have been many other such decisions and the indications are that this number will continue to grow at an alarming rate. For the presently prevailing constitutional doctrine, which treats the first amendment as a mere admonition, leaves the liberty-giving freedoms which were intended to be protected by that amendment completely at the mercy of Congress and this Court whenever a majority of this Court concludes, on the basis of any of the several judicially created tests now in vogue, that abridgment of these freedoms is more desirable than freedom itself.

Only a few days ago, the application of this constitutional doctrine wiped out the rule forbidding prior censorship of movies in an opinion that leaves the door wide open, if indeed it does not actually invite, prior censorship of other means of publication. And the Blackstonian condemnation of prior censorship had long been thought, even by those whose idea of first amendment liberties have been most restricted, to be the absolute minimum of the protection demanded by that amendment.

#### *Sees liberties in peril*

I once more deny, as I have found it repeatedly necessary to do in other cases, that this Nation's ability to preserve itself depends upon suppression of the freedoms of religion, speech, press, assembly, and petition. But I do believe that the noble-sounding slogan of "self-preservation" rests upon a premise that can itself destroy any democratic nation by a slow process of eating away at the liberties that are indispensable to its healthy growth. The very foundation of a true democracy and the foundation upon which this Nation was built is the fact that government is responsive to the views of its citizens, and no nation can continue to exist on such a foundation unless its citizens are wholly free to speak out fearlessly for or against their officials and their laws. When it begins to send its dissenters, such as Barenblatt, Uphaus, Wilkinson, and now Braden to jail, the liberties indispensable to its existence must be fast disappearing. If self-preservation is to be the issue that decides these cases, I firmly believe they must be decided the other way. Only by a dedicated preservation of freedoms of the first amendment can we hope to preserve our Nation and its traditional way of life.

(Justice Douglas, dissenting with the concurrence of Chief Justice Warren, Justice Black, and Justice Brennan)

At the bottom of this case are this Court's decisions in *Pennsylvania v. Nelson*, holding that Congress did not entrust to the States protection of the Federal Government against sedition, and *Brown v. Board of Education*, holding that racial segregation of students in public schools is unconstitutional. I had supposed until today that one could agree or disagree with these decisions without being hounded for his belief and sent to jail for concluding that his belief was beyond the reach of government.

On June 17, 1957, we decided *Watkins v. United States*, defining and curtailing the authority of congressional committees who sought the aid of the courts in holding witnesses in contempt. We said in a 6-to-1 decision that "when first amendment rights are threatened, the delegation of power to the committee must be clearly revealed in its charter"; that "there is no congressional power to expose for the sake of exposure"; that the meaning of "un-American" in the resolution defining the committee's authority is so vague that it is difficult to imagine a less explicit authorizing resolution; that before a witness chooses between answering or not answering he is entitled to have knowledge of the subject to which the interrogation is deemed pertinent; that in that case the resolution and the statement of the committee's chairman was woefully inadequate to convey sufficient information as to the pertinency of the questions to the subject under inquiry.

*Sweezy v. New Hampshire*, decided the same day as the *Watkins* case, reversed a conviction arising out of a State investigation into subversive activities where a teacher was asked questions concerning his relation to Marxism.

#### *Urges narrow view*

On June 8, 1959—2 years after the *Watkins* and *Sweezy* decisions—we decided *Barenblatt v. United States*, where a divided Court gave

only slight consideration to the type of pertinency claim that was raised in Watkins, Sweezy, and the present case, in part because it could rely on the petitioner's failure to raise that objection before the committee.

Petitioner, who was called as a witness by the committee in July 1958, which was even before Barenblatt was decided, refused to answer, relying on the Watkins and Sweezy decisions "as they interpret the Constitution of the United States, protecting my right to private belief and association."

I think he was entitled to rely on them. The act under which he stands convicted states that a witness is guilty if he "willfully makes default, or who having appeared, refuses to answer any question pertinent to the question under inquiry." A refusal to answer was held in *Sinclair v. United States*, not to be justified because one acted in good faith, the Court saying, "his mistaken view of the law is no defense." Yet no issue concerning the first amendment was involved in the Sinclair case. When it is involved, as it is here, the propriety of the question in terms of pertinency should be narrowly resolved.

The resolution under which the Committee on Un-American Activities acted in this case is precisely the same as the one involved in *Watkins v. United States*. We said concerning it, "It should be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of 'un-American'? What is that single, solitary 'principle of the form of government as guaranteed by our Constitution'? At one time, perhaps, the resolution might have been read narrowly to confine the committee to the subject of propaganda. The events that have transpired in the 15 years before the interrogation of petitioner make such a construction impossible at this date."

#### Requirements not satisfied

We emphasized the need, when first amendment rights were implicated, to lay a foundation before probing that area. The authority of the committee must then "be carefully revealed in its charter." The "specific legislative need" must be disclosed. The pertinency of the questions and the subject matter under inquiry must be made known "with the same degree of explicitness and clarity that the due process clause requires in the expression of any element of a criminal offense."

After Watkins, anyone was entitled to rely on those propositions for protection of his first amendment rights. The conditions and circumstances under which the questions were asked petitioner plainly did not satisfy the requirements specified in Watkins.

The setting of the six questions which were asked petitioner which he refused to answer show nothing more than an exercise by him of first amendment rights of speech and press and of petition to Congress. It was not shown that they were part of a matrix for the overthrow of government. It was not shown—unless the bare word of the committee is taken as gospel—that these constitutional activities had any relation whatever to communism, subversion, or illegal activity of any sort or kind. It was not shown where and how the committee was ever granted the right to investigate those who petition Congress for redress of grievances.

Petitioner and his wife were field secretaries of an organization known as the Southern Conference Educational Fund. Prior to the committee hearing at Atlanta, Ga., they wrote on the letterhead of the Southern Conference urging people to write their Congressmen and Senators to oppose three bills pending before the Congress which would, to use their words, "nullify" a decision of this Court "declaring State sedition laws inoperative." They added, "We are especially concerned about this be-

cause we know from our own experience that such laws can be used against people working to bring about integration in the South. Most of these State statutes are broad and loosely worded, and to the officials of many of our Southern States integration is sedition. You can imagine what may happen if every little prosecutor in the South is turned loose with the State sedition law."

#### No tie to communism

There is nothing in the record to show that the Southern Conference or the Emergency Civil Liberties Committee or the Southern Newsletter had the remotest connection with the Communist Party. There is only the charge of the committee that there was such a connection. That charge amounts to little more than innuendo. This is particularly clear with respect to the question relating to petitioner's membership in the Communist Party. Having drawn petitioner's attention to the letter he had written, counsel for the committee demanded to know if petitioner was a Communist "the instant you affixed your signature to that letter." No foundation at all had been laid for that question, and from the record no purpose for it appears, save the hope of the committee to link communism with that letter which supported this Court's decision in *Pennsylvania v. Nelson*, *supra*.

This Court, passing on the pertinency issue in *Barenblatt v. United States*, was careful to emphasize that Barenblatt "had heard the subcommittee interrogate the witness Crowley along the same lines as he, petitioner, was evidently to be questioned, and had listened to testimony identifying him as a former member of an alleged Communist student organization." No such foundation was ever laid here.

One would be wholly warranted, I think, in light of the Watkins and Sweezy decisions that a committee's undisclosed information or unsupported surmise would not justify an investigation into matters that on their face seemed well within the first amendment. If Watkins and Sweezy decided anything, they decided that before inroads in the first amendment domain may be made, some demonstrable connection with communism must first be established and the matter be plainly shown to be within the scope of the committee's authority. Otherwise the committee may roam at will, requiring any individual to expose his association with any group or with any publication which is unpopular with the committee and which it can discredit by calling it communistic.

Mr. ROOSEVELT. Mr. Speaker, I would also say simply to the gentleman from Ohio [Mr. SCHERER] that of course what he has put into the RECORD by so-called unbiased witnesses is only one side of the story. In nearly every controversial issue there are two sides to the story. I would ask my colleagues to read what I think, and I think you would also agree, was an unbiased dissertation on the unfortunate things that took place in San Francisco. They were placed in the RECORD, not by myself, but by my colleague from California, the Honorable JOHN F. SHELLEY. They are a series of articles written by reporters for the San Francisco News-Call-Bulletin. As you read them and get both sides of the story, I think you will be able to judge somewhat the rights and the wrongs of this controversy. As the gentleman from California [Mr. SHELLEY] well pointed out in introducing these articles no one, I believe, would say that the San Francisco News-Call-Bulletin is either a leftwing or a Communist-dominated publication in any manner.

Mr. Speaker, under the parliamentary rules which exist I understand that no amendments are possible, only a motion to recommit following the adoption of the previous question. It is not my purpose here to try to delay this measure. It would not serve any purpose whatsoever and I am the first to recognize it, and I would not take my colleagues' time to do that. I do feel, however, that I should draw your attention to one thing. In my testimony I tried to show the number of times that the House Committee on Un-American Activities has duplicated the work of other committees of this House. My colleagues have adopted in resolutions authorizing investigations by other committees, very distinct restrictions as to one committee going into investigations that are handled by other committees. Unfortunately the Committee on House Administration has not seen fit to include the same restriction on the Committee on Un-American Activities. If I had the opportunity I would try at least to offer an amendment to incorporate that restriction in the hope that we would get more effective administration of the basic purposes for which the House Un-American Activities Committee was organized by this body. Let me say flatly and completely, I am opposed to any conspiracy to overthrow our Government whether it be Communist, Fascist, or any other. I am flatly opposed to the basic philosophy of communism. I believe in the principles of our form of American government and our Constitution. But this committee as Justices Black and Douglas so clearly pointed out, our own liberties are endangered by the methods of this committee. If we defeat communism but lose our individual rights, we have lost the backbone of Americanism of all that really makes us a Nation of free men. It is obvious this House does not yet see this danger, but four of our nine Supreme Court Justices do.

And so, Mr. Speaker, in conclusion let me simply say that my fight against the committee is not because of its purported aims. It is because of the issues which were so well set forth by Mr. Justice Black and his agreeing colleagues' dissenting opinions of last Monday. And I feel constrained to say that though it is an unpopular cause, because I believe in it from principle I shall continue to expound it with the hope that my fellow citizens and my colleagues will eventually understand it more clearly.

Mr. SCHENCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHENCK. Is my understanding correct that Members who speak on this measure today have secured the permission of the House to revise and extend their remarks made in the House, and that other Members have that right?

The SPEAKER. All Members have that privilege.

Mr. SCHENCK. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, first I want to make sure that the House

understands the reference to the gentleman from California, without mentioning his name. I am not the one referred to.

I am sorry that this measure is coming to the House in the form that it is. I would have preferred, and I talked with the chairman about it, to have it come to the House under a rule so that it could be debated, amendments added, and the votes taken.

The other night in a national hook-up in a televised program my colleague from California left the impression that last year he tried to amend a similar resolution and reduce the amount, but under the procedure of the House he did not have that opportunity. He gave the impression, which I gained from viewing that television program, that there was a large number of Members of the House that agreed with him, and that they were deprived of that right. That is why I thought we should have this resolution come to the House under a rule. In that way we could have had a vote on the amendment, because I do not believe there is any appreciable number of Members of this House who will vote to cut the appropriation of the Committee on Un-American Activities, nor has anybody, except possibly one or two, ever voted to abolish the Committee on Un-American Activities.

I hope that today anyone who wants to cut the appropriation will make sure that he votes against the motion on the previous question, because that is the only way that we can tell the number who want to cut the appropriation, for afterwards you will vote on the resolution. As far as I know, there never has been a vote cast against the resolution itself and the full appropriation. So I would ask any of you who want to cut the appropriation of this committee to be sure to make your vote known at the time we vote on ordering the previous question.

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

Mr. YOUNGER. I yield to the gentleman from Indiana.

Mr. HALLECK. As I understand the parliamentary situation, as was pointed out by the very able chairman of the committee, if the previous question were not ordered but were voted down, then the matter before us would be subject to amendment. I ask the gentleman from Texas, is not that correct?

Mr. BURLESON. That is my understanding.

Mr. HALLECK. Then I would suggest to the gentleman from California [Mr. ROOSEVELT] that if he really wants to amend the resolution he might try by at least a division vote to see how many Members want to vote down the motion for the previous question and to amend the resolution here under consideration.

Mr. YOUNGER. That is the point I was making.

Mr. WALTER. Mr. Speaker, on the matter before us, that of appropriations for the Committee on Un-American Activities, the committee's chief opponent presented the best case he could at an executive session of a subcommittee of the House Administration Committee

last week. Apparently, he thought it was a good case, because he released the text of his statement to the press and also inserted it in the CONGRESSIONAL RECORD of February 27.

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

Mr. WALTER. I will not yield at this time. The gentleman has had an opportunity to be heard.

Mr. ROOSEVELT. You rather reflected on my integrity on having released it. I want to point out I had asked permission to do so.

Mr. WALTER. I intended to.

I have read his statement carefully and, frankly, I was amazed at its lack of substance. More important, I was staggered—and this after 27 years service in this House—by the extent to which it was based on fuzzy reasoning, distortions, falsehoods, and what, at best, could be described as a total failure to comprehend, even remotely, the nature of communism.

The gentleman who set himself up as the expert on the Committee on Un-American Activities, its proper role and functions, expenditures and so on, objected before the House Administration Subcommittee to the Committee on Un-American Activities' holding hearings and recommending legislation on such topics as passports, espionage, and industrial security. All these subjects, he said, were within the purview of other committees of the House. The Committee on Un-American Activities, he said, had no right to consider these matters; its enabling resolution restricted it exclusively to the subject of Communist propaganda and Communist propaganda alone.

This individual opinion is completely erroneous. It is beyond dispute that the Committee on Un-American Activities has complete and unquestioned right to go into these and all other fields of Communist activity. The Supreme Court of the United States has thoroughly explored this claim of the gentleman from California and flatly rejected it. Let me read for you its answer to his specious claim:

Just as legislation is often given meaning by the gloss of legislative reports, administrative interpretation, and long usage, so the proper meaning of an authorization to a congressional committee is not to be derived alone from its abstract terms unrelated to the definite content furnished them by the course of congressional actions. The rule comes to us with a "persuasive gloss of legislative history," *United States v. Witkovich* (353 U.S. 194, 199), which shows beyond doubt that in pursuance of its legislative concerns in the domain of national security the House has clothed the Un-American Activities Committee with pervasive authority to investigate Communist activities in this country.

The Court continued:

From the beginning, without interruption to the present time, and with the undoubted knowledge and approval of the House, the committee has devoted a major part of its energies to the investigation of Communist activities.

The Court then enumerated the diverse inquiries that the Committee on Un-American Activities has made over

the years—inquiries into Communist infiltration in the motion picture industry; in labor, youth, farmer, veteran, and professional groups; into espionage, and its consideration of various legislative proposals. After enumerating these diverse investigations, the Court stated:

In the context of these unremitting pursuits, the House has steadily continued the life of the committee at the commencement of each new Congress; it has never narrowed the powers of the committee, whose authority has remained throughout identical with that contained in rule XI; and it has continually supported the committee's activities with substantial appropriations.

In light of this long and illuminating history it can hardly be seriously argued that the investigation of Communist activities generally, and the attendant use of compulsory process, was beyond the purview of the committee's intended authority under rule XI.

This decision of the Supreme Court was handed down over a year and a half ago, on June 8, 1959. More than once the gentleman from California has referred to this, the Barenblatt decision, in attacking the Committee on Un-American Activities. I feel certain that he well knows its import and has known it since the day the decision was handed down, or very shortly thereafter.

Yet, he found it proper to appear before a committee of this House—and also to make various public statements—promoting the false, completely unfounded, line that the Committee on Un-American Activities does not have the authority to investigate any phase of communism except propaganda.

The power of the Committee on Un-American Activities to pursue investigations of Communist activities in all fields has also been upheld by the Supreme Court in the denial of certiorari in the case of Horace Chandler Davis, which also dealt with an investigation in the field of education; the Arthur McPhaul case, which involved an investigation of Communist activities in the vital defense area of Detroit; and the Wilkinson and Braden cases, the decisions in which was rendered on Monday of this week, involving an investigation of Communist infiltration in the textile and other basic industries located in the South, and Communist Party propaganda activities in the South.

In the Wilkinson case, the interrogator for the committee explained to the witness that the committee was considering H.R. 9937. This bill, among other things, relates to immigration and passport security, amendments to the Foreign Agents Registration Act, wiretapping, and other matters, all of which, the gentleman from California claims, are not in the jurisdiction of this committee. In referring to the committee's explanation, the Court stated:

All of these sources indicate the existence of a legislative purpose. And the determination that purposes of the kind referred to are unassailably valid was a cornerstone of our decision in Barenblatt, supra:

"That Congress has wide power to legislate in the field of Communist activity in this country, and to conduct appropriate investigations in aid thereof, is hardly debatable. The existence of such power has never been questioned by this Court, and it



is sufficient to say, without particularization, that Congress has enacted or considered in this field, a wide range of legislative measures, not a few of which have stemmed from recommendations of the very committee whose actions have been drawn in question here. In the last analysis this power rests on the right of self-preservation \* \* \* (360 U.S., at 127-128).

I would like to speak briefly about another point which reveals, compellingly, the insincerity of the economy argument presented by the gentleman from California. He insisted that although he wants economy he also wants communism investigated, that he is not in the least opposed to legislative inquiry into subversion.

It is admitted by all that the Communists have infiltrated every phase of our life. Therefore, what the gentleman from California, in effect, has recommended is that every single committee of the House must have a special subcommittee on subversion—the Education and Labor Committee to investigate subversion in labor and education, the Agriculture Committee to investigate communism in agriculture, and so on down the line. Because Communist subversion is a specialized subject, requiring specialized knowledge, data, files, and so forth, this would be the only way communism could be investigated adequately if the House were to abolish the Committee on Un-American Activities or curb its broad investigative powers—as Mr. Roosevelt wants it to do.

This is ridiculous on its face. Can anyone here think of anything more wasteful than this? Yet, this is the logical conclusion of his stated position. Can anyone believe, then, that one of his major concerns is really duplication and waste when he urges that the appropriation for the Committee on Un-American Activities be reduced?

Repeatedly in his statement before the Administration Committee, the gentleman charged that the Committee on Un-American Activities devotes a large part of its time, effort, and funds to what he called self-justification. At one point, he stated:

A very large proportion of its entire costly work last year was devoted to nothing more or less than justification of its own existence.

At another point:

Self-justification dominates much of the committee's work.

He admitted in his statement, "I have dwelt on this"; that is, the charge repeated over and over again—that much of the committee's funds was expended on this type of activity.

What is the truth about this charge?

Last year the committee published seven consultations. Not one of them had a thing to do with the committee itself or self-justification.

Last year the committee held nine hearings—on Communist infiltration of waterfront, and also of radio communication facilities; three on espionage; two on Communist activities among youth, including the Moscow-sponsored World Youth Festivals; one on the structure, objectives, and leadership of the north-

ern California Communist Party; and one on the Air Force Training Manual. Only one of these nine hearings in any way concerned the committee itself. That was the hearing on the Air Force Training Manual, which was held only to clear up the question of whether or not Air Force officials have uncovered evidence indicating that committee publications quoted in the manual were in any way nonfactual.

Last year the committee published six reports. Two of them were—Mr. Hoover's report, "Communist Target—Youth," and House Report No. 2228, concerning contempt of Congress legislation. Of the other four reports, only one could in any way be said to be related to the committee itself.

In summary, we find, then, that of 25 volumes published by the committee last year, 1 might be described as coming within the subject matter of his charge.

Now, I will tell you why the committee published this one volume last year that might be termed a work of self-justification.

The Communist Party, its fronts, fellow travelers and dupes—in their effort to discredit the committee—have for many years been spreading the lie that the Committee on Un-American Activities has done little or nothing in the field of legislation and that this is one reason why it should be abolished.

This lie has been repeated so often, in so many places, that many people have been led to believe it is true. Though grossly false, it has been stated as fact in newspaper editorials, magazines, and in many other sources of public information.

The only reason the report on the committee's legislative recommendations was published was to prove to the Members of this House and the American people that this charge—repeated at great length by the gentleman from California, by the way, in his testimony before the Administration Committee—was completely unfounded.

This brings me to another falsehood assiduously promoted by the gentleman from California in his recent testimony. Several times, he stated that this report was the work of the Committee on Un-American Activities. He referred to it as "its claim of legislative accomplishments." And at another point, he said that throughout this report "the committee tendentiously claims," and so forth.

The truth is that this report was prepared by the Legislative Reference Service of the Library of Congress, and not by the Committee on Un-American Activities. The 127 page text of this report is, in no sense, the committee's work. There is a foreword to the report—of 3¼ pages—which was prepared by the committee, but even this is largely a summary of the extensive and vital data contained in the report.

This report reveals that 35 recommendations of the Committee on Un-American Activities have been enacted into legislation; that 52 bills containing recommendations of the committee were pending at the close of the 86th Con-

gress; and that 8 of these bills had been passed by the House.

An earlier report on the same matter revealed that in addition to this record of legislative accomplishments, 13 policy recommendations of the Committee on Un-American Activities had been adopted by executive agencies of our Government.

This, perhaps, is why about 20 percent of the testimony of the gentleman from California before the House Administration Committee, was devoted to efforts to discredit this report and why he tried, over and over again, to make it appear that it was the committee's own work. Not once in the course of his testimony did he mention the fact that this was an objective, independent study made by the Library of Congress.

While speaking on this question of funds, there is one other point I would like to mention. Never before in the history of the committee has there been the volume of mail that the committee has had during the past year or so. I might add that this mail has been overwhelmingly favorable. It has been so heavy, however, that it has been impossible for the committee to keep up to date in answering it. For this reason, I hope that the Members of the House and their constituents will be patient. Your letters and requests for information addressed to the committee will be answered as soon as possible.

The gentleman from California objects that the committee has a large staff. I will tell you now, frankly, that it is my intention to enlarge the staff this year by the addition of several secretaries, so that we will be able to keep abreast of our mail and not keep the Members of the House and their constituents waiting for unduly long periods for answers to their requests.

The gentleman from California's statement before the House Administration Committee provided interesting insight into his total lack of understanding of communism and of the danger and operations of the U.S. Communist Party.

At one point he referred to former Communists as "renegades." This is precisely what the Communist Party calls them. A "renegade," the dictionary says, is a traitor or turncoat. Most Americans rejoice whenever a Communist turns against communism, becomes a loyal American again and gives up his treasonous work in behalf of a foreign enemy. But not the gentleman from California. To him these people are worthy only of contempt. They are renegades, turncoats, traitors.

At another point in his statement he raised the question of whether or not the Committee on Un-American Activities was properly set up to conduct the kind of really fruitful study of communism which we need. He answered this question in the negative, and cited as one reason for his answer the "a priori" manner in which the committee approaches the subject of communism.

A priori reasoning is reasoning based on certain principles which are accepted as self-evident. The only way I can interpret his statement is that he objects to the fact that the committee operates on what it believes is the self-evident

principle that communism is evil and un-American. Apparently, he does not share this view.

The gentleman inserted into the CONGRESSIONAL RECORD the minority views of the Supreme Court. I am going to say something about those minority views one of these days, but at this point I should like to have permission, Mr. Speaker, to insert in these remarks, the majority views of the Court which represent, may I say for the gentleman's information, the law of the land at this moment.

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

There was no objection.

The matter referred to is as follows:

[Supreme Court of the United States, No. 37, October term, 1960]

FRANK WILKINSON, PETITIONER, v. UNITED STATES

(On Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit) (February 27, 1961)

Mr. Justice Stewart delivered the opinion of the Court:

The petitioner was convicted for having unlawfully refused to answer a question pertinent to a matter under inquiry before a subcommittee of the House Committee on Un-American Activities at a hearing in Atlanta, Ga., on July 30, 1958.<sup>1</sup> His conviction was affirmed by the court of appeals, which held that our decision in *Barenblatt v. United States*, 360 U.S. 109, was "controlling." 272 F. 2d 783. We granted certiorari, 362 U.S. 926, to consider the petitioner's claim that the court of appeals had misconceived the meaning of the *Barenblatt* decision. For the reasons that follow, we are of the view that the court of appeals was correct, and that its judgment must be affirmed.

I

The following circumstances were established by uncontroverted evidence at the petitioner's trial:

The Committee on Un-American Activities is a standing committee of the House of Representatives, elected at the commencement of each Congress.<sup>2</sup> The committee, or any subcommittee thereof, is authorized to investigate "(1) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and that attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other ques-

<sup>1</sup>The applicable statute is 2 U.S.C. 192. It provides: "Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than \$1,000 nor less than \$100 and imprisonment in a common jail for not less than 1 month nor more than 12 months." (2 U.S.C. 192.)

<sup>2</sup>Rule X of the Standing Rules of the House of Representatives, as amended by the Legislative Reorganization Act of 1946, c. 753, sec. 121, 60 Stat. 812, 822, 823.

tions in relation thereto that would aid Congress in any necessary remedial legislation."<sup>3</sup>

In the spring of 1958 the committee passed a resolution providing for a subcommittee hearing to be held in Atlanta, Ga., "relating to the following subjects and having the legislative purposes indicated:

"1. The extent, character, and objects of Communist colonization and infiltration in the textile and other basic industries located in the South, and Communist Party propaganda activities in the South, the legislative purpose being:

"(a) To obtain additional information for use by the committee in its consideration of section 16 of H.R. 9352, relating to the proposed amendment of section 4 of the Communist Control Act of 1954, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purposes or objectives thereof; and

"(b) To obtain additional information, adding to the committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense, and for internal security, when and if the exigencies of the situation require it.

"2. Entry and dissemination within the United States of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of, amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"3. Any other matter within the jurisdiction of the committee which it, or any subcommittee thereof, appointed to conduct this hearing, may designate."

The subcommittee which was appointed pursuant to this resolution convened in Atlanta on July 29, 1958. At the opening of the proceedings on that day, the chairman of the committee orally summarized the purposes of the hearings. The petitioner was present and heard the chairman's statement.

The first witness to appear was Amando Penha, who testified that he had been a member of the Communist Party from 1950 to 1958, having joined the party at the request of the Federal Bureau of Investigation. He stated that he had served as a member of the national textile commission of the party, which, he said, was set up to control and supervise the infiltration and colonization of the textile industry, particularly in the South. He described the "colonizer" system, which, he said, involves sending hardcore party members into plants in jobs where they have close contact with rank and file workers. Penha described in some detail his trips throughout the South in compliance with the instructions of the national textile commission, and identified a number of individuals as "colonizers." Another witness, a deputy collector of customs, described the influx of Communist propaganda sent from abroad into the United States and particularly into the South. Several other witnesses were then interrogated, some as to their activities as alleged Communist colonizers, others as to their connection with certain allegedly Communist-controlled publications. A number of these witnesses declined to answer most of the questions put to them.

On the following day the first witness before the subcommittee was Carl Braden. Although interrogated at length he declined to answer questions relating to alleged Com-

<sup>3</sup>Rule XI of the Standing Rules (60 Stat. 823, 828). The Standing Rules were specifically adopted by the House, at the beginning of the 85th Congress in 1957 (H. Res. 5, 85th Cong., 1st sess.).

munist activity.<sup>4</sup> The next witness was the petitioner. After being sworn and stating his name he declined to give his residence address, stating that, "As a matter of conscience and personal responsibility, I refuse to answer any questions of this committee." When asked his occupation, he made the same response. He was then asked the question which was to become the subject of the present indictment and conviction: "Mr. Wilkinson, are you now a member of the Communist Party?" He declined to answer the question, giving the same response as before.

The committee's staff director then addressed the petitioner at length, in explanation "of the reasons, the pertinency, and the relevancy of that question and certain other questions which I propose to propound to you."<sup>5</sup>

<sup>4</sup>See *Braden v. United States*, post.

<sup>5</sup>"Now, sir, I should like to make an explanation to you of the reasons, the pertinency, and the relevancy of that question and certain other questions which I propose to propound to you; and I do so for the purpose of laying a foundation upon which I will then request the chairman of this subcommittee to order and direct you to answer those questions."

"The Committee on Un-American Activities has two major responsibilities which it is undertaking to perform here in Atlanta.

"Responsibility No. 1, is to maintain a continuing surveillance over the administration and operation of a number of our internal security laws. In order to discharge that responsibility the Committee on Un-American Activities must undertake to keep abreast of techniques of Communists' operations in the United States and Communist activities in the United States. In order to know about Communist activities and Communist techniques, we have got to know who the Communists are and what they are doing.

"Responsibility No. 2, is to develop factual information which will assist the Committee on Un-American Activities in appraising legislative proposals before the committee.

"There are pending before the committee a number of legislative proposals which undertake to more adequately cope with the Communist Party and the Communist conspiratorial operations in the United States. H.R. 9937 is one of those. Other proposals are pending before the committee not in legislative form yet, but in the form of suggestions that there be an outright outlawry of the Communist Party; secondly, that there be registrations required of certain activities of Communists; third, that there be certain amendments to the Foreign Agents Registration Act because this Congress of the United States has found repeatedly that the Communist Party and Communists in the United States are only instrumentalities of a Kremlin-controlled world Communist apparatus. Similar proposals are pending before this committee.

"Now with reference to pertinency of this question to your own factual situation, may I say that it is the information of this committee that you now are a hard-core member of the Communist Party; that you were designated by the Communist Party for the purpose of creating and manipulating certain organizations, including the Emergency Civil Liberties Committee, the affiliate organizations of the Emergency Civil Liberties Committee, including a particular committee in California and a particular committee in Chicago, a committee—the name of which is along the line of the committee for cultural freedom, or something of that kind. I don't have the name before me at the instant.

"It is the information of the committee or the suggestion of the committee that in

In response the petitioner stated "I am refusing to answer any questions of this committee." He was then directed by the subcommittee chairman to answer the question as to his Communist Party membership. This time he responded as follows:

"I challenge, in the most fundamental sense, the legality of the House Committee on Un-American Activities. It is my opinion that this committee stands in direct violation by its mandate and by its practices of the first amendment to the U.S. Constitution. It is my belief that Congress had no authority to establish this committee in the first instance, nor to instruct it with the mandate which it has.

"I have the utmost respect for the broad powers which the Congress of the United States must have to carry on its investigations for legislative purposes. However, the U.S. Supreme Court has held that, broad as these powers may be, the Congress cannot investigate into an area where it cannot legislate, and this committee tends, by its mandate and by its practices, to investigate into precisely those areas of free speech, religion, peaceful association and assembly, and the press, wherein it cannot legislate and therefore it cannot investigate."

The hearing continued. The staff director read part of the record of an earlier hearing in California, where a witness had testified to knowing the petitioner as a Communist. The petitioner was then asked whether this testimony was true. He refused to answer this and several further questions addressed to him. There was introduced into the record a reproduction of the petitioner's registration at an Atlanta hotel a week earlier, in which he had indicated that his business firm association was the Emergency Civil Liberties Committee.

The subsequent indictment and conviction of the petitioner were based upon his refusal, in the foregoing context, to answer the single question "Are you now a member of the Communist Party?"

## II

The judgment affirming the petitioner's conviction is attacked here from several different directions. It is contended that the subcommittee was without authority to interrogate him, because its purpose in doing

anticipation of the hearings here in Atlanta, Ga., you were sent to this area by the Communist Party for the purpose of developing a hostile sentiment to this committee and to its work for the purpose of undertaking to bring pressure upon the U.S. Congress to preclude these particular hearings. Indeed it is the fact that you were not even subpoenaed for these particular hearings until we learned that you were in town for that very purpose and that you were not subpoenaed to appear before this committee until you had actually registered in the hotel here in Atlanta.

"Now, sir, if you will tell this committee whether or not, while you are under oath, you are now a Communist, we intend to pursue that area of inquiry and undertake to solicit from you information respecting your activities as a Communist on behalf of the Communist Party, which is tied up directly with the Kremlin; your activities from the standpoint of propaganda; your activities from the standpoint of undertaking to destroy the Federal Bureau of Investigation and the Committee on Un-American Activities, because indeed this committee issued a report entitled 'Operation Abolition,' in which we told something, the information we then possessed, respecting the efforts of the Emergency Civil Liberties Committee, of which you are the guiding light, to destroy the FBI and discredit the Director of the FBI and to undertake to hamstring the work of this Committee on Un-American Activities."

so was to investigate public opposition to the committee itself, and to harass and expose him. It is argued that the petitioner was wrongly convicted because the question which he refused to answer was not pertinent to a question under inquiry by the subcommittee, so that a basic element of the statutory offense was lacking. It is said that in any event the pertinency of the question was not made clear to the petitioner at the time he was directed to answer it, so that he was denied due process. Finally, it is urged that the action of the subcommittee in subpoenaing and questioning him violated his rights under the first amendment to the Constitution.

In considering these contentions the starting point must be to determine the subject matter of the subcommittee's inquiry. House rule XI, which confers investigative authority upon the committee and its subcommittees, is quoted above. Because of the breadth and generality of its language, rule XI cannot be said to state with adequate precision the subject under inquiry by a subcommittee at any given hearing. This the Court had occasion to point out in *Watkins v. United States*, 354 U.S. 178. See also *Barenblatt v. United States*, 360 U.S. 109, 116-117. But, as the *Watkins* opinion recognized, rule XI is only one of several possible points of reference. The Court in that case said that "[t]he authorizing resolution, the remarks of the chairman or members of the committee, or even the nature of the proceedings themselves" might reveal the subject under inquiry. 354 U.S., at 209. Here, as in *Barenblatt*, other sources do supply the requisite concreteness.

The resolution authorizing the subcommittee hearing in Atlanta was explicit. It clearly set forth three concrete areas of investigation: Communist infiltration into basic industry in the South, Communist Party propaganda in the South, and foreign Communist Party propaganda in the United States.<sup>4</sup> The pattern of interrogation of the witnesses who appeared on the first day of the hearing confirms that the subcommittee was pursuing those three subjects of investigation. The staff director's statement to the petitioner explicitly referred to the second of the three subjects—Communist Party propaganda in the South. We think that the record thus clearly establishes that the subcommittee at the time of the petitioner's interrogation was pursuing at least two related and specific subjects of investigation: Communist infiltration into basic southern industry, and Communist Party propaganda activities in that area of the country.

If these, then, were the two subjects of the subcommittee's inquiry, the questions that must be answered in considering the petitioner's contentions are several. First, was the subcommittee's investigation of these subjects, through interrogation of the petitioner, authorized by Congress? Second, was the subcommittee pursuing a valid legislative purpose? Third, was the question asked the petitioner pertinent to the subject matter of the investigation? Fourth, was he contemporaneously apprised of the pertinency of the question? Fifth, did the subcommittee's interrogation violate his first amendment rights of free association and free speech?

The question of basic congressional authorization was clearly decided in *Barenblatt v. United States*, *supra*. There we said, after

<sup>4</sup> By contrast, the authorizing resolution that was before the Court in *Watkins* incorporated by reference the full breadth and generality of rule XI itself. That resolution simply empowered the committee chairman to appoint subcommittees "for the purpose of performing any and all acts which the committee as a whole is authorized to do." See 354 U.S., at 211, n. 50.

reviewing the genesis and subsequent history of rule XI, that "[I]t can hardly be seriously argued that the investigation of Communist activities generally, and the attendant use of compulsory process, was beyond the purview of the committee's intended authority under rule XI." 360 U.S., at 120-121. The subjects under inquiry here surely fall within "the investigation of Communist activities generally."

The petitioner argues, however, that the subcommittee was inspired to interrogate him by reason of his opposition to the existence of the Un-American Activities Committee itself, and that its purpose was unauthorized harassment and exposure. He points to the chairman's opening statement which mentioned activity against the committee, to the fact that he was subpoenaed to appear before the subcommittee soon after he arrived in Atlanta to stir up opposition to the committee's activities, and to the statement of the staff director indicating the subcommittee's awareness of his efforts to develop a "hostile sentiment" to the committee and to "bring pressure upon the U.S. Congress to preclude these particular hearings."

But, just as in *Barenblatt*, *supra*, we could find nothing in rule XI to exclude the field of education from the committee's compulsory authority, we can find nothing to indicate that it was the intent of Congress to immunize from interrogation all those (and there are many) who are opposed to the existence of the Un-American Activities Committee.

Nor can we say on this record that the subcommittee was not pursuing a valid legislative purpose. The committee resolution authorizing the Atlanta hearing, quoted above, expressly referred to two legislative proposals, an amendment to section 4 of the Communist Control Act and amendments to the Foreign Agents Registration Act. A number of other sources also indicate the presence of a legislative purpose. The chairman's statement at the opening of the hearings contained a lengthy discussion of legislation.<sup>5</sup> The staff director's statement to the petitioner also discussed legislation which the committee had under consideration.<sup>6</sup> All these sources indicate the existence of a legislative purpose. And the determination that purposes of the kind referred to are unassailably valid was a cornerstone of our decision in *Barenblatt*, *supra*: "That Congress has wide power to legislate in the field

"[T]he Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion. In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government."

<sup>5</sup> See note 5, *supra*.

of Communist activity in this country, and to conduct appropriate investigations in aid thereof, is hardly debatable. The existence of such power has never been questioned by this Court, and it is sufficient to say, without particularization, that Congress has enacted or considered in this field a wide range of legislative measures, not a few of which have stemmed from recommendations of the very committee whose actions have been drawn in question here. In the last analysis this power rests on the right of self-preservation. \* \* \* (360 U.S., at 127-128.)

The petitioner's contention that, while the hearing generally may have been pursuant to a valid legislative purpose, the sole reason for interrogating him was to expose him to public censure because of his activities against the committee is not persuasive. It is true that the staff director's statement reveals the subcommittee's awareness of the petitioner's opposition to the hearings and indicates that the petitioner was not summoned to appear until after he had arrived in Atlanta as the representative of a group carrying on a public campaign to abolish the House committee. These circumstances, however, do not necessarily lead to the conclusion that the subcommittee's intent was personal persecution of the petitioner. As we have noted, a prime purpose of the hearings was to investigate Communist propaganda activities in the South. It therefore was entirely logical for the subcommittee to subpoena the petitioner after he had arrived at the site of the hearings, had registered as a member of a group which the subcommittee believed to be Communist dominated, and had conducted a public campaign against the subcommittee. The fact that the petitioner might not have been summoned to appear had he not come to Atlanta illustrates the very point, for in that event he might not have been thought to have been connected with a subject under inquiry—Communist Party propaganda activities in that area of the country.

Moreover, it is not for us to speculate as to the motivations that may have prompted the decision of individual members of the subcommittee to summon the petitioner. As was said in *Watkins*, supra, "a solution to our problem is not to be found in testing the motives of committee members for this purpose. Such is not our function. Their motives alone would not vitiate an investigation which had been instituted by a House of Congress if that Assembly's legislative purpose is being served." 354 U.S., at 200. See also *Barenblatt*, supra, 360 U.S., at 132.

It is to be emphasized that the petitioner was not summoned to appear as the result of an indiscriminate dragnet procedure, lacking in probable cause for belief that he possessed information which might be helpful to the subcommittee. As was made clear by the testimony of the committee's staff director at the trial, the subcommittee had reason to believe at the time it summoned the petitioner that he was an active Communist leader engaged primarily in propaganda activities.<sup>9</sup> This is borne out by the

<sup>9</sup> The trial testimony on this score was as follows: "In essence the information of which the committee was possessed was that Mr. Wilkinson was a member of the Communist Party, that he had been identified by a creditable witness under oath before the committee a short time or within a year or so prior to the Atlanta hearings, identified as a Communist. It was also the information of the committee that Mr. Wilkinson had been designated by the Communist hierarchy in the Nation to spearhead or to lead the infiltration into the South of a group known as the Emergency Civil Liberties Committee which itself had been cited by the Internal Security Subcommittee as a Communist operation or a Communist front. It was the information of the com-

record of the subcommittee hearings, including the content of the staff director's statement to the petitioner and evidence that at a prior hearing the petitioner had been identified as a Communist Party member.

The petitioner's claim that the question he refused to answer was not pertinent to a subject under inquiry merits no extended discussion. Indeed, it is difficult to imagine a preliminary question more pertinent to the topics under investigation than whether the petitioner was in fact a member of the Communist Party. As was said in *Barenblatt*, "petitioner refused to answer questions as to his own Communist Party affiliations, whose pertinency of course was clear beyond doubt." 360 U.S., at 125. The contention that the pertinency of the question was not made clear to the petitioner at the time he was directed to answer it is equally without foundation. After the staff director gave a detailed explanation of the question's pertinency, the petitioner said nothing to indicate that he entertained any doubt on this score.<sup>10</sup>

We come finally to the claim that the subcommittee's interrogation of the petitioner violated his rights under the First Amendment. The basic issues which this contention raises were thoroughly canvassed by us in *Barenblatt*. Substantially all that was said there is equally applicable here, and it would serve no purpose to enlarge this opinion with a paraphrased repetition of what was in that opinion thoughtfully considered and carefully expressed. See 360 U.S., at 125-134.

It is sought to differentiate this case upon the basis that "the activities in which petitioner was believed to be participating consisted of public criticism of the committee and attempts to influence public opinion to petition Congress for redress—to abolish the committee." But we cannot say that, simply because the petitioner at the moment may have been engaged in lawful conduct, his Communist activities in connection therewith could not be investigated. The subcommittee had reasonable ground to suppose that the petitioner was an active Communist Party member, and that as such he possessed information that would substantially aid it in its legislative investigation. As the *Barenblatt* opinion makes clear, it is the nature of the Communist activity involved, whether the momentary conduct is legitimate or illegitimate politically, that establishes the Government's overbalancing interest. "To suggest that because the Communist Party may also sponsor peaceable political reforms the constitutional issues before us should now be judged as if that party were just an ordinary political party from

mittee that Mr. Wilkinson's assignments, including setting up rallies and meetings over the country for the purpose of engendering sentiment against the Federal Bureau of Investigation, against the security program of the Government, and against the Committee on Un-American Activities and its activities. Mr. Wilkinson had in the course of the relatively recent past prior to his appearance in Atlanta been sent into Atlanta by the Communist operation for the purpose of conducting Communist activities in the South and more specifically in the Atlanta area. What I'm telling you now is only a general summary, you understand."

<sup>10</sup> Since both the pertinency of the question and the fact that its pertinency were brought home to the petitioner are so indisputably clear, we need not consider the Government's contention that the record does not show that the petitioner ever did or said anything that could be understood as an objection upon grounds of lack of pertinency. See *Watkins v. United States*, 354 U.S. 178, 214-215; *Barenblatt v. United States*, 360 U.S. 109, 124.

the standpoint of national security, is to ask this Court to blind itself to world affairs which have determined the whole course of our national policy since the close of World War II." 360 U.S., at 128-129.

The subcommittee's legitimate legislative interest was not the activity in which the petitioner might have happened at the time to be engaged, but in the manipulation and infiltration of activities and organizations by persons advocating overthrow of the Government. "The strict requirements of a prosecution under the Smith Act \* \* \* are not the measure of the permissible scope of a congressional investigation into 'overthrow,' for of necessity the investigatory process must proceed step by step." 360 U.S., at 130.

We conclude that the first amendment claims pressed here are indistinguishable from those considered in *Barenblatt*, and that upon the reasoning and the authority of that case they cannot prevail.

Affirmed.

#### DISSENTING OPINION

Mr. Justice Black, with whom the Chief Justice and Mr. Justice Douglas concur, dissenting:

In July 1958 the House Un-American Activities Committee announced its intention to conduct a series of hearings in Atlanta, Ga., ostensibly to obtain information in aid of the legislative function of the House of Representatives.<sup>1</sup> Petitioner, a long-time opponent of the committee,<sup>2</sup> decided to go to Atlanta for the purpose of lending his support to those who were fighting against the hearings. He arrived in Atlanta and registered in a hotel there on July 23 as a representative of the Emergency Civil Liberties Committee, a New York organization which was working for the abolition of the Un-American Activities Committee. Within an hour of his registration, petitioner was served with a subpoena requiring his appearance before the committee. When he appeared in response to this subpoena, petitioner was told that he had been subpoenaed because the committee was informed that "you were sent to this area by the Communist Party for the purpose of developing a hostile sentiment to this committee and to its work for the purpose of undertaking to bring pressure upon the U.S. Congress to preclude these particular hearings."<sup>3</sup> A number of questions were then put to petitioner all of which related to his personal beliefs and associations, but petitioner refused to answer any of these questions on the ground that they violated his rights under the first amendment. For this, he was convicted under 2 U.S.C., section 192, and sentenced to jail for 12 months.

<sup>1</sup> In my dissenting opinion in *Barenblatt v. United States*, 360 U.S. 109, 153-166, I set out the evidence from the committee's own reports which indicates the committee's real purpose in conducting this kind of hearing.

<sup>2</sup> During the past several years, the petitioner appears to have been associated with at least 3 different organizations that had as their primary aim the abolition of the Un-American Activities Committee. In addition to his association with the Emergency Civil Liberties Committee, which is shown by this record, petitioner seems to have been associated with similar organizations in Los Angeles and Chicago. At least he was accused of such associations when he was called before a previous hearing of the committee in 1956. See hearings before the House Committee on Un-American Activities, 84th Cong., 2d sess., at Los Angeles, Calif., Dec. 5-8, 1956, entitled "Communist Political Subversion, Part I," pp. 6747-6753.

<sup>3</sup> Significantly, the petitioner was never told, nor does the record disclose for our consideration here, either the source or the nature of the alleged information referred to.

On these facts, which are undisputed in the record, the majority upholds petitioner's conviction as indistinguishable from that upheld in *Barenblatt v. United States*.<sup>4</sup> On this point, I find myself only partially in disagreement with the majority. I think this case could and should be distinguished from *Barenblatt* on the ground urged by Mr. Justice Douglas—that the resolution authorizing the Un-American Activities Committee does not authorize that committee to interrogate a person for criticizing it. I therefore join in the dissent filed by Mr. Justice Douglas on that ground. On the other hand, I must agree with the majority that so far as petitioner's constitutional claims are concerned, *Barenblatt* is indistinguishable. Unlike the majority, however, I regard this recognition of the unlimited sweep of the decision in the *Barenblatt* case a compelling reason, not to reaffirm that case, but to overrule it.

In my view, the majority by its decision today places the stamp of constitutional approval upon a practice as clearly inconsistent with the Constitution, and indeed with every ideal of individual freedom for which this country has so long stood, as any that has ever come before this Court. For, like Mr. Justice Douglas, I think it clear that this case involves nothing more nor less than an attempt by the Un-American Activities Committee to use the contempt power of the House of Representatives as a weapon against those who dare to criticize it. The majority does not and, in reason, could not deny this for the conclusion is all but inescapable for anyone who will take the time to read the record.<sup>5</sup> They say instead that it makes no difference whether the committee was harassing petitioner solely by reason of his opposition to it or not because "it is not for us to speculate as to the motivations that may have prompted the decision of individual members of the subcommittee to summon the petitioner." The clear thrust of this sweeping abdication of judicial power is that the committee may continue to harass its opponents with absolute impunity so long as the protections of *Barenblatt* are observed. Since this is to be the rule under which the committee will be permitted to operate, I think it necessary in the interest of fairness to those who may in the future wish to exercise their constitutional right to criticize the committee that the true nature of those protections be clearly set forth.

The first such protection relates to the question of whom the committee may call before it. Is there any limitation upon the power of the committee to subpoena and compel testimony from anyone who attacks it? On this point, the majority, relying upon the fact that at a previous hearing the committee was told by a paid informant that petitioner was a Communist and upon statements by the committee's counsel to the effect that the committee had information that petitioner had been sent to Atlanta by the Communist Party, says simply: "It is to be emphasized that the petitioner was not summoned to appear as the result of an indiscriminate dragnet procedure, lacking in probable cause for belief that he possessed information which might be helpful to the subcommittee." Significantly, the majority does not say just how much its emphasis on this point is worth, if anything. Thus, for all that appears in the majority opinion, there is no assurance that the committee

will be required to produce any information at all as a prerequisite to the exercise of its subpoena and contempt powers. Assuming for the sake of argument, however, that such a requirement will be imposed, it then becomes relevant to inquire as to just how much this requirement will mean in terms of genuine protection for those who in good faith wish to criticize the committee.

That inquiry is, to my mind, satisfactorily settled by a look at the facts of this case. So far as appears from this record, the only information the committee had with regard to petitioner was the testimony of a paid informant at a previous committee hearing. The only evidence to the effect that petitioner was in fact a member of the Communist Party that emerges from that testimony is a flat conclusory statement by the informant that it was so.<sup>6</sup> No testimony as to particular happenings upon which such a conclusion could rationally be based was given at that hearing. When this fact is considered in conjunction with the fact that petitioner was not accorded the opportunity to cross-examine the informant<sup>7</sup> or the protection of the statute permitting inspection of statements given to the FBI by paid informants,<sup>8</sup> it seems obvious to me that such testimony is almost totally worthless for the purpose of establishing probable cause. For all we know, the informant may have had no basis at all for her conclusion and, indeed, the possibility of perjury cannot, in view of its frequent recurrence in these sorts of cases,<sup>9</sup> be entirely discounted. Thus, in my view, the "protection" afforded by a requirement of some sort of probable cause, even if imposed, is almost totally worthless. In the atmosphere existing in this country today, the charge that someone is a Communist is so common that hardly anyone active in public life escapes it. Every member of this Court has, on one occasion or another, been so designated. And a vast majority of the Members of the other two branches of Government have fared no better. If the mere fact that someone has been called a Communist is to be permitted to satisfy a requirement of probable cause, I think it plain that such a requirement is wholly without value. To impose it would only give apparent respectability to a practice which is inherently in conflict with our concepts of justice and due process.

The other such protection afforded to critics of the Un-American Activities Committee under these decisions is included in the majority's so-called balancing test. Under that test, we are told, this Court will permit only those abridgments of personal beliefs and associations by committee inquiry

<sup>4</sup> The "evidence" relied upon by the committee is contained in the following colloquy between the informant, a Mrs. Schneider, and the committee counsel, a Mr. Arens:

"Mr. ARENS. Was it [the Citizens Committee To Preserve American Freedoms] Communist-controlled?"

"Mrs. SCHNEIDER. Yes."

"Mr. ARENS. Who was the ringleader in that organization?"

"Mrs. SCHNEIDER. I didn't work in that organization, and I don't know who the ringleader was. My contact on that occasion was with Frank Wilkinson, I believe."

"Mr. ARENS. Did you know him as a Communist?"

"Mrs. SCHNEIDER. Yes." Hearings before the House Committee on Un-American Activities, op. cit., supra, n. 2, at 6730.

<sup>7</sup> This, of course, is the established practice in hearings before the House Committee on Un-American Activities.

<sup>8</sup> 18 U.S.C. sec. 3500.

<sup>9</sup> See, e.g., *Communist Party of the United States v. Subversive Activities Control Board*, 351 U.S. 115; *Mesarosh v. United States*, 352 U.S. 1.

that the Court believes so important in terms of the need of the committee for information that such need outweighs the first amendment rights of the witness and the public.<sup>10</sup> For my part, I need look no further than this very case to see how little protection this high-sounding slogan really affords. For in this case the majority is holding that the interest of the committee in the information sought outweighs that of the witness and the public in free discussion while, at the same time, it disclaims any power to determine whether the committee is in fact interested in the information at all. The truth of the matter is that the balancing test, at least as applied to date, means that the committee may engage in any inquiry a majority of this Court happens to think could possibly be for a legitimate purpose whether that purpose be the true reason for the inquiry or not. And under the tests of legitimacy that are used in this area, any first-year law school student worth his salt could construct a rationalization to justify almost any question put to any witness at any time.

Thus, in my view, the conclusion is inescapable that the only real limitation upon the committee's power to harass its opponents is the committee's own self-restraint, a characteristic which probably has not been predominant in the committee's work over the past few years. The result of all this is that from now on anyone who takes a public position contrary to that being urged by the House Un-American Activities Committee should realize that he runs the risk of being subpoenaed to appear at a hearing in some far-off place, of being questioned with regard to every minute detail of his past life, of being asked to repeat all the gossip he may have heard about any of his friends and acquaintances, of being accused by the committee of membership in the Communist Party, of being held up to the public as a subversive and a traitor, of being jailed for contempt if he refuses to cooperate with the committee in its probe of his mind and associations, and of being branded by his neighbors, employer, and erstwhile friends as a menace to society regardless of the outcome of that hearing. With such a powerful weapon in its hands, it seems quite likely that the committee will weather all criticism, even though justifiable, that may be directed toward it. For there are not many people in our society who will have the courage to speak out against such a formidable opponent. But cf. *Updeau v. Wyman*, 364 U.S. 388. If the present trend continues, this already small number will necessarily dwindle as their ranks are thinned by the jails. Government by consent will disappear to be replaced by government by intimidation because some people are afraid that this country cannot survive unless Congress has the power to set aside the freedoms of the first amendment at will.

I can only reiterate my firm conviction that these people are tragically wrong. This country was not built by men who were afraid and it cannot be preserved by such men.<sup>11</sup> Our Constitution, in unequivocal

<sup>10</sup> The test is stated by the majority in its opinion in *Barenblatt* in the following terms: "Where first amendment rights are asserted to bar governmental interrogation resolution of the issue always involves a balancing by the courts of the competing private and public interests at stake in the particular circumstances shown." 360 U.S. at 126. Cf. *American Communications Assn. v. Douds*, 339 U.S. 382; *Beauharnais v. Illinois*, 343 U.S. 250.

<sup>11</sup> Mr. Justice Brandeis made this very point in his concurring opinion in *Whitney v. California*, where he said: "Those who won our independence believed that the final end

<sup>4</sup> 360 U.S. 109.

<sup>5</sup> I agree with the majority that, in a sense, "[t]hese circumstances, however, do not necessarily lead to the conclusion that the subcommittee's intent was personal persecution of the petitioner" [emphasis supplied], but I am satisfied that the evidence, though not absolutely conclusive, is overwhelming.

terms, gives the right to each of us to say what we think without fear of the power of the Government. That principle has served us so well for so long that I cannot believe it necessary to allow any governmental group to reject it in order to preserve its own existence. Least of all do I believe that such a privilege should be accorded the House Un-American Activities Committee. For I believe that true Americanism is to be protected, not by committees that persecute unorthodox minorities, but by strict adherence to basic principles of freedom that are responsible for this Nation's greatness. Those principles are embodied for all who care to see in our Bill of Rights. They were put there for the specific purpose of preventing just the sort of governmental suppression of criticism that the majority upholds here. Their ineffectiveness to that end stems, not from any lack of precision in the statement of the principles, but from the refusal of the majority to apply those principles as precisely stated. For the principles of the first amendment are stated in precise and mandatory terms and unless they are applied in those terms, the freedoms of religion, speech, press, assembly, and petition will have no effective protection. Where these freedoms are left to depend upon a balance to be struck by this Court in each particular case, liberty cannot survive. For under such a rule, there are no constitutional rights that cannot be balanced away.

Mr. WALTER. Mr. Speaker, my interpretation of his attitude on this score is bolstered by the fact that, at another point in his statement, the gentleman from California objected to the fact that the committee is partisan as regards communism, an aggressive anti-Communist voice and a voice for anti-Communists.

It is his view, it seems, that the committee should take an impartial attitude toward communism, being neither for nor against it but neutral—studying and investigating it with the idea of weighing the good and the evil in it, looking at “both sides” of the question. I for one cannot see how any committee of the U.S. Congress can operate on anything but an “a priori”—communism-is-evil-and-un-American basis. There are not two sides to communism.

The Gentleman from California in his statement before the House Administration Subcommittee also demonstrated a rather frivolous attitude toward the Communist Party, Communist-front groups, and the security of this country. When referring to the committee's report of several years ago, “Operation Abolition,” he described it as “nothing but a series of dossiers of people who were members of groups seeking the abolition of the committee.”

of the State was to make men free to develop their faculties; and that in its government the deliberative forces should prevail over the arbitrary. They valued liberty both as an end and as a means. They believed liberty to be the secret of happiness and courage to be the secret of liberty.” 274 U.S. 357, 375. Mr. Justice Brandeis doubtless had in mind, and indeed made specific reference to, the famous words in Thomas Jefferson's first inaugural address: “If there be any among us who would wish to dissolve this union or change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.”

What is the truth about the document “Operation Abolition”? It is a report on a nationwide campaign launched by the Communist Party and carried out by several Communist fronts to destroy the security procedures of this Government. The opening paragraph of this report reads as follows:

A newly mounted campaign to cripple the antisubversive programs of the Congress, to shackle or abolish the Committee on Un-American Activities, and to discredit J. Edgar Hoover and the Federal Bureau of Investigation is now being launched throughout the United States.

The report then proceeded to name the Communist front, the Emergency Civil Liberties Committees, which had launched this campaign. It told how the campaign had been inaugurated at a rally of the group in New York City and summarized the objectives of the campaign as follows:

1. Destruction of the Committee on Un-American Activities;
2. Extinction of the investigative powers of the Congress in the field of subversive activities;
3. Restriction of important functions of the Federal Bureau of Investigation in the investigation of subversive activities; and
4. Creation of a general climate of opinion against the exposure and punishment of subversion.

The report then gave the names of the members of the national council of the Emergency Civil Liberties Committee and a compilation of their extensive affiliations with Communist fronts. It also gave similar information about two other Communist-front groups which were playing a major role in this campaign to destroy the security of the United States—the Citizens Committee to Preserve American Freedoms and the Chicago Committee to Preserve Freedom of Speech and the Press.

This report, gentlemen, was a documentary on an important Communist operation, and on those who were carrying it out for Moscow's Fifth Column in the United States. The gentleman from California glossed over this fact, tried to conceal it, and so said it was nothing but a “series of dossiers of people who were members of groups seeking the abolition of the committee.”

In the same vein, he dismissed two reports released by the committee last year merely as documents which the committee “deemed necessary” because of demonstrations against it in San Francisco last May. In doing this, he not only covered up the role of the Communist Party and numerous Communists in the San Francisco riots but he unjustly attacked FBI Director J. Edgar Hoover.

One of these reports which he lightly dismissed as an example of the committee's “paranoid” concern with self-justification was a report written by Mr. Hoover concerning the current, accelerated Communist Party drive in the United States and all parts of the world to capture youth and use them to destroy free governments. About 70 percent of Mr. Hoover's report was concerned with the Communist-inspired riots in San Francisco—because, at the time, those riots were the outstanding

example of the aims and techniques of the Communist Party's youth drive in this country and also the outstanding example of the Communists' success in this endeavor.

There can be no question about the importance of this report by Mr. Hoover and the tremendous good it has done. But the gentleman from California dismissed the report as another example of the committee's concern with its critics. He falsely claimed that it was just something deemed necessary by the committee because there was a public demonstration against the committee in San Francisco.

What was the other report he dismissed in this fashion? It was House Report No. 2228, a report made by the Committee on Un-American Activities relative to two bills introduced in the last Congress which concerned the behavior of witnesses before congressional committees. This report discussed existing laws governing such behavior and the courts' interpretation of these laws. It pointed out that the Communist Party has launched a campaign to create a spirit of lawlessness in order to frustrate lawful investigation by committees of the Congress. It said that the eventual result of this campaign could be the breakdown of the investigative processes, whether in committees of the Congress or even in the courts of the land.

Would you say that a report on a subject such as this was nothing more than another example of the committee's paranoid concern with its critics?

The commentary in the film “Operation Abolition” was made a part of the text of this report, preceded by the following statement:

This film titled “Operation Abolition” graphically illustrates the problem involved. Bearing in mind the apt saying that “one picture is worth a thousand words,” and that only the film can portray fully the actual occurrence, we have deemed it necessary to submit a print of the film herewith, which is made a part of this report.

Some of you may wonder why a Member of this House would so distort the nature of two reports released by a committee of this House. I think there is a clue to the answer to this question in the report I have just mentioned. On pages 17 through 20 of the report, there is reproduced the major agitation-propaganda document used by the Communist Party and its fronts to whip up feeling against the committee so that a riot could be staged. The name and the picture of the gentleman from California appear prominently on this piece of Communist propaganda, and by far the greater part of its text is made up of excerpts from a vitriolic diatribe the gentleman from California hurled at the Committee on Un-American Activities on the floor of the House last April 25.

The truth, it seems, hurts.

We have further evidence of the gentleman from California's inability or unwillingness to comprehend communism's true nature in the fact that, in his statement, he mocked our colleague from Michigan because he stated in his commentary in the film that the students who rioted in San Francisco were “toying

with treason." These words, the gentleman from California said, actually derive from the fact that the committee believes that anyone who dislikes it is un-American or a dupe. The gentleman from California may ridicule these words of Mr. Johansen, but I can assure all of you that the reaction of millions and millions of American people to these words has been anything but humorous. Time after time I have seen people who have viewed the film indicate clearly that they feel exactly as our colleague from Michigan felt when he uttered those words.

Some time ago the gentleman from California appeared on a television station in Indianapolis after a showing of the film "Operation Abolition." In the course of this appearance he made a statement which, coupled with the matters I have just discussed, helps clarify his concept of just how dangerous communism is. In discussing what the committee should and should not do he said:

It should not go out and implant in this country the fear of having an unpopular idea, even a radical idea, because ideas are the basis upon which our country has been built and many of the accepted ideas of today were considered to be radical when they first were suggested or initiated.

Now, the Committee on Un-American Activities is not interested in anyone's ideas or beliefs. It has told witness after witness this when they have claimed they wanted to explain their beliefs. Over and over again it has stated that what it wants from witnesses is answers to questions about their activities.

But Mr. ROOSEVELT says we are trying to spread fear of ideas. Inasmuch as our investigative work and hearings have concerned the subject of communism exclusively, he is obviously referring to Communist ideas. In this context, I find most interesting his statement that:

Many of the accepted ideas of today were considered to be radical when they first were suggested or initiated.

Does he mean that he believes that someday communism will be an accepted idea in this country? It appears to me there is a strong implication in his words that perhaps we are wrong in being anti-Communist and that some day we will find communism a completely acceptable idea in the United States—and that this will be progress.

In his report to the Attorney General of the United States for the end of the year 1960, Mr. J. Edgar Hoover made the following statement:

During this period of grave international tension, America cannot afford to relax her internal defenses even momentarily. This is true particularly in our dealings with Communists—both the "homegrown" party members and those sent here to represent Iron Curtain countries.

Gentlemen, we can take the advice of the Director of the FBI, who has so long and so consistently been right in all matters pertaining to communism and our internal security, or we can take the advice of the gentleman from California and drastically cut the appropriations of the Committee on Un-American Activities.

In concluding my remarks, there is one point I would like to make clear:

I do not object to any Member of this House or any citizen of this country criticizing or attacking the Committee on Un-American Activities—as long as, in doing so, they stick to the truth. The committee is certainly as capable of error as any other committee of the Congress. All of us can profit by criticism that is intelligent, sincere, and based on truth.

Mr. Speaker, I earnestly urge the House to approve this resolution, and I assure you that every dollar appropriated is appropriated to be used in the best interests of our beloved Republic.

But I do object—and always will—when attacks and criticisms based on falsehoods are made against the committee.

Mr. BURLERSON. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I should like in the first place to commend the gentleman from California [Mr. ROOSEVELT], for his very forthright stand on this issue today and the stand he has taken on it in the past.

There are many thoughtful, responsible and sincere citizens who share my belief that the House Un-American Activities Committee has violated the fundamental liberties upon which our Nation was founded. In its zeal to investigate it has spread fear and suspicion and stifled freedom of dissent. And it has expended great energy and public funds in attempting to justify its own existence.

Inasmuch as we are concerned today with appropriations for the committee, I think that we should carefully examine that request.

The request for the year 1961 is \$331,000. This is 12 times as much as Agriculture—\$25,000; 6 times as much as Banking and Currency—\$50,000; 4 times as much as Foreign Affairs—\$75,000; and over \$200,000 more than Judiciary—\$100,000. This is the third largest of the requests which have been submitted to date.

During the 86th Congress the committee received an appropriation for the years 1959 and 1960 of \$654,000, the third largest appropriation only exceeded by Government Operations and Interstate and Foreign Commerce.

This is more than twice as much as Ways and Means—\$300,000; Banking and Currency—\$205,000; Foreign Affairs—\$150,000; over \$200,000 more than the Judiciary—\$425,000; and Education and Labor—\$328,000. However, the sum of \$654,000 represents only part of the cost to the taxpayers. According to my information, during the 86th Congress the committee actually expended \$882,151.63. This sum includes salaries paid to statutory employees in addition to stationery supplies, stamps, and printing costs. The Government Printing Office informs me that the total printing cost of the committee during the 86th Congress was \$47,270.53.

According to the committee's report as published in the CONGRESSIONAL RECORD on February 17, 1961, at page 2310,

compared to the other legislative committees, the committee during the period July 1–December 31, 1960, had the largest staff consisting of 55 persons. It employed over three times as many people as Banking and Currency—16; Foreign Affairs—14; and Agriculture—11; and far exceeds the number employed by Ways and Means—24; Armed Services—15; and Education and Labor—25.

A reappraisal by the House of Representatives of this committee's purpose, program, and accomplishments is long overdue. The issue here is not communism, which we all abhor, but the methods of this committee. I suggest that Communists and communism can better be fought by those who take care not to tar the innocent and guilty with the same brush. I know that those who take a responsible look at the activities of the committee will find much to deplore and will find that the taxpayers' money can be used to better purpose. I also question the propriety of using the power of subpoena to aid in the production of the film, to which reference was previously made.

For the following reasons appropriations should be denied to the committee:

First. The powers of the committee are vague and undefined.

Second. The committee's hearings have violated civil liberties and not served a legislative purpose.

Third. The committee's printing expenses have been exorbitant.

Fourth. The committee has not served a useful legislative purpose.

#### POINT I. THE POWERS OF THE COMMITTEE ARE VAGUE AND UNDEFINED

The powers of the committee are vague and undefined and its mandate was ill-conceived in the first place. It is the only standing committee in the history of the House with permanent power to investigate nongovernmental activities. Such latitude should impose upon the committee strict standards of due process.

The committee's powers have never been clearly delineated; and the committee has never been subject to discipline and restraint by the House. It has expanded its activity into many areas—labor, education, science, religion, foreign affairs, penal statutes which are under the jurisdiction of longstanding committees of the House.

Under the terms of a vague enabling act which does not define the term "un-American," the committee has invaded the jurisdiction of other committees, spending money in needless duplication. A glance at pages VIII and IX of the committee's 1960 document entitled "Legislative Recommendations" by the House Committee on Un-American Activities proves the point. The committee lists subjects on which legislative recommendations were made since 1941. Twenty-nine out of 33 recommendations listed concern areas over which other committees, such as Judiciary, Foreign Affairs, Ways and Means, Education and Labor, and Post Office and Civil Service have jurisdiction.

The term "un-American" defies definition. Like beauty, the definition of the term "lies in the eyes of the beholder."

**POINT II. THE COMMITTEE'S HEARINGS HAVE VIOLATED CIVIL LIBERTIES AND NOT SERVED A LEGISLATIVE PURPOSE**

The hearings conducted by the committee throughout its existence have served little legislative purpose, while they have time and again violated civil liberties.

It has been reported that in the 23 years of its existence the committee has held only 7 hearings on specific legislation. Of the 36,000 bills referred to various committees by the 83d, 84th, and 85th Congresses, only 10 were sent to the committee. These 10 bills died without hearings.

What then is the nature and purpose of the other hearings the committee holds?

Through its hearings the committee has cast an ever-widening net, catching in it ex-Communists doing public penance, pro-Communists who do not reveal any information, and anti-Communists "exposed" because they happen to dislike the committee's method of operation or disagree with its assessment of the internal Communist menace.

The hearings seem clearly designed for the purpose of obtaining publicity for the committee and for the purpose of exposing individuals of whom the committee does not approve.

One of the most unusual series of hearings occurred during the period 1956-59. On 10 different occasions in various cities the committee produced the deputy collector of customs for the port of New York, who went through a similar routine on each occasion. The witness was paid a per diem and traveling expense. This production served little legislative purpose and was a questionable use of the taxpayers' money.

A more serious abuse for the power of the committee to use hearings as a mechanism for exposure occurred in California in early June 1959. The committee subpoenaed 110 public school teachers and somehow the newspapers came into possession of and published their names, addresses, teaching positions, and biographies. Hearings scheduled by the committee at which they were to appear were postponed for a period of time and then completely canceled. This highly questionable procedure ruined the reputations of individuals without a trial and even without public hearings.

At hearings scheduled in San Francisco in May of 1960, there were student demonstrations. Many disinterested observers believe that these demonstrations were motivated in part by genuine concern on the part of students over the past conduct of the committee and especially its treatment of the 110 teachers in 1959. The committee has charged that the demonstrations were Communist led and that the participating students were Communist dupes. In order to disseminate this, the committee became involved in the production of a film entitled "Operation Abolition."

The committee subpoenaed films taken by KPIX-TV and KRON-TV in San

Francisco. The film was turned over to a private commercial concern, Washington Video, Inc. It was edited, rearranged, and provided with commentary. There are apparently many discrepancies between the eyewitness accounts of the events and the film version, which the committee's chief investigator, William Wheeler, conceded was inaccurate and distorted—Goodwin Knight Show, KCOP-TV, August 9, 1960.

There is a serious question of the propriety of a committee of the House of Representatives using its process to aid in the commercial manufacture and distribution of the production of this film. The Washington Post in an editorial on November 26, 1960, entitled "Forgery by Film," commented:

The film is made up of newsreel shots subpoenaed by the committee and edited by members of its staff who also supplied a highly loaded running commentary. The film was made an official House document and advertised by the committee in a special publication. In every respect—in its distribution for private profit, in its falsifications of facts, in its whitewashing of the Un-American Activities Committee—this film makes a dirty joke of the congressional investigating power.

The nature and purpose of the committee's hearings were described by Mr. Justice Black in his now famous Barenblatt dissent:

The chief aim, purpose, and practice of the House Un-American Activities Committee, as disclosed by its many reports, is to try witnesses and punish them because they are or have been Communists or because they refuse to admit or deny Communist affiliations. The punishment imposed is generally punishment by humiliation and public shame. There is nothing strange or novel about this kind of punishment. It is, in fact, one of the oldest forms of governmental punishment known to mankind; branding, the pillory, ostracism, and subjection to public hatred being but a few examples of it (360 U.S. 109, 153-154, 1958).

**POINT III. THE COMMITTEE'S PRINTING EXPENSES HAVE BEEN EXORBITANT**

The committee spends great sums on publications and issues voluminous reports. These publications bear little relationship to any legislative purpose. During 1960 the committee printed approximately 332,000 copies of its hearings, consultations, and reports. The cost of printing these publications was \$47,270.53. The committee spent almost as much money on printing as the entire appropriation for the House Committee on Agriculture—\$50,000. The printing costs of the committee are more than double the appropriation for the House Administration Committee—\$20,000—and almost five times the appropriation for the District of Columbia Committee—\$10,000. In its annual report for 1960 the committee lists 22 publications. Only two refer to specific legislation. Included in this list are: "The Crimes of Khrushchev," parts 5, 6, 7; "Lest We Forget. A Pictorial Summary of Communism in Action"; "Communist Economic Warfare"; "How the Chinese Hoodwink Visiting Foreigners"; "World Communist Movements: Selective Chronology 1818-1957, 1818-1845"; "Facts on Communism," volume II.

All of these publications fall outside the broadest interpretation of the committee's mandate "to investigate the extent, character, and object of un-American propaganda." None of these publications deal with un-American propaganda activities.

The movements of Khrushchev and the facts concerning the world Communist movement should be the concern of the House Committee on Foreign Affairs and the Central Intelligence Agency.

**POINT IV. THE COMMITTEE HAS NOT SERVED A USEFUL LEGISLATIVE PURPOSE**

The primary business of any standing committee of the House should be legislation. In recent years the committee has become increasingly sensitive to the criticism that it has not served a useful legislative purpose. As a result the committee requested the Legislative Reference Service of the Library of Congress to prepare a list of the legislative recommendations made by the committee since 1941. Let us closely examine this record. The report entitled "Legislative Recommendations by the House Committee on Un-American Activities" appeared in 1958 and contains every legislative recommendation by the committee from 1941 to 1958.

The report lists 79 recommendations but 34 are identical, having been made in more than one session of Congress. The report indicates whether legislative or executive action was taken on the recommendations.

Thirty recommendations were relevant to six statutes: the Internal Security Act of 1950; the Immigration and Nationality Act of 1952; the Espionage and Sabotage Act of 1954—amending the Internal Security Act of 1950; and the act of August 1, 1956, providing for the registration of individuals trained in foreign espionage schools. Of these six acts, only two were handled by the committee—the Internal Security Act of 1950 and the Communist Control Act of 1954. The other four were considered by the Judiciary Committee.

Five recommendations were reported out by the Judiciary Committee and concern either statutes of limitations or penalties for various criminal offenses.

It is significant that since its inception the committee has been responsible for only two acts—the Internal Security Act of 1950 and its 1954 amendments.

Perhaps the most effective criticism of these acts is that they are totally ineffective. Apparently no individual or organization has ever complied with the provisions of these acts.

In 1960 the legislative recommendation publications was brought up to date. For the period 1958-60 the committee lists 50 recommendations, and the report cites 31 bills introduced to the House. None were enacted. Out of approximately 12,000 bills filed during the 86th Congress in the House of Representatives, 11 were referred to the committee. The 11 represented nine-tenths of 1 percent of the total legislative work product. Does this justify the committee's continued existence? From 1950 through 1959 the committee did not hold one hearing on specific legislation. If



the ultimate test of the usefulness of a committee is whether it is doing its share of the legislative work, this committee fails to meet the test.

In conclusion, Mr. Speaker, let us examine carefully the past history of the committee and its abuses and aberrations. Let us measure its conduct by our traditions and the concepts which have guided us from the origin of this Nation. We must be ever vigilant to protect the freedoms spelled out in the Bill of Rights, to guarantee and strengthen—not thwart and extinguish—freedom of speech and thought and inquiry. For only free men and free minds will stand fast and defend our cherished freedoms in a time of maximum danger.

Mr. SCHENCK. Mr. Speaker, we in Ohio are very proud of one of our colleagues, a former member of the Federal Bureau of Investigation, a Member who represents the 12th District, Franklin County, a member of the Ohio Legislature, and a prosecuting attorney, also former chairman of the Ohio Un-American Activities Commission. We from Ohio would appreciate it if the gentleman would yield a few minutes to our colleague from Ohio [Mr. DEVINE].

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Speaker, I wish to thank my colleague from Ohio for his very kind remarks, and I would also like to compliment the chairman of the Committee on House Administration for the very fair manner in which he has permitted this whole picture to be presented before his committee and before the House.

Mr. Speaker, we are not dealing here with a parlor game. This is a deadly game. The House Committee on Un-American Activities has done a tremendous job. It is a thankless job. You hear the same hue and cry that goes up every time a Communist is exposed. You cannot inquire into one's political beliefs. I would agree with that. But the Communist Party is not a political party. It is an insidious, tyrannical, godless organization dedicated to one thing—and get this straight—it is dedicated to the overthrow of our form of government, and to overthrow it by force and violence. Make no mistake about that.

This business that you cannot inquire into one's political belief does not hold water as this committee is not concerned with political beliefs. I had the honor to serve under Mr. John Edgar Hoover's wonderful organization, the Federal Bureau of Investigation, for nearly 5 years. The chairman of the Committee on House Administration also was an FBI agent, and we know whereof we speak in this regard.

Therefore, I would suggest to the membership of the House that in their good wisdom they vote for continuation of this committee and in support of the full appropriation as requested.

Mr. FALLON. Mr. Speaker, 16 years ago, when the people of Maryland's Fourth Congressional District first sent me to Congress, one of the first issues with which I was presented was a reso-

lution to make the Committee on Un-American Activities a permanent standing committee of the House of Representatives. I voted for that resolution without the slightest hesitation. Although we were about to defeat the evil of nazism, I was certain that the cause of freedom would continue to have its enemies, both foreign and domestic. There were those who did not agree with me—who thought that the end of the war would bring a complete peace in which foreign-directed subversion would be a thing of the past.

We all know, of course, what happened. Our country was subjected to a concentrated campaign of subversion, espionage, and psychological warfare by the implacably hostile masters of deceit. We have become the No. 1 target of the alien ideology that practically invented subversion, and that has developed it into a mighty and lethal weapon.

It is incredibly naive to doubt that the favorite weapon in the Soviet arsenal is constantly in operation against us. If they really believe that they can attain this announced aim of burying us without resorting to war, they place reliance on subversion and trickery. They have, in fact, declared a war of subversion on us. Surely, such a massive and lethal threat to our Nation is a legitimate concern of the Congress. It is up to the legislative branch of our Government to provide the means for the defense of our country, and to ascertain that that defense is being carried out as effectively as possible.

In the House of Representatives, primary responsibility for legislative action against foreign aggression by subversion rests with the Committee on Un-American Activities. For years, that committee has performed the vital tasks of keeping Congress and the country informed, submitting necessary legislation to counteract subversion, and keeping an eye on the execution of such legislation. The committee was instrumental in bringing about favorable congressional consideration of the Internal Security Act of 1950, the Communist Control Act of 1954, the Espionage and Sabotage Act of 1954, the act of July 24, 1956, providing for increased penalties for seditious conspiracy, and of various other antisubversion measures.

The committee has also concerned itself with the vital problems of keeping subversives out of Government employment. I am keenly aware of the importance of the Un-American Activities Committee's work in this field, having served on the subcommittee of the Civil Service Committee which uncovered the facts that led President Truman to establish loyalty boards in all agencies of the Federal Government in 1947. These boards subsequently acted to dismiss a number of disloyal employees. The danger, however, is a continuing one. We can never cease to be alert against Communist attempts to infiltrate our Government.

I believe that we can measure the effectiveness of the Committee on Un-American Activities by the vigor and venom with which the Communists are attacking it. Time and again, the Com-

munists and their witting and unwitting fellow travelers have gone all out to undermine and discredit the committee. J. Edgar Hoover has told us that Operation Abolition, which came to a head in the frightening San Francisco riots, is a major objective of the Communist Party, U.S.A. The Communists know that they must destroy the committee before they can pursue any of their other aims.

It is imperative, therefore, that all patriotic Americans rally to the support of the Un-American Activities Committee. Our lives, our fortunes, and our sacred honor are once again at stake.

Mr. BREEDING. Mr. Speaker, I strongly support the request of the House Un-American Activities Committee for \$331,000 to carry on the committee's work during the coming year.

The committee, under the chairmanship of the able and distinguished gentleman from Pennsylvania [Mr. WALTER], is performing a service which must not be discontinued or downgraded at this time. I favor making sufficient funds available to continue the committee work at the present level.

Some opponents of the committee are sincere in their belief that the work of the committee infringes upon the civil rights of our citizens. Other individuals and groups, however, are not so idealistically motivated. They want to discredit the committee because it has done such a good job in exposing subversive activities.

We cannot afford to give in to the pressure to abolish the committee. We must keep it operating.

I have faith in the judgment and ability of our colleague, Mr. WALTER, and his associates on the committee. He is as dedicated as anyone I know to preserving the liberty and freedom of all Americans.

Mr. Speaker, I hope the resolution will be approved by an overwhelming majority of this House.

Mr. RIVERS of South Carolina. Mr. Speaker, the House Un-American Activities Committee is under constant fire from those ultra-left-wing groups that do not want their activities exposed. It is a great pity that the National Council of Churches of Christ should add its efforts to stop the investigations of the committee. Ministers all over this country, undoubtedly at the instigation of the National Council of Churches, which claims to speak for 38 million Protestants, are endeavoring to belittle the work of this committee. They have denounced the documentary film, "Operation Abolition," compiled by the committee from newsreels made at the scene of the riots in San Francisco last May. Some ministers have even ventured to say that the film is a forgery—that the committee hired actors to portray the well-known Communists and the rioters.

In Syracuse, N.Y., the General Board of the National Council of Churches recently made an official announcement that it questions the accuracy and value of the film. The council further stated that the film does not contribute to a realistic understanding of communism and its dangers to the United States.

The National Council of Churches has gone on record as favoring peaceful co-existence with the Communist conspiracy, and of seating Communist China within the United Nations.

Why is the National Council of Churches so eager to abolish the investigations of the HUAC? Is it because the committee is constantly turning the spotlight of publicity on the dubious activities of the National Council of Churches, activities which always take a stand at the extreme left?

Recently, I have received further evidence of the National Council of Churches' efforts to promote civil disobedience in defiance of the laws of my own State and those of the Commonwealth of Virginia, under the guise of brotherhood and Christianity.

I have here a copy of a letter from one James Monsonia, president of the National Student Christian Federation, 475 Riverside Drive, New York City. The letter bears no mention of the National Council of Churches, but in the workbook of the National Council, distributed at its fifth general assembly in San Francisco, December 1960, is the statement that the National Student Christian Federation had been formed at Oberlin, Ohio, in September 1959. The address of the student group is the same as that of the National Council of Churches. Herluf M. Jensen was listed as general secretary of the group.

On January 6, 1961, Herluf M. Jensen and James Monsonia issued similar letters to the National Student Christian Federation urging that national attention be focused on the students who had been arrested for civil disobedience in violation of the trespass laws of South Carolina and Virginia. Students were urged to visit the students who had been arrested in both Rock Hill, S.C., and Lynchburg, Va., for sit-in demonstrations, and these letters stated that more sit-ins were scheduled for February 7, and more arrests expected. Busloads of students, the letters stated, were going to visit the Rock Hill students, and it was urged that pressure be brought upon the mayor of Lynchburg and the Governor of Virginia.

I should like to remind you, Mr. Speaker, that one of Lenin's objectives for the peaceful conquest of America by the international Communist conspiracy was that of pitting class against class and race against race. Is the National Council of Churches, in its efforts to focus the attention of the American public on the racial issue, promoting a spirit of Christian love, or is there a more sinister purpose behind its incessant efforts to challenge the laws of trespass in our southern communities?

One of the loudest voices that is raised and which is raised with monotonous cacophony in behalf of the National Council of Churches is that of James A. Pike, one of the four Episcopal bishops of California.

Poor Bishop Pike is afflicted with a disease almost as old as the human race. The ancient Romans had an apt diagnosis for this ailment. They called it *cacoethes loquendi*—the itch for talking. Bishop Pike talks almost all the

time, and the underlying theme of his tirades is abolish the House Un-American Activities Committee. This theme can be traced through most of his exaggerated statements in the current storm which he has brought upon his head, a storm so fierce that it has evoked responses from clergymen all over the Nation. Some have asked that Bishop Pike be tried for heresy. Others have denied that he speaks the doctrines of the Episcopal Church. Although the immediate cause for his latest publicity stunt was an article on Christian doctrine, published in the *Christian Century*, the itchy bishop never misses an opportunity to denounce his southern detractors as segregationists and therefore heretics, or to polish off his flippant irreverencies with renewed blasts against the House Committee on Un-American Activities.

Mr. CASEY. Mr. Speaker, of all the money provided by this House for its committee work and investigations, my constituents and I strongly believe that none is a wiser investment than that provided for the House Un-American Activities Committee.

There is no doubt in my mind, nor in the minds of the people I represent, that we are engaged in a death struggle—not a cold war—with an alien ideology.

The Un-American Activities Committee has effectively unmasked those among us who have succumbed to this ideology, and who are the enemies of our people, our economic system, and our Nation. This committee's investigations have brought into the open the web of subversion spun by Communists within our own country, and shown it to be a part of the Moscow-directed threat to our survival.

As the Representative of the 22d Congressional District of Texas, I am proud to state that I strongly support the work of this committee and the recommendation of its chairman for appropriations. It makes me even prouder to know that the people I have the honor to represent are equally as strong in their support of the work of this committee.

Mr. ROGERS of Florida. Mr. Speaker, the action taken by the House of Representatives in continuing the Committee on Un-American Activities will be commended by all loyal Americans.

This committee has been under fire ever since its inception from forces threatening our very way of life. The committee has made a valuable contribution to the security of the United States and Chairman WALTER and the other committee members are dedicated to the fight against subversion.

We are at a time in history when we can ill afford to relax our guard and this committee should be commended and encouraged for their efforts to keep us alert.

Only last week the U.S. Supreme Court upheld the conviction of two men, known Communists, who had refused to testify before the committee. The old arguments used over and over about our rights and liberties under the Constitution are being defended, not injured by the work of the House Un-American Activities Committee and I hope we will have the benefits of their service for the dangerous years ahead.

Mr. JOELSON. Mr. Speaker, my coming vote in favor of the appropriation for the House Un-American Activities Committee should not be construed as an approval of all of its methods in the past.

I shall vote for the appropriation because I believe it to be a legitimate function of a congressional committee to make pertinent examination of possible subversive activities for the purpose of remedial legislation, especially in view of the potentially shattering impact of subversion in the atomic age. However, I believe that the committee should remember that our Nation has the FBI which is charged with the responsibility of law enforcement in the field of national security, and that the committee should limit itself to serious factfinding for legislative purposes.

Furthermore, I believe that the committee has directed its attention to the extremist activities of the leftwing to the almost total exclusion of the dangerous activities of such groups as the American Nazi Party, the White Citizens Council, and the Ku Klux Klan of the extreme rightwing. I shall urge that the committee shoulder its obligation to look into these disruptive riot-inciting, hate mongering un-American groups.

The committee should consider the circumstances of the organization of these groups and the sources of their financial support. This is a proper field of inquiry for the Un-American Activities Committee, since these groups have the stated purpose of defying and undermining the law of the land.

Having voted that the committee obtain funds, I shall reserve to myself the right of criticism of the manner in which these funds might be spent in the future, and of any failure by the committee to consider all types of un-American activities.

Mr. LANE. Mr. Speaker, our Nation has been slow to learn and to enact laws for the protection of its domestic security against the subversive techniques developed by the Communists.

In our open society, we have had such little experience with anything of a conspiratorial nature that we take people and organizations at their face value. The Communists, who are experts at deception, have set up groups with innocuous or patriotic names to disguise their real purpose, which is to divide and weaken and undermine the Government of the United States.

It is unfortunate that a few gullible Americans have been fooled by the spurious idealism of these movements and have been induced unwittingly to do the work of the Communists for them.

The House Committee on Un-American Activities is ever alert to this peril. Through its patient, searching, and well-documented investigations, it has exposed these organizations and their devious methods. The information gained as a result of these investigations has helped the American people to understand how the Communist conspiracy works. As long as our people are kept informed, they will never be taken in by the false slogans and the disguised pressures employed by the small but well-

trained group of Communist agitators behind the scenes.

The revelations of this watchdog committee are indispensable to the Congress in shaping legislation for the protection of our internal security against infiltration and subversion.

We recognize that some sincere and patriotic Americans resent the investigatory process, under any circumstances, for what they consider to be an invasion of private rights. In time of genuine peace, they would have a case insofar as the House Committee on Un-American Activities is concerned. But we are certainly not at peace. The command post of international communism in the Kremlin has served notice that it intends to overwhelm us, by one means or another.

One of their most successful weapons in several nations that they have absorbed is the technique of internal subversion, or the manipulation of innocent people so that they will, through ignorance of what is going on, cooperate in their own enslavement. We must defend ourselves against these insidious practices and one of the most potent means is to unmask those individuals and organizations that serve as a front for treason.

The Communists have assigned top priority to the task of discrediting and hamstringing this committee. As always, they work by indirection, and through others, to achieve their ends. Last year's student demonstration in San Francisco against the committee, is but one illustration. We are sorry for the naive students, but we are confident that some day they will wake up to the fact that they have been cynically exploited.

In the meantime, we are proud of the implied recognition by the Communists that the committee is helping to frustrate their conspiracy and so must be liquidated.

Our answer to that must be a public expression of confidence in, and support of, the committee.

For that purpose, I urge unanimous approval of House Resolution 167, to provide \$331,000 for the House Committee on Un-American Activities in order that it may continue the good work of exposing and thereby defeating the Communist masters of deceit and subversion.

Mr. COHELAN. Mr. Speaker, the lead editorial in the Washington Post, March 1, is a responsible and telling analysis of the recent Supreme Court decision affecting congressional investigations.

It clearly points out the necessity and legitimacy of investigations by Congress to protect the internal security of the United States. It contrasts this responsibility with the importance of individual rights.

The matter of achieving a balance between these two must be kept in sharp perspective and as the editorial so clearly states, "The very fact that a broad view of the congressional power to investigate has been sustained, increases the responsibility of Congress and the courts to guard against abuse of that power in future operations."

I hope that my colleagues will give this fine editorial their thoughtful and reflective attention.

Seldom has the basic cleavage in the Supreme Court over civil rights come into sharper focus than in the Wilkinson and Braden cases decided on Monday. In both cases a majority of five, with Justice Stewart as spokesman, upheld the conviction of witnesses before the House Un-American Activities Committee for refusal to answer questions connected with communism. Relying upon its previous decision in the Barenblatt case, the Court found that the committee had acted within the bounds of its authority. Justices Black, Douglas and Brennan and Chief Justice Warren contended in the most vigorous language that rights of the two men had been invaded.

These differences in interpretation of the Bill of Rights run deep. The opinion of Justices Black and Douglas and Chief Justice Warren in the Braden case struck out not only at the majority decision in this case but also at many others. "For at least 11 years, since the decision of this Court in *American Communications Assn. v. Douds*," the dissenters asserted, "the forces of destruction have been hard at work. Much damage has already been done. If this dangerous trend is not stopped now, it may be an impossible task to stop it at all."

The dangerous trend referred to is the refusal of the majority to view the guarantees of the Bill of Rights as absolutes. The majority insists on looking at the whole Constitution and on interpretation of each vital part in the light of other vital parts. It finds in the Constitution grants of power (specifically the power of self-preservation) that must be respected along with the guarantees of freedom. When the two clash, as in these cases, the majority seeks a reconciliation that respects the demands of both liberty and order.

That seems to us the essence of the judicial function. We are by no means sure that the majority is right, and the fears so eloquently presented by the minority are certainly real. But the courts cannot be blind to the grim fact that in nearly all parts of the world the Communists are trying to destroy freedom and democratic government.

Although that conspiracy may not be a very significant threat domestically in the United States, surely it is a legitimate prerogative of government to investigate and protect itself against subversion. Asking questions is part of this process. The dissenters in these cases in our opinion give insufficient weight to this reality in their attempt to resolve the liberty-order conflict.

Unfortunately the issue is blurred by much conduct on the part of the Un-American Activities Committee that cannot be defended in the name of either order or democracy. In the cases just decided the minority drew the conclusion that the real objective of the committee was, not to inquire into the Communist conspiracy, but to punish critics of its own activities and reformers sending petitions to Congress. The record strongly suggests that this motive was present in the minds of some committee personnel, although one member of the investigating subcommittee did insist that it was concerned only about the "Communist conspiracy."

Justice Stewart made the point, however, that Congress could not have intended to "immunize from interrogation" all those opposed to the Un-American Activities Committee. If any such rule were established, congressional inquiries would soon become exercises in futility. The majority saw both cases in this light:

"The subcommittee had reason to believe that the petitioner was a member of the

Communist Party, and that he had been actively engaged in propaganda efforts. It was making a legislative inquiry into Communist Party propaganda activities in the Southern States. Information as to the extent to which the Communist Party was utilizing legitimate organizations and causes in its propaganda efforts in that region was surely not constitutionally beyond the reach of the subcommittee's inquiry."

In other words, the Court has kept the door open to legitimate congressional investigation in this sphere despite grave concern within its membership over the questionable activities of the committee. If this is a victory for the committee, it is a very narrow one. It ought not to involve any letting down of the bars to punishment of people for their beliefs or any transmutation of the Bill of Rights into "a poor flexible imitation." The very fact that a broad view of the congressional power to investigate has been sustained increases the responsibility of Congress and the courts to guard against abuse of that power in future operations.

Mr. FINDLEY. Mr. Speaker, in the workaday world it is easy for us to forget the true nature of the Communist menace. The goal of worldwide communism has not changed since the day of Lenin. It is the enslavement of all humanity.

The work of the Committee on Un-American Activities has been invaluable in bringing to light communistic activities within our borders and in alerting the American people to the ever present Communist menace.

Mr. FASCELL. Mr. Speaker, this is a memorable week in the already exciting life of our colleague, FRANCIS WALTER.

All the Members of this body regretfully noted Congressman WALTER's announced plans to retire from Congress at the close of its business next year. FRANCIS WALTER has served long and well in his challenging posts as Representative of the 15th District of Pennsylvania, as chairman of the House Un-American Activities Committee, and as chairman of the Immigration Subcommittee of the Judiciary Committee of the House. I am sure we all share the hope that his well-deserved retirement will be blessed with renewed good health and satisfaction in whatever undertaking he chooses after leaving Congress.

FRANCIS WALTER, as chairman of the Un-American Activities Committee, today met and fought successfully a challenge to himself personally as chairman and to his committee as a whole. I am sure the rollcall vote supporting his group's activities for the coming year will be a source of tremendous satisfaction and gratification to him.

One of the most thoughtful statements of FRANCIS WALTER on the subject of the San Francisco student riots, was made when he addressed the Dade County Association of Chiefs of Police in Coral Gables, Fla., last week. While aptly outlining his personal thoughts on the incident and the opposing views which have been expressed on it, Chairman WALTER capably outlines a situation which is developing in this country which all of our law-enforcement officials may well study and heed carefully. Mr. Speaker, I would like to call this

address to the attention of our colleagues and submit it, as follows:

Gentlemen, you have just seen the moving picture which the San Francisco News Call-Bulletin of January 26 called the Nation's most-talked-about film. It is now estimated that some 10 to 12 million Americans have seen this picture, exclusive of showings of the film on television.

Because the film has been so popular and effective it was inevitable that the Communist Party should launch a campaign to discredit it and render it ineffective. The film has been hurting the Communist Party too much. It has been alerting and informing too many people about the danger communism poses here in our own country. The Communists fear and hate the picture, just as they do the Committee on Un-American Activities, and have, therefore, launched an intensified drive to destroy both.

Last summer a new organization, the National Committee to Abolish the Un-American Activities Committee, was set up to spearhead the Communist Party's drive to destroy the committee itself. To a considerable degree, it has taken over the work of two Communist fronts, the Emergency Civil Liberties Committee and the Citizens Committee to Preserve American Freedoms, which have led the drive to destroy the committee during recent years. This new organization has distributed hundreds of thousands of pieces of anticommunist and antifilm literature throughout the States of the Union.

The charges made against the film "Operation Abolition" in this literature, and also by a variety of non-Communist individuals, organizations and publications, are so numerous that it would be impossible for me to discuss and refute all of them today. I do, however, want to comment on the two principal accusations made against the film.

First, it is claimed that the Communist Party did not instigate the riots and that the film distorts the truth when it states that the rioters were used by the Communists.

The fact is that FBI Director J. Edgar Hoover; Mayor Christopher, of San Francisco; Judge Axelrod, of San Francisco, who considered the charges against the 64 persons arrested for participating in a riot, disturbing the peace, and resisting arrest; Thomas Cahill, chief of police of the city and county of San Francisco; and Michael J. McGuire, the San Francisco police inspector charged with maintaining order in the hearings, all—and I repeat that word "all"—state that the riot was Communist-instigated and led.

I believe it is obvious to all of you that these people, because of their official positions and duties, are in the best position to know the truth about this matter. It amuses me somewhat to hear many persons—who were not in San Francisco at the time of the riot and who are not in a position to know the facts—claim the contrary.

Second, it is charged that there was no student violence in the course of the riots but that, on the contrary, there was police brutality.

On this point, too, the film is supported by FBI Director J. Edgar Hoover, by Mayor Christopher of San Francisco, by the San Francisco Examiner, the San Francisco News Call-Bulletin and the Oakland Tribune, all of which had reporters on the scene who saw what took place. The film's contention on this point was also upheld by Sheriff McGuire in his official report on the riot.

When Judge Axelrod dismissed charges against 63 of the 64 arrestees, out of kindness, he pointed out that there were enough "facts to justify a conviction on at least two (of the three) grounds" on which they had been arrested. Those who defend the stu-

dents, denying they used violence, still have not explained how it was that eight policemen needed hospital treatment and one student is due to stand trial next month on the charge of felonious assault on a policeman, if their claim is true.

Recently the San Francisco News-Call Bulletin assigned two of its top reporters to do a series of eight articles on the film "Operation Abolition." Before writing this series, these two men not only saw the picture "Operation Abolition" but reviewed all the original film footage shot by the local TV stations from which the committee had made the film you have just seen. In the very first article of this series they made a statement which should have—but of course has not—put an end to the charge that the committee deliberately omitted scenes of police brutality in making the film. This is it: "Nor, importantly, do the full uncut, unedited clips show any evidence of possible police brutality critics say was deliberately deleted from 'Operation Abolition.'"

I think, too, that the film speaks for itself on the issue of student violence. Pictures do not lie. Everyone who has seen the film knows, without question, that the rioters resorted to violence.

I could go on mentioning the many charges made against the film and refuting each one point by point. As I stated before, however, there is not the time to do it now nor, I believe, is there any need to do so. The whole question of the alleged distortions in the film "Operation Abolition" is well taken care of by the statement made by a group of clergymen who sat in the hearing room and saw what took place during the committee's hearing in San Francisco, who have seen the film "Operation Abolition," and have since issued a statement giving the film their wholehearted endorsement. I quote an excerpt from that statement:

"Inasmuch as the Communist conspiracy has launched a massive attempt to discredit this film, we ministers who were eyewitnesses to this horrifying development locally, wish to certify that this film is a true and accurate representation of the activities of the hearings. The commentary is truthful. The film is not doctored. The sound track is not distorted. The leftwing charge that this film is a forgery is a manifest lie. While the original films were probably 5 hours in length, most was repetition of the obstructionist tactics of the subpoenaed witnesses. Nothing was eliminated which would show the rioters in any better light. In fact we were amazed that the committee would allow witnesses William Mandell and Douglas Wachter to freely express their vicious propaganda attack upon the Congressmen.

"We feel that it is our duty to warn citizens to beware of a Communist-doctored version of the film, which has been so grossly emasculated that it bears little resemblance to reality and constitutes a clever piece of propaganda for the Reds.

"We urge that every citizen see the true version of the film, and then make every effort to have it shown as a patriotic gesture before every church, civic, governmental, commercial, educational and private group possible."

That statement, I believe, more than takes care of the charges of the supposed distortions in the film "Operation Abolition."

There are a number of points relative to the committee's San Francisco hearings that I believe are of special interest to you and all police and law-enforcement officers.

One of the witnesses who testified in the hearing was a man named Karl Prussion. Mr. Prussion had been in the Communist Party for some 26 years, originally as a devoted, believing Communist and, for the last dozen years or so, as an undercover operative for the FBI. When Mr. Prussion took the witness stand the day after the riot, he was asked the following question: "Based

upon your background and experience in the Communist operation, what can be expected in the Communist press and through the Communist channels, and in the form of Communist expressions, with respect to the violence which took place here yesterday?"

Mr. Prussion replied: "The Communist press will carry out a campaign of vilification of the Committee on Un-American Activities. They will hurl invectives; they will accuse the city of San Francisco of police brutality, sadism, denial of democratic rights, and a whole series of false accusations will flow from the Communist press and all their agencies, through infiltrated organizations, in the interest of the Communist Party. They will get well-known people, professors, ministers and others to sign petitions and protests—all to embarrass American processes."

Prussion was 100 percent right. The Communist Party did exactly what he predicted it would do, both on the matter of attacking the committee and of accusing the police of brutality. The very first issue of the west coast Communist Party newspaper published after the riots charged police brutality—and the Communist press harped on this theme for months afterward.

And it was not only the Communist press that did this. Referring to the Communists in his just quoted reply, Prussion said, "They will get well-known people, professors, ministers and others to sign petitions and protests—all to embarrass American processes."

This happened. Over a hundred college professors issued a statement after the riot saying they intended to form an investigating group to probe the action of the police in putting down the demonstration.

Vincent Hallinan, candidate for President of the United States in 1952 on the ticket of the Communist-controlled Progressive Party—a man who, by the way, has served a prison term for income tax evasion—called on Mayor Christopher of San Francisco for a special investigation and for punishment of police misconduct. He charged that the police had used excessive force and violence in putting down the riot.

The May 19 issue of the student newspaper at the University of California featured an editorial entitled "Investigate Police." It recommended a State investigation, revealed that a petition was being circulated in support of one, and urged faculty members and students to sign it.

No one has produced any evidence that the San Francisco police were brutal in dispersing and arresting the rioters; yet those policemen have been vilified and falsely accused on this issue, time and time again, since last May.

The San Francisco riots ended long ago, but I am afraid that we have not seen the end, by any means, of this issue of police brutality. It is my conviction that we will hear much more of this in the future in various parts of the United States.

All of you, I am sure, are familiar with the riots, to a great extent Communist-inspired and led, that have rocked many nations in the world during the past year or so. Prior to issuing its annual report for the year 1960, the Committee on Un-American Activities made an intensive study of Communist theoretical organs and directives on both the national and international level, and also of the manifesto issued by 81 Communist Parties of the world after their long meeting in Moscow last November. It found that the world Communist leaders in Moscow, and the leaders of the U.S. Communist Party as well, have been harping on the theme that Communists everywhere must intensify the class struggle and that they have repeatedly stressed the doctrine that peaceful coexistence means intensification of the class struggle.

As a result of its study of these directives and other factors, the committee drew the

conclusion in its annual report that "There is considerable evidence that, in the United States, as well as on a world scale, the Communists feel that the present tactical situation calls for increased utilization of riots and mob violence."

What happened at the U.N. last week after the death of Lumumba; what happened to the Belgian Embassy in Moscow (where nothing takes place without Khrushchev's approval); and what happened in other countries of the world as well, is strong evidence that the committee's prediction was correct. While African nationalists undoubtedly played a large role in the disturbances at the U.N. and in Washington, I am sure that many of you saw newspaper pictures of such well-known Communists as Benjamin Davis and Paul Robeson, Jr., taking part in these demonstrations.

The committee's findings and these developments, I believe, mean not only that there will be more riots but that there will be more charges of police brutality. They will be made every time, and in every place in the United States, where the Communists stage a riot. It is standard operating procedure for the Communist Party to make this charge whenever the police interfere with or impede its subversive efforts. It is part of their "stop thief" technique—to charge others with brutality when they have resorted to it in order to achieve one of their ends.

What this means is that police everywhere will have to use great caution in handling demonstrators who get out of hand. Their work will be further complicated by the new "nonviolent resistance" technique that is now being used by the Communists, as well as by others. You saw examples of this technique in the film—when the students sat down with their hands in their pockets, refusing to move, and forcing the police to either carry or drag them out of the city hall. This device helps create an impression of police "brutality" in handling "peaceful," passively resistant demonstrators.

Last summer Gus Hall, the present head of the U.S. Communist Party, issued a directive that all members and friends of the Communist Party "must be first \* \* \* in the sit-downs, on the picket lines, in the peace marches and meetings" that are taking place in this country.

There are many non-Communists taking part in these demonstrations. Many of these demonstrations are initiated and organized by non-Communists. Without doubt, I believe the great majority of the demonstrators—as in San Francisco—are not Communists or pro-Communists. But the unpleasant truth is that the U.S. Communist Party boss has ordered the Communists to infiltrate these groups and play key roles in the demonstrations. The Communists' motives in doing this are varied. One of them is to provoke violence. This is particularly true when the demonstrations concern the issue of integration. The Communists' aim is not to help solve racial problems but to inflame passions and, if possible, provoke racial violence.

These facts and developments put the police generally in a very delicate position. They must enforce the law. There can be no question about that. Yet, at the same time, they are placed in situations where, unless they are most careful, they can open themselves up to Communist-inspired charges of brutality.

Police forces everywhere must realize that the Communist Party hates them—just as it hates the Committee on Un-American Activities—and will do everything it can to discredit them. This is because police forces stand for law and order, and the Communists want chaos. It is only by breaking down—or seizing control of—the police and other law-enforcement institu-

tions that the Communists can pave the way for their takeover.

The Communists know that police forces are a powerful instrument in assisting—or preventing—Communist seizure of power. This is why, whenever they obtain sufficient strength in any country and a united front type of government is established, the Communists always want one of their men to be given the post of minister of justice. They know that if they can get control of the police, they can dispose of their opposition with relative ease and it will just be a matter of time before they have the whole nation in their hands.

When the Communists succeed in doing this, policemen become the agents of tyranny. They are no longer the enforcers of law, the protectors of freemen, but, rather, the oppressors of an enslaved people.

The Communists pose a real challenge to the police of this country, as they do to all other Americans. They will try to discredit you. They will try to infiltrate your ranks. Their challenge, however, is one that I am sure you—and all our police forces—will meet successfully, in the true American tradition, without backing down in any way and, at the same time, without resorting to brutality, undue force or any of the other methods they will accuse you of using.

Mr. ABERNETHY. Mr. Speaker, I strongly support the pending resolution. It should be overwhelmingly adopted and I am confident it will be.

Mr. Speaker, there is never a time when the people of the United States, and particularly the Congress, should let down against communism, or any sort of ism which is contrary to the American ideals and principles of government. I do not know of any tribunal, court, branch or segment of our Government which has contributed more to ferreting out the anti-Americans than the Committee on Un-American Activities. In instance after instance it has turned the light of day on the un-American activities of many un-American people. Nothing could be more pleasing to Moscow than for the news to go out from here tonight that the House of Representatives has declined to support this resolution.

We must not fail this committee. To fail it would be to fail the American people. The distinguished chairman of this committee, the gentleman from Pennsylvania [Mr. WALTER], and the members of the committee themselves, have done a fine job. I commend them for their effort and shall give them my support. I know you will do the same.

In closing, I would like to remind the House that the Un-American Activities Committee was made a permanent standing committee of this House through the effort of our late friend and colleague, John Elliott Rankin of Mississippi. John Rankin was indeed pro-American. He fought communism wherever he found it. In giving this committee permanent status he left a great monument to his service, as well as providing the Congress with a strong arm to strengthen Americanism.

Under no circumstances should we weaken the great work of the Un-American Activities Committee. I trust the resolution will be overwhelmingly adopted.

Mr. DOYLE. Mr. Speaker, I rise in support of the budget request of the

committee of which I have been an active member for about 14 years. I refer to the budget which my distinguished colleague from California [Mr. ROOSEVELT], and possibly a handful of others as far as I can estimate, are in favor of reducing. We need that sum.

Mr. Speaker, I wish to again say that which I have frequently been heard to say, which is, that the House Un-American Activities Committee is at least as vital and essential to the safety of our internal security against subversive activities, propaganda and other subversives, and their bedfellows, followers, and dupes, now as it was 14 years ago when I was appointed to the committee. Do the sponsors of this effort to reduce the committee's budget, believe that the evidence worldwide, and the evidence within 90 miles of our Florida shores, and the evidence within our own domestic confines is less weighty and convincing today, than it was on yesterday, to the effect that subversion is a crystal clear part and parcel of the cold war, initiated and promulgated by the Communist Party of the United States and by the Communist conspiracy, worldwide?

Let us not be fooled into a state of complacency by extraneous arguments and by claimed facts which do not go to the root of the issue before us today. The fact is, that the Communist community in our Nation and their followers and their dupes and all others against our constitutional form of government are consumed with glee at this move to reduce the committee's budget. I verily believe, that in the minds and plans of the Communists and their bedfellows they favor the subverting of our form of government and turning it into a part of the Soviet dominated world, and, are likewise determined to weaken or destroy the effectiveness of the Federal Bureau of Investigation under Mr. Hoover. Any Federal security agency, or committees of Congress in this field of internal security, and against subversive influences is entirely too much for them.

In my 14 years of active membership on this committee I have seen where I, and I believe some others of the committee have made mistakes, which mistakes, however, were not repeated; they were reasonably human errors. That is because we are exactly like other vigorous, patriotic citizens trying to do a very difficult but essential job for the protection of our beloved Nation's internal security against subversive people and programs. Ours is anything but easy and comfortable. It is always difficult and would be discouraging, if we would allow it to be.

But, Mr. Speaker, I can testify without fear of contradiction, the procedures, attitudes, practices, and programs of the committee today are very substantially different than they were even as recently as several years ago. We have improved beyond measure. We will keep on improving. But, Mr. Speaker, Members of this House must take into account that we nine members of that committee as a rule, have to deal with a type of person who is either against our constitutional government or who is against any form of

control against their claims of freedom to subvert or destroy established law and order; or who is in favor, whether openly or not, of having our beloved Nation actually become another satellite of Soviet Russia.

I hope and request that this House this day, give the committee a significant vote in support of the committee by voting unanimously, or almost unanimously, for the budget as referred to the House: to-wit, \$335,000, and as recommended to the House by the Government Operations Committee. I say this, because every Member of this House knows that there have been hundreds of thousands of attempts by mail and otherwise to discredit and destroy this committee. Let us vote our convictions so that the American people can take heart and join us in making it as difficult as possible for the Communist and subversive colonizers, and Soviet agents and their followers to spread their godless destructive philosophy in our beloved land.

We do not plan to interfere with what people think nor how they pray. We do plan to do our full share to make sure the Communist conspiracy does not have freedom to infiltrate and subvert our constitutional freedoms and liberties.

Mr. DOLE. Mr. Speaker, as we face the question of appropriations for operation of the House Committee on Un-American Activities for the coming fiscal year, we recognize that both the committee and its objectives are under vicious attack.

The Communist network within our borders is doing its utmost to inflame the minds of our citizens with the ultimate objective of either abolishing the committee or neutralizing it by financial starvation, through every possible insidious tactic known to Communist conspirators.

This most important committee must not be hamstrung in its efforts to expose the Communist menace which constantly challenges our way of life. Its activities should be expanded, not reduced or transferred to another committee, for if our struggle for freedom is lost, then any other issues, domestic or foreign, fade into insignificance.

It is with pride and a sense of patriotic duty I support the appropriations for the committee and as J. Edgar Hoover said of this committee:

Your committee's role in safeguarding our freedoms is well known to every patriotic citizen and real Americans are not going to be fooled or misled by efforts to discredit your vital task.

Mr. HAGEN of California. Mr. Speaker, I rise in support of the requested appropriation for the House Un-American Activities Committee because I feel that it has performed valuable functions in the past and will continue to render service in the goal of defeating the activities of those persons who dedicate themselves to the service of a foreign sovereignty under the guise of adherence to an ideology.

I refer, of course, to Communist Party members and their underground supporters in this country and abroad, and

such other groups which might arise and follow a similar course of conduct.

The basic threat to our institutions is a threat from abroad by a foreign power or powers, which seek to establish fifth columns in every country of the world. The Communist Party U.S.A. and its supporters is such a fifth column. It uses our traditional democratic freedoms to ultimately destroy those freedoms from within. The American people are entitled to the maximum defense against this threat.

What is the special contribution of the House Un-American Activities Committee to the defeat of this threat?

It has produced legislation for the control of subversive activities, and its role as a legislative committee has not been exhausted.

It has collected evidence of the magnitude of the threat and of the methods of subversion which has been useful in indicating the need for legislation and the kind of legislation which should be passed.

It has exposed to public knowledge the identity of persons who have been members of a subversive apparatus in this country. This exposure cannot be accomplished at the national level by any agency outside of the Congress. It is safe to assume that such exposure has served to save many persons from association with persons and causes with which they would not desire to become associated with full knowledge of the background of such persons and causes.

Mr. DORN. Mr. Speaker, our House Committee on Un-American Activities has done and is doing a splendid job to save these United States from Communist revolution. This committee, like the rest of us, is a direct agent of the American people. These men are elected every 2 years at the ballot box. They represent democracy in action. They are trying to preserve freedom of speech, freedom of the press, the right of assembly, and the right to vote.

The job of this great committee is a thankless one. They lose sleep and spend many days away from their loved ones in order to expose the atheistic, Communist conspiracy which has sworn to overthrow the American Government and liquidate our freedoms and free people. To even argue that the Communist Party is a political party such as the Democrat or Republican Party is, in itself, bordering on treason.

The Communists are bending every effort to destroy the House Un-American Activities Committee. If they are successful in this, they will create further disrespect for representative government. They would then eliminate Congress and enslave the American people.

The Communist Party's "Operation Abolition," against the House Committee on Un-American Activities is really a move to abolish our freedoms. This House committee in San Francisco, conducted itself with patriotism, dignity, and honor. Its conduct there reflected great honor on this Congress and the American people.

Mr. Speaker, I hope the House today will vote this appropriation so that the House Committee on Un-American Activities can continue its vital investiga-

tions. The choice today on this vote is between freedom and slavery. Yes, Mr. Speaker, a choice between Washington or Moscow; between Christianity and Red atheism.

The reason for the bitter attack on the movie "Operation Abolition" is that the Communists are afraid of the truth. They do not want the American people to find out their tactics of infiltration, espionage, and intrigue. They do not want the American people to see how the Communists dupe others to do their dirty work. They especially do not want the American people to see their plan exposed to use some students and young people. I hope every American will see the movie, "Operation Abolition."

Mr. Speaker, I only wish this appropriation were 10 times what it is today so that this Congress could completely expose the sordid, ruthless, and bloody tactics of the Communist Party.

Mr. BROOKS of Louisiana. Mr. Speaker, I was in Congress when this Committee on Un-American Activities was created by the House of Representatives. The creation of this committee had been the dream of the American Legion for many years and, I, too, had supported the American Legion's resolution calling for the creation of this committee. Since the day when the committee was formerly authorized, I constantly supported this committee with my vote on this floor and with speeches when at home.

The committee has been, at times, under severe attack and it has been handicapped and hindered, often by acts of Communist conspirators and fellow travelers throughout the country.

In addition to this, the U.S. Supreme Court, itself, by its decisions has been anything but helpful to this committee. Some of the decisions of this Court having reference to this great committee of Congress have been calculated—in my judgment—to cripple and harass this committee. Decisions which made it much more difficult to convict witnesses who refused to answer and who sought to make a mockery of this committee are still in effect.

I, personally, want to give the committee more power and more authority for two reasons: No. 1, that the committee may continue its work and even do more effective work to uncover communism and un-Americanism wherever it exists in this broad land of ours; and No. 2, as a rebuke to the U.S. Supreme Court for its weak-kneed vacillating decisions, which have often in recent years, favored communism and made our job of ridding this country of un-American, alien influences more difficult and more hazardous.

Mr. ELLIOTT. Mr. Speaker, I support House Resolution 167 providing \$331,000 for the operations of the Committee on Un-American Activities for this year.

It was my pleasure during the past several years to be a member of the Subcommittee on Accounts of the Committee on House Administration, and as such to hear the fine justifications for funds presented each year by the gentleman from Pennsylvania [Mr. WALTER].



the best minds of the House of Representatives to make this important fuels study.

The appointment of these 15 Members of the House should be based on their impartiality as to any specific fuel, and should be entirely free of the implications in the declared statements of the oil and gas industry that was carried in the *Oil Daily*, Monday, February 27, 1961.

Oil and gas men can breathe easier now that the prospects have noticeably dimmed for a superduper probe of national fuels policy by a Senate-House committee.

The Petty Oil Letter in the *Oil Daily* said:

The fatal blow to the coal industry's drive for a joint congressional fuels policy investigation came at the House Rules Committee's meeting on February 23, when a resolution authorizing such an investigation put in by Representative ASPINALL, Democrat, of Colorado, was beaten by a vote of 9 to 5.

This publication further said:

Even that resolution had been a "compromise" by ASPINALL, redrafted from earlier versions to eliminate any directive that a fuels policy be formulated by the proposed joint committee and recommended to the Congress.

This last statement is entirely misleading as the House Resolution 183 states in part:

Section 2. (2) consider and review the existing and prospective governmental policies and laws affecting the fuels and energy industries with a view of determining what, if any, changes and implementation of these policies and laws may be available in order to coordinate and provide an effective national fuels policy to assure the availability of fuels and energy adequate for an expanding economy and for the security of the United States.

I resent the implications of the oil industry that the granting of a rule for this resolution means a scuttling of a fair and equitable fuels study and the final adoption of a national fuels policy.

I have every confidence in the leadership of this body that they will insist on a thorough study of all fuels, and that the findings will be translated into a national fuels policy.

The importance of this matter was graphically portrayed when Judge HOWARD SMITH, chairman of the Rules Committee in his support of this resolution read the entire address by the then Senator and now President, John F. Kennedy.

There is no equivocation in this statement as to the importance of such a fuels study and of such a national fuels policy.

I am happy to quote this important address and ask unanimous consent to include the same in my remarks:

#### A NATIONAL FUELS POLICY

(Remarks of Senator John F. Kennedy, Democrat of Massachusetts, Amherst, Mass., W. Va., Tuesday, April 26, 1960)

The time has come to put some common-sense and consistency into the way this country handles its vital fuel supplies.

The time has come for the Federal Government to adopt a national fuels policy—a concrete set of plans and principles to restore fair play and prosperity to our hard-hit, neglected fuels industries. President Kennedy of the UMW (no relation, but a

great leader and friend) has eloquently set forth the reasons for such a policy—and he has told of the great benefits it would bring to the coal industry—and I endorse his call in full.

The Congress should adopt such a policy—and adopt it now—at this session. The President should take the lead in its promulgation—now—before he leaves office. But if the Congress does not act—and if the President will not act—then that action must be taken next year by a Democratic President—a President who is willing to fight for a better, stronger American Nation. And I think we can have and will have a Democratic President in 1961.

When that President enters the White House next January—when he sits down at that lovely desk, after all the pomp and ceremony is over—no problem will more urgently demand his attention than the problems of our fuels industries—and the coal industry in particular. If he is to meet those problems effectively—if his decisions are to weigh every factor and weigh them equitably—that President will need a national fuels policy.

How else can he deal with the inconsistencies, the uneven regulations, the conflicting principles, the changing standards which the Federal Government and its agencies have been using in this area? How else can he reconcile the demands of those seeking to import more fuel from abroad while a major segment of the coal industry is in distress—those seeking to invest tax dollars in new expansive fuel sources when vast fields of coal are untapped and mines are closed—those dumping one kind of fuel in a wasteful, costly manner at the expense of both consumers and competitors?

There is no single, comprehensive, nationwide policy to deal with these and other matters today. There are dozens of policies, dozens of different laws and regulations and rate schedules. A national policy must end this. In the creation and execution of such a policy, foreign import requirements must be considered—but so must the requirements of domestic industries. The rights of producers must be taken into account—but so must the rights of consumers. A fair schedule of freight rates for coal to ship it out of here is just as important as fair rates for natural gas pipelines.

No single industry—no segment of any industry—should be singled out for any special treatment. Our objective is a stronger, better America—a prosperous America—using all its resources and all its manpower in its competition with an enemy that grows stronger every day.

Such a policy can mean new hope for our neglected coal industry—new jobs for the unemployed miners—new hope for West Virginia. That is our goal—and that goal is my personal pledge to you.

#### ADMINISTRATION APPOINTEES

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. YOUNGER. Mr. Speaker, for some little time there have been rumors on the Hill about appointees high in this administration reading and discussing the political advice given by Machiavelli in his writings, "The Prince."

We are indebted to Paul Niven of CBS for bringing these rumors out in the open during a CBS network broadcast

on February 19, 1961, when Orville L. Freeman, Secretary of Agriculture, was the guest. The transcript of the broadcast was placed in the CONGRESSIONAL RECORD February 20 by Senator WILLIAM PROXMIER, of Wisconsin, from which I quote:

Mr. NIVEN. Governor, I wonder if we could get into your personal life a little more. I understand one of the books you are reading these days is "Machiavelli the Prince," and I have read that several members of the Kennedy administration are reading it.

Do you read Machiavelli in order to be better acquainted with the Devil, or do you think it has some useful illumination of politics?

Secretary FREEMAN. Well, I think that Machiavelli has been much maligned over history as a writer and as a philosopher and as a political scientist. As a matter of fact his writings are very interesting as they analyze the relationships of power and motivations in the process of government, and I find it very stimulating and useful. It is relaxation, not going to school actually.

Mr. NIVEN. Power and motivations I think Machiavelli would have been right at home in the recent controversy over the Rules Committee in the House. He would probably have been on the side of the Speaker and the administration, but I think he would have probably thought that Judge SMITH would have been a pretty good prince for him. Did you call any Members of Congress and pressure them to support that?

Secretary FREEMAN. No, I didn't pressure anybody, Paul, and I don't think anybody was pressured.

Mr. NIVEN. Haven't some of your Cabinet colleagues admitted that they made a few phone calls?

Secretary FREEMAN. Well, I haven't discussed that with them.

Mr. NIVEN. Don't you think it is necessary and proper, wouldn't it be reasonable for a government or an administration, caught in the act of pressuring Congress in an instance like this, to say, "Look, this administration has sent a program to Congress which we feel is essential for the Nation's survival. We will use every ounce of political strength we can mobilize to get it through?"

Secretary FREEMAN. Well, I speak now personally, and I am sure that the President will use—he believes in his program and hopes to have it through Congress. Speaking now as an individual and as one who has served as a Governor for 6 years, and 3 terms in the legislature, I just believe that our system of government works the best and doesn't work properly unless there is a strong Executive who works to develop the program that he thinks is best, who presents them affirmatively to the legislature or to the Congress, and then proceeds to fight for those programs.

Mr. NIVEN. Yes, and when you say fight, don't you mean calling committee chairmen, calling Members, using the carrot and the stick, threatening them to cut off patronage or other favors or promising favors if they do support you? Isn't that all part of government as it must be?

Secretary FREEMAN. You are drawing word pictures here that emphasize the stick and forget about the carrot.

I sincerely trust that "The Prince" will not become required reading by the New Frontiersmen nor that they will try to put into practice some of the Machiavelli political advice as represented by the following examples from "The Prince":

From the preface:

"But if Machiavelli was a political philosopher, he was one who concentrated on



politics almost as if it were an autonomous technique and an isolated human enterprise having little connection with the ends which government served (save those of the ruler). He conceived of government without reference to the more ultimate values of morals and religion and art. In politics itself the first and almost the last thing for him was the gaining and the holding and the exercise of power and, as Machiavelli conceived it, the power of a prince.

"The seductively sinister reputation of the book called 'The Prince,' therefore becomes clear. The usual obeisances to conventional morality, political or otherwise, are not observed. Machiavelli coolly keeps his eye on the object and, from the point of view of a ruling prince, on the main chance. Politics is, as it has been called, the art of the possible. It resembles most closely a military campaign. The general does not and need not consider moral or civilian values. He breaks eggs to make the omelets of victory and does not cry over the broken eggs nor fret about the breakage. The prince likewise does not consider conventional judgments on the morality of what he does. He does not disdain conspiracy because it is frowned upon, nor treachery because it is condemned, nor murder because conventional minds deplore it. He used all these as instruments; they are devices, however devious; means, however ruthless.

"The book has lived because, for all its coldness and worldliness, it is a reminder, a corrective to sentimentalism in politics. It notifies us clearly that in government ideals in themselves are not instruments. In a world going to pieces politically, Machiavelli was asking the question how it might be put together again and kept so."

From the text:

"It is essential, therefore, for a prince who desires to maintain his position, to have learned how to be other than good, and to use or not to use his goodness as necessity requires.

"He may never hesitate, however, to incur the reproach of those vices without which his authority can hardly be preserved; for if he well consider the whole matter, he will find that there may be a line of conduct having the appearance of virtue, to follow which would be his ruin, and that there may be another course having the appearance of vice, by following which his safety and well-being are secured.

"Nevertheless, we see from what has taken place in our own days that princes who have set little store by their word, but have known how to overreach men by their cunning, have accomplished great things, and in the end got the better of those who trusted to honest dealing.

"It is not essential then, that a prince should have all the good qualities which I have enumerated above, but it is most essential that he should seem to have them; I will even venture to affirm that if he has and invariably practices them all, they are hurtful, whereas the appearance of having them is useful. Thus, it is well to seem merciful, faithful, humane, religious, and upright, and also to be so; but the mind should remain so balanced that were it needful not to be so, you should be able and know how to change to the contrary.

"And you are to understand that a prince, and most of all a new prince, cannot observe all those rules of conduct in respect whereof men are accounted good, being often forced, in order to preserve his principedom, to act in opposition to good faith, charity, humanity, and religion. He must, therefore, keep his mind ready to shift as the winds and tides of fortune turn, and, as I have already said, he ought not to quit good courses if he can help it, but should know how to follow evil courses if he must.

"Wherefore if a prince succeeds in establishing and maintaining his authority, the means will always be judged honorable and be approved by every one. For the vulgar are always taken by appearances and by results, and the world is made up of the vulgar, the few only finding room when the many have no longer ground to stand on.

"A certain prince of our own days, whose name it is as well not to mention, is always preaching peace and good faith, although the mortal enemy of both; and both, had he practiced them as he preaches them, would, oftener than once, have lost him his kingdom and authority.

"Again, it greatly profits a prince in conducting the internal government of his state, whenever the remarkable actions of any one in civil life, whether for good or for evil, afford him occasion; and to choose such ways of rewarding and punishing as cannot fail to be much spoken of. But above all, he should strive by all his actions to inspire a sense of his greatness and goodness.

"And it will always happen that he who is not your friend will invite you to neutrality, while he who is your friend will call on you to declare yourself openly in arms."

#### DR. MACCARTHY AND THE YOUTH FITNESS PROGRAM

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MORSE. Mr. Speaker, since September 1956, an irresistible gentleman, with the irresistible name of Shane MacCarthy, has been traveling the Nation making youth fitness irresistible to countless Americans, young and old.

Tomorrow's citizens, growing up under a threefold program of physical, mental, and spiritual fitness, will owe much to the philosophy and contagious enthusiasm of Dr. MacCarthy—and so will the Nation. During the 4 years he served as Executive Director of the President's Council on Youth Fitness, his efforts were chiefly responsible for inspiring spontaneous youth fitness committees to spring up from coast to coast. Thanks to his vigor and imagination, schoolteachers, religious leaders, parents, and business and professional leaders banded together in voluntary, independent workshops to put the fitness program into effect. Radio, television, and the press give generously of time and space to publicize the work. And the idea is snowballing. National Youth Fitness Week, the first full week in May, promises to become an annual event.

All 50 States have responded to Dr. MacCarthy's call for youth fitness action—Governors have convened 37 State conferences on youth fitness. This, in turn, has stimulated countless community meetings on the subject.

Shane MacCarthy's own words best illustrate the problem, and what should be done about it.

To expedite our breakneck process, we have millions of miles of turnpikes for traffic, while giving little consideration to trails for humans. \* \* \* As the human

being moves up the rungs of the ladder of material progress he is prone to measure the advance by the amount of ease, comfort, and leisure he has acquired. \* \* \* It is basic that we as citizens strongly supplement, if not replace, our present scheme of materialistic values by a rebirth of the true needs of human personality so that men and women, boys and girls, come before machines. \* \* \* The youth fitness challenge is in the way we live at home; in the educational system in the school; in the urban design of communal living; on the playground and on the sidewalk; wherever boys and girls of any age live.

All of his life, this genial gentleman from Cork City, Ireland, by way of Boston, Mass., has been actively associated with parent, youth, teacher, social, fraternal, and veteran organizations. During World War II, he served as a lieutenant commander in the U.S. Navy; he has held responsible posts in various Federal agencies, and has taught the political and social sciences at Georgetown University and the Catholic University of America.

I am proud that Shane MacCarthy is my friend. As he steps down from a post to which he has brought such honor, I join with the noted columnist, Dr. Peter J. Steincrohn, in saying:

Never have I met a more personable and dedicated man. May he have health and vigor for many years so that he can follow through to completion the plans he has for your children and mine.

#### SOVIET TRADE

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, the operation and administration of our export control program has long been a matter of deep concern to me and I have at various times in the past, and again this session, introduced legislation calling for a complete congressional inquiry into our export policies. Recent events point anew to the great need for attention by the Congress to this matter.

Early this year I inquired into the action of our Government in granting an export license for shipment to the U.S.S.R. of precision machinery used in the manufacture of trucks and automobiles.

Included were authorizations made last year to ship highly strategic machines used in the manufacture of V-8 engine blocks and heads. They are multistation machines, known as transfer machines.

Transfer machines are designed to complete a series of machining operations at successive stations, and to transfer the work automatically from one station to the next. My understanding is that the Soviets are placing heavy emphasis on the production of transfer machines at the current time

because they are vital in solving production problems of complex and highly specialized equipment.

In response to my request for its comments on the export of such machines, the Department of Defense on February 23, 1961, advised me as follows:

(a) The products of these transfer type machine tools are clearly of military value. V-8 cylinder blocks, the product of these machines, are a necessary part of engines for medium-size supply trucks and personnel carriers which are vital to logistical support of the Soviet armed forces.

(b) The technology contained in these transfer machines produced in the United States is the most advanced in the world.

(c) So far as this Department knows, the U.S.S.R. has not installed this type of machinery for manufacturing cylinder blocks and heads.

(d) The receipt of this equipment by the U.S.S.R. would contribute to the Soviet military and economic warfare potential.

Another authorization to ship precision machine tools to the Soviet Union of great concern to me was made known in a recent announcement by the Department of Commerce that it was lifting the suspension imposed last year on a license to export to the Soviet Union 45 highly technical machines used in the manufacture of ball bearings. On February 17, at the time of the announcement, I discussed both the ball-bearing machines export license and the license authorizing shipment of the transfer machines in a statement in the CONGRESSIONAL RECORD.

The ball-bearing machines involved are highly complex machines used in the manufacturing of miniature ball bearings. They are for use predominantly, it is reported, for such purposes as missile guidance systems, aircraft gyros, and similar complex weapons purposes. It has been reported that there are only 72 such machines in the United States.

A week ago I wrote to both President Kennedy and Secretary of Commerce Hodges requesting that the export licenses for the transfer machines and the ball-bearing machines be suspended and that a thorough reevaluation should be made of the matter because of the significance of such exports to the security of the United States. At that time an announcement was made that the export licenses for the ball-bearing machines had been halted pending further consideration of the matter.

On February 23, I addressed a telegram to the President and the Secretary of Commerce in regard to the transfer machines, setting forth the comments of the Department of Defense and requesting that the license for this export be suspended immediately.

I firmly believe that we must exercise extreme care to avoid helping to contribute to Soviet military and economic warfare capabilities. Economic gain such as might accrue from the sale of these machines is of little significance when weighed against our national security. Let us not help contribute tools and know-how which the Soviets can use to help pursue their goal of world domination. I believe this is a matter of extreme urgency which Congress must not fail to look into thoroughly.

#### ACCUMULATION OF SPECIAL RESERVES BY BANKS FOR PROTECTION OF SAVINGS DEPOSITORS

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, most Members of Congress have received mail regarding the controversial question of taxation of banks, savings and loan associations, and mutual savings banks. The commercial banks contend that there is an unfair differential between the bad debt reserves allowed banks and that allowed the mutual institutions. The mutual institutions maintain that there is a vast difference between their operations and commercial banking and that the reserves are needed because of their concentration in long-term real estate loans.

It seems to me that when there are such substantial differences between commercial banks and savings and loan associations that identical tax treatment is not feasible. I do, however, agree with the bankers that that portion of their business which involves thrift and home financing should be treated for tax purposes the same as the savings and home lending operations of mutual institutions. It is better to achieve similar treatment in this way than it is to distort the operations of mutual institutions.

Therefore, I am introducing legislation which will make available to commercial banks, for their thrift and home financing activities, the same tax formula now applied to mutual savings banks and savings and loan associations.

I believe it represents a way of resolving this long standing controversy without the dangers of harm to financial institutions or impairment to our national economy that is involved in many of the other tax proposals.

Specifically, my proposal is as follows: Section 593 of the Internal Revenue Code authorizes mutual institutions to deduct additions to reserves for bad debts until surplus, undivided profits, and reserves aggregate 12 percent of deposits. The amount deducted in any taxable year cannot exceed the taxable income for that year. Identical deductions will be authorized in the case of qualifying savings deposits of commercial banks. Qualifying savings deposits are those which would qualify as savings deposits under the regulations of the Federal Reserve Board if the bank were a member bank. Qualification is further limited to institutions in which 80 percent of the savings deposits are invested either in first mortgages on realty or in obligations of public authorities. Finally, in the case of insolvency, savings depositors must have priority over other depositors with respect to the assets in which the savings deposits are invested.

Savings deposits will be segregated under the bill for purposes of computing the authorized deduction. The usual provision for reserves for bad debts, section 166(c), will apply to all amounts which do not qualify for segregation as savings deposits.

May I point out the need for consistent flow of funds into the home financing field. It is more practical to aid the flow of private funds into home financing than it is to restrict the operation of any segment of our financial world. I feel this bill has considerable merit and hope that my colleagues will give it serious attention.

#### DEATH, INJURY, AND DESTRUCTION CAUSED BY THE CARRIAGE OF EXPLOSIVES BY COMMON CARRIERS

The SPEAKER. Under the previous order of the House the gentleman from West Virginia [Mr. BAILEY] is recognized for 20 minutes.

Mr. BAILEY. Mr. Speaker, on January 4, 1961, I introduced House Concurrent Resolution 36. This resolution expresses congressional concern over the marked increase in the number of accidents resulting in death, injury, and the destruction of property by reason of the burning and explosion of explosives and other dangerous articles being carried by common carriers in interstate commerce.

It was my fervent hope that Congress would see fit to urge the Interstate Commerce Commission to, in the words of the resolution, "immediately reexamine its regulations for the safe transportation of explosives and other dangerous articles, and thereafter make such changes and modifications in these regulations as may be necessary to insure the safest possible transportation of these explosives and dangerous articles by common carriers within the United States."

The need for this action was dramatically demonstrated only 13 days later, Mr. Speaker, when, on January 17, 1961, nine persons were burned to death and four others were injured critically when a gasoline-laden tank truck failed to stop at a railroad crossing in Magnolia, Miss., and was struck by the Illinois Central train called the City of New Orleans. This accident was only the latest of a steadily increasing series of accidents involving railroad trains and trucks hauling gasoline, butane, or other highly explosive cargoes.

This sobering list is admittedly scanty and incomplete, but its lack in this respect is, I believe, only further evidence of the need for the ICC to take prompt action in this area. In compiling this list, inquiry disclosed that the Interstate Commerce Commission at the present time does not maintain a separate list of accidents involving the transportation of explosives. Thus, it is clear, there is not readily available in reliable statistical form even the most basic information concerning the frequency of such accidents, the extent of their toll, or any evidence as to their probable causes

or the steps needed to cope with their prevention.

**INCOMPLETE LIST OF MAJOR ACCIDENTS INVOLVING TRANSPORTATION OF EXPLOSIVES**

December 22, 1955: New York Central train collided with oil truck near Newberry, N.Y. Truckdriver was killed.

April 11, 1956: Near Fort Green, Fla., train collided with gasoline truck. Express messenger and truckdriver were killed.

June 1956: Rock Island freight collided with gasoline truck at Oklahoma City, Okla. Truckdriver killed, three railroad employees were injured.

November 27, 1956: At Michigan City, Ind., C. & O. freight collided with fuel oil truck. Engineer, fireman, and truckdriver killed. Two railroad employees were killed the next day from explosion.

January 2, 1957: Texas & Pacific passenger train collided with truck loaded with bottled gas. Truckdriver killed.

June 25, 1957: At Sinton, Tex., a Missouri Pacific freight collided with gasoline truck. Engineer and fireman killed.

July 5, 1957: Missouri-Pacific freight train collided with a tanker truck. Killed engineer and fireman.

August 12, 1957: G.C. & S. passenger train collided with tank truck at Haslet, Tex. Truckdriver and two train service employees were killed.

January 22, 1958: Tank car of nitromethane exploded when it was struck by three freight cars "humped" in marshalling yards, Niagara Falls, N.Y. Two hundred persons injured; \$1 million estimated property damage.

February 19, 1958: IC passenger train collided with a gasoline truck near Fosters, La. Engineer, fireman, and truckdriver killed.

March 4, 1958: Shattuck, Okla., 31 cars were derailed, including 22 cars containing petroleum products and liquid petroleum gas, and 6 explosions occurred. No injuries; \$500,000 estimated property damage.

June 1, 1958: Mount Pulaski, Ill. Tank car of nitromethane exploded while standing on a siding. Two killed; 40 injured; \$1 million estimated property damage.

March 12, 1959: Brinkley, Ark. Fire and explosion at butane bulk storage plant occurred when delivery truckdriver failed to disconnect fill hose. Driver killed; several buildings destroyed; \$250,000 estimated property damage.

June 2, 1959: Near Pottsville, Pa., explosion of liquid petroleum gas tank truck, hit in rear by another truck. Eleven spectators killed; 10 persons injured, including both drivers, and several firemen.

June 28, 1959: Trestle spanning Ogeechee River, New Meldrim, Ga. When a freight train was derailed on a trestle, two liquid petroleum gas tank cars plunged down an embankment into a picnic area and burned. Twenty-three persons killed.

August 7, 1959: Roseburg, Oreg. A parked truck carrying boxes of dynamite and bags of blasting agent exploded when an adjacent building caught fire. Thirteen persons killed; 125 injured.

October 12, 1959: C. & P. passenger train collided with gasoline truck. Truckdriver and five passengers killed.

August 8, 1960: L. & N. freight train collided with tank truck killing three train service employees and truckdriver.

Mr. Speaker, accidents such as these are almost always fatal to the truck driver and at least one or two members of the locomotive crews involved. Frequently, in addition, they also involve death or serious injury to others, including passengers on trains or bystanders near the scene of the accident. In the Magnolia, Miss., accident, for example, the dead included the train's

engineer and fireman, the truckdriver, and six other people who were working near the crash.

One of the worst of this kind of accident occurred last March 1 at Bakersfield, Calif., when a Santa Fe passenger train collided with a gasoline truck killing the engineer, fireman, and 11 passengers. In addition, 109 other persons were injured, some permanently disabled, and property damage was set at \$1,500,000.

It is obvious, in short, that times have changed greatly since the Transportation of Explosives Act was enacted near the turn of the century. At the time it became law there were only 10,000 motor vehicle registrations. Last year there were over 68 million such registrations. Trucks now carry annually some 650 million tons of commercial explosives in addition to petroleum and other highly flammable products. Last year, the 86th Congress took action which was long overdue to bring the Explosives Act up to date by putting the transportation of radioactive materials under the Interstate Commerce Commission. By this action, the Congress made clear that it wants strengthened protection against the tragedies of powerful explosives blowing up while in transit.

Following the Bakersfield, Calif., calamity I have just described, five operative railroad labor organizations petitioned the ICC for a general investigation to determine what rules, regulations, facilities, or other measures are necessary to prevent accidents at railroad crossings between railroad trains and motor vehicles carrying petroleum, petroleum products, and similar dangerous flammable liquids. Even while their petition was pending, several additional deadly accidents occurred. Nevertheless, the ICC initially denied railway labor's petition for an investigation, a petition which, incidentally, was supported by 41 western railroads.

I am informed that opposition to such a vital investigation came from the National Tank Truck Carriers, Inc., and the Central Committee on Highway Transportation of the American Petroleum Institute. Frankly, since truckdrivers, as well as railroad employees and passengers, are being killed and maimed by the absence of adequate regulations to insure safety in this kind of trucking operation, I find it extremely difficult to imagine any valid objection that would be sufficient to halt such an investigation.

Of course, quite properly, railway labor refused to take no for an answer. A resolution adopted on January 19, 1961, by the Railway Labor Executives' Association, representing 23 labor organizations, protested the incomprehensible and shocking failure of the ICC to show proper concern for the safety of both working railroad men and truckers, as well as the millions of passengers who ride on our Nation's trains.

In the face of this growing union militancy and amid signs of congressional concern, the ICC last week finally saw the light of day. After three times refusing to conduct the necessary investigation of the horrible accidents I have

described, the ICC at last admitted, and I quote, "that the interest of public safety requires a general investigation to determine the adequacy of the Commission's present safety regulations for the purpose of reducing and possibly eliminating these accidents in the future, and determining whether additional legislation should be recommended."

And so, I wish to congratulate the ICC on its belated but, nevertheless, important decision. I commend railway labor, too, for its steadfast devotion not only to its own safety, but also to the public interest. I know that many eyes in Congress eagerly await the findings of the ICC investigation. We will be prepared to support the findings with appropriate legislation so that the horrible events in Bakersfield, Calif., and Magnolia, Miss., which I have been pained to read about, shall not have to reoccur elsewhere at the cost of much property and many innocent lives.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include an incomplete list of 18 accidents involving interstate transportation of dangerous and explosive material.

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

There was no objection.

**CHARLES MERIWETHER**

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, yesterday I sent the following wire to the President of the United States.

It was motivated by reports concerning the background of the President's nominee of a Director of the Export-Import Bank.

My concern, if these reports are correct, is the reflection this appointment would have on our position with other nations throughout the world. This should be the concern of all Americans.

That is why, Mr. Speaker, I asked the President to thoroughly examine these reports on his nominee and to act accordingly.

The text of my telegram follows:

DEAR MR. PRESIDENT: Serious allegations have been made relative to the naming of Charles Meriwether as a Director of the Export-Import Bank. According to these reports, Mr. Meriwether managed the senatorial campaign in Alabama of John Crommelin, a retired naval officer, who has a record of campaigning on an anti-Negro and anti-Semitic platform. These reports also alleged that Mr. Meriwether was linked with the White Citizens Councils and proponents of extreme racism.

These reports are deeply disturbing and they appear sufficiently significant for a thorough examination before Mr. Meriwether's nomination is acted upon. At this sensitive time in world affairs, if these reports are true, the naming of this man to this important role in our foreign relationships, would be a tragic error. That is why I urge you to reconsider this nomination pending a full investigation of the validity of these allegations. If they are not correct, then the Nation has every right to be apprised of the truth of the situation.

As a member of the Subcommittee on International Finance of the House Banking and Currency Committee, which handles legislation affecting the Export-Import Bank, I am especially concerned that an individual associated with extreme racists should be a director of this Bank which deals with projects all over the world including Asia, Africa, and Latin America.

If these reports on Mr. Meriwether are true, I do not see how representatives of foreign nations, dealing with the Export-Import Bank, a U.S. Government agency, can look with equanimity on a director linked with the bigoted and backward elements that mar the international reputation of America. We need men of the highest caliber, progressive and liberal, to inspire respect for our Nation. The Bank in question is an instrument for building amity through economic benevolence. Why negate our professed goals? Could an African involved in negotiations with an individual who directed political campaigns of candidates espousing subjugation of the Negro race and other aspects of racism feel that his cause is being treated fairly?

It is reported that Mr. Crommelin has alleged that "the Communist-Jewish conspiracy \* \* \* dictates the use of Federal bayonets to force the commingling of white and colored children." The issue is not whether Mr. Meriwether personally uttered such racist language. It is significant that he managed the campaign for an individual who did and who is the idol of the Ku Klux Klan and the White Citizens Councils. Was he unaware that his candidate contended that "the satanic plot to mix the blood of white Christian people of the South with Negroes is directed and financed by the Communist-Jewish conspiracy"?

I do not believe that Mr. Meriwether has even tried to deny that he directed the campaign of Crommelin whose record in fomenting racial and religious hatred is notorious. I do not know if he has been questioned about his role in the last Alabama gubernatorial campaign which he helped direct and the support given that campaign by the Ku Klux Klan and the White Citizens Councils.

I would ask that a searching study be made on all aspects of these charges and Mr. Meriwether's qualifications in general. Please know my personal good wishes and kindly inform me of your thinking on this appointment which is of such concern to my constituents and many other thoughtful Americans.

Very sincerely,

SEYMOUR HALPERN,  
Member of Congress.

COMMITTEE ON BANKING AND CURRENCY

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that Subcommittee No. 2 of the Committee on Banking and Currency may be permitted to sit tomorrow during general debate.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ASHMORE (at the request of Mr. BURLESON) for today, and the balance of the week on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN, for 5 minutes, today.

Mr. SAUND (at the request of Mr. BAILEY), for 1 hour on March 6.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PASSMAN and to include extraneous matter.

Mr. DULSKI in two instances and to include extraneous matter.

Mr. CASEY.

Mr. STAGGERS and include extraneous matter.

Mr. CORMAN and include extraneous matter.

(The following Members (at the request of Mr. HOFFMAN of Illinois) and to include extraneous matter:)

Mr. ALGER, to revise and extend the remarks he made in the Committee of the Whole today and include House Report No. 615 of April 1935 at the end thereof.

Mr. FINDLEY.

Mr. CURTIS of Missouri.

Mr. GOODLING.

Mr. MATHIAS.

Mr. WIDNALL.

(The following Members (at the request of Mr. BAILEY) and to include extraneous matter:)

Mr. ADDABBO.

Mr. GARMATZ.

Mr. COHELAN and to include extraneous matter in his remarks on House Resolution 167.

ADJOURNMENT

Mr. BAILEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Thursday, March 2, 1961, at 12 o'clock noon.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS INCURRED IN TRAVEL OUTSIDE THE UNITED STATES

Mr. BURLESON. Mr. Speaker, section 502(b) of the Mutual Security Act of 1954, as amended by section 401(a) of Public Law 86-472, approved May 14, 1960, and section 105 of Public Law 86-628, approved July 12, 1960, require the reporting of expenses incurred in connection with travel outside the United States, including both foreign currencies expended and dollar expenditures made from appropriated funds by Members, employees, and committees of the Congress.

The law requires the chairman of each committee to prepare a consolidated report of foreign currency and dollar expenditures from appropriated funds within the first 60 days that Congress is in session in each calendar year. The consolidated report is to be forwarded to the Committee on House Administration which, in turn, shall print such report in the CONGRESSIONAL RECORD within 10 days after receipt. Accordingly, there are submitted herewith, within the prescribed time limit, the consolidated reports of the Committee on Armed Services and the Committee on Appropriations of the House of Representatives:

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, U.S. House of Representatives

[Expended between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Katharine St. George: Greece.....	drachma.....					5,263	175.43			5,263	175.43
Total (counterpart funds).....							175.43				175.43
O. C. Fisher:											
United States.....	dollar.....		2.00		44.85				10.22		57.07
New Zealand.....	do.....	29-6-2	83.73	21-18-4	62.60			10-16-4	30.88	62-0-10	177.21
Antarctica.....	do.....				18.00						18.00
Fiji Islands.....	do.....			0-7-8	1.10					0-7-8	1.10
Total (appropriated funds).....			85.73		126.55				41.10		253.38
Frank Kowalski: United States.....	dollar.....						196.00				196.00
Total (appropriated funds).....							196.00				196.00
William G. Bray: United States.....	dollar.....						231.77				231.77
Total (appropriated funds).....							231.77				231.77



HON. OMAR BURLESON,  
Chairman, Committee on House Administration,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. CHAIRMAN: Attached is a report of travel expenses incurred by members and

staff of the Committee on Appropriations for foreign travel during the calendar year 1960. This report is submitted pursuant to the provisions of the Mutual Security Act of 1954, as amended, and the Legislative Appropriations Act, 1961. It has been prepared in

accordance with instructions issued by your committee.

Sincerely,

CLARENCE CANNON,  
Chairman.

Attachment.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. House of Representatives—  
Summary

[Expended between Jan. 1 and Dec. 31, 1960]

Name	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Subcommittees:											
Agriculture	U.S. dollar		1,055.20		981.50		8,151.29		382.55		10,570.54
Defense	do.		367.00		278.48		2,251.20		54.80		2,951.48
Foreign Operations	do.		2,437.10		2,023.45		19,446.87		1,119.70		25,027.12
State, Justice, Judiciary	do.		( <sup>1</sup> )		( <sup>1</sup> )		5,360.00		266.05		5,626.05
Surveys and Investigations Staff	do.		779.15		637.85		2,044.71		43.20		3,504.91
Military Construction	do.		3.00		42.65		( <sup>2</sup> )		17.42		63.07
Total			4,641.45		3,963.93		37,254.07		1,883.72		47,743.17

<sup>1</sup> Lodging and meals included in fare.

<sup>2</sup> Member of group using Government furnished military aircraft. Costs not available.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. House of Representatives—  
Subcommittee on Agriculture

[Expended between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
H. Carl Andersen:											
Egypt	U.S. dollars		64.50		46.50		6.00		20.00		137.00
Jordan	do.		10.50		19.00		2.50		10.00		42.00
Lebanon	do.		15.00		19.75		4.00		10.00		48.75
India	do.		40.00		37.50		5.50		20.00		103.00
Thailand	do.		45.00		34.50		4.50		17.50		101.50
Hong Kong	do.		21.50		22.75		5.00		10.00		59.25
Japan	do.		11.00		15.00		2.50		7.50		36.00
Transportation	do.						2,074.75				2,074.75
Total			207.50		195.00		2,104.75		95.00		2,602.25
Walt Horan:											
Egypt	U.S. dollars		64.50		46.50		6.00		20.00		137.00
Jordan	do.		10.50		19.00		2.50		10.00		42.00
Lebanon	do.				9.75		2.00		5.00		16.75
India	do.		55.00		37.50		7.50		20.00		120.00
Thailand	do.		28.00		29.50		6.50		15.00		79.00
Hong Kong	do.		75.00		74.50		10.00		25.00		184.50
Tokyo	do.		33.00		32.50		7.50		12.25		85.25
Transportation	do.						2,074.75				2,074.75
Total			266.00		249.25		2,116.75		107.25		2,739.25
Robert H. Michel:											
France	U.S. dollars		22.10		26.50		6.00		11.25		65.85
Austria	do.		44.00		32.25		4.00		11.75		92.00
Italy	do.		30.00		28.00		3.25		12.25		73.50
Greece	do.		33.00		29.25		4.25		9.00		75.50
Egypt	do.		64.50		46.50		5.00		16.50		132.50
Jordan	do.		10.50		19.00		2.00		7.50		39.00
Lebanon	do.		30.00		34.75		4.50		11.00		80.25
Transportation	do.						1,665.34				1,665.34
Total			234.10		216.25		1,694.34		79.25		2,223.94
Ross Pope:											
France	U.S. dollars		22.10		26.50		3.00		7.25		58.85
Austria	do.		44.00		32.25		2.00		10.75		89.00
Italy	do.		30.00		28.00		4.00		8.65		70.65
Greece	do.		33.00		29.25		4.25		8.00		74.50
Egypt	do.		64.50		46.50		6.00		12.15		129.15
Jordan	do.		10.50		19.00		3.75		5.75		39.00
Lebanon	do.		15.00		19.75		3.50		7.50		45.75
India	do.		40.00		37.50		4.50		12.50		94.50
Thailand	do.		45.00		34.50		6.00		12.00		97.50
Hong Kong	do.		21.50		22.75		5.00		7.00		56.25
Japan	do.		22.00		25.00		5.50		9.50		62.00
Transportation	do.						2,187.95				2,187.95
Total			347.60		321.00		2,235.45		101.05		3,005.10
Grand total			1,055.20		981.50		8,151.29		382.55		10,570.54

RECAPITULATION

Government Department: USDA

Amount

\$10,570.54

JAN. 25, 1961.

JAMIE L. WHITTEN,  
Chairman, Subcommittee on Agriculture.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. House of Representatives—  
Subcommittee on Defense

[Expend between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Gerald R. Ford, Jr., England (Transportation furnished by Air Force at no extra cost.)	U.S. dollars		42.21		19.88		0.60				62.69
Samuel W. Crosby:											
Japan	do.		33.12		44.40		3.55		5.25		86.32
Okinawa	do.		2.00		12.00				1.25		15.85
Taiwan	do.		10.10		9.70		1.45		2.30		23.55
Hong Kong	do.		38.20		20.90		5.45		6.60		71.15
Thailand	do.		32.23		16.35		1.65		5.35		55.48
India	do.		32.10		14.55		1.25		4.40		52.30
Iran	do.		8.04		5.75				2.25		16.04
Lebanon	do.		24.08		18.30		1.75		5.75		49.88
Jordan	do.		6.00		5.50				2.15		13.65
Italy	do.		74.25		58.30		3.75		11.90		148.20
Spain	do.		27.15		25.90		3.25		6.35		62.65
Morocco	do.		2.00		12.85				1.25		16.10
England	do.		35.52		13.50		.60				49.62
Transportation	do.						2,228.00				2,228.00
Total			324.79		258.60		2,250.60		54.80		2,888.79
Grand total			367.00		278.48		2,251.20		54.80		2,951.48

## RECAPITULATION

	Amount
Government Department:	
Department of the Navy	\$2,839.17
Department of the Air Force	112.31
Total	2,951.48

GEORGE MAHON,  
Chairman, Subcommittee on Defense.

FEB. 7, 1961.

Report of expenditure of foreign currencies and appropriated funds, Committee on Appropriations, U.S. House of Representatives—  
Subcommittee on Foreign Operations

[Expend between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Otto E. Passman:											
Formosa	U.S. dollars		78.00		63.50		5.50		30.85		177.85
Hong Kong	do.		96.00		89.75		6.75		72.00		265.10
Japan	do.		78.00		74.75		6.50		47.15		206.40
Thailand	do.		42.00		26.55		1.25		41.15		110.95
Lebanon	do.		26.00		17.30		.75		14.25		58.30
Italy	do.		36.00		39.75		4.50		44.65		124.90
Switzerland	do.		25.00		30.95		3.50		51.70		111.15
France	do.		104.00		85.60		9.50		82.05		281.15
Denmark	do.		45.00		42.75		3.00		71.90		162.55
Netherlands	do.		15.00		29.15		1.00		29.10		74.25
Transportation	do.						5,145.95				5,145.95
Subtotal			545.00		500.05		5,188.20		485.30		6,718.55
(Includes expenses of travel incurred on 3 separate trips abroad: 1 trip around the world; 1 trip to the Far East and return; and 1 trip to 3 European countries.)											
John J. Rhodes:											
Netherlands	U.S. dollars		15.00		14.90				9.70		39.60
France	do.		34.00		11.55		1.50		15.10		62.15
Denmark	do.		36.00		31.15		2.00		12.90		82.05
Transportation	do.						1,047.60				1,047.60
Subtotal			85.00		57.60		1,051.10		37.70		1,231.40
Silvio O. Conte:											
France	U.S. dollars		22.10		26.50		6.00		11.25		65.85
Austria	do.		44.00		32.25		4.00		11.75		92.00
Italy	do.		30.00		28.00		3.25		12.25		73.50
Greece	do.		33.00		29.25		4.25		9.00		75.50
Egypt	do.		64.50		46.50		5.00		16.50		132.50
Jordan	do.		10.50		19.00		2.00		10.50		42.00
Lebanon	do.		30.00		34.75		4.50		11.00		80.25
Italy	do.		30.00		28.00		4.50		12.00		74.50
Transportation	do.						1,565.57				1,565.57
Subtotal			264.10		244.25		1,599.07		94.25		2,201.67
Kenneth Sprankle:											
Formosa	U.S. dollars		78.00		61.85		5.75		28.25		173.85
Hong Kong	do.		72.00		62.65		5.00		27.70		167.35
Japan	do.		122.00		90.75		6.75		24.20		243.70
Denmark	do.		36.00		38.70		3.00		37.60		115.30
Netherlands	do.		15.00		21.05		2.00		33.10		71.15
France	do.		123.00		78.25		5.50		30.45		237.20

## Report of expenditure of foreign currencies and appropriated funds, Committee on Appropriations, U.S. House of Representatives—Subcommittee on Foreign Operations—Continued

[Expended between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
<b>Kenneth Sprankle—Continued</b>											
Thailand	U.S. dollars		42.00		24.05				10.15		76.20
Lebanon	do		26.00		15.80		1.50		10.05		53.35
Italy	do		36.00		37.15		2.25		12.95		88.35
Switzerland	do		25.00		27.60		1.25		10.20		64.05
Transportation	do						5,026.80				5,026.80
Subtotal			575.00		457.85		5,059.80		224.65		6,317.30
(Includes expenses of travel incurred on 3 separate trips abroad; 1 trip around the world; 1 trip to the Far East and return; and 1 trip to 3 European countries.)											
<b>Jay B. Howe:</b>											
Japan	U.S. dollars		80.00		56.20		4.50		11.75		152.45
Hong Kong	do		48.00		38.70		2.75		10.15		99.60
Thailand	do		42.00		23.65		.75		9.10		75.50
Lebanon	do		26.00		15.30		2.00		11.10		54.40
Italy	do		36.00		37.20		3.50		14.45		91.15
Switzerland	do		25.00		27.15		2.50		10.35		65.00
France	do		89.00		62.00		3.25		23.65		177.90
Transportation	do						2,199.50				2,199.50
Subtotal			346.00		260.20		2,218.75		90.55		2,915.50
<b>Francis G. Merrill:</b>											
Denmark	U.S. dollars		36.00		35.60		3.00		11.30		85.90
Netherlands	do		15.00		15.10				3.25		33.35
France	do		176.00		129.80		9.75		43.10		358.65
Japan	do		56.00		35.70		1.00		11.70		104.40
Hong Kong	do		72.00		60.45		7.25		27.05		166.75
Thailand	do		42.00		25.35		1.75		13.70		82.80
Lebanon	do		26.00		16.90		1.50		13.60		58.00
Italy	do		36.00		35.20		2.00		16.60		89.80
Switzerland	do		25.00		26.15		3.00		14.20		68.35
Transportation	do						3,247.10				3,247.10
Subtotal			484.00		380.25		3,276.35		154.50		4,296.10
(Includes expenses of travel incurred on 2 separate trips abroad; 1 trip around the world; and 1 trip to 3 European countries and return.)											
<b>Raymond Lushin:</b>											
Denmark	U.S. dollars		36.00		37.10		1.00		10.95		85.05
Netherlands	do		15.00		15.10		2.00		1.90		34.00
France	do		87.00		71.05		3.00		19.90		180.95
Transportation	do						1,047.60				1,047.60
Subtotal			138.00		123.25		1,053.60		32.75		1,347.60
Grand total			2,437.10		2,023.45		19,446.87		1,119.70		25,027.12

## RECAPITULATION

	Amount
Government department:	
International Cooperation Administration	22,111.62
Department of State	2,915.50
Total	25,027.12

OTTO E. PASSMAN,

Chairman, Subcommittee on Foreign Operations.

JAN. 31, 1961.

## Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. House of Representatives, Subcommittee on Departments of State and Justice, the Judiciary, and Related Agencies

[Expended between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. John J. Rooney, South America and return.			( <sup>1</sup> )		( <sup>1</sup> )		2,680		136.60		2,816.60
Jay B. Howe, South America and return.			( <sup>1</sup> )		( <sup>1</sup> )		2,680		129.45		2,809.45
Total							5,360.00		266.05		5,626.05

<sup>1</sup> Lodging and meals included in fare.

## RECAPITULATION

	Amount
Appropriated funds: Government Department: State	\$5,626.05

JOHN J. ROONEY,

Chairman, Subcommittee on State and Justice, the Judiciary, and Related Agencies.

FEB. 15, 1961.



Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. House of Representatives, surveys and investigations staff

[Expended between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
<b>Carlton Giovannetti:</b>											
France.....	U.S. dollar.....		165.95		135.80		41.14		1.80		344.69
Germany.....	do.....		15.10		12.40		7.76		.30		35.56
Spain.....	do.....		42.60		34.90		61.40				138.90
Transportation.....							195.20				195.20
Subtotal.....	U.S. dollar.....		223.65		183.10		305.50		2.10		714.35
<b>Milton L. Snyder:</b>											
France.....	do.....		165.15		135.10		41.14		3.05		344.44
Germany.....	do.....		15.10		12.40		7.76				35.26
Spain.....	do.....		42.60		34.90		61.40		11.20		150.10
Transportation.....							192.70				192.70
Subtotal.....	U.S. dollar.....		222.85		182.40		303.00		14.25		722.50
<b>Joseph K. Ponder:</b>											
France.....	do.....		80.15		65.60		41.19		20.35		207.29
Germany.....	do.....		15.10		12.40		7.77		1.20		36.47
Spain.....	do.....		13.75		11.25		61.40		3.20		89.60
Transportation.....							1,026.95				1,026.95
Subtotal.....	U.S. dollar.....		109.00		89.25		1,137.31		24.75		1,360.31
<b>Leslie B. Chisholm:</b>											
France.....	U.S. dollar.....		165.95		135.80		41.14		1.80		344.69
Germany.....	do.....		15.10		12.40		7.76		.30		35.56
Spain.....	do.....		42.60		34.90		61.40				138.90
Transportation.....							188.60				188.60
Subtotal.....	U.S. dollar.....		223.65		183.10		298.90		2.10		707.75
Grand total.....			779.15		637.85		2,044.71		43.20		3,504.91

RECAPITULATION

Appropriated funds:	<i>Amount</i>
Committee on Appropriations.....	\$2,958.91
Government Department: Defense (MATS).....	546.00
Total.....	3,504.91

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Military Construction, U.S. House of Representatives

[Expended between Jan. 1 and Dec. 31, 1960]

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Harry R. Sheppard, Canal Zone.....	U.S. dollar.....		3.00		42.65		(1)		17.42		63.07

RECAPITULATION

Appropriated funds: Government department: Department of the Air Force.....	<i>Amount</i>
	\$63.07

(1) Member of group using Government furnished military aircraft. Costs not available.

Chairman, Committee on Appropriations, Subcommittee on Military Construction.

FEB. 23, 1961.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

616. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Virgin Islands Corporation for the fiscal year ended June 30, 1960, pursuant to the Government Corporation Control Act (31 U.S.C. 841) (H. Doc. No. 99); to the Committee on Government Operations and ordered to be printed.

617. A letter from the Acting Secretary of the Treasury, transmitting the Fifth Annual Report on the Financial Condition and Fiscal Operations of the Highway Trust Fund, pursuant to section 209(e) (1) of the Highway Revenue Act of 1956 (H. Doc. No. 100);

to the Committee on Ways and Means and ordered to be printed.

618. A letter from the Acting Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report of agreements concluded during January 1961 under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), as amended, pursuant to Public Law 85-128; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H.R. 1822. A bill to adjust the amount of funds available for farm operating loans

made pursuant to section 21(b) of the Bankhead-Jones Farm Tenant Act, as amended; without amendment (Rept. No. 47). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURLISON: Committee on House Administration. House Resolution 167. Resolution to authorize the expenditure of certain funds for the expenses of the Committee on Un-American Activities; without amendment (Rept. No. 48). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS:

H.R. 5075. A bill to provide temporary extended railroad unemployment insurance benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLS:

H.R. 5076. A bill relating to the income tax treatment of certain income derived by foreign central banks of issue, and to the tariff treatment of articles acquired abroad by returning residents; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 5077. A bill relating to the income tax treatment of certain income derived by foreign central banks of issue, and to the tariff treatment of articles acquired abroad by returning residents; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 5078. A bill to promote harmony between the United States and the States of the Union with respect to the administration of water, to strengthen rights to the use of water acquired under State law, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 5079. A bill to authorize payment for unused sick leave credited to an employee at the time of separation from the service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BENNETT of Florida:

H.R. 5080. A bill to provide for the establishment of the Franklin Delano Roosevelt Institute to be a graduate school for advanced studies in American Government for selected individuals of outstanding ability to pursue advanced studies in American political theory, methods, and institutions in preparation for public service with the Government of the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. BROYHILL:

H.R. 5081. A bill to eliminate certain provisions of the Federal Employees Health Benefits Act of 1959 to remove the distinctions in such Act with respect to nondependent husbands of married female employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CASEY:

H.R. 5082. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 5083. A bill to provide for the establishment of Cape Cod National Seashore Park; to the Committee on Interior and Insular Affairs.

By Mr. DULSKI:

H.R. 5084. A bill to amend section 110 of title 38, United States Code, to provide for the preservation of total disability ratings under laws administered by the Veterans' Administration where such ratings have been in force for 15 years or more; to the Committee on Veterans' Affairs.

By Mr. FASCELL:

H.R. 5085. A bill to establish an additional judicial district within the State of Florida; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 5086. A bill to create an International Trade Commission to promote the establishment and improvement of international expositions, trade fairs, and trade marts in the United States and throughout the world; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania:

H.R. 5087. A bill relating to withholding, for purposes of the income tax imposed by certain cities on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 5088. A bill relating to documentation and inspection of vessels of the United

States; to the Committee on Merchant Marine and Fisheries.

H.R. 5089. A bill to amend title 38, United States Code, to provide a statutory presumption of "line of duty" incurrence of injury or disease; to the Committee on Veterans' Affairs.

By Mr. HOLLAND:

H.R. 5090. A bill to provide a 1-year moratorium on principal payments under Federal Housing Administration insured and Veterans' Administration guaranteed mortgages for mortgagors who are unemployed and unable to make such payments through no fault of their own, and for other purposes; to the Committee on Banking and Currency.

By Mr. McDONOUGH:

H.R. 5091. A bill to amend section 37 of the Internal Revenue Code of 1954 to equalize for all taxpayers the amount which may be taken into account in computing the retirement income credit thereunder; to the Committee on Ways and Means.

By Mr. MCSWEEN:

H.R. 5092. A bill to amend the Small Business Act to provide that the program under which Government contracts are mandatorily set aside for small-business concerns shall not apply in the case of construction contracts; to the Committee on Banking and Currency.

H.R. 5093. A bill to amend section 7 of the Federal Employees' Compensation Act to provide that compensation may be paid under that act concurrently with military retired pay; to the Committee on Education and Labor.

H.R. 5094. A bill to amend the Railroad Retirement Act of 1937 by eliminating the "living with" requirement for purposes of monthly annuities to widows and widowers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MACDONALD:

H.R. 5095. A bill to amend the Federal Aviation Act of 1958 so as to clarify the status of air freight forwarders as air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAGAN:

H.R. 5096. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the use of surplus personal property by State distribution agencies, and for other purposes; to the Committee on Government Operations.

By Mr. MOOREHEAD of Ohio:

H.R. 5097. A bill to amend section 205(c) of the Immigration and Nationality Act so as to provide for the denial by the Attorney General of any petition for nonquota status or preference with respect to certain aliens claiming such status or preference by reason of marriage to a citizen of the United States or to an alien lawfully admitted for permanent residence; to the Committee on the Judiciary.

By Mr. RAINS:

H.R. 5098. A bill to authorize the temporary release and reapportionment of pooled acreage allotments; to the Committee on Agriculture.

By Mr. ROGERS of Colorado:

H.R. 5099. A bill to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 5100. A bill to promote harmony between the United States and the States of the Union with respect to the administration of water, to strengthen rights to the use of water acquired under State law, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAFFORD:

H.R. 5101. A bill to incorporate the Legion of Guardsmen; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 5102. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. ZELENKO:

H.R. 5103. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. BECKWORTH:

H.R. 5104. A bill to amend title I of the Social Security Act to provide increased Federal matching of State old-age assistance expenditures thereunder; to the Committee on Ways and Means.

H.R. 5105. A bill to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 5106. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze with only four quarters of coverage; to the Committee on Ways and Means.

H.R. 5107. A bill to amend title II of the Social Security Act to provide that a woman who is permanently and totally disabled may become entitled to widow's insurance benefits without regard to her age (and without losing her entitlement (if any) to disability insurance benefits); to the Committee on Ways and Means.

H.R. 5108. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents at a college or university; to the Committee on Ways and Means.

H.R. 5109. A bill to eliminate the requirement that outpatient dental treatment and related appliances for service-connected disabilities be furnished on a one-time completion basis; to the Committee on Veterans' Affairs.

H.R. 5110. A bill to amend chapter 33 of title 38, United States Code, to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

H.R. 5111. A bill to amend section 101 of title 38, United States Code, to extend full wartime benefits to persons who served in the Armed Forces of the United States for 90 days or more in Mexico or on its borders during the period beginning on May 9, 1916, and ending on April 6, 1917, and to extend full wartime survivor benefits to the survivors of such persons; to the Committee on Veterans' Affairs.

By Mr. BRAY:

H.R. 5112. A bill to amend section 11 of title 38, United States Code, to provide that certain deaths resulting from exploding dud shells shall not be considered to result from willful misconduct; to the Committee on Veterans' Affairs.

By Mr. CURTIS of Massachusetts:

H.R. 5113. A bill to amend title 38, United States Code, so as to authorize the Administrator of Veterans' Affairs to furnish space and facilities, if available, to State veteran agencies; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Tennessee:

H.R. 5114. A bill to amend section 131 of title 23, United States Code, relating to the control of advertising in areas adjacent to the Interstate System; to the Committee on Public Works.

By Mr. DERWINSKI:

H.R. 5115. A bill to authorize the accumulation by banks of special reserves for the particular protection of savings depositors; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 5116. A bill to strengthen the domestic and foreign commerce of the United States by providing for the establishment of a U.S. Travel Service within the Department of Commerce and a Travel Advisory Board; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLTZMAN:

H.R. 5117. A bill to provide for the establishment of a temporary program of extended unemployment compensation, to provide for a temporary increase in the rate of the Federal unemployment tax, and for other purposes; to the Committee on Ways and Means.

By Mr. MASON:

H.R. 5118. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 5119. A bill to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 5120. A bill to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 5121. A bill to amend the Home Owners' Loan Act of 1933 to provide that the procedures followed by the Federal Home Loan Bank Board in granting charters to Federal savings and loan associations shall be subject to the provisions of the Administrative Procedure Act; to the Committee on Banking and Currency.

By Mr. O'BRIEN of New York:

H.R. 5122. A bill to provide that the unincorporated territory of American Samoa shall be represented in Congress by a Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

By Mr. POWELL:

H.R. 5123. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

By Mr. RAINS:

H.R. 5124. A bill to amend the Home Owners' Loan Act of 1933 to redefine the lending powers of Federal savings and loan associations to facilitate the trade-in financing of homes; to the Committee on Banking and Currency.

H.R. 5125. A bill to amend the Home Owners' Loan Act of 1933 to provide specific authority for the participation of Federal savings and loan associations in the national effort to provide adequate housing facilities for the aging; to the Committee on Banking and Currency.

H.R. 5126. A bill to amend the Home Owners' Loan Act of 1933 to broaden the investment powers of Federal savings and loan associations to include the specific power to invest in certificates of beneficial interest issued by urban renewal investment trusts; to the Committee on Banking and Currency.

By Mr. SMITH of Virginia:

H.R. 5127. A bill to amend section 131 of title 23, United States Code, relating to the control of advertising in areas adjacent to the Interstate System; to the Committee on Public Works.

By Mr. STAGGERS:

H.R. 5128. A bill to amend section 541 of title 38, United States Code, to eliminate the income limitation applicable to the payment of pension to widows, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GRANAHAN:

H.R. 5129. A bill to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 5130. A bill to amend the Tariff Act of 1930 so as to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty, and for other purposes; to the Committee on Ways and Means.

By Mr. DENT:

H.J. Res. 278. Joint resolution to establish the Department of Rural and Suburban Government; to the Committee on Government Operations.

By Mr. GLENN:

H.J. Res. 279. Joint resolution authorizing the creation of a commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson; to the Committee on House Administration.

By Mrs. GRANAHAN:

H.J. Res. 280. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PELLY:

H. Res. 202. Resolution relating to the fiscal policies of the United States; to the Committee on Rules.

By Mr. REIFEL:

H. Res. 203. Resolution to give proper recognition to the Dakota Territory Centennial; to the Committee on the Judiciary.

#### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. MORRIS: Memorial of the Legislature of the State of New Mexico, memorializing the President and the Congress of the United States to pass necessary legislation permitting the transfer of the Moriarity Air Force site to the State of New Mexico with the access road, for utilization as a medium security reformatory; to the Committee on Armed Services.

By the SPEAKER: Memorial of the Legislature of the State of Rhode Island, memorial-

izing the President and the Congress of the United States to enact legislation to carry into effect the plan of former Congressman Aime J. Forand by including medical care to the aged under the social security system; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States relative to commending JULIA BUTLER HANSEN, Member of Congress, for her outstanding record of accomplishments in the State of Washington; to the Committee on House Administration.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States relative to ratifying the proposed amendment to the Constitution of the United States for the purpose of allowing qualified voters of the District of Columbia to cast ballots for presidential electors; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANFUSO:

H.R. 5131. A bill for the relief of Francesco Campetti; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 5132. A bill for the relief of Lyle D. Chapline, Sr.; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 5133. A bill for the relief of Nora Lee Douglas; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 5134. A bill for the relief of Minas Preatis; to the Committee on the Judiciary.

By Mr. HANSEN:

H.R. 5135. A bill for the relief of Henry Eugene Godders; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 5136. A bill for the relief of Compton Jones; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 5137. A bill for the relief of Mrs. Marjorie Pickering; to the Committee on the Judiciary.

By Mr. MATHIAS (by request):

H.R. 5138. A bill for the relief of Francisco Joaquim Alves; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 5139. A bill for the relief of Helena M. Grover; to the Committee on the Judiciary.

By Mr. PIKE:

H.R. 5140. A bill for the relief of Eleni P. Anastasakos; to the Committee on the Judiciary.

By Mr. ROONEY (by request):

H.R. 5141. A bill for the relief of Vito Recchia; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 5142. A bill for the relief of Jen Foo Wang; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### Looking to the States

#### EXTENSION OF REMARKS

OF

### HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. WIDNALL. Mr. Speaker, as this Congress carries on its deliberations

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during 1961, legislatures in 47 States will be in session. Let us pause to consider the vital role the States play in our Government and the importance of their activities.

The first governments to arise on American soil were those of the 13 seaboard colonies. From them developed the governments of the Thirteen Original States and the general pattern of State government now prevailing from Maine to California and on to Hawaii

and Alaska. At the time our Constitution was drafted, the States were the major governmental unit. The framers of the Federal Constitution wanted a National Government able to meet the country's needs, but they had no intention of condemning the States to obscurity. On the contrary, they anticipated that the States, with their deep historical roots and their broad undefined reserved powers, would continue as

one of the principal theaters of governmental and political action.

The 10th amendment of the Constitution underscores the division of power under our Federal system by stating:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

In the Federalist Papers, James Madison noted that—

the State governments may be regarded as constituent and essential parts of the Federal Government.<sup>1</sup>

Practically all the drafters of the Constitution had been active in the governments and politics of their States. Many had helped frame constitutions, sat as members of legislatures, or held executive or judicial offices. The Federal system they devised gave certain specific powers to the National Government while the remaining unspecified powers were retained by the States. This division of power between two levels of government established a tension that is necessary for each level to maintain its entity and not relinquish any of its prerogatives.

The strength of our Federal system has been its flexibility as the needs of the people and the circumstances of government have changed. When Lane Dwinell, then Governor of New Hampshire, testified in 1958 before the House Subcommittee on Intergovernmental Relations, he observed:

One of the great strengths of the American system of Federal Government is the singular opportunity it affords for periodic review of intergovernmental relationships. This in part is what makes us independent and free. As a consequence, the operation of the Federal system requires continuing attention to insure its vitality and to retain, through strong State and local government, this elasticity of popular decision.<sup>2</sup>

It has been pointed out that:

Our Nation is the United States of America; and while the activities of the National Government attract more attention and get more headlines in the newspapers, the States nowadays, on their part, make and enforce more regulations, render more services, employ more civil servants, and spend more money than ever before. Practically every citizen of the United States is at the same time a citizen of some State, as well as an inhabitant of a subdivision of a State called a county, and of some fraction of a county known as a town, township, village, borough, or city; and the governments touching him at the greatest number of points are those of his State and of local units which that State has created and endowed with power. Indeed, scarcely a period or an activity in the life of the average person is not in some measure, either directly or indirectly influenced, regulated, or controlled by State laws, or by local ordinances deriving their authority from such laws.

Of practical uses served, three require a word of emphasis: (1) As primary jurisdictions, the States carry a heavy share of the load of government; (2) without the facilities which the States provide and the functions they perform, the National Government, on its existing constitutional basis, could not operate. The President is chosen by electors grouped by States and chosen by

the people of States; Senators are chosen likewise by the people of States; Congressmen are chosen in districts laid out by States and under State election laws administered by State officials; and States determine who may vote in all of these elections. For amending the Constitution, also, State action is required. In a different field, political parties are organized on a State pattern, with national committees, conventions, and the like forming only a sort of superstructure; and persons who come to the top in National Government and politics usually have received their training and got their start on the State and local levels. Incidentally, too, county, city, and other local governments would lose all legal basis if the State constitutions and laws on which they rest were extinguished; (3) finally, the States provide means by which Vermonters, Virginians, Iowans, and Californians can have governments and laws to their own liking, instead of being forced to a single uniform pattern.<sup>3</sup>

Heading the executive branch in each State is the Governor. The State governorship has descended directly from the office of Governor in colonial times. Prior to the American Revolution, the Governor of each Colony, who had often been appointed by the king granting its charter, exercised great powers. When the colonial system ended and States were established, much of the Governor's power was delegated to the State legislature and the council he had appointed to assist him became the popularly elected State senate. In all but 2 of the original 13 States the Governor was appointed by the legislature, and in 10 of the States his term of office was restricted to a single year. The office of Governor was largely a ceremonial one at that time, and the criterion imposed on candidates was how they would look on a horse.

Gradually, as State problems became more complex, the pendulum of power moved in the other direction. As new State constitutions were drafted, more and more duties were given to the Governor. The new constitution of my own State of New Jersey, which was adopted in 1947, typifies modern thinking in establishing a strong executive who appoints the other members of the executive branch.

Frank M. Bane, who for 20 years was executive director of the Council of State Governments and as such probably has known and worked with more Governors than any other man in American history, in discussing the qualifications a present-day Governor needs, stated:

Every Governor should have—and if he is to be an outstandingly successful Governor he must have—the gifts of popular leadership, executive ability, decisiveness, studious inquiry, and the skill of political competence in the broadest and most constructive sense. \* \* \* In order to lead, a Governor must have definite policies and he must have a dynamic program. His policies and his program are the keystones of his administration and everything else is built around them.

Throughout his term of office, from beginning to end, the Governor will give most of his time and attention, inevitably, to the

development of these policies—and to seeing to it that the legislature enacts the program he bases upon them. This requires of him initiative, imagination, understanding of the legislative process, and the ability to lead the major officials associated with his administration into a cooperative endeavor to seek legislative enactment of the essential measures. Above all, it calls for effective liaison and relations with legislators and legislative leaders.<sup>4</sup>

Today the Governor's office has expanded to such an extent that he is not only the chief executive, but he has also been called the chief legislator. Dr. Harvey Walker, professor of political science at Ohio State University, notes that this is due to many factors:

(1) his uniqueness as the head of the executive branch, which makes him a prime source of news; (2) his power of veto \* \* \* (3) his power to send messages to the legislature and to secure wide publicity for his recommendations; (4) his exclusive power to convene special sessions \* \* \* (5) his power of appointment to executive posts, which may be used to influence legislative action or inaction; and (6) his power to initiate budget estimates \* \* \*.<sup>5</sup>

In discussing his years as Governor of New York, Theodore Roosevelt commented that "more than half of my work as Governor was in the direction of getting needed and important legislation."

While the Governor has certain legislative tools at his disposal, the main legislative authority is given to the upper and lower assemblies in 49 of the States and to the unicameral legislature in Nebraska. Professor Walker has summarized that their role is threefold:

(1) to serve as the defender of popular rights and liberties; (2) to serve as the guardian of the collective conscience; and (3) to serve as the primary decisionmaker.<sup>6</sup>

In the Federalist Papers Madison predicted that—

The first and natural attachment of the people will be to the governments of their respective States. Into the administration of these a greater number of individuals will expect to rise. From the gift of these a greater number of offices and emoluments will flow. By the superintending care of these, all the most domestic and personal interests of the people will be regulated and provided for.<sup>7</sup>

Those of us here in the House of Representatives are well aware of the importance of the State legislatures in setting up congressional boundaries. However, our respect for these bodies and their members is much deeper. For many of us, including myself, State legislatures were the sites of our most intensive political experience prior to entering Congress. Five other members of the New Jersey congressional delegation, Congressman CAHILL, GLENN, THOMPSON, DWYER, and OSMERS, and U.S. Senator CLIFFORD CASE also served in the New Jersey Legislature. U.S. Senator HARRISON WILLIAMS, JR., joined the Senate after experience in this House. A study

<sup>4</sup> "The Job of Being Governor," State Government, summer 1958, p. 185.

<sup>5</sup> "The Role of the Legislature in Government," State Government, spring, 1960, pp. 99-100.

<sup>6</sup> *Ibid.*, p. 102.

<sup>7</sup> No. 46.

<sup>1</sup> No. 45.

<sup>2</sup> State government, April 1958, p. 66.

<sup>3</sup> Ogg, Frederic A. and Ray, P. Orman, "Introduction to American Government," 10th ed., New York: Appleton-Century-Crofts, Inc., 1951, pp. 794-795.

of five Congresses, covering a 10-year period, showed that roughly one-third of all the Congressmen in each of the Congresses had been former State legislators.

*State legislators in Congress<sup>1</sup>*

	Number	Percent of total	Average length of State legislative service (in years)
71st Cong.:			
Senators.....	33	34	4.2
Representatives.....	154	35	4.3
Total.....	187	35	4.3
72d Cong.:			
Senators.....	34	36	3.3
Representatives.....	161	37	5.2
Total.....	195	37	4.3
73d Cong.:			
Senators.....	35	36	3.2
Representatives.....	149	34	5.6
Total.....	184	35	4.4
74th Cong.:			
Senators.....	31	32	(?)
Representatives.....	143	33	(?)
Total.....	174	32	
75th Cong.:			
Senators.....	39	40	3.8
Representatives.....	145	33	4.9
Total.....	184	35	4.4

<sup>1</sup> "The State Legislature as Training for Further Public Service," the Annals of the American Academy of Political and Social Science, January 1938, p. 178.

<sup>2</sup> No data.

In the accompanying article Dr. John Brown Mason, then a member of the Santa Ana Junior College faculty, commented:

We must recognize the fact that the various State governments, and especially the State legislatures with their thousands of members, are a prep school for further public service of a legislative, executive, and judicial character which also transcends State boundaries as the former State legislators invade the national political field. In this capacity, the State legislature performs a service of inestimable value to the Federal Government in all its branches, to the men holding elective or appointive positions in it, and to all citizens affected by it.<sup>3</sup>

Dr. Mason found that many Governors had graduated from State legislatures. In glancing through a list of chief executives of New Jersey I noted that our Governors with legislative background included Govs. Robert B. Meyner, Alfred E. Driscoll, Morgan F. Larson, and James F. Fielder. In Massachusetts Dr. Mason found that 74 percent of its Governors had served in its legislature while in Nebraska 70 percent had.

In discussing the value of their legislative background, Dr. Mason wrote:

It is the natural and strong desire of every Governor to work in harmony with the legislature. In his position, he is the logical leader of the legislators, and if he has been one of them he probably has gathered valuable experience in finding out their strong and weak points and in getting along with them—a knowledge which comes in handy when he occupies the executive chair. Having represented a smaller district himself, he should also have been closer to the needs and the sentiments of the average voter, the people in general, than nonpoliticians sud-

denly catapulted into the Governor's mansion. Generally speaking, we would conclude that legislative experience can only be an asset to a Governor or other high State official, and, further, that most State legislators have found appreciation in the form of higher positions in the State than is often believed.<sup>3</sup>

Mr. Speaker, it has been well stated by wise King Solomon in his proverb, "Where there is no vision, the people perish." Today I think we should acknowledge our debt to the States for their role in the Federal system and for providing a training ground where we have been able to grow in governmental wisdom.

### A Statement on Our Unemployment Situation

#### EXTENSION OF REMARKS

OF

### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. DULSKI. Mr. Speaker, under leave to extend my remarks, I include my recent statement on our unemployment situation.

Fourteen years ago one of the most important statements of public policy ever adopted was enacted into law. The Employment Act of 1946 declared that it was the continuing policy and responsibility of the Federal Government to promote maximum employment, production, and purchasing power. Despite this explicit directive, unemployment continues at a dangerously high rate throughout the Nation with no Government action to counter it.

Now, during a time of supposed prosperity, this terrible human problem continues with unemployment hovering at 5 percent of the work force month after month. If this period of recession is prolonged, the effects could be disastrous. Some economists have predicted that as many as 8 million could be unemployed.

The fixation about inflation and budget balancing has measurably fostered continued unemployment. The tight-money policy of the Federal Reserve Board has badly hampered the normal growth of business and industry. As a result, the annual rate of growth of our economy has been only about 1.5 percent in the last 6 years—too little expansion to employ all who seek work.

The Government can stimulate our economy by giving more aid in such badly needed areas as housing, education, health, and slum clearance. Older persons can be helped by more adequate social security benefits. The minimum wage rate can be increased. By increasing purchasing power through such efforts, the economy would be put back into full operation.

The age groups in our population which are increasing at the greatest speed—the young and the old—are also the groups among which there is the most unemployment.

The older worker finds it very difficult to obtain new employment. In a fast moving age, skills quickly become dated. Industry is less willing to train an older worker even though his capacity may be equal to that of a younger man, and his experience may be greater.

Technological advances and changing demands in a dynamic economy are bound to cause the decline of some industries and the growth of others. Some temporary dislocations and unemployment are bound to occur.

Unemployment is caused by other reasons too—shifting markets, the inability of a firm to compete, and decentralization. Sometimes the closing of a plant is prompted by motives less worthy or compelling than economic necessity. Many industrial moves are made solely because another State offers "come-on" taxes, or to escape to an area where wages are lower because unions are prevented from organizing.

One answer to this challenge is area redevelopment legislation whereby millions of dollars are appropriated for relief in areas of substantial unemployment. The money would be used as both loans and grants for the rehabilitation of existing industrial facilities or the creation of new facilities for the retraining of workers, for technical assistance, and for the improvement of public facilities.

### Hon. Walter M. Mumma

#### EXTENSION OF REMARKS

OF

### HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. GOODLING. Mr. Speaker, on Monday of this week many Members of the Congress paid eloquent testimony to the high esteem in which Walter Mann Mumma was held by his colleagues.

An editorial appearing in the Harrisburg Patriot, Tuesday morning, February 28, would appear to refute the statement "A man is not without honor save in his own country."

As a further tribute to Walter, I insert the editorial in the CONGRESSIONAL RECORD, at this time:

[From the Harrisburg (Pa.) Patriot, Feb. 28, 1961]

WALTER M. MUMMA

A good many years ago, Walter M. Mumma started from scratch—all on his own—and built up one of the major construction companies of midstate Pennsylvania.

A self-made man in business, Mr. Mumma turned in his later life to politics and public service. And he made good there, too, all on his own.

Last November, this newspaper endorsed Mr. Mumma's candidacy for his sixth consecutive term in the U.S. House of Representatives in recognition of his political independence and courage and because of his decade of experience at Washington. We emphasized that these traits of character and this seniority, which meant so much to his district, far outweighed the differences we had had with the Congressman on past legislative issues.

Mr. Mumma's greatest legacy to the congressional district he represented and the

<sup>3</sup> Ibid., p. 17.

<sup>3</sup> Ibid., p. 177.

Congress in which he served, it seems to us, can be the realization that political independence and political courage, even to the extent of opposing legislation heavily favored by many constituents because he thought it was wrong, count for so very much.

At a time when many bemoaned the passing of rugged individualism, Walter Mumma remained a rugged individualist to his dying day. He never was afraid to "fight city hall." He never was an organization man—in business, or politics, or private life. He was simply his own man.

This showed up in the character of Congressman Mumma, and it was reflected in his personality. No great shakes as a stump orator, the Congressman was at his best in a person-to-person contact. Nobody could know Walter Mumma and not like him, whatever political or philosophical differences they might have with him. You could argue with Congressman Mumma's viewpoint on some issues and you could challenge his voting on some legislation, but you always wound up liking and trusting and respecting him.

This is an extraordinary achievement for any man, let alone one who plunged into the rough and tumble of business and the even rougher tumble of politics throughout his adult life, as Congressman Mumma did.

There was a shining simplicity to Congressman Mumma's life. He liked people very much, and people liked him. We will miss him very much.

### Address by Senator Aiken Before the GOP Club of Frederick, Md.

#### EXTENSION OF REMARKS

OF

### HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. MATHIAS. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I am pleased to draw to the attention of Members of the House a speech by the Honorable GEORGE D. AIKEN, senior Senator from Vermont, before the GOP Club of Frederick County, Md., Republican Club's Washington's Birthday dinner, February 18, 1961:

#### ADDRESS BY THE HONORABLE GEORGE D. AIKEN

In these days when the world is striving to prevent the tide of history from being reversed, it is a pleasure to be with you here in Frederick where more history has been made than in almost any other spot on the Western Hemisphere.

The first I heard of Frederick was when I was a very small boy and used to hear our old Union veterans refer to Monocacy, Gettysburg and, of course, to Frederick.

Monuments today stand in recognition of the prowess of soldiers from my State of Vermont both at Gettysburg and Monocacy.

And, then, when a little older, I studied about General Braddock who set out from Frederick on his ill-fated attempt to conquer the territory to the west.

The town of Frederick was indeed a New Frontier in those days when the term had a real physical meaning and was not merely a catch phrase designed to lure the gullible voter into voting the Democratic ticket.

They had their "missile gap" in those days, too.

It was not merely another political catch phrase.

A missile gap in the days of Braddock was the difference in the time it took to fit two

arrows to the bow and the time it took to reload a musket.

As it turned out, the missile gap was not in Braddock's favor.

And after Braddock, I learned how the first President of the United States, John Hanson, was from Frederick—of Francis Scott Key and Chief Justice Taney, whose famous decision in the Dred Scott case changed the course of history in the United States.

And, while we are commemorating the birthday of George Washington, let us not forget that it was a Frederick patriot, Thomas Johnson, who nominated Washington to be Commander in Chief of the Continental Army.

When I think of the part that the men and women of Frederick and of a thousand other communities in the United States have played in the struggle for freedom and equality and opportunity—how they sacrificed and worked and prayed down through the generations, it occurs to me that after all the fight of the American people for a freer and happier life did not begin on the 20th of January, 1961.

Another reason why I am glad to be here tonight is because here in the Sixth District of Maryland you Republicans showed that determination and commonsense and hard work can win elections.

When that same brand of sound thinking permeates enough districts in the United States, the Republican Party will again come into power both in the Congress and in the executive offices of Government.

How do we win elections?

A few years ago, I was speaking to the Women's National Republican Club in New York and in the course of my remarks made this statement:

"To win elections we have to have candidates the people will vote for.

"All the way from the precinct up, we need candidates in whom the people have confidence.

"Whether we get this kind of candidate or not depends upon our willingness to attend party caucuses and conventions and to vote in primary elections and to serve when called upon."

Apparently you folks here in the Sixth District had a candidate the people would vote for and from what I have already seen in Washington for a good long time.

In 6 weeks' time, he has impressed his colleagues with his ability, his friendliness, his courage, and his determination to follow the course of his conscience.

I congratulate you on your selection of MAC MATHIAS to the House of Representatives and GLENN BEALL and JOHN BUTLER to the U.S. Senate.

They work hard for you.

They are constantly watching out for your interests and they serve their country well.

Last November, we Republicans lost a national election.

We lost it by so small a margin that the Monday morning quarterbacks are still figuring out how many different plays we could have used to win it.

I can think of quite a few ways myself.

However, we lost, and the years 1962 and 1964 are coming up—and fast.

So let's not waste any time weeping over the last and lost election, but start looking ahead and plan and work for victories to come.

As the largest and strongest citadel of democracy in the world today, the United States is not in a particularly enviable position.

Why do so many people claim to dislike us?

As a matter of fact I don't believe that many people in other countries do hate us. They envy us.

There are mighty few in the world, even Mr. Khrushchev himself, who would not

gladly change places with us if it were possible.

Those nations which are oppressed either by poverty or tyranny look to us for help which we are finding increasingly difficult to furnish.

Those nations whose aim is to destroy freedom in the world keep up an incessant attack upon our institutions by every Machiavellian method which they can devise.

The promoting of riots and revolutions has now become a well established commercial business in the world.

This business is so well organized that riots can be turned on or off in any country almost by pushbutton operations.

In meeting the threat posed by the cold war, we must be a united people.

There is little place for partisan politics when the security of our country or our democratic institutions is in danger.

The domestic economy of the United States which reached an alltime high in terms of production, employment, and income under President Eisenhower has shown some signs of decline during recent weeks.

However, if you remember back 8 years, we Republicans didn't find things all milk and honey when we took over.

We found a good sized war on our hands.

We are constantly being challenged by our own successes—technology reduces the need for manpower and increases our productive capacity; so in agriculture—in industry—in business and commerce and in the professions we have to constantly adjust to changing conditions.

There may be some who fear change. I happen to be one who welcomes it for change is the surest evidence of progress.

It should be a matter of pride to all Republicans that during the Eisenhower administration, our country not only reached its economic apex, but that the value of the dollar was fully protected during this period.

The sound dollar like a sound heart is not a glamorous subject for discussion.

In fact, it is almost a dirty word in certain circles.

Yet if it were not for the sound heart of our economy created by the Republicans all the mascara, rouge and perfume sold by the Democrats during the campaign wouldn't amount to a tinker's damn.

Besides the problems posed by the cold war and the need for continuing adjustments in our economic system, we have to jealously protect the political system under which this Nation has grown strong and its people have prospered.

In our zeal to find short cuts and easy solutions to our problems, we could easily take steps which would slowly but steadily undermine the very institutions which have made us what we are—the envy of the world.

With the foreign and domestic situations as they are today, what is the role of the Republican Party?

We have three important jobs to do.

First, the Democrats now control all departments and agencies of Government.

The President is asking for a lot of new legislation.

We may be sure that our opponents will try to shape that legislation in such a manner as to perpetuate themselves in office.

This is a perfectly normal reaction on their part. They wouldn't be human, and they certainly wouldn't be Democrats, if they don't make the most of this opportunity.

They will try to vest more power in themselves and create more dependency upon the Federal Government.

Efforts to scrap much of the Civil Service are already apparent, and let no one kid himself about that. Already 1,100 post office opportunities have been recalled. Who do you think will get these jobs?

Their efforts will become intensified as they become more settled in office, and as another election draws nearer.

As Republicans, we should spare no effort to see that the balance of power between branches of Government is preserved, that the constitutional rights of the citizen are protected, and that the strength of the Nation is promoted.

Although Congress will be the front line in this effort, it will be necessary to mobilize public opinion in order to succeed.

That is a job for the folks back home.

We may have to use a little mascara and lipstick ourselves to get this job done.

Second, as the opposition party, Republicans will be the guardians of clean government, constantly watching out for inefficiencies—inequities and malfeasance in the conduct of public business.

I do not advocate harassment of public officials, but prompt and fearless exposure of wrongdoing in government is important to the public interest.

Third, we have to do a selling job for America.

We have a lot to sell and have to counteract the impression that the American economy is on the rocks.

I do not understand the thinking of those who depict the United States as a poor business risk.

How can we expect people to invest in new business when the President himself paints such a discouraging picture of our economy?

In spite of the fact that right now much of our country has two feet of frost in the ground and employment is consequently adversely affected, the United States still offers the best opportunities in the world and, as Republicans, we have to demonstrate our faith to the world.

No less important than faith in our economy is our standing with the nations of the world.

We are not, as is frequently inferred, weaker than Russia militarily.

We have not relinquished our position of leadership in the free world.

We must maintain our standing in the eyes of other nations.

As George Washington said in 1793: "There is a rank due to the United States which will be withheld, if not absolutely lost, by the reputation of weakness."

It is time that every American demonstrates his pride in being an American.

It is time to tell the whole world of our faith in America.

It is time to serve notice of our determination to defend our country against all enemies from without or within.

If we do these things, we will find that the United States will retain the prestige to which we are entitled.

priations, I must through necessity familiarize myself with the many aspects of the foreign aid program and its increasing cost. Believing that the verified information I have put together will be of interest to you, I am attaching, hereto:

1. Recapitulation of the amount of foreign aid funds available for obligation and expenditure for the present fiscal year 1961, and

2. Recapitulation of budget receipts for a period of approximately 172 years.

Notwithstanding the fact that Federal revenues for the past 8 years exceeded by \$53 billion the total revenues received in the 164 years from President George Washington to President Harry Truman, inclusive, we borrowed an additional \$23 billion during the same 8-year period and spent that.

Certainly the documented information in the attached tables is sufficient proof that the mutual security expense outlay is excessive and should be drastically reduced.

Your committee has endeavored to improve the foreign aid program by reducing the amount available to controllable proportions. The results of our efforts may be creditable but leave much to be desired when we take into account that dollar assets of foreign nations have more than doubled in the past 8 years. During the same period, gold holdings in foreign nations have increased approximately 50 percent, while our gold reserves have been dangerously depleted and the balance of payments deficit remains alarming.

Assuring you that it is a privilege to furnish this information, and with best wishes.

Sincerely yours,

OTTO E. PASSMAN,  
Chairman, Foreign Operations Subcommittee on Appropriations.

## The Foreign Aid Program and Its Increasing Cost

### EXTENSION OF REMARKS

OF

## HON. OTTO E. PASSMAN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. PASSMAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

MY DEAR COLLEAGUE: As chairman of the Foreign Operations Subcommittee on Appro-

### FOREIGN OPERATIONS SUBCOMMITTEE ON APPROPRIATIONS, OTTO E. PASSMAN, CHAIRMAN

#### Foreign aid funds by program and amount available for expenditure, fiscal 1961

	Total available for expenditure		Total available for expenditure
1. Military assistance:		12. Atoms for peace:	
Unexpended, June 30, 1960.....	\$2,044,246,000	Unexpended June 30, 1960.....	\$9,423,000
New funds:		New funds fiscal 1961.....	1,500,000
Fiscal 1961.....	1,800,000,000		\$10,923,000
Reappropriated.....	35,000,000	13. North Atlantic Treaty Organization: Unexpended	
Other.....	40,000,000	June 30, 1960.....	89,000
	\$3,919,246,000		89,000
2. Defense support:		14. Intergovernmental Committee for European Mi-	
Unexpended, June 30, 1960.....	758,601,000	gration:	
New funds, fiscal 1961.....	675,000,000	Unexpended June 30, 1960.....	9,200,000
	1,433,601,000	New funds fiscal 1961.....	6,700,000
3. Development Loan Fund:			15,900,000
Unexpended, June 30, 1960.....	830,598,000	15. United Nations Refugee Fund:	
Unobligated, June 30, 1960.....	326,398,000	Unexpended June 30, 1960.....	900,000
New funds:		New funds fiscal 1961.....	1,300,000
Fiscal 1961.....	550,000,000		2,200,000
Loan repayment.....	14,300,000	16. Escapee program:	
	1,721,296,000	Unexpended June 30, 1960.....	4,520,000
4. Development assistance: Unexpended, June 30,		New funds fiscal 1961.....	3,350,000
1960.....	57,769,000		7,870,000
	57,769,000	17. United Nations Children's Fund:	
5. Special assistance:		Unexpended June 30, 1960.....	10,926,000
Unexpended, June 30, 1960.....	223,489,000	New funds fiscal 1961.....	12,000,000
New funds, fiscal 1961.....	231,500,000		22,926,000
	454,989,000	18. United Nations Relief and Works Agency:	
6. President's Asian fund: Unexpended, June 30, 1960.....	61,247,000	Unexpended June 30, 1960.....	10,957,000
	61,247,000	New funds fiscal 1961.....	16,500,000
7. President's contingency fund:			27,457,000
Unexpended, June 30, 1960.....	138,695,000	19. Ocean freight:	
New funds, fiscal 1961.....	250,000,000	Unexpended June 30, 1960.....	1,473,000
	388,695,000	New funds fiscal 1961.....	2,000,000
8. Technical cooperation, bilateral:			3,473,000
Unexpended June 30, 1960.....	168,417,000	20. NATO science program: New funds fiscal 1961.....	1,200,000
New funds fiscal 1961.....	150,000,000		1,200,000
	318,417,000	21. Administrative expenses, TCA:	
9. Technical cooperation, United Nations:		Unexpended June 30, 1960.....	7,056,000
Unexpended June 30, 1960.....	14,400,000	New funds fiscal 1961.....	38,000,000
New funds fiscal 1961.....	33,000,000		45,056,000
	47,400,000	22. Administrative expenses, State:	
10. Technical cooperation, Organization of American		Unexpended June 30, 1960.....	839,000
States:		New funds fiscal 1961.....	8,000,000
Unexpended June 30, 1960.....	1,308,000		8,839,000
New funds fiscal 1961.....	1,300,000	Total funds available for expenditure in fiscal	
	2,608,000	year 1961.....	8,551,215,000
11. Joint control areas: Unexpended June 30, 1960.....	14,000		
	14,000	RECAPITULATION	
1. Unexpended funds (from previous years) June 30, 1960.....			\$4,713,665,000
2. New funds (appropriated) fiscal 1961.....			3,781,350,000
3. New funds (from sales receipts) fiscal 1961.....			66,200,000
Total funds available for expenditure.....			8,551,215,000

HOUSE OF REPRESENTATIVES,  
Washington, D.C., March 1, 1961.

To Whom It May Concern:

The following verified recapitulation of Federal revenues, from the beginning of our Government's accounting, is submitted in the belief that it will be of interest to you:

Total tax receipts

157 YEARS—(WASHINGTON TO TRUMAN)

Apr. 30, 1789—Jan. 1, 1946,  
total..... \$233, 124, 696, 392

7-PLUS YEARS—(TRUMAN)

Jan. 1, 1946—Jan. 20, 1953:  
1946..... 42, 867, 772, 454  
1947..... 42, 911, 827, 900  
1948..... 43, 098, 474, 025  
1949..... 39, 833, 226, 896  
1950..... 40, 510, 854, 464  
1951..... 56, 842, 879, 512  
1952..... 69, 336, 974, 951  
1953 (to Jan. 20)..... 2, 259, 855, 220

Total..... 337, 661, 865, 422

Total revenues received,  
George Washington to  
Harry Truman (inclusive), 164 years..... 570, 786, 561, 814

8 YEARS—(EISENHOWER)

Jan. 20, 1953—Jan. 20, 1961:  
1953 (from Jan. 20)..... 65, 811, 590, 850  
1954..... 66, 894, 388, 427  
1955..... 69, 613, 680, 692  
1956..... 78, 233, 911, 713  
1957..... 82, 091, 696, 351  
1958..... 79, 285, 472, 618  
1959..... 84, 515, 760, 844  
1960..... 94, 877, 939, 172  
1961 (to Jan. 20)..... 3, 163, 831, 564

Total revenues received, Eisenhower—  
8 years..... 624, 488, 272, 231

Eisenhower revenues over  
all other Presidents..... 53, 701, 710, 417

Sincerely yours,

OTTO E. PASSMAN,  
Member of Congress.

### Fight Against Recession

#### EXTENSION OF REMARKS

OF

### HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. ADDABBO. Mr. Speaker, daily we hear of and see evidence of a slow-down in American business and the resultant unemployment. We know that American business and know-how can pull us through. As long as we have people who are willing to expand present industries and start new businesses, we know that we shall not again experience a repetition of the thirties.

I am proud to inform this great body that in the State of New York the first new manufacturing company in 1961 is located in Jamaica, N.Y., in the Fifth Congressional District. Industrial Plywood Co., Inc., known as Plywood City, opened last week. This new plant and its developers must be commended for taking the initiative in the fight against the recession. It is indeed gratifying to me that this has happened in my own

congressional district. I extend to these forward-looking citizens my sincere good wishes for every success.

### Address of President John F. Kennedy

#### EXTENSION OF REMARKS

OF

### HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. STAGGERS. Mr. Speaker, on February 13, President Kennedy delivered an address at the luncheon meeting of the National Industrial Conference Board that I believe should be called to the attention of every businessman in the United States. It is no secret that many in our business community were not only highly skeptical but actually honestly afraid of what a Kennedy administration might do to them.

While only time can fully convince many with these doubts and misgivings I am confident that any reasonable man after reading this address will understand the President's goal—a full partnership between businessmen and Government to bring this Nation and all of its citizens to the highest standard of living, the greatest era of prosperity and the greatest defense potential the world has ever known. As the President points out, this can only be done by sound businesslike methods which maintain a strong dollar and equal opportunities for all. Attaining these goals under proper governmental supervision cannot help but improve the Nation's business in my opinion:

Under unanimous consent I insert the President's address in the RECORD at this point:

ADDRESS OF THE PRESIDENT TO THE LUNCHEON MEETING OF THE NATIONAL INDUSTRIAL CONFERENCE BOARD, SHERATON-PARK HOTEL, WASHINGTON, D.C.

Mr. White, Dean Sayre, distinguished guests, gentlemen, I want, first of all, to express my personal thanks to all of you for having come to our city, and for participating in what I hope will be a most useful and helpful proceeding which will benefit this Government and our country.

It has recently been suggested that whether I serve one or two terms in the Presidency, I will find myself at the end of that period at what might be called the awkward age—too old to begin a new career and too young to write my memoirs.

A similar dilemma, it seems to me, is posed by the occasion of a Presidential address to a business group on business conditions less than 4 weeks after entering the White House—for it is too early to be claiming credit for the new administration and too late to be blaming the old one. And it would be premature to seek your support in the next election, and inaccurate to express thanks for having had it in the last one.

I feel, nevertheless, that I can claim kinship here, and have that claim allowed. For I am convinced that the real spirit of American business is not represented by those involved in price fixing, conflict of interest or collusion. The real spirit is in this room—in your recognition of your public responsibilities, your pursuit of the truth, your desire for better industrial relations, better

technological progress and better price stability and economic growth. And because your organization portrays that picture of American business, I am delighted and proud to be here with you.

The complaint has often been made in business circles that the Federal Government is a "silent partner" in every corporation—taking roughly half of all of your net earnings without risk to itself. But it should be also realized that this makes business a not always "silent partner" of the Federal Government—that our revenues and thus our success are dependent upon your profits and your success—and that, far from being natural enemies, government and business are necessary allies.

For example, the 1960 drop in expected corporate profits of some \$6 to \$7 billion also caused a loss in Federal revenues of over \$3 billion—enough to pay the Federal share of all our antirecession, health, and education proposals for the next fiscal year and still have enough left over to start closing what the Democrats in this administration used to call the missile gap.

An equally critical gap separates the tax revenues of a lagging economy from those which are potentially within our grasp: A gap of at least \$12 billion. Even after we are able to launch every program necessary for national security and development, this amount of revenue would still leave a substantial surplus—a surplus essential to help defend our economy against inflation—and, equally important, a surplus that, when applied to the Federal debt, would free additional savings for business investment and expansion.

In short, there is no inevitable clash between the public and private sectors—or between investment and consumption—nor, as I have said, between government and business. All elements in our national economic growth are interdependent. Each must play its proper role—and that is the hope and the aim of this administration.

If those of you who are in the world of business, and we who are in the world of government, are necessarily partners, what kind of partnership is this going to be? Will it be marked by mutual suspicion and recrimination, or by mutual understanding and fruitful collaboration?

On behalf of my associates in the Cabinet, I want to be very precise: We will not discriminate for or against any segment of our society, or any segment of the business community. We are vigorously opposed to corruption and monopoly and human exploitation—but we are not opposed to business.

We know that your success and ours are intertwined—that you have facts and know-how that we need. Whatever past differences may have existed, we seek more than an attitude of truce, more than a treaty—we seek the spirit of a full-fledged alliance.

Today, I would briefly mention three areas of common concern to which that alliance must be devoted in the next few years: economic growth, plant modernization, and price stability.

I

First. Economic growth has come to resemble the Washington weather—everyone talks about it, no one says precisely what to do about it, and our only satisfaction is that it can't get any worse.

The economic program which I have set before the Congress is essentially a program for recovery—and I do not equate recovery with growth. But it is an essential first step. Only by putting millions of people back to work can we expand purchasing power and markets. Only by higher income and profits can we provide the incentive and the means for increased investment. And only when we are using our plant at or near capacity can we expect any solid expansion.



Capacity operation is the key. No matter what other arguments or stimulants are used, the incentives for investing new capital to expand manufacturing plants and equipment are weak as long as manufacturers are operating at less than 80 percent of their capacity. From 1950 to 1958, we put only one-sixth of our total output into capital formation, while Japan, Germany, Italy, the Netherlands, Canada, and Sweden were all investing one-fifth or more of their total output in capital goods. So it is not surprising that each of these and other nations over the past several years have all surpassed us in average annual rate of economic growth.

I think we can do better. 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.

## II

Second. New plant investment not only means expansion of capacity—it means modernization as well. Gleaming new factories and headlines about automation have diverted our attention from an aging industrial plant. Obsolescence is slowing down our growth, handicapping our productivity, and worsening our competitive position abroad.

Nothing can reverse our balance-of-payments deficit if American machinery and equipment cannot produce the newest products of the highest quality in the most efficient manner. The available evidence on the age of our industrial plant is unofficial and fragmentary; but the trend is unmistakable—we are falling behind.

The average age of equipment in American factories today is about 9 years. In a dynamic economy, that average should be falling, as new equipment is put into place. Instead the available evidence suggests that it has been slowly rising.

Private survey of machine tools used by manufacturers of general industrial equipment found less than half of these tools over 10 years old in 1949, but two-thirds over that age in 1958. Nineteen percent of our machine tools were found to be over 20 years old.

Meanwhile, other countries have been lowering the average age of their fixed capital. The German example is the most spectacular—their proportion of capital equipment and plant under 5 years of age grew from one-sixth of the total in 1948 to two-fifths in 1957.

All of these facts point in one direction: We must start now to provide additional stimulus to the modernization of American industrial plants. Within the next few weeks, I shall propose to the Congress a new tax incentive for businesses to expand their normal investment in plant and equipment.

But modernization and productivity depend upon more than investment in physical resources. Equally essential is investment in human resources. And I think that this is obvious to those of us who have considered the problems of unemployment and depressed areas. There is no doubt that the maximum impact of a reducing economy falls upon those who are at the bottom of the educational ladder. The first people unemployed are those with the least education, the last people to be hired back are those with the least education. So there is a direct connection between increased emphasis on education in this country and also upon increased productivity and technological change.

Without strengthened programs for health, education, and science and research, the new modern plant would only be a hollow shell. Many of these programs are with-

in the province of State and local governments. Full recovery will increase the tax revenues that they so sorely need. But the Federal Government will have to pay its fair share of developing these human resources.

## III

Finally, Government and business must turn their attention to the problem of price stability. Concern over the resumption of inflationary pressures hangs over all our efforts to restore the economy, to stimulate its growth and to maintain our competitive status abroad. In recent days, complaints have been voiced in some quarters that this administration was not meeting its responsibilities in this area. But the facts are that, whatever one may regard our responsibilities to be, we are almost totally without direct and enforceable powers over the central problem. A free government in a free society has only a limited influence—provided that they are above the minimum—over prices and wages freely set and bargained for by free individuals and free enterprises. And this is as it should be if our economy is to remain free.

Nevertheless, the public interest in major wage and price determinations is substantial. Ways must be found to bring that public interest before the parties concerned in a fair and orderly manner.

For this reason, I have announced my determination to establish a Presidential Advisory Committee on Labor-Management Policy, with members drawn from labor, management and the public. I want this Committee to play a major role in helping promote sound wage and price policies, productivity increases, and a betterment of America's competitive position in world markets. I will look to this Committee to make an important contribution to labor-management relations, and to a wider understanding of their impact on price stability and our economic health. And in this undertaking, I ask and urge the constructive cooperation of this organization and its members.

Economic growth, plant modernization, price stability—these are all intangible and elusive goals. But they are all essential to your success, and to the success of our country. Initiative, innovation, hard work and cooperation will be required, on your part, and on ours.

But I have confidence in our Nation, confidence in our economy, and confidence in your ability to meet your obligations fully. I hope that my associates and I can merit your confidence as well. For I can assure you that we love our country, not for what it was, though it has always been great—not for what it is, though of this we are deeply proud—but for what it someday can and, through the efforts of us all, someday will be.

Thank you.

## Veterans' Disability Ratings

### EXTENSION OF REMARKS OF

**HON. THADDEUS J. DULSKI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 1, 1961*

Mr. DULSKI. Mr. Speaker, the bill which I am introducing today is in line with legislation heretofore enacted in the 83d Congress, which provides that where a veteran had a total disability rating for 20 continuous years it should not thereafter be changed. This was true for compensation, pension, and in-

surance purposes. My proposal is a very simple one, namely, to reduce this 20-year period to 15, thereby assuring greater protection for the individual veteran.

I think we can all agree that any person who has been rated totally disabled for 15 years or more should not have his disability rating disturbed. The cost of this proposal would be negligible, and this certainly is an equitable step which should be taken at the earliest possible time.

## Forty-third Anniversary of Ukrainian Independence

### EXTENSION OF REMARKS OF

**HON. EDWARD A. GARMATZ**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 1, 1961*

Mr. GARMATZ. Mr. Speaker, as they do every year, the Maryland chapter of the Ukrainian Congress Committee of America observes the anniversary of Ukrainian independence, to encourage those under the yoke of Russian oppression, and to explore every avenue of helping them to regain their independence and freedom. The occasion was commemorated this year on January 22, and again it was my privilege to be with them.

Under permission to extend my remarks in the RECORD, I would like to bring to the attention of the Members the resolutions which were adopted by the group at that time, and also my remarks to them:

RESOLUTIONS ADOPTED ON THE OCCASION OF COMMEMORATING THE 43D ANNIVERSARY OF THE JANUARY 22, 1918, PROCLAMATION OF UKRAINIAN INDEPENDENCE

#### INTRODUCTION

We, the delegates and representatives of the Ukrainian American organizations who are organized in the Baltimore chapter of the Ukrainian Congress Committee of America, have assembled on this historical day of January 22, 1918, proclamation of Ukrainian national independence, to discuss and deliberate problems which have a direct bearing upon us, as citizens of this great and democratic Republic, the United States of America.

On this occasion it is fitting to recall that our organization, founded in 1940, at the time when the world was gravely threatened by the totalitarian forces of nazism, fascism, and communism, has proved to be one of the most spirited and ardent antitotalitarian and anti-Communist organizations in the country.

Even during World War II, while so many in this country recklessly glorified Stalin as a trusted ally and even a democrat, our organization never permitted opportunistic exigencies and political expediences of the moment to besmirch its democratic ideology or to becloud its realization of the ever-growing universal menace of Russian colonial Communist imperialism.

Strongly supporting the efforts of our Government in maintaining peace, our organization, boldly and without hesitation, stated that a lasting peace could not be achieved without granting freedom and independence to the nations enslaved by the

forces of Russian colonial communistic imperialism, among which nations is Ukraine, the country of our fathers' origin.

President Harry S. Truman in the past, and President Dwight D. Eisenhower in recent years, have lauded the Ukrainian Congress Committee of America for its courageous support and assistance it has extended to the enslaved Ukrainian nation, which fights for its freedom and independence. Conversely, the Soviet press and Soviet officials have bitterly denounced the Ukrainian Congress Committee of America, castigating it as a "tool of Wall Street and American imperialists."

#### A. The United States of America

The United States of America has given shelter and refuge to many thousands of Ukrainians and other people from eastern and central Europe, proving once again that America is still the beacon of liberty and the hope of the oppressed. As in 1940, at which time our organization fully supported the peace effort of the U.S. Government, so do we now fully and unequivocally state:

"Whereas the present international peace is gravely threatened by the deadly tension created by the systematic aggressive and expansionist policies of the Kremlin, the self-appointed leader of a vast Communist conspiracy to enslave the world and to subordinate it to the dictatorial power of colonial Moscow, the traditional center of enslavement and despotism;

"Whereas the American people have long accepted the basic principles set forth in the American Declaration of Independence, which stresses the tenets that 'all men are created equal,' that they are entitled to the enjoyment and exercise of freedom and independence, and that they believe these principles are universal and applicable to all nations everywhere, at all times and under all forms of government: We do

#### "Resolve,

"1. To support fully and unhesitatingly the ever-increasing endeavors of the United States in its policy of maintaining peace in the world and in its growing determination to oppose and challenge the aggressive and imperialistic policies of the Soviets, whose ultimate goal is imposition of slavery upon this country and the destruction of its freedom and independence, as it has already done in Ukraine and in many other non-Russian countries of central and eastern Europe and Asia.

"2. To call the attention of the U.S. Government to the fact that the Soviet Union, with a population of 200 million, is not a monolithic state of the Russian people, but a conglomeration of many nationalities, among whom the non-Russian peoples comprising 110 millions were conquered by Moscow by force and are kept in colonial slavery and subjugation against their will. Their desire for freedom and independence presents the weakest link in the Soviet system which if properly capitalized upon could greatly enhance our chances of success in combating Soviet imperialistic and colonial communism.

"3. It is extremely important for the American people to know that 103 years ago Taras Shevchenko, poet and prophet of the enslaved Ukrainian people, pointed to George Washington, Founding Father of our great Republic, as a symbol and liberator of the American people from the colonial rule of a foreign power, a liberator whom he considered a model and predecessor of a similar liberation of the Ukrainian people.

"The Ukrainians, through this reference of Shevchenko to the Father of Our Country, knew over a hundred years ago that George Washington liberated America and established a 'new and righteous law' that is a true democracy, a rule of the people, by the people, and for the people.

"In erecting a statue of Taras Shevchenko in Washington the United States will give full expression to its understanding and appreciation of Taras Shevchenko and all that he means to the Ukrainian people.

"Such a step would constitute a great psychological weapon against the Communist propaganda systematically being disseminated among the Ukrainians to the effect that only Moscow is a friend of the Ukrainian people, while the United States and other Western Powers are capitalist enemies of the Ukrainian people, bent upon their enslavement and exploitation.

"This step is all the more important because in Ukraine under the Communist rule special preparations are underway now to observe the 100th anniversary of the death of Shevchenko with the usual Communist propaganda fanfare to the effect that Shevchenko was a true proletarian poet and fighter for Communist emancipation, which obviously would be a total misrepresentation of the great Ukrainian poet and fighter for freedom.

"In 1917 it was the poetry of Shevchenko that inspired the Ukrainian movement for independence and encouraged the Ukrainian National Republic (proclaimed on January 22, 1918) in its desperate struggle, alone and unaided, to protect itself against the aggression of the Russian Communists. It was Shevchenko's poetry that encouraged the Ukrainians, forced within the Soviet Union, to continue their struggle for freedom and in World War II encouraged and fostered the Ukrainian opposition to both fascism and communism. It is only fitting that the statue of such a national hero, who taught the American ideals of patriotism and service to man, should stand in the Capital of the United States as this is stated in the resolution of U.S. Congress No. 86-749. In 1961, Ukrainian people all over the free world will observe the centennial anniversary of the death of Taras Shevchenko. The U.S. celebration of the Shevchenko centennial will demonstrate to Moscow that we are perfectly aware of and sympathize profoundly with the freedom aspirations of the Ukrainian people and other captive nations in the present Red Russian colonial empire.

"4. That the 'Voice of America' be strengthened by increasing the number of non-Russian-language programs (Ukrainian especially) beamed to the Soviet Union and that the program content be governed by the overriding need to present to the peoples behind the Iron Curtain the unvarnished truth about world affairs, and above all, about national and cultural traditions and aspirations of the enslaved nations which are being subjected to communization and Russification. If economy in this vital work is a pressing need and our psychological warfare is to be regulated by the ceiling of budgetary expenditures, then priority attention should be given to reducing the already overweighted broadcasts in the Russian language so as to make needed provision for more non-Russian-language broadcasts to central and eastern Europe and Asia."

#### B. The enslaved Ukraine

"The sufferings of the Ukrainian nation have been largely due to the brutal, colonial, and enslaving policies of Soviet Russia, which fact is recognized today by everyone save the stooges of Nikita Khrushchev and die-hard Russian imperialists. Mass deportation and executions of Ukrainian patriots, ruthless destruction of all Ukrainian churches, Russification of Ukrainian culture and language, the unrestricted genocidal policy of Moscow with respect to the Ukrainian people—all these crimes express the fundamental and traditional Russian policy aiming at the destruction of the Ukrainians as a nation, as separate ethnic entity.

"The Soviet Premier Nikita S. Khrushchev, in his article 'On Peaceful Coexistence' in

Foreign Affairs, October 1959, described the resolution of the U.S. Senate and House of Representatives favoring the liberation of Ukraine, Byelorussia, Lithuania, Latvia, Estonia, Armenia, Azerbaijan, Georgia, Kazakhstan, Turkestan, and even a certain Ural area as 'an act of provocation.'

"In other words, Khrushchev has publicly denied the right of the above-mentioned non-Russian Republics" freely to secede from the Soviet Union, as is provided for in the Soviet Constitution.

Moreover, in comparing them to American States of the Union, such as Texas, Arizona, and California, Khrushchev attempted to convince public opinion of the integrity of Soviet Russia as a homogeneous nation.

"Today the homeland of Ukrainians, the Ukrainian Soviet Socialist Republic, is a member of the United Nations and its Russian Communist representatives vote consistently with the Soviet delegation in the solid bloc that stands opposed to the principles and ideals of the democracies of the world. The Soviet Union regards its representatives as on a par with those of Poland and Czechoslovakia as eligible for election to the Security Council. These representatives do not however, speak for the Ukrainian people, for the Soviet authorities lose no opportunity to stamp out Ukrainian nationalism, one of the worst doctrinal heresies to affect the Soviet Union. Ukrainian national independence, if it were to be achieved, would strike at the heart of Russian imperialism, be it red or white.

"The Ukrainian question is today one of the most important in Europe, for it involves the largest group of people with a share of European traditions that is compelled to be silent. It enters into all plans for the future of Europe, for the securing and maintenance of peace, for the welfare of the United Nations, for the welfare of the United States and of humanity.

"If Ukraine is only a creature of propaganda, as its enemies assert, why was it admitted to the United Nations? If it is an independent nation of independent people, why should it be dominated by Moscow, why should it be the colony of Moscow? Above all it is high time to understand, that Ukraine is not a 'part of Russia' and the Ukrainian question is not an internal problem of the Russian nation or state which was yesterday called Tsardom and today the Soviet Union. All moral and material forces should be put in motion in order to help the Ukrainian national elements to keep alive their unconquered spirit, to prove by deeds that the Ukraine is not forgotten and that she stands equal in the thoughts of freemen with all other captive countries. This could be done by openly demanding her full sovereignty and by acknowledging her equality in the family of free nations.

"There are well over 2 million Ukrainians and their immediate descendants in the free countries outside enslaved Ukraine. They constitute a formidable force which constantly champions the cause of freedom. Among them are some 250,000 recent Ukrainian political refugees from all corners of the Ukrainian land, whose experience with tyranny is fresh and who work and strive for a common ideal: liberation of their native country.

"Whatever the future of Ukraine and the Ukrainian people may be, the Ukrainian community abroad is far more unified and consolidated than it has ever been before. It can be counted upon to play a major part in the undying movement to restore the freedom and independence of Ukraine, as a vital and indispensable element in a free Europe and in a free world.

"Meanwhile we salute those stalwart men and women who in 1918 made an independent Ukraine possible; and all those legions

of heroes who have fought against hopeless odds these past 43 years.

"The heroes are dead or imprisoned, but the Ukrainian nation lives on. We do

*Resolve,*

"1. To support fully and unswervingly the aspirations of the 45 million Ukrainian people in their efforts to regain their political freedom and national independence. We call the attention of the U.S. Government and the free world at large to the fact that the Ukrainian people had achieved their full freedom when on January 22, 1918, they proclaimed their independence, and on January 22, 1919, they united all the Ukrainian ethnographic territories into one independent and sovereign Ukrainian Democratic Republic, established through a due process of democratic election and endorsed by the overwhelming majority of the Ukrainian people.

"2. To make it known that the legal government of the Ukrainian Democratic Republic forcibly expelled from the country by the aggressive forces of Moscow and that today the Ukrainian National Council, which functions in Western Europe, is the continuation of the legal government of the Ukrainian people in exile. Therefore, the so-called Ukrainian Soviet government, installed by Moscow in Kiev, is not the representative government of the Ukrainian people.

"3. To call the attention of the U.S. Government and the free world at large that in Ukraine there exists and resists Russian domination an indomitable Ukrainian insurgent army (UPA) and its political leadership, the Supreme Ukrainian Liberation Council, as well as the entire network of underground resistance, which oppose the domination of Moscow and strive for the attainment of a free and independent Ukrainian democratic republic and a free world as well.

*"C. Appeal to the U.S. Government*

"Whereas the U.S. Government is solely able to rally all the enslaved peoples behind the Iron Curtain toward a hopeful and meaningful free world of tomorrow; and

"Whereas the enslaved peoples of eastern and central Europe and Asia look forward to our moral and political leadership; We do

*Resolve, a.* To appeal to and urge the U.S. Government to make it known to the enslaved peoples behind the Iron Curtain in the forum of U.N. that it upholds the rights of the non-Russian peoples within the present U.S.S.R. to their basic and inalienable freedoms which include the right of unqualified self-determination and independence. In so doing the U.S. Government will bring encouragement and hope to those peoples oppressed by Moscow (Ukraine in the first place), the most terrible colonial empire ever known.

"b. To appeal to and urge the U.S. Government to act frankly in accordance with the spirit of the Captive Nations Week resolution in ideologic offensive with a universalized declaration of independence that would insure for us a power of initiative and would place the Kremlin gangsters on a perpetual defensive."

REMARKS BY CONGRESSMAN GARMATZ ON THE 43D ANNIVERSARY OF UKRAINIAN INDEPENDENCE, YWCA—INTERNATIONAL CENTER, JANUARY 22, 1961

I am indeed grateful for the honor and privilege of again having been invited to join with the members of the Maryland branch of the Ukrainian Congress of America and your other distinguished guests on this solemn occasion commemorating the 43d anniversary of Ukrainian national independence.

It is fitting and proper that, as we assemble this evening, we manifest our gratitude to Almighty God and to those freedom-loving

people of the world who 43 years ago assisted the Ukrainian people achieve their national independence; and at the same time, express the sincere hope that the time will soon come when we may make this anniversary observance a cause for total rejoicing, because we know only too well that the yoke of oppression still exists for the people of the Ukraine under communistic domination—that the struggle continues and there is the need for each and every one to reassert and renew his efforts as well as encourage one another to work for the regaining of the independence proclaimed in 1918 at Kiev.

We know the Ukrainians have borne the yoke of the Kremlin longer than all other groups that are bent beneath its crushing weight—biding their time with smoldering patience, against the day of liberation which will surely come.

We know that despite every effort to suppress it, the yearning for liberty is unquenchable among Ukrainians and that tyranny has only served to stimulate it rather than stifle it.

As I have stated before, Ukrainians have suffered more than the other oppressed national groups in the Soviet Union—in concentration camps, slave-labor camps, in prison, and in the desolate Siberian wilderness.

But we take courage in the fact that these brave people are spiritually and physically endowed with the necessary strength and fortitude to withstand the tyranny to which they are still subjected.

In the end, truth and justice will prevail—that is our hope, that is our prayer, and, God willing, it will be so.

Let us unite with President Kennedy and the new administration which has just entered upon the solemn obligation of guiding the affairs and destiny of this Nation so that not only peace will prevail throughout the world, but freedom-loving people everywhere will be liberated and be able to live without fear of oppression of any kind. As your Representative in the Congress of the United States and as your fellow American, let me assure you that this beloved country of ours has not and will not abandon her interest in the news and welfare of the freedom-loving peoples of central Europe. We will carry on with every means at our disposal the efforts to resist further aggression and to lead the way toward the liberation of oppressed peoples everywhere.

## A Blow to Home Rule

EXTENSION OF REMARKS

OF

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. FINDLEY. Mr. Speaker, I believe in unemployment compensation. As a citizen of Illinois, I expect my State government to take action in this field, and it has. For several months, Illinois has had a 39-week program for unemployment compensation. I am confident the fine people in the Illinois Department of Labor will carry out this program efficiently and well.

I oppose Federal activity in this field. Federal aid has already weakened State control of unemployment compensation and altered its original concept. This bill would be one more step toward destruction of States rights, and that is why I vote negative.

If we are to protect home rule and curb the wild growth of our Central Government, the place and time to start is here and now.

## Still Needed: A Tax Incentive for Home Improvements

EXTENSION OF REMARKS

OF

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. CASEY. Mr. Speaker, within a few weeks, the Bureau of the Census will bring before us an ugly picture of national shame. It will be painted for all to see in the statistics of the 1960 housing inventory.

We will be told that in this land with the highest standard of living on earth there are 10,952,000 substandard units of housing.

We will be told that 639,000 units of housing stand dilapidated and vacant.

We will be told that 888,000 substandard homes are occupied by the owners.

Two weeks ago in his program for economic recovery and growth, President John F. Kennedy called for a tax incentive for business to spur on our lagging economy.

The White House informs me that specific proposals will be submitted to Congress by the President at a later date. This is, indeed, heartening news for our businessmen.

But in our drive to spur on a lagging economy with tax incentives, let us not overlook the perennial forgotten man, the American homeowner. Upon his weary shoulders rests the heaviest tax burden. He is school taxed, city taxed, district taxed, county taxed, State taxed, Federal taxed—taxed until it nears the state of being confiscatory.

In the last Congress, I introduced a bill to provide a tax incentive for home improvements. The need for passage is even greater now, and I am pleased to advise my colleagues I have this day reintroduced the measure.

This is a multipurpose bill. Basically, it will permit income tax deductions as an incentive for home and property improvements. But in addition, this bill if enacted will give a tremendous shot in the arm to our sagging economy.

Plumbers, electricians, carpenters, roofers, glaziers, paperers, contractors, hardware and lumber stores—all phases of the building and construction industry would benefit from a surge of business.

The President is asking that we expend millions in extending unemployment benefits. Here, in my opinion, we can take a positive approach to the problem by enacting this bill. The upsurge of activity in the business world would heavily overcome any loss of revenue generated by its passage, and thousands of our unemployed would be put to work.

But consider this point as well: Our State and local governments would benefit tremendously as substandard housing

is repaired and its valuation increased on the local tax rolls.

This, to me, is where our Government and this Congress can enact legislation and properly assert the claim of Federal aid. This is the type of aid I believe most Americans and local governments would prefer to see—aid our citizens and our local governments to help themselves.

My bill, briefly, would permit a taxpayer to deduct a maximum of \$750 during a taxable year for expenditures made to repair or improve property used as his principal residence. In addition, the owner of rental property would be permitted to amortize over 60 months the expenditures made for repairs, replacements, or improvements intended to increase the livability, utility, safety, or value of property. Improvements or additions which would increase the total amount of floor space used for dwelling purposes would not be deductible.

It is tragic that under our existing Internal Revenue Code, a homeowner cannot deduct any expense for major improvements to his home. He can, if he itemizes deductions, subtract only the interest paid on a loan for such improvement or repair.

Nor has this Congress given landlords any incentive to repair substandard housing. While they can declare depreciation, they are not permitted to deduct expenses for capital improvement such as remodeling, replacing a roof, and so forth.

Again I ask the Members of this body: Is it any wonder that so much of our greatest national asset, our housing, is substandard?

And again I must say that the answer is obvious—and the fault is ours. Through our restrictive tax laws, we have built in an incentive for home and property owners to keep housing substandard, for they can ill afford to make needed repairs.

I ask that you reflect but briefly on the billions spent in the past decade for public housing and urban renewal. Yet the shame of substandard dwelling for millions of our citizens is with us still.

Passage of this bill will bring a new meaning to urban renewal, for it will enlist the aid of the homeowner to rehabilitate existing substandard housing. But equally important, it will be a giant step toward prevention of blight and decay among homes not yet substandard.

How many homes in each of your districts are now in need of paint and repair, and how long will it be before such areas become part of a slum? While we have spent billions fighting the effect of blight and decay we have neglected entirely the cause.

I know full well there will be those who argue that passage of this bill will cost the Federal Government in revenue—that the answer lies in huge expenditures for urban renewal and public housing. Again I say it is a fallacious argument. The street of the Federal dole is a street of no return. Its destination is fiscal insolvency, dependency, and bureaucracy.

The bill I have introduced points a positive way to cure one of our Nations

greatest ills—a way to assist our tax-burdened homeowner—a way we can extend the hand of cooperation to our State and local governments.

I sincerely urge my colleagues to consider the measure closely and join with me in seeking its early adoption.

### A Vote in Favor of Continuing the House Committee on Un-American Activities

#### EXTENSION OF REMARKS

OF

### HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. CORMAN. Mr. Speaker, the Director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover, has stated that "we are already at war with the Communist world, and that we are losing that war." This is a dire statement, and one which should give all loyal, freedom-loving Americans reason for pause. This struggle, which may go on for our lifetimes, or which could end in a thunderclap of nuclear horror in a few minutes, must not be lost.

We can best wage this war against communism with the weapons given to us by our forebears and a beneficent providence: Truth, moral and military strength, and a profound faith in the legal machinery of our Republic. This is no time for amateur or hysterical anti-communism. The Soviets face us with an advance guard of skilled, ruthless professionals. Their lines are manned by quiet, coldly cynical men—diplomats, propagandists, and experts in subversion.

We must counter their professionalism with quiet, unstinting efficiency, their skill with greater skill, their ruthlessness not with greater ruthlessness but with vigilance, strength, and a profound regard for the democratic processes we defend. They must be met head on by men like Mr. Hoover and his superb organization, who know communism's means and deceit. They must be challenged by a vigorous Justice Department, working within the framework of a Constitution that has protected us from domestic and foreign tyranny for nearly 200 years.

The job of waging this war belongs in these hands, but these hands must ever be guided and restrained by the rule of law, not of men. Thus, the Congress, the lawgivers, must be responsive to the need for safeguarding both our Nation's security and its tradition of freedom and equality. The fine line which we must tread in fulfilling these responsibilities is sometimes lost sight of in our zeal to turn back a frightening menace. In this event, we are backstopped by the courts, which maintain a lofty and unfettered vantage from which to judge and determine constitutional right or wrong.

I suggest, however, that this need for coolness, for judgment, for efficiency, and—yes, for restraint—is ignored too

often by men whose loyalties, if not judgment, could never be questioned. I ask if our Nation, faced with its most perilous challenge, can long afford the luxury of such irresponsibility. Can we long afford to have high-placed officials calling for suspension of constitutional safeguards when the uncommitted nations of the world cry out for greater, not less, freedom?

I do not accuse the members or body of the House Committee on Un-American Activities of being witch hunters. They have made serious errors in judgment, in my opinion, but such error is always a threat when you are trying to combat so awesome and deceitful an enemy as communism. But this fact does not undo the harm, or retract the ill-considered pronouncement of the committee and its members in the past.

Actually, the greater harm comes, not from within the committee, but from without. For the committee, by its mere existence and the nature of its public image, stimulates among many impressionable Americans an unhealthy and sometimes frightening superpatriotism. This superpatriotism manifests itself in causes of questionable Americanism and loyalty. I speak of such causes as the impeachment of our Chief Justice and his fellow jurists on the Supreme Court. I speak of groups like the swastika-banded new Nazis, offspring of a scourge which 30 million people died to eliminate less than two decades ago. I speak of every advocacy or attempt to overthrow the constitutional traditions of our Republic by any group, whether they call themselves American Nazis, or the Committee To Impeach the Supreme Court, or the American Communist Party.

I submit that the House Committee on Un-American Activities helps create just the sort of hot, dank atmosphere in which these frightful spores can grow and thrive. I cannot agree that this is the atmosphere we need to successfully combat communism. Need one un-Americanism be fought only with other un-Americanism?

Least of all do I accuse the membership of these organizations of being disloyal. I feel they are being misled, in many cases, by wild-eyed extremists. They are home-loving and freedom-loving Americans, most of these followers, who are deafened by the strident cries of these leaders, who ride out armed with ammunition provided too often by the committee whose appropriation we consider here today: an arsenal of half-truths, generalities, irresponsible accusation, and inconclusive findings.

But probably the greatest harm is that done to the serious struggle against communism. The superpatriots have done nothing but cloud the atmosphere of enlightened anticommunism. Control of subversion is not a matter of emotion and brute force, except perhaps in the Soviet Union. Under our system of government, it is a matter of detection, surveillance, and above all law. Nobody wants to see our way of life swept aside by godless communism. But neither do responsible Americans want to see our freedoms lost or suspended by irresponsible anticommunism. I

would hope one day that this distinguished body would see this clear danger and act accordingly, in the interest of a better America.

With your permission, Mr. Speaker, I should like to extend my remarks further with two editorials, one from the Los Angeles Times entitled "Criticism and the Committee," and another from Concern, a publication of the general board of Christian Social Concerns of the Methodist Church, entitled "Operation Abolition: An Honest Film?" I suggest that these two publications uphold positions of unchallenged patriotism, but point out nevertheless some of the clear dangers in the committee which I feel need expression as I cast my vote in favor of the appropriation for the House Committee on Un-American Activities:

[From the Los Angeles Times, Jan. 20, 1961]

#### CRITICISM AND THE COMMITTEE

The Congress is again being deluged by demands that the House Committee on Un-American Activities be abolished, that a halt be called to this controversial legislative inquiry into the shape and extent of the Communist threat.

It has been suggested by the committee's defenders that all of its critics are subversives or dupes. They are not. There has been responsible and justified criticism of both the personnel and procedures of the committee.

The issue, however, is not whether the performance of the committee has been ideal but whether its imperfections justify its elimination. We think not.

No thoughtful person would seriously state that the danger of Soviet subversion has ended or even lessened. It is a constant aim and continuous effort of the Communists to try to undermine this Nation by any means possible.

If the threat then persists, it is surely the obligation of the Congress to concern itself with the problem and to seek information and remedies.

Many opponents of the Committee on Un-American Activities would say that the combating of subversion should be left entirely to the FBI and Central Intelligence Agency and similar bodies. Does this mean that they want their elected representatives to abandon any direct interest in the matter?

We would not argue that the committee has fulfilled its difficult task perfectly—any more than we would claim this for any other congressional group. HCUA members have demonstrated overzealousness and an overconcern for the publicity value of their hearings and findings. Yet this is hardly something unique in a committee of the Congress.

Nor should this committee, in the final analysis, be judged solely according to some arbitrary formula that states that X number of hearings should produce Y number of proposed bills. The function of legislative inquiry is too vital to be circumscribed by such specious criteria.

To concede the committee's faults is not to condone them. They should be corrected but not by abolishing the committee. The potential usefulness of the Committee on Un-American Activities outweighs, we feel, any responsible argument for its elimination.

[From Concern, Jan. 15, 1961]

#### "OPERATION ABOLITION"—AN HONEST FILM?

(By the Reverend Robert W. Moon, pastor of the First Methodist Church, Fresno, Calif.)

A dangerous piece of propaganda is being distributed throughout the country in the form of a movie called "Operation Abolition."

It is being widely shown at schools and clubs and churches, usually under the sponsorship of a patriotic organization.

#### WHAT IS IT ALL ABOUT?

The incident it describes happened in May 1960, in San Francisco at a hearing called by the House Un-American Activities Committee. The HUAC subpoenaed several alleged Communists for public interviews.

Students from several bay area colleges and universities decided to exercise their lawful rights of protest and petition by picketing the hearings. Among other things they were concerned about the committee's refusal to publish their sources of information and the refusal to allow witnesses the opportunity to cross-examine their accusers.

The students took careful precautions to guard against infiltration of their ranks by outsiders. Each wore an identifying armband. They agreed that there was to be no violence, that they would follow their own chosen leaders and not be misled by any subversive persons who might be around.

Some of them were provoked beyond their ability to maintain their self-imposed disciplines. Provocative factors included the failure of officials to keep a promise that some of the students would be allocated seats in the hearing room and the fumbling and brutality of policemen. The students became noisy, too noisy. Finally officers dragged and washed them out of the building with firehoses.

#### THE MOVIE, "OPERATION ABOLITION"

After it was all over, the HUAC subpoenaed films of the demonstration taken by bay area television stations. Without compensating the people who took and owned the films, they were turned over to a private commercial organization, Washington Video Producers, Inc. The film company deleted and edited the films into a movie, "Operation Abolition."

The movie carries no credit lines. Apparently no organization is willing to admit responsibility for it. Congressman FRANCIS E. WALTER, Democrat, of Pennsylvania, the chairman of the HUAC, is shown at the opening of the film and appears as one of the commentators. An employee of the committee is the narrator.

The movie sets out to prove that the students were inspired and led by Communists. It is a very disturbing film and often has provoked in the viewers fascist tendencies which may be innate in each of us.

#### IS IT AN HONEST MOVIE?

It is not an honest movie. The men with the scissors cut out all pictures of the provocative acts by police officers. A reporter for the New York Post said: "Never in 20 years as a reporter have I seen such brutality." Police brutality was also reported in the stories carried by the New York Times, the San Francisco Chronicle, and the Oakland Tribune.

The film does not show the care taken by the students to prevent infiltration, violence, and rioting. The narrator of the movie talks about violence on the part of the students, but there are no pictures of student violence. With a few minor exceptions, there was none. By the use of scissors the producers were able to change the chronology of events so that acts that did not happen consecutively are shown as if there were a casual relationship between them, when there was not.

In the introduction to the film, Congressman WALTER dramatically warns that the audience will see known Communists at work. He names them. He deliberately plants the implication that the Communists were there to inspire and lead the student demonstration. The truth is that the Communists were there because the committee had subpoenaed them.

#### DISTORTED TRUTH

Our concern is not to defend the students. Some of them were provoked into doing things they should not have done.

Our concern is that an agency of our Government has so grossly distorted the truth of what happened that the net effect is a lie. The HUAC has had a great deal to say about the dishonesty of Communists. Yet the committee has resorted to the same tactics. It has been subversive of the American ideals of truthfulness, fairplay, and justice. This kind of propaganda does not contribute to an informed public.

We are also concerned about the emotional response provoked in viewers of the movie. The response is often fascist in nature and doubly evil since it is inspired by a deliberate misrepresentation of the truth. The chief investigator for the HUAC on the west coast has publicly admitted, on the Goodwin Knight television show, that the film contains inaccuracies and distortions.

#### WHAT CAN YOU DO?

There are several things that you can do about this film.

1. Get additional information. See the article in the Reporter magazine for November 24, 1960. Send 15 cents to the Bay Area Student Committee, 2317B McGee Avenue, Berkeley 3, Calif., for a copy of "In Search of Truth."

2. If you hear that an organization is planning to show the movie, go to the leader and tell him the facts, trying to persuade him not to show the film. If the film is shown try to get permission for an informed person to appear on the program to give the other side of the story.

3. Ask your Representative in Congress to join with others who are seeking public rebuke for House Un-American Activities Committee and its part in this un-American activity.

### Should State and Local Governments Look to Washington for Help?

#### EXTENSION OF REMARKS

OF

### HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 1961

Mr. CURTIS of Missouri. Mr. Speaker, in October, last year, I had the opportunity of addressing the annual conference of the Governmental Research Association, meeting in St. Louis. At that time my topic was "Should State and Local Governments Look to Washington for Help?" I should like to insert this speech in the RECORD at this time:

#### SHOULD STATE AND LOCAL GOVERNMENTS LOOK TO WASHINGTON FOR HELP?

(Remarks of Hon. THOMAS B. CURTIS, of Missouri, at the annual conference of the Governmental Research Association, Tiara Room, Park Plaza Hotel, Oct. 4, 1960.)

I always enjoy having a title for a speech picked for me, particularly when the title contains good negative and affirmative pregnant. In the process of picking out the overtones hidden in the semantics one sometimes can develop a much clearer presentation of the real issues involved. The title I have, "Should State and Local Governments Look to Washington for Help?" is a beauty. It contains just about all the overtones a speaker could ask for.

First, I believe almost everyone believes that State and local governments should look to themselves before looking anywhere else for help. So one of the issues hidden

in the title is whether the State and local governments have done everything they can for themselves and therefore are appropriately in a position to look to Washington for help.

Second, I think almost everyone believes that there are many areas which by their nature may be essentially State or essentially local and yet require coordination or direct action on the part of each other and on the part of the Federal Government. There is considerable room for discussion and debate concerning the balance between Federal, State, and local governmental action, and may I add action by private enterprise in these areas. The essential point to drive home, however, is that it is not a question of black and white. I know of no one who wants to abolish the Federal Government on the theory that it has no place to play in the complex of our society. On the other hand if there are people who would abolish State governments they are certainly in the minority and would not admit it openly and therefore we may assume for the sake of debate there are none. Certainly there are none who would abolish local governments. Therefore, lest I be caught in a semantic trap by the title of this address if I were to answer its question by saying "No," which is my inclination, I have to make it quite clear that I believe there are many areas where the Federal Government must and should act and if it failed to act State and local governments would be hard pressed to meet the obligations I believe they have. Insistence on the part of local and State governments that the Federal Government meet its obligations would not fit under the term "Look to Washington for help." In these instances, they would look to Washington for fulfillment of its obligations.

What I am trying to say is that a large part of the discussion before us should relate to the pros and cons of where Federal, State, and local jurisdictional boundary lines should be drawn from the standpoint of present efficient handling of our social problems with regard to future abilities to meet these social problems. If one of the three layers of government is not meeting its responsibilities based upon whatever is agreed as the best division of responsibilities I suggest that the question should then direct itself to the layer of government which is derelict to see what if anything can be done to redeem it.

I have set forth the ground rules for a discussion; now let me see if by applying these ground rules to specific issues I can make what I have been trying to get across clear.

Before doing this, I want to get the whole situation of local, State, and Federal Government into better perspective. There has been so much loose talk about public squalor vis-a-vis private opulence, particularly by politicians with economic backgrounds, that a good look at a few statistics is necessary. I am indebted to the excellent paper of one of your panelists, Dr. Roger A. Freeman, entitled "Tax Burden in the 1960's, and the Means of Financing It," for getting this matter into better perspective. Dr. Freeman quotes an article in Harper's for July 1960, by Peter F. Drucker, as follows: "This tremendous expansion of the (local) governments has gone more than halfway toward restoring the pre-New Deal balance between the national and local governments in the domestic field. It has made the (local) governments at least potentially the really dynamic, expansionist, innovating organs in American social policy." I believe the statistics support this statement. As Dr. Freeman points out, the National Government share of all public revenues shrank from 79 percent in 1944, to 64 percent in 1959. Two other points from Dr. Freeman's paper: "During peacetime, State and local governments, with all their much vaunted dis-

abilities, managed to expand their revenues at a more rapid pace than the National Government." "Two-thirds of the State legislatures raised taxes in 1955, and again in 1959. Counties, school districts, and other local governments have been pushing up their taxes, gradually and consistently, year after year."

I must try to dispose of another misconception before moving to the meat of my discussion. The economic statistics completely belie the allegation of public squalor. Whatever indicator one would wish to take, miles of highways per capita, miles of sewer lines per capita, per capita number of homes serviced by sewage disposal plants, or miles of streams no longer contaminated, airport facilities per capita, parks per capita, or usage per park, hospital beds per capita, medical facilities of all sorts per capita, classrooms per school population, teachers per pupil capita, the record of recent years in all areas of the public realm shows a magnificent growth rate. Furthermore, the quality increase in all of these areas of public domain is equally remarkable. There has also been a very healthy productivity increase of the worker in these areas which assures us in the long run of lower costs.

I find that each time I seek to set the record straight by responding to the critics of our affluent society they issue a barrage of non sequiturs by alleging that I and those who hold my views by citing these figures showing progress are complacent and that we don't want more progress in these areas. This is completely false, of course. We certainly do not believe the United States is heaven on earth, although I will say it is the only society I know which has emerged from an economy of scarcity to an economy of plenty. As a result we do have some entirely new problems and new bases upon which the solution to these problems must be found.

I believe the best way to get increased growth or progress in the field of community facilities and education is to examine those communities which have progressed to see how they have met their problems, and then examine those areas which have not progressed as well and see why they have failed to meet their problems. I recall at the time of the 1958-59 recession I was asked to be the Republican spokesman to address the jobless who had ridden, not marched, to Washington. I followed Senator JOHNSON, the majority leader of the Senate, who spoke in behalf of the Democratic Party. Senator JOHNSON said he was going to introduce a resolution immediately to create a joint committee which would go into the depressed areas of our country to see what was wrong. I rejoined that I thought a joint committee to look into the nondepressed areas to see what was right might be a more fruitful exercise in assisting the areas where things were wrong.

I might add neither Senator JOHNSON's resolution nor my suggestion were implemented because the recession had already ended; it was April 1959. Regrettably, as usual, the Congress with the pressure off addressed itself to other things. I still think the time to repair a roof is when the sun is shining, and I regret that the subcommittee which has jurisdiction of unemployment insurance, of which I am a member, did not dig into the problems of present-day unemployment. I am certain we will find the best solution to depressed areas problems in improving the Federal-State unemployment insurance system rather than the direct approach which is contained in most proposals for Federal aid to depressed areas.

I want to call attention to an editorial appearing in last night's Post-Dispatch entitled "Encouraging Pollution Control":

"Missouri should give serious consideration to a proposal that it adopt an Illinois statute permitting mandamus proceedings

to compel local governmental units to issue revenue bonds for sewage treatment and disposal.

"The proposal comes from the general counsel of the metropolitan sewer district, Charles B. Kaiser. Illinois has won national and even international recognition for its accomplishments in abating water pollution. It led the Nation last year in the amount of sewage treatment work under construction. Its antipollution laws have been adopted as a model by Japan. What are the legislative forces behind these brilliant results?

"The most telling force, Mr. Kaiser believes, allows the State water pollution board to apply to the attorney general for action. That official must then file suit in State court to compel municipalities or other local governments to issue the necessary revenue bonds. Illinois has used this power 25 times in the past 10 years. Its model statutes also provide that a governing body can issue revenue bonds without an election unless 15 percent of the voters raise an objection. If objection is raised, a simple majority vote decides.

"Some such force as the Illinois mandamus idea is probably going to be required to get things going in Missouri's worst problem spots. The job is estimated to cost more than \$9 million in St. Joseph, \$70 million in Kansas City, \$60 million to \$80 million or more in St. Louis. St. Joseph voters have twice rejected a bond issue and the U.S. Department of Justice has been asked to bring the first suit under the Federal Water Pollution Control Act against it. Kansas City is defying an order by the State water pollution board to issue no more sewer extension permits until it makes a start on a sewage program. St. Louis is so far best off of the three cities, though a year behind schedule.

"The Governor of Missouri will have a great deal to do with the way in which this large and growing problem is met. What do John M. Dalton, the Democratic candidate for Governor, and Edward Farmer, the Republican candidate, think of Mr. Kaiser's suggestions?"

I don't know what Mr. Dalton or Mr. Farmer have to say, but I know what I have to say; as a Federal legislator, I say, "Hurrah, let's get to it."

The Federal Government has an interest in the subject of controlling water pollution even though it is essentially a local and State problem. The Federal Government's concern arises from its jurisdiction over navigable streams. The Federal Government is taking an active part in abatement of water pollution both from the standpoint of meeting its responsibilities as they relate to this basic jurisdiction, but also from the standpoint of serving as a gatherer and disseminator of information of what is being done in the area of water pollution abatement by the States and local communities and by the private persons and businesses.

However, the recent bills before the Congress on Federal aid to assist the States and local communities in combating water pollution would have the Federal Government directly help to finance sewage disposal plants and other facilities which many of us believe are more efficiently financed by the local governments.

Just what happens to the citizens of the State of Illinois who have moved forward to assume their responsibilities if the Federal Government steps in and provides moneys taken from Illinois citizens as well as other citizens to meet the problems of Missouri? Is that the way to encourage States and communities in the future to face up to the problems they are best suited to meet? I hardly think so.

The issue should be determined, not by whether Federal funds can help the laggards, but by whether the Federal Government is better suited to handle the problems than the State or local government.

Incidentally, I have a bill I introduced to help in the water pollution problem which I believe would help more than 10 times the amount of money proposed be spent directly by the Federal Government in this area. My bill simply provides that business may amortize more rapidly for Federal income tax purposes the cost of building sewage treatment plants to properly care for industrial and other wastes which pollute the streams. There is no question that there is a great cost involved in building these disposal plants and more businesses could and would build them if they had a more adequate way of financing them. My bill would provide a practical answer.

The point I am making however relates not to the merits of my proposal or the Illinois program as set forth in the Post-Dispatch editorial, but rather to the question of whether our society meets social needs and problems and how do we most efficiently meet these needs.

May I now discuss the issue of Federal aid to education, whether it be school construction or teachers salaries or what, to get across a few points? Most Americans are of the opinion that education advances more surely and steadily in both quantity and quality by maintaining control of educational matters at the local level. Even those who have been advocating massive Federal expenditures to education give lipservice to this doctrine. The arguments for Federal aid to education have been placed on the basis of the alleged inability of the communities to cope with the social needs for more and better education.

In 1956 I voted for Federal aid for school construction, rather reluctantly I might add. Let me tell you why I did. I felt we had an emergency situation which had been produced by four rather unexpected and unusual developments: (1) During World War II we had built practically no new schools, so we hadn't even kept pace with the normal population increase through births; (2) we had a phenomenal baby crop during World War II. The birth rate has remained high to the near present although quite recently it seems to be tapering off; (3) we experienced the rapid suburbanization which has been going on all over the country since World War II. Children moved out of interiors of cities and from rural areas into the suburbs so many school classrooms in existence were abandoned or not fully used; (4) we experienced a severe inflation which devalued the dollar.

The impact of heavy inflation on the real estate tax system was extremely damaging to education. The real estate tax system, of course, is the basic tax system for raising revenues for schools and local communities. The dollar expenditures in the budgets of the school districts rose with inflation, therefore it became necessary to increase real estate tax revenues to make up for this increase. Real estate taxation is based upon a system of real estate assessment which in almost all communities is a continuing process without any built-in provisions for reevaluation to reflect any fluctuation of the value of the dollar. Residences and buildings erected before 1946 had been appraised in terms of the pre-1946 value of the dollar. Residences and buildings erected after 1946 were appraised in terms of the inflated dollar. Any increase in the rate of real estate taxes therefore bore more heavily on the newer properties which already were being taxed inequitably because of the different dollar value with which they originally were appraised. Furthermore, the newer residences, by and large, were owned by the younger families who already were bearing the heavy cost of raising children and the heavy initial cost of starting a household. Increasing tax rates was a very difficult burden on the "little people" whom all politicians love.

There was only one real fair answer to the situation and this was a difficult job both mechanically and politically. The answer was to reevaluate all the real estate on the assessment books in terms of the new dollar. Many communities faced up to this difficult task and are now over the hump as far as this problem is concerned. Many communities have still failed to face up to the task and they are still experiencing difficulties.

I felt the Federal Government through its fiscal policies was largely responsible for some of the difficulty the local communities and school boards were experiencing right after the war. I felt that the danger to local control of our schools by the Federal Government assisting in meeting the emergency situation by providing funds for school construction until the communities could make the necessary adjustments was minimal if it were, by definition, temporarily tied to the emergency. Education to me is always an emergency. Kids are kids such a short time and temporizing with the problems of their education leaves us with untrained adults or possible juvenile delinquents which is real waste.

I was shocked to find some of the most stalwart supporters of Federal aid to education who claim they are not interested in getting the Federal Government into education on a permanent basis resisting the two amendments offered by those who went along with the emergency theory to be certain that it was temporary and did relate to an emergency. These amendments were: (1) To base the allocation of Federal money upon need rather than upon per capita student population; (2) to require matching funds on the part of the State and local governments. I can only conclude from the actions of these federalists that they sought to use the emergency as a device to get the Federal Government further into the field of education on a permanent basis. Why won't they argue their case openly? There is plenty of fair argument, although I disagree with it, that can be advanced in behalf of the Federal Government moving further into the field of education permanently. Let's start debating the issue.

Let me pose another problem that has created difficulties for some communities in meeting their educational and other problems. Many of our new residential suburbs have become what have been called bedroom communities. These communities failed to zone their municipality to permit industry, business, and sometimes even commerce and professions to enter. The result is that the entire tax base is the real estate tax on family residences. It requires a very wealthy community to finance education and community facilities on such a narrow tax base. Many communities have zoned themselves with a great deal more intelligence. Let me illustrate by a local community in St. Louis County almost nonexistent 10 years ago, now having a population of over 10,000, almost all in the medium-income brackets. The village of Crestwood. Crestwood zoned itself with great understanding and care. A passing visit to the community would make one think it was just another bedroom community, so well have they zoned their industrial and commercial areas. Yet Crestwood derives 75 percent of its revenue from the tax on its industries and commercial enterprises. Crestwood has little or no bonded indebtedness, and yet it has met its obligations for education and community facilities in a commendable fashion. Its residential tax rate is relatively low.

The pressures on the Congress to assist local communities and school districts largely come from those communities and districts which have failed to reset up their real estate tax systems to correct for the damage of the World War II inflation, which have failed to zone or rezone with care and intelligence, which have failed to consolidate

with other districts or communities when they are in their very nature too small a base upon which to operate community facilities.

I pose this question. Just what effect does Federal aid to these grasshopper communities have on the ants \* \* \* those who have faced up to their problems and responsibilities? Under the Federal tax system the ants who have already paid for their own facilities will have to assist in paying for the grasshoppers who have not paid and yet still have it in their power to pay.

I appreciate the argument of the federalists who state that there are certain communities that do not have the ability to pay even if these corrections were made. For years I have been challenging that statement as it referred to alleged poor States, particularly States in the South. I have examined into the tax base and the industry of these States and I don't believe a case can be made for any one of them. They all have it within their abilities to meet their problems if they desire to do so. However, a real case can be made for equalization within a State, and I believe all States have equalization laws. The need for equalization laws, particularly for education at the State level, is rarely disputed anymore. Yet, here is where a great deal of improvement is needed to meet the problems of certain communities and certain areas within a State in our dynamic economy. There is a basic inability of certain areas to meet the costs of modern education and up-to-date sewage facilities, among other things. The Ozark areas of Missouri is an example. But Missouri with the metropolitan complexes of Kansas City and St. Louis is certainly in a position to handle the job.

Due to the racial problem we have many other areas where proper zoning has been thwarted. The communities where the problems exist are experiencing real difficulty in providing the facilities needed to meet the desired high standards. However, this is not really a cost problem. It is a difficult social problem and though some people may regard it as too difficult to handle, it still must be handled. Certainly, to pass it off as a cost problem, as we have done in many of our Federal housing problems, tends to aggravate rather than to relieve the problem.

The federalists argue that the States cannot meet these problems because of a built-in error in their political structure. They point to the unequal representation of urban areas vis-a-vis rural areas in the State legislatures. There certainly is this unequal representation, but an analysis of the development of America or any industrial society would reveal why this is so at any given point of time, and will continue to do so, unless our society stabilizes. America started out 90 percent rural. Today it is only 20 percent rural. Political institutions reflect what was, not what is, and we are always catching up with what is. I don't find it alarming to find representation on the basis of what was 20 years ago if I can be fairly certain that it will be modified although I, too, may become impatient with its slowness. Our entire history shows that we do modify our political structure to reflect the switch in populations. I regard this argument, to a large extent, as an excuse on the part of the federalists as to why States should not deal with the problems right at hand. Furthermore, reapportionment within the State so that representation catches up with population changes and shifts is fully within the power of the people including the federalists who are people of the State to implement. States are constantly facing up to this problem and meeting it. I know of no States except our very newest which have not had reapportionment laws in their histories.

Let me revert to the problem of education to make another point. A great deal of the problems of the increased costs in

education regrettably reflect the basic human resistance to change on the part of those who are in control of the institution which needs to grow. The NEA which has become a great lobby group for Federal aid to teachers salaries has to a large degree been responsible for the inability of communities to increase teachers' salaries as much as we all would like to see. First, the State components that go to make up the NEA have a stronghold, a stranglehold in some States like Missouri, on the teaching profession at the primary and secondary school levels. College graduates cannot become teachers by passing examinations or meeting other reasonable standards; they can only become teachers if they go to State-run teachers colleges.

The graduates of some of our finest private schools find it difficult, if not impossible, to become primary or secondary teachers in Missouri's public schools. This downgrades quality and productivity in the teaching profession itself. The Teachers Union has been resisting for years the innovation of teachers aids. By utilizing persons with lesser skills for the routine type work connected with teaching, we could increase teacher productivity greatly and increase salaries within the present budgets for the competent teachers in the process. The innovation of educational TV, which many top educators have hailed as being as great a revolution in teaching as the innovation of movable type was in the beginning of the 14th century, has also been resisted. I have heard professors, as well as secondary and primary teachers, present their objections to educational TV this way: "Does anyone believe that TV and visual aid can replace the lecture and the book?" This is a false presentation. The printed book did not replace the lecture, but it certainly provided such an amazing supplement that it is difficult for us today to realize that the first academy had no books and was all lecture. So it is with educational TV. It will not replace books, or lectures, but it certainly will nobly supplement them. Through educational TV all our students all over the country can hear the best lectures of our brilliant teachers, not just a limited few, even after the teachers have died. Just imagine the increased productivity in the teaching profession from the development of this new and amazing teaching mechanism and skill. I dwell on increased productivity because through increased productivity we can increase not only our quality of education but also the salaries of our teachers without the need to increase the budget.

There is another area of basic reform and progress which would permit us to upgrade education, both to increase its quality, extend it quantitatively, and lessen its cost. Presently we use our school plants and overhead only 9 months out of 12 months each year. The reason for this obvious uneconomic situation has its origin in another more basic social need which existed in the

past, though it no longer exists today. We needed our children in agriculture enterprise 3 summer months each year.

Today we are no longer an agricultural society and there is no longer any reason for operating our schools in such an inefficient manner. I hasten to state that I am not talking about extending the school year for teacher and pupil from 9 months to 12. Perhaps for good educational reasons we may wish to keep the 3 months leisure for the individual pupil and teacher. However, Dartmouth College has gone away from the traditional two 4½-month semesters to the three 3-month trimester in order to lay the groundwork for four 3-month quarters each year. So our primary and secondary schools can easily do the same. We might have to air-condition our school buildings in order to utilize the summer months, but we would have more than enough immediate savings, let alone future savings, from this kind of efficiency to take care of these costs. Right off the bat we would have an easing of need for new classrooms. We would also have additional funds with which to pay teachers and increase their salaries.

By delving in deeply into one of the areas where there are great pressures today for State and local governments to look to Washington for help, I have tried to point up my main thesis. Do they need help from Washington? Is the real help they need right at hand in analyzing and facing up to the problems that confront them? Have other communities faced the same problems and met them? I believe we must answer these questions first before there should be any looking to Washington for help.

On the other hand, there may be areas where the Federal Government should be doing a job. Let's look into this briefly. I believe the Federal Government has a big job to do in education which, by the way, it is doing to some degree. A failure of the Federal Government to do its job may indeed put the communities in a position not to ask for help; but rather, to raise Cain because the Federal Government is not meeting its responsibilities. I think the Federal Government must be a gatherer of information and a disseminator of information about what is going on in education. In other words, if a local school board is thinking about an educational innovation and wonders whether it has been tried any place before and, if so, with what success or with what failure, the Federal Government should be able to supply the answer. I believe the Federal Government has a big job today, which it has hardly touched, of developing nomenclature for the skills that exist and are needed in our society and relating those skills to whatever training or educational processes there may be for creating and improving these skills.

This is a continuing process and it is more difficult the more rapidly our society is advancing technologically. New skills come in,

old skills become obsolete and of no social value. It is in this area that we should grapple with what is referred to as distressed areas. These areas are almost invariably areas where frictional or technological unemployment has hit a basic industry of the area. The greatest area of frictional unemployment today is our rural areas where the amazing technological advancement in agriculture has occurred so rapidly that millions of people who used to be able to depend upon their agricultural skills for a livelihood find that these skills have become obsolete and unneeded. One man and 1 acre can provide the food and fiber that five men and 5 acres formerly could provide. This continuing social problem could be handled admirably by tying it to our excellent Federal-State unemployment insurance system. We must relate frictional unemployment to retraining, rehabilitation, and education and treat it as an essential economic cost of doing business.

Whenever I try to tackle this subject I feel frustrated. I have spent most of my time defining what I believe are the real issues and exposing those which I believe to be false issues. In this process I end up finding I have had little time to debate that which I would love to debate. At which level of government do we best handle these various social problems we have placed in the public sector of our economy? This kind of debate can only come about when we have eliminated the stagnation which today exists in public discussion. This stagnation arises when one school of thought alleges that only that school is interested in meeting the social problems of the day and those who are in disagreement with the proposed solutions are thereby uninterested in the problems or are so blind or calloused that they are unaware of the problems. I would also call for a cessation of the kind of discussion which emanates from the other extreme group which dubs any suggestion of the Federal Government doing this or that as "socialism." I must confess that my sympathies are much more with those who utter the cry "socialism," because this term at least has a dictionary definition which we can refer to for intelligent debate and accurate rebuttal. And, indeed, a further expansion of the Federal Government can rightly be called socialistic, however, not with the nasty overtone that the user of the word frequently seeks to impart.

May we start discussing the questions of the part the Federal Government is playing, should play, or might play in various areas of the public domain from the standpoint of efficiency in getting the job done with proper regard for retaining the necessary posture to meet the continuing aspects which most social problems present. May the day soon come when we can begin this type of adult discussion. Too long have we been in the never-never land of TV westerns, the good guys against the bad guys.

## SENATE

THURSDAY, MARCH 2, 1961

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

Rev. William H. Moss, National Chaplain of the American Legion, and pastor of the First Methodist Church, Pulaski, Tenn., offered the following prayer:

We thank Thee, our Father, for the love of country born in the hearts of our statesmen and our veterans. We thank Thee that this is not a selfish love, but is the outgrowth of the ideals for

which our country stands: justice, freedom, and democracy.

We know, O God, that in this historic Chamber, as well as on the battlefields, patriots have fought to preserve our liberties. We are aware that the Senators here today are waging a struggle for the minds and hearts of men against a relentless foe. Give them, dear Lord, the strength, the wisdom, and the sense of Thy presence, that they may never waver from the ultimate goal of freedom from want and fear for all peoples everywhere, without which there can be no lasting peace.

We ask this in Thy holy name. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 28, 1961, was dispensed with.

## MESSAGES FROM THE PRESIDENT

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

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its