

industry which can compete and those which cannot. Relief under it is on an all-or-nothing basis. But with trade-adjustment aid available, the Tariff Commission, which now rules on requests for relief under the escape clause, would do so with the knowledge that help of a nonprotectionist nature could also be given. In addition, my bill would permit the President to limit addi-

tional tariff or quota protection recommended by the Tariff Commission to 7 years, during which time it could be reduced gradually.

There is growing bipartisan support for this approach in both Houses, along with a growing recognition that the President must play a more active role in this special area if we are to remove the major threat

to the continuation of the broad trade policies this country has followed so successfully for nearly a generation. Such legislation may be highly complex and it may be highly controversial. But it is urgently needed to head off a really damaging struggle over present U.S. trade policy. It is vital to continue that policy both for the national interest and for peace.

## SENATE

MONDAY, MAY 22, 1961

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

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

God of all mercies, as the pressing demands of another week summon Thy servants here to high endeavor, we would pause for the sound of the trumpets in the morning—trumpets of faith and of hope.

In this national forum, with all its divergent human interests, we would rear an altar where a constant sense of eternal values may save us from spiritual decay, from moral cowardice, and from any betrayal of the highest public good. Only when our outlook is cleansed and corrected by constant communion with Thee, and by the far horizons of the heavenly vision, can we see the transient in the light of the everlasting.

And so, like tillers of the soil who stand reverently with bowed heads, listening to the music of holy bells, we too would be strengthened with might in the inner man as each new day our ears wait for the sweet chimes of Thy approval. Send us forth to meet an agitated world with a tranquillity that is strength, and an inner integrity which is the courage of the soul.

In the dear Redeemer's name we ask it. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 19, 1961, was dispensed with.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On May 16, 1961:

S. 1372. An act to authorize the temporary release and reapportionment of pooled acreage allotments.

On May 19, 1961:

S. 912. An act to provide for the appointment of additional circuit and district judges, and for other purposes.

### MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its

reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H.R. 5571. An act to provide for the addition or additions of certain lands to the Effigy Mounds National Monument in the State of Iowa, and for other purposes;

H.R. 6100. An act to amend title VI of the Merchant Marine Act, 1936, to authorize the payment of operating-differential subsidy for cruises; and

S.J. Res. 89. Joint resolution to amend section 217 of the National Housing Act to provide an interim increase in the authorization for insurance of mortgages by the Federal Housing Administration.

### REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the District of Columbia:

*To the Congress of the United States:*

In accordance with the provisions of section 5(a) of Public Law 307, 73d Congress, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1960.

JOHN F. KENNEDY.

THE WHITE HOUSE, May 22, 1961.

### CALL OF THE CALENDAR DISPENSED WITH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

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

### LIMITATION OF DEBATE DURING MORNING HOUR

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

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

### EXECUTIVE COMMUNICATIONS, ETC.

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

#### PLANS FOR WORKS OF IMPROVEMENT UNDER WATERSHED PROTECTION AND FLOOD PREVENTION ACT

A letter from the Acting Director, Bureau of the Budget, Executive Office of the Presi-

dent, transmitting, pursuant to law, plans for works of improvement under the Watershed Protection and Flood Prevention Act, in the following watersheds: Crowabout Creek, Powell Creek, Ala.; Grady-Gould, Ark.; Napa River, Calif.; Hog River-Pig Creek, Ill.; Beasha Creek, Miss.; Panther Creek Mo.; Halkey Creek, Okla.; Cane Creek, Tenn.; Blue Creek-Howell, Utah, and Polk Creek, Saltlick Creek W. Va. (with accompanying papers); to the Committee on Agriculture and Forestry.

#### REPORT OF OVEROBLIGATION OF AN APPROPRIATION

A letter from the Administrator, General Services Administration, Washington, D.C., reporting, pursuant to law, on the overobligation which occurred early in calendar year 1960 under the appropriation "Construction, Public Buildings Projects"; to the Committee on Appropriations.

#### LAWS ENACTED BY LEGISLATURE OF GUAM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Fifth Guam Legislature, 1960 (with accompanying papers); to the Committee on Interior and Insular Affairs.

#### PLANS FOR WORKS OF IMPROVEMENT UNDER WATERSHED PROTECTION AND FLOOD PREVENTION ACT

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement under the Watershed Protection and Flood Prevention Act, in the following watersheds: Magma, Ariz.; Muddy Fork of Illinois River, Ark.; Bull Creek, Ga.; Seven Mile Creek, Ill.; Fall River, Kans.; Bayou Rapides, La.; and Camp Rice Arroyo, Lower Plum Creek, Tex. (with accompanying papers); to the Committee on Public Works.

### PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Banking and Currency:

"SENATE JOINT RESOLUTION 29

"Joint resolution relative to the loan deadline of the Small Business Investment Act of 1958

"Whereas the Small Business Investment Act of 1958 presently provides for no loans to be made to local development companies after June 30, 1961; and

"Whereas local development companies perform a highly significant function in aiding systematic and planned urbanization and prevention of the blight of our fair cities brought on by haphazard development; and

"Whereas there has been introduced a bill in the Senate of the United States, namely S. 902, 87th Congress, 1st session, to eliminate the time restriction after which no loans may be made to local development companies; and

"Whereas, this bill is worthy of support and passage by the Congress of the United States; and

"Whereas without the strong Federal participation and aid to local development companies provided by the Small Business Investment Act of 1958, many community development projects would fall to be initiated: Now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California (jointly),* That the Legislature of the State of California respectfully memorializes the President and the Congress to eliminate the time limitation on loans that may be made to local development companies in order that such companies' significant contribution to the public good may be continued to its fullest extent; and be it further

*"Resolved,* That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Senate of the State of California; to the Committee on Interior and Insular Affairs:

**"SENATE RESOLUTION 119**

**"Resolution relative to East Side Division of Central Valley Project**

"Whereas the U.S. Department of the Interior, Bureau of Reclamation, is preparing a feasibility report for the East Side Division of the Central Valley project; and

"Whereas the east side division is a staged plan which will be comprised principally of the Auburn Dam unit, the Folsom South unit, and the East Side Canal, with auxiliary reservoirs; and

"Whereas the Auburn Dam and the Folsom South units need recommendations by the Department of Water Resources, State of California, to the U.S. Department of the Interior in order to hasten congressional appropriations for these vital units; and

"Whereas the Auburn Dam unit is designed with a reservoir capacity of 1 million acre-feet to produce an additional 265,000 acre-feet for irrigation, municipal and industrial purposes, and would provide additional flood control for the Sacramento area; and

"Whereas the Folsom South unit would convey 852,000 acre-feet of irrigation, municipal and industrial water from Lake Natoma (Nimbus Dam) on the American River to a service area of about one-half million acres in Sacramento and San Joaquin Counties, thus halting an existing overdraft of ground water, making available a firm water supply for lands presently unirrigated, reducing the threat of underground saline water intrusion, and providing supplemental municipal and industrial water for the city of Stockton and other local or bay areas; and

"Whereas the east side system will average a delivery capacity of about 5,500 cubic feet per second and will be able to initially deliver a water supply of about 1,500,000 acre-feet into Madera, Fresno, Kings, Tulare, San Joaquin, Stanislaus, Merced, and Kern County areas with a minimum of new facilities; and

"Whereas the utilization of existing project facilities and the use of off-stream storage reservoirs to maximize use of canal capacity that is available in nonpeak irrigation months will make possible this tremendous water conveyance with a minimum of additional capital investment; and

"Whereas the preliminary estimates of costs for the combined pumping, conveyance and off-channel storage system, which includes new works in Sacramento, San Joaquin, Calaveras, Tuolumne, Stanislaus, Merced, Madera, Fresno, Tulare, and Kern Counties, approach \$500 million; and

"Whereas the sum total of the benefits of the East Side Division of the Central Valley project will increase agricultural, industrial, and municipal progress and prosperity

throughout the great Central Valley, in particular, and throughout the State of California, in general: Now, therefore, be it

*"Resolved by the Senate of the State of California,* That the Senate of the State of California urges the department of water resources to initiate its study and recommendations for the East Side Division of the Central Valley project and to forward its recommendations to the U.S. Department of the Interior; and be it further

*"Resolved,* That the Senate of the State of California desires and encourages the full cooperation between agencies of the State of California and the United States of America for the rapid completion of the East Side Division of the Central Valley project; and be it further

*"Resolved,* That the Senate of the State of California urges the California delegation in the Congress to support such appropriations as may be requested by the U.S. Department of the Interior, Bureau of Reclamation, for the Auburn Dam unit, the Folsom South unit, and the East Side Canal construction works; and be it further

*"Resolved,* That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

"J. A. BEEK,

*"Secretary of the Senate."*

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Foreign Relations:

**"HOUSE CONCURRENT RESOLUTION 63**

"Whereas the Congress of the United States authorized the establishment of a Center for Cultural and Technical Interchange between East and West in Hawaii on May 14, 1960, and appropriated funds under Public Law 86-678 on August 31, 1960, to carry out the purposes of this authorization and a contract was negotiated between the Department of State and the University of Hawaii on October 25, 1960, to implement this act; and

"Whereas the Center for Cultural and Technical Interchange between East and West in Hawaii has excited great interest in Asia and the Pacific; and

"Whereas the purposes and programs of the Center for Cultural and Technical Interchange between East and West in Hawaii are being duly implemented by the University of Hawaii in accord with the original authorization and contract with the Department of State; and

"Whereas the State of Hawaii has met and will continue to meet its obligations in giving the Center for Cultural and Technical Interchange between East and West in Hawaii its wholehearted support; Now, therefore, be it

*"Resolved by the House of Representatives of the First State Legislature of the State of Hawaii, general session of 1961 (the senate concurring),* That the people of Hawaii earnestly and respectfully request the Congress of the United States to continue its support of this program so that the purposes and ideals which it represents may be achieved; and be it further

*"Resolved,* That copies of this concurrent resolution be sent to the Honorable Lyndon B. Johnson, Vice President of the United States; the Honorable Sam Rayburn, Speaker of the House of Representatives; the Honorable John J. Rooney, chairman of the Subcommittee on Appropriations for State; the Honorable Dean Rusk, Secretary of State; the Honorable Philip Hall Coombs, Assistant Secretary for Educational and Cultural Affairs, Department of State; the Honorable Hiram L. Fong, the Honorable Oren E. Long, and the Honorable Daniel K. Inouye, Senators and Congressman, respectively, from Hawaii."

A joint resolution of the Legislature of American Samoa; to the Committee on Interior and Insular Affairs:

**"SENATE JOINT RESOLUTION 1**

"Joint resolution requesting the Congress of the United States to grant for American Samoa the sum of \$2,298,000 to improve its water system

"Whereas American Samoa should exercise leadership in the use of modern sanitation methods in the South Pacific Islands; and

"Whereas existing facilities along the shores of Pago Pago Harbor and in outlying villages are dangerous to health and unsightly in the eyes of the tourists; and

"Whereas this disgraceful situation discourages those tourists who may wish to see the natural, world renowned beauty of Pago Pago Harbor and other areas of American Samoa; and

"Whereas family units in American Samoa are unable to use normally accepted, modern sanitary facilities in the construction of their homes because of an inadequate reservoir or other usable water supply systems: Now, therefore, be it

*"Resolved by the Seventh Legislature of American Samoa,* That the Congress of the United States be, and it is hereby respectfully requested to grant for American Samoa the sum of \$2,298,000 beginning with fiscal year 1963 to fiscal year 1973 in order to undertake a sound, comprehensive program for the construction of greatly needed water and sanitation facilities; and be it further

*"Resolved,* That certified copies of this joint resolution be forwarded to the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and the chairmen of the Committees on Interior and Insular Affairs of both Houses of the U.S. Congress.

"RAPI SOTOA,

*"President of the Senate.*

"MUAGUTUITA F. TUIA,

*"Speaker, House of Representatives."*

A resolution adopted by the Board of Supervisors of the County and State of Hawaii, favoring the enactment of legislation to provide funds for public school construction and teachers' salaries; ordered to lie on the table.

**RESOLUTION OF NEW YORK BOARD OF TRADE**

Mr. KEATING. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a copy of a resolution which I have received from the New York Board of Trade, Inc. urging congressional action to expand and improve export credit guarantees for American exporters.

Having long been interested in this subject and believing, as I do, that export expansion is the most logical and direct way to deal with our balance of payments situation, I feel this resolution is of real importance.

I urge its careful study by the appropriate committees.

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

**RESOLUTION BY NEW YORK BOARD OF TRADE, INC.**

Whereas believing that, with mounting competition making deeper inroads into traditional markets for U.S. products and services and with our current balance of payments deficit, there is a continuing urgent need for a program which will contribute to the expansion of U.S.

exports on a sound basis, and that there is also a need to modernize and adapt American export credit equipment to prevailing world market conditions by providing U.S. exporters with facilities which they do not now possess, but which are in effective use by all other principal trading nations, and

Whereas having duly considered a proposal prepared by the National Coordinating Committee for Export Credit Guarantees, providing for the creation of a federally chartered American Export Credit Guarantee Corp. for the furnishing of such facilities, with government support as therein provided: Now, therefore, be it

*Resolved*, That the New York Board of Trade, Inc., urge the Congress of the United States to enact legislation establishing a national system for issuance of export credit guarantees insuring American exporters of goods and services against loss due to:

1. Political risks, including restriction on the transfer of payments from the buyer's country to the United States; war, revolution and expropriation in the debtor's country; and other governmental action which is beyond the control of the exporter or the foreign buyer;

2. Commercial credit risks, including insolvency and protracted default of the buyer, his failure or refusal to accept goods, and any other loss (other than a political risk loss) not normally insurable with insurers covering other than export credit risk; and be it further

*Resolved*, That the New York Board of Trade, Inc., favors the export credit guarantee plan prepared by the National Coordinating Committee for Export Credit Guarantees substantially in the form presented to this board providing for the creation of a federally chartered American Export Credits Guarantee Corp. and for the support thereof by the U.S. Government in the manner and to the extent provided in the Committee's plan; and be it further

*Resolved*, That copies of this resolution be sent to the Secretary of State, U.S. Department of State; the Secretary of the Treasury, U.S. Treasury; the Secretary of Commerce, U.S. Department of Commerce; the Secretary of Agriculture, U.S. Department of Agriculture; the Secretary of Labor, U.S. Department of Labor; the Director of the International Cooperation Administration; the Board of Governors of the Federal Reserve System; the President and Directors of the Export-Import Bank of Washington.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

S. 1229. A bill to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes (Rept. No. 283).

#### ESTABLISHMENT OF A COMMISSION ON PROBLEMS OF SMALL TOWNS AND RURAL COUNTIES—REPORT OF A COMMITTEE (S. REPT. NO. 282)

Mr. MUNDT. Mr. President, by direction of the Committee on Government Operations, I report favorably, without amendment, the bill (S. 1869) to provide for the establishment of a Commission on Problems of Small Towns and Rural Counties, and I submit a report thereon.

Mr. President, coincident with these remarks, I am filing a report from the Committee on Government Operations of the Senate on S. 1869, a bill to provide for the establishment of a Commission on the Problems of Small Towns and Rural Counties. My able colleague from South Dakota [Mr. CASE] is a co-sponsor of this bill.

I should point out, Mr. President, that an almost identical bill (S. 3140) was favorably reported in the 86th Congress by the Committee on Government Operations and was approved by the Senate.

One of the deficiencies confronting our small towns and rural areas—at which this bill is directed—is that they do not have economic resources and research facilities to initiate constructive studies on common problems confronting these areas, the factors leading to such problems, and what steps communities can take or are taking to overcome these difficulties.

Through this proposed legislation, it is my hope that a comprehensive study can be made so that we can learn what are the needs and problems of these areas and thereby develop recommendations which can be helpful in fostering continued growth and success of these areas which have contributed so much to the strength of our country.

Mr. President, when the bill was considered last year, much support was demonstrated by various groups and organizations throughout the country. Since many of the statements expressing favor with this proposed legislation were made a part of the RECORD at the time the bill was favorably reported last year, I do not feel it is necessary to review these endorsements other than to invite attention to the fact that they appear in the CONGRESSIONAL RECORD, volume 106, part 8, pages 10647-10649.

Mr. President, it is my earnest hope that early action will be taken on this measure, and I am confident that the Senate will reaffirm its position by approving the bill as it did during the 86th Congress.

Mr. President, I request that an excerpt from the report of the Committee on Government Operations be made a part of the RECORD at this point.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the excerpt from the report will be printed in the RECORD, at this point.

The excerpt from the report submitted by Mr. MUNDT is as follows:

#### EXCERPT FROM REPORT PURPOSE

S. 1869 provides for the establishment of a Commission on Problems of Small Towns and rural counties. This bipartisan Commission shall be composed of 20 members.

In the 86th Congress, an identical bill, S. 3140, was favorably reported by the Government Operations Committee of the Senate (S. Rept. 1392) and the legislation was approved by the Senate.

Under the provisions of the bill, this Commission shall make a full and complete investigation and study of Federal policies and programs relating to the needs and problems of the Nation's small town and rural county areas. It shall study such

problems as the needs, present and future, related to highways, public services, water resources, schools, recreation, financing, law enforcement, and business and industrial development.

The Commission shall attempt to determine the capabilities of State, county, and local governments to meet such needs and seek means of improving coordination of Federal, State, county, and local policies. It shall investigate the possibilities of Federal Government encouraging wider dispersal of Government procurement operations and in the location of Federal facilities, as well as other matters which may be of assistance in solving the various problems of, and promoting the social and economic well-being of, the Nation's small town and rural county areas.

The Commission shall report to the President and the Congress on or before February 1, 1963 its findings and recommendations; and the Commission may also make such interim reports as the President may request or as the Commission deems appropriate.

#### BACKGROUND INFORMATION

The small towns and rural counties of America have made significant and lasting contributions to the development of our way of life. The complex of rural counties and small towns, which is a unique form of community living not found in other parts of the world, is highly desirable and essential and should be continued.

These small communities provide for wholesome family life. They give opportunities for spiritual development as well as adequate economic, social, and political balance to our country.

The survival and economic well-being of rural towns and counties have been threatened by the technical and industrial development of our country. This development has brought changes in transportation facilities and patterns of economic activity which have resulted in shifts in population as well as other modern phenomena, creating challenges and problems with which small towns and rural counties are unable to cope, primarily because of lack of research facilities or economic means to instigate studies into the exact causes and cares of their problems.

In the past, many Commissions have been created or proposed to study the problems involved in big government; the problems of our metropolitan areas; farm problems; labor problems; educational problems; and other social and economic problems.

There is no agency in Government responsible for handling problems of small towns. No Cabinet member is charged with the task of assembling data about our rural counties and small towns. No research department, no commission, no committee in Congress, has been directed to find solutions to the hardship posed by the economic or social problems threatening the existence of small towns.

#### ENDORSEMENT OF LEGISLATION

In the 86th Congress, an identical bill was endorsed by a number of nongovernment groups which are concerned with rural problems and the problems of small towns. Those who have indicated their support are: The American Municipal Association; National Association of County Officials; the Lutheran Church Missouri Synod; American Baptist Home Mission Societies; Methodist Rural Fellowship; Southern Baptist Convention; the National Catholic Rural Life Conference; and the Colorado Baptist General Convention.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself and Mr. METCALF):

S. 1925. A bill to provide that certain lands shall be held in trust for the Assiniboine Tribe and the Sioux Tribe of the Fort Peck Reservation in Montana and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. ENGLE (for himself and Mr. KUCHEL):

S. 1926. A bill to add certain federally owned land to the Lassen Volcanic National Park, in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. ELLENDER (by request):

S. 1927. A bill to amend further the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. LONG of Hawaii:

S. 1928. A bill for the relief of Mrs. Lee Chee Shee (Mrs. Lee Buck Yau); and

S. 1929. A bill for the relief of Mrs. Goo Mau Yet Kuei (Mrs. Goo Choy); to the Committee on the Judiciary.

By Mr. CARLSON:

S. 1930. A bill to provide for the issuance of a special postage stamp in honor of Edmund G. Ross, a courageous United States Senator from Kansas; to the Committee on Post Office and Civil Service.

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

By Mr. MAGNUSON (by request):

S. 1931. A bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance; and

S. 1932. A bill to amend the Act of October 9, 1940 (54 Stat. 1030, 1039) in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. JOHNSTON:

S. 1933. A bill to amend section 322 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 1934. A bill for the relief of Mrs. Chow Chul Ha; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 1935. A bill for the relief of Andrew Furesz; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 1936. A bill to simplify the admeasurement of small vessels; to the Committee on Commerce.

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

By Mr. SMITH of Massachusetts:

S. 1937. A bill for the relief of Michele Emilio Maffeo; to the Committee on the Judiciary.

S. 1938. A bill authorizing a survey to be made of Eel Pond at Menauhant, Mass.; to the Committee on Public Works.

By Mr. GOLDWATER (for himself and Mr. HAYDEN):

S.J. Res. 92. Joint resolution authorizing the State of Arizona to place in the Statuary

Hall collection at the U.S. Capitol the statue of Eusebio Francisco Kino; to the Committee on Rules and Administration.

#### CERTAIN LANDS TO BE HELD IN TRUST FOR INDIAN TRIBES OF FORT PECK RESERVATION, MONT.

Mr. MANSFIELD. Mr. President, on behalf of my distinguished junior colleague from Montana [Mr. METCALF] and myself, I introduce, for appropriate reference, a bill which proposes to transfer in trust 85,338 acres of submarginal land on the Fort Peck Reservation in Montana to the Fort Peck Indian tribes, and for other purposes.

The proposed legislation has the support of all the local interests, including the tribal officials, and it brings to a conclusion many years of controversy over the proper disposition of these lands. I hope that the Department of the Interior will be able to cooperate in this matter and submit a report on the proposal at an early date.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the text of the bill and documents I have received which indicate local support for this proposed compromise legislation.

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

The bill (S. 1925) to provide that certain lands shall be held in trust for the Assiniboine Tribe and the Sioux Tribe of the Fort Peck Reservation in Montana, and for other purposes, introduced by Mr. MANSFIELD (for himself and Mr. METCALF), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the rights, title, and interest of the United States in the lands, and the improvements thereon, in the submarginal land project identified as "Fort Peck, LI-MT-6", containing approximately 85,338 acres on the Fort Peck Reservation in Montana, acquired by the United States under title II of the National Industrial Recovery Act, of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and section 55 of the Act of August 24, 1935 (49 Stat. 750, 781), and now under the jurisdiction of the Department of the Interior for administration for the use and benefit of the Assiniboine Tribe and the Sioux Tribe of Fort Peck Reservation, Mont., are hereby declared to be held by the United States in trust for those Tribes in the same manner and to the same extent as other lands held in trust for those Tribes.

Sec. 2. Nothing in this Act shall deprive any person of any right of possession, contract right, interest, or title he may have in the land involved.

Sec. 3. Any receipts from leases or permits for minerals in the land identified in section 1 of this Act, received on or after the date of this Act, shall be handled pursuant to the rules applicable to other tribal property held in trust status. Any such receipts, received prior to the date of this Act, that are required by section 6 of the Act of August 7, 1947 (61 Stat. 913, 915), to be deposited in a special fund in the Treasury

pending final disposition thereof by Congress shall be disbursed as follows:

(a) Twenty-five per centum shall be paid to the county in which the land from which the mineral receipts were derived is located, for school and road purposes;

(b) Seventy-five per centum shall be deposited in the Treasury to the credit of the tribes with interest at 4 per centum per annum from the date of this Act until expended. One-half of the amount so deposited shall be used exclusively for industrial development on or near the reservation with a preferential right of employment for members of the tribes. The remaining one-half so deposited, less the amount required under section 6 of this Act, shall be used for the construction of low-cost rental housing on trust land owned by the tribes on the reservation for members of the tribes residing on or near the reservation on the date of this Act. Funds for industrial development and low-cost rental housing shall be expended in accordance with plans and programs and terms and conditions approved both by the executive board of the Fort Peck Reservation and the Secretary of the Interior.

Sec. 4. The Executive Board of the Fort Peck Reservation is hereby authorized and directed to sell, with the approval of the Secretary of the Interior, tribal land, exclusive of minerals, platted as town lots (1) within the original corporate limits and the first addition in and to the city of Wolf Point, (2) within the present corporate limits of the city of Poplar and the three areas contiguous to the present corporate limits of the city of Poplar identified as follows:

(a) That area bounded on the north by "C Street East"; on the west by "Boulevard Avenue"; on the south by "A Street East"; and on the east by "Second Avenue East";

(b) That area bounded on the north by "D Street East"; on the west by "Court Avenue"; on the south by "C Street East"; and on the east by "Second Avenue East"; and

(c) That area bounded on the north by "A Street East" on the west by "Block 35 Original Poplar"; on the south by "the Great Northern Railroad right-of-way"; and on the east by "Second Avenue East";

and (3) within the present corporate limits of the towns of Brockton and Frazer, Montana. The sale shall be by competitive bid for not less than the appraised fair market value, or by negotiated sale at not less than the appraised fair market value, with the consent of the Secretary of the Interior and the Executive Board, under such terms, conditions and regulations as the Secretary of the Interior may prescribe: *Provided*, (1) That there shall be no sale for speculative purposes; (2) that within 60 days after written request for sale the lots shall be offered for sale; (3) that the tribes shall not be subject to any charges or fees of any kind whatsoever by the United States; and (4) that the tribes shall be saved harmless from all expense resulting from requests for sales, from sales, or from incidental matters. The receipts from the sales shall be deposited in the Treasury to the credit of the tribes.

Sec. 5. The town lots which were occupied on May 1, 1961, by members of the Tribes, who on that date were the owners of the improvements on such lots, shall not be subject to sale under this Act without the consent of such members, the Executive Board and the Secretary of the Interior: *Provided*, That if any such members are minors or under other legal disability the Secretary of the Interior is authorized to act on their behalf for all purposes under this Act.

Any tribal member qualified under this section who owns such improvements located on more than one lot shall be required

on reasonable notice from the Executive Board to remove them to one of the lots on which they are located. Any tribal member qualified under this section may sell his improvements and retain the proceeds or, may remove his improvements except that they may not be removed to a town lot subject to sale under section 4 of this Act or to a lot occupied by another member of the Tribes. If the new location is on tribal land, outside of the lots subject to sale under section 4 of this Act, the consent of the Executive Board to the use of such tribal land shall be required. Nothing in this Act shall be construed to bar an Indian from purchasing any lot subject to sale under section 4 of this Act.

SEC. 6. The Executive Board, with the approval of the Secretary of the Interior, shall make available, not to exceed \$100,000, from the funds set aside for low-cost housing under section 3 of this Act, to pay the expenses, costs, losses and damages incurred by members of the Tribes qualified under section 5 of this Act, as a direct result of moving themselves, and their possessions, including without limitation, dwelling and other buildings owned by such individual members, to a new location on the reservation within three years from the date of this Act, where such move is on account of the provisions of section 5 of this Act.

SEC. 7. The Executive Board, with the approval of the Secretary of the Interior, is hereby authorized to enter into contracts with the City of Wolf Point, the City of Poplar and the towns of Brockton and Frazer for sewage, water, street, and street lighting, improvements and services, for the benefit of any lots covered by section 3 of this Act which are owned by the Tribes: *Provided*, That, in the judgment of the Executive Board and the Secretary of the Interior, sufficient lots are or can be sold to justify such contracts. Expenditures under such contracts shall be paid out of the receipts from the sale of the lots and shall be charged pro rata against those unsold lots owned by the Tribes receiving the direct benefits of such improvements and services.

The documents presented by Mr. MANSFIELD are as follows:

POPULAR, MONT., May 18, 1961.

Senator MIKE MANSFIELD:  
Washington, D.C.:

The tribal executive board unanimously endorsed the plan to transfer the submarginal land submitted in the proposed bill. On behalf of the tribe I urge that you introduce and prosecute the submarginal land bill.

WM. YOUSPEE,

Chairman, Tribal Executive Board.

CITY OF WOLF POINT,

Wolf Point, Mont., May 10, 1961.

HON. MIKE MANSFIELD,  
Senate Office Building,  
Washington, D.C.

HON. LEE METCALF,  
Senate Office Building,  
Washington, D.C.

HON. JAMES F. BATTIN,  
House Office Building,  
Washington, D.C.

HON. ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.

Re proposed bill to transfer submarginal land to the Fort Peck Indian Tribes, and to provide for sale of tribal lots in Wolf Point and disbursement of accrued funds.

GENTLEMEN: Attached please find a copy of the above proposed bill which has been approved by the civic groups and political bodies that we the undersigned represent. We endorse the bill as presently written and we urge its introduction and passage. We further state that if any amendments to the attached bill are made before or after intro-

duction, we withdraw our endorsement until we can rule on each and every amendment. The groups that we the undersigned represent have authorized us to endorse this proposed legislation by unanimous vote.

Respectfully submitted,

R. E. COFFEY,

Mayor.

S. V. NEDRUD,

President, Wolf Point Chamber of Commerce.

CARSTEN BECK,

Chairman, Board of County Commissioners, Roosevelt County, Mont.

C. A. HARMALA,

President, Wolf Point Lions Club.

#### ADDITION OF CERTAIN FEDERALLY OWNED LAND TO THE LASSEN VOLCANIC NATIONAL PARK, CALIF.

Mr. ENGLE. Mr. President, on behalf of my colleague the senior Senator from California [Mr. KUCHEL] and myself, I introduce, for appropriate reference, a bill to add certain federally owned land to the Lassen Volcanic National Park, in the State of California, and for other purposes.

The Department of the Interior requests enactment of this legislation. Its purposes are set forth in a letter to the President of the Senate from Assistant Secretary John A. Carver, Jr., and I ask unanimous consent that the text of the letter, along with a copy of the bill, be printed in the RECORD.

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

The bill (S. 1926) to add certain federally owned land to the Lassen Volcanic National Park, in the State of California, and for other purposes, introduced by Mr. ENGLE (for himself and Mr. KUCHEL), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following described lands of the Lassen National Forest are hereby excluded from the forest and added to the Lassen Volcanic National Park:

Lots 1, 2, and 3, south half northeast quarter, and southeast quarter northwest quarter section 4; west half southeast quarter and those parts of the south half northwest quarter and of the southwest quarter of section 11 lying east of Lost Creek; and section 19, township 31 north, range 4 east, Mount Diablo Meridian: *Provided*, That the aforesaid lands in section 19 are included within the national park subject to the right of the Secretary of Agriculture to construct and maintain a permanent road through such section in order to permit the use, protection, and administration of adjacent national forest lands and the removal of timber from the national forest.

The letter presented by Mr. Engle is as follows:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., April 12, 1961.

HON. LYNDON B. JOHNSON,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To add certain federally

owned land to the Lassen Volcanic National Park, in the State of California, and for other purposes."

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

This proposed legislation would result in adjustment of the boundaries between the Lassen Volcanic National Park and the Lassen National Forest so as to add approximately 1,040 acres of land to the park. Three separate parcels of land are involved in this transfer of administrative jurisdiction.

One of these tracts comprising about 240 acres, contains a loop of the Lassen Peak Road. The entire length of this road, which traverses much of the park between its south and west boundaries, lies within the park except the loop included in this proposed addition. Maintenance and administration of this portion of the road would be simplified through its inclusion in the park.

A tract of approximately 170 acres that lies to the east of Lost Creek would also be added to the park. This tract of forest land which is plainly visible from the Lassen Peak Road should be added to the park while it is in its presently uncut state so as to preserve the scenic vista from the road and afford a protective strip along the east side of Lost Creek.

A third tract is needed for use in expanding the park campground at Manzanita Lake. This location contains the only campgrounds near a store, post office and general supplies. The need for additional campground space in this section of the park has been so urgent that—pursuant to authority contained in the act of August 7, 1946 (60 Stat. 885)—an agreement was entered into with the U.S. Forest Service of the Department of Agriculture whereunder this Department has undertaken the development and administration of campground and other recreational facilities on Forest Service lands in the Manzanita Lake region. Approximately 640 acres are needed here to provide adequate space for public campground facilities.

The Department of Agriculture which administers the Lassen National Forest is agreeable to these boundary adjustments and concurs in them. In this connection, a provision has been included in the bill that will insure the right of the U.S. Forest Service to establish and use a road, for national forest purposes, through a portion of the lands proposed for addition to the national park in section 19 (near Manzanita Lake). Such reservation would have no adverse effect upon the park.

Since all the lands to be added to the park are federally owned, no land acquisition costs are involved.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARR, JR.,  
Assistant Secretary of the Interior.

#### COMMEMORATIVE STAMP TO HONOR EDMUND G. ROSS, U.S. SENATOR FROM KANSAS, 1866-71

Mr. CARLSON. Mr. President, I introduce for appropriate reference, a bill providing for the issuance of a commemorative stamp honoring Edmund G. Ross, who served as U.S. Senator from Kansas from 1866 to 1871.

Edmund G. Ross' appointment was a popular one in Kansas. He entered the Senate a critic of President Johnson and opposed the President's program. When Johnson removed Stanton in January 1868, Ross voted for the Senate resolu-

tion declaring the act illegal. However, after the President's impeachment, Senator Ross insisted that Johnson should have a fair trial, and voted on some questions with known opponents of conviction.

This action brought a flood of protests from his State of Kansas, and others. At the time, Ross rather favored conviction, but the character of the pressure made him doubtful.

In reply to this pressure Senator Ross replied:

I have taken an oath to do impartial justice—and trust I shall have the courage and the honesty to vote according to the dictates of my judgment and for the highest good of the country.

Senator Ross' conclusion to vote against conviction was with the belief that he would thereby secure his own political destruction, and I again quote his words:

I almost literally looked down into my own grave. Friends, position, fortune, everything that makes life desirable to an ambitious man, were about to be swept away by the breath of my mouth, perhaps forever.

The burst of denunciation which followed the first vote on impeachment fell most heavily on Senator Ross. His State repudiated him and charges of corruption were made and every species of pressure known were exerted. Ross faced the ordeal with the fortitude of the real statesman and again voted "not guilty."

At the conclusion of his term Senator Ross returned to Kansas and became a well-known journalist. He later moved to Albuquerque, N. Mex., where, a short time before his death, a messenger brought him greetings from the Governor, and Legislature of Kansas, expressing appreciation of his conduct in the impeachment trial.

In honor of a man who was fearless, honest, and of good ability, a man who had the courage to vote according to the dictates of his judgment, and for what he believed to be for the highest good of his country, I now introduce a bill providing for a commemorative stamp in his honor.

I ask that the bill be printed as part of these remarks and that it be received and referred.

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

The bill (S. 1930) to provide for the issuance of a special postage stamp in honor of Edmund G. Ross, a courageous United States Senator from Kansas, introduced by Mr. Carlson, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General is authorized and directed to issue a special postage stamp in honor of Edmund G. Ross, who was a fearless and honest man serving in the United States Senate from July 1866 to March 3, 1871.

Such postage stamp shall be issued in such denomination and design and for such period as the Postmaster General may determine.

#### EXTENSION OF PROVISIONS OF FEDERAL AVIATION ACT OF 1958, RELATING TO WAR RISK INSURANCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance. I ask unanimous consent to have printed in the RECORD a letter from the Under Secretary of Commerce, together with a statement of purpose and need in support of the proposed legislation.

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

The bill (S. 1931) to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

THE SECRETARY OF COMMERCE,  
Washington, D.C., May 17, 1961.

HON. LYNDON B. JOHNSON,  
President of the Senate,  
U.S. Senate  
Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed four copies of a proposed bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance.

There are also enclosed four copies of a statement of purpose and need in support thereof.

We are advised by the Bureau of the Budget that, from the standpoint of the administration's program, there would be no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

EDWARD GUDEMAN,  
Under Secretary of Commerce.

#### STATEMENT OF PURPOSE AND NEED IN SUPPORT OF THE PROPOSED LEGISLATION

The bill would extend the life of title XIII of the Federal Aviation Act of 1958 (49 U.S.C. 1531), relating to war risk insurance, until June 13, 1966. Section 1312 of the act now provides for expiration of aviation war risk insurance authority on June 13, 1961.

Title XIII of the Federal Aviation Act of 1958 authorizes the Secretary of Commerce, with the approval of the President, to provide war risk insurance for the protection of aircraft, cargoes, and crews and their personal effects, when commercial insurance cannot be obtained on reasonable terms and conditions. At present, as at the time of original enactment of these provisions as Public Law 47, 82d Congress (65 Stat. 65), commercial policies covering aviation war risks are issued only subject to automatic termination clauses in the event of outbreak of war between any of the four Great Powers (France, Great Britain and/or any of the British Commonwealth of Nations, the Union of Soviet Socialist Republics and the United States of America). Even though the United States might not be involved immediately, American aircraft would be without protection against loss by risks of war. Furthermore, prompt mobilization of the air transport facilities of the United States would be jeopardized without such insurance.

The general order on aviation war risk insurance which was issued on November 1,

1956, established an interim binder program for war risk hull insurance, war risk liability insurance, exclusive of cargo liability, and war risk carriers' liability to cargo insurance. This general order has been revised so as to provide, among other things, for the providing of war risk insurance, without premium, to the Department of Defense for participants in the Civil Reserve Air Fleet (CRAF) program, and to the Department of State for American air carriers entering into certain agreements with such Department. The Secretary of Defense and the Secretary of State have agreed to indemnify the Secretary of Commerce against all losses covered by such insurance.

If the provisions of title XIII are extended as proposed, it is anticipated that binder fees to be collected will more than cover expenses chargeable to the war risk insurance fund under peacetime operations.

The Department urges consideration and enactment of this bill at the first session of the 87th Congress in order that there will be no hiatus in the continuance of arrangements for immediate furnishing insurance in the event of outbreak of war or a critical emergency, and in the arrangements for participants in the Civil Reserve Air Fleet (CRAF) program and American air carriers entering into certain agreements with the Department of State, referred to above.

#### INCREASE OF PERIODS OF AGREEMENTS FOR OPERATION OF CONCESSIONS AT WASHINGTON NATIONAL AIRPORT

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes. I ask unanimous consent to have printed in the RECORD a letter from the Administrator of the Federal Aviation Agency, requesting the proposed legislation.

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

The bill (S. 1932) to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL AVIATION AGENCY,  
Washington, D.C., May 15, 1961.

HON. LYNDON JOHNSON,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: It is requested that the attached proposed bill "to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes," be introduced in the Senate at your earliest convenience.

At the present time the need for first-class hotel facilities and services at the Washington National Airport is becoming increasingly evident. Several private investors, well

known and established in the hotel industry, are extremely interested in providing this type of facility. These concerns have all made long-term proposals for the construction of a \$3 million to \$5 million hotel to be located adjacent to the Washington National Airport. They have proposed a lease period of from 35 to 50 years for the purpose of borrowing long-term capital.

Under the provisions of the act entitled "An act making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes," approved October 9, 1940 (54 Stat. 1039), agreements for the operation of any concession, except the restaurant at Washington National Airport, are prohibited for a period exceeding 5 years. The construction of a permanent facility, such as a hotel of the size required by this location, represents a potential investment of several million dollars. Obviously, the 5-year lease period is not sufficient to allow for amortization of the investment.

I feel certain that the Congress can appreciate the need for an adequate first-class hotel which would serve the large number of travelers arriving at and departing from Washington National Airport. The construction of large first-class hotels at other major airports in the United States, for example the hotel located at New York International Airport, is proof that such facilities are necessary for the benefit of the traveling public.

It should be pointed out that the granting of a long-term lease for the construction of such a hotel could be an extremely profitable venture and would provide additional funds to offset the operating costs of the airport.

Other important areas may be cited in which it would be advantageous to have longer leases than are now permitted. Among them are rental car maintenance buildings and in-flight commissary buildings which require considerable capital investment totaling upward of a million dollars.

Therefore, in the best interest of the Government, the 1940 Supplemental Appropriations Act should be amended as it pertains to the length of time for which leases and concessions may be granted, so that in certain cases long-term leases could be made when it appears that a substantial capital investment for the permanent construction of buildings of substantial value, such as a hotel or in-flight commissary, may be required. This will be necessary before potential investors will show more than a casual interest in these much needed facilities.

It is the considered opinion of this Agency that the proposal will provide the necessary stimulus to encourage the construction of a hotel at the Washington National Airport, providing first-class facilities for travel, and a new means of revenue to offset the cost of operating the airport. It will also enable the airport to provide necessary improvements in its in-flight commissary facilities with resultant added revenues.

The Bureau of the Budget has advised that there would be no objection to the submission of this draft bill to the Congress.

Sincerely,

N. E. HALABY,  
Administrator.

#### SIMPLIFICATION OF ADMEASUREMENT OF SMALL VESSELS

Mr. MAGNUSON. Mr. President, by request I introduce, for appropriate reference, a bill to simplify the admeasurement of small business. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury requesting the proposed legislation.

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

referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1936) to simplify the admeasurement of small vessels, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF THE TREASURY,  
Washington, D.C., May 16, 1961.

HON. LYNDON B. JOHNSON,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill to simplify the admeasurement of small vessels, and for other purposes, which is the result of a joint study by the Bureau of Customs and the U.S. Coast Guard.

The purpose of the bill is to substitute for the present complicated method of tonnage measurement a new system which would permit the assignment of tonnages from a table on the basis of length and breadth only. The tonnage assignments would be limited to self-propelled vessels of less than 500 gross tons and non-self-propelled vessels of not more than 997 gross tons.

The bill is identical with that submitted to the last Congress, with one exception. The present draft embodies amendments requested by representative industry groups which would allow a vessel owner the choice of formal measurement or a tonnage assignment. The reasons are outlined in the attached memorandum. Suffice it to say here that probably not over 1 percent of the vessels covered by the bill will be affected.

Enactment of the bill is essential to eliminate the artificial and technical tonnage measurement now applicable to something over 85 percent of our total mercantile marine, including pleasure vessels documented as yachts, for which the Government receives no tangible return. Of immediate benefit to the Customs Service will be the anticipated annual savings of \$150,000 in man-hours which will permit the reassignment of part-time admeasurers to more worthwhile duties and the concentration of full-time admeasurement personnel on large vessel work where their services are sorely needed to fulfill the Government's obligations to vessel owners.

It will be appreciated if you will lay the draft bill before the Senate. A similar proposal has been transmitted to the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

DOUGLAS DILLON.

#### THE RIGHT OF THE BLIND TO ORGANIZE—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of May 17, 1961, the names of Mr. MOSS, Mr. RANDOLPH, Mr. LONG of Missouri and Mr. ENGLE were added as additional cosponsors of the bill (S. 1893) to protect the right of the blind to self-expression through organizations of the blind, introduced by Mr. HUMPHREY on May 17, 1961.

#### NOTICE OF PUBLIC HEARINGS ON S. 167

Mr. KEFAUVER. Mr. President, as chairman of the Standing Subcommit-

tee on Antitrust Legislation of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled public hearings on S. 167, a bill to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, to commence on Wednesday, June 7, 1961.

The hearings, set for 9:30 a.m., are to be held in room 457, Old Senate Office Building.

Anyone wishing to testify or file a statement for the record should communicate immediately with the Senate Antitrust and Monopoly Subcommittee, room 412 Old Senate Office Building, Washington 25, D.C., Telephone CA 4-3121, extension 5573.

The subcommittee consists of the Senator from Colorado [Mr. CARROLL], the Senator from Michigan [Mr. HART], the Senator from Connecticut [Mr. DODD], the Senator from Texas [Mr. BLAKLEY], the Senator from Illinois [Mr. DIRKSEN], the Senator from Wisconsin [Mr. WILEY], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

#### NOTICE OF PUBLIC HEARINGS ON S. 1474

Mr. KEFAUVER. Mr. President, as chairman of the Standing Subcommittee on Antitrust Legislation, of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled public hearings on S. 1474, establishing the office of a national boxing commissioner, to commence on Wednesday, May 31, 1961.

The hearings, set for 9:30 a.m., are to be held in Room 318 of the Old Senate Office Building.

Anyone wishing to testify or file a statement for the record should communicate immediately with the Senate Antitrust and Monopoly Subcommittee, room 412, Old Senate Office Building, Washington 25, D.C., telephone CA 4-3121 or Government code 180, extension 5573.

The subcommittee consists of the Senator from Colorado [Mr. CARROLL], the Senator from Michigan [Mr. HART], the Senator from Connecticut [Mr. DODD], the Senator from Texas [Mr. BLAKLEY], the Senator from Illinois [Mr. DIRKSEN], the Senator from Wisconsin [Mr. WILEY], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

#### INCIDENTS IN ALABAMA

Mr. MANSFIELD. Mr. President, the incidents which have occurred over the past several days in Alabama should cause us—as a Nation—to hang our heads in shame. This is the United States of America, and the responsibilities of administering these United States are ours.

I do not blame the great majority of the people of Alabama, but I do blame the hoodlums who perpetrated these outrages in at least three cities. Equal blame also attaches to the local law-

enforcement officers, their superiors, and the officials of the State of Alabama. Protection could have and should have been given at all levels of government. Protection will and must be given by the Federal Government.

I commend the administration for stepping into a delicate and dangerous situation. I heartily endorse the sending of United States marshals and deputies to maintain and enforce the law. I would hope that the threat of State officials against the power, the authority, and the responsibility of the Federal Government will not come to pass, because if it does, there can be no question of which will and must prevail.

The protection guaranteed to all our citizens will be furnished and the laws of the United States, as interpreted by the Congress and the Supreme Court, will be carried out.

If we cannot keep our own house in order at home, how, may I ask, do we propose to keep allies on our side, win friends in the uncommitted areas of the globe, and lead the nations of the free world in the struggle for survival—and I mean survival—in which we are now engaged? Every one in this Chamber and every citizen in this country must face up to and must answer this question. It cannot be avoided.

Mr. President, there appears this morning in the New York Times an editorial which I should like to quote in part, as follows:

The issue in Montgomery and in Birmingham is not school segregation, as in Little Rock. It is the right of American citizens, White and Negro alike, to travel in safety in interstate commerce, without being segregated in contravention of the Constitution. This right is now being tested by the so-called freedom riders, a racially mixed group consisting primarily of students, who are waging their campaign for civil rights in the South in a Gandhian spirit of idealism and of nonviolent resistance to an evil tradition. But it is also being waged with loud advance publicity and in deliberate defiance of State laws and local customs. There can be no question that in the freedom riders' completely legal action there is an element of incitement and provocation in regions of high racial tension.

There can also be no question, however, of the freedom riders' constitutional right to do what they are doing, nor—and this is the key point—of the duty and responsibility of the city and State authorities to protect them. The freedom riders are acting in accordance with the law and they are doing what they are doing frankly to test that law.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article entitled "The Law," which was published today in the New York Herald Tribune.

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

#### THE LAW

The "freedom riders" touring the South have one avowed purpose: to test segregated interstate bus practices.

President Kennedy's action in sending Federal marshals into Alabama was taken under an 1871 law that also served as the legal basis for sending troops to Little Rock in 1957.

The statute, in part, reads:

"The President by using the militia or the Armed Forces, or both, or by any other

means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination or conspiracy."

Justice Department aids stressed the "or by any other means" provided the basis for Federal marshals. They added that the law was invoked since a class of citizens was being denied a constitutional right "and the constituted authorities of that State are unable, fail, or refuse to protect that right."

The action was also taken because of violations of sections 33, 34, and 35 of title 18 of the United States Code, which the Justice Department described as "very broad laws" dealing with the protection of interstate commerce and destruction or damage to interstate vehicles.

Violations of these laws carry a \$10,000 fine or 20 years' imprisonment or death if the loss of a life occurs as a result of actions interfering with interstate commerce.

Although the specific trip involved was in intrastate commerce, the Justice Department said the carrier, the Greyhound line, was in interstate travel and therefore under Federal jurisdiction.

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

Mr. MANSFIELD. I yield.

Mr. BUSH. I congratulate the able majority leader upon the splendid statement he has just now made, and I associate myself with the comments he has just made and the insertions he has made in the RECORD.

I noted particularly what he said about the effect of these events over the world. I call his attention to the fact that we have before the Senate, as the pending business, an amendment to a bill which has a very direct relationship to events of the last few hours in the South. I expect to modify slightly this amendment in such a way that I believe it may induce many who are very strongly in favor of this school bill to look favorably upon the amendment.

Without attempting in any way to embarrass my good friend—which I certainly do not rise to do—I do ask that in the light of the recent events, he reconsider the entire question of whether we should add a reasonable civil rights amendment, a reasonable amendment on the question of desegregation, to the gigantic school bill which will be before us very shortly.

Mr. MANSFIELD. Mr. President, the Senator from Connecticut does not embarrass me in the least. I do not think there should be any civil rights amendments in this bill, nor do I think there should be any religious amendments in the bill. They can be considered separately. But so far as this measure is concerned, it is a Federal aid to education bill, and I hope to see it passed unamended.

Mr. MORSE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. MORSE. I associate myself with all the observations which have been made by the Senator from Montana [Mr. MANSFIELD]; and in connection with them, I ask unanimous consent to have printed in the RECORD an editorial, published this morning in the Washington Post, in regard to the problems which have arisen in Alabama.

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

#### ALABAMA OFF DEEP END

Alabama came close to open rebellion against the United States yesterday with Governor Patterson's threat to have State authorities arrest the marshals sent to that State by the Department of Justice to help curb mob violence. It seems improbable that the Governor will carry out this threat, but the fact that he has made it heavily underscores the gravity of the situation. Any such lawless interference on the part of State officials with the right of the United States to protect the movement of interstate commerce would necessarily have to be met by force, with tragic consequences for Governor Patterson, the State of Alabama, and the country as a whole.

The basic cause of the trouble in Alabama lies in the decision of hoodlums to resort to violence to perpetuate racial segregation and in Governor Patterson's failure to maintain order. The Governor looks upon the so-called freedom riders as "rabble rousers" who went to Alabama for the avowed purpose of "creating racial incidents." But they are free citizens of the United States. They have a right to travel in Alabama singly or in an integrated group. This is a basic constitutional right which Alabama is obligated to respect and uphold.

Since the riots of last week, the Department of Justice had repeatedly urged upon Alabama officials its concern for the safety of the bus-riding students. Governor Patterson gave assurance that he had ample men and equipment and that he was determined "to fully protect everyone in Alabama." He declined Federal aid for this purpose. On the basis of this assurance the students boarded a bus in Birmingham for a peaceful trip to Montgomery.

Past experience gave every indication of violence at Montgomery when the bus arrived. Moreover, the FBI notified the Montgomery authorities that the controversial group was coming and asked for its protection. Yet no law-enforcement officials were in evidence when the bus arrived. Hoodlums had ample time to beat the students, white and Negro alike, before the police arrived, and to assault numerous others who merely showed sympathy with the students.

Especially flagrant was the slugging of John Seigenthaler, President Kennedy's representative in seeking a peaceful solution, when he tried to help a girl endangered by the mob. The crass disregard for the safety of individuals was further illustrated when Mr. Seigenthaler was left lying unconscious in the street for about 25 minutes—the only excuse being that all the "white" ambulances in the city were broken down.

In the face of this willful failure of the Alabama authorities to protect interstate travel, the administration was fully justified in taking bold measures to enforce the law. It seeks to enjoin the Ku Klux Klan and other groups from interfering with interstate travel. It has sent marshals to assist State and local authorities in protecting persons and property against mobs. Governor Patterson's attitude creates a series of unnecessary problems, but the presence of the marshals constitutes a show of force and, presumably, a warning of more drastic action if that should become necessary.

Mr. MANSFIELD. I say, in conclusion, that I think the administration is trying to act with calmness and reason. May I say, furthermore, so far as the bill which is presently pending before us is concerned, I would hope we could consider it without reference to race and without reference to religion, but solely on the merits of the bill proposed, which

I think is a good measure, and which I hope will be passed practically intact by the Senate later this week.

Mr. MORSE. Mr. President, in inserting the editorial in the *Record* and in associating myself with the position taken by the Senator from Montana, I add only that I am very glad that he stressed the fact that the entire problem of race relations in the South is one of the major foreign-policy problems confronting our country.

As I said at the United Nations last fall, when, as a Senator, I was there as one of the Senate's delegates of the United States, that question arose there time and time again; and we must face it today.

As I said this morning, at a committee hearing, I wish we had some scientific device by means of which we could measure psychological effects. If we could do that, we would have some interesting objective data in connection with what is happening in the world and in our own country in regard to this problem.

We need to keep in mind that millions of colored people in the world have won their political independence from various forms of colonialism—some paternalistic, some more kindly than others, some highly tyrannical that placed them under subjugation and exploitation. I think that fact has had a great psychological effect on the colored people of the United States.

We Americans have to face up to this problem. We cannot sweep it under the rug any longer. We have to recognize now that there are thousands and thousands of colored people in the United States who have developed a sort of Ghandi philosophy. I say, as a Christian, that they also have developed an attitude that, under their Christian principles, they have a moral duty to future generations of colored boys and girls in the United States to make whatever sacrifices are necessary in their generation to bring to an end second-class citizenship for the colored people.

I raise my voice in the Senate pleading for calmness on the part of the people of the South; pleading that they face this problem intellectually; pleading that they recognize that the time has come when they have got to insist that there be substituted for mob law anywhere in the South where it raises its head, as it has in Alabama recently, government by law and order; pleading today that they recognize that the people have the right to travel in interstate commerce as those persons involved are traveling.

This does not mean that I advocate what they are doing, but it does mean that I recognize their constitutional right to do what they are doing, under the interstate commerce clause of the Constitution. It is the clear duty of the Federal Government to see to it that their constitutional rights are protected anywhere in the country, including some very troubled spots in the North, and I say that because the question of racial discrimination and denial of first-class citizenship in this country is not limited to the South.

My plea to all Americans this morning, as a member of the Foreign Relations

Committee of the Senate, is to recognize now that this has become a foreign policy issue. The time has come for us all to recognize now that the Constitution has to have uniform application throughout the length and breadth of this country.

I congratulate the President and the Attorney General of the United States, no matter how sad the experience, no matter how they wish it could have been avoided, for their courage, for their dedication to their oaths, to see to it that the Constitution is for the protection of people all over the country.

If there is the Governor of any State in this country who wants to seek to place himself above the Constitution of the United States, the Federal Government must deal with him in accordance with the clear application of the constitutional rights of the Federal Government.

I hope we will at least learn, out of the lessons being taught in connection with those very unhappy incidents which have occurred recently, that there never was a time in the last 100 years when it was more important that all sections of the country join and bind themselves together in a united determination to see to it that mob law is put down and that constitutional law prevails in this land.

#### CUBAN INVASION FAILURE

Mr. BUTLER. Mr. President, I ask unanimous consent that I may be permitted to speak for not more than 4 minutes. I am to speak on a very important subject, and I should like to complete my statement without being interrupted.

The PRESIDENT pro tempore. Is there objection?

Mr. MANSFIELD. Mr. President, in view of the fact that I have been allowed to take more than 3 minutes, I shall not object.

The PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. BUTLER. Mr. President, on April 30, I proposed a congressional investigation of the Cuban invasion failure similar to that conducted last year on the U-2 incident. At that time, I suggested that the inquiry should be closed, but that a daily transcript of the investigation should be released to the press and radio and television.

Now, in light of the recent charges made against the Joint Chiefs of Staff, I believe the following remark which I made 3 weeks ago is particularly pertinent. At that time I said:

In view of the many conflicting stories already published and yet to come, the public has a right to know the truth. And a calm dispassionate inquiry would be of considerable use to the administration and to the American people.

Mr. President, events and public statements of the past several weeks have borne out my worst fears.

It has been publicly stated that we direly need a new chairman and members of the Joint Chiefs of Staff. It has been publicly implied that the Cuban fiasco was the fault of the military

leaders of the Nation, of such distinguished men as General Lemnitzer, my friend Adm. Arleigh Burke, and others.

It has been publicly suggested that our military leaders went into the Cuban invasion without taking cognizance of all the factors. Now, Mr. President, surely a Nation which conducted one of the greatest amphibious wars in the history of man has the knowledge, and the military background to conduct a simple landing on an island only a few miles from our shores.

Surely, the men who carried the United States to success in the Second World War were not guilty of overlooking or simplifying the problems of setting ashore a few thousand men.

I say that it is time to stop looking for scapegoats and start seeking the truth. And that truth can only be found in the traditional way of this country—a calm, quiet, deliberate investigation by the Congress. The truth cannot and will never be uncovered by leaked comments or off-the-cuff pronouncements by individuals eager for publicity.

Mr. President, I am not a military expert although I have served my country in time of war, but I associate myself with the military man who declared about the Cuban invasion failure:

No military man in his right mind would have approved the plans that were carried out.

I believe, then, an investigation is imperative, that its need grows more and more obvious daily, and will continue to grow so long as we have statements about dismissing our top-flight military leaders. But this investigation should be conducted by the legislative branch. And this inquiry should be work of a full congressional committee.

Without such an investigation, the public will remain in darkness, unaware of the very real dangers which confront us. Without such an investigation, the reputations of our finest and most honorable military generals and admirals who are under wraps will continue to be besmirched and stained. Without such an investigation, suspicion and the darkest doubts will fill the minds of our people, who in this time of crisis must have the utmost confidence in the men who will lead us into battle should that battle ever become necessary.

With such an investigation, Mr. President, the American people will valiantly respond as they always have and support a program for victory in the cold war. And with such an investigation, the politicians and popoffs will be silenced by the truth. I again urge an investigation of the Cuban invasion and call upon my colleagues to put an end to trial by innuendo, by hearsay, and by ignorance.

#### PRESERVATION OF OUR HISTORIC SITES AND BUILDINGS

Mr. ENGLE. Mr. President, early this year the Senator from Minnesota [Mr. HUMPHREY] and several Members of the House introduced measures designed to halt the headlong destruction of our irreplaceable sites, buildings, and objects of historic and cultural importance.

The Historic Sites Act of 1935 gives the Secretary of the Interior some authority for preserving buildings and sites of national significance. The proposed legislation would strengthen his hand. The Historic Sites Act of 1935 was adopted at a time when the Federal Government played a relatively insignificant role in construction programs. Today the Federal Government is spending great sums of money for federally assisted housing programs, urban renewal, highways, and so forth. In the implementation of these programs very little attention is being given to what they are doing to important historic sites. If the law is not amended to reflect the new situation, in a few years most of the physical evidences of our American heritage will be reduced to rubble.

When the historic American buildings survey ended in 1941, they had recorded more than 7,000 structures of outstanding architectural or historical merit worthy of preservation. Since the reactivation of the survey in 1957 it has been estimated, conservatively, that more than 40 percent of these have been destroyed or so materially altered as not to warrant preservation.

It is ironic that the destruction of the historic sites that tell the story of our country's fight for independence is being done by programs and projects financed either in whole or in part by the Federal Government. The very things that Americans seek out when they go abroad are systematically being destroyed at home. The preservation of our historic sites has more than just sentimental value. In the cold war between free nations and Communist nations it has great practical value. In destroying the visual evidences in which the broad cultural, political, economic, or social history of our Nation is best exemplified, we are blurring the portrait of America—and thus making it easier for our enemies to distort the true meaning of our country.

In recent years, with Federal funds aiding in urban renewal, highway building, and housing construction, the rate of destruction of our historic sites is accelerating to such an alarming degree that only corrective Federal legislation can diminish its impact. A number of States, with direct encouragement and help from the National Trust for Historic Preservation, have passed legislation enabling communities to adopt ordinances to protect old and historic districts, or specific single sites and buildings.

But this is not enough. There is a pressing need for specific Federal legislation to make sure that funds used in federally assisted programs are well spent in terms of human values. We need legislation along the lines introduced by the Senator from Minnesota [Mr. HUMPHREY] and others which provide that the effect on historic sites and buildings of a project involving Federal funds shall be taken into account in the planning of such project; that consideration be given to alternative schemes when such vital factors as scenic, historic, and architectural values may be irretrievably destroyed by such projects.

In the State of California we have a number of examples pointing up the need for this kind of legislation. The lore, legend, and history of Old Sacramento are being threatened by the proposed routing of a freeway. The Old Sacramento district in a blighted area on the riverfront has been surveyed and analyzed by experts, and plans for its redevelopment as a living, revitalized historic commercial area have been urged as part of the city's redevelopment program. But it may all be lost if plans of the State highway commission go through for locating the north-south freeway immediately in the area. This would prevent redevelopment of the old district as part of today's living city. Under California law, the selection of freeway routes is the sole prerogative of the State highway division. Proponents of the preservation program have urged location of the freeway on the west bank of the river.

If we had on our statute books a provision along the lines of the Humphrey proposal, the State highway commission would be under obligation to give consideration to alternative plans for the freeway—before Federal funds could be spent for this purpose.

I should like to make it perfectly clear that, in expressing my support of this legislation, I am not in any way expressing any reservation about public works programs needed to meet the demands of our times. At the same time, I think we need some mechanism in our law that will make us pause and consider what our extensive construction program might be doing to important evidences of our American heritage. We need, in short, a provision in the law to make sure that in projecting federally assisted programs, due consideration is given to plans that will allow us to have redevelopment, preserved landmarks, and sound traffic planning—and to have all three in harmony without one being sacrificed to achieve the others.

#### THE FAITH OF THE FATHERS

Mr. ERVIN. Mr. President, on March 19, 1961, Hon Edwin Gill, state treasurer of North Carolina, made a speech entitled "The Faith of the Fathers," at the North Carolina State Service, Washington Memorial Chapel, Valley Forge, Pa. This speech contains some sound advice for all of us, and it ought to be made available to all Members of the Congress. For this reason I ask unanimous consent to have it printed in the RECORD at this point.

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

#### THE FAITH OF THE FATHERS

(Address by Edwin Gill, State treasurer, at the North Carolina State Service, Washington Memorial Chapel, Valley Forge, Pa.)

I count it a great privilege to speak to you today in this beautiful chapel erected by patriotic citizens and dedicated to the worship of God. Near this sacred spot, the men of Valley Forge suffered great hardships. Under the leadership of the great Washington, they carried on a valiant fight for all the rights and privileges that we hold dear. As we sit here together in this spiritual retreat,

our minds naturally turn to that portion of the Bill of Rights that guarantees to all of us the right to worship God as we please. All of us owe a debt of gratitude to the Founding Fathers who had the foresight to declare in our fundamental law for religious as well as political liberty.

The Founding Fathers had a highly developed sense of history. They were aware of the long struggle of mankind for freedom. They knew of the trials and errors of the past. They were well informed as to the rise and fall of republics, and they knew of the first stirrings of self-government—faint and feeble though they had been—both on the European Continent and in England. And they were determined, as far as possible, not to repeat the mistakes and errors of the past.

In their minds, one of the greatest blunders of history was the centuries-old alliance between church and state. For a thousand years, this mixture of politics and religion had bred intolerance as dogmas were enforced through the rack, the wheel, the faggot, the hangman's noose and the block. They knew from experience that it was unwise to trust any church with political power. Although Washington and his associates were deeply religious men and believed that civil society could best endure if undergirded by religion and morality, they were determined that here in America the state would protect all religions but prefer none. This policy they fervently believed would prevent the intolerance and fanaticism that had scarred and defaced the story of civilization.

It has been said that it was fortunate for the United States of America that it came into being in the 18th century; that the Founding Fathers, breathing the tolerant air of the age of enlightenment, were prepared to conduct a successful experiment in human freedom that would have been difficult, if not impossible, to accomplish at an earlier time. For instance, it is extremely doubtful that our Nation could have been conceived in freedom during the 16th century, which was generally a period dark with intolerance, during which mankind was afflicted with the cruel blight of religious wars.

During this century mankind was divided more by religion than by either race or politics. During a civil war that ravaged France, a well informed observer<sup>1</sup> declared:

"It was folly to hope for peace between persons of different religions. A Frenchman and an Englishman who are of the same religion have more affection for one another than citizens of the same city, or vassals of the same lord, who hold to different creeds."

In all this dark era of intolerance and persecution, there were, of course, bright spots such as the tolerance of William the Silent who led the Low Countries in their war for independence against Spain, and the expedient moderation of King Henry of Navarre, who sought without much success to establish a truce between Catholics and Huguenots.

Yes, it was fortunate that the Founding Fathers were permitted to work in the more tolerant atmosphere of the 18th century, but it was also fortunate that they had fresh in their memories the appalling record of intolerance, fanaticism, and persecution that had desecrated the centuries that preceded it.

Sir Edward Newenham wrote to George Washington in 1792 telling him of the deplorable condition of affairs in Ireland due to religious conflicts and received in reply from Washington a letter, from which I quote the following excerpt:

"Of all the animosities which have existed among mankind, those which are caused by a difference of sentiments in religion appear

<sup>1</sup> Michel L'Hopital, French jurist and statesman (1507-73).

to be the most inveterate and distressing, and ought most to be deprecated. I was in hopes that the enlightened and liberal policy, which has marked the present age, would at least have reconciled Christians of every denomination so far that we should never again see their religious disputes carried to such a pitch as to endanger the peace of society."

As an example of the consciousness of the Founding Fathers of the tragedy of mixing politics and religion, we find James Madison writing to Robert Walsh on March 2, 1819:

"It was the universal opinion of the century preceding the last, that civil government could not stand without the prop of a religious establishment, and that the Christian religion itself, would perish if not supported by a legal provision for its clergy. The experience of Virginia conspicuously corroborates the disproof of both opinions. The civil government, though bereft of everything like an associated hierarchy, possesses the requisite stability and performs its functions with complete success; whilst the number, the industry, and the morality of the priesthood, and the devotion of the people have been manifestly increased by the total separation of the church from the state."

There are, of course, some who contend that the Founding Fathers were against the recognition of any church in our Constitution for the simple reason that they were indifferent to religion itself; that most of them were formal Christians who merely gave lip-service to the church.

Now, there is no denying the fact that during the 18th century there was a great deal of skepticism and indifference to religion, and that many intellectuals favored an approach which ignored the individual creeds of all churches and that in the process the Christian faith, whether Protestant or Catholic, was diluted by a sort of pagan viewpoint. Typical of this attitude is a verse from the universal prayer written in 1738 by Alexander Pope, which said.

Father of all! In every age,  
In every clime adored,  
By saint, by savage, and by sage,  
Jehovah, Jove, or Lord!

However, I do not agree with those who think that the religion of the Founding Fathers was cold and formal, and that they worshiped only with lip-service. No one can read the letters and papers and the contemporary testimony without feeling that Washington and his associates gave serious and solemn allegiance to God, and that they were unanimous in contending that His worship should include working for the welfare of all men.

As Norman Cousins points out in his excellent book, "In God We Trust,"<sup>2</sup> the founders' "view of man had a deeply religious foundation: rights were 'God-given'; man was endowed by his 'Creator'; there were 'natural laws'; and 'natural rights'; freedom was related to the 'sacredness' of man; \* \* \*"

On the other hand, I think the Founding Fathers, although men of faith and of deep religious conviction, did take advantage, if you please, of the latitudinarian atmosphere of the 18th century, as expressed by Pope, which was congenial to widely divergent opinions in matters of religion, to imbed in our Constitution the fundamental rights of man, which, of course, included freedom of religion.

It is true that Washington never spoke or wrote with particularity about his creed. In fact, he was extremely reticent not only about his individual religious faith, but also about his theories of government. It was a part of the nature of the man to say little,

to refrain as far as possible from useless controversy, and to make deep and abiding commitments only when great issues were at stake. More than any of the Founding Fathers, Washington reserved the intimate details of his faith for the inner recesses of his own heart. And yet it is clear not only that he believed in a benign providence, but that he felt the need of the comfort and powerful support of the Christian religion for himself, for his soldiers, and for his country. You are familiar, of course, with his celebrated statement to his soldiers here at Valley Forge in which he said:

"While we are zealously performing the duties of good citizens and soldiers, we certainly ought not to be inattentive to the higher duties of religion. To the distinguished character of patriot it should be our highest glory to add the more distinguished character of Christian."

It is true that John Jay, the first Chief Justice of the United States, opposed the selection of a chaplain for the national House of Representatives (because he feared it would be in conflict with the principle of separation of church and state), and yet Jay was a fervent and devout Christian, serving as president of the American Bible Society.

If you will read the papers of Jefferson, you will find that he was deeply absorbed in the philosophy of Jesus, and went to the trouble to prepare, as he called it, his own bible, including in it quotations from the lips of the Master. Certainly few men in America believed more in the good life as advocated and as practiced by Jesus. Speaking of this book in which he had collected the sayings of Jesus, Jefferson said: "It (the book) is a document in proof that I am a real Christian."

And we cannot summarize the religious convictions of Alexander Hamilton better than to quote words that he sent in a message to his wife upon the eve of his duel with Aaron Burr, which was to end in Hamilton's untimely death. Speaking from his heart and with the realization that he might soon face his Maker, Hamilton said:

"The consolations of religion, my beloved, can alone support you; and these you have a right to enjoy. Fly to the bosom of your God and be comforted. With my last idea I shall cherish the sweet hope of meeting you in a better world. Adieu, best of wives—best of women. Embrace all my darling children for me."

And the brusque and crusty master of Braintree, John Adams, who was perhaps more conservative in his views than most of the Founding Fathers, summarized his religion neatly by saying it was embraced in the Ten Commandments and the Sermon on the Mount.

Benjamin Franklin, associate of intellectuals both in Europe and America and undoubtedly a man of unconventional beliefs, sought to state his faith in language broad enough to constitute a common denominator for all men of good will and of spiritual conviction. Here is Franklin's credo. He believed:

"That there is one God, who made all things.

"That He governs the world by His providence.

"That He ought to be worshiped by adoration, prayer, and thanksgiving.

"But that the most acceptable service of God is doing good to man.

"That the soul is immortal.

"And that God will certainly reward virtue and punish vice, either here or hereafter."

Of course, there are those who would deny to Thomas Paine a place among the Founding Fathers. However, Washington and the other Founding Fathers valued Paine's service to the revolution, particularly his pamphlet called "Common Sense," which was used to stimulate the morale of our soldiers during the War of the Revolution. There

are many who are willing to accord Paine a high place in the struggle for freedom, but who are disturbed by his attitude toward religion, which was highly irregular and something of a scandal following the publication of his book—"The Age of Reason." In this connection, it is interesting to quote from Paine's own statement as to his beliefs. Here it is:

"I believe in one God, and no more; and I hope for happiness beyond this life.

"I believe in the equality of man; and I believe that religious duties consist in doing justice, loving mercy, and endeavoring to make our fellow creatures happy."

So, I submit that generally speaking the Founding Fathers were men of faith. Although they differed individually in matters of creed and in degrees of conformity, there is no doubt that they believed firmly in a Divine Creator and were convinced that in worshiping Him they must work for the welfare of mankind, and with the exception of Paine, who in his language was often intemperate and incendiary, the Founding Fathers approached the issues of the day with amazing moderation and restraint. I have the feeling that they frequently leaned over backward declining to engage in theological discussion not because of any lack of interest in religion, but because of their deep conviction that religion could flourish best where each individual was free to approach the throne of grace along the path that seemed best to him.

Typical of the Founding Fathers' attitude is the following excerpt from a letter written in 1814 by Jefferson to Miles King, from which I quote in part:

"Our particular principles of religion are a subject of accountability to our God alone. I inquire after no man's, and trouble none with mine; nor is it given to us in this life to know whether yours or mine, our friends or our foes, are exactly the right. Nay, we have heard it said that there is not a Quaker or a Baptist, a Presbyterian or an Episcopalian, a Catholic or a Protestant in heaven; that on entering the gate, we leave those badges of schism behind, and find ourselves united in those principles only in which God has united us all. Let us not be uneasy then about the different roads we may pursue, as believing them the shortest, to that our last abode; but, following the guidance of a good conscience, let us be happy in the hope that by these different paths we shall all meet in the end. And that you and I may there meet and embrace, is my earnest prayer. And with this assurance I salute you with brotherly esteem and respect."

Just because the Founding Fathers did not talk, as a rule, in terms of dogmas and creeds does not mean that they were indifferent to religion, or that they were not men of spiritual conviction. They did not think any nation could prosper or long endure whose people were not deeply religious and moral. They insisted, however, that religion was a matter of individual experience, and that the specific creed involved was of no concern to the State. The truth of the matter is that the Founding Fathers sought to emphasize the ideas that united all men of faith, thus they hoped that religion would cease to be a matter of discord and that the worship of God would have a unifying effect, bringing all men together as spiritual brothers. This view coincided not only with their religious beliefs, but was also in harmony with the overriding concern of the Founding Fathers for the unity of the new Nation.

Jews, Protestants, and Catholics today have complete freedom of conscience, and are able to worship God as they please because these great men had the courage and the wisdom to eliminate creed from the domain of government.

Of course, the adoption of our Bill of Rights did not overnight remove from the

<sup>2</sup> In God We Trust, by Norman Cousins, Harper & Bros., 1958.

constitutions of the States all remnants of religious intolerance that had been brought to our shores by our forefathers. Progress in purging such provisions from the fundamental law of the States was to take time. If you will pardon me, I would like to give you an incident from the history of my own State.

In 1833, our legislature prevailed on William Gaston, a Roman Catholic, to accept election to our State supreme court. The action of the legislature in offering this position to Gaston was taken in spite of article 32 of our constitution which provided, among other things, that no person should be capable of holding any office or place of trust or profit who denied "the truth of the Protestant religion." After much soul searching and after conferring with some of the foremost legal authorities of the day, Gaston came to the opinion that this provision did not bar him and consequently accepted election to the supreme court. Later, in a constitutional convention held at Raleigh in 1835, this provision, which cast doubt on the right of Catholics to hold office, was removed from the constitution after an eloquent plea by Gaston, who was a member of the convention. Thus the cause of religious freedom was advanced in North Carolina because of the growing spirit of tolerance among our people and because of the outstanding character and ability of William Gaston.

I wish to observe that the recent election of John F. Kennedy, a Roman Catholic, to the Presidency of the United States symbolizes the fact that our people have reached a very high plane in this matter of religious tolerance. It is true that we had had judges and Governors and Senators who were of the Catholic faith, but not until Mr. Kennedy was elected had the people demonstrated that adherence to the Catholic faith was not of itself a bar to holding the highest office within the gift of the people.

In this connection I wish to echo the plea of President Kennedy in the current debate about Federal aid for education, which has involved parochial schools, that our people speak with moderation and restraint, keeping in mind at all times that we who engage in this discussion are, after all, Americans and that we are the heirs of the Founding Fathers who found a way in a great crisis to settle their sharp differences wisely in a spirit of moderation and with mutual respect for each other.

We are all aware of the fact that the debates of 1787 and 1791 were often sharp, threatening again and again to disrupt the plans of those who desired a constitution with a bill of rights, and yet somehow the Founding Fathers, regardless of their differences, managed to preserve a broad, basic understanding that gave room for cooperation. It is to be hoped that the current debate about Federal aid to our schools can reflect this spirit of harmony that pervaded the minds of the Founding Fathers.

Is it too much to hope that this important discussion can be carried on with the dignity of Washington, the candor of John Adams, the broad philosophic approach of Jefferson, the courage and sound judgment of Hamilton, and last but not least, the homespun wit and wisdom of Franklin? This question probes deeply into the minds and hearts of all of us and is one of the challenges of our day.

Let me say by way of summary, that the faith of the Fathers was an affirmative force in the building of this Nation. Their faith in God was associated with their faith in man. After all, in their opinion, man was created by God and was endowed with certain inalienable rights and abilities. So, in their judgment, man had the right, the duty and the potential to govern himself. It was upon this grand assumption that our Republic was founded, and which encour-

aged Washington and his associates to believe that it had a chance to endure. So here is one Nation that refused to recognize any particular religion as being superior to another, and which in fact took a neutral position toward all creeds, and yet owes its existence and its hope of survival to a deeply held religious conviction that all men are brothers subject to the governance of divine providence. So it is entirely in keeping with our concept of religious freedom to continue to say: "In God We Trust."

#### THE CUBAN SITUATION

Mr. GOLDWATER. Mr. President, the attack made upon a member of the Joint Chiefs of Staff by one of our colleagues is a serious affair which cannot be lightly brushed aside. Public confidence in the State Department and in the CIA has been severely shaken by the events in Cuba, and I might add justifiably so because of their close connection with the episode. But to add the Joint Chiefs of Staff, upon only the word of one Senator, has implications which need explaining. The entire Congress has, I believe, acted with propriety in this matter, refraining from accusations of a partisan nature. We have been waiting for the story to unfold, as unfold it must, but now it seems that one in this body has information the rest of us do not have, and questions arise which must in fairness to a group of dedicated Americans, the Joint Chiefs of Staff, be answered.

For example, my understanding at the time of the invasion was to the effect that the Joint Chiefs of Staff had been consulted. Since that time I have wondered at the lack of mention of the presence at any such meeting or meetings of the Chief of the Air Force or of the Marines. I have, in addition, heard statements to the effect that none of the Joint Chiefs of Staff had been consulted immediately prior to the attempted invasion. I have withheld questions on both of these points, feeling that after due investigation a report would be made to the President and subsequently to the Congress, but after reading the accusations made by our colleague last weekend, I feel that, in defense of the good names of those who constitute our Joint Chiefs of Staff and in the interest of the millions of Americans who want to know and who are entitled to know what happened, I must ask that the full role of the Joint Chiefs of Staff be made available to this body. Did they participate or did they not? If they did, to what extent? Were there some who were not consulted while others were; and, if so, who were they, and why were the others excluded?

The President is to be commended for his willingness to assume full responsibility in this matter, and I know the American people are proud of him for that assumption. They are not looking for scapegoats. They are only asking why, and I am sure that when they know the whys they will stand behind the President in his actions in this matter, but they will not condone accusations against General Lemnitzer, an American of unquestionable loyalty proven time and again in the service of his country, which cannot be backed up by proof.

Mr. President, I have heard with a great deal of mutual concern the feeling expressed this morning about what has been taking place in Alabama. I heard the majority leader justly ask "What must other people be thinking of us?"

I wonder at the same time, Mr. President, while we are worrying about what the world thinks of us in relation to the South, what the world and our own people are thinking of us in relation to Cuba. Mr. President, what should we do when Castro attempts to blackmail us by offering 1,000 lives for 500 tractors and by throwing in what he calls "the Fascist priests" for free? What is the answer when we ask what will happen if we do not succumb to this blackmail? I think these are questions we should be meditating this morning, instead of asking the people of America to put up with blackmail from a Communist country 90 miles off our shores.

I think the people of the world will judge us as strongly by what we do or do not do in the case of Castro as they will judge us by what we do or do not do in relation to what is happening in the South.

I do not think we can abandon our moral responsibility to the Cubans we placed on the shores of Cuba in the hope that they would help get rid of communism there. We have a deep moral responsibility—I think a deeper moral responsibility—to those people than we have ever had in the history of this country. If we ignore this and succumb to the Communist blackmail with which Castro is threatening us today, I think we will slide down further in the opinion of the people of the world.

Mr. GORE. Mr. President, for the benefit of Senators who may have had neither the opportunity to hear the testimony nor the opportunity to read the transcript of the investigation which the distinguished senior Senator from Oregon, as chairman of the subcommittee, has been conducting, I advise that the clerk of the Senate Committee on Foreign Relations has informed me six transcripts of the verbatim record have been made and are available to any Member of the Senate who will make the effort to walk down one flight of steps to the Foreign Relations Committee room, No. F53, to read them.

It is true that President Kennedy has assumed and accepted full responsibility for the Cuban affair. Like the distinguished junior Senator from Arizona, I applaud him for doing so.

Other participants, others charged with official responsibility, should be held responsible for the part they played, for the recommendations submitted, for the advice given. Ours is a Government of responsibility.

Answers to the questions raised this morning—to many of them, at least—are available already in the Record, if Senators will take the time to read the Record, which is very nearby.

#### DR. JOHN TEMPLE GRAVES

Mr. THURMOND. Mr. President, on Friday, May 19, 1961, Dr. John Temple Graves—a great American patriot, an outstanding newspaperman, and one of

the South's most eloquent spokesmen—passed away while making an address before the Mobile, Ala., Bar Association. Long a spokesman for States rights, Dr. Graves was calling for observance of the Constitution when he was apparently stricken by a heart attack.

Dr. Graves rendered valuable service to the cause of constitutional government over his long and brilliant newspaper career, which began on the New York Journal and ended on the Birmingham Post-Herald. On the Post-Herald he wrote a news column which was published in 24 other newspapers across the Southland, which he loved so dearly.

In addition to the laurels and respect he earned as a newspaperman, Dr. Graves was the author of three books—"The Shaft in the Sky," "The Book of Alabama," and "The Fighting South"—and he was a much sought-after public speaker not only in the South but throughout the country.

I knew Dr. Graves very well as a good friend and a noble gentleman of sterling character. He will be missed by many friends and in many ways, but he has left a great mark—in his writings, his speeches, his courage, and his personal integrity—and he made many valuable contributions toward making this country and the world a better place in which to live.

In tribute to this great newsman, I ask unanimous consent, Mr. President, to have printed in the RECORD, at this point in my remarks, an editorial written to his memory in the May 21, 1961, issue of the Charleston News and Courier, one of the newspapers which used his column for so many years.

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

#### JOHN TEMPLE GRAVES

The South lost one of its ablest spokesmen when John Temple Graves died in Alabama. A faithful trouper, he was in action till the end. A fatal heart attack struck him on a lecture platform at Mobile.

His eloquence had brought speaking invitations from every State. His fame went far beyond the circulation areas of the newspapers for which he wrote, among them the News and Courier. We counted him not only as a respected member of our editorial staff, but as a warm personal friend.

John Graves was a gentleman by birth and upbringing. He was also a gentle man in the best sense of both words. His instincts were noble. He had a keen respect for the feelings of others. By no means did these sensitive qualities detract from the courage or the frankness of his journalistic approach.

In his writings he was a staunch defender of States rights and southern philosophies. Through his college years at Princeton, his service with the New York Journal and his journeys up and down the land, he had a thorough understanding of other parts of the United States. But he never lost his southern accent.

Born 69 years ago in Rome, Ga., he was a son of the first John Temple Graves, distinguished editor, native of South Carolina and kinsman of John C. Calhoun. John Temple Graves II practiced journalism in Florida, where he was editor of the Palm Beach Times and the Jacksonville Journal, and since 1929 had served newspapers in Birmingham. His syndicated column appeared in several other newspapers. It had

been a part of the News and Courier since 1946.

Mr. Graves published several books, played a good game of tennis and had many other qualities to round out a full personality. We mourn his passing and cherish the memory of a gallant, talented colleague.

#### FEDERAL CONTROLS OVER SCHOOL CURRICULUM, PERSONNEL, OR ADMINISTRATION

Mr. HARTKE. Mr. President, many people have written me concerning Federal controls or regulations over school curriculum, personnel, or administration which might follow Federal financial assistance to elementary and secondary schools.

We have had Federal aid to elementary and secondary schools for many years under the provisions of Public Law 815 and Public Law 874. These programs offer financial assistance directly to school districts affected by unusual Federal governmental activity in the district, such as the location of military bases or other Federal installations within or near the school district boundaries.

Under these laws the Federal aid is directly given to the local school authority. In this sense, the danger of Federal control or Federal regulation would seem more real to those who conscientiously fear control than in the Federal aid to education bill we are now considering, which, of course, allocates funds to the States for distribution to local school districts.

To find out whether any Federal control over local school autonomy over its school curriculum, personnel, or administration, either specific or implied, might have resulted from the administration of these programs, I recently wrote to the executives of all of the school districts in Indiana which had received such assistance in recent years.

To date, I have received replies from nearly half of those contacted. I would like to report the response to the inquiries I made of them:

1. What percentage of the total school district budget was derived from Federal assistance under Public Law 874?

Respondents indicated that the Federal assistance was generally constituted a small percentage of their total budget, but they emphasized its importance in no uncertain terms.

Ray Geyer, superintendent of Miami County public schools wrote that in one township where nearly three-fourths of the pupils are children of airmen stationed at Bunker Hill Air Force Base, the Federal assistance is of major importance to the education of the pupil in this area. He further states that Public Law 874 assistance to four other Miami County townships plays a major role in keeping top teachers in these areas.

Charles L. Stalcup, president of the Bloomfield School Board said that—

it would mean that our local property taxes would have to be raised 20 cents [per \$100] to get the amount now contributed by the Federal Government.

2. Was the Federal grant contributed to the general fund of the school district or was it allocated for specific expenses?

Most of the school districts replied that the Federal grants are used for general school expenses and particularly for teachers' salaries. Use of the money to meet capital expenses or to retire capital debt is, of course, prohibited by the law.

3. Did the acceptance of the Federal grant result in any Federal regulation, specific or implied, with regard to school curriculum, personnel, or administration?

Response to this important question has been a consistent and emphatic "no." Not a single instance of Federal control or regulation was reported. Typical of the comments on this question was the statement of Leo J. Costello, superintendent of the Loogootee public schools, who said:

I hope that you will do all in your power to get us more Federal help because the fear, that so many have, of Federal control has not materialized.

4. Is the administration of the program satisfactory?

The comments generally indicated that the program was being administered satisfactorily, although some criticized the amount of paperwork involved and the timing of the grants.

5. Do you favor continuation of this Federal aid program?

Without dissent, every one of the respondents voiced their anxious hope that the program would be continued. Glenn D. Barkes, superintendent of the New Albany-Floyd County Consolidated School Corporation said:

Since our experience has been exceptionally good, we favor this program without reservation.

6. Further comments—

Most of the comments offered reemphasized the general acceptability of the program and favored further Federal assistance. Not uncommon was this comment by Vance B. Collins, superintendent of the Clarksville School Town: "I would like to urge that very serious consideration be given to the education bills of the present administration. I feel that Federal funds can be utilized efficiently in the field of education. It seems to me that is the only source of funds left open to take care of increased enrollment, increased and intensified curriculum and increased demands being made by the public in general."

From the replies, I have concluded:

First. That the programs of Public Law 874 and Public Law 815 are vital to many communities and should be continued.

Second. That Federal aid to education can be free of Federal control and regulation and still be effective, if we in Congress insist that local school autonomy be preserved.

I hope that those who seriously questioned the practicality of Federal aid to education without imposed Federal regulation will be enlightened by the results of this survey. I hope that the fears of Federal controls resulting from Federal assistance will be quieted.

**NATIONAL FREEDOMS FOUNDATION  
CLASSROOM TEACHER MEDAL  
AND CITATION TO DONALD R.  
TERRY**

Mr. LAUSCHE. Mr. President, I am pleased to join with the many friends and associates of Mr. Donald R. Terry, director of the speech department of Louisville High School, Louisville, Ohio, in congratulating him upon the occasion of having been chosen to receive a National Freedoms Foundation Classroom Teacher Medal and citation, in recognition of his outstanding contributions. This will be the third time that Mr. Terry has been so highly honored by this foundation.

First in 1951, he received a George Washington Medal in recognition for his literary contributions.

In 1956, the school newspaper in Warsaw, Ind., the Hi-Times, which Mr. Terry sponsored, won the editorial award and in 1961 the Classroom Teacher Award, for significant contributions to the American way of life in teaching America's youth our American heritage. This most recent award will be presented by Mr. Russell A. Strausser, executive head of Louisville High School at the commencement program to be held May 23, 1961. Mr. Strausser will be acting in behalf of Dr. Wells, president of the foundation.

Ohio is proud that one of its citizens in the teaching profession is again to be so highly honored.

**FEDERAL AID TO EDUCATION**

Mr. CARLSON. Mr. President, the Kansas Association of School Boards has just conducted a poll of the school board members in our State concerning Federal aid to education. This questionnaire was sent to 1,200 members of the Kansas Association of School Boards and replies were received from 328.

In response to this questionnaire, it was interesting to note that 58 percent favored Federal aid to education in any form and 40 percent were opposed. Of those replying 58 percent wanted help with both salaries and construction, while 35 percent felt it should go for construction only.

The response to this questionnaire is most interesting, in view of the present debate in the Senate and I ask unanimous consent that a news release analyzing the replies be printed as part of my remarks.

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

**KANSAS AND FEDERAL AID TO EDUCATION**

School board members who fight the battle of budget and pressures to improve public schools favor Federal aid to education in some form. A recent study conducted by the Kansas Association of School Boards among school board members whose districts belong to the association revealed that board members want Federal aid and are not particular whether it comes for teachers salaries or for school construction.

A short questionnaire was sent to members of boards with membership in the association. Replies were received from 328 people.<sup>1</sup>

<sup>1</sup>All percents were calculated using the total response of 328.

Some replies did not answer all of the five questions but the answers indicated the following:

1. Fifty-eight percent favored Federal aid to education in any form. Only 40 percent were opposed to Federal aid in any form.

2. Preference as to type of aid showed 58 percent wanted help with both salaries and construction, 35 percent felt it should go for construction only, while 5 percent wanted it for salaries only.

3. Fifty-one percent thought that Federal money should be distributed and administered through the State department of public instruction while 39 percent felt it should be allocated directly to the local district. Ten percent did not react to this question.

4. A majority, 51 percent of those responding felt that, if available, Federal aid money should be distributed in relation to a district's overall need. Forty percent preferred distribution on a student population basis while 8 percent did not respond to the query.

5. Among the group responding 63 percent said they would work to qualify for Federal funds, if and when enacted. Only 5 percent would not work to qualify for such help, however, 32 percent did not react to this question.

Comments registered with question responses could be summarized as follows:

(1) Some are violently opposed to and some are wholeheartedly in favor of Federal help for public education.

(2) Federal help should come only after a State has established its ability to support and support should be based on ability.

(3) Kansas can do a better job at the State level with better organization.

(4) Kansas accepts Federal aid now and additional aid would help.

(5) Available Federal moneys should be handled through the State department, and districts should qualify for such help.

Mr. CARLSON. Mr. President, at a meeting of the 91st annual convention of the West Central Conference of the Augustana Lutheran Church, held in Denver, Colo., April 19-23, 1961, a resolution was adopted opposing the proposed legislation of financial aid to the nonpublic schools of the elementary and secondary levels.

The Augustana Lutheran Church, of which the West Central Conference is a part, is a Minnesota corporation, with congregations in 34 States and the District of Columbia. The church consists of 1,242 congregations and numbers 592,000 members. Its president is the Reverend Dr. Malvin H. Lundeed, whose office is at 2445 Park Avenue, Minneapolis, Minn.

The West Central Conference is a Kansas corporation, with congregations in Colorado, Kansas, Missouri, and Wyoming. The conference consists of 63 congregations and numbers 23,592 members. Its president is the Reverend Dr. N. Everett Hedeem, whose office is at Salina, Kans.

I ask unanimous consent that the resolution be printed as a part of these remarks.

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

**RESOLUTION ADOPTED BY THE WEST CENTRAL CONFERENCE OF THE AUGUSTANA EVANGELICAL LUTHERAN CHURCH, APRIL 22, 1961.**

Whereas the National Lutheran Council has made a statement in regard to the issue of governmental aid to nonpublic elementary and secondary schools, as follows:

"The National Lutheran Council views with concern the proposal made in connec-

tion with legislation currently before Congress which would authorize loans to nonpublic elementary and secondary schools for the construction of school buildings, on the bases that:

"(a) Such Government aid previously given to colleges and universities operated by religious groups has been considered by many a borderline practice in proper relation between church and state, but Government aid for the construction of church-operated schools at the elementary and secondary level is clearly a form of tax support for sectarian instruction; and,

"(b) The availability of such aid to nonpublic schools would facilitate with public funds the establishment of racially segregated private schools as an alternative to integration in the public schools": Therefore be it

**Resolved, That—**

1. The West Central Conference of the Augustana Evangelical Lutheran Church record its opposition to the granting of governmental aid to nonpublic elementary and secondary schools;

2. We urge members of conference congregations to write their congressional representatives giving expression of their convictions on the subject of governmental aid to nonpublic elementary and secondary schools; and

3. The secretary of the conference be instructed to forward copies of this resolution to the members of the congressional delegation from each of the States represented in our conference.

**CLASSIFIED INFORMATION**

Mr. LAUSCHE. Mr. President, several weeks ago in the Committee on Foreign Relations I stated that practically nothing that is discussed in the committee, regardless of how highly sensitive it may be from a classified information standpoint, remains within the walls of the committee rooms. The experience of every day fortifies me in that conviction. There is no information divulged in that committee room sensitive and dangerous to the country, and hence classified though it may be, that does not ultimately, by direct or indirect expression, become knowledge for the world.

From my own standpoint I have become deeply apprehensive that, while trying to abide by that understanding about confidential, sensitive, and classified information, I have subsequently found that by direct quotation or indirect statements everything that occurs becomes public information.

I cannot associate myself with the efforts to condemn the Central Intelligence Agency or the Joint Chiefs of Staff on the basis of what happened in Cuba. The failure to keep classified information inviolate is one of the reasons why we are in the rather delicate position we occupy today.

Whatever happened in Cuba was wrong, in my opinion, because the invasion, or whatever it may be called, was tolerated and then allowed to become a failure after it had started. If invasion was the decision, nothing should have been left undone to make it a success. I think that it was a debacle, of course.

We have suffered unduly in the world on account of that event, and the suffering has not yet come to an end. We do not know what will happen in Laos,

South Vietnam, Thailand, Cambodia, and other places.

My principal reason for addressing the Senate today is to state that I do not condone the statement condemning our Chiefs of Staff that was made following last Friday morning's meeting of the committee. I have implicit confidence in the Chiefs of Staff. They have done great work, and the interest of our country is not served by these "interhouse accusations." It would be far better if we would point out the weaknesses of the Soviet and their deprivations. Not one word is spoken about them. But in the Chamber today I have heard nothing but criticism of my Government.

The PRESIDING OFFICER (Mr. METCALF in the chair). The time of the Senator has expired.

Mr. BUTLER. Mr. President, I ask unanimous consent for additional time so that I may be allowed to ask a question of the Senator from Ohio.

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

Mr. BUTLER. Does not the Senator believe that this question, which I am sure is not clear to the public or, indeed to the Senators, should be reserved until such time as an impartial investigation, such as was made of the U-2 incident, is made of the invasion and a full report is made by the committee entrusted to make the investigation?

Mr. LAUSCHE. I opposed the U-2 inquiry. No good purpose that would benefit our country could be served through such an investigation. Nothing of a constructive nature could follow.

Mr. BUTLER. At least, did not the people learn the truth concerning the U-2 incident? Does not the Senator from Ohio believe that the people of America are entitled to know who made the decisions and why they were made?

Mr. LAUSCHE. I concur in the appraisal of the Senator from Maryland with respect to the subject, but I do not concur in the idea that we should conduct an investigation. The investigation of the U-2 incident served the Communists and not our country. I cannot see what good would be served our country by a general open and public discussion.

Mr. BUTLER. Then I believe it behooves Senators to remain silent about the whole matter and make accusations against innocent people who have served their country well and who are unable to make answer.

Mr. LAUSCHE. If I were to express myself, I would suggest that we do not become slaves of the microphone and the television lens when it is in the corridor outside the room of the Committee on Foreign Relations. Let us not run up to it with great avidity to tell the world what happened in the Committee on Foreign Relations, which has been discussing sensitive and classified material.

Mr. BUTLER. Such information does nothing but degrade the Military Establishment of this great country.

Mr. LAUSCHE. I commend the Senator from Maryland for making that statement.

#### VIOLENCE IN ALABAMA

Mr. KEATING. Mr. President, it is a sad day for America when a group of young white and Negro citizens cannot safely travel through any of our States. The Communists already are making the most of this incident in the world press.

Firm action is needed to restore law and order and constitutional protection to the victims of the mob in Alabama. It must be made clear that such deprivations do not go unremedied in our great democracy.

Our integrity as a nation of law is at stake as well as our standing in the international community. We cannot permit the proud inheritance of freedom which we all enjoy as Americans to be besmirched and stained by hoodlums, racists, and demagogues.

I commend Attorney General Kennedy for his bold response to this ugly situation. No other course was open to him but to invoke whatever Federal authority existed to cope with this situation. This is not an invasion of States' rights. There is a national responsibility to uphold the Constitution and to safeguard travel by interstate facilities. We would be a Union of States in name only if the Federal Government had no authority to restore law and order under circumstances such as exist in Alabama.

It must be assumed that the Attorney General is acting with the approval and encouragement of the President. However, it would be very desirable for the President to give the full legal and moral support of his Office to the Attorney General's efforts. A strong public statement by the President would prevent any misconceptions as to where the overwhelming majority of Americans stand on this issue.

Mr. President, I believe strongly in the need for new civil rights legislation and this incident in Alabama emphasizes the great gap which still exists between our constitutional principles and their enjoyment by all Americans. But certainly no new laws are needed for the Federal Government to deal with such conditions as exist in Alabama. The present laws are fully adequate to enable the Department of Justice to take action in this situation. Obviously we need not and should not wait for additional legislation to meet the clear responsibilities of the Federal Government to protect the freedom riders.

#### PURR WORDS AND SLUR WORDS: HURDLES IN THOUGHT TRANSMISSION

Mrs. NEUBERGER. Mr. President, much of our time on the floor of the Senate is spent in dissecting the meaning of words. Indeed, the bulk of material in the RECORD in which this appears deals in some degree with this process because the same word evokes different responses in different individuals. At the same time our language offers a broad spectrum for description of abstract ideas. For instance, "chronic complainer" and "perfectionist" are

terms that might be used to describe the same individual, but the meanings are poles apart.

Mr. Stuart Chase, a word craftsman of some precision, has delved into the language barrier between reasonable men in an article which appears in the spring 1961, issue of the Lamp. A little reflection on the article, entitled "What Are We Talking About?" makes me wonder whether work of the Congress would be facilitated by creating a Joint Committee on Definitions, thus providing more definite boundaries within which we could pursue our discussions. It might be advantageous to set forth the meaning of such phrases as "the public interest," a condition frequently alluded to here.

But the task of defining is not without peril. How would members of the Joint Committee on Definitions react when dealing with words such as "Democrat" and "Republican"?

I ask consent to include with my remarks portions of an article by Stuart Chase from the attractive and enlightened house organ of one of the Nation's largest corporations, the Standard Oil Co. of New Jersey.

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

EXCERPTS FROM ARTICLE ENTITLED "WHAT ARE WE TALKING ABOUT"

(By Stuart Chase)

What is free enterprise? In a recent survey of public opinion, a scientific sample of adult Americans were asked to define this familiar phrase. Only 30 percent of them had a passable answer; many thought it meant something given away free at a sale. Surveys conducted by Opinion Research Corp. show that most Americans have only the foggiest notion of such terms as "capitalism," "socialism," "communism," "productivity," "depletion." Even the word "dividends" baffles some citizens.

Fogginess about economic terms is not confined to the rank and file. Discussion and dispute rage in academic, congressional, journalistic, and executive circles about the political, economic, and social issues of the day, in words that shed little light, although they often generate heat.

Beware, the semanticists say, of "slur" words and "purr" words, terms which have a built-in emotional bias. They raise the blood pressure and fog the vision. They can transform reasonable men into unreasonable table pounders. "Profiteer" is a slur word, and so is "spender," while "budget balancer" is a purr term, along with "home" and "mother." Campaign oratory normally contains a generous larding of slurs and purrs; indeed it is often intended to stir the emotions and confuse.

Let us compare briefly our present economy with the language currently used to describe it. The United States has developed a series of economic habits and arrangements which produce a fantastic output of goods, together with a somewhat uneven balance between private and public expenditures. Automobiles are in oversupply and places to park them in undersupply. A television set is in nearly every home, while the country is gravely short of school classrooms. Average family income—more than \$7,000—is the highest ever known on earth; the poor are getting richer, and the rich disgorge in in-

come taxes up to 91 percent of their annual take. Hours of labor have declined so dramatically over the years that the use of leisure has become a serious problem. The stockholders of large corporations, in many cases and for various reasons, no longer exert management control; control is in the hands of a continuing group of professional managers who may hold only a minority stock interest. The Federal Government administers a social security system with more than 100 million Americans on its rolls. Farmers now constitute less than 10 percent of the gainfully employed, with the ratio shrinking year by year, yet they still produce tremendous surpluses. Factory workers are declining relative to white collar workers, automation speeding the process.

#### OLD WORDS FOR NEW REALITIES

The Washington Post in a recent editorial summed up the current economic pattern:

We live in a mixed economy, with tariffs, subsidies, tax privileges, credit arrangements, and direct and indirect governmental regulation. In total this is neither socialism nor capitalism, but a composite adjustment of a practical people to the realities of day-to-day affairs. We live in private houses which we can afford because of governmental control of the mortgage market.

One might go on to give unlimited examples of the way private affairs are entangled with those of government on its three levels. They are interwoven too with nonprofit institutions like universities and foundations, and with cooperative enterprises. The reality just will not fit into neat, exclusive categories. This mixed economic pattern is spreading throughout the so-called free world.

Here then is the objective reality, the mixed economy which is steadily raising living standards but at the same time creating new problems of imbalance, some badly in need of correction. Responsible citizens are concerned with these problems; they are also concerned with the rapidly expanding Russian economy and the competition it offers to our system.

"Socialism" has long been explicitly defined by scholars as the public ownership and operation of the principal means of production. Webster will corroborate this one. It follows that there is very little socialism in the United States. Public utilities are the only important exception, and these in many cases have been operated by the community ever since the first water and sewage works, a century and more ago. Regulation, to be sure, is gaining. Federal, State, and local governments are moving in to regulate motor traffic, the airwaves, water and air pollution; they are stepping up social security laws. This is welfare legislation, but it is not socialism or communism.

"Capitalism" can be defined as a system where the private owners of capital decide and direct the flow of investment, and so control the nation's economy, within certain overall rules laid down by the Constitution and the state. Capitalists freely vie in choosing what resources shall be developed next and what goods placed upon the market. They must abjure monopoly and keep the market free. They hire and fire at their discretion, unimpeded by social legislation and trade union rules. There is reason to believe that Britain in the 1840's and America in the 1870's were not too far from such performance.

A hard look at the American economy today reveals that it corresponds about as little to "capitalism," as defined above, as it does to the accredited definition of "socialism." Discussion based on these terms is likely to be stale and unprofitable, as well as overemotional. Remedial action based on these terms is likely to be confused. There

is simply no such animal out there in the real world.

Take "free enterprise" and its sister terms, "free competition" and "the free market." Plenty of lively competition goes on in Main Street, but over the years the free market, as the Washington Post points out, has been drastically modified. Protective tariffs; subsidies of many kinds; "fair trade" laws, where manufacturers set the price at which retailers can resell; "oligopoly," where a handful of firms more or less control a market; Government regulation of utilities and the airwaves—all these practices modify, if they do not contradict, free competition. In brief, "our free enterprise system" is a wild misnomer for what is actually going on. But "our monopolistic system" is almost equally wild. The system varies from the airtight monopoly of the Atomic Energy Commission to the unhampered competition of roadside vegetable vendors.

Take the national debt, which looms in many minds as an arching tidal wave, about to engulf us all. A neighbor told me recently that he was more afraid of this "crushing burden" than he was of nuclear war. Most of us think of the national debt as similar to a mortgage on one's house. Speaking as a CPA, I know that the analogy is wildly inaccurate.

The Federal debt is little greater now than it was in 1946—about \$290 billion as against \$279 billion—while the gross national product has almost doubled and population has soared. The "crushing burden" thus grows relatively less. The debt furthermore is practically all internal, and interest received by citizens is subject to taxation; we are on both sides of the equation. It is utterly impossible for the United States to "go bankrupt" under these conditions. The real difficulty with the debt is its unequal distribution among groups inside the country—banks, trustees, insurance companies, corporations, individuals, and other bondholders. The debt could be better managed, doubtless, but such action will be difficult as long as the words are so far from the facts.

Take "balanced budget," a term closely allied in our minds to the debt. It is a purr term, while "unbalance" is a slur. Practically every candidate for President in my memory has promised to balance the budget. It is a battle of words, not of facts. Fiscal prudence over the years is certainly mandatory, but there is no occasion for a scrupulous balance every year. A deficit is sound procedure in a recession year, and in prosperous years a surplus should be planned for, to retire some of the debt. Few citizens, furthermore, ever stop to define "the budget." Shall it be on a cash basis or on an accrued basis? Shall social security fund transactions be included or excluded? Shall earning assets, like the TVA, be capitalized as in a business balance sheet, or treated as running expenses?

This brings us to the powerful slur word "spending." Spending for what? Is it better for the community to have money spent for liquor, roadhouses, cigarettes and chewing gum, or for schools, hospitals, and water supply? A great nation can afford anything it can produce, and the United States does not have to choose so carefully between wealth and illth as does a poor nation. The United States does seriously need to strive for a healthier balance, but to cower before the word "spending" is not only stupid but dangerous as well.

"Planning" is another slur word for many Americans, and again one must ask: Planning for what? Planning is a highly respectable form of activity in all spheres except that of government. The Russian Government, we are told, has a 7-year plan, so a free society should have nothing to do with such an immoral exercise. This

amounts to saying that we should not use our minds to come to terms with the problems—the very grave problems, both domestic and foreign—which lie before us. If we persist in our refusal, we give the Russians a potent advantage and a roomy margin in which to maneuver; they may use their heads about the national future and we may not.

As a sidelight on our semantic analysis, it is not without interest to compare the ideologists of the 1960's with those of the 1930's. Criticism of Mr. Roosevelt's program was largely muted during the early years, due to the severity of the crisis. But by 1935 one could take a breath and find fault with what was going on, or what seemed to be going on. One could call it names: "socialism," "communism," "fascism," "the same old capitalism."

A generation after the event we are in a position to evaluate the economics of the New Deal and appraise its aftermath. We now know that it was no revolution, no call to the barricades. It engineered no fundamental changes in production or distribution, established no dictatorship. It was a series of bold experiments, designed to halt what seemed like a bottomless depression.

Meanwhile the laws and directives of the New Deal administration proceeded—or floundered, if you will—between these rigid ideological walls, never departing far from the middle course of a mixed economy. Many of the ideologists of 1935 have since changed their minds, some very drastically. It is not impossible that many now sounding off in 1961 will also reconsider their labels.

#### IN CONCLUSION

Reasonable observers are obviously in trouble. The evidence shows an alarming gap between economic realities and the words normally used to describe them.

Applying a little semantics helps to put the record straight. It is a good idea, for instance, to identify slur words and purr words, discount them in others, avoid them oneself. I seldom use "capitalism" or "socialism" to describe the current scene; I use "open" societies and "closed" societies, where emotional content is at a minimum. In the former, investment, ownership of property, consumer choices, assembly, speech, the ballot, religious worship, are relatively free. In the latter they are relatively controlled. Closed societies thereby gain the advantage of more rapid action and less waste when investment and production must be shifted—say from guns to butter in a disarmament program. Closed societies can keep their outlays for health, education, and other community services in balance with their gross national product.

A fully developed open society, however, whose leaders understand its structure, can give members plenty of consumer goods, while maintaining public services and adequate military deterrents. So far, however, our terminology has made it extremely difficult for reasonable men to understand what they are talking about and proceed to reasonable action.

Finally, to quote Lincoln: "When men wrangle by the mouth with no certainty that they mean the same thing while using the same word, it perhaps were as well if they would keep silence."

#### SENATOR FROM VERMONT

Mrs. NEUBERGER. Mr. President, I have just had the pleasure of reviewing a book by a former colleague of ours. The book, entitled "Senator From Vermont," was written by former Senator Ralph Flanders of Vermont.

I wish to invite the attention of Members of the Senate, who I know will wish to read the book in its entirety, to a section of it on page 264, where the former Senator from Vermont discusses eloquently the meaning of the words "conservative" and "liberal" as applied to Senators.

I particularly enjoyed reading this section of the book because it deals with the time when the Senator from Vermont was a Member of this body and while I had an opportunity to observe him. He writes:

The well-being of the American people and the very safety of the Nation depend on the maintenance and strengthening of the attitude which has long gone by the name "liberal." How can we preserve and extend that attitude? Shall we find a new name, or fight the battle out under the old one?

#### SPECULATION ON THE STOCK MARKET

Mr. GORE. Mr. President, many people in positions of responsibility have become alarmed over recent, excessive speculation on the stock exchanges, as well as in over-the-counter trading. Brokers have been suspended, the Securities and Exchange Commission is investigating the operations of one of the major exchanges, and many, including the president of the New York Stock Exchange, have warned about the consequences of this recent development.

There have been all sorts of suspected rigging, including manipulations involving foreign stock exchanges, and put-and-take operations backed up by options of one kind or another.

One of the ways to control gambling and speculation on the exchanges is to raise the margin requirement. This is one of the economic regulators which has been turned over to the Board of Governors of the Federal Reserve System to administer.

Last summer when stock market credit fell to about \$4 billion, the Federal Reserve Board lowered the margin to 70 percent. It had been at 90 percent.

Now stock market credit has risen to more than \$5 billion. This is the first time it has been this high since before World War II. It seems to me that it is well past time for the Federal Reserve Board to raise the margin requirement, not to 90 percent, but to 100 percent.

Excessive speculation—gambling, if you will—on our stock market benefits no one, with the possible exception of a few sharpies and insiders who are willing to ignore the welfare of their stockholders and the public generally.

#### THE BODY AND SOUL OF BUTTE— ARTICLE BY SISTER MARY BRIDGET, S.C.L.

Mr. MANSFIELD. Mr. President, Butte, Mont., is one of the most colorful cities in the West. Butte and Silver Bow County cut a large slice of my State's history, which has been filled with more than its share of happiness and tragedy. I am extremely fond of Butte and the wonderful people who live there.

In recent years the city has been beset with economic difficulties of great proportions because of depressed mining conditions and mechanization in the industry. Butte is now beginning to pull itself up by the bootstraps, and one of the finest interpretations of Butte, its people and history, is contained in the June issue of the Catholic Digest.

Mr. President, I ask unanimous consent to have the article "The Body and Soul of Butte," written by Sister Mary Bridget, S.C.L., printed in the body of the Record at the conclusion of my remarks.

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

#### THE BODY AND SOUL OF BUTTE (By Sister Mary Bridget, S.C.L.)

My city, Butte, Mont., has a deeply scarred face. She is grimy with the refuse of a long-dead smelter. But those who know her realize that beneath that rugged surface she has great resources of kindness and courage as well as minerals. She cherishes the ageless values for which one always has to dig deep.

The clash of the giant wills of the early copper kings—William Clark, Marcus Daly, and P. Augustus Heinze—can still be felt in the mining-camp atmosphere of Butte. And the mines they fought over still produce the copper which gives her the right to be called the richest hill on earth.

A stranger coming into Butte at night, dazzled by the twinkling lights, expects to find a wide, airy city with trees, flowers, and fountains. Then he wakes up in the morning to the ugliest face he has ever gazed upon. There astride buttes nestling at the foot of the Rockies, is a sprawling community quite unconcerned about her lack of beauty. The Mountain Con peers out over the valley. To those who venture close to her, the roar of her cage, carrying its load of miners from the heart of the earth, is deafening.

Over on the eastern approach to the city the Leonard mine opens right onto the main street of Meaderville, and ore cars slide past on their shimmering rails.

Seeping out of the mines, channeled by sluice boxes, the copper water flows into paddles reflecting shades of green, turquoise, and blue. The kids of Butte have always loved to wade in these copper ditches, and many an evening their feet and hands are minus the upper layer of skin.

To know the people of Butte is to know what courage and humor are. Fifty years ago or more the Irish were told not to stop in the United States but to go on to Butte, Mont. And on they went in great hordes. Overnight Dublin Gulch and Corktown sprang up with almost as many Irish inhabitants as in the cities they were named for.

St. Patrick's Day became a holiday in Butte, and Tom Kelly never failed to see that the brewery turned out keg after keg of green beer, usually served "on the house." Citizens cheered the news of the Irish rebellion and mourned the death of Terrence MacSwiney, the Lord Mayor of Cork.

If you wanted to get your hair cut, you hiked up to Mickey the Bird's and Mamie the Barber's, where you not only received your money's worth of service but were enchanted by the songs of Hugh O'Neil, the Bard of Armagh, and thrilled to hear Mickey recite all stanzas of "My Dark Rosaleen."

Butte had characters who spiced the town with an unforgettable flavor. One of them was Shoestring Annie, who stood on the corner of Park and Main selling her wares, unaware that she had become a landmark.

Then there was Straight-Back Dan, who would begin his favorite recital with the words, "I was down at the Union, at the Union," and tell in extraordinary detail how he escaped when the Miner's Union was blown sky high.

Barry O'Leary, mayor of a decade or two ago, still carried out in great tradition the Fourth-of-July street dances, following the fanciest parade you'd ever see. Sparrow Murphy was (and probably still is) the most beloved of all shift bosses. None of his "boys" was permitted to enter the mine without his partner, and many a man saw daylight once again because of "the Bird." The Irish are by no means the only inhabitants of this city. The Cousin Jacks and the Cousin Jennies from Wales and Cornwall contributed to making Butte unique. They brought with them the art of making dainty pasties and saffron buns.

They went down into the mines side by side with the Irish, and proved that they, too, were stouthearted men when it came to fusing the dynamite or pulling a partner out of an air-deficiency pocket. They could expand their vocal cords just as loudly on "The Cruiskeen Brown" as they could on "God Save the King."

Meaderville was the center of gravity for those migrating from sunny Italy. They brought their uncanny knowledge of grapes and wine, of spaghetti and meat balls, and the strange, delicious ravioli. Ted Traparish's Rocky Mountain Restaurant became the No. 1 spot for connoisseurs, and Charlie Erb's Savoy could serve a chicken dinner that even the chickens would have to admire.

Along with their knowledge of good things to eat, those sons of Italy brought the love of music, and this, too, became part of the growing culture in Butte.

Over on East Park, past Wyoming Street, the Scandinavians settled, and the Greeks added a Turkish bath to the growing town.

At times, the price of being the richest hill has been almost too high. You don't have to reread old headlines in the Butte Daily Post or the Montana Standard (Seven Men Die in Cave-In) to know the tensions of a miner's life. You know it by reading the faces of the miners as they come up to surface. You see it in the determination of these men to see that their sons receive an education which will enable them to become a part of a white-collared world.

Yet those very men will never renege on their chosen occupation. It takes stamina to go back, day after day, into the depths of the earth, knowing with certainty that the mine will eventually take its toll. But these men are the seed of the early giants who inhabited Butte.

On a hot July day in 1864, two bearded miners, George Humphrey and William Allason, staked a gold claim at the foot of a sprawling butte in southwestern Montana Territory. This was destined to become the site of the bloodiest, most expensive, and most expensive battle of wits and muscles ever witnessed in the Northwest, the war of the cropper kings.

After a gold rush of 3 years the claims folded up, and Butte Township became just another ghost town. For the consolation of 50 miners who remained in the town, two bars stayed open. All other supplies had to be hauled in. In the spring of 1872 William Andrew Clark, one-time miner, mail runner, teacher, banker, and financier (and future U.S. Senator) arrived from Deer Lodge to look the hill over with hope of claiming either silver or gold. Within a year he purchased the Calusa, the Original, the Gambetta, and the Mountain Chief mines. One king was here to stay—one stick of TNT.

Around 1875 a fellow named William Farlin struck a rich vein of silver. The population, like his blood pressure, rose: to 5,000.

When Farlin began paying his freighting bills with silver bars, the Walker brothers, bankers from Salt Lake City, sent a young Irish foreman, Marcus Daly, to look over the situation.

Daly not only looked over but took over the hill. First he purchased the Lexington and Alice mines; then he managed to talk Mike Hickey into selling his claim to the Anaconda mine. It was this mine that became synonymous with Daly and copper—another stick of TNT.

For the next 13 years the two giants were locked in constant struggle for control of the hill. Pickaxes, dynamite, 5,000 miners at their beck and call, two powerful newspapers with some of the best journalistic talent ever gathered in the West were the weapons these men used. They hit both above and below the belt.

While the slugging was reaching a peak of intensity, there arrived in town, in 1889, a 22-year-old mining engineer who eventually hit harder than the other two combined. Surveyor, reporter, and buccaneer, P. Augustus Heinze had the height, width, and depth to match any king who ever reigned. He was the third stick of dynamite. When you fuse a Clark, with his personal interests at stake; a Daly, with the development of western Montana uppermost in his mind; and a Heinze, who had never known what it was to be defeated, you have an incomparable Donnybrook. The mines became no man's land. The war raged for 10 years.

Finally, in 1899, Daly, broken in health, sold his holdings to the Amalgamated Mining Co. with the provision that he would be president of the new company. When he died a year later, the Anaconda Mining Co. (the new name) took over in full.

Clark, whose election to the Senate was opposed by Daly, was reelected in 1900, but the price included settling with the AMC. When he died in 1926, his heirs sold the Clark interests in full to the company. That left the last king, Heinze, to do battle with the giant Anaconda. In 1913 the company bought out his properties and holdings for \$10.5 million, and the war ended. The greatest giant of all, Anaconda, had succeeded in mesmerizing and swallowing up the copper kings of Montana.

Christ came to "the land of the Shining Mountains" in the person of the great Black-robe Father Peter de Smet and other strong-hearted Jesuits who labored among the Indians and whites of the new territory. The Vicar Apostolic of Leavenworth, Bishop John B. Miede, S.J., blessed the undertaking of those pioneer missionaries. Father Laurence Pallidino, S.J., left a monumental work in his "Indians and Whites of the Northwest" as a testimony to the vanishing tribes and the new frontier.

On April 8, 1883, Bishop John B. Brondel, of Vancouver Island, was appointed administrator of the Montana Territory. On the following March 7 a new bishopric was erected in Helena, with Bishop Brondel as first bishop of Montana.

Three months later the first synod was attended by the largest number of clergy assembled up to that time in Montana: nine Jesuits and four secular priests. Among those were Father Remigius de Ryckere, dean of the Montana clergy. This pioneer priest, a missionary at Deer Lodge, attended to the mining camps in the surrounding districts. In 1876, heeding the need of the copper camp, he purchased a small frame building to serve as St. Patrick's Church. Father J. J. Dols was appointed to St. Patrick's in 1884.

Other churches followed: St. Mary's in Dublin Gulch; St. Lawrence O'Toole, rising up from the hilltop of Walkerville with Father Baten keeping his eye on his tribe. The younger parishes of St. Joseph's, St. John's, and St. Ann's added to the Litany of the Saints. The saintly Father J. J. Callag-

han started Sacred Heart Parish for the neglected and forsaken. He died worn out from his labors at 38. Every hack and carriage in the city was pressed into service; his was the largest funeral ever accorded to any man in Butte. He was buried in St. Patrick's cemetery, at the foot of Montana Street.

You won't be in Butte long before you are informed that the town has a population of 33,250, but that population fluctuates with the rise and fall of the price of copper. There are 500 miles of streets on the surface of the city, while 2,000 miles of corridors and tunnels run parallel underneath it. The city has 20 public schools, nine parochial schools, three high schools, and the Montana State School of Mines. Three teaching orders, the Sisters of Charity of Leavenworth, the Sisters of Charity of the Blessed Virgin Mary from Dubuque, and the Christian Brothers of Ireland staff the parochial schools.

Twelve thousand men have been employed at a single time on the hill, with a payroll of \$1.5 million a month. Butte produces 8 percent of the copper mined in the United States, 13 percent of the zinc, and 4 percent of the lead. A bronze statue of Marcus Daly by Saint-Gaudens stands on the School of Mines campus in recognition of the advancement of metallurgy in the field of mining.

You may come into Butte as a stranger, but you don't remain a stranger long. You join in her songs and listen to her stories. Her chamber of commerce isn't concerned because it can't brag of a central park, towering skyscrapers, museums and art galleries. These things are good, Butte agrees, but what she offers to every newcomer is the heartfelt hospitality of a stalwart people.

#### U.S.S. "ARIZONA"—A NATIONAL SHRINE

Mr. WILEY. Mr. President, the sacrifices of patriots—in peace and war—live long after them. By such actions, history is created and an indelible imprint is made on the generations of the future.

During World War II, for example, there were innumerable acts of heroism, patriotism, dedication to duty, and sacrifice that excel our poor power to pay homage.

In the hearts of our people, however, gratitude is great for the sacrifices that enabled us to defeat a totalitarian enemy and to perpetuate our way of life.

As one memoriam, an effort is underway to build a permanent shrine over the hull of the U.S.S. *Arizona*, sunk on December 7, 1941, in Pearl Harbor. The Navy Club of the United States of America and the Pacific War Memorial Committee have raised \$250,000 toward the \$500,000 needed for the shrine. In addition, the Legislature of Hawaii appropriated an additional \$50,000. This leaves \$200,000 still needed.

Recently, the Legislature of Wisconsin adopted a joint resolution urging the appropriation of the remaining \$200,000 for completion of the memorial.

In recognition of the sacrifices of the men of the U.S.S. *Arizona*—of the tremendous efforts already made for this shrine—and the deep concern of the State legislature and of patriots everywhere for its completion, I bring this resolution to the attention of my colleagues and ask unanimous consent that it be printed at this point in the RECORD.

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

#### JOINT RESOLUTION 49

Joint resolution memorializing the Congress to appropriate the necessary funds so that the memorial over the U.S.S. *Arizona* may be completed as a national shrine for the men killed at Pearl Harbor on December 7, 1941

Whereas the project to build a permanent memorial over the hull of the U.S.S. *Arizona*, sunk in the December 7, 1941, attack on Pearl Harbor and still containing the bodies of 1,102 servicemen entombed within it, is slowing because of lack of funds although the project is nearing completion; and

Whereas the Navy Club of the United States of America, one of the originators of the plan to enshrine the *Arizona* and its gallant dead as a memorial to all who died at Pearl Harbor on the "day of infamy" in 1941, has been responsible together with the Pacific War Memorial Commission for raising \$250,000 privately toward the \$500,000 needed; and

Whereas the Hawaii Legislature has appropriated an additional \$50,000 toward the memorial leaving an additional \$200,000 still needed; and

Whereas the completion of this memorial is in the interest of the Nation as a whole as a shrine to the men who gave their lives and as a symbol for future eternal vigilance: Now, therefore, be it

*Resolved by the senate, the assembly concurring,* That the Congress is memorialized by the Legislature of the State of Wisconsin to appropriate the necessary \$200,000 in additional funds so that the memorial over the U.S.S. *Arizona* may be completed at an early date as a national shrine for the men killed at Pearl Harbor on December 7, 1941, and that suitable copies of this resolution be forwarded by the secretary of state to the President of the United States and the Members of Congress from this State.

W. P. KNOWLES,  
*President of the Senate.*  
LAURENCE R. LARSEN,  
*Chief Clerk of the Senate.*  
DAVID J. BLANCHARD,  
*Speaker of the Assembly.*  
ROBERT G. MAROTZ,  
*Chief Clerk of the Assembly.*

#### NEEDED: A GREATER SENSE OF RESPONSIBILITY BY LAW ENFORCEMENT AGENCIES AND "FREEDOM RIDERS" IN RIOTS IN ALABAMA

Mr. WILEY. Mr. President, as a U.S. Senator, as a citizen, and as a human being, I, along with my fellow Americans deplore, and am saddened by, the race riots in Alabama.

As Americans, we believe in perpetuation of a climate in which the rights and privileges of all citizens—regardless of race, creed, or national origin—can be fully exercised and protected.

We recognize, of course, that racial interrelationships have a long, turbulent history.

In our efforts to resolve the inherent problems, there is always the need for the exercise, by all sides, of human understanding and good judgment.

Fundamentally, there is a need to preserve the legal rights of all citizens. This includes the right to travel, to be protected from mob violence, and the full exercise of other legitimate privileges.

To assure a climate in which this can be accomplished, our law enforcement agencies—local, State and Federal—have a basic responsibility. If violations occur, then whatever force is necessary should be deployed to guard against such violations.

However, our citizens—individually, and by association—also have a great responsibility for the exercise of good judgment in such circumstances.

Today, our free system is engaged—militarily, sociologically, economically, politically, ideologically—in a life-and-death struggle with totalitarian communism.

Previously, the riots in Little Rock gave our Nation a "black eye"—a blow to our national prestige.

Undoubtedly the tragic events in Alabama also will be "ballooned" globally, to distort the image of the United States.

In the larger world—as well as the legal, social, interracial—view, then, there is a need to ask: Are the law enforcement agencies, as well as the so-called "Freedom Riders" exercising the kind of judgment that will, first, further, not retard, their separate causes; and second, reflect favorably, not unfavorably, upon the Nation of which they—regardless of this specific cause—are, and should be, responsible citizens.

There is, then, a national call to rise above the prejudices, hates, blind action—whatever motivations are the underlying factors in these tragic events—and to remember that we serve ourselves best if we, first, best serve our country.

#### NOTICE OF HEARINGS ON LEGISLATION TO CREATE A DEPARTMENT OF URBAN AFFAIRS AND HOUSING

Mr. HUMPHREY. Mr. President, I wish to announce to the Senate that hearings have been scheduled on the legislation which provides for the creation of a new Department of Urban Affairs and Housing. These bills include S. 289, S. 375, S. 609 and S. 1633. The latter bill was submitted to the Congress by the President as a part of the administration's program. These hearings will be held before the Reorganization Subcommittee of the Senate Committee on Government Operations in room 3302, New Senate Office Building, on Wednesday and Thursday, June 21 and 22.

A number of Senators have expressed interest in this proposed legislation, and I am making this announcement well in advance of the hearing dates so that those Senators wishing to appear before our subcommittee can arrange to do so.

Also, there are many private groups and individuals who have indicated a desire to testify on this bill.

I would suggest that anyone wishing to appear as a witness or who wishes to file a statement on the bill to create a Department of Urban Affairs and Housing, should communicate with the Government Operations Committee, room 3304, New Senate Office Building. Telephone CA 4-3121, or Government code 180, extension 4753 at the Capitol. We wish to give the opportunity to testify

to all who are interested in this important legislation.

The PRESIDING OFFICER. Is there further morning business?

Mrs. NEUBERGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

#### FUNERAL OF SENATOR GEORGE W. MALONE, OF NEVADA

Mr. MORSE. Mr. President, as all Senators know, today we are sad because of the death of our former colleague, Senator Malone of Nevada. Many in the Senate wish to pay their tributes to his memory by attending his funeral at 1 o'clock. Therefore, I shall request that the Senate stand in recess until 1 o'clock. Let me say that I have cleared this matter with the majority leader.

So, Mr. President, in order to enable the Senate to proceed at 1 o'clock with debate on the Bush amendment, and also in order to allow ample time for Senators to attend the funeral of the late Senator Malone, of Nevada, and thereafter to return to the Senate in time to vote on the Bush amendment, I shall either move or shall ask unanimous consent that the Senate take a recess until 1 o'clock.

The PRESIDING OFFICER. Is there objection?

Mr. BUSH. Mr. President, reserving the right to object, although I may not object, let me say that Senators have come to the Chamber to transact morning business. Therefore, will the Senator from Oregon modify his request, so as to make it possible for Senators to transact morning business and for the reassembly, following the recess, to occur 1 hour after the conclusion of the transaction of morning business?

Mr. MORSE. Yes, Mr. President, I modify my request accordingly, with the understanding that the 1-hour recess will begin at the conclusion of the transaction of morning business.

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

Morning business is now in order.

#### STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. CANNON. Mr. President, on May 3, on behalf of myself and 32 other Senators, I submitted a resolution (S. Res. 134) to amend the standing rules of the Senate to create a standing Committee on Veterans' Affairs. The Senator from Iowa [Mr. MILLER] has since requested that his name be added as a cosponsor. I ask unanimous consent that at the next printing of the resolu-

tion the name of the Senator from Iowa be added.

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

#### RECESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed; and, in accordance with the unanimous-consent agreement, the Senate will now stand in recess for 1 hour.

Thereupon (at 12 o'clock and 4 minutes p.m.) the Senate took a recess until 1 o'clock and 4 minutes p.m.

At the conclusion of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. METCALF in the chair).

#### THE ATTEMPTED INVASION OF CUBA

During consideration of H.R. 1021, Mr. MORSE obtained the floor.

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

Mr. MORSE. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. The other day the distinguished Senator from Oregon held some hearings before a subcommittee of the Foreign Relations Committee in his capacity as chairman of the Subcommittee on Latin American Affairs. He invited other Senators to be present. I was one of the Senators who was present part of the time. I should like, with the Senator's indulgence, to take a moment or two to clarify some interpretation placed on the remarks attributed to me following the hearing.

Mr. MORSE. I am glad to yield.

Mr. President, may we have the understanding that this interruption will appear either previous to or following discussion of the education bill?

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

Mr. CASE of South Dakota. The other day, during the hearings being conducted by the Senator from Oregon with respect to the Cuban matter, one of the Senators leaving the room made a statement which implied some criticism of the Joint Chiefs of Staff. Later on, at the conclusion of that hearing, I left the room and was asked by some reporters by the door what I thought. I said, "Well, I thought there were certain aspects of it that should be reviewed by the Armed Services Committee," of which I am a member. Another reporter made some further interrogatory. He said, "Well, how do you personally feel about it?" I said, "I was flabbergasted," and started to say why I was flabbergasted.

Just then General Lemnitzer came out of the door, and the reporter turned to find out what General Lemnitzer had to say in comment on an earlier statement by another Senator that he thought there should be a shakeup.

Subsequently, or as soon as I could, I turned to see if there was any reporter interested in having me finish the sentence. They were interested in what

General Lemnitzer was saying. Later, reporters from the Associated Press and CBS asked me, and I finished the sentence for them. Apparently the completion of the sentence never reached the editor of the Washington Star or the Washington Daily News. The Washington Daily News, in its editorial of today says:

All the public knows is that one Senator, having heard the testimony, thinks a shake-up is essential. Another Senator—CASE of South Dakota—says he was "flabbergasted" by what he heard.

In yesterday's Washington Sunday Star, an editorial reads:

It is true that Senator GORE, except possibly for some implied support from Senator CASE of South Dakota, stands alone. Senator MORSE, chairman of the investigating subcommittee, has expressed his confidence in the Joint Chiefs.

What I started to say, and what I did say to those who listened to the completion of the sentence, was that I was flabbergasted that the military reputation of the United States could be laid on the line by persons who are not in the Military Establishment or under their control—which puts a different meaning on it. I started to say I thought there were aspects of the matter that ought to be reviewed by the Armed Services Committee. I was a member of that committee. We had in the hearings testimony by the Joint Chiefs of Staff and some of their associates. It was only natural that I should say certain aspects of the matter should be reviewed by the Armed Services Committee.

I was flabbergasted—I am still flabbergasted—that the military reputation of the United States could be laid on the line by persons who are not under the control of the Military Establishment of the United States.

Mr. MORSE. Mr. President, I wish to thank the Senator from South Dakota for coming to the hearing of the committee the other day. The questions he asked and the contributions he made by way of his suggestions and statements were very helpful to the record we are making. I did not hear what transpired outside the committee room, but I am sure no confidence is violated when I say that the Senator from South Dakota did say in the committee room, practically verbatim, just what he said on the floor of the Senate. In fairness to the Senator from South Dakota, the public record should show that. Beyond that, I do not intend to involve myself in any controversy which the Senator from South Dakota may be involved in with anybody else; but I do want to say that what he has said on the floor of the Senate he said, in meaning, in the committee itself.

Mr. CASE of South Dakota. Mr. President, in response to what the Senator from Oregon, as chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations, has said, I should also like to say, if I may, and I hope I am not violating any confidence of the subcommittee, that a question was asked, and I think some emphasis was placed on it by the

distinguished Senator from Oregon which would have shed some light on the whole situation, and which would have been helpful to members of the committee who were obliged to leave before the hearing was concluded. I think the Senator from Oregon recalls the question which he asked, or the matter to which he directed attention, and said that was a very significant comment; that if that had been brought to the attention of the Senators present, there would perhaps have been a different feeling about some of the issues involved.

Mr. MORSE. As the Senator knows, I propose to make the recommendation to the full Foreign Relations Committee, if the subcommittee approves, that the full Foreign Relations Committee give approval to the subcommittee to advise the President that we think the contents of the transcript should be made known to the President, and particularly the piece of information that the Senator alludes to, which bore upon the question I asked.

The press representatives asked me afterward, "Do you mean to imply, Senator, that the President does not know all these things?" My reply was, "I simply want to make sure he knows. I think we owe it to him to give him the opportunity to make absolutely certain he knows the condition of the transcript and also, if it meets with his pleasure, that he have whatever benefit, if any, would come from a brief consultation with the members of the committee in respect to some of our observations and interpretations as to the significance of what the transcript indicates."

He might obtain benefit from reviewing some of the problems which I think confront the President of the United States in respect to the whole matter of our procedures and our policies in the field of Latin American affairs.

#### SCHOOL ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Chair now lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1021) to authorize a program of Federal financial assistance for education.

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

Mr. MORSE. Mr. President, I understand that the Senator from Connecticut wishes to modify his amendment, and that is perfectly acceptable to me.

The PRESIDING OFFICER. The author of the amendment has that right.

Mr. BUSH. Mr. President, I send to the desk a modification which I make of my amendment.

The PRESIDING OFFICER. The amendment as modified will be stated.

The amendment as modified was read, as follows:

On page 16, lines 13 through 17, amend section 111(a) to read as follows:

"The Commissioner shall approve an application of a State which fulfills the con-

ditions specified in section 110(a) and which, in good faith, is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools: *Provided*, That the Commissioner shall not finally disapprove a State application except after reasonable notice and opportunity for hearing to the State education agency.

On page 16, line 22, after the comma, insert the following: "or with the requirements of paragraph 1 of this subsection."

Mr. BUSH. Mr. President, I understand that the acting majority leader wishes to request that there be a quorum call at this time. I yield for that purpose.

Mr. MORSE. Mr. President, I ask unanimous consent that when I suggest the absence of a quorum, the time required for the quorum call not be charged to the time available to either side under the agreement.

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

Mr. MORSE. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll; and the following Senators answered to their names:

[No. 45]

Anderson	Ervin	Miller
Bartlett	Fong	Monroney
Beall	Gruening	Morse
Bennett	Hart	Mundt
Boggs	Hartke	Muskie
Burdick	Hickey	Pastore
Bush	Hill	Prouty
Carlson	Humphrey	Proxmire
Carroll	Johnston	Robertson
Case, S. Dak.	Jordan	Scott
Church	Kefauver	Smathers
Clark	Long, Mo.	Smith, Mass.
Curtis	Long, Hawaii	Sparkman
Dodd	Mansfield	Young, N. Dak.
Douglas	McClellan	Young, Ohio
Dworshak	McNamara	
Ellender	Metcalf	

Mr. HUMPHREY. I announce that the Senator from Oklahoma [Mr. KERR], the Senator from Wyoming [Mr. MCGEE], the Senator from West Virginia [Mr. RANDOLPH], are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ], is absent because of illness.

I further announce that the Senator from Texas [Mr. BLAKLEY], is necessarily absent.

Mr. BRIDGES. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from California [Mr. KUCHEL] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] and the Senators from Kentucky [Mr. MORTON] and [Mr. COOPER] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BIBLE, Mr. BRIDGES, Mr. BUTLER, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CAPEHART, Mr.

CASE of New Jersey, Mr. COTTON, Mr. EASTLAND, Mr. ENGLE, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GORE, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HRUSKA, Mr. JACKSON, Mr. JAVITS, Mr. KEATING, Mr. LAUSCHE, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MOSS, Mrs. NEUBERGER, Mr. PELL, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCHOEPEL, Mrs. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. WILEY, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, and Mr. YARBOROUGH entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. HICKEY in the chair). A quorum is present.

Mr. BUSH. Mr. President, do I correctly understand that the time for the quorum call has not been charged to either side?

The PRESIDING OFFICER. The time for the quorum call has not been charged to either side.

Mr. MORSE. Mr. President, will the Senator from Connecticut yield on my time, so that I may propound a unanimous-consent request, and with the understanding that my interruption will precede the Senator's speech?

Mr. BUSH. Mr. President, I am glad to yield to the Senator from Oregon without losing my right to the floor.

Mr. MORSE. Mr. President, I ask unanimous consent that during the debate on S. 1021, Dr. Samuel Halperin, a political science congressional fellow who is working with my subcommittee, be permitted on the floor of the Senate to assist the committee.

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

Mr. BUSH. Mr. President, before explaining my amendment, I wish to make a few introductory remarks. I allot myself 20 minutes at the present time.

Today the Senate will finally come to grips with an issue long debated. Will Congress pass a gigantic school assistance law without requiring that the Federal Government withhold funds from any State which is proceeding in defiance of the constitutional requirement that segregation in the public schools be ended? Both party platforms are dedicated to upholding the Supreme Court decision of 1954. Repeated statements by the leaders of both parties in the Senate endorse the principle behind this amendment. The failure of the amendment will surely set back the cause of desegregation for many years. Yet it appears that some of the staunch supporters of civil rights are about to forsake this cause in the interest of a highly discriminatory, pork barrel school bill for which a case has not been made. But the need for this amendment is clear.

Unfortunately, perhaps, this debate follows upon the heels of one of the most shocking racial riots and disturbances in recent years.

Emotions have been stirred deeply by the violent attacks on the Freedom Riders in the South. Federal marshals or Federal law enforcement officers have been ordered out of the State of Alabama by its Governor.

As the author of the pending amendment, I express the hope that it will be considered calmly, on its merits, and that in the debate the Senate will live up to its highest tradition of careful deliberation and dignity. I urge Senators in both parties who have staunchly supported the cause of reasonable civil rights measures and who support the Supreme Court's 1954 decision on segregation and their party platforms on this issue to reconsider their determination, if indeed they have so determined, to defeat this amendment. Let us consider the human rights involved in this issue. Let us consider the human rights involved in this amendment. But above all, let us not compel the Federal Government to pay a big bonus in Federal funds for defiance of the Supreme Court's decision on schools.

My amendment has been read; but in order to explain it, I shall read its essential provisions again.

The Commissioner shall approve an application of a State which fulfills the conditions specified in section 110(a) and which, in good faith, is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools: *Provided*, That the Commissioner shall not finally disapprove a State application except after reasonable notice and opportunity for hearing to the State education agency.

Mr. President, I have been asked if this is the Powell amendment. That is a reference to the distinguished Chairman of the House Committee on Education and Labor, Representative ADAM CLAYTON POWELL, who for some years has submitted an amendment known as the Powell amendment, which he has discussed at various times in respect to bills dealing with education. I say mine is a different type of amendment. I would broadly differentiate the two amendments by saying that the so-called Powell amendment was absolutely a prohibition against the use of Federal funds in any State where a school practicing segregation was involved; and I say this with all respect to the gentleman; I would have supported his amendment if it had come for a vote in the Senate.

My amendment is different in that it gives considerable discretion to the administrator of the act, namely, the Secretary of Health, Education, and Welfare or, under him, the Commissioner of Education. It gives the administrator a chance to look at the situation within an individual State and to form his opinion as to whether that State is making a decent effort to comply with the Supreme Court decision of 1954. If he finds that, in his judgment, that is the case, then he may not withhold funds upon the application of the State. That is a very different thing.

Some may say, perhaps, that this gives the Commissioner much discretion. I do not object to that. I realize that judgment must be exercised somewhere along the line, either under my amendment, the Powell amendment, or any other amendment. The Commissioner must decide whether he will give the money or not.

I am perfectly willing to agree, certainly, that the present incumbent of

the office of Secretary of Health, Education, and Welfare is quite competent to investigate such a situation and to make a decision. I think Secretary Fleming was, also. So also were Secretary Folsom and Secretary Hobby. I would not doubt that the President would have in this post a Cabinet officer who could decide fairly and with justice to all whether a State was proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in the public schools. So I think it is well to differentiate between my amendment and the so-called Powell type amendment. The Powell amendment is mandatory; it gives no discretion. My amendment gives considerable discretion. It imposes an obligation upon the part of the Administrator to investigate these situations and to reach a fair conclusion as to whether the State is proceeding in full compliance with the constitutional requirements.

The question now arises: Is this an appropriate place for such an amendment? If this is not an appropriate place to discuss such an amendment to a school bill, I do not know, frankly, where an appropriate place is. I have been told by Senators who oppose the bill that this kind of amendment must come at some other place, in some other kind of bill. So long as I have been a Member of the Senate, I have observed the same Senators offer amendments to bills which are much more general than this amendment, because this one has directly to do with the question of education and who may attend the schools. So the amendment is germane and appropriate, if an amendment ever was appropriate.

The very bill itself contains a provision which is known as the Davis-Bacon provision. As all of us know, the Davis-Bacon provision is designed to require any State, in building any school with Federal funds provided under the act, to pay prevailing wages in the area where the building is to be constructed, as determined by the Secretary of Labor. In other words, the wages paid must be the wages prevailing in the area in which the building is being constructed. That is the philosophy and the requirement of the Davis-Bacon Act.

What does that have to do with education? I submit it has nothing to do with education.

Is it not more important to obey the Constitution of the United States than it is to comply with the pressures of the labor unions, who insist upon the inclusion of the Davis-Bacon provision in this bill? I have supported the Davis-Bacon Act, without failure, since becoming a Member of the Senate. I do not object to provisions of that act being included. I know that many Senators who object to having my amendment included in the school bill have supported the inclusion of the Davis-Bacon Act in bill after bill after bill when that provision had no connection whatever with the purpose of the bill, but was simply included so as to protect the wage rates in the area where the building was being constructed.

So I wish to make clear that I do not object to the inclusion of the Davis-Bacon provision. But I repeat that if that inclusion is appropriate, even though the provision has nothing to do with education, why should there be objection to including in this bill an amendment which deals directly with education and has to do with the law of the land and with upholding the decision of the Supreme Court of the United States? So I say that the statement that the bill should not be amended by means of such an amendment simply does not hold water; it makes absolutely no sense to me.

Earlier today my able friend, the distinguished majority leader, said:

The protection guaranteed to all our citizens will be furnished and the laws of the United States, as interpreted by the Congress and the Supreme Court, will be carried out.

That statement was made in connection with the remarks the distinguished and able Senator from Montana made about the situation in Alabama.

Concerning his statement, I ask this question: Should we now move in the direction of carrying out the findings of the Supreme Court and the decision of the Supreme Court in respect to education in our public schools; or at this point should we provide a Federal bonus to States for noncompliance with the 1954 decision of the Supreme Court?

Mr. President, it seems to me that is an appropriate comparison, because as now drafted, the bill says, "If you do not comply, nevertheless, we still will give you substantial sums of money with which you may build schools and may carry on your own policies in respect to education on a segregated basis."

Mr. President, I wish to make clear—and this is very important—that this amendment does not actually compel integration or desegregation in the public schools of any State. It is not that kind of a measure. The amendment simply says, "If you wish to pursue that policy, if local conditions seem to indicate to you that that should be done, then you may not call upon the Federal Government for funds"—inasmuch as to do that would be in defiance of the 1954 decision of the Supreme Court of the United States. What we do say is that if they will proceed toward full compliance with the constitutional requirement that racial discrimination in the public schools be ended, then the Commission will allot to them funds under the bill, to assist them with their educational program.

So I say to my friends and to all Senators that this bill does not compel anything. It does not compel integration; it does not compel desegregation. But it gives the States this opportunity to go along and to proceed toward full compliance with that constitutional requirement; or else, if they, in their own way, decide not to do that, the bill will simply deny them the use of these Federal funds, without which they have been getting along for so long, and without which they have provided schools in their respective States.

Mr. METCALF. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. I yield for a question.

Mr. METCALF. I wish to ask a question: Would not this amendment be a mischievous one? The money provided by the bill will go directly to the States. Suppose there were a situation in which most of the schools in a State were complying with the "gradualism" called for by the decision of the Supreme Court, although there was a defiant county or there were a couple of defiant schools: What would the Secretary of Health, Education, and Welfare do in such a situation?

Mr. BUSH. I think that is an excellent question, and it is not easy to answer it. But my answer is that in all such matters the Secretary must exercise his judgment. If there were a State in which a positive effort to enforce the Supreme Court's decision had been made, that fact would be known to the Secretary of Health, Education, and Welfare; and in judging whether he should allot funds to that State, I believe he would have to use his discretion in arriving at a judgment on his part as to whether the State was proceeding in that direction, even though there were some recalcitrant sections of the State. I believe he would have to weigh those two parts of the State, so to speak, in his own judgment, and then would have to decide whether, in view of the determined effort made in certain parts of the State, he was justified in proceeding. I may say that his judgment in connection with this matter will be final.

Mr. METCALF. Yes, I appreciate the Senator's answer that, in his opinion, one or half a dozen recalcitrant or defiant schools in a State would not justify a withholding of the funds by the Secretary of Health, Education, and Welfare.

Is it not true that under present law and the present situation and the developments in connection with the Supreme Court, the Secretary of Health, Education, and Welfare would not be allowed, under this amendment, to deny the allocation of the funds to any State?

Mr. BUSH. If I correctly understand the Senator's question, I reply by stating that under this amendment, if a State is in defiance—as some of the States are at this time—and is not making any attempt to comply, the Secretary, in his judgment, would have to deny the allocation of funds to that State; and I am certain that he would.

Mr. METCALF. I do not know of any State in the Nation in which 100 percent of the school districts of the State are in compliance. There are States that are not integrating, and there are States that have not done so. It seems to me that a decision by the Supreme Court would be required, in order to determine that those States were not using the "deliberate speed" which the Supreme Court said would have to be used.

Mr. BUSH. The Commissioner would have to use a good many considerations in determining whether in his opinion progress was being made. One of them would be what legislation had been passed in the State. That would indi-

cate whether the State was proceeding in the proper direction.

I do not want to pin down the Commissioner too closely. I merely say that I do not think we should lose this God-given opportunity to make some progress in this field; and I am willing to place a great deal of discretion in the present Secretary of Health, Education, and Welfare, in connection with the administration and application of the bill, once it is enacted, in order that we may take another step forward in this most important civil rights field.

The reason why the amendment is so important in the entire field of civil rights—and I have been listening to the debates here for 9 years, and before that I followed them with deep interest—is that in my opinion the most important aspects of this matter are education and voting, which are wrapped up with each other.

If we are to get decent voters, if we are to get intelligent voters to run a democracy—and we must have intelligent voters to run a democracy—they have got to be educated.

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

Mr. BUSH. I yield myself an additional 10 minutes.

Mr. METCALF. Mr. President, will the Senator yield for one more question?

Mr. BUSH. Yes, I yield for a question.

Mr. METCALF. Would it be the Senator's position that discrimination in employment or hiring of teachers would justify action on the part of the Commission?

Mr. BUSH. It would be a matter of judgment on the part of the Commissioner.

Mr. METCALF. I take it, then, that discrimination in the employment of teachers would justify the Commission's withholding funds, in the opinion of the Senator?

Mr. BUSH. I am not sure the Supreme Court decision reaches toward the question of employment of teachers. We are talking about whether a State is reaching toward compliance with the Supreme Court decision. If it involves the employment of teachers—and I would not answer offhand with any certainty that it does—then I think the Commission would have to take it into account. My impression is the question is not involved, but I would not be sure.

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

Mr. BUSH. I yield.

Mr. DOUGLAS. I hope the Senator from Connecticut will not resent the question which I am about to ask him.

Mr. BUSH. I would hardly be able to resent any question from the Senator from Illinois.

Mr. DOUGLAS. I thank the Senator. I assure him that it is asked in good faith.

The Senator from Connecticut on Friday stated that he was opposed to Senate bill 1021 in its presently discriminatory form. May I ask this question? Suppose the amendment of the Senator from Connecticut or a similar amendment were to be adopted. Would the

Senator still be opposed to the bill, or would he then vote for the bill if so amended?

Mr. BUSH. I thought the Senator was going to ask me that question. The Senator has asked me that question before in connection with other bills. Sometimes I have answered "Yes," and sometimes "No."

Mr. DOUGLAS. I have tried to ask it gently and in as good a spirit as possible. I still ask the question.

Mr. BUSH. If the Senator had read all I said, which possibly he did, he would see that I said I was opposed to the bill in its present form.

Mr. DOUGLAS. Suppose the bill were changed by the Bush amendment, or something similar to it. Would the Senator still be opposed to the bill?

Mr. BUSH. I would be opposed to the bill for entirely different reasons. I stated the reasons in detail—not in full detail, but in some detail. I am opposed to the bill for various reasons.

Mr. DOUGLAS. I understand.

Mr. BUSH. But I am pretty certain that the bill is going to pass. Being pretty certain that the bill is going to pass, I would like to see it improved to the extent that the Senator from Illinois knows, in his own heart, is a decent, honorable improvement of the bill.

Mr. DOUGLAS. Therefore, the Senator has said that, even though the bill is amended as he wishes, he will still vote against it?

Mr. BUSH. That is true, but not for any reason connected with the debate this afternoon.

Mr. DOUGLAS. I understand. The reason for my asking the question is due to the experiences we have had in the past. The Senator from Connecticut will remember that a few years ago Representative POWELL offered a somewhat similar amendment in the House. The liberal Democrats—

Mr. BUSH. Which amendment?

Mr. DOUGLAS. The Powell amendment.

Mr. BUSH. I just tried to explain I do not think it is somewhat similar. I think it is somewhat different.

Mr. DOUGLAS. It is somewhat different, but it is certainly somewhat similar. [Laughter.]

The Powell amendment was offered. It was supported by nearly all the Republicans and by a very large proportion of the liberal Democrats of the North. It was passed. This then made it impossible for any southerner to vote for the bill—

Mr. BUSH. Why?

Mr. DOUGLAS. Because of their objections to this feature. Then the conservative Republicans of the North, who had voted for the Powell amendment, turned around and voted against the bill with the Powell amendment, and with the southerners defeated the bill.

Mr. BUSH. That was within their right.

Mr. DOUGLAS. But it was rather sharp practice.

Mr. BUSH. I resent that.

Mr. DOUGLAS. I have not accused the Senator from Connecticut of sharp

practice. I have simply said it was sharp practice in the House. [Laughter.]

Mr. SCOTT. Mr. President, will the Senator yield to me?

Mr. BUSH. I will yield to the Senator, but I hope the Senator from Pennsylvania will not call my good friend from Illinois to order.

I yield to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SCOTT. I certainly would not think of calling any good friend of ours to order, but I would express the hope that references will not be made to the other body, or to any other Member of the other body, which are in any sense derogatory.

Mr. BUSH. I thank the Senator for his appropriate suggestion.

Mr. DOUGLAS. I can understand the Senator's objection to referring to these actions in the other body—

Mr. BUSH. Mr. President—

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. BUSH. I yield.

Mr. DOUGLAS. Has the Senator ever heard of the Bricker-Capehart amendment to the Housing Act of 1949?

Mr. BUSH. I do not think so.

Mr. DOUGLAS. Will the Senator from Connecticut permit me to explain it?

Mr. BUSH. No.

Mr. DOUGLAS. The Senator will not?

Mr. BUSH. No.

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

Mr. BUSH. Before I yield, I would remind the Senator, on this question, that a few weeks ago we had a bill in the Senate in which the Senator disliked being called the distressed areas bill. He has a much better term for it, which is what?

Mr. DOUGLAS. Area redevelopment.

Mr. BUSH. The area redevelopment bill. In that case I had an amendment which I thought was very important to the bill, and he said to me, "If I take that amendment, will you vote for the bill?" I said, "Yes, I will." He did take the amendment, and I did vote for the bill.

In the case of the bill now before us, I said in my remarks, forthrightly, I intended to vote against the bill, and I gave my detailed reasons for it.

The Senator, I think, has made his point. I am not embarrassed by it.

Mr. DOUGLAS. It was not my intention to embarrass the Senator.

Mr. BUSH. Oh, I did not think so.

Mr. DOUGLAS. Would the Senator like me to tell him about the Bricker-Capehart amendment?

Mr. BUSH. No, not on my time.

Mr. MORSE. Mr. President, will the Senator yield, on my time?

Mr. BUSH. If the Chair will stop the clock on my time, I yield.

Mr. MORSE. I may be wrong, but I think the Senator should refer to it as the Bricker-Cain amendment. I think it was an amendment offered by Senators Bricker and Cain. The Senator from Indiana is not on the floor.

Mr. DOUGLAS. Let us call it the Bricker amendment, then. Will the Senator from Oregon now yield on his time?

Mr. MORSE. Yes, I am delighted to yield on my time.

Mr. BUSH. Mr. President, I think I have the floor, but if the Senator wants me to yield to him on his own time, I am glad to do so, with the understanding that I do not lose the floor.

Mr. MORSE. I want to be completely fair to the Senator from Connecticut. I think he has been courteous to the Senator from Illinois in taking time to yield to him. I do not think the time should be charged to the Senator from Connecticut. I want it understood that any time taken by the Senator from Illinois be taken out of my time.

Mr. BUSH. I am happy to have that understanding.

Mr. DOUGLAS. I ask that it be made retroactive.

Mr. MORSE. If it can be done retroactively, I have no objection.

Mr. BUSH. With that proviso, I shall be glad to have the Senator make a statement about the Bricker amendment.

The PRESIDING OFFICER. The Chair calls attention to the fact that time cannot be kept on a retroactive basis.

Mr. BUSH. Mr. President, was the retroactive request agreed to?

The PRESIDING OFFICER. It is impossible to do so.

Mr. BUSH. Very well. Now let us proceed on the time of the Senator from Oregon, who is in charge of the bill.

Mr. DOUGLAS. In 1949, when the housing bill was under consideration, Senator Bricker offered an amendment to provide that there should be no discrimination and no segregation in any local public housing project. The bill without such a feature was being supported by a considerable number of southern Senators, led by Senator Maybank of South Carolina. We all knew that if the amendment were agreed to the southern support would be lost. We were anxious to find out what the attitude of Senator Bricker would be if the amendment were to be agreed to. I remember asking the sponsor of the proposal whether he would vote for the bill if his amendment were adopted. He replied he would not.

I think there is no doubt, without reflecting upon Senator Bricker in the slightest, that his amendment was a device intended to split the proponents of the measure.

Mr. BUSH. Mr. President, I wish the Senator to yield to me at that point.

I have no such intention. I stated in my remarks last week that that was not the intention. I offer the amendment in anticipation of the fact that the bill will pass, and I said so.

Mr. President, I think it is a perfectly honorable thing to do to bring an amendment of this importance to a bill which is so closely related.

If the amendment, which is a very moderate one—a very moderate step forward in connection with integration

or desegregation in our schools—shall not be added to the bill before us, the Senator will not be here long enough this year for this type of an amendment to get through the Senate of the United States on its own merits. I am very much of the belief that the Senator would agree with me on that point.

Mr. SCOTT. Mr. President, will the Senator from Connecticut yield to me briefly?

Mr. BUSH. I am glad to yield, on my own time.

Mr. SCOTT. I suggest, if I may do so, with all deference to the distinguished Senator from Connecticut, it would be interesting to know whether the distinguished and able senior Senator from Illinois would vote for the bill if the amendment were agreed to.

Mr. DOUGLAS. Would I vote for the bill if the amendment were agreed to? Yes, of course I shall vote for the bill.

Mr. SCOTT. Then I hope the Senator will support the amendment.

Mr. DOUGLAS. I may do that.

First I should like to see, however, what are the actual parliamentary tactics.

Mr. BUSH. Mr. President, I fear that if we are going to get into the question of parliamentary tactics, I can tell the Senators a few things about those, too; but let us not do so. Let us talk about the merits of the amendment. Does the Senator wish to comment on the merits of the amendment?

Mr. DOUGLAS. Not at this time.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). The additional 10 minutes of the Senator have expired.

Mr. BUSH. Mr. President, I yield myself an additional 10 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for an additional 10 minutes.

Mr. BUSH. Does the Senator wish to comment on the merits of the amendment?

Mr. DOUGLAS. I should like to ask a question. In the State of Georgia the city of Atlanta probably wishes to comply in good faith with the decisions of the courts and to desegregate, but the State does not wish to have the city of Atlanta desegregate and will take steps to prevent it.

Mr. BUSH. Mr. President, I have answered exactly that same question, asked by my good friend on the other side of the aisle.

Mr. DOUGLAS. I was out of the Chamber at the time.

Mr. BUSH. I realize the Senator was out of the Chamber. I would rather not go over the same ground, except to say, in a general way, that the amendment would put a great deal of discretion in the Commissioner, who would be in charge of the administration of the provision.

Mr. MORSE. Mr. President, will the Senator yield to me?

Mr. BUSH. It would be the duty of the Commissioner to take into account what is taking place in one of the great cities in a State, when he makes a decision in regard to a State.

Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I ask the Senator to yield to me on my own time.

I say to the Senator from Connecticut, as floor leader of the bill I have no question about the sincerity of purpose of the Senator from Connecticut. I have talked with the Senator at some length. The Senator has done his best to lobby me over to his side, very legitimately. I have explained to him that he cannot convert me, but that I shall urge the rejection of his amendment because, in my judgment, the amendment would kill any opportunity to have the bill passed.

I think the RECORD will show that in the early 1940's this straw was thrashed, too. The then incomparable Senator from North Dakota, former Senator Langer, offered a similar amendment to a similar bill at that time. The amendment was agreed to. The RECORD shows that the bill was defeated.

I am not one to make a cause-to-effect argument. I do not know to what extent the Langer amendment caused the defeat of the bill at that time, but it was an interesting coincidence.

If I may have the attention of my friend from Illinois [Mr. DOUGLAS], I think this is the place for me to make a brief comment.

Mr. BUSH. Before the Senator does so, I am sure the Senator will admit we have made some progress in this field since the 1940's.

Mr. MORSE. I think we have made some, but not nearly enough.

Mr. BUSH. I agree with that comment.

Mr. MORSE. I remember very well what the Senator from Illinois called the Bricker amendment to the housing bill. That was offered by the Senator from Ohio and the Senator from Washington at that time, Mr. Cain. The RECORD will show that I spoke against it on the floor of the Senate in 1949, when the head of the National Association for the Advancement of Colored People, the wonderful Walter White, sat in the front row of the Senate gallery with a good many of the officials of the National Association for the Advancement of Colored people. They had lobbied me, too. They had urged me to vote for the amendment. I did my best to explain to them why it would be a great parliamentary mistake for them to follow that course of action, and pointed out to them that it would mean the end of the housing bill. Senators will find that in the CONGRESSIONAL RECORD.

There was a meeting of the National Association for the Advancement of Colored People at the Unitarian Church in Washington, D.C., and I was invited to come before them to defend myself. I can always defend myself.

Mr. BUSH. The Senator is pretty capable at that.

Mr. MORSE. When I know I am correct I never hesitate, and I was convinced I was correct. I pointed out that I thought they were making a great parliamentary mistake when they asked to have the amendment agreed to in the Senate.

We beat the Bricker-Cain amendment at that time, and we made progress in getting a housing bill passed.

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

Mr. MORSE. I close by saying that I am going to follow the same course of action this afternoon. I am going to urge the defeat of the Senator's amendment, because I think where the amendment belongs, as I shall say in my major argument, is as an amendment to the civil rights law, and not as an amendment to this bill.

Mr. BUSH. Will the Senator permit me to observe, in response to what he has said, that in the Federal law now I believe we have a provision against segregation in respect to public housing. This has already been accomplished in that particular field. In other words, one cannot use Federal funds in public housing projects which practice segregation between the races.

Mr. MORSE. That is an example of the type of progress the Senator is talking about.

Mr. BUSH. Exactly.

Mr. MORSE. We are not in a position to take that step in respect to an aid to education bill.

Mr. BUSH. It appears that the Senator is correct, but I will say to the Senator—I speak in respect to what the Senator from Illinois [Mr. DOUGLAS] said a moment ago—I do not think we should fail to take advantage of the opportunity to try to make a step forward in an appropriate place. I cannot think of a more appropriate place to make headway, in connection with a school bill and in connection with desegregation in the schools, than on a bill which will provide Federal funds in the amount of \$2½ billion over a 3-year period to various States.

Mr. MORSE. Mr. President, on my own time, my reply to my good friend is that that is a matter of judgment and sagacity. It is a matter of whether we shall try to jump over the abyss or whether we shall try to bridge it. To use that figure of speech, I am in favor of bridging the abyss. The bridge I would build is an amendment to the civil rights law. I am satisfied that if we try to jump over the abyss this afternoon we shall all go down and there will be no aid to education bill.

Mr. BUSH. I should like to ask the Senator a question. I know the Senator is deeply committed to the principle of civil rights. The Senator has demonstrated that so many times it needs no endorsement or further comment.

Is it the Senator's belief that if the school bill before us passes the Senate we shall have a civil rights bill this year, in respect to segregation within the public schools financed with public funds? Is the Senator suggesting such a bill may come from the committee on which he serves this year?

Mr. MORSE. In my judgment, that is the way to make progress. I shall do my very best to join with the Senator from Connecticut on amendments to the civil rights law.

Mr. BUSH. Is the Senator hopeful that such a bill, on its own merit, would pass the Senate?

Mr. MORSE. I am always hopeful. I am a born optimist.

Mr. BUSH. I say to the Senator that I am not at all hopeful or optimistic in respect to that particular idea. I think if there is any opportunity at all to adopt the amendment it is in connection with the bill which has a money bonus in it.

Mr. MORSE. I point out to the Senator that on page 520 of the RECORD for January 10, 1961, this comment was made by the majority leader:

Both the minority and majority leaders believe that this matter ought first to go to the Rules and Administration Committee. We are confronted with possible rulings by the Presiding Officer of far-reaching consequence. These have never been given adequate hearing and consideration by the Committee on Rules and Administration. As probable chairman of that committee, I wish to assure the Senate that this proposition will receive such consideration, and that I shall leave no stone unturned to see to it that a measure of the kind proposed by the Senator from New Mexico is reported to the Senate at a later date. And, further, the minority leader joins with me in assuring the Senate that we shall do everything in our power to bring such a measure to a vote in this body.

A few days ago the majority leader made a similar statement to the press, which I read. I have complete confidence in the majority leader. His word is his bond, and he will do everything he can.

Mr. BUSH. Mr. President, I wonder if the Senator from Montana can report on what has been done to date with respect to that subject. Does the Senator care to comment on it?

Mr. MANSFIELD. I certainly do.

Mr. MORSE. On my time.

Mr. MANSFIELD. I believe I stated at the beginning of this session of Congress that it was the intention of the leadership to try to get through as much of the Kennedy program as possible. I gave my word then—give it again—that hearings will be held and a bill will be reported before the first session of the Congress is concluded.

Mr. BUSH. No one trusts the word of the Senator from Montana more than do I. I merely wished to know what progress had been made. I am glad to hear that we are nearing the time when hearings on the subject will be held.

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

Mr. BUSH. Yes, but first I wish to yield to the Senator from Washington [Mr. MAGNUSON] and then to the Senator from Tennessee [Mr. GORE].

Mr. President, I ask unanimous consent that I may yield to those Senators without losing my right to the floor, and without having the time for their statements charged to the time of either side, because the matters they wish to present are entirely extraneous to the issue now being considered by the Senate.

Mr. MORSE. Mr. President, I join in that request.

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

Mr. KEATING. Mr. President, I wonder if the Senator from Connecticut will yield with regard to the comment of the majority leader?

Mr. BUSH. The subjects which the Senator from Washington [Mr. MAGNUSON] and the Senator from Tennessee [Mr. GORE] wish to present are extraneous questions, and I wish first to yield to the Senator from Washington.

#### PROPOSED U.S. TRAVEL SERVICE IN DEPARTMENT OF COMMERCE AND A TRAVEL ADVISORY BOARD

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 610, 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.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 610) 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, which were, to strike out all after the enacting clause and insert:

That it is the purpose of this Act to strengthen the domestic and foreign commerce of the United States, and promote friendly understanding and appreciation of the United States by encouraging foreign residents to visit the United States and by facilitating international travel generally.

Sec. 2. In order to carry out the purpose of this Act the Secretary of Commerce (hereafter in this Act referred to as the "Secretary") shall—

(1) develop, plan, and carry out a comprehensive program designed to stimulate and encourage travel to the United States by residents of foreign countries for the purpose of study, culture, recreation, business, and other activities as a means of promoting friendly understanding and good will among peoples of foreign countries and of the United States;

(2) encourage the development of tourist facilities, low cost unit tours, and other arrangements within the United States for meeting the requirements of foreign visitors;

(3) foster and encourage the widest possible distribution of the benefits of travel at the cheapest rates between foreign countries and the United States consistent with sound economic principles;

(4) encourage the simplification, reduction, or elimination of barriers to travel, and the facilitation of international travel generally;

(5) collect, publish, and provide for the exchange of statistics, information, and schedules of meetings, fairs, and other attractions, relating to international travel and tourism.

Sec. 3. (a) In performing the duties set forth in section 2, the Secretary—

(1) shall utilize the facilities and services of existing agencies of the Federal Government to the fullest extent possible including the maximum utilization of counterpart funds; and, to the fullest extent consistent with the performance of their own duties and functions, such agencies shall permit such utilization of facilities and services;

(2) may consult and cooperate with individuals, businesses, and organizations engaged in or concerned with international

travel, including local, State, Federal, and foreign governments, and international agencies;

(3) may obtain by contract and otherwise the advice and services of qualified professional organizations and personnel;

(4) after consultation with the Secretary of State, may establish such branches in foreign countries, as he deems to be necessary and desirable.

(b) The Secretary, under the authority of this Act, shall not provide or arrange for transportation for, or accommodations to, persons traveling between foreign countries and the United States in competition with business engaged in providing or arranging for such transportation or accommodations.

Sec. 4. (a) There is hereby established in the Department of Commerce an Office of International Travel and Tourism.

(b) The Office of International Travel and Tourism shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate of \$18,000 per annum. The Director shall perform such duties in the execution of this Act as the Secretary may assign.

Sec. 5. The Secretary shall submit to the President and to the Congress an annual report on his activities under this Act.

Sec. 6. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated not to exceed \$3,000,000 for the fiscal year ending June 30, 1962, and not to exceed \$4,700,000 for each fiscal year thereafter.

And to amend the title so as to read: "An Act to direct the Secretary of Commerce to take steps to encourage travel to the United States by residents of foreign countries, to establish an Office of International Travel and Tourism, and for other purposes."

Mr. MAGNUSON. Mr. President, I move that the Senate disagree to the amendments of the House and ask for a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. SMATHERS, Mr. BARTLETT, Mr. BUTLER, and Mr. COTTON conferees on the part of the Senate.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that there may be printed at this point in the RECORD an editorial explaining the importance of the bill.

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

[From the New York Times]

#### ATTRACTING FOREIGN TOURISTS

Recent votes in Congress indicate that the U.S. Government will soon begin to make a modest, but welcome and useful, contribution toward attracting more foreign tourists to this country.

The need for effective, vigorous action in this area is clear. A rise in the number of foreign visitors here should help to improve foreign understanding of our Nation and help end the deficit in our balance of payments. This is a field in which cooperative action by government and private enterprise can be fruitful.

But much more is needed than promotional activity abroad, such as the legislation

now in Senate-House conference authorizes. We need a new climate of opinion in many areas, a climate of real hospitality and welcome for foreign visitors and of action designed to remove present obstacles. Though the State Department has made some progress toward simplifying the visa process, we are still a long way from matching those Western European countries that welcome American tourists without visa.

Action is needed to cut the relatively high cost of transatlantic passage and of travel and housing in this country to bring tourism here within the reach of more foreigners. We need to make available personnel with language skills at airports, hotels and elsewhere to help the visiting foreigner who does not speak English. We need, in short, bold and imaginative efforts commensurate with the importance of the opportunities open to us.

#### VISIT TO THE SENATE BY CABINET MEMBERS FROM SIERRA LEONE

Mr. BUSH. Mr. President, without losing my right to the floor, and having the time charged to either side, I ask unanimous consent to be permitted to yield to the Senator from Tennessee [Mr. GORE] in order that he may introduce some distinguished guests.

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

Mr. GORE. Mr. President, the latest and newest member of the United Nations, the people who have most recently gained their independence, the country of Sierra Leone have sent their first official delegation abroad to visit the United States of America. As chairman of the Subcommittee on African Affairs of the Committee on Foreign Relations it was my pleasure to have these cabinet members, together with several Senators, as my guests for luncheon.

We have had a most interesting and friendly discussion. I have asked these distinguished gentlemen to come to the Senate Chamber, and I ask unanimous consent that I may introduce them at this time.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. GORE. Mr. President, we have with us:

Hon. M. S. Mustapha, Minister of Finance and Deputy Prime Minister.

Hon. Albert M. Margai, Minister of Natural Resources.

Hon. R. G. O. King, Minister of State for Development.

Hon. W. H. Fitzjohn, Ambassador of Sierra Leone.

[Applause, Senators rising.]

The PRESIDING OFFICER. On behalf of the Senate, the Chair is happy to welcome our guests to the Chamber.

Mr. BUSH. Mr. President, on behalf of the minority, I join heartily in the welcoming remarks of both the Presiding Officer and the Senator from Tennessee.

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

Mr. BUSH. I yield to the Senator from Montana, the majority leader.

Mr. MANSFIELD. I join the distinguished acting minority leader, as well as the chairman of the Subcommittee

on African Affairs of the Committee on Foreign Relations, the distinguished Senator from Tennessee, in extending our best wishes to the newest of the free nations, and expressing the hope that this official group from the Republic of Sierra Leone will find its stay in the Capital City of this Nation both pleasant and profitable. We are delighted and happy that they are our guests this afternoon.

#### SCHOOL ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (S. 1021) to authorize a program of Federal financial assistance for education.

Mr. BUSH. Mr. President, how much time on the amendment have the proponents consumed?

The PRESIDING OFFICER. The Senator from Connecticut has used 31 minutes.

Mr. BUSH. How much time have the opponents used?

The PRESIDING OFFICER. Eleven minutes.

Mr. BUSH. Mr. President, I yield 5 minutes to the Senator from Pennsylvania [Mr. SCOTT].

Mr. CLARK. Mr. President, before the Senator from Connecticut does so, I wonder if he would be willing to yield to me briefly on the time of the Senator from Oregon [Mr. MORSE] to make an observation and ask his comment on a remark which was made a moment ago.

Mr. BUSH. The junior colleague of the Senator from Pennsylvania wishes to speak on the same subject. I shall be glad to yield to the senior Senator from Pennsylvania [Mr. CLARK] after he has spoken, because I have already promised to yield to him, and I do so yield at this time.

Mr. SCOTT. Mr. President, I thank the distinguished Senator from Connecticut.

At this time I wish to clear up a possible misapprehension on the part of some. The distinguished majority leader has said that he has given his word that certain action will be taken in this body at this session, but I believe that what the distinguished majority leader was referring to was action on a proposed amendment of rule XXII of the Rules of the Senate, and so the Senator from Montana, the distinguished majority leader [Mr. MANSFIELD] was not at this time making any statement or offer or promise as to action on the civil rights measures introduced by my senior colleague from Pennsylvania [Mr. CLARK] and by Representative CELLER in the other body. Those measures were not the measures to which the Senator from Montana referred, were they?

Mr. MANSFIELD. No, because to do so would have been very presumptuous on my part.

Mr. SCOTT. I thank the Senator. I asked the question only to clarify the point.

Mr. President, I support the amendment of the distinguished Senator from Connecticut. I believe that it is most desirable.

Mr. BUSH. Mr. President, will the Senator yield for a moment?

Mr. SCOTT. I yield.

Mr. BUSH. I meant to say earlier that the amendment in its modified form is in part the result of suggestions made by the distinguished Senator from Pennsylvania, to whom I have now yielded. He made a very constructive and helpful suggestion, which is incorporated in the modified amendment.

Mr. SCOTT. I thank my colleague, the very able Senator from Connecticut, whose attention to the subject is certainly one which makes many of us grateful to him, because this is a moral issue which, in the present state of our times and the present concern which we have as to the rights of human beings and the dignity of individuals, warrants the most serious consideration by this body.

Section 110(b) at lines 9 to 11, provides that the Commissioner, in acting upon requests of the States for allocations, may modify or make inapplicable any of the provisions of subsection (a), which in turn is the allotment section with respect to funds specified for school construction or teachers' salaries, as the case may be, to the extent he deems such action appropriate in the light of the special governmental or school organization of such State.

Mr. President, what that means, I do not know. What it purports to mean, I assume, is that the Commissioner has some discretion in allocating the money. What I suppose it means is to give the Commissioner an opportunity to say that if something he does not like happens in any State, he may withhold the money.

However, what is wrong with stating that the Commissioner of Education, in allocating funds in any State, shall comply with the law? What is wrong with stating that before the Commissioner approves an allocation, he shall determine, in the interest of the dignity of the individual and the rights of all persons receiving the benefits of Federal funds, whether such a State is in good faith proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools?

Not all the dialectic in the world, not all the rhetoric, not all the comments which have been made or will be made in the Senate indicating reluctance to support the amendment, can serve to answer the question: Is this amendment morally right? Is this amendment legally justified? Is this amendment in keeping with the law and the spirit of the Constitution and the decisions of our courts? I submit that all we are trying to do with the amendment is to make sure that when we in the Commonwealth of Pennsylvania, which I have the honor to represent, pay out in the third year of the operation of the bill a sum approximating \$60 million in tax money, and receive back a sum approximating \$39 million, we shall have the right to be concerned about what happens to the other \$21 million; that when we in Pennsylvania pay real estate assessments on a tax rate basis of

anywhere from 33 to 50 percent of the value of our property and support our schools to educate our children, and when the other States, to which we are sending \$21 million, assess their property at 7½ percent of the market price of the real estate, we shall have the right to conclude that such other States are not asking their citizens to do as much as we ask ours to do.

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

Mr. BUSH. I yield such additional time as the Senator from Pennsylvania may require.

Mr. SCOTT. A house in my State with a market value of \$10,000 is assessed at \$3,300 to \$4,500, or even \$5,000. In some other States, which get the \$21 million which my State pays out and does not get back, a \$10,000 house is assessed for tax purposes at \$750 or even \$720. The tax is figured on that basis. Therefore, the taxpayers in Pennsylvania are paying twice; first we are losing the money, which we never get back; and, second, we are paying on a higher tax basis than do other States.

What is more reasonable than that we in Pennsylvania, who distribute our tax funds for children in our public schools, regardless of whether they be of one race or another, are entitled to assume that at least the Federal Government will expect the same procedure to be followed equally among the several States?

Otherwise, there is discrimination, not merely in the State involved, but also against my Commonwealth of Pennsylvania, which is being asked to carry more than its proper share of the load on a tax rate which is higher than that paid by other States, and is expected, if we do not adopt such an amendment, to support practices of discrimination in other States.

Therefore I strongly support the amendment. I thank the Senator from Connecticut for having mentioned my interest in the amendment. As the Senator from Connecticut knows, the word "proceeding" was one which was put in the amendment after a discussion between the two of us, because the word does not indicate that everything which our courts have directed to be done with all deliberate speed must be accomplished at once. It merely directs that evidence of good faith and honorable intent be shown, and a disposition toward fair dealing, which would indicate, through the use of the word "proceeding" some forward action, some movement, some will to comply with and intent to abide by the decisions of our courts. That is all we ask.

Therefore, this is a milder amendment in that respect than some which have been offered in the past in both bodies. At the same time it is an amendment which rests on honorable and faithful compliance with the law. It is an amendment which conveys within it the thought that action is being taken rather than assurance is being given.

For those reasons and the others, which are consistent, I believe, with my past record in this field, I very strongly urge support of the amendment. I hope our friends on the other side, who some-

times accuse us of a coalition with some of their members, will recognize, as so many of us have recognized, that sometimes there is a coalition on the other side of the aisle among themselves, which defeats desirable amendments, and that sometimes there is collusion on the other side which unfortunately delays progress on civil rights.

It would be most difficult for our friends to explain why they have voted against an amendment which indicates an attempt to proceed to comply with the provisions of our law and decisions of our courts merely because some other members of their political party may view it differently, when their platform, as did our platform, promised in substantially these words, and certainly with this meaning, that we would support in Congress this kind of amendment. If anyone is curious, I suggest that he read the platforms of the two parties. He will find that the amendment is in keeping with both platforms.

Mr. BUSH. I am grateful indeed to the able Senator from Pennsylvania for his remarks. He has very well stated the tolerant tone of the amendment and the consideration which it shows to the various States which believe that they have very heavy problems in connection with complying with the Supreme Court decision. The junior Senator from Pennsylvania has very ably stated the situation, and I congratulate him upon his statement and his analysis of the amendment pending before the Senate. I now yield 5 minutes to the able senior Senator from Pennsylvania.

Mr. CLARK. On the time of the Senator from Oregon.

Mr. BUSH. Then I cannot yield to the Senator. I will yield to the Senator against the Senator's time.

Mr. MORSE. Mr. President, I yield 5 minutes to the senior Senator from Pennsylvania.

Mr. CLARK. I would like to have the attention of the Senator from Connecticut, even though I am speaking on the time of the Senator from Oregon, with the understanding that the Senator from Connecticut will not lose the floor.

Mr. BUSH. That is the understanding.

Mr. CLARK. I have asked to speak now because my colleague from Pennsylvania has just spoken, and it may be helpful to our constituents if our remarks appeared in the RECORD somewhat in juxtaposition. I asked to speak now, also, because I would like to buttress what the Senator from Oregon said a few minutes ago. He and I have worked together very closely on the Subcommittee on Education, which brought the bill to the Senate with the concurrence of the full committee. We have concluded that we had better fight off all civil rights amendments, although he and I—and I am sure my friend from Connecticut and my colleague from Pennsylvania will agree—do have our hearts in the struggle for civil rights.

We fear, as a practical and pragmatic political matter that to attach the civil rights amendment would kill the bill.

Mr. BUSH. Mr. President, will the Senator explain that statement? I do

not really see why the amendment should kill the bill. This is not a mandatory integration amendment. I do not understand why it should kill the bill. This is a considered amendment. It considers problems which have been presented to us by representatives of the various organizations. It should not kill the bill.

Mr. CLARK. I agree with the Senator; it should not kill the bill. I think if we were living in the best of all possible worlds, it would not kill the bill. This must be a matter of the political judgment of the Senator from Connecticut as opposed to the political judgment of the Senator from Pennsylvania. I have no assurance that my political judgment is any better than that of the Senator from Connecticut; it may be worse. I simply believe there will be enough votes against the bill, if something like the Bush amendment is included, to defeat its passage. I could be wrong, but I hold firmly to that view. My own suggestion as to how best to handle the matter is the same as the suggestion of the Senator from Oregon [Mr. MORSE], which is that we had better make certain that before this Congress adjourns a civil rights bill dealing with the problem of school segregation is passed.

Mr. BUSH. Does the Senator from Pennsylvania seriously believe that that can be done at this session of Congress?

Mr. CLARK. I believe it can be done before the 87th Congress adjourns. I hope it might be done at this session, although I would not be too sanguine that it could. I would be more hopeful that it could be done next year. I say that for this reason: Last week, together with Representative CELLER, of New York, I introduced for appropriate reference, six bills which deal with the civil rights commitments of the Democratic platform, which was adopted by my party in Los Angeles last year. One of the bills deals with the whole problem of school segregation. It contains an elaborate program for requiring every school district in the Nation to start integrating its schools not later than the commencement of the 1963-64 school year.

That bill was not referred to the Committee on the Judiciary; it was referred, and properly so, to the Committee on Labor and Public Welfare, on which I serve, and will, I am confident, in due course be referred to the Subcommittee on Education, of which the Senator from Oregon [Mr. MORSE] is chairman, on which I serve, and on which I am confident there is a majority in support of the bill. I am also confident that a majority of the full committee will support the bill.

I am confident that procedures and ways and means can be found, after appropriate hearings, to bring that bill to the floor. Then, if we have done as the majority leader says he intends to do, brought up and voted upon a change in the cloture procedure under rule XXII, I should say that there is an excellent chance that before the 87th Congress adjourns this direct method of handling school desegregation can be brought to a

vote in the Senate and passed. If it passes the Senate, experience shows, I think, that it will pass in the other body. I say that is the way to handle this matter, rather than the indirect way of the Senator from Connecticut, which runs the risk of having the bill defeated.

Mr. BUSH. There is nothing indirect about my amendment. Certainly, as I have said many times before, there is no intent to defeat the bill. I should say the bill will pass. I simply cannot understand how the Senator from Pennsylvania can feel that if a bill were before us containing an amendment like mine, which does not impose anything mandatory upon the States in respect to integration and in respect to discrimination within the schools, that kind of bill on its own merits would have a better chance than the pending bill, which contains a big bonus for the States. I simply do not understand the Senator's reasoning.

Mr. CLARK. I suggest to the Senator from Connecticut that his reiterating his position and my reiterating my position will not get us very far. Again, as I said earlier, this must be a question of political judgment. I am perfectly willing to lay my political judgment on the line, as I am certain the Senator from Connecticut is, too.

Mr. BUSH. So long as I have yielded to the Senator, I do not wish that political judgment to pass without observing that it simply does not "add up" to me that we can expect to get by in the Senate with a desegregation bill on its own merits with not nearly so good a chance as it would have if the Senate adopted my amendment to a bill which provides a great big bonus for the States.

Mr. CLARK. The Senator from Connecticut has quite fairly expressed his view. I disagree with him. Let me pass on, though, to the form of the amendment itself, which I find unacceptable. If I were determined to vote for some kind of amendment which dealt with the question of segregation in a way which I hope would not have the same chance of killing the bill as, in my judgment, the amendment of the Senator from Connecticut has, I would proceed in a quite different way.

I know the Senator from Connecticut has answered this argument to other Senators; therefore, I shall not ask him to answer it again to me.

I think his amendment makes it impossible for many a school district in the South, and some in the North, to get the funds necessary to build up their educational systems as they should be improved with Federal aid, because the State in which that school district is located simply will not make the kind of good faith proceeding toward full compliance with the constitutional requirement which is required under the Senator's amendment as a condition of obtaining the funds.

I go back, again to what I believe is the classic situation of Georgia and Atlanta. I do not believe there is any Senator who thinks for 1 minute that in the foreseeable future the State of Georgia will take the slightest procedure

toward good faith full compliance with the constitutional requirement which requires that discrimination be ended in the public schools. It is simply not in the wood.

The city of Atlanta, however, is today ready to—desegregate and should get its share of these funds. In my judgment, though, it will not get them if the Senator's amendment is adopted.

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

Mr. CLARK. I yield.

Mr. BUSH. The Atlanta situation was discussed earlier. I shall not repeat what was said then. However, I can not follow the Senator's argument that Congress should appropriate funds received from the taxpayers, which includes the funds of the colored people of the South, and say to them, "You must pay the taxes on your cigarettes; you must pay the taxes on your gasoline; you must pay the 20 percent withholding tax; all of which money goes to the Federal Government; but you cannot send your children to the schools for which the tax money is raised."

Mr. CLARK. I do not understand the Senator's point.

Mr. BUSH. To me, it does not "add up" that we can pass a \$2,500 million school bill and then say to the taxpayers, "You cannot have any part of it; you cannot receive any consideration in connection with it." My amendment provides that consideration.

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

Mr. BUSH. Mr. President, as I understand, we were speaking on the time of the Senator from Pennsylvania.

Mr. CLARK. We were speaking on my time. I suggest now that the Senator use a little of his time.

Mr. BUSH. I yield myself 5 minutes.

Mr. President, the time has come when we must stop raising money from our people for highly discriminatory purposes. The Senator knows that in the case of housing we have provided that Federal funds cannot be used in a discriminatory way in connection with Federal public housing projects. The Senator from Pennsylvania himself has argued in that fashion. I have heard him speak in defense of the proposition that Federal funds should not be used in a discriminatory way in connection with housing measures. Now the Senator from Pennsylvania takes a different view.

He would pass a big school bill, but still permit the pursuance of segregation in the schools. He is not even willing to take some step to give a Cabinet officer the right to use his discretion and say whether compliance is being sought for; whether progress is being made; whether the situation within a State is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in the public schools. That is all we are asking the Senate to do.

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

Mr. BUSH. I yield.

Mr. CLARK. If the Senator will search his recollection, I think he will conclude that he is not correct with respect to housing legislation, because today, to my chagrin, and, I am certain, to the chagrin of the Senator from Connecticut, segregated public housing is being built all over the country with Federal funds. I deplore it as much as does the Senator from Connecticut.

Efforts were made to include that kind of antisegregation amendment in the Housing Act, as was done by Senator Bricker, as the Senator from Illinois [Mr. DOUGLAS] pointed out several years ago. It would have killed the housing bill, just as I think it will kill this bill, if the Senator from Connecticut persists and is successful.

I wish an antisegregation rider could be included in the housing bill; but if we do, I think we will kill the bill.

Several Senators addressed the Chair.

Mr. BUSH. Mr. President, I have the floor. If the Senator from Pennsylvania wishes to yield to the Senator from Oregon, I have no objection, provided I do not lose my right to the floor.

Mr. MORSE. I appreciate the Senator's courtesy. I will take a minute of my own time.

One of the best examples which the Senator from Pennsylvania could cite in support of his argument is Virginia. In many parts of Virginia, integration will be a rather slow progress, but it will come. Arlington will integrate, pretty much, next year. Prince Edward County has closed all of its schools as a manifestation of opposition to integration. In my judgment, the amendment of the Senator from Connecticut would have the effect of really denying the great educational process in Virginia which Arlington is illustrating. Under the Senator's amendment, Virginia would not get anything. It is necessary to make steady progress in this field. What is happening in Arlington is most dramatic.

Therefore, I think that is a very good example for the Senator from Pennsylvania to use in support of his argument.

Mr. CLARK. Mr. President, will the Senator from Connecticut yield 1 more minute to me, so that I may finish.

Mr. BUSH. Under the circumstances, Mr. President, I am glad to yield.

Mr. CLARK. I should like to express my complete concurrence in what the Senator from Oregon has stated just now.

I have before me an issue of the Southern School News for December 1960, in which there appears, on the first page, a table entitled "Segregation-Desegregation Status." The table shows the total number of school districts, the number that are biracial, the number that are desegregated, the enrollment of whites and the enrollment of Negroes in the schools, in which students of both races are present, and the enrollment in segregated schools. From that table, I reached the conclusion—and I direct the attention of the Senator from Connecticut to this point—that 15 States would not get a nickel of this money if the amendment of the Senator from Connecticut were enacted into law, despite the fact that in those States there are a

number of school districts which are doing their best to comply with the decision of the Supreme Court.

Mr. President, I ask unanimous consent that the table be printed at this point in the RECORD.

Mr. BUSH. I have no objection.

The PRESIDING OFFICER. Is there objection?

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

Segregation-desegregation status

State	School districts			Enrollment		In desegregated districts		Negroes in schools with whites	
	Total	Biracial	Desegregated	White	Negro	White	Negro	Number	Percent
Alabama	114	114	0	1 516, 135	1 271, 134	0	0	0	0
Arkansas	422	228	10	2 317, 053	2 105, 130	52, 126	12, 639	113	. 107
Delaware	93	51	24	67, 145	15, 061	48, 505	8, 665	6, 734	44. 7
District of Columbia	1	1	1	24, 697	96, 751	24, 697	96, 751	81, 392	84. 1
Florida	67	67	1	776, 743	202, 322	3 133, 336	3 27, 502	27	. 013
Georgia	198	196	0	1 682, 354	1 318, 405	0	0	0	0
Kentucky	211	171	128	1 593, 494	1 41, 938	2 445, 000	3 32, 000	16, 329	38. 9
Louisiana	67	67	1	1 422, 181	1 271, 021	37, 490	51, 113	4	. 001
Maryland	24	23	23	2 449, 879	2 134, 379	1 406, 280	1 114, 682	1 28, 072	20. 9
Mississippi	151	151	0	1 287, 781	1 278, 640	0	0	0	0
Missouri	1, 889	2 214	2 200	3 758, 000	3 84, 000	0	3 75, 000	3 35, 000	41. 7
North Carolina	173	173	10	1 816, 682	1 302, 060	117, 404	54, 746	82	. 027
Oklahoma	1, 276	241	189	3 504, 125	3 40, 875	266, 405	30, 725	9, 822	24. 0
South Carolina	108	108	0	1 352, 164	1 257, 935	0	0	0	0
Tennessee	154	148	6	1 670, 680	1 157, 320	87, 363	19, 644	346	. 217
Texas	1, 531	720	130	1 840, 987	2 288, 533	2 800, 000	3 85, 000	3 3, 530	1. 21
Virginia	130	128	11	668, 500	211, 000	177, 731	52, 288	268	. 099
West Virginia	55	43	43	416, 646	21, 010	416, 646	21, 010	14, 000	66. 6
Totals	6, 664	2, 839	777	10, 165, 246	3, 097, 534	4 3, 013, 019	681, 763	195, 625	6. 3

1 1959-60. 2 1958-59. 3 Estimated. 4 Missouri not included.

Mr. BUSH. Mr. President, in view of the way in which section 110(a), on page 13 of the bill, reads, it seems to me that the words "a State" supply the key for the determination of who shall apply to Washington for the money. In that connection, I do not think the Secretary of Health, Education, and Welfare would be inhibited from granting to Georgia funds which would be used in Atlanta; and, similarly, I do not think he would be inhibited from refusing to grant to Georgia funds which could be used in other parts of the State.

Mr. CLARK. That would be inhibited by the amendment of the Senator from Connecticut.

Mr. BUSH. No.

Mr. CLARK. Mr. President, if the Senator will read the amendment, I think I shall be able to convince him that what I have said is a fact.

Mr. MORSE. If the Senator will yield first to me, I should like to point out that the money is to go to the State—not to Atlanta or to Podunk, but to the State.

Mr. BUSH. I know that.

Mr. MORSE. Then it seems to me that the amendment would simply result in a denial of the money to the State.

Furthermore, it is to be noted that the amendment does not apply to title II, which relates to Public Laws 874 and 815, under which the Federal Government has provided, in round numbers, about \$2 billion since 1950. So I think it interesting to note that the Senator has seen fit to limit his amendment by excluding it—in effect—from applying to the use of the funds available under Public Law 874 and Public Law 815, in support of the schools.

Mr. BUSH. In reply, I repeat that if the Senator from Oregon is able to suggest a further modification of the amendment, so as to remove the obstacle

he has in mind, I should be glad to consider such a modification.

However, as I read section 110 of the bill, under the heading "State Applications," if the amendment were enacted it would not prevent the Secretary of Health, Education, and Welfare or the administrator of this bill from taking into account situations such as the one in Georgia which has been brought to our attention by the Senator from Pennsylvania, and it would not prevent the Secretary of Health, Education, and Welfare from saying, "Great progress has been made in this State, and it is proceeding"—which does not mean that every corner of the State is proceeding, but means that the State as a whole is proceeding. Therefore, under my amendment it would be difficult to deny fair treatment to Georgia.

Mr. CLARK. Mr. President, will the Senator from Connecticut yield at this point?

Mr. BUSH. I yield.

Mr. CLARK. I think the Senator from Connecticut and I should read, together, his amendment.

Mr. BUSH. The Senator from Pennsylvania can read it, and I shall follow his reading of it.

Mr. CLARK. I now read the modified amendment of the Senator from Connecticut:

The Commissioner shall approve an application of a State which fulfills the conditions specified in section 110(a) and which—

And there the word "which" relates back to the State—

Mr. BUSH. That is correct.

Mr. CLARK. I now continue to read: and which, in good faith, is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools.

Not 1 of those 15 States is proceeding in good faith, although many of the school districts in those States are proceeding in good faith. So I say the amendment would prohibit the allocation of any of this money to those 15 States.

Mr. BUSH. But it should be remembered that the application will come from the State itself.

Mr. CLARK. But the State government in each of those States is doing its best to avoid the obligation; it is not complying with that obligation.

Mr. BUSH. However, a State which wished to avail itself of the benefits of the bill or of the money might be induced to enact legislation which might result in making the money available to Atlanta, even though not to all the other cities and towns in the State. So this provision would be an inducement to the States to proceed and to move ahead.

Mr. SCOTT. Mr. President, will the Senator from Connecticut yield for a question?

Mr. BUSH. I yield.

Mr. SCOTT. If the Senator from Connecticut will permit me to do so, I should like to address my question to my colleague from Pennsylvania.

Let me say that, along the line we have been discussing, I have before me the Democratic platform, entitled "The Rights of Man."

Mr. CLARK. Will my colleague permit the Senator from Connecticut and me to finish our colloquy, first?

Mr. BUSH. But I have yielded to the junior Senator from Pennsylvania.

Mr. SCOTT. However, I am glad to withhold my comment for the time being, if the Senator from Connecticut does not object.

Mr. BUSH. No, I do not object.

Mr. CLARK. I merely wish to state, briefly, that although neither the Senator from Connecticut nor the senior Senator from Pennsylvania has ever had the privilege of serving in the Georgia Legislature, it is rather unlikely that the Georgia Legislature and the Governor of Georgia would be ready to comply with the conditions imposed by the amendment of the Senator from Connecticut, in order to obtain more money for the city of Atlanta. And when I say "it is rather unlikely," that is certainly an understatement.

Mr. BUSH. The Senator from Pennsylvania wishes to see them move ahead and comply, does he not? In that event, why not use this "bait", in order to induce more rapid compliance?

Mr. President, I now yield to the junior Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I was about to propound a question of my senior colleague as follows: The Democratic platform, which is entitled "The Rights of Man," sets forth on the next to the last page—

Mr. CLARK. The title—"The Rights of Man"—is certainly a good one.

Mr. SCOTT. Yes, if the promises were followed by performance.

Mr. CLARK. We are trying to perform them right now.

Mr. SCOTT. I shall give the Senator an opportunity to perform them this very minute.

Mr. CLARK. The Democratic platform promises a new Democratic administration.

Mr. SCOTT. And there is one.

Mr. CLARK. All right.

Mr. SCOTT. Now let us see what will be done with it—and I now read from page 54 of the Democratic platform:

A new Democratic administration will also use its full powers—legal and moral—to ensure the beginning of good-faith compliance with the constitutional requirement that racial discrimination be ended in education.

We believe that every school district affected by the Supreme Court's school desegregation decision should submit a plan providing for at least first-step compliance by 1963, the 100th anniversary of the Emancipation Proclamation—

And, Mr. President, I add the comment "Music supplied by me." [Laughter.]

Mr. CLARK. But a little out of tune.

Mr. SCOTT. I would not say it is a little out of tune; instead, I would say the band has stopped playing. [Laughter.]

Mr. President, I will say, for the Senator's information—because I believe the Senator from Connecticut will not object to my doing so—that the promises I have read just now from the Democratic platform are a composite of—promises contained in the Republican platform and promises contained in the Democratic platform. The words "good-faith compliance" or "compliance in good faith" are taken from both of them.

Is there ever going to be a time when a civil rights amendment to the education bill will be in order? We have been told the amendment to rule XXII will come after the program. We have been told by my senior colleague, whose interest in civil rights is unimpeachable, and for which I respect and admire and praise him, that within 2 years he hopes action will be taken favorably. I personally think it will not be. I do not think there is any intention to secure enactment of a bill, finally, so carefully drafted by my senior colleague.

Then we are told, when we come to an education bill, that an education measure is the wrong place to ask that civil rights be included. If, for heaven's sake, we cannot include civil rights in an education bill to protect the rights of our children to be educated, and we cannot get it in a civil rights bill because, somehow, such measures are not brought up, my query is, when and under what circumstances will those who favor such action be able to put into the education bill the provisos which the Democratic Convention accepted and promised? That is, when do Senators expect to use the full powers of their administration, legal and moral, to insure the beginning of good-faith compliance with the constitutional requirement that racial discrimination be ended in public education?

I apologize now for the embarrassment which comes from reading back either

party's platform to a member of that party.

Mr. CLARK. The Senator need not apologize for reading from that distinguished document, my party's platform. I am glad to have it quoted on the floor of the Senate. I think it is well that even a Republican refer to it.

Mr. SCOTT. Especially Republicans of good will.

Mr. CLARK. I think it is well to have it referred to, even when they object.

I had a little difficulty in following the question of my colleague, which was not exactly terse.

Mr. SCOTT. Verbose, perhaps. [Laughter.]

Mr. CLARK. I would not say it was verbose.

Let me say, in short answer, I will support any civil rights amendment to the education bill which I think will not kill the bill.

Mr. SCOTT. What the Senator is saying, in effect, is that as long as Members of his party will not support civil rights amendments, there is no use in supporting them or in any Senator offering them. Why do we not quit there and go home on that issue?

Mr. CLARK. I think not, because the test is how many conservative Republicans who vote for the amendment will vote for the bill; and I think not enough will.

Mr. SCOTT. I do not think the Senator can put that simian on our shoulders.

Mr. CLARK. I have been trying to all afternoon.

Mr. BUSH. Mr. President, I have been trying to yield to the Senator from South Dakota, which I now do, for such time as he requires.

Mr. CASE of South Dakota. The inquiry I am about to propound I hope will be noted by the Senator from Pennsylvania [Mr. CLARK] and the Senator from Oregon [Mr. MORSE], in charge of the bill.

In the judgment of the Senator from Connecticut, would his amendment add an additional condition as a requirement before an application is approved?

Mr. BUSH. Will the Senator repeat that question?

Mr. CASE of South Dakota. Would the Senator's amendment be an additional requirement that must be met before the Commissioner could approve the application of a State?

Mr. BUSH. Before it was approved, yes.

Mr. CASE of South Dakota. In other words, it is the interpretation of the Senator that the bill without this amendment would permit the approval of applications where the State is not in good faith proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools?

Mr. BUSH. Exactly, and my authority for that is the Secretary of Health, Education, and Welfare, who so testified in the hearings on the bill. He said he had no authority to withhold funds.

I make a correction. The statement was contained in a letter addressed to

the Senator from Vermont [Mr. PROUTY] in which the Secretary said he had no authority to withhold funds.

Mr. CASE of South Dakota. Is that interpretation of the bill accepted by the proponent or sponsor of the bill, the Senator from Oregon?

Mr. MORSE. Mr. President, I think the Secretary of Health, Education, and Welfare made that doubly clear the other day when he sent to the Senator from Vermont [Mr. PROUTY] his letter, which I read into the Record.

Mr. BUSH. That was the letter I quoted.

Mr. MORSE. I am sorry. I thought the Senator was referring to the Secretary's testimony before the committee.

Mr. BUSH. I also meant the letter.

Mr. MORSE. I did not hear the Senator mention the letter.

Mr. BUSH. The Secretary is simply confirming the fact he has no authority to withhold funds.

Mr. MORSE. The Secretary has made very clear that he has no authority to withhold funds, and that such authority would be an attempt on the part of the Federal Government to exercise control by the Federal Government. We simply cannot have it both ways. We are either going to make the funds available to the States to be used by the States in accordance with their educational policies, or we are going to interfere with the educational policies of the States.

When we come to the constitutional question, I think it has to be considered in connection with the civil rights law. In that regard I will be found on the Senator's team in supporting amendments to the civil rights law.

Mr. BUSH. I think the Senator in charge of the bill made it very clear that it was the intent of the legislation to deny that authority to the Secretary of Health, Education, and Welfare.

Mr. CASE of South Dakota. Mr. President, if I may in the time which has been yielded to me, I should like to ask the Senator from Pennsylvania [Mr. CLARK] if he accepts that interpretation—that the bill as it stands, and without the Bush amendment or something similar to it, permits the allocation of funds to States in which there has not been good faith or is not good faith in moving to end racial discrimination in public schools.

Mr. CLARK. Mr. President, I regret that I did not hear the question of the Senator from South Dakota. If it is a question involving interpretation of the provisions of the bill, I would prefer to have the Senator from Oregon, who is the Senator in charge of the bill, answer, rather than I. He is right here, if the Senator wants to ask him.

Mr. CASE of South Dakota. The Senator from Oregon has already answered my question. I was hoping I would get an answer also from the Senator from Pennsylvania.

Mr. CLARK. I regret to tell the Senator from South Dakota that I was not listening when he was asking the question. I apologize to him.

Mr. CASE of South Dakota. Perhaps I can repeat it. Without the Bush amendment or something equivalent to it, is it the Senator's interpretation that the bill would require the Commissioner to approve the application of a State which fulfills the conditions set forth in section 110(a) but which had not made provision to comply with the constitutional requirement that racial discrimination be ended in public schools?

Mr. CLARK. I am giving that matter consideration for the first time right now, so I am sure any answer I make will not be satisfactory to the Senator from South Dakota. I do not really know, but I would think that if it were determined by way of judicial knowledge or common understanding, that Federal funds were to be used for the purpose of advancing the cause of segregation, the extension of such aid might well be considered as unconstitutional, if subjected to court test.

Mr. CASE of South Dakota. It seems to me that by any fair reading, section 111(a) as set forth in the modified Bush amendment says, in effect, that, in addition to the conditions which have been specified in section 110(a), an additional condition is to be required. That is—

The Commissioner shall approve an application of a State which fulfills the condition specified in section 110(a)—

Then begins the Bush amendment:

And which, in good faith, is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools.

The use of the conjunction "and" seems to me to add a separate requirement.

Mr. CLARK. I think it does.

Mr. CASE of South Dakota. That is an affirmative answer, in effect, without which—

Mr. CLARK. No.

Mr. CASE of South Dakota. Without which the conditions would rest upon the conditions specified in section 110(a).

Mr. CLARK. No. Plus the conditions stated in the Constitution of the United States as interpreted by the Supreme Court, which are implicit in any legislation passed by this Congress.

Mr. BUSH. Mr. President, I should like to interject again that the Secretary himself said he could not withhold funds.

Mr. CLARK. The Secretary is not the final judge of the Constitution.

Mr. BUSH. He is a pretty good judge. I think he knows what he is talking about. He will have to administer the provisions of the bill. He is the man who will have to pass out the money.

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

Mr. BUSH. Has the Senator from South Dakota finished?

Mr. CASE of South Dakota. It is apparent that there is some difference of opinion between the interpretation which would be applied by the Senator from Pennsylvania and the one which would be applied by the Secretary of Health, Education, and Welfare. The Secretary of Health, Education, and

Welfare has said, apparently, that the bill, standing alone, would not require him to examine as to the question of racial discrimination.

Mr. BUSH. It is specifically said that he cannot withhold funds.

Mr. CASE of South Dakota. I have been interested also in the fact that the bill uses the term "Commissioner." The definition on page 20 is:

The term "Commissioner" means the United States Commissioner of Education.

Repeatedly in the debate Senators have referred to the Secretary. It is said that the Secretary of Health, Education, and Welfare is the man who wrote the letter, that the Secretary of Health, Education, and Welfare is the man who will make the determination. The bill as it stands says "Commissioner," and section 111, which is sought to be amended, says, "the Commissioner shall approve."

Mr. BUSH. Will the Senator permit an observation?

Mr. CASE of South Dakota. Yes.

Mr. BUSH. The letter to which reference was made was sent to the Senator from Vermont [Mr. PROUTY] and signed by Secretary Ribicoff. It says that neither he nor the Commissioner could withhold funds.

Mr. CASE of South Dakota. Neither the Secretary nor the Commissioner.

Mr. BUSH. Neither of them. The Secretary said that.

Mr. CASE of South Dakota. In passing, I invite attention to the fact that we have been using "Secretary" in the debate when actually the "Commissioner" is the officer specified by the terms of the bill. There could be a situation when the Commissioner and the Secretary might not interpret the language in the bill in exactly the same way.

Mr. BUSH. Mr. President, I have frequently made that mistake myself in the proceedings this afternoon. I have referred to "Secretary" very often. In order to make clear the point of the Senator from South Dakota, I should like to read into the RECORD the very brief letter which was addressed to the Honorable WINSTON L. PROUTY, U.S. Senate, Washington, D.C.:

DEAR SENATOR PROUTY: We have a telephone inquiry from your office on the question whether under the School Assistance Act of 1961, proposed by the administration and introduced as title I of S. 1021, the Secretary of Health, Education, and Welfare or the Commissioner of Education could withhold funds from any State because of segregation in schools within that State.

In my opinion, neither the Secretary nor the Commissioner would have such authority.

Signed by Secretary Ribicoff.

Mr. CASE of South Dakota. Mr. President, I shall take only a minute or two longer. I have asked these questions partly to clarify the issue which, in my judgment, is before the Senate as a whole.

There is a question as to whether we shall try to write a bill which will distribute tax money to the States upon the basis of conditioning the distribu-

tion of setting conditions upon what the State may do in the field of education.

It has been my contention that we ought not try to tell States what they shall do with the money. I apprehend that if money is taken out of the Treasury generally, by a general appropriation, it would become very difficult to say that the general taxing power of government can be exercised to take money from the general funds of the Treasury and to allocate it to the States in any way when there is any discrimination or any denial of opportunity. I think it is almost axiomatic that if we take funds from the general funds of the Treasury to make a distribution among the States we cannot permit the States to discriminate in the use of those funds within the States.

However, because of that problem, which bothered the Senator from South Dakota in all of this discussion, the Senator from South Dakota undertook to try to find a formula which would meet the problem without running into the violation of ethics—that is, taxing all of the people and distributing the funds in such a way as to deny use of the funds to some people.

Therefore, the Senator from South Dakota has prepared an amendment, which has been printed and which is at the desk, which proposes to allocate to the States a percentage of revenues from the income taxes, both personal and corporate, not on the basis of any elaborate conditions, but purely and solely upon the basis of the number of children of school age within each State. It seems to me, from my study of the problem, that this is the only way we could consistently and conscientiously allocate money to the States and avoid entirely the question of conditions. There is no condition whatsoever provided in the amendment which I have had printed other than the certification by the State that the money would be used for the purpose of education at elementary and secondary levels.

The amendment would set up no conditions with respect to discrimination. The amendment would set up no conditions with respect to whether the money would be used for teachers' salaries, to pay interest on school debt, to pay for janitor services, or to pay for school buildings. The amendment would provide for a distribution of money to the States on one basis only: on the basis of how many children of school age were in the State. There would not even be a question as to whether the children attended public school, attended parochial school, or stayed at home. There would not be a provision with regard to daily attendance.

The amendment provides that the proper basis for determining need is: How many children are there to educate?

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

Mr. CASE of South Dakota. When the money is returned to the States, the States could spend the money as the State laws required.

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

Mr. CASE of South Dakota. If I am permitted to do so, I yield to the Senator.

Mr. MORSE. I agree with the Senator from South Dakota except for one comment. I think it is perfectly clear, from the language in the bill, that a State is bound to use the money for the public schools.

Mr. CASE of South Dakota. The State would be bound to use the money in any way that the State uses its own money. In my State we have a very firm constitutional provision which forbids the use or the appropriation of any State property or money for sectarian schools or anything of that sort. In my State, there would be no question but that the money would have to be used for public schools.

I point out that the real basis for talking about aid to education is the pressure upon the property taxpayers for funds to meet the educational requirements of the day. If part of the money is provided by a return by the Federal Government of income taxes collected, then this obviously will ease the pressure upon other sources.

Mr. MAGNUSON. Mr. President, will the Senator yield to me?

Mr. BUSH. If the Senator will permit an observation. I do not wish to prolong the discussion in regard to the Senator's amendment, since he will have an opportunity to develop it fully, but I should like to observe that he is talking about Federal funds which are to be returned to the States. These are funds to be collected by the Federal Government and returned to the States. For that reason, I do not think the amendment, if agreed to, would eliminate the necessity for an amendment such as the one now pending, or something similar to it.

Mr. CASE of South Dakota. Mr. President, I shall have to say I should resist any amendment of the character the Senator from Connecticut has proposed if it were proposed as an amendment to my amendment. I should resist any other movement to set up any kind of a condition whatsoever other than a determination as to the number of children in a State.

Mr. BUSH. I did not realize the Senator was opposing my amendment.

Mr. CASE of South Dakota. I am not necessarily opposing it. I have tried to help the Senator from Connecticut by clarifying the situation. Without the Senator's amendment the bill would set up conditions the States would have to meet. The Senator's amendment would set up an additional condition. I think if we are going to start setting up conditions we can set up conditions from A to Z, if we wish to do so.

Mr. BUSH. My amendment is addressed to the bill.

Mr. CASE of South Dakota. The Senator is correct.

Mr. BUSH. I did not write the bill. The amendment has to be attached to the bill. I cannot take responsibility for all these things.

Mr. CASE of South Dakota. I recognize that fact. The Senator is meeting his responsibility and meeting it effectively, I think, in trying to see to it that, if we are going to set up conditions as

to how the money is spent, the money shall not be spent to further discrimination.

Mr. BUSH. That is the whole point. I thank the Senator.

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

Mr. BUSH. I yield.

Mr. MAGNUSON. I believe the Senator will recall that at one time the Senate acted upon an amendment which the late Senator Taft of Ohio and I sponsored when the first aid-to-education bill was before the Senate. At that time we encountered the problem which the Senator from Connecticut is seriously considering and trying to solve in his own way. Without going into the formula, at that time our amendment provided that a State could use the funds appropriated for education purposes in any way that would be legal and constitutional within the State.

Mr. CASE of South Dakota. Such a provision would move in the same direction.

Mr. MAGNUSON. I think the Senator will recall the amendment. It met with some opposition, in that most States prohibit the use of such funds for private schools. In my State the prohibition is contained in the State constitution. I believe in the State of South Dakota such a prohibition is also in the constitution.

Mr. CASE of South Dakota. The Senator is correct.

Mr. MAGNUSON. We thought a State should, regardless of the formula, be able to use the money appropriated in any way that would be legal and constitutional within the State. I did not propose such an amendment to the present bill because perhaps conditions have changed. But at that time the argument was made by someone in a State that prohibited the use of funds for private schools that he did not want to contribute money to the Federal Treasury which in turn would be used in a State that did not prohibit such use. That was almost a minor consideration, considering the number of States that limit the use of such funds for public schools, as the bill actually proposes.

Mr. CASE of South Dakota. Mr. President, I wish to develop one thought a little further. It relates to the discussion between the Senator from Connecticut [Mr. BUSH] and the Senator from Pennsylvania [Mr. SCOTT] with respect to the source of the proposed funds.

I do not accept the proposition that money which is collected in Pennsylvania from income taxes is Pennsylvania income.

I do not accept the proposition that all money collected from income taxes in New York is New York income.

I know full well that the money which corporations pay as their income tax is collected from all over the country. I know that the Connecticut insurance companies make profits on policies written in South Dakota. I know that one Connecticut insurance company makes a great many farm loans in South Dakota, and I assume such companies make some money on those loans. I assume they pay some corporation taxes as a result.

I know that the automobile companies that pay their corporation tax in Michigan make their money largely from States all over the Union.

So far as I know, the Senators from Michigan [Mr. McNAMARA and Mr. HART], have never been so provincial as to deny the legitimacy of some appropriations for the benefit of the entire country. I am sure Senators from other States, when they consider the statement, will agree to the proposition that New York, Equitable, Metropolitan, and other insurance companies, which make money all over the Union, ought to recognize, and do recognize, that some of the money they receive is earned in States other than the ones in which taxes are paid.

I represent a State which is doing what it can for education. If the table which was printed in the RECORD the other day at the request of the Senator from Kentucky [Mr. COOPER] is examined, it will be found that 4 percent of the income in my State is expended for education. I think the highest percentage of any State in the Union was 4.1 percent. The average is only 2.7 percent.

The Senator from Pennsylvania [Mr. SCOTT] alluded to the property tax. The other day I made a list of the personal property of the Case family. I noted that the taxes were to be levied on the basis of a valuation of 70 percent of the market value. This is fairly close to the figure mentioned by the Senator from Pennsylvania [Mr. SCOTT], 75 percent, I believe, of the true market value. We pay at that rate. The property tax on a house which I owned in my hometown was double, in effect, in actual dollars and cents, to the tax on a comparable house in the city of Washington.

We try to meet our educational responsibility. Yet, with all our endeavor, we are rated nearly at the bottom of the list of States with regard to the payment of teachers' salaries, an unfortunate fact. One reason for this situation is that we do not receive the benefit of the corporate income tax on income earned in South Dakota but paid in other States. Standard Oil Co. of Indiana sells much gasoline in South Dakota. The corporate income tax on those sales is paid in Indiana. The automobile tax is paid in Michigan. Some of the tobacco tax we pay is credited to companies in North Carolina. We could go through the gamut of operations today.

The principal railroads in my State are the Chicago and Northwestern; the Chicago, Milwaukee, St. Paul and Pacific; and the Chicago, Burlington, and Quincy. They pay their corporate income tax in the State of Illinois, and Illinois is boosted in its rating as a high income State.

The question is not one of largess. We do not wish pity. We are not mendicants to these other States when we say that a portion of the money that is paid in corporate income taxes in the so-called wealthy States should be used to defray the educational expenses of children whose families are responsible for the business that earns corporate incomes.

There is a basic difference in the approach to this question. That is why I

have not felt we should base a Federal-aid-to-education bill on an endeavor to level off things by saying "Here is a low income State. There is one in the gutter. We will take some money out of the Treasury and hand them a largess, a gift, or a grant."

I have said that the proposed legislation should be based on a return to the States of a fair share—what the Treasury can afford—of the income tax. It should be apportioned on the basis of the number of children, because the number of children to educate is the primary consideration.

I thank the Senator.

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

Mr. BUSH. I yield 5 minutes to the Senator from Pennsylvania.

Mr. SCOTT. I repeat that if it is provincial for me to have the point of view I stated, I hope that more money will return to the provinces and remain there. But I am making the point that Pennsylvania, under the aid-to-education bill, would pay \$3 for every \$2 it would receive back. I am not playing the third man theme, but I am playing the third dollar theme; and as to that third dollar, Pennsylvania taxpayers have a right to know where it would go and what would be done with it.

I do not like some of the proposals that have been made as to what should be done with the third dollar contributed by the people of my State, and which they would not receive back. I would like to see some government power go back home anyway, especially in connection with proposals of this kind.

I should like to address a question to the distinguished Senator from Oregon, the floor leader of the bill. It seems to me it is of the greatest importance that whatever agency—in this case the Commissioner of Education—may carry out legislative authority, the officials of that agency should clearly understand the congressional intent at the time the authority was granted. What I would like to ascertain, if the Senator will help me, is the intention of the proponents and the framers of the proposed legislation so far as the allotment of funds to States having segregated schools is concerned. Does the Senator, as floor leader of the proposed legislation as it is now before the Senate believe that, without consideration of the amendment, the bill would permit the Commissioner of Education to allot funds to segregated schools?

Mr. MORSE. The bill in its present form would authorize and direct the Secretary of Health, Education, and Welfare to allot the funds to States in accordance with the formula of the bill.

It has nothing at all to do with segregation. The Secretary has made very clear, in his letter to the Senator from Vermont [Mr. PROUTY], that in his opinion he has no authority to withhold funds from any State on the basis of the segregation matter; that the bill provides for the distribution of funds in accordance with the formula set out in the bill.

I wish to say again, because I do not want anyone to have any doubt as to my position on the bill, that this is a bill

which has no civil rights provision in it in any form whatever.

Mr. SCOTT. If a State making application fulfills the conditions of section 110(a) but practices and officially announces a promulgated policy of segregation, does the Commissioner then have the power to withhold funds?

Mr. MORSE. No, he does not, in my opinion, any more than we have withheld funds under Public Law 815 and Public Law 874. What in the world do Senators think would happen if it were suggested that we adopt the Bush amendment in respect to Public Law 874 and Public Law 815. When I say this, let me say to my friend from Pennsylvania that I yield to no one in my desire to proceed with amendments to the civil rights laws of this country. I do not believe in proceeding on the civil rights issue on a segmented basis, bill by bill. If the Senator wishes to have my view, the first step is to amend Rule XXII. That is the first step. The majority leader has told us today that he will get that issue before us before we adjourn. When we get Rule XXII amended, then we can proceed very effectively with amendments to the civil rights law. Then we can find out from the Department of Justice, for example, what legislation the Department of Justice believes would be helpful in speeding up the integration of our school system. Then we can find out from the Department of Health, Education, and Welfare what legislation they believe would be helpful in carrying out their statutory obligations.

If we proceed on a piecemeal basis, the legislative process being what it is, we will kill the proposed legislation now before the Senate. I believe it is very important to get on the statute books some legislative principles in regard to Federal aid to education. The pragmatic approach to this problem is to enact the pending bill without any amendments added to it, whether it be the Bush amendment or the Keating amendment or the Goldwater amendment for private schools, or any of the other amendments which bring up ancillary issues in regard to which we all have very deep-seated convictions. I am violating no conviction of mine today; nor did I in 1949, when I spoke out against the so-called civil rights amendment to what was then the Bricker-Cain amendment to the housing bill. I will defend my position before any meeting of the National Association for the Advancement of Colored people anywhere in this country. We build roads a foot at a time, not 10 miles at a time. We build them inch by inch. I used a figure of speech earlier this afternoon, and I repeat it now. I wish to build a bridge across the abyss. I do not want to try to jump it and fall down. If we try to make the Bush amendment jump today, we are all going to take the schoolchildren of America down with us into the abyss. We will not get a Federal-aid-to-education bill if we do that. That is the pragmatism of the situation.

Therefore I urge that the Senator join with me in support of the bill as it is, without the Bush amendment, with-

out the Keating amendment, without the Goldwater amendment. Let us get this bill on the books. Then let us join forces in trying to improve the civil rights laws of the country, after we get rule XXII amended.

Mr. SCOTT. Mr. President, will the Senator from Connecticut yield me some additional time?

Mr. BUSH. I yield 5 minutes to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, would the Senator from Oregon, in order to help us establish the legislative history of the measure, advise me whether in his opinion without the Bush amendment there is any provision in the bill under which Federal funds can be withheld from segregated schools?

Mr. MORSE. Not from public schools in the South.

Mr. SCOTT. I am fully aware of the Senator's interest in civil rights and of his argument here as a pragmatic argument, but as I see it, what the Senator is in effect saying is that because he cannot do justice in this matter, in which the Senator and I both want to do justice, since the Senator feels he cannot do justice and get the bill passed, he would get the bill passed and hope to do justice later through other legislative procedures.

Mr. MORSE. I understand what the Senator has in mind. The bill will do great justice in its present form. It does justice to millions of little boys and girls in this country who ought to get some Federal aid. They will get it if my bill is passed. They will not get a bit of it if the bill is defeated. That is progress. I do not want to bore the Senator, but to protect my own legislative record I wish to take a minute to read a few paragraphs of the speech I made on the floor of the Senate on April 21, 1943.

Mr. CLARK. I thank the Senator for yielding.

Mr. MORSE. On my own time now I read:

I am concerned also, Mr. President, with this sort of parliamentary strategy as represented by the Bricker amendment in connection with other great pieces of social legislation to be voted upon during this session of Congress. I mention one for illustration purposes. I say that if it is proper to attach this type of amendment to the particular bill now pending before the Senate, the same parliamentary strategy can and probably would be used in connection with Federal-aid-to-education legislation. By such a parliamentary device an attempt could be made to defeat a bill for Federal aid to education. The use of such civil rights amendments to various pieces of social legislation would not solve the great civil rights issue which confronts this Congress but would succeed in defeating needed social legislation so that we can get ourselves into a better position to win the civil rights fight.

As a member of the board of the National Association for the Advancement of Colored People I wish to say here this afternoon, Mr. President, that I completely disagree with the officers of that association in respect to their request that we vote for the Bricker amendment. I am satisfied that a vote for the Bricker amendment is not in the interest of the colored people or in the interest of advancing civil rights legislation through the Senate of the United States.

I feel the same way this afternoon with regard to the proposed legislation now before the Senate. I believe that time has proved me right. We have a chance to do something for the school-children of America. Then I would like to join with the Senator from New York and the Senator from Connecticut and the Senator from Pennsylvania in an all-out fight to improve our civil rights legislation by amending the civil rights laws.

I close by asking Senators to keep in mind, of course, that the obligation of the Federal Government in regard to the enforcement of the 14th amendment—that is what the discussion is all about—has nothing to do with the proposed legislation now before the Senate. There is still the responsibility resting upon the Federal Government to enforce the 14th amendment. The segregation practices of the South are in violation of the 14th amendment.

What I believe we need to do is to keep these two issues separate and distinct—the issue of passing needed Federal aid to education legislation, and the duty of the Federal Government to use all its available processes to see to it that all citizens enjoy and are protected in their rights under the 14th amendment.

If the Federal Government needs some enforcement legislation to be added to the civil rights laws now on the statute books to carry out that objective, I will join in seeking to pass amendments to those laws.

However, as in 1949, so in 1961 I am not going to join in adding a civil rights amendment to a piece of very much needed social welfare legislation, in this instance Federal aid to education. In principle I favor civil rights legislation, but I believe our legislative approach to civil rights ought to be limited to the amendment of civil rights laws, and that we should not adopt amendments such as this, which would result in denying to the school children of America Federal aid to education in the year 1961. I have already said I have no question about the sincerity of the Senator from Connecticut. But while I am not a higher mathematician, I can count political noses when it comes to votes on the floor of the Senate.

I think it would be a calamity to adopt the amendment.

Mr. KEATING. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield the floor.

Mr. KEATING. I wish to ask the Senator a question. The Senator read, the other day, a letter from Secretary Ribicoff, which said in part—

Mr. MORSE. Mr. President, will the Senator from New York permit me to interrupt him, to verify a statement I made earlier this afternoon, when I relied on my recollection? I made the statement in fairness to the Senator from Indiana [Mr. CAPEHART]. It was suggested that the civil rights amendment to the 1949 housing bill was the Bricker-Capehart amendment. I stated that my recollection was that it was the Bricker-Cain amendment. I have just checked the RECORD, which I have just read, and it was the Bricker-Cain amendment. In fairness to the Senator

from Indiana, I think the RECORD should show that I was correct in my recollection. It was the Senator from Ohio, Mr. Bricker, and the Senator from Washington, Mr. Cain, who proposed the so-called Powell amendment to the housing bill of 1949.

I apologize to the Senator from New York for interrupting him. Now we will start all over.

Mr. KEATING. That is perfectly all right. The other day, the Senator from Oregon read a communication from Secretary Ribicoff which said, in part: "In my opinion, neither the Secretary nor the Commissioner would have such authority," meaning authority to withhold funds from any State because of the segregation of schools within that State. Unless the Senator has already specifically stated it, I should like to ask him whether he agrees with that legal conclusion of Secretary Ribicoff.

Mr. MORSE. Yes, I agree with it. The Attorney General of the United States, as the Senator well knows, has been very much occupied in recent days. However, a request has already been made to the Attorney General to advise, if he will, in regard to the position of the Department of Justice. He need not; I think he will.

I shall continue to ask for such advice from the Department of Justice, because if there is any one thing I always insist on doing, it is to try to get for my colleagues in the Senate, both those who are with me on a bill and those who are opposed to me, every operative fact which I think will be helpful to them in forming their final judgment; always believing and hoping that any Senator would be willing to change his mind on any issue in the last 5 minutes of debate if an operative fact can be presented to him which shows that his previous course of action was a mistaken one. It is very important to every Senator that we get from the Department of Justice, if we can get it from the Department of Justice, its opinion concerning the question which the Senator from New York has just asked me.

Mr. KEATING. I appreciate the Senator's statement. I agree with him that it would be highly desirable to get the opinion of the highest law enforcement officer of our Nation on this particular question.

I wish to pursue one point. I know the Senator from Oregon is of a sufficiently open mind to recognize that there are those who sincerely feel that the legal conclusion reached by the Secretary of Health, Education, and Welfare, is wrong. If the Department of Justice and the Attorney General render a contrary opinion, I believe that it might be persuasive with the Senator from Oregon. Let me pursue that one step further.

Does not the Senator agree that it is clear that the President of the United States could, by Executive order, direct the Secretary of Health, Education, and Welfare to withhold such funds?

Mr. MORSE. I am too careful a lawyer to "curbstone" on the floor of the Senate in answer to that question. It so happens that a part of my inquiry to the Department of Justice goes also to the

question of the executive authority and power of the President. I would not in any way duck the question; the Senator will get an answer from me after I have given the question further study and have had the benefit of my counsel in the matter, and he is the Senator's counsel, too; he is the counsel for all of us, namely, the Attorney General. I should like to read the opinion on this matter before I commit myself.

Mr. KEATING. I appreciate the Senator's comment. I simply add that I believe such authority to issue an Executive order is clear; and that the Secretary of Health, Education, and Welfare would be bound by such an order.

Mr. CARROLL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CARROLL. I have listened very carefully to the debate both by the able Senator from Connecticut and the able Senator from Oregon and other Senators. There is not the slightest doubt in my mind, as I look back through the years and consider what happened many years ago in the House of Representatives, what will happen if this amendment is attached to the bill. The House then was considering a housing bill. An amendment containing the civil rights aspect of legislation was added to the bill. The amendment was legal. It was moral. It was just in principle. Then, as we did in our younger days, we hoped to move forward. The vote was a teller vote. I voted for it. The amendment was adopted. That was in the 80th Congress. What happened? It killed the housing bill.

We are now considering an amendment offered by the able Senator from Connecticut. It is legal. It is moral. It ought to be in the law. However, for the first time in 14 years, based upon my own experience, I see an opportunity to pass a Federal aid to education bill. If we include the amendment of the Senator from Connecticut, not because it is not right, not because it is not just, we will do the same thing that was done to the housing bill 12 or 13 years ago.

That is the practical side of the question. Do not ask why these things are practical. It is within the knowledge of every Senator who has had legislative experience to understand the true nature of this truism.

Mr. BUSH. Mr. President, will the Senator from Colorado yield for an observation?

Mr. CARROLL. I do not have the floor.

Mr. MORSE. If the Senator from Connecticut will let the Senator from Colorado finish his statement, I shall then be glad to yield to the Senator from Connecticut.

Mr. CARROLL. Mr. President, I have been impressed by the debate today. If I were to follow the dictates of my conscience from the standpoint of principle—and I have been a fighter for and a supporter of civil rights as much, I believe, as any other Senator—within my limited experience—

Mr. MORSE. I verify the Senator's statement; the record demonstrates it.

Mr. CARROLL. I thank the Senator from Oregon. When I consider the devastating effect of this amendment, the question is not what it will do for civil rights in 15 States, it is not what it will do for Federal aid to education in those States, but what it will do for the school-children of the entire Nation. No matter how well intentioned the amendment is, it will destroy the bill. This is the first time I have spoken on the bill. I now feel it will be necessary from now on to consider every amendment carefully, no matter how conscientiously it is offered, no matter how sound it is in legal principle or on a moral basis. Now is the time we shall have to be on watch. I say to the able Senator in charge of the bill that we must make certain that the bill is not scuttled. More than a civil rights amendment is at issue. Mr. J. Edgar Hoover said recently that crime is costing our Nation \$22 billion. Let us consider the situation in Washington. I ask the Senator from Oregon: Will the benefits of the bill flow to the District of Columbia?

Mr. MORSE. Yes.

Mr. CARROLL. Will the children of the District of Columbia benefit by the bill?

Mr. MORSE. Yes, although not enough. The Senator from Pennsylvania [Mr. CLARK] and I discussed that point earlier.

Mr. CARROLL. If we expect to reduce crime, improve the mentality of the children, and support a strong educational system, we must realize that most of the elements of crime are a result of social disorder—crime is, partly, a symptom of social disease—a lack of intelligent understanding, a lack of character, a lack of proper environment.

The bill is only a small step forward in a critical period of American history.

One other question has bothered me. Let us assume that in Virginia, Georgia, or any other State, the State board of education does not approve a school district which is integrating its program. Could the State withhold funds from that school district?

Mr. MORSE. The money will go to the State. Once the money has gone to the State, the State will have control of it. The Secretary of Health, Education, and Welfare will have no control of it. But, I point out to the Senator from Colorado, that is limited to the administration of the bill; it does not in any way limit the Federal Government with respect to other Federal powers it may have in connection with enforcing the guarantees of the 14th amendment.

Mr. CARROLL. In other words, it has nothing to do with the educational criteria of a State?

Mr. MORSE. That is correct.

Mr. CARROLL. I should think, as I read the provisions of that section of the bill, that the school board may be entitled to a hearing.

Mr. MORSE. That is correct; it is entitled to a hearing.

Mr. CARROLL. Before what group will it be entitled to a hearing—the State board of education?

Mr. MORSE. The State board of education.

Mr. CARROLL. These are conditions which I think are reasonable but do not constitute Federal control.

Mr. MORSE. Some of us do not like all the results, in effect, of this guarantee of State control of education, so far as the granting of Federal funds for education is concerned. But, as I said earlier, we simply cannot have this both ways. Either we must keep faith with the people of the country by presenting a bill which removes entirely any Federal restriction on education, or we must say we have some gimmicks in the bill.

I am proud to be the floor leader in consideration of a bill which in my judgment does not contain a single legislative "gimmick." This measure is a forthright, honest bill. In dealing with this subject, we wish to incorporate into law the principle of general Federal aid to education; and we want to say to the States, "Many of you have some horrible educational problems, and we want to help you, with money."

When all is said and done, this is a money bill, one which for the first time authorizes the Federal Government to make money available to the States, by means of a general aid-to-education bill, so as to help them with their school problems.

The fact that some civil rights problems may be raised in connection with this program or this activity has nothing to do with the Federal aid to education bill. Instead, it has to do with the civil rights law which already is on the statute books, or it has to do with the authority of the White House and the Department of Justice to see to it that there is uniform application of the 14th amendment to the people in all the States, regardless of race, color, or creed. But it has nothing to do with an education bill. So if we can keep these two in separate departments, we shall have less trouble, here on the floor, in having the Senate reject amendments which seek to join the two, and thus we shall have less trouble in having the bill passed.

I hope the bill will be passed soon, this week. Likewise, I hope to be successful in pleading that aid to education not be confused with civil rights matters or with private school matters.

So my plea is that Senators permit this bill to be passed without the adoption of any civil rights amendment or any private school amendments; and then let us take up the separate problem of legislation needed in the field of civil rights in order to make the existing civil rights law meaningful and in order to give the White House and the Department of Justice whatever aid they say they need in order to enforce those constitutional guarantees.

But I plead with the Senator to give me his help—and I know he will do so—so that the Senate will be able to pass this aid-to-education bill, without having it encumbered by the addition of civil rights amendments.

Mr. CARROLL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CARROLL. Let me say that the able Senator from Oregon has given ex-

cellent leadership here on the floor in connection with this aid-to-education bill, and no one has been able to state the issue more clearly than he has stated it. Certainly this is an aid-to-education bill, not a civil rights bill. Although under existing circumstances the bill cannot be administered as equitably as I should like to see it administered, I cannot favor the inclusion in this bill of an amendment which would, as a practical matter, prevent the taking of this forward step.

If, later on, Senators submit amendments which I think will aid or improve the aid-to-education bill, I shall reserve my judgment on them until I see them.

But I do not wish to have the fight for civil rights confused with the fight for the giving of aid to education, although I recognize that they are rather closely related or intermingled. But here we have, for the first time in 14 years, an opportunity to enact a bill in the field of aid to education.

Mr. BUSH. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. BUSH. The Senator from Colorado said this is the first time in 14 years—

Mr. CARROLL. It is the first time in 14 years that we have had an opportunity to succeed in having such a bill passed and enacted into law.

Mr. BUSH. Yes, and thus it is the first time in 14 years that the Senate has had a real opportunity to pass a reasonable, decent integration measure.

This amendment is directly in point in connection with the aid to education bill, because the amendment simply provides that no element of the population may be discriminated against in connection with the use of these tax dollars. This is the first time we have had a chance to vote for such a measure, which is not mandatory. The amendment housing bill to which the Senator referred was mandatory; but this amendment is not mandatory. It simply gives the Commissioner and the Secretary of Health, Education, and Welfare considerable discretion in connection with the use of these funds; but they must be used and the decisions must be made in such a way as to promote the cause of desegregation. That is all.

Let me say this is the most reasonable civil rights measure I have seen during my service here in the Senate.

Mr. CARROLL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CARROLL. I do not question for a moment the integrity of the Senator from Connecticut in submitting the amendment; and if I thought the amendment could be incorporated in the bill and the bill as thus amended could be passed, I would go along 100 percent with the Senator from Connecticut.

But any Senator who has served here for very long and has observed such fights—and especially the junior Senator from Colorado, who is a member of the Judiciary Committee, where there have been many hard fights in connection with such legislative matters; and

I say this also in view of my experience in both the Senate and the House of Representatives—knows that I am accurate when I say that if this Bush amendment is added to the bill, the bill will be killed. Any Senator who believes that the addition of the Bush amendment to the Federal aid to education bill will not kill that bill is smoking questionable tobacco from a peculiar pipe or else is floating on cloud No. 9.

Mr. MORSE. Or is not realistic.

Mr. CARROLL. Yes. I have seen these discouraging developments over the years.

Personally, I should like to have the bill broadened. I have been reading the various amendments, including that of the Senator from South Dakota [Mr. CASE]; and I have heard rumors about other amendments which I should like to see included. But I warn now that Senators should be careful about the inclusion of any such amendments, especially amendments submitted by Senators who do not wish to see the bill enacted.

Perhaps I may ask whether the Senator from Connecticut wishes to see this bill passed.

Mr. BUSH. No, I certainly do not. I made that clear last Thursday and Friday, and I made clear my reasons. I also made clear, in answer to questions asked by the Senator from Illinois, that when I find there is an opportunity to improve a bill in such a way as to result in an advance in civilization—and we now have such an opportunity—I shall seize it, regardless of whether I like the bill or do not like it.

As I said last Friday, I think the bill will pass; and, therefore, I should like to see it in as acceptable a form as it can possibly be in. I do not believe that the Senator from Colorado believes that is a bad practice.

Mr. CARROLL. Mr. President, I never question motives. I think the Senator from Connecticut is offering a fine amendment. But I hope it will be offered on another occasion; and when that fight occurs, I shall be there.

Mr. BUSH. I should like to invite the attention of the Senator to the fact that the time available for debate on both the amendment and on the bill is limited. So if the Senator and his friends will accept the amendment, there will be no question that the bill will be filibustered.

Mr. MORSE. Only the time available for debate on the amendment is limited.

Mr. BUSH. I thought unanimous consent had been given to have a limitation on the time available for debate on both the amendment and the bill.

Mr. MORSE. No. Will the Senator from Connecticut help me obtain such an agreement?

Mr. BUSH. Certainly.

Mr. CARROLL. Mr. President, I wish to thank the Senator from Oregon for his excellent presentation this afternoon.

Mr. MORSE. Mr. President, I thank the Senator from Colorado, from the bottom of my heart, for the very fine contributions he has made to the debate. They will be very helpful to the bill.

Let me also thank the Senator from Connecticut [Mr. BUSH]. He has been very cooperative and very helpful to me.

It is only fair that I now proceed to yield some of the time available to those who oppose the amendment. I imagine that the Senator from South Dakota and the Senator from Iowa wish to make certain points in connection with the recent debate. Therefore, I shall be glad to yield now to Senators who may wish to speak in opposition to the amendment.

I yield to the Senator from Iowa.

Mr. MILLER. Mr. President, I should like to ask the Senator from Oregon to yield for 1 minute so I may make a statement.

Mr. MORSE. I yield to the Senator on my time.

Mr. MILLER. Perhaps I have an old-fashioned concept of what is practical and pragmatic. With respect to what the Senator from Oregon, and particularly the Senator from Colorado, have said, I venture the opinion that, instead of being practical and pragmatic by leaving the amendment out of the bill, we are being impractical and unpragmatic. It will not be practical for this country to deny minority rights; and minority rights will be forfeited unless the amendment is adopted.

It seems to me that in his argument the Senator from Oregon has said that we must enact a bill such that thousands of little schoolchildren will have the benefit of the bill, even though perhaps not as many thousands of schoolchildren will not receive benefits.

I say to the Senator, with all respect, that it seems to me that the thousands of little schoolchildren who would not receive the benefits of the bill are the minority, whom we ought to protect. If we in this body do not protect minority rights, we shall have lost a great cause, and we shall no longer be practical and pragmatic.

Mr. MORSE. I say, respectfully, that if we follow the course suggested by the Senator, we will not help the Nation. If we follow the course of action I am suggesting, we will establish a principle. This is not the last inning in the ball game. There will be another time at bat. We shall take up other amendments to advance the cause of minority rights. I think we are helping minority rights, if we succeed in passing the bill in both Houses and having it signed by the President, when we establish the principle. Once we place on the statute books the principle of general Federal aid to education, we shall be able to protect minority rights in this country much more rapidly than I think is implied and envisioned by the Senator from Iowa.

Mr. President, if I may have the attention of the Senators from Montana, Maine, and New York, I must leave the Chamber for a few moments for a conference which I have been called to attend. The ranking member of my subcommittee, the distinguished Senator from Michigan [Mr. McNAMARA], will serve in my place. The Senator from Montana [Mr. METCALF] would like to have 5 minutes, the Senator from Maine [Mr. MUSKIE] would like to have 8 minutes, and the Senator from New York [Mr. JAVITS] would like to have 10 minutes. If it meets with the pleasure of Senators, I should like to suggest that time be released to them in that order.

I now yield 5 minutes to the Senator from Montana, and I ask my friend from Michigan [Mr. McNAMARA] to favor me by taking over my position of floor leader for the bill until I can return.

The PRESIDING OFFICER. The Senator from Montana is recognized for 5 minutes.

Mr. METCALF. Mr. President, I asked for this time to set the RECORD straight in regard to the discussion of the senior Senator from Pennsylvania a few minutes ago. The senior Senator from Pennsylvania put into the RECORD a list of 15 States and said that in his opinion all those 15 States would be deprived of any aid under the bill if the Bush amendment were agreed to.

In an earlier colloquy, the Senator from Connecticut made the statement that he felt the amendment which is pending would give a good deal of flexibility to the Secretary or to the Commissioner; that in some instances there would be some recalcitrant districts, but that the money would go to the States and there would have to be a determination on the part of the Secretary or of the Commission as to whether, in the balance of all the situations and all the conditions, the money should be given to the State—whether there was a good faith compliance with the constitutional requirement.

I cannot let the debate go further without saying that under the amendment, in my opinion all the 15 States would not be deprived of aid and assistance. I believe therein is the very mischief of the amendment. The amendment would create such a condition of chaos and uncertainty insofar as the Secretary of Health, Education, and Welfare or the Commissioner of Education is concerned that it would be very difficult to determine the situation in each instance. The Secretary would have to make a determination, and then the money would go to the States. The States would then have to distribute the money in accordance with the provision set forth on page 14 of the bill; that is, to the neediest districts for school construction and to the neediest districts for teachers' salaries.

With all due respect to the Senator from Connecticut, I point out that this is not the first time in 14 years that there has been an opportunity to attach this provision to a school bill. Public Laws 814 and 874 provide money which does not go to the States but goes to the individual school districts. Each individual district must make an application to the Commissioner of Education, to the Office of Education, for the impacted-area money. The bills to renew those laws have come before the Senate every 2 or 3 years. I respectfully submit that the proper place for the amendment is not in title 1 of a bill which is the beginning of a general aid program, but in title 2, for a program which has been in effect for 10 years and is going forward. It should not be attached to a program providing for aid to the States, to be distributed to the States, but instead to a program which can be pinpointed to the individual districts.

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

Mr. METCALF. I yield to the Senator from Connecticut.

Mr. BUSH. I point out to the Senator that we are talking about a new program, a program to affect primary and secondary schools.

Mr. METCALF. Public Law 874 affects primary and secondary schools.

Mr. BUSH. The Senator is talking about impacted areas.

Mr. METCALF. Yes.

Mr. BUSH. If the Senator wishes to join me in proposing an amendment on that phase of the bill, I shall be glad to join in that effort also.

Mr. METCALF. I do not wish to have the amendment on any phase of the bill. I submit that this is not the first time in 14 years that the opportunity has been offered. There has been an opportunity to pinpoint the districts every time Public Laws 815 and 874 have been renewed and continued by the Congress.

Mr. BUSH. The Senator may differ with me in judgment about the 14 years and about the first opportunity. I made that assertion. I make it again because of the moderation of the amendment, because of the fact that it would go to a primary and secondary school bill, which is directly in point. It would give us the best opportunity which has appeared in 14 years to move forward in connection with desegregation of schools. That is way I say, and on the face of it I think it is true.

Mr. METCALF. My whole point is—

Mr. BUSH. If the Senator will think back, when amendments of this nature have been considered before they have been mandatory in their provisions.

The PRESIDING OFFICER (Mr. HART in the chair). The 5 minutes yielded to the Senator from Montana have expired.

Mr. McNAMARA. Mr. President, does the Senator from Montana desire additional time?

Mr. METCALF. No.

Mr. McNAMARA. Mr. President, I yield to the Senator from Maine. How much time does the Senator desire?

Mr. MUSKIE. The Senator from Oregon allotted me 8 minutes, I believe.

Mr. McNAMARA. I yield 8 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 8 minutes.

Mr. MUSKIE. Mr. President, I have listened with a great deal of interest this afternoon to a discussion of the so-called Bush amendment. I am certain that all the elements and arguments on each side of the issues created by the amendment have been discussed. I can add nothing to them. More than that, I doubt that I could state them as well.

However, because of my concern about the two objectives which are involved—Federal aid for education and civil rights—I feel I should make my position clear at this point in the RECORD.

The so-called Bush amendment presents an issue which is very simply stated. Should we try to advance the cause of integration in our public

schools by tying it to the cause of Federal aid for public schools?

In other words, should we require that these two horses, if they run, run harnessed together, or should we permit them to run separately?

Those who support the amendment may include the following:

Those who honestly believe this to be an effective and proper way to advance the cause of integration.

Those who honestly believe that such Federal aid, without an integration string tied to it, would delay the integration of public schools in the South.

Those who oppose such Federal aid and who see in this amendment an effective obstacle to passage of the bill.

Those who oppose both objectives and would like to defeat them both by uniting them.

Those who, confident that the Bush amendment will not be adopted, see a delightful opportunity to force advocates of integration on the Democratic side to vote against that objective.

I suppose that each of these motivations, and others, might be justified, depending upon one's point of view as to when the end justifies the means. And I concede that idealists and cynics can be found on either side of almost any question.

As one who wholeheartedly supports both objectives—both integration and Federal aid—I would like to briefly state my reasons for opposing the Bush amendment. I address my remarks particularly to those who support both causes, who believe that both can be advanced by uniting them in this bill, and who may believe that the cause of integration may be delayed if this is not done.

Over the years, opposition to Federal aid has come from all areas of the country, from groups differing in many ways from each other, and for varying reasons and combinations of reasons. There can be differences of opinion as to which of these has been most influential in achieving the result. The fact is that the combined opposition has been successful. If the result is to be changed, the opposition must be reduced by enough to reduce it to a minority status in both Houses of the Congress.

The ranks of the opposition have included the following formidable groups:

First. Those who believe that Federal school money should be used as a club to force public school integration in the South.

Second. Those who fear that Federal school money will be used as a club to force public school integration in the South.

The existence of either of these sources of opposition insures the existence of the other. If both exists, without substantial reduction in their ranks, they can defeat the bill. That is a result which, in my honest judgment, can be avoided only by eliminating the issue from the bill.

It seems to me that those of us who pursue the goal of integration must consider three possible results:

First. Passage of the school bill with an integration rider. I have indicated

that, in my judgment, this is not a reasonable possibility, desirable as it might seem. We then must consider the second possible result.

Second. Defeat of the school bill with an integration rider. In my judgment, this is an almost inevitable result if the rider is approved. In that event, how is the cause of integration served? Such a result would generate resentment among many, who believe in the cause of Federal aid. If that cause is right, the defeat will delay an improvement in educational standards for children of all creeds, colors, and racial and national backgrounds. Such a delay will further postpone the day when enlightened self-interest, generated and developed in an educational system of the highest attainable standard, will promote the cause of equality in all areas of the country.

Finally, there is the third possibility.

Third. Enactment of a Federal school aid bill without the integration rider. Surely, this is a cause great enough to warrant attention on its own merits. Further, if, as we have been taught to believe, education is the foe of ignorance, and fear, and prejudice, its advancement will constitute a victory for the cause of integration as well.

Mr. McNAMARA. The Senator from New York requested some time. I yield 10 minutes to him.

Mr. JAVITS. Mr. President, the decision to be made on the amendment is not an easy one, particularly for those, including myself, who have been ardently fighting for civil rights for many years, in good seasons and out, and under trying conditions in this Chamber, as well as throughout the country and, in my case, in the other body as well.

But it seems to me there is one simple test which, when applied to the amendment, should resolve the question for those who feel as do the Senator from Maine [Mr. MUSKIE], many others, and I myself. The test is, if the amendment is agreed to, will the bill ever become law? Otherwise, it would obviously be a fatuous exercise. If the amendment is agreed to, the bill would never become law. Then there must be some other purpose which it will serve.

Under these circumstances I do not have to make a prediction, based not solely upon my own judgment, but upon a very authoritative source. The new chairman of the Committee on Education and Labor in the other body, the very person whose name this type of amendment bears—ADAM CLAYTON POWELL—has himself said, "I will not interpose this kind of amendment because I am confident it will kill this legislation."

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

Mr. JAVITS. I yield.

Mr. BUSH. Possibly the Senator from New York was not in the Chamber when I tried to explain that the amendment was not to be compared to the Adam Clayton Powell type of amendment, which was a mandatory amendment. The amendment I have proposed, as the Senator will realize, I am sure, is not that type of amendment. I wanted to make that difference between the two types of amendment very clear. The amendment

is not a mandatory amendment. There is a great deal of discretion given to the administration in connection with the disbursing of funds. The Powell type of amendment would not give that discretion, but would simply forbid flatly the use of the funds.

Mr. JAVITS. When one speaks in terms of a "Powell type of amendment," I think that statement in itself answers the question. The question is one of degree. The Senator does not feel that the amendment is mandatory. I feel it has the same thrust, the same purport, if carried out in good faith, and so I call it the Powell-type amendment. But POWELL himself has said, "If any kind of antisegregation rider is attached to the measure, it will be killed."

That is why he said, "I am not going to do it." He added, "If someone else starts a chain reaction, I may have to join in. But I am not going to do it."

Under those circumstances I must decide whether I am for Federal aid to education. Deciding that I am, I come to the conclusion that even if I voted for the amendment, the result would be that it would never become law. Therefore, I have my choice, and it is not a very happy one. I have the choice of joining those who are opposed to the bill or joining those who are against the desegregation of public schools.

In either case, I shall be in very unhappy company so far as I am concerned, and so I had better do what, on judgment and principle, would at least accomplish one result, and at least that would be the inauguration of a program of Federal aid to education. I hope very much it will be clear in the procedure on the vote that we are not deciding the issue on a substantive basis, but that we shall show in the parliamentary situation we face that we are laying the issue aside. I hope very much that there will be a motion to table the amendment rather than to vote on the amendment in substance, because that is the only way we can show the country precisely what we are doing.

Mr. President, this is a most unhappy day to be discussing this question. We are under the shadow of events which are absolutely disgracing our country at home and abroad. We are under the shadow of events in which conditions of anarchy and disorder, in violation of the fundamental rights of Americans, have broken out in the sovereign State of Alabama. The President has had to send Federal officers to that State to protect or try to protect citizens in the exercise of their civil rights. There may have taken place the most outrageous violations of law, in terms of our penal statutes, in the destruction of the carriers of interstate commerce, through conspiracies to interfere with the exercise of the civil rights of individuals, perhaps by the highest officials in government.

Certainly this is hardly a day which is conducive to a detached review of the amendment, when literally we see a state of events which causes a sense of outrage to us as Americans.

Yet, that is why we are here. We are here notwithstanding the deep feelings which we have. I know everyone will take my word for the fact that I do feel

very deeply about these tragic events. Notwithstanding those conditions, we still must keep our eyes on the ball. Right now the ball is the passage of a Federal aid to education bill. History has shown us that every time an amendment such as the one before the Senate has been attached to proposed legislation, it has resulted in the end of the bill.

Let us attain at least one objective. I know we cannot secure two objectives in the bill. That is, we cannot amend the bill with the proposed amendment and pass the bill, too. But I do not want to go away without anything. I want to get at least one objective. I do not want to end up with a blank.

Finally we all know that an amendment such as the one before the Senate can be added to any bill.

It does not have to be a Federal aid to education bill. It can go on any bill at any time we want to do it. There is no rule of germaneness in the Senate. Therefore, if it is unwise and prejudicial to load it on the pending bill, why load it on?

Finally, I disagree with the Secretary of Health, Education, and Welfare in his opinion, which he gave to the Senator from Vermont [Mr. PROUTY]. I do not believe that we should permit the giving of funds to a school district which is in contempt of a Federal court order to desegregate its schools.

As a matter of fact, I do not believe that the Secretary of Health, Education, and Welfare will have to stand by this opinion, notwithstanding it is his opinion now. Therefore, I wish to state that I support and add my name to the amendment, the initiation of which comes from my colleague from the State of New York, Senator KEATING, which will involve us as individual citizens, in order to test out this question, to the extent that I have described. The Secretary's opinion is couched in very general terms. He says that he does not believe he can "withhold funds from any State because of the segregation of schools within that State."

That is quite different from standing in violation of a court order, because we know—and this is Hornbook law—the Constitution is not self-operative.

As the law stands now I have very little doubt that the Secretary could define his words—and he would not have to take them back—if he runs into the kind of situation I have described.

To make insurance doubly sure, however, I shall support the amendment which my colleague from New York [Mr. KEATING] will propose, in the way he will revise it. I believe that will button the matter up in the proper way.

Let us remember also that no matter what may be said in terms of the amendment's voluntariness, and its not being mandatory, as the Senator from Connecticut says, it is directed toward a whole State and relates to Federal aid to education in that whole State.

I have not held with those who believe that we can get integration or desegregation by educational processes alone. I emphasize the "alone." I also feel very deeply that if in this battle for civil rights we get tired of waiting for the

administration to get on its horse, and do what it should do, that is, make civil rights legislation "must" legislation, giving it equal priority with other parts of its program, we can add civil rights legislation to any bill. I have done it, my colleagues have done it, and other Senators can do it. The question is whether we shall do it here and now to the pending bill.

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

Mr. McNAMARA. I yield 2 more minutes to the Senator from New York.

Mr. JAVITS. I believe, also, that the whole educational system of the United States must be bucked up, and must be bucked up very materially, particularly in those very States which in my opinion in many respects have denied it in terms of the outlook in the United States.

I believe we need Federal law. I do not believe Executive action alone will succeed. President Kennedy, no matter how deeply interested he is in this subject—and I agree he is—and diligent and forceful, he must have legislation. He must stop appeasing the South and come to Congress and ask Congress to back this effort, as he has tried to do with Federal marshals.

That will not be made or unmade by what we do with the pending amendment. What will be made or unmade by the amendment is whether or not the Federal aid to education bill passes. At least in that connection I want to score on one, instead of scoring a zero on two.

In closing I wish to point out that the amendment which my colleague from New York will present is not to be described—of course my colleague understands that I am not trying to characterize it—as a Powell-type amendment. It will give authority to test whether the Commissioner of Education and the Secretary of Health, Education, and Welfare are proceeding in accordance with the Constitution. As the law stands today, it is doubtful that a taxpayer could bring about a test unless we provide that authority.

Senator KEATING will explain his amendment. I wish to pay tribute to him for having thought up the idea for a most effective way in which to deal with the problem in terms of people like myself who want to get at least one thing nailed down, and that is by getting a bill for Federal aid to education. If we cannot get legislation right away, at this moment, on desegregation of the schools, I want at least to get one bill, if I cannot have both.

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

Mr. BUSH. Mr. President, will the Senator withhold that suggestion for a moment. The junior Senator from New York has asked for some time. I will yield some time to the Senator from New York, if the Senator from Michigan will withhold his suggestion of the absence of a quorum.

Mr. McNAMARA. Does the Senator from Connecticut intend to yield some time to the Senator from New York?

Mr. BUSH. I yield 10 minutes to the Senator from New York.

Mr. KEATING. I wish to express my appreciation to my distinguished colleague from New York for the remarks he has made about the amendment which I have sent to the desk. Before closing my remarks I shall send to the desk a revised or modified version of that amendment.

I appreciate the support which my colleague accords to that proposal. I find myself, however, in difference with him, and with many other sincere proponents of the proposed legislation, in the field dealt with by our distinguished colleague from Connecticut. It is my intention to vote for the amendment of the Senator from Connecticut.

When this debate began, I was uncertain as to whether I would favor the inclusion of an express provision in this bill to prevent the use of Federal grants for racially segregated public schools. It is my view that even if the act is silent on this question, the executive department would be required by the overriding mandate of the Constitution to prevent any Federal funds from going to schools operating in defiance of the law of the land. At the same time I recognize that some support for this amendment will be motivated by a desire to defeat the bill, and I do not want any action of mine to suggest that I would favor any such obstructionists' objective.

It is one thing, however, to be silent on this issue in the hope that the requirements of the Constitution will be strictly adhered to in the administration of the statute. It is quite another thing, however, to be silent in the face of an explicit statement by the chief officer of the Cabinet department that he does not have any authority under the present language of S. 1021 to "withhold funds from any State because of segregation of schools within that State."

We are now clearly on notice that unless an amendment such as that offered by the Senator from Connecticut is included in S. 1021, or my amendment, we will be sanctioning the use of Federal funds collected from all over the country—and nearly one-fifth from New York—to reinforce the very policy which the Supreme Court has condemned.

It has been my opinion for some time that the official policy of open defiance of the decision of the Supreme Court has created an atmosphere of lawlessness in large parts of our country, and that this has bred a new kind of hoodlumism which preys on schoolhouses, churches, private homes, and, most recently, young citizens traveling by bus. Certainly I would not want the Senate to take any action which would contribute one iota of support to any such forces who are fighting against law and order. In that respect, I know that many Senators who share that viewpoint will vote against the amendment. However, we cannot close our eyes to the consequences which would flow inevitably from our refusal to write into the bill a specific prohibition of aid to schools which are not acting in good faith to comply with the law of the land.

Mr. President, 6 years ago the Supreme Court of the United States ruled that neither the States, under the 14th amendment, nor the Federal Govern-

ment, under the 5th amendment, could constitutionally maintain schools segregated on grounds of race. Yet under the interpretation given by the Secretary of Health, Education, and Welfare, and read to us by the distinguished Senator from Oregon, who is in charge of the bill, the Secretary would be unable to prevent the use of Federal funds for segregated schools, even though the Department of Justice might be involved at the same time in a suit to enjoin the use of State funds for such schools.

I do not agree with the legal opinion of the Secretary of Health, Education, and Welfare. It is my hope that when the Senator from Oregon has been able to procure an opinion from the Attorney General, that opinion will not coincide with the opinion expressed by the Secretary of Health, Education, and Welfare. However, in the absence from the bill of any provision for judicial review of a decision by the Secretary of Health, Education, and Welfare, there would be no one—absolutely no one—I repeat: no one—who could bring suit to enjoin the Attorney General from such a dispensing of Federal funds.

The difficulties which arise under the interpretation of the Secretary of Health, Education, and Welfare are legion. They can all, however, be greatly clarified by the acceptance of the amendment offered by the Senator from Connecticut [Mr. BUSH]. His amendment would put the Constitution, the courts, and the Federal and State Governments in a consistent alignment to block the use of Federal funds where constitutional principles are violated.

Let me recall for the Senate the position which the administration took with regard to Federal aid for parochial and private schools. The President himself, in a press conference on March 2, 1961, declared that Federal aid to religiously oriented schools could not even be debated, because such aid was clearly prohibited by the Constitution.

Mr. President, it is fair to ask, Is Federal support of racially segregated schools not even more clearly forbidden by the Constitution?

Upon the question of segregated schools, the courts have ruled emphatically and incontrovertibly, not once but several times. On the former question, of aid to religiously oriented schools, there have been few rulings, and the meaning is concededly open to many different interpretations. Certainly there is room for doubt. I, for one, do not believe that it can be shown that the courts have clearly ruled out Federal aid for private schools. But certainly there is no room whatever for doubt as to the court's view on the question of segregated schools. Why, then, is the administration so anxious to deny funds to private schools and to transmit them instead to racially segregated schools? Why is the administration so anxious to invoke the Constitution when its meaning is not clear, and so reluctant to invoke it when the meaning is crystal clear?

As I have said, I am not opposed to Federal aid to education on principle. I have repeatedly said that. I would not like to see a good bill defeated by obstructionist and irrelevant tactics.

Since the Senate has declined to accept the amendment offered by my colleague, the distinguished Senator from New York [Mr. JAVITS], and the distinguished Senator from Kentucky [Mr. COOPER], which, in my judgment, would have improved the formula in the bill, I am not sure that I shall support the bill when the amendment stage is finished. But I am not opposed to the principle of Federal aid to education.

In all honesty, however, I submit that no Senator should support any bill without a full awareness of its meaning and implications. The meaning and implications of this bill, as they have now been indicated by the Secretary of Health, Education, and Welfare and the principal senatorial advocates of the bill, are so far reaching that I believe we should pause to reconsider it. I trust that the bill will be amended to conform to the Constitution.

In my judgment, the Bush amendment is a step in the right direction. For that reason, I shall support it.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, may I have 5 minutes on the bill?

The PRESIDING OFFICER. The Senator from New York is advised that time has not been allotted on the bill.

Mr. KEATING. Then may I have 5 additional minutes on the amendment?

Mr. BUSH. Mr. President, I yield 5 additional minutes to the Senator from New York. First, however, I commend the Senator warmly for the wonderful case he is making. I wish to associate myself with his remarks on the subject. I yield 5 additional minutes to him.

Mr. KEATING. I appreciate the statement of the Senator from Connecticut.

Mr. President, on Thursday of last week I offered an amendment, which has been referred to most kindly by my colleague, the Senator from New York [Mr. JAVITS], to provide for judicial review of any constitutional issues which may arise in the administration of the Federal aid to education bill. I have had a series of discussions in which several Senators have indicated an interest in the amendment, but a desire to have it somewhat revised. I have decided to revise the language of the amendment in a manner which, in my judgment, does not affect its basic purpose.

I send the revised amendment to the desk on behalf of the Senator from Pennsylvania [Mr. SCOTT], the Senator from New Jersey [Mr. CASE], the Senator from New York [Mr. JAVITS], the Senator from Illinois [Mr. DOUGLAS], and myself.

Mr. BUSH. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. BUSH. I wish to add my name, if the Senator will permit me to do so.

Mr. KEATING. I appreciate the request of the Senator from Connecticut [Mr. BUSH] that his name be added as a cosponsor. I ask that the amendment be ordered to lie on the table and be printed, and also to be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The amendment will be received and printed,

and will lie on the table; and without objection, it will be printed in the RECORD.

(See exhibit 1.)

Mr. KEATING. Mr. President, in order that the RECORD may contain an explanation of the amendment, the amendment would authorize civil actions to be brought by any taxpayer against the Commissioner of Education, to challenge any grant which it is alleged will be used in any manner which is in violation of the Constitution of the United States.

All such actions would have to be instituted in the United States District Court for the District of Columbia and would be subject to direct appeal to the Supreme Court. Provision is made for expediting the hearing and disposition of all such cases in order to avoid any undue interference with the operations of the act.

This is not a so-called Powell amendment. It is applicable to any constitutional issue which may arise in the administration of this statute. For example, it would permit a taxpayer's suit to be brought to test the validity of loans to nonpublic elementary schools, if provision for such loans is added to the bill.

The sole purpose of the amendment is to make certain that there is a judicial remedy for any violations of the Constitution under this statute. It is widely believed that the problem of preventing grants for unconstitutional purposes can be safely entrusted to the courts under the established law. This view is erroneous. The fallacy in it is that there is no procedure under the present law or court precedents by which an unconstitutional grant of Federal funds can be challenged in the courts. Under a number of precedents, in the absence of statute, taxpayers' suits cannot be brought against the Federal Government to enjoin the disbursement of Federal funds. This is a classic example of a constitutional wrong for which no constitutional remedy exists other than that which we may provide by express enactment.

Section 111(b) of S. 1021 already authorizes suits by any State education agency dissatisfied with a final action of the Commissioner of Education. This amendment would provide a remedy in the converse situation; namely, where a taxpayer objects on constitutional grounds to a grant to the State education agency.

#### EXHIBIT 1

On page 20, between lines 3 and 4, insert the following:

#### "JUDICIAL REVIEW

"SEC. 114. (a) Any citizen of the United States upon whose taxable income there was imposed an income tax under section 1 of the Internal Revenue Code of 1954 for the last preceding calendar or taxable year and who has paid any part of such income tax, may bring a civil action against the Commissioner to restrain or enjoin him from making any payment under this Act which the plaintiff alleges will be used in any manner which is in violation of the Constitution of the United States. No additional showing of direct or indirect financial or other injury, actual or prospective, on the part of

the plaintiff shall be required for the maintenance of any such action.

"(b) Any action brought under subsection (a) of this section must be commenced within sixty days after the final decision of the Commissioner. Such action shall be brought in the District Court of the United States for the District of Columbia. Upon the commencement of such action the Commissioner shall file in the court the record of the proceedings upon which the determination complained of is based. The District Court of the United States for the District of Columbia shall have jurisdiction to hear and determine any such action, and the court shall have power to enter, upon the pleadings and record of proceedings a judgment affirming, modifying, or reversing the decision of the Commissioner. The findings of the Commissioner as to any fact, if supported by substantial evidence, shall be conclusive, but all rulings of law, conclusions of law, and mixed conclusions of fact and law, shall be subject to unlimited judicial review. Any party to such action aggrieved by a final order entered therein by the district court shall be entitled to a review thereof by the Supreme Court through the filing in that court, within sixty days after the entry of that order, of an appeal therefrom. Any such action pending before any court for hearing, determination, or review shall be heard, determined, or reviewed at the earliest practicable time, and shall be expedited in every practicable manner. Any action instituted in accordance with this section shall survive notwithstanding any change in the person occupying the office of Commissioner or any vacancy in such office."

On page 20, line 5, in lieu of "114" insert "115".

The PRESIDING OFFICER. The time yielded to the Senator from New York has expired.

Mr. KEATING. I yield the floor.

Mr. JAVITS. Mr. President, may I ask one of the Senators who is in charge of the time to yield to me?

Mr. BUSH. Mr. President, I shall yield 1 minute to the Senator from New York.

Mr. McNAMARA. Mr. President, I yield 1 minute to the Senator from New York.

Mr. JAVITS. Mr. President, as a member of the Subcommittee on Education and also as a member of the full Committee on Labor and Public Welfare, I wish to say that this subject was most intensively discussed and considered. On the amendment, there seemed to be pretty much of a division of opinion between Senators who wish to have a Federal aid to education bill enacted and Senators who oppose the enactment of such a bill.

Certainly many Senators who are devoted advocates of civil rights and civil rights legislation have a deep feeling that this is a time when we can win in this endeavor if we exercise the kind of self-discipline to which I referred in my previous remarks.

I thank the Senator from Michigan for yielding this time to me.

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

The PRESIDING OFFICER. Does the Senator from Michigan wish to request that the time required for the quorum call not be charged to the time available under the agreement?

Mr. McNAMARA. No, Mr. President. I am not requesting any special privileges or favors.

The PRESIDING OFFICER. Then is it understood that the time required for the quorum call is to be charged to the time under the control of the Senator from Michigan?

Mr. McNAMARA. Naturally; of course.

The PRESIDING OFFICER. Very well.

The absence of a quorum has been suggested; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HUMPHREY. Mr. President—  
Mr. McNAMARA. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

#### INCIDENTS IN ALABAMA

Mr. HUMPHREY. Mr. President, in the 5 minutes which have been yielded to me on the amendment, I wish to speak briefly on the very tragic and unfortunate situation which exists in reference to the rioting and the violence which have occurred in Birmingham, Ala.

I desire to compliment the distinguished majority leader on what I consider to be one of the finest public statements I have ever heard from a public official concerning difficult and trying circumstances.

I join the majority leader and as I am sure, the vast majority of the American people do in commending the Attorney General—who is acting as the chief law-enforcement official of our country, and, of course, is acting in the name of the President of the United States—for his efforts to bring law and order to the area which has been afflicted with violence and disorder.

All of us call upon the responsible constituted officials—Federal, State, and local—to join in seeing to it that the violence and disorder are controlled and stopped.

It is a sad day for Americans when some of our citizens are set upon as if they were enemies or as if they were not even human beings. We have witnessed cruelty, brutality, and inhumanity. I submit that if the United States is going to suggest to other nations, such as Vietnam, nations in Latin America, and various other nations, that they must make social reforms before they will receive aid or cooperation from us, we must come with clean hands and we must make our country a proper example of social justice and freedom.

Instead, these incidents have made a mockery of our democracy and of our national purpose, for the outbreaks have evidenced disorder and violence unworthy of a great nation. This problem is not confined to any particular area; it is a national problem.

I know that the vast majority of the American people want to see this situation corrected at once.

Again we have exposed ourselves—revealed our weakness—to the entire world; and we must make amends. The only way we can do so is by calling upon all law-abiding citizens and self-respecting citizens to respect the law and the constitutional rights of our fellow citizens, and to give their support to the officials of our Government who are calling for observance of the law and the protection of our citizens.

I rise to support what I know has been a difficult, and yet a very necessary, decision on the part of the Federal administration, and, in particular, on the part of a courageous Attorney General. He surely has my best wishes and my unqualified support.

#### SCHOOL ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (S. 1021) to authorize a program of Federal financial assistance for education.

Mr. HUMPHREY. Mr. President, speaking on the amendment before us, I want more education for the American people. I believe we need Federal aid to education; and I have a feeling that if this bill is encumbered with amendments which are highly controversial, which have as their purpose, ultimately, if not intentionally—and I impugn no one's motives—the division and destruction of support for a program of Federal aid to education, such amendments must be defeated.

It is not easy for those of us who have committed ourselves to a program of civil rights and human rights to vote to table an amendment which has on its face, as its alleged purpose, the protection of certain civil rights.

The courts of this land are designed to protect those rights, and the courts of this land will protect those rights. The office of the Attorney General is designed to protect those rights. There is unmistakable evidence today that the Justice Department acts promptly and courageously. We can expect such courageous action in the future.

I look for the time in the very near future when we shall be able to expand and extend the program for civil rights and we shall do this. I have been in the Senate 13 years. One of the first bills I was privileged to vote upon was a bill for Federal aid to education. That was in 1949. This is 1961. We have been working for, fighting for, hoping for, and promising Federal aid to education, and still we have very little of it. We have as in certain areas, the so-called impacted areas. I am proud that it was my privilege and opportunity to help author and pass Federal aid to education in areas where there are heavy Federal activities. I refer to Public Law 874 of the 81st Congress and Public Law 815, two laws sponsored by the Senator from Alabama [Mr. HILL] and the Senator from Minnesota. Under these laws we have provided over \$2 billion in Federal aid. Such Federal aid has been to limited areas, and has been provided without Federal interference or domination, without any complaint. It is a successful program.

The bill presently before the Senate has in it those provisions of Public Law 874 and Public Law 815.

So if the Senator from Oregon moves—and I have been told he may and that is, of course, within his discretion; he has been a courageous leader in managing the bill—to table this particular amendment, difficult as that decision is, I think the decision must be made to table it, and to have the bill go to the other body unencumbered. We need Federal aid to education and I am concerned that some amendments are being offered not to secure passage of the bill, but, in effect, to hinder such passage.

A program of Federal aid to education will stimulate the arts, sciences, and humanities, and will help build schools and assist teachers' salaries. In so doing we may very well do more for civil liberties and human rights than we could do with amendments which could only add to the difficulties we face in securing passage of this vital legislation.

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

Mr. HUMPHREY. May I have 1 additional minute?

Mr. MORSE. I yield 1 minute to the Senator.

Mr. HUMPHREY. It disturbs me that some Senators who support the amendment which is before us are the same Senators who have never supported Federal aid to education. People can change their minds, of course, and we always welcome into the fold Senators who change their minds; but I appeal to them to help us pass the Federal aid to education bill.

I point out that there are those who disagree. I respect their judgment. There are Senators who have told me privately they could not go along. I understand their concern. My word is not a word of criticism. I am doing only what I believe to be proper under the legislative circumstances. I proceed, not on the basis of perfection or imperfection, but on the basis of what we should do to advance and secure progress in the field of aid to education.

Mr. MORSE. Mr. President, I shall yield myself such time as may be necessary to make a brief summary of my position.

After conference with Senators on my side of the aisle, I propose, after the Senator from Connecticut [Mr. BUSH] finishes his final argument in support of his amendment, to move to lay his amendment on the table. I shall not do so until the Senator from Connecticut has concluded his argument. He is entitled to do it as a matter of right. I would extend him the opportunity to do so as a matter of courtesy if it were not a matter of right.

I shall not use all the remaining time at my disposition, because I have presented, in colloquy after colloquy on the floor of the Senate today, and on preceding days, my views, and my reasons for urging that the amendment be rejected. I think the most appropriate way to handle the situation is by way of a motion to lay on the table.

Mr. President, the amendment offered by the distinguished Senator from Con-

necticut is praiseworthy in its intention. I object to it, not on the basis of content, but rather on the basis that it is offered to the wrong bill at the wrong time.

As I indicated during the hearings on S. 1021, I yield to no Senator on this floor in my strong belief in, and determination to fight for, my convictions in the field of civil rights. On page 153 of the hearings I said then, and I reaffirm now, the following:

I shall oppose any civil rights amendment to this bill. To begin with, it is not a civil rights bill. It is an education bill. It seems to me most unfair to risk the defeat of this bill, and thereby jeopardize the educational interests of little boys and girls just because their elders enter a controversy over constitutional rights.

The direct approach, so far as the Senator from Oregon is concerned, is a civil rights bill. I want the strictest enforcement of the Supreme Court decisions. I want an end to segregation in all schools in this country, and anywhere in this country, as rapidly as can be brought about by the enforcement of the Constitution of the United States. I shall offer, in due course of time, in this session, amendments to the civil rights bill, and to the civil rights law, which will bring that end about. I think such a procedure is the forthright, frank, and direct way to do it.

Secondly, and I am through with this, we all know, no matter how sincere the motivations of some may be, that the addition of a civil rights amendment to this bill can be used for the dilatory purpose of defeating the public school aid bill. I do not think that to do this is fair to our boys and girls. I think we owe it to them to give them an opportunity to obtain an education in accordance with present practices until the Congress lives up to its responsibility by passing a civil rights bill which protects their constitutional rights.

To my critics, I want to say that this is my philosophy on this matter. I do not yield to any of them, or to anyone else, in my record of staunch defense of civil rights in this country, but I am not going to be diverted from an educational bill by participating in defeating that bill through a dilatory tactic such as a civil rights amendment.

Mr. President, again, as set forth on pages 425 and 426, and again on pages 430 and 431 of the hearing record during the testimony of Mr. Clarence Mitchell, Director, Washington Bureau, National Association for the Advancement of Colored People, my position as set forth speaks for itself. I quote:

I think Mr. Mitchell knows that I am always very pleased to have him before a committee. I am particularly pleased to have him here this morning because I know the responsibilities of the job he has before him, and I want to give him adequate time to present his case.

The witness knows the present position of the thinking of the chairman of the subcommittee. I have always been most frank with the witness. As I said the other day, I yield to no one in the Senate in my support of civil rights legislation. I haven't always agreed with the witness as to what civil rights legislation ought to be passed, probably will not in this instance, but this record is before him and I want him to make his case and I want him to make his case irrespective of the views of the chairman.

I happen to be one who can take it as well as give it. I want you to make the record, but you know my present position. I don't expect to change it; even though the witness

is a very persuasive man, I don't expect to change it. I do not think anything which could be called a civil rights amendment should be added to this bill. As I announced the other day, I stand ready and willing to fight just as hard as I can for amendments to existing civil rights laws. I think those laws are the place for the amendments. However, I respect differences in point of view, and this witness may be sure I am going to respect his difference in point of view if he has one, as I suspect he has.

The floor is yours.

STATEMENT OF CLARENCE MITCHELL, DIRECTOR, WASHINGTON BUREAU, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Mr. MITCHELL. I would say, Mr. Chairman, that suspicion is well founded, and I also would like to say that the record certainly ought to show that this witness has a respect and admiration for the Senator from Oregon that goes back beyond the period when he was a Member of the U.S. Senate. The Senator from Oregon has always stood for fair-play and for championship of the rights of the underdog as long as I can remember.

I am happy to say that I am on record in the Senator's State before his friends and before his critics as expressing my admiration for him and my belief that he is a real champion of the rights of man.

Senator MORSE. I have appreciated the statements you made to my State. I want to thank you for them.

Mr. MITCHELL. Thank you, Mr. Chairman. Senator MORSE. I think the insistence that you place upon the guarantee of full constitutional rights for all people, irrespective of the color of their skin, is a service to all Americans.

I always face up to the facts as I find them. I am always willing to change my view when the facts warrant a change in my view. I think you should know, as I said at the beginning of your testimony that it is my judgment that as a matter of promoting the best educational interests, in carrying out the old Benthamite theory of the greatest good for the greatest number in connection with this specific problem, that I should work as hard as I can for the passage of the administration's bill without a civil rights amendment added to it.

This does not mean, and I know it will be misunderstood by some, this does not mean that I am not an enthusiastic supporter of amendments to the existing civil rights law. I am. I intend to offer such amendments along with some of my colleagues, some of whom serve on this subcommittee, to the civil rights law later in this session of Congress. On the basis of the record made to date, Mr. Mitchell, I think I would be less than honest with you, if I didn't say I think it is my clear responsibility to seek to carry this bill through the Senate without the civil rights amendment to it. There is one reason for my position which I think, at the present time, is unanswerable.

I indicated the other day I am not a mathematician, but I can count congressional noses. I do not think, contrary to your opinion, that there is any chance of passing the administration bill with the civil rights amendment added to it. I think that failure would be most unfortunate, because our real need, in my judgment, is to get the principle of Federal aid to elementary and secondary education on the statute books of this country. We can then proceed, in independent legislation, to see to it that our educational program is carried out in accordance with the constitutional rights of all citizens.

This brings us to the question of the enforcement of the U.S. Supreme Court decisions. Enforcement procedure and policy ought to be clearly set out in separate independent legislation, because such legislation covers many facets of the civil rights problem which goes beyond the problem of edu-

cation. I want an enforcement policy in independent legislation which covers the whole gamut of our civil rights enforcement problem.

Now, as far as I am concerned, we have an honest and sincere difference of opinion in regard to the legislative procedures which ought to be followed to accomplish the same end.

I respect your point of view. I trust, as I think I have a right to, that you and others in your group will at least give me credit for a sincere and honest difference of opinion with you as to the policy which ought to be followed in this instance.

Mr. MITCHELL. I certainly do, Mr. Chairman.

Mr. President, I have read into the RECORD of the debate these excerpts from the hearings for two purposes. First, that there can be no misunderstanding of the position taken by the senior Senator from Oregon on this matter, and, second, to show that this position is understood and appreciated by the leadership of an organization which can claim to speak with authority for a very large segment of our Negro community.

I say, again, that the appropriate vehicle for civil rights attainment is a bill designed to strengthen the Civil Rights Act. I voted against the Civil Rights Act, because, in my judgment it was too weak. I shall fight with all my vigor to strengthen the act through amendment when a civil rights bill comes before the Senate, as I trust it will, during the present session of the Congress. But this is not the appropriate time, nor is it the proper bill for such amendment.

Let me say that I shall welcome the assistance of the distinguished senior Senator from Connecticut when the right time and the right bill is on the floor. I will be found fighting shoulder to shoulder with him then.

As I have said before this afternoon, I think the place for a civil rights amendment is by way of proposed civil rights legislation. It can come after we have modified rule XXII, so that we may have some hope of the majority view prevailing in the Senate in the passage of an amendment to the existing civil rights law.

But what we are considering today is a Federal aid-to-education bill. If the amendment were to be adopted, it would kill the bill. The lives and the aspirations of far too many of our boys and girls of all creeds and color are far too precious for me to jeopardize them through any kind of educational crippling, which could result from the killing of the bill. Through an amendment such as the Senator proposes, these boys and girls could be educationally crippled to a degree, and the responsibility for it would rest with us in the Senate.

The amendment proposed suffers from a flaw. It is unnecessary in a public school bill. Why? There is a remedy now available, and it has been available since Brown against the Board of Education. The courts of the United States are available and willing to protect the civil rights of any man, woman, or child who seeks the protection of our Constitution. The amendment of the Senator is a work of supererogation as far as civil rights protection is concerned.

The amendment reveals a lack of faith in the American judicial process.

I fail to find the evidence, for example, to support the flat assertions on page 8485 of Friday's RECORD:

For, Mr. President, let there be no mistake, if the bill is passed, without an anti-discrimination amendment in it, it will indefinitely delay the integration of public schools in the South.

Or, again:

If S. 1021 is enacted without my amendment, it will be a permanent roadblock against integration of the public schools in those States.

To the contrary, I feel that by putting this principle of general Federal aid to education on the statute books of this country, we can speed up integration through the country. It can result in many children receiving the benefits of a raise in the standards of education. This is especially pertinent for those parts of the country where, at the present time, we are actually denying the development, to the greatest extent possible, of the intellectual resources of the children of those sections of our country.

The truth is that there is no need to denigrate the work of our Federal district courts. In community after community, they have shown both courage and diligence in furthering the implementation of the law of the land. Therefore, we need not go ahead of the courts and, in the process, provide a deadly stiletto to the education bill.

What says the Secretary of Health, Education, and Welfare to such a proposal?

On pages 149 and 150 of our hearing record Secretary Ribicoff says, and I quote:

Secretary RIBICOFF. I would say this personally now, talking for myself. I would deny anything in this bill that would divert attention from the main provisions of this measure. I know, Senator JAVRS, that you are interested in education. I believe that you are for Federal aid to education. I am very anxious, and I know the President is very anxious to pass a Federal aid-to-education bill.

I would feel that we should avoid the insertion of any amendment in this legislation which would weaken its chances of passing. It would be my feeling that to place an amendment such as you indicate in this bill would definitely weaken the chance of passage of this bill.

Education is important throughout this Nation. It is important to further the education of children in the North, East, South, and West. I think we have a problem concerning whites and Negroes alike. It is my feeling that this bill will increase education opportunity for whites and Negroes alike in all the 50 States. It would be my deep hope that we would not have our friends to this, as well as the enemies of this bill, and I cannot urge with any more strength or passion my hope that there would not be introduced in either House such amendment—but of course the Senate and the House are in their own right to do so—any amendment which would cause the defeat of this bill.

I would hope the day is here when the Senate and the House of Representatives will have a clean and clear-cut vote—are you or are you not for Federal aid to education—not have placed in the measure such amendments which will divert from the issue and cause this bill to go down to defeat?

Senator JAVRS. Then the Secretary's view is based upon the practical question of action

in the Congress rather than upon any basis of principle?

Secretary RUBINOFF. Let me say this: As far as principle is concerned, Senator JAVRS, I believe in the decision of the Supreme Court of 1954. I believe it is legally correct and I believe that it is morally correct. It is my feeling that there are many problems facing the United States of America. There are problems facing us internationally and there are problems facing us nationally. There are problems that have an impact on each one of our citizens day in and day out in every conceivable field, and I can imagine no greater tragedy than to try to solve every problem facing America by trying to place every one of those problems on the back of education. We need education. Education is necessary. But if we try and solve all other problems on the back of education then education itself will fail.

It is my feeling that many of the problems we talk about can be solved with better understanding and better education will promote better understanding, and this is very, very important for all of us in America.

The problems of civil rights are problems that are going to have been solved by the Congress of the United States by facing up to its own responsibilities in the debate on this issue. It is going to have to be solved by decisions of the Supreme Court. It will have to be solved by legislators and Governors in all the 50 States. When I say all the 50 States I mean all the 50 States. Your own State of New York has civil rights problems in some of the communities on the outskirts of New York City. And it is going to take understanding by all the people of this country.

So I would feel that we could do no greater disservice for the future of education than to attempt through this bill to try to solve all our problems and in the process we fail and solve none.

So it isn't just a question of being practical, but it is also a question of principle, and it is very hard to separate them. Those of us who have been in public life understand the problems as they come in on one another. They are not mutually exclusive. Sometimes being practical is the best way to advance a principle.

What of other witnesses? Dr. Edgar Fuller, executive secretary, Council of Chief State School Officers, on page 301 states:

Amendments to withhold Federal funds from States or local school districts for failure to desegregate schools have been used as vehicles to defeat legislation similar to this bill. We strongly recommend passage of S. 1021 without such extraneous amendments.

It is highly unfair to expect the schools to assume the major effort to enforce desegregation, which is a political, social, and economic problem pervading all aspects of society. The very education needed to reach solutions to this problem would be denied by withholding funds from schools. The problem cannot be solved by such tactics, and public education itself would become the major victim.

Violations of civil rights should be dealt with by specialized law enforcement agencies, rather than through punitive and ineffective administrative methods that primarily injure innocent pupils and undermine the schools. And I subscribe fully, Senator MORSE, to your statement this morning on the extraneous amendments which ought to be kept off this bill.

The Senator from Kentucky [Mr. COOPER], on page 581, states:

I would hope very much that this committee would not write into the bill, and I hope it will not be written in on the

floor of the Senate, the so-called Powell amendment.

I was very much interested a few days ago when I read in the newspapers that the chairman of this subcommittee had made that recommendation, and I think it is a statesmanlike recommendation.

I follow his belief that if we are attempting to raise the opportunities, to equalize opportunities for schoolchildren, that we should not penalize children whether they are white or Negro, in whatever State they live, because others have failed to follow the Brown case decided by the Supreme Court.

They are not responsible for this failure, and they should not be deprived of needed funds.

I may say also that I have always thought that this is a very easy way to support civil rights and the Brown case. It is very easy to vote for the Powell amendment and say that you have supported the Brown case and you are a strong supporter of civil rights.

But it could be also, I think, an evasion of your responsibility.

I would say that if we want to do something about the segregation in the schools, that we should face it directly. I have recommended and, in fact, introduced bills to permit the Attorney General to intervene in these cases where school boards have not followed the directions of the Supreme Court case, because I think it has come to the time now, after 7 years, when we should face it directly.

So I hope that this amendment will not be attached to the bill.

Mr. President, I turn now to remarks taken from the testimony of the Senator from Montana [Mr. METCALF] on S. 1021 before the Education Subcommittee, March 13, 1961, page 561-562 of the hearings record:

Senator METCALF. Now, today, Mr. Chairman, I would like to address myself to two very important phases of this bill.

First is the proposal that there be an amendment providing that there shall be no Federal funds contributed to segregated schools.

I agree with the colloquy that has gone on here, especially from the Senator from Illinois, that the 14th amendment is what the Supreme Court says it is.

I believe that the Supreme Court was correct in its interpretation of the 14th amendment.

Now, back in 1890, when the second Morrill Act was passed, there was a provision in that act that provided that no funds from the Federal Government for land-grant colleges would go to colleges where there was discrimination as a result of color.

But when they went on and provided in advance of *Plessey vs. Ferguson* a provision for separate, but equal, facilities and provided that that part of the act would not be violated if there was a provision for separate, but equal, colleges, a colored and a white agricultural college.

In *Plessey vs. Ferguson* one of the bases for that decision was previous congressional declaration that separate, but equal, doctrine in the second Morrill Act was compliance with the Constitution and compliance with equality. I point that out because I believe that it points up the danger of writing into this legislation these special things to take care of a special local and sometimes temporary situation.

Now, the interpretation of the Constitution, as interpreted by the 14th amendment as interpreted by the Supreme Court, is an integral part of this act, just as it is a part of every other act of Congress.

We cannot pass any legislation that is not subject to the 14th amendment and subject to that interpretation of the Constitution.

Therefore, we can no more aid this legislation by putting in a Powell type of amendment than we can aid it by saying that there shall not be treason committed on any of the schoolbuildings that are constructed by Federal funds.

We have other legislation and other laws in connection with this type of legislation, and we should legislate for the special and specific purpose with which we are concerned; that is, building more schools and providing more money for teachers' salaries for the boys and girls in the public schools of America.

Secondly, I want to point out that if we do have this type of legislation, we are perhaps destroying the Supreme Court's own idea of deliberate speed and taking away some of the flexibility that is permissive on the part of the administration to enforce this law in different directions in different sections of the country, as the need may be.

Thirdly, I want to point out that in cases where there has been enforcement of the Supreme Court decision such as Little Rock, not a cent of Federal funds was involved. They were all State funds down there.

And it does not make any difference whether Federal funds are involved or State funds are involved or local funds are involved.

The 14th amendment, as interpreted by the Supreme Court of the United States in *Brown v. School District* and the series of cases that followed it, is applicable whether we write it into this legislation or not.

Then the only reason to write it into this legislation is to help destroy it; is to prevent its passage; is to encourage people who would otherwise vote for it to vote against it because in black and white they have a political situation down in their own communities, their own congressional districts in their own States, whereby they cannot vote for that specific statement.

Mr. President, the National President of the American Federation of Teachers, AFL-CIO, in his statement on page 924 of the hearings record said; and I quote:

The issue of civil rights as a roadblock to Federal aid to education is equally improper in determining the fate of school aid legislation. Civil rights—equal public education for all children, regardless of race, creed, or color—is a constitutional right, upheld by the courts, and supported by the American Federation of Teachers. Civil rights is now a matter of law enforcement.

In conclusion: The public school and college teachers of America ask the Congress to enact President Kennedy's Federal school aid legislation, for the greatest need for the greatest number, and that America may adequately train its children to remain free.

The spokesman for the American Veterans Committee on pages 1004-1005 of the hearing record said, in answer to my question:

But now let's come to your major position.

Suppose that in the wisdom of the subcommittee—and it happens to be the judgment of the chairman—the subcommittee is of the opinion that a civil rights amendment added to this bill would in all probability result in the defeat of the bill, am I to understand that it then would be the position of the American Veterans Committee that the bill should be passed without a civil rights amendment added to it?

Mr. FELDMAN. That would be my interpretation of our position, Senator.

Senator MORSE. As I said the other day in my colloquy with Mr. Mitchell of the National Association for the Advancement of Colored People, I think the approach to make to this problem is to amend the existing civil rights law and not use a Federal aid to education bill as a vehicle for seeking in effect to amend the existing civil rights law.

Now, in regard to any proposal for an amendment to this bill calling for loans to private schools, would I be correct in my interpretation of your testimony that here, too, if in the opinion of the majority of the subcommittee and the majority of the Senate it should be decided that such an amendment would very well endanger the passage of the Federal aid to education bill for public schools, that such an amendment should not be added to the bill?

Mr. FELDMAN. That is correct, Senator.

As a matter of fact, I would go further and say that our national board, which is not the full convention, as you know, our national board took the position that the two issues should not be involved in the same piece of legislation.

The president of the American Council of Learned Societies, in a letter to the committee which may be found on page 1149, said:

Allow me, therefore, to urge upon the committee the seriousness of the situation, and let me respectfully request that the members not permit themselves to be distracted by other national issues, important in themselves but extraneous to the specific problem of education with which as a subcommittee they are immediately concerned. Finally, permit me to repeat, as an individual whose professional career has been devoted to higher education and whose organization has been striving to bring the talents of scholars to bear upon the problems of secondary education, that the several levels of education are interdependent and that higher education, therefore, stands upon a firm base only when the educational system below it is strong, flourishing, and vigorous.

The Public Education Association of New York City, in a prepared statement submitted to the committee which can be found on page 1296 of the hearing record, stated:

The Public Education Association strongly endorsed the U.S. Supreme Court's historic decision outlawing racial segregation in the schools. We do believe, however, that desegregation should be implemented through a school-aid bill. Other powers of the Federal Government should be brought to bear on this important problem. Improving the quality of education for all American children, as this bill seeks to do, will be a vital contribution to the elimination of discrimination and the enhancement of opportunity for all.

Mr. Tuttle of School Board Leadership in America, in a letter printed on page 1365 of the RECORD, said:

DEAR SENATOR MORSE: I write to express wholehearted approval of your handling of the School Assistance Act of 1961 (S. 1021).

The simplest law will be the best. Please urge your committee and the Congress to stand firm against complicating amendments. Confine the bill to assistance to public education only, on the basis of a flat grant per child in average daily attendance, channeled through the several State departments of education.

All other claims and issues can be debated on their own merits in separate legislation to come later.

Thank you for your courageous efforts in behalf of American public education, and best wishes.

Sincerely yours,

EDWARD M. TUTTLE.

The general secretary of the National Consumers League likewise wrote the committee, and the letter may be found on page 1308, as follows:

We would urge also that the committee report S. 1021 unencumbered by controversial

amendments. These amendments can be dealt with in separate legislation when due consideration has been given them by Congress. The need to provide funds to our public education system is so clearly established and widely supported in the country that any delay at this time in order to consider new, complicated, and unexplored proposals would be tragic.

Mr. President, I have summarized in the debate the position taken by the Secretary of Health, Education, and Welfare. I have had printed in the RECORD the letter written to the Senator from Vermont [Mr. PROVY]. I answered the problem in a colloquy this afternoon with the Senator from New York.

I am satisfied that the position taken by the Secretary of Health, Education, and Welfare is correct, when he points out that in his judgment and opinion he would have no power to deny funds to the States, because the purpose of the bill is to provide financial aid to the States. That is the controlling purpose of the bill. We have made clear over and over again that we shall do so without any Federal control of schools.

As I said earlier this afternoon, we cannot have this both ways. Either we will stand firm in support of the principle of no interference so far as educational legislation is concerned, with the States having the right to operate their schools on the basis of their own school policies, or we shall be reneging on the promise we are making to the American people that if they will support us in our demand to put on the statute books the principle of general Federal aid to education we assure and guarantee to them that the bill will in no way interfere with State and local control over education.

Mr. President, section 103 of the bill has nothing to do with the constitutional rights of the American people. Those constitutional rights flow, in this instance from the 14th amendment. The Supreme Court has made it perfectly clear that under the 14th amendment segregation in education violates the Constitution. In my judgment that great landmark decision is comparable to another great constitutional law decision of 1803, Marbury against Madison. In that decision the great Chief Justice of the United States—incidentally, a great Virginian—pointed out that the ultimate fountain for determining and nourishing the American people in respect to their constitutional rights is the Supreme Court, unless a constitutional amendment is passed reversing the Supreme Court on a constitutional question.

In 1954, under another great Chief Justice of the United States, a great Californian, Chief Justice Warren, there was a further landmark decision on the meaning of the 14th amendment in respect to educational opportunities in this country. That decision merely said, in effect, that the 14th amendment means exactly what it says.

I think we need to keep the issues separate and distinct. There is the issue of guaranteeing to the American people under a general educational bill a complete assurance that we in the Congress are not going to seek to dictate to any

State its educational policy. That is a separate and distinct issue from one involving the constitutional right of every boy and girl and every parent in this country under the 14th amendment. The enforcement of the Constitution rests with the executive branch of the Government, and in particularly with the Department of Justice. Such enforcement has no cause to effect relationship in respect to any education bill we may pass in this session of Congress.

In closing, let me say that I have not attempted to be exhaustive in presenting the testimony heard by the committee. I have given a sampling of the testimony before our committee. From what I have given, Senators can see that the position of the committee is sustained by many, many witnesses who testified.

I urge my colleagues in the Senate who really believe it will be in the public interest to establish, for the first time in our history, the principle of general Federal aid to education, to support me in a few moments from now when I shall make a motion to lay on the table the amendment offered by the Senator from Connecticut.

Mr. President, I yield the floor. When the Senator from Connecticut finishes I shall be ready to yield back the remainder of my time.

Mr. BUSH. Mr. President, I yield myself 5 minutes.

Mr. President, I shall not detain the Senate more than a few minutes, but I wish to make a few remarks in summary.

My amendment is intended to require the Senate to face a grave moral issue—whether Federal aid for education should be extended to States, which in defiance of the Constitution of the United States, continue to practice racial discrimination in their public schools.

The issue, I repeat, is a moral one. We are about to embark upon a broad program of Federal aid for elementary and secondary schools—a program which is presented as a 3-year program, but which, in fact, is intended to be unlimited in time.

This is not a program for which we will tax the American people \$850 million a year for 3 years only. Once enacted, the program will continue on into the future as far as one may predict, and grow until, within a few years' time, it will involve a tax burden which may reach \$5 billion or more each year.

And the taxes which will be imposed to support this program respect no lines of race, creed, or color. Whether a citizen be Negro or white, Protestant, Roman Catholic, Jew, or agnostic, he will be forced to contribute a portion of his taxes for this program. He will pay taxes on his cigarettes, on his gasoline, and on his income, 20 percent of which will be withheld at the source when he earns it.

Can we, in good conscience, ask the colored people of this country to help pay for a program in which a substantial share of the funds will be given to States which deny children of their race an equal opportunity for education in defiance of the Constitution?

Should we force millions of people, white and Negro alike, who are deeply convinced that segregation in the public

schools is a moral evil, to help pay for a continuation of that discrimination?

Mr. President, another shot is about to be heard around the world, for the reason that on the heels of recent events in the South—the violence and the race riots—the Senate is about to pass a school bill to provide funds to perpetuate segregation in the public schools. That is the issue I wish the Senate to consider before we vote to enact this program.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. BUSH. If S. 1021 is passed without an antidiscrimination amendment in it, it will indefinitely postpone integration of the public schools in the South.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. BUSH. I will not yield at the moment.

The Secretary of Health, Education, and Welfare, who has frankly stated his opinion that this will be a "continuing program" without time limitation, has said that he and the Commissioner of Education will be without authority to withhold funds from any State because of segregation in schools within that State as S. 1021 now stands.

This, apparently, is the intent of the bill as stated to the Senate today by its sponsors.

My amendment simply proposes to give to the Secretary authority which he believes he now lacks.

Mr. President, I have modified my amendment. As initially introduced, the amendment proposed to withhold Federal education funds from any State in which public schools "practice discrimination in their entrance requirements on the basis of race, creed, color, or national origin."

As modified, the amendment would permit Federal funds to go to any State "which, in good faith, is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools."

The modified amendment is in keeping with the Supreme Court's decision that desegregation proceed with "all deliberate speed." It recognizes that the process of desegregation will take time, and permits Federal funds to be given to States which are, in good faith, proceeding to comply with the Supreme Court's decision.

It would withhold funds only from those States which are deliberately defying the Supreme Court and the Constitution of the United States.

I invite the attention of my colleagues to the fact that the modified amendment is in keeping with the platforms of both parties on this issue.

I particularly invite the attention of my democratic colleagues to the fact that the language of the modified amendment closely parallels the following statement in their 1960 platform:

A new democratic administration will also use its full powers—legal and moral—to insure the beginning of a good-faith compliance with the constitutional requirement that racial discrimination be ended in public education.

The PRESIDING OFFICER (Mr. HICKEY in the chair). The time of the Senator has expired.

Mr. BUSH. I yield myself an additional 3 minutes.

Mr. President, the Secretary of HEW has said that S. 1021, as now drafted, does not give him authority to withhold funds from any State in which there are segregated schools.

Let us now give him the legal authority he should have to withhold funds from States which are openly and stubbornly in defiance of the law of the land. Let us give him legal authority to reinforce the moral convictions that I know are held by many Senators on both sides of the aisle concerning this issue.

Mr. President, unless there are questions, I am prepared to yield back the remainder of my time.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. BUSH. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. Is it correct that the Senator from Connecticut has announced that even if his amendment is agreed to, he will vote against the bill?

Mr. BUSH. That question has been asked me several times. I have answered in the affirmative. I stated last Friday why I would vote against the bill. I stated my reason very clearly and in rather forceful language.

Mr. PASTORE. The answer is "yes"?

Mr. BUSH. The answer is "yes." In the present form of the bill I certainly intend to vote against it. I consider it a highly discriminatory bill. It is beyond my comprehension how such an allotment of funds could ever have been made. I reported in the remarks I made last week that the Washington Evening Star referred to the allocation as a pork barrel proposal. I have never seen my State so discriminated against in any bill since I have been in the Senate as it is discriminated against in the bill pending now before the Senate.

That is only one of the reasons, however, why I am opposed to the bill. There are other reasons. As I have said before this afternoon—and since the Senator from Rhode Island raises the question, I repeat the statement—I wish to make very clear that I think any Senator has a right at any time to try to improve a bill which in his good judgment and conscience he thinks needs improvement, even though he may decide to vote against the bill.

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

Mr. BUSH. I yield.

Mr. PASTORE. The Senator from Rhode Island does not question the motive of the Senator from Connecticut in making his announcement. I came into the Chamber to assure the Senator from Connecticut that I was inclined to sympathize with his position. I think he raises a very strong moral issue. Sometimes, however, in analyzing the sincerity of an amendment that is proposed, the Senator from Rhode Island is concerned when a Senator seeks to refine the language of a bill on a moral question, he says, "Moral or otherwise, if my amendment is agreed to, I will still vote against the bill."

Mr. BUSH. I think the Senator is correct that sometimes such a device is used. However, I have said that was not my purpose. I have submitted the amendment in good faith. I am glad the Senator is sympathetic with my argument.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. MORSE. Mr. President, I yield 1 minute to the majority leader.

Mr. MANSFIELD. Mr. President, I oppose the amendment of the Senator from Connecticut.

In my opinion it injects an issue into this bill, already the subject of much controversy, that can only result in delaying the enactment of a school assistance program. The history of this amendment makes that clear. It has been supported not only by vigorous advocates of civil rights, but also by those whose principal concern was to defeat education legislation. When the Senate last voted on such an amendment, in the 81st Congress, it was defeated by a vote of 65 to 16; and among those 16 who supported the amendment were many who opposed the bill on final passage. I do not mean to impugn the motives of any Senator who may support this amendment today. I know that the Senator from Connecticut is a staunch advocate of civil rights, as are many others in this Chamber who will oppose the amendment in the interest of getting a bill and of retaining in the courts, rather than in an education bill, the question of compliance with the school integration decision. The Senator from Connecticut does not, I am sure, offer this amendment today merely to encumber the bill and prevent its ultimate adoption.

Friends of S. 1021 have in general decided that the education needs of the entire country are so urgent that issues such as that raised by the Senator's amendment should not be permitted to defeat the bill. I join in that decision, and I urge the Senate to defeat the amendment of the Senator from Connecticut.

Mr. MORSE. Mr. President, before I yield back the remainder of my time, I wish to say to the Senator from Connecticut that I hold him in very high respect for being a very able, courteous, and cooperative protagonist in this debate in regard to his amendment.

The RECORD should show that the Senator from Connecticut came to me even before the amendment was scheduled for debate and told me that he intended to offer the amendment. He told me he intended to vote against the bill, but he thought he had a duty to try to perfect the bill if it was to pass anyway, and he thought his amendment would perfect it.

I told him I was very sorry but that I could not agree with his conclusion with regard to his amendment. I told him that I would oppose the amendment. I want him to know that I appreciate the fine spirit in which he has joined me on his side of the debate.

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

Mr. MORSE. I yield.

Mr. BUSH. I thank the distinguished Senator from Oregon for his very gracious and generous remarks in this connection. I wish to reciprocate by saying that no one could have been more courteous and generous in consideration of a Senator offering an amendment of which he disapproved than has the Senator from Oregon this afternoon. The majority leader and other Senators on that side of the aisle have been most considerate in this debate, and I appreciate their courtesy very much indeed.

Mr. MORSE. I thank the Senator from Connecticut.

I shall now yield back the remainder of my time with the understanding that, my time having been yielded back, I shall retain my right to the floor in order to move to lay on the table the amendment of the Senator from Connecticut.

Mr. BUSH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The motion is now in order.

Mr. MORSE. Mr. President, I move to lay on the table the amendment of the Senator from Connecticut.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oregon.

Mr. BUSH and Mr. MORSE asked for the yeas and nays.

The yeas and nays were ordered.

Mr. BUSH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BUSH. Are we about to vote on the motion to table?

The PRESIDING OFFICER. The Senator is correct.

Mr. BUSH. A vote for the motion to table, then, is a vote against the amendment, and so that those who wish to support the amendment should vote "no" on the pending motion.

The PRESIDING OFFICER. The Senator is correct.

The question is on the motion of the Senator from Oregon to lay on the table the amendment offered by the Senator from Connecticut [Mr. BUSH], as modified. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). On this vote I have a pair with the Senator from West Virginia [Mr. BYRD]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. COTTON (when his name was called). On this vote I have a pair with the Senator from California [Mr. KUCHEL]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. HART (when his name was called). On this question I have a pair with the Senator from West Virginia [Mr. RANDOLPH]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with

the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "nay"; if I were at liberty to cast my vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from West Virginia [Mr. BYRD], Senator from Wyoming [Mr. McGEE], Senator from West Virginia [Mr. RANDOLPH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that the Senator from Texas [Mr. BLAKLEY] is necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], Senator from Texas [Mr. BLAKLEY] would each vote "yea."

Mr. BRIDGES. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from California [Mr. KUCHEL] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] and the Senators from Kentucky [Mr. COOPER and Mr. MORTON] are necessarily absent.

The pair of the Senator from Illinois [Mr. DIRKSEN] has been previously announced by the Senator from Montana [Mr. MANSFIELD].

The pair of the Senator from California [Mr. KUCHEL] has been previously announced by the Senator from New Hampshire [Mr. COTTON].

If present and voting, the Senator from Vermont [Mr. AIKEN] and the Senator from Kentucky [Mr. COOPER] would each vote "yea."

The result was announced—yeas 61, nays 25, as follows:

[No. 46]

YEAS—61

Anderson	Hill	Neuberger
Bartlett	Holland	Pell
Bible	Humphrey	Prouty
Bridges	Jackson	Proxmire
Burdick	Javits	Robertson
Butler	Johnston	Russell
Byrd, Va.	Jordan	Smathers
Cannon	Kefauver	Smith, Mass.
Carroll	Kerr	Sparkman
Church	Long, Mo.	Stennis
Clark	Long, Hawaii	Symington
Eastland	Long, La.	Talmadge
Ellender	Magnuson	Thurmond
Engle	McCarthy	Wiley
Ervin	McClellan	Williams, N.J.
Fulbright	McNamara	Williams, Del.
Gore	Metcalf	Yarborough
Gruening	Monroney	Young, N. Dak.
Hartke	Morse	Young, Ohio
Hayden	Moss	
Hickey	Muskie	

NAYS—25

Allott	Dodd	Miller
Beall	Douglas	Mundt
Bennett	Dworshak	Pastore
Boggs	Fong	Saltonstall
Bush	Goldwater	Schoepfel
Capehart	Hickenlooper	Scott
Case, N.J.	Hruska	Smith, Maine
Case, S. Dak.	Keating	
Curtis	Lausche	

NOT VOTING—14

Aiken	Cooper	Mansfield
Blakley	Cotton	McGee
Byrd, W. Va.	Dirksen	Morton
Carlson	Hart	Randolph
Chavez	Kuchel	

So the motion to lay on the table the amendment of Mr. BUSH was agreed to.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table the motion to reconsider was agreed to.

Mr. PROUTY. Mr. President, I offer my amendment designated "5-17-61-B" and ask that it be read.

Mr. MORSE. Mr. President, may we have order, so that the Senate may listen attentively to the amendment offered by the Senator from Vermont? He is proposing an amendment which I shall agree to take to conference. I think it is a good amendment. However, the Senate ought to understand the purpose of the amendment, so that it cannot be said it was adopted when the Senate's attention was not specifically directed to it.

Mr. PROUTY. I am grateful to the Senator from Oregon for his comment. I assure the Senate that I shall not speak at length. I think a vote can be reached tonight. I do not ask for the yeas and nays.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 7, it is proposed to strike out "and".

On page 2, line 8, before the period it is proposed to insert a comma and the following: "and in paying other costs of providing public elementary and secondary education".

On page 11, line 23, it is proposed to strike out "shall" and insert in lieu thereof "may".

On page 13, line 22, it is proposed to strike out "and".

On page 13, line 23, before the semicolon it is proposed to insert "and (C) other costs of providing public elementary and secondary education".

On page 13, line 25, it is proposed to strike out "either of".

On page 14, line 11, it is proposed to strike out "and".

On page 14, line 16, before the period it is proposed to insert "and (C) the amounts to be used for other costs of providing public elementary and secondary education will be allocated so that preference is given to local education agencies which, in the judgment of the State education agency, have the greatest need for assistance in paying such costs."

On page 22, between lines 10 and 11, it is proposed to insert the following:

"(12) The term 'other costs of providing public elementary and secondary education' means any expenditure for public elementary or secondary school education for which revenues derived from State or local sources may be expended in such State."

Mr. BUSH. Mr. President, will the Senator from Vermont yield, so that I may propound an inquiry to the distinguished majority leader?

Mr. PROUTY. I yield for that purpose.

Mr. BUSH. I should like to ask the majority leader what the program will be for tomorrow.

Mr. MANSFIELD. It is my understanding that the amendment now

pending will be accepted by the Committee on Labor and Public Welfare.

Mr. BUTLER. Mr. President, I was about to ask the Senator to yield. I wish to ask for the yeas and nays on the Prouty amendment. It is an important, far-reaching amendment. I think the Senate should express its will on the amendment by a yeas-and-nays vote.

The PRESIDING OFFICER. Does the Senator from Vermont desire to have his amendments considered en bloc?

Mr. BUTLER. Mr. President, will the Senator from Vermont yield, so that I may ask for the yeas and nays?

The PRESIDING OFFICER. First, without objection, the amendments of the Senator from Vermont will be considered en bloc.

The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, in view of the latest development, which was not anticipated by the leadership, can the Senator from Vermont state when he expects the Senate might vote on the pending amendment.

Mr. PROUTY. I had not intended to speak at length on the amendment. However, now I shall probably speak at a little greater length than if this development had not occurred. I did not think the amendment was particularly controversial.

Mr. BUSH. Mr. President, does the Senator from Maryland wish to indicate how long he might wish to discuss the amendment?

Mr. BUTLER. I do not wish to discuss it at all.

Does the amendment include books for the children?

Mr. PROUTY. Yes.

Mr. BUTLER. And funds for custodial and administrative personnel?

Mr. PROUTY. Operating personnel.

Mr. BUTLER. Mr. President, I cannot conceive of an amendment with greater sweep to get the Federal Government into the middle of every public school in the country. I do not believe the Senate should vote upon such an amendment without being on record.

Mr. MANSFIELD. Mr. President, as a feeler, would the Senator agree to a limitation of 1 hour's debate on the amendment?

Mr. BUTLER. So far as I am concerned, I do not wish to speak against the amendment.

Mr. MANSFIELD. Would the Senator from Vermont be agreeable to limiting debate to 1 hour beginning at the conclusion of the morning hour tomorrow?

Mr. PROUTY. I should like to limit the time to 1 hour and a half.

Mr. BUSH. The time to be divided?

Mr. MORSE. The time to be divided equally?

Mr. BRIDGES. Mr. President, I have some remarks to make about Castro and bulldozers. If the intention is to have the agreement become effective this evening, I shall object.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow, 1 hour and 30 minutes be allocated to the consideration of the Prouty amendment,

half the time to be in charge of the Senator from Vermont, and half the time to be in charge of the Senator from Illinois.

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

The unanimous-consent agreement, reduced to writing, is as follows:

*Ordered*, That further debate on the so-called Prouty amendment on school maintenance or administrative expenditures, numbered 5-17-61—B, be limited to one and one-half hours, after the conclusion of morning business on Tuesday, May 23, 1961, to be equally divided between the Senator from Vermont [Mr. PROUTY], and the Senator from Illinois [Mr. DIRKSEN.]

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

Mr. MANSFIELD. I yield.

Mr. HRUSKA. Is this a part of the "operation nibble," whereby the limitation of debate is constantly to be applied to each individual amendment, but a request will not be made for a general unanimous-consent agreement such as was discussed a few days ago? Is this procedure a continuation of the pattern of making separate unanimous-consent requests, and having a continuation of the same general course of conduct?

Mr. MANSFIELD. I was under the impression that the amendment offered by the Senator from Vermont would be accepted with a minimum of debate, and that another amendment would then be offered this evening for consideration and would be pending for tomorrow's business. It was only because in this particular instance a situation arose which I thought made it advisable to do so that I propounded a unanimous-consent request to the Senate on this amendment.

Mr. PROUTY. Mr. President, I yield the floor.

#### ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 10 a.m. tomorrow.

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

#### CASTRO'S OFFER TO TRADE PRISONERS FOR TRACTORS

Mr. BRIDGES. Mr. President, Fidel Castro's offer to trade the God-given breath and souls of 1,200 free Cuba prisoners for 500 tractors has twofold significance for all people, everywhere.

First, it is an opportunity to save human life. The mysterious ways of providence have worked through the twisted mind of this comic-strip Communist, to preserve the gift of life for 1,200 brave men, and at the same time to give America a chance to demonstrate, once more, that it values human life above any material thing. The tractors or bulldozers are essential materials which could, at some future time, be used against us or other members of the Organization of American States.

Second, the incident shines brighter than a neon light before the eyes of the

world, illuminating the character of this Communist dictator. Now the world sees, once and for all, that he embodies the traditions of history's best known criminal leaders—Hitler, Stalin, Mussolini, Attila the Hun, and the pirates of the Barbary Coast, all of whom murdered for fun and profit, and ransomed when it suited their fancy.

Two men for one machine. This is the newest form of blackmail and ransom contrived by the Communist stooge Castro. Bulldozers and tractors can be used to make airfields and trenches. Would it not be far more humanitarian to exchange food and medical supplies?

Humanitarian principles are involved; and, of course, all of us want freedom for these men.

However, not since the days of Hitler, when the infamous Eichmann offered to trade on an even basis—one Jew for one truck, has the civilized world been confronted with such heinous barter.

Ten hostages have been given 1 week to raise the money for tractors; at the end of that time they must return to Castro's prisons with the assurance of a successful trade, or else suffer who knows what punishment for themselves and the hostages for whom they are dealing.

Mr. President, how complacent must we get before we do something about this cancer which is festering at our doorstep? How much more humiliation and contempt must we suffer from this Communist dictator?

Human lives and freedom are at stake; but must we supinely give in to any and every demand made upon us by this Communist dictator who rules through terror and threat?

Where are those who have criticized our allies and have accused them of exploiting their people; where are those who are willing to give aid to Communist satellites, on the theory that we can influence them? Why do not they protest to the high heavens against this blackmail for the ransom of those who were fighting for freedom and liberty in their own homeland of Cuba? They seem strangely silent.

There was a time when the United States was respected—when freedom meant standing firm.

We are far down the road; and it is time to take stock of ourselves and our principles, if we are to fulfill our destiny as a free land.

All of us can well recall from the history books we studied in school that there was a time when the United States, in its earliest days, 1797 is the exact date, proclaimed "millions for defense, but not one cent for tribute."

That was said by Charles Pinckney, our minister to the French Republic.

The day when that heroic phrase must once again be invoked if we are to stay free may come sooner than we think.

I think the American people and the Senate should be alerted to what is going on. I never expected to see the day when a dictator 90 miles from our shores would offer to trade human lives for tractors or bulldozers. We have reached a new low.

Mr. CAPEHART. Mr. President, I invite the attention of Senators, of our own Government, of our President, and

of all the people of our country, particularly in connection with what I consider to be the misguided efforts of the so-called Tractor Committee, to what is known as the Logan Act, which was passed on January 30, 1799. In my opinion, the so-called Tractor Committee is violating that act, which reads as follows:

PRIVATE CORRESPONDENCE WITH FOREIGN GOVERNMENTS

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined not more than \$5,000 or imprisoned not more than 3 years, or both.

That act is known as the Logan Act. It was passed on January 30, 1799.

Today, we are confronted with a situation in which Castro, the dictator of Cuba, is attempting to blackmail the people of the United States and their Government into giving him 500 tractors in exchange for 1,200 prisoners. However, they are not American citizens. The fact is that they are Cuban citizens; they are the blood and flesh of Cuba. They are not nationals of the United States or citizens of the United States. Instead, they are citizens of Cuba.

Who would have thought there would come a time when a little dictator who had captured 1,200 of his own people, 1,200 Cubans, would say to us, "If you give me 500 tractors, I will release these 1,200 people."

Trujillo, the head of the Dominican Republic, is holding approximately the same number of Cuban prisoners; and in the last few days he offered to exchange prisoners with Castro. Trujillo said, "I will return every Cuban I am holding if you will release the 1,200 you are holding, whom you are trying to trade with the United States for 500 tractors."

But of course Castro said he would not do that, and said he was not interested in doing it. He is not interested in his own people, Mr. President; he is only interested in blackmailing us and humiliating us in the eyes of the world, in order to obtain 500 tractors, because then he can use them against us. For example, he would be able to use them for the purpose of building airfields and various other installations, including missile bases. He could also use them for agricultural purposes.

In other words, the 500 tractors could be used by him to help him make communism work in Cuba.

Mr. President, are we or are we not opposed to communism? Are we in favor of helping Castro, or are we opposed to helping him?

There would be no question if the 1,200 were Americans. However, they are not Americans.

Of course, some persons will say that our Government is not engaged in a dispute with Castro. However, today Castro said the 500 tractors would be in

partial payment for the war damage the United States of America inflicted upon Cuba, as a result of the invasion.

Ten days before the invasion, the President of the United States made a statement to the American people and the world, in which he said we would not participate in an invasion or interfere with the internal affairs of that country; that we were having no part in it. Why he made the statement, I do not know. He said we were taking no part in it.

I do not see how this country can hold up its head to the rest of the world if we are to yield to blackmail. When, oh, when, will we stop being blackmailed by Castro?

To make things worse, I understand the Internal Revenue Service has ruled, or is about to rule, that any contribution made toward buying the tractors will be tax deductible; that it is a charitable contribution. How ridiculous can we be? Why do we do it in one instance, and not do it for Americans who are having trouble paying their taxes, and who need deductions for tax purposes? What are we thinking about? Is the President of the United States giving this committee authority to act for the Government of the United States, or is it acting on its own? Those are questions the answers to which I think the Foreign Relations Committee should ascertain. I suggest to the chairman of the Foreign Relations Committee that tomorrow we open an executive session to ascertain whether or not the President has commissioned and authorized the committee to act on behalf of the U.S. Government.

To me, it is a silly and ridiculous thing. I cannot conceive of this great Nation of ours being permitted to be blackmailed in this way. We are proposing to help the dictator and help the Communists to further harass the United States.

We are now prohibiting the exportation of certain materials to Cuba, among them materials with which Cuba can make war. Yet we are now talking about giving Cuba outright, as a government, 500 tractors, or bulldozers, as they are called.

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

Mr. CAPEHART. I yield.

Mr. CASE of South Dakota. When the Senator says we are talking about it, is he suggesting that the United States as a government or in any official capacity is considering responding to this blackmail?

Mr. CAPEHART. Evidently. The Internal Revenue Service has said—

Mr. CASE of South Dakota. Has it? The Senator from South Dakota has not heard that the Internal Revenue Service has made any such ruling.

Mr. CAPEHART. The report was on the news ticker tape today. That is all I know.

Mr. CASE of South Dakota. So far as the junior Senator from South Dakota is concerned, he subscribes wholeheartedly to the sentiments expressed by the Senator from New Hampshire. I think this is a proposal which could be blackmail.

It certainly would be if the United States officially, in any way, responded or took any notice of the proposal.

Mr. CAPEHART. Let me read what appeared on the ticker tape from Washington:

Contributions to buy tractors to be exchanged for the freedom of Cuban rebels now prisoners of the Castro Government will be deductible from Federal income taxes, the newly organized Tractors for Freedom Committee said today.

In a brief press release the committee said it had been "advised that the U.S. Treasury Department will make a necessary ruling that contributions are tax exempt."

Mr. CASE of South Dakota. If the Internal Revenue Service has officially said that, I, for one, think the ruling should be challenged. I do not think the Internal Revenue Service ought to make that kind of ruling. Personally, I would not support it by vote or in any other way. I think there is some question as to the applicability of the Logan Act. I personally believe the Logan Act is a sound policy and good law, and it has been on the statute books a long time. It reads:

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof \* \* \* in relation to any disputes or controversies with the United States \* \* \*.

The Senator from South Dakota is not a lawyer and he hesitates to pose as a legal authority, but he thinks we cannot overlook the clause which says "in relation to any disputes or controversies with the United States."

Mr. CAPEHART. Can there be any question in the mind of anyone that this is a dispute between Castro and the U.S. Government?

Mr. CASE of South Dakota. There is a question in the mind of the Senator from South Dakota as to whether or not there is any controversy between Cuba and the United States which relates to the conduct of that particular invasion.

Mr. CAPEHART. If there is any question, the ruling of the Internal Revenue Service should have completely taken the question out of the Senator's mind.

Mr. CASE of South Dakota. The Senator from South Dakota has said very explicitly that is not a proper ruling by the Internal Revenue Service and that he personally would be opposed to it. I was approached this afternoon with the suggestion—

Mr. CAPEHART. Let me—  
Mr. CASE of South Dakota. Just a minute.

Mr. CAPEHART. I have the floor.

Mr. CASE of South Dakota. I know the Senator has the floor, but I think I should have the courtesy of completing the statement on the Internal Revenue Service. Earlier this morning I was approached with the information that there would be a movement, by unanimous consent, to pass a resolution which would take this approach by the Internal Revenue Service. I said, if no one else objects, I will, because I do not believe, either by unanimous consent or otherwise, that the United States should

officially, in any way, shape, or form, recognize this act of piracy, an act which I think is exactly like the acts of the Barbary pirates, to hold so many people for ransom. I would not recognize that kind of demand for ransom in any way, shape, or form, the Internal Revenue Service ruling to the contrary notwithstanding. Personally, I regard it as an act of piracy and an attempt to commit the United States. I do not think the United States should be committed in any way. I think the Logan Act is applicable.

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

Mr. CAPEHART. I yield.

Mr. BUTLER. Would it not be inevitable that the United States would get into the transaction eventually, because the tractors could not be shipped without a license to export them?

Mr. CAPEHART. I was about to go into that question. At the present moment goods with which to make war cannot be shipped to Cuba. In order to be able to ship the tractors, the committee would have to get permission from the U.S. Government.

Mr. BUTLER. That would certainly make it a controversy between the two Governments.

Mr. CAPEHART. I think so. But who will stand up on the floor and read into the debate a technicality to the effect that this dispute is not between the U.S. Government and Castro? If Senators are to stand on a technicality like that—

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

Mr. CAPEHART. Let me finish.

Mr. CASE of South Dakota. Surely.

Mr. CAPEHART. I am not going to do it. The Senator can do so if he wishes. I am not going to stand on that technicality, because there is no truth in it. This dispute is between the United States and Castro, and Castro is blackmailing the U.S. people and the U.S. Government. I repeat, the proposal is not to release 1,200 U.S. citizens, but to release 1,200 of his own people, and to get 500 tractors or bulldozers with which to build missile bases, airports, submarine bases, and I presume other such facilities.

He turned down Trujillo, who was willing to return a Cuban prisoner he was holding for each of the prisoners Castro held. He does not wish to do that. He would like to humiliate, embarrass, and blackmail the United States. He would like to hold the United States up to the scorn of the world. He would like to show that the world should not respect the United States because it is not worth respecting and because it has no courage. That is my opinion of what he would like to do.

I think this committee is a misguided committee, in trying to do what it would like to do.

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

Mr. CAPEHART. I will yield to the Senator in a moment.

If it is right that we do this, then the U.S. Government ought to do it, and every American ought to pay taxes for the privilege of doing it. I say it is wrong.

I yield to the Senator from South Dakota.

Mr. MUNDT. I think the Senator from Indiana should be commended, along with the Senator from New Hampshire, for raising some very serious questions about a very fundamental concept of American foreign policy in an hour of great international peril.

With respect to the Logan Act, I remember a great deal of discussion about that Act during the many years I served as a member of the House Committee on Foreign Affairs. I must agree with the Senator from Indiana, insofar as his colloquy with my colleague is concerned. I think there is a controversy between Cuba and the United States specifically about the issue of whether there was an American invasion or a Cuban invasion and we are certainly in dispute with Cuba over many of the Castro policies.

There is an "out" however which the committee might find in the Logan Act, for the act permits private citizens to negotiate with foreign countries provided they have secured the advance permission of the Government to do so. I do not know whether the group seeking to raise blackmail bounty to pay Castro has done so. I hope not.

Mr. CAPEHART. Will the Senator yield to me?

Mr. MUNDT. I yield.

Mr. CAPEHART. Even if the money to pay for the 500 tractors is available, someone will have to negotiate for the release of the 1,200 prisoners. Who will do that? That will be done by the officials of the State Department, because individual citizens cannot do it. Individual citizens would have no way of screening the prisoners, and would have no organization for the purpose.

Mr. MUNDT. I would hope that would be the case. Speaking for myself, though I think my sentiment is shared by many, I have not been too happy about the way the Department of State is being operated these days, or about the international situation. However, I would not be so harsh as to condemn the State Department to the degree of saying that we must now turn everything over to volunteer Peace Corps members from the outside, so that they can negotiate American foreign affairs in areas where they must assume our State Department has failed. I have more confidence in the President and in the Secretary of State than to say that they have failed so completely and hopelessly that volunteers must be recruited from the outside to negotiate with other governments concerning the basic aspects of our foreign policy.

Are we to become such abject appeasers as to pay blackmail to get out of our difficulties?

If this group has secured from the Department of State or from the White House a mandate to proceed with the authority of the Federal Government—I hope it has not—then it will not be in violation of the Logan Act. If that has not been done, it seems to me to be a clear violation of the Logan Act and a dangerous precedent unless we stop it firmly and without delay. The Logan Act has served our country well for more

than a century and a half. It is sound legislation. It has averted many dangerous developments in the past and if courageously enforced it can protect our country now. Fixing foreign policy must not become the plaything for enthusiastic amateurs.

There is a second point which disturbs me even more. I submit it is a matter of clear logic that for every 1 of the 1,000 or more unfortunate "Freedom Fighters" whose release we might obtain in trade for a tractor by such a device, we shall help to enslave 100 people presently in Cuba who are still able to hope for freedom, because we would be strengthening the power of the Cuban dictator to condemn them to a slave economy.

Mr. CAPEHART. If this condition continues, the lives of thousands of American boys may be lost, because Castro is building up and Russia is building up so that some day they can make war against the United States. Cuba will have missile bases and submarine bases for one purpose only, to kill American boys and to make American boys prisoners. Then who will trade tractors for those boys?

Mr. MUNDT. Success for dictators is a pretty heady and intoxicating wine, especially for comic opera dictators like Castro, who is now thumbing his nose at his great neighbor, the United States.

If we, in trying to provide happiness for people in Cuba, trade a few pieces of farm machinery and equipment for the freedom of some 1,000 nationals of his own country, we shall help to condemn into greater tyranny and longer slavery at least 100—perhaps 1,000 or even 10,000—Cubans for every one we liberate, because we shall be strengthening the hand of the dictator to do his filthy job more effectively by providing him new equipment with which to perpetuate his power.

Mr. CAPEHART. How many hundreds of thousands of political prisoners does Castro have at the moment?

Mr. MUNDT. Nobody knows—but the number is vast.

Mr. CAPEHART. They are in jails in Cuba. Does Castro wish to trade something for those people, too?

Mr. MUNDT. Probably so if we make the first false step. There is a third thing wrong with the proposal, as I see it. What a horrible example the United States, acting through its new volunteer "Department of State" headed by Mrs. Roosevelt and some of her associates, who apparently feel the present Department of State has failed so miserably they must volunteer their services, will be setting. If the United States, acting through this new volunteer "Department of State" sets such an example in Cuba, in what a wonderful bargaining position we shall be placing every little dictator in the world. All any dictator would need to do would be to enslave some of his own people, or some of our people, and then offer to trade them for locomotives, for a few pieces of silver, or for a few shiploads of cotton. We shall be issuing an open invitation to every dictator in the world to make us pay blackmail, because once we start down this sorry course there will be no return,

and the tribute we shall be asked to pay will become more and more excessive and humiliating.

Finally, I point out that if by some remote possibility the Bureau of Internal Revenue should say this blackmail money is tax exempt, it would place the United States squarely in the business of paying such blackmail with the taxpayers' funds, because the money will then in fact be the taxpayers' money. The money is being collected from corporations and individuals, most of whom are at least in the 50-percent-income-tax brackets, so to the extent of more than 50 percent the money to be paid to buy our way out of trouble in Cuba would be the money of the U.S. taxpayers. I submit, Mr. President, this would place our country officially in the business of paying blackmail to communism with the people's money.

I submit that, bad as conditions are, we have not reached that sorry state in America. Speaking as a Republican, I have more confidence than that in the President of the United States. I have more confidence than that in the Department of State. I think this well-meaning committee of volunteers should fold up their tents and silently steal away. Perhaps I should say they should fold down their umbrellas of appeasement, close up their publicity offices, and stand up with other Americans to meet this Communist challenge in an American manner and by American methods.

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

Mr. CAPEHART. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I appreciate the courtesy of the Senator in yielding to me again.

I trust that nothing which has been said will dim the fact that I have said, from the outset, that I regard this as blackmail, as an act of piracy or attempted piracy.

I have no sympathy whatever with the idea of responding in any way, shape, or form to associate the United States, in any official way, with such an action.

I raised the question with regard to the clause in the Logan Act. If the facts should demonstrate that the Cuban operation was a U.S. operation and the United States was officially in it, that is one thing. I would hang my head in shame if that were true.

Earlier in the day I said I was flabbergasted by the way in which the military reputation of the United States was being laid on the line, or gambled, by people who were not in the military department, by people who had no authority to commit the United States.

The reason I do not like to recognize such a situation is that I, for one, do not wish to admit that the U.S. military establishment could take the humiliation which I think anybody should take if he planned or carried out the operation, which was such a fiasco.

I was flabbergasted by this situation the other day. I do not believe the Joint Chiefs of Staff would accept responsibility for the way that operation was conducted. I would hang my head in shame if I thought the Joint Chiefs

of Staff of the United States directed that military operation, because of its failure. I personally think a handful of marines could have planned it and handled it better than that operation was conducted. I do not wish to accept the implication that it was an operation of the United States.

That is the reason I directed attention to the clause in the Logan Act. So far as the proposal itself is concerned, I regard it as an insult. I would not have dignified it. I would not dignify it today by any act of any bureau or any agency of the United States. I think it is an act of blackmail. I do not think it ought to be regarded as a proper approach or a proper proposal to the United States as such, and I would not recognize it by responding in any way which would recognize it as anything that the United States itself will officially act upon.

Further with respect to the whole situation, I think we confront a very difficult situation today, but I do not believe we can help by making interpretations of laws on the floor of the Senate. Such action would be for the courts. If the Logan Act has been violated, I hope that those who are responsible for its violation will face the consequences of the violation. However, I hope that when the entire story is written, a shameful page will not be written in the history of the United States to the effect that we responded officially in any way to this proposal for blackmail.

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

Mr. CAPEHART. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. First, I congratulate the Senator from New Hampshire [Mr. BRIDGES], for his vigorous and accurate condemnation of the unthinkable proposal that has apparently received some currency and acceptance by people in the United States. It is the most fantastic story I have ever heard since the story of the days of the Barbary pirates, who defied the United States, and we had to settle that situation on a basis of principle.

I congratulate also the Senator from Indiana [Mr. CAPEHART] for raising the issue. I am not concerned about the Logan Act. I have read the Logan Act. I admit there is some room for argument as to whether, on a question of pure technicality, the Logan Act may or may not apply. But I do not get as far as the Logan Act. I stop with the moral revulsion that is involved in the effrontery of this bearded psychopath in Cuba in making a proposal of this kind that he hoped would have the slightest degree of acceptance or approval by anyone in the United States. I am perfectly aware of the humanitarian aspects of this question.

But if Castro can get bulldozers down there in Cuba and get his airfields scraped away and his military installations established, I suppose the message would come to us, "Pay us \$10 million a day or we will turn the rockets loose on you." By the same line of reasoning, some of the self-appointed leaders of the international policy of the United States, such as those who have just

sprung up to head this organization, would probably be around trying to raise public money to pay off Mr. Castro every day, because he had used the bulldozers to lay out airfields from which he could launch rockets, and we would either have to pay off or he would pull the trigger.

If the situation were not so tragic, if it were not so unthinkable that this kind of blackmail would be considered for one instant, I would say it was the most comic of comic opera themes. We are all sympathetic with the humanitarian aspects of people who are captured. But I certainly agree with the statement of the Senator from Indiana [Mr. CAPEHART] who, I believe, said, that every little dictator or puppet in the world could capture an American seaman, and then say "Pay us \$500,000 per seaman or we will keep them in our dungeons over here."

What has happened to the vigorous principle of independence that has moved this country throughout its history? If we succumb to blackmail of this kind, we would abandon our responsibilities of world leadership on the basis of principle and the things for which America stands.

I was not so concerned about the original news story of this incident because I thought surely no one would take it seriously. I have since become appalled.

I do not know whether the Treasury Department has ruled that contributions to a private fund without organization are tax exempt or not. I have not looked up the law and I am not prepared to argue the law on that point, except to say that it is inconceivable to me that contributions made under those circumstances could possibly be tax deductible under any kind of theory.

I hope and trust that the present administration, or any other administration, will see this question in the light of exactly what is presented. It is difficult enough in these days of tension, I think, for any of us and all of us to resist the temptation to point out some of the failures that have contributed to the lessening of American prestige in the world today. I wish to support this administration or any other administration on foreign policy when it has been decided, and I do not want to be a party, if I can help it, to anything that might be considered carping or partisan political criticism.

But I say that it is entirely possible that a time will come when, in the very vital interests of American security, some of these issues will have to be talked about with more exactness and vigor and even with more controversy than they have been talked about up to this time. A few more mistakes, a few more catastrophes, a few more failures of ordinary judgement will probably precipitate that time soon.

I earnestly hope that the American people have not lost their perspective, and I earnestly hope that this latest, unthinkable proposal will not be taken seriously.

I again congratulate the Senator from New Hampshire [Mr. BRIDGES]. He stood on the floor of the Senate at the time of the ill-advised invitation to Mr. Castro to come to this country. I know

that he, as well as I, refused to attend any of the luncheons or meetings that were held for Mr. Castro, because we thought he was a bearded subversive at that time. I still think so. I did not make the speech which the Senator from New Hampshire so eloquently and prophetically made at that time, but I have my convictions.

I congratulate the Senator from Indiana [Mr. CAPEHART] for raising this issue. I shall not quarrel with him about the Logan Act, because in my reasoning I do not reach that point. Principle stops even before the application of the Logan Act to this question.

Mr. CAPEHART. I thank the able Senator from Iowa for his straight thinking on this subject.

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

Mr. CAPEHART. I yield.

Mr. FULBRIGHT. I had an opportunity to look at the wire service clipping from which the Senator spoke. According to that report, the Treasury has not yet received such an application. Mr. Caplin said he has not yet received an application for tax exemption for this purpose. I agree with the Senators. I can see no authority for the proposed action. I certainly would not approve of it if I should have any opportunity to approve. I think it would be very bad policy. I agree that our Government should not in any way lend itself to this kind of blackmailing operation.

I believe it is stated in the news report that Mrs. Roosevelt, Mr. Milton Eisenhower, Mr. Walter Reuther, and one or two other persons, have taken it upon themselves to form this committee. Of course thousands of committees are established for raising money for all kinds of purposes. Some of them are good and some of them are indifferent. I suppose it is not in violation of the law. However, I do not believe that the Federal Government or the Senate ought to approve the paying of blackmail for any such purpose. I hope that the clipping is accurate, and that the proposal has not been approved by the Treasury Department, and that it will not be.

Mr. CAPEHART. I hope it has not been approved. The dispatch states that Commissioner Mortimer M. Caplin conferred with top officials about making the ruling. There is no question that they are considering it.

Mr. FULBRIGHT. I believe the Department had not yet received the application, according to that clipping.

Mr. CAPEHART. It says it is being considering and discussed. The press report states:

Contributions to buy tractors to be exchanged for the freedom of Cuban rebels now prisoners of the Castro government will be deductible from Federal income tax, the newly organized Tractors for Freedom Committee said today.

Mr. Reuther said that.

Mr. FULBRIGHT. Mr. Reuther does not have any authority to make any such ruling, fortunately. The clipping states, I believe, that Mr. Caplin has not received the application as yet.

Mr. CAPEHART. I shall read further.

The Internal Revenue Service declined to give immediate confirmation that donations would be deductible from taxable income.

A spokesman said that such a ruling could not be issued until the Service had in hand an application for tax exemption from the Tractors for Freedom Committee.

He said this had been explained to committee officials and that the Service expected to receive such an application before the end of the day.

Commissioner Mortimer M. Caplin conferred with top officials about making the ruling.

They are almost up to that point, according to the dispatch. At least they are considering it. Mr. Reuther said they were going to make it.

Mr. FULBRIGHT. It is not my understanding that the—

Mr. CAPEHART. The Senator is correct. I do not believe it is official as yet. I hope it will not be. I hope that the colloquy and the speeches today will stop it from ever being made.

Mr. FULBRIGHT. I hope so. I do not believe the Internal Revenue Service has absolute discretion to give a tax exemption to anyone it pleases. There are certain requirements. I cannot imagine how this committee would qualify under any requirement that I am familiar with.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. CAPEHART. I yield.

Mr. MUNDT. I am glad that we have had this exchange between the Senator from Arkansas and the Senator from Indiana, because I believe it is quite true that the official application had not been received at the time the report came to us. Perhaps by now it has been received. I certainly hope that the Department of the Treasury and the Internal Revenue Service will give some heed to the sentiment expressed here this afternoon. It is not surprising, however, that Mr. Reuther and his committee should be making proclamations of this kind, to the effect that they were expecting to receive a tax exemption. Having assumed the authority of the State Department one day, it is quite understandable that the committee should seek to speak for the Department of the Treasury the next day, and that these new volunteers should be acting as though they were operating both Departments.

It is just another reason why we ought to stay with constitutional government and with our properly elected officials, and not have either the State Department or the Treasury Department operated by volunteers who happen to bob up, no matter what wonderful intentions they have or what splendid pedigrees or backgrounds they may possess.

Mr. CAPEHART. If the Internal Revenue Service rules that such contributions are tax deductible it will certainly place the U.S. Government 100 percent in this transaction, because it will be taking the taxes that would ordinarily have been paid by people to the American Government and passing them on to Mr. Castro. Let us assume that \$50 million is raised. The tax which would be exempted would probably be \$20,000 or \$25,000. Then the Federal Government certainly would be up to its neck under

the Logan Act, because the Government would become a party to the operation by permitting it to be considered as a tax-deductible contribution.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. CAPEHART. I yield.

Mr. MUNDT. I was impressed by something the Senator from Iowa [Mr. HICKENLOOPER] said, and I would like to emphasize it briefly. I have been among members of the Republican Party, at policy meetings, who have urged a policy of prudence and a reservation from criticism of various foreign policy decisions and international repercussions which have confronted this new administration.

It is not only right and proper to give the new administration an opportunity to become adjusted and get started, but it is also an act of patriotism for Republicans to pursue that kind of policy at a time when the country is confronted with great international problems. I have felt the new administration was trying its best and that criticism should be held to a minimum under these trying circumstances.

As one who has done his fair share of speaking to groups all over the country since January 20, I have myself refrained meticulously from entering into criticism of errors or mistakes of judgment or discussing the repercussions which have been flowing from weaknesses in our foreign policy.

I was not happy about the fiasco in Cuba. I was very much disappointed at the decision to admit Communists from Laos to the Geneva talks. In private correspondence I predicted that this would be the end of freedom in Laos. We can have no effective conference on Laos with the rebel Communists at the conference table. This is becoming more apparent every day.

I have also been terribly disillusioned by the utterances some of the President's appointees in the State Department, and in diplomatic posts, with regard to their attitude toward recognition of Red China. I believe it is deplorable that there should be people in positions in which the President has placed them who hold that appeasement position. However, I have refrained from saying anything even about that situation serious as it is. I have continued to hope for the best.

However, if abject appeasement is to be the policy of this Government, and if this Government is to sit idly by while volunteer groups usurp the authority of the State Department and the White House, and start their own negotiations with a Communist dictator, then certainly I believe Republican Senators as well as independent Democrats who still have freedom of thought and freedom of expression will be subject to legitimate criticism, if they do not protest now against this kind of misadventure and against this type of dangerous nonsense unless the Kennedy administration acts promptly and firmly to put it to an end.

The time has come when the foreign policy of our Government might well become a major subject of Senate debate and national discussion, if, in fact—and

it appears to be entirely possible—this kind of appeasement program has either won silent acceptance by the administration or its active cooperation, as certainly must be the case if it is even remotely considered that tax exemption will be given without respect to contributions made to the committee. I hope that I can be reassured by the President and the State Department, and that all Americans can be reassured on this point, and that the matter will be cleared up by a statement issued without delay and with crystal clarity.

I shall continue my policy of not unnecessarily criticizing the State Department in connection with these difficult problems, but if all we are to see is failure compounded upon failure, followed by appeasement of communism and a cringing recognition of Red China, there is nothing more important to discuss on the Senate floor, with no holds barred, than what should be the attitude of this country in a world, in which communism today is flapping its wings, making bold remarks and boasting about its invincibility and its inevitability. The time has come when America needs leadership—and not from volunteer committees seeking to take over because they may feel that others have failed.

Mr. CAPEHART. I believe it is my responsibility as a Senator and as a member of the Committee on Foreign Relations to take part in shaping foreign policy. I believe the American people expect me to do so. My oath of office compels me to do so. My responsibility as a Senator requires that I do so. Otherwise, what am I here for? If I am only to keep still, without any thoughts or ideas or suggestions, I am certainly not living up to my oath of office, and I ought not to be here. I feel the same way about every other Senator.

#### EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business for the consideration of new reports on the Executive Calendar, beginning with Calendar No. 248.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

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

#### EXECUTIVE MESSAGES REFERRED

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

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

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar, beginning with new reports.

#### U. S. MARSHALS

The legislative clerk proceeded to read sundry nominations of U. S. marshals.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations of U. S. marshals are considered and agreed to en bloc.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. HUMPHREY. Mr. President, of course, these nominations were cleared by the minority and were unanimously reported by the committee.

#### LEGISLATIVE SESSION

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

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

#### CASTRO, CUBANS, AND U. S. FOREIGN POLICY

Mr. MORSE. Mr. President, before the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], and the Senator from South Dakota [Mr. MUNDT] leave the floor, I wish to make a brief statement concerning the issue which they have raised.

As chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations, of which the Senator from Indiana [Mr. CAPEHART] is one of the very valuable members, I feel that I owe it to my duties as a member of that committee not to sit in silence while this very important issue is discussed before the Senate. It is an exceedingly complex one.

Interestingly enough, yesterday afternoon, when I was in Cleveland, appearing on a television program called "Open Circuit," a question bearing on this subject matter was called in. I discussed it briefly. I shall get a transcript of those comments and place it in the Record tomorrow, so that the Senate will at least know what comment I made when the question was first submitted to me publicly. When the transcript appears in the Record, it will show that the following was my position:

I said I sincerely hoped that Mrs. Roosevelt and the members of her committee had discussed this subject thoroughly with the Department of State before they proceeded to make plans for the program. I said I knew of no one in the country who undoubtedly was more appreciative of the fact that private citizens have a great obligation to follow a course of action toward foreign governments which in no way possibly could embarrass the State Department or the U. S. Government. I took it for granted that the committee of which Mrs. Roosevelt, Dr. Milton Eisenhower, and Mr. Walter Reuther, and apparently others, are members had discussed the question with the State Department. I do not know whether they have. However, the State Department has an

obligation in this matter too. The State Department owes it to the American people to make a statement of policy on this matter.

We are dealing with a very difficult matter of great human values. It appeals to our sense of right and wrong; our desire to come to the assistance of our fellow men who may find themselves in a position of being executed if this attempt at blackmail is not successful. This was brought out by the Senator from New Hampshire [Mr. BRIDGES] in the speech he made earlier, with much of which I agree. With as much as I object to, I shall discuss in a moment.

There is a parallel between the heinous proposal of Castro and the proposal of Eichmann, who undoubtedly was carrying out the orders of Hitler, to trade Jews for trucks, at the time of the shocking persecutions of the Jews, as a part of the Nazi program.

As the Senator from New Hampshire and the Senator from Indiana well know, I took the position very early in the Castro administration that we were dealing with a madman—and I used that word in its literal sense. I think we are dealing with a psychiatric case. But this is not the first madman who has for a time on the stage of history determined the temporary destiny of a large population.

I point out in passing that we are not, of course, in a position as a government to negotiate directly with the Castro regime. There has been some talk in the debate in the last 45 minutes that what is proposed is an interference on the part of the Roosevelt committee with the right of our Government to negotiate with the Castro administration. However, we cannot carry on direct negotiations with the Castro administration; we must do that through the Swiss Government. It is not a very satisfactory substitute for direct negotiation. We can differ sincerely and honestly, but I believe it was a great mistake for the U. S. Government to break diplomatic relations with Castro. We had more to lose than did Cuba. I thought the Cuban people had more to lose than anyone else when the American flag was hauled down in Havana and removed, because that flag had been a symbol of hope for the people of Cuba.

There was an allegation at the time that we had never attempted any satisfactory negotiations to determine whether Castro would limit the United States to a personnel of 11 in the Embassy. There was a great dispute as to whether that number was to include gardeners and janitors or only the diplomatic personnel. I thought that question should have been determined.

In my judgment, the act of breaking diplomatic relations with Cuba was an impulsive act on the part of the preceding administration. I said, at the time, that it was a great mistake. I thought the American flag should be kept flying in Cuba as a symbol of hope for the Cuban people and as proof that we would not walk out on them.

Furthermore, I believed our Embassy in Havana should have been maintained as a listening post. We should also have

kept ourselves in a position where diplomatic negotiations and discussions, such as now present themselves, could have been carried on. It was a great mistake additionally to discontinue diplomatic relations because we cannot satisfactorily conduct business through a foreign power, no matter how competent the substitute is—and the Swiss are very competent. To do so is bound to create great difficulties.

It was a mistake in my judgment to break diplomatic relations and thus leave a time bomb for the Kennedy administration. That is exactly what the Eisenhower administration did by its breaking of diplomatic relations. There is some internal evidence, at least, that the situation which has developed in connection with the so-called invasion by Cuban exiles with American logistic support and financial support was, in fact, a planned program and one which had been in progress for many months before the Kennedy administration took office. I simply say to the Senate there is no question about that being true. It has been brought out in the hearings before the subcommittee of which I am the chairman.

It verifies the fact that the expedition was a part of the Eisenhower plan which had been worked on for many months. It explains in no small measure why the former President does not desire to have the ashes of the Cuban invasion incident raked over. When those ashes are raked over, it is plainly disclosed as a Republican program as well as, now, a Democratic program.

I hold no brief for the Democratic President proceeding with the program. I believe he should have made it very clear that the United States would not proceed with the program. The results have demonstrated how unwise it was.

I have no question in my mind that had there been consultation with the Hill, we would have obtained much evidence and plenty of proof to support the conclusion that the President should have dropped the plan and should not have given it support. That is water over the dam. We are still confronted with the problem and the question is, Where do we go from here?

Before commenting specifically about some wise observations made by the Senator from New Hampshire and the Senator from Indiana, I should state that I do not believe we have taken all the steps we should at least try to take in concert with our friendly associates, the other countries in Latin America. These countries tell us quite informally that they are in our corner, so to speak. We are having much difficulty, however, in getting them into the ring. I say most respectfully, that there appears to be a shocking breakdown of the functions of the Organization of American States, if we will simply reread the charter which created that Organization.

I ask again: Where are our friends in the Organization of American States? This is a troublesome problem, not only for the United States of America, but for each one of them. In fact, in the long run, they are far more endangered than is the United States.

So again I plead with the members of the Organization of American States and with our State Department not to wait until some time in July, when it is contemplated there will be some economic conference, possibly at Montevideo, to implement the Alliance of Progress. We have an immediate problem of much greater concern and more vital concern to the security of the Western Hemisphere than what is contemplated as the agenda for the Montevideo Conference in July.

I do not think we can delay longer in making a formal approach to this Cuban matter through the Organization of American States; and I hope our State Department and our President will give formal consideration to it, and I hope the American people obtain from this administration some policy statement about it before much more time passes. There is increasing division and confusion among the American people in regard to the Cuban problem—largely, I think, because the American people do not know the facts, not only those in regard to Cuba, but also those in regard to the Organization of American States.

That is why the other day, in the Latin American Subcommittee, I said I hoped the President would quickly be apprised of the active interest in this matter of the Members of the Senate and also of the fact that we are ready and willing to have him advise us regarding this Cuban matter.

Now we have received the proposal that we pay ransom in order to save the lives of approximately 1,000 prisoners.

The Senator from New Hampshire [Mr. BRIDGES] pointed out that Castro came to the United States at the invitation of a group of newspaper publishers, I believe, or a group of newspaper editors. It can be stated that the members of the Foreign Relations Committee were very much concerned about that matter. At that time, representatives of the State Department consulted with us. I remember a conference we had in a room one floor below this Chamber. We conferred with the Assistant Secretary of State for Latin American Affairs.

That conference was in regard to this matter. He pointed out to us that the newspaper editors had never given his Department even an inkling of warning that they were going to extend that invitation to the head of a foreign state. At that time we were having our troubles with Castro, and at that time our country was shocked by Castro's blood baths. Some time before that, several of us had made speeches on the floor of the Senate in protest against the totalitarian procedures and the techniques used by Castro. I shall always take some satisfaction from the fact that I made the first speech which was made here on the Senate floor in criticism of Castro. It was my opinion that Cuba was having visited upon it the substitution of one form of totalitarianism for another. It seemed to me that I was morally bound to make that speech. As the Senator from Indiana well knows, I made it after there had been some discussion of that matter in our committee. Shortly after that, other members of my subcommit-

tee supported my statement and views. At that time the present President of the United States was a member of that subcommittee; and in that capacity and in his capacity of U.S. Senator from the State of Massachusetts he completely agreed with my position. I recall that fact with great pride.

But in our conference with the Assistant Secretary of State for Latin America, there was raised the question, What do we do now? The newspaper editors had then extended the invitation, and we realize that that was bound to be embarrassing to our Government.

My position was that they were no different from any other group in the country, and I saw no reason why they should be treated any differently. They were guilty not only of bad judgment, but also of definitely seeking to interfere with the foreign policy of our Government, and I thought they were subject to censure and to criticism. It will be recalled that I took it upon myself to criticize them.

When I do such things, I expect to be criticized in turn. Many of them published editorials which did not at all flatter me; but not once was I proved wrong on the merits. Actually, in their editorials they engaged in alibing and in attempts to explain away their lapses of good judgment.

I pointed out that I was not a participant in the extending of entertainment and of hospitality to that madman. The Senator from New Hampshire and the Senator from Indiana [Mr. CAPEHART] pointed out that I did not participate in that course of action. I am proud to state that I refused—and I did it in my capacity as chairman of the Subcommittee on Latin American Countries—to attend the meeting which was held. First of all, I could not attend it because at the meeting there would be a discussion of the Cuban problem with which our committee was concerned, and because at the meeting there would also be a discussion of Castro's course of action in Cuba, with which our committee was likewise concerned. I was not willing to take any action which might be regarded as prejudicial to future action by our subcommittee. Secondly, I did not attend the meeting because otherwise the State Department would be embarrassed, inasmuch as the State Department had not then decided on the policy that it intended to follow. Until our State Department had decided what course to follow officially, it could not avoid being embarrassed by such a meeting.

The State Department decided officially that the meeting would be treated on an unofficial basis. That was a policy based on semantics, for everyone knew Castro was in the United States, and it was clear that any protocol extended to him would be regarded elsewhere in the world as an official reception of Castro by our State Department. And such proved to be the case.

To the everlasting credit of the present chairman of the Senate Foreign Relations Committee, Mr. FULBRIGHT, who, I regret to say, has been called from the floor, and cannot be present at the mo-

ment, at least—he, likewise, disapproved that entire procedure. I happen to know that is a fact.

The Cuban delegation which accompanied Castro called the Foreign Relations Committee room, and said that Castro would like to go there, to meet informally and unofficially with the members of the Senate Foreign Relations Committee. With the understanding that the meeting would be unofficial and informal, the Senator from Arkansas [Mr. FULBRIGHT]—although he did not like any bit of the proposal—said that he felt that as chairman of the Foreign Relations Committee he should at least notify the other members of the committee of what Castro wanted. The Senator from Arkansas said that members of the committee who wished to come to the committee meeting, to meet Castro informally and unofficially, could come.

That is what happened; some Senators went, and some Senators not on the Foreign Relations Committee went. I did not go. I refused to go, because it seemed to me at that time the official position of this Government ought to have been one of making perfectly clear an official protest of the policies and the procedures that Castro was following in Cuba.

In one of my speeches I proposed that we call upon Castro to follow the Geneva Convention in regard to handling prisoners. Is it not interesting that we have another prisoner problem now? I said that morally, if not legally, Castro was bound by the Geneva Convention, because Cuba signed the Geneva Convention. This is the Geneva Convention on the Treatment of War Prisoners.

It is true that Castro had a technical out. His technical out was—and he took it—that these prisoners were captured in connection with his revolt against Batista, and were not prisoners taken in a war with a sovereign power; that the Geneva Convention deals with procedures for handling war prisoners in a war between two sovereign powers, and that this was a civil war, and therefore those procedures did not, technically, apply.

Knowing that Castro might fall back on that technicality, my speech in the Senate pointed out it was all the more reason, morally, why he ought to apply the procedures of the Geneva Convention to his own flesh and blood. After all, those captured in his revolt against Batista were Cubans. They were misguided in their support of Batista, but, as we have seen, they were no more misguided than were those who supported Castro.

I spoke out against Castro at that time, and have been consistent in my position since that time.

Now we come, to the question, Where do we go from here? We cannot separate the activities of the committee, headed by Mrs. Roosevelt, Dr. Eisenhower, and Mr. Reuther, from its effect and influence in relation to American foreign policy; and it is going to be so interpreted around the world. A private committee cannot be established in this country which purports, at least, to speak in regard to a foreign policy prob-

lem without many people around the world attributing to that committee the official status of speaking for American foreign policy. It is bound to happen. It is happening, I think, already.

Furthermore, as the Senator from Indiana pointed out in his remarks this afternoon, let us not forget that the prisoners in Cuban jails today are just those exiles who were captured in the ill-fated attempted invasion of April 16. We do not know how many thousands of Cubans the Castro police have rounded up and put in Cuban jails as alleged counter-revolutionaries.

One would have to be very shortsighted to assume that Castro was going to take a different attitude toward the counterrevolutionaries who were in his own country at the time of the ill-fated attempted invasion than he did toward the counterrevolutionaries who attempted to invade the country. He knows—we all know—that a part of the plan was the hope, the expectation, that the invasion would stir up, within a few days thereafter, at least, a counter-revolutionary movement in his own country. It was part and parcel of the whole plan.

I think the Senator from Indiana and the Senator from New Hampshire are quite right when they say we do not know what kind of chain reaction we shall start with this proposal. Ransomers, extortionists, pirates, do not stop with just one proposed ransom. If a ransom is obtained for this group, then others can be proposed, and there are estimates of prisoners in Cuban jails varying from 50,000 to 100,000. Once we yield to such blackmail, where is the end?

There is no member of the committee, Mrs. Roosevelt, Dr. Eisenhower, Mr. Reuther, or any one associated with it, who has a more disturbed inner feeling or more pangs of heartache about the plight of these Cuban exiles who were captured in the ill-fated invasion than has the Senator from Oregon.

Furthermore, the fact is made more sad because, to no small measure, we were implicated in the episode. In a very real sense, we cannot wash this dirty spot off our hands, any more than could Lady Macbeth, because there is no doubt about the fact that we aided and abetted and supported the unfortunate attempted invasion, about which many of us knew nothing.

But that, too, is water over the dam. The point I want to stress is that this is a matter which involves American foreign policy. I do not care how one tries to word it in order to seem to keep the committee out of interference with American foreign policy. We want to know from our State Department, and soon, its position in regard to this question. It is much more forthright for us to stand up before the world and say, "Approval is given to this as a matter of Government policy," or "Approval is denied"—one way or the other.

Now I come to the Logan Act. I call this matter to the attention of the Senator from South Dakota [Mr. CASE], who has said he is not a lawyer. In my book, he is a pretty good sea lawyer, as we say of one who renders a sound legal judg-

ment, although he may not be a member of the bar. This is more than a technicality. It bears on the main thesis of my comments.

The Senator from South Dakota has pointed out the Logan Act has nothing to do with this matter, for many reasons. The act reads, as was brought out by the distinguished Senator from Indiana [Mr. CAPEHART]:

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined not more than \$5,000 or imprisoned not more than 3 years, or both.

This section shall not abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects.

I agree with the Senator from South Dakota. The committee has in no way violated the Logan Act, for two main legal reasons. First, their program in no way involves carrying on any direct or indirect correspondence or intercourse with any foreign government or any officer or agent thereof. The committee is carrying on its negotiations with the Cuban exiles. The Cuban exiles are in revolt against Castro. The negotiations are with them directly. One cannot, in my judgment, legitimately claim that the exiles are functioning as agents of Castro. Castro has announced to the world what are the terms of his ransom.

In my judgment, what the committee is seeking to do, out of its humanitarian impulses—I share those impulses—is to raise some ransom money in this country to save the lives of the prisoners. The act itself, however, is bound to affect our foreign policy. If our Government wishes to approve of that course of action, it should say so.

We should not engage in any subterfuge. We ought not to engage in any indirection. We ought to stop our pretense. We have a right to ask our Secretary of State—and I now call upon him—to tell the American people what his position is, as Secretary of State, in regard to the course of action which is being followed by the volunteer committee. Once we have that opinion from the Secretary of State, then we shall be in a position to decide what course of action should be followed concerning the attempt of the committee to raise funds.

As it relates to national policy, it is a dangerous thing to countenance in this country voluntary committees which may proceed to follow any course of action which may have repercussions on American foreign policy. In my judgment, that is not a violation of the Logan Act but is an interference with our whole constitutional policy that American foreign policy should be directed by the President of the United States and by the Secretary of State acting as a representative of the President of the United States.

This can be a very bad precedent from the standpoint of American foreign policy procedures.

It is quite proper that my colleagues in the Senate took the course of action they took this afternoon, of calling upon the administration to tell the American people specifically what is its position.

The last point I wish to make in regard to the Logan Act is the point made by the Senator from South Dakota [Mr. CASE], when he said that technically there was no dispute or controversy involved in regard to the United States. That has been removed.

This illustrates again why it was such a great mistake to break diplomatic relations with Cuba. Would that we had an Embassy there. Then there could be direct negotiations with Cuba, at least through diplomatic channels.

I see no basis for a finding that, as a matter of law, there is any dispute or controversy between the United States and the principals with whom Mrs. Roosevelt's committee is negotiating. They are negotiating with the Cuban exiles.

To show the direct relationship between this and American foreign policy, we must remember that the Cuban exiles could not get back into this country without the approval of this Government. That is a procedural act within the sphere of American foreign policy. The exiles are allowed to come into the country with the full knowledge of the administration, so apparently there is knowledge they are going to negotiate with the Mrs. Roosevelt committee, which I think makes it perfectly clear that there is a direct tie between what that committee is doing and American foreign policy.

In order to prevent this from being a precedent, in order to make it very clear that the State Department and the administration will assume full constitutional authority and duty in connection with American foreign policy, the administration ought to proceed without delay to tell the American people to what extent, if any, the procedure outlined by Mrs. Roosevelt's committee has the approval of this administration as a part and parcel of American foreign policy.

I wish to point out, in half a moment, some of the dangers. We are all heart-felt moved by the plight of the exiles who have been captured and are in Cuban prisons. We are all concerned and worried about what the madman may do with them or to them.

We certainly do not wish to lay down a foundation of precedents so that there will spring up in the months ahead one volunteer committee after another which will seek to influence the American people in a quasi-official or semiofficial capacity in respect to some particular program connected with American foreign policy.

There are many trouble spots in this world about which we as individual citizens are very much concerned. Volunteer committees may spring up about something in Laos, in Hungary, in the Congo, in South-West Africa, in Angola, in Goa, or in a good many other places in the world, where fellow human beings

are being trampled and their lives are being crushed out by the hundreds and thousands month after month by tyrannies, many of them either Communist or Fascist tyrannies.

In my judgment we cannot have a sound foreign policy program in this country if, in those instances in which it may seem to be expedient to do so, we either close our eyes or turn our heads and look in the other direction when volunteer committees set up volunteer programs concerned with some segment or other of American foreign policy.

In closing, I quite agree with the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] and other Senators who have spoken on the floor of the Senate this afternoon. This procedure has many danger signs written all over it. We must be on guard that we do not approve a course of action because we are heartsick about the fact that some 1,000 or 1,200 Cuban exiles are in Cuban prisons and might be murdered by this madman, as he has murdered so many others through his blood baths. I think we should not let our heartache and our understandable sentiment blind us to the fact that there may be thousands upon thousands of lives put in danger by such a course of action, if we yield at this time to this blackmail.

I think that is the first reason why we have a right to say to the administration, "You owe it to the American people to take an official position upon the proposed determination of American foreign policy by a volunteer group."

Second, I think we have a right to say to the administration, "You have a duty to now make clear, without any further delay, to the Organization of American States that every Latin American country, including Canada to the north of us, ought to convene quickly through the Organization of American States to determine what our joint program and policy ought to be in relation to this tyranny which has taken over Cuba."

I speak respectfully of Canada when I say it is fine for the Foreign Minister of Canada to suggest that Canada mediate the differences between the United States and Cuba, but it would be better for Canada, in the first instance, to fill its seat in the Organization of American States, to stop being merely an observer in the Organization of American States, and to become a voting member of the Organization of American States. I think if Canada did that, she could exercise much more influence in the development of foreign policy in the Western Hemisphere. It would be better to do this than to offer her good offices to serve as mediator between the United States and Cuba on problems between those two countries.

The important thing is that these are not simply United States-Cuban problems. Each and every one of them is a hemispheric problem.

Each and every one of them involves the rights, interest, and the future of every country in this hemisphere. What I have been pleading for is that we stop unilateral action on the part of the United States in relation to Cuba, recognize that the situation calls for joint

action on the part of Canada, the United States, and every other Latin American country to try to work out a program for the settlement of problems that have arisen in this hemisphere as a result of Castro going over to the Communists.

Ah, but some say to me, "If you follow that course of action, Mr. Senator, then are you not going to have to negotiate with Cuba?"

Of course, we could negotiate with Cuba or go to war with Cuba. I know there are those who think we ought to go to war with her. And what a great victory that would be. We could defeat her very quickly, although not without the loss of many thousands of American boys. We could not defeat her without the loss of thousands of lives probably in some of the southern strategic areas of Florida and some of the other Southern States. We do not know to what extent such conflict might be the spark that would start a nuclear war. If we have to fight a nuclear war, we will not hesitate to fight it, if we have done everything that we could possibly have done in order to bring mankind to reason without a nuclear war.

We should not follow a course of action that will record that we pulled the trigger. We do have peaceful procedures available to us that we ought to try to use, both through the Organization of American States and through the United Nations.

There are special procedures, both in the Organization of American States and in the United Nations, that at least could be used to seek to get extraordinary meetings of both of those organizations. Have we tried? Are we trying? If not, why not?

This shocking proposal of Castro ought to be the basis for an immediate call upon the part of the United States for an extraordinary session of the General Assembly of the United Nations to focus world opinion on the subject. I do not think that we have started to do the things that we ought to do in order to seek with honor some accommodation by way of a peaceful settlement of this great threat to war in the Western Hemisphere—and it is a growing threat to war in the Western Hemisphere.

One more word about my suggestions with respect to negotiations so that I will not be misunderstood. I am not suggesting that we should offer on a bilateral basis to start negotiations with Cuba, but I do say that we ought to offer to have the Organization of American States start negotiations with Cuba, and if Castro does not want to accept that proposal, offer to have the United Nations start negotiations with Cuba, because whether we like it or not, we cannot wish Cuba off the face of the map. Naturally, either through the Organization of American States or the United Nations, we ought to try to find out if there is any basis for an honorable diplomatic negotiation of procedures for the settlement of the disputes that have arisen between the United States and Cuba.

I offer these thoughts this afternoon because again I wish to say the United States should stop moving away from

the Cuban problem in the direction of war and intervention, and start to move into the Cuban problem through the Organization of American States and through the United Nations, so that history will record that we did our level best to try to avoid any resort to military defense and military action in order to protect American lives and American property.

Speaking of American lives, do not forget that we do not know how many hundreds of American citizens are still in Cuba, but they are there. When we are dealing with a madman who places no more value on life than Castro does, we run always the risk that he would be perfectly willing to go to any extreme in order to vent his perverted emotional makeup on the United States. What would we do if he announced that, "Now you can ransom—how many hundreds we do not know—of American citizens still in Cuba?"

What would be the reaction of this country to that proposal? Of course, there would be every reason for us then to go to the military defense of those American citizens. That is how delicate I think the situation is.

So I close my comments with the plea once again to my Government. Let the State Department run American foreign policy. Let the State Department make clear to the American people its position in regard to any volunteer committee's program in this country. If we want to make such proposals the official program of the State Department, let us say so. But let us not start a chain of precedents of having American foreign policy, from the standpoint of expediency, turned over to private citizens who can follow a course of action that can possibly embarrass—yes, jeopardize—the welfare of this country, and in the end lead to a much greater loss of human life possibly than would be true if Castro should seek to liquidate the exiles that he captured in this invasion, every one of whom knew that he ran the risk of being liquidated by participating in the invasion.

What I have said during the last 15 or 20 minutes on the floor of the Senate can be subject to a great deal of distortion and misrepresentation, but, as chairman of the Subcommittee on Latin American Affairs, I shall never duck my clear responsibility so long as I serve in that capacity.

Mr. President, I yield the floor.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota has listened with interest to the remarks of the distinguished Senator from Oregon, the chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations. At this hour I shall not try to comment any further. I will say that I share in his hope that the Secretary of State will make a statement that will clarify the official position of the United States with regard to the proposed blackmail. I also hope that the discussion on the floor of the Senate this afternoon, participated in by several Senators, will make a contribution. I am confident it will make a contribution to answering the question, Where do we go from here?

### ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 22, 1961, he presented to the President of the United States the enrolled joint resolution (S. J. Res. 89) to amend section 217 of the National Housing Act to provide an interim increase in the authorization for insurance of mortgages by the Federal Housing Administration.

### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MORSE. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 38 minutes p.m.) the Senate adjourned, under the order previously entered until tomorrow, Tuesday, May 23, 1961, at 10 a.m.

### NOMINATIONS

Executive nominations received by the Senate, May 22, 1961:

#### U.S. MARSHALS

Adam J. Walsh, of Maine, to be U.S. marshal for the district of Maine for the term of 4 years, vice Harry W. Pinkham.

James H. Dillon, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin for the term of 4 years, vice Lyle F. Milligan.

#### BUREAU OF CUSTOMS

Ernesto Flores, of New Mexico, to be collector of customs for Customs Collection District No. 50, with headquarters in Columbus, N. Mex.

Cornelius F. Reardon, of Montana, to be collector of customs for Customs Collection District No. 33, with headquarters in Great Falls, Mont.

#### PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

#### To be medical directors

Carl I. Pirkle	Trois E. Johnson
Isaac M. Zigler	Anibal R. Valle
Thomas E. O'Brien	Glen W. McDonald
Josef J. Weisskopf	Louis C. Floyd
Carl J. Mankinen	Ardele B. Colyar
Leslie H. Thomasson	Warfield Garson
Raymond Hofstra	William P. Ramey
James A. Hunter, Jr.	Leo J. Gehrig
James T. Hearin	R. Leslie Smith
Norman B. McCullough	Arthur E. Rikill
Marvin O. Lewis	C. Dudley Miller
Lawrence Kilham	Philip L. Spencer

#### To be senior surgeons

Frank R. Freckleton	Roger L. Black
Clarence A. Imboden	Albert W. Hillberg

#### To be surgeons

Arden A. Flint, Jr.	Paul J. Schmidt
William S. Lainhart	Nicholas P. Sinaly
David P. Michener	Henry V. Belcher
Eugene H. Guthrie	Louis Levy
James L. Wellhouse	George G. Browing
Claude R. Garfield	George W. Gaffney
Nicholas Revotskie	James N. Winblad
Lewis E. Patrie	Charles H. Boettner
Robert I. Katase	Adolph J. Urban
Edward B. Cross	Emil Frei III
William S. Dunford, Jr.	Roger W. Ogara
Orlando L. Clark	Emil J. Freireich
Betty E. Hathaway	David J. Sencer
Alan S. Rabson	Eugene Braunwald

#### To be senior assistant surgeons

Gerald R. Bassett  
Jack D. Poland

#### To be dental directors

John W. Holt  
Thomas J. Riley, Jr.  
Francis W. Pomije

#### To be senior dental surgeons

Robert C. Likins	John M. Frankel
Charles J. Gillooly	William J. Putnam
Tyler C. Palsom, Jr.	Harry W. Bruce, Jr.
William J. Braye	Frank W. Nelson
Samuel S. Herman	Lawrence J. Stan- wich
Paul H. Keyes	

#### To be dental surgeons

Jack D. Robertson	Bill J. Brady
Herbert Swerdlow	Winston W. Frenzel
A. Fogle Godby	Kenneth C. Potter

#### To be senior assistant dental surgeons

Warren V. Judd	William L. Knudson
John R. Stolpe	Richard K. Fred
Jim D. Webb	Gerald W. Gaston
Charles C. Swoope, Jr.	David A. Dutton
Donald E. Swatman	Buckner S. Burch
Richard L. Christensen	Manuel H. Marks
Wellesley H. Wright	Gresham T. Farrar, Jr.

#### To be sanitary engineer directors

Daniel W. Evans	Paul C. Henderson
Charles D. Spangler	Harry Sterli
Archie B. Freeman	Kenneth C. Lauster
John H. Burgess	Joseph A. Boyer
Arthur H. Johnson	Ross W. Buck

#### To be senior sanitary engineer

William B. Schreeder

#### To be sanitary engineers

John L. S. Hickey	Malen D. Bogue
Donald J. Nelson, Jr.	Lawrence C. Gray
Herbert H. Rogers	Melvin W. Carter
Edwin M. Lamphere	Ralph I. Larsen

#### To be senior assistant sanitary engineers

Donald J. Baumgartner	Albert H. Story
Harry J. Ettinger	Norman J. Petersen
Andre F. LeRoy	Charles F. Walters
Edwin L. Johnson	Jack L. Witherow
Eugene J. Donovan, Jr.	

#### To be assistant sanitary engineers

Harold C. Ervine	John A. Little
Howard P. Zweig	
Robert Frank Grossman	

#### To be pharmacist directors

Francis R. Ellis	Ernest J. Simnacher
Roberts L. Proper	Carmen A. Carrato
Arnold H. Dodge	

#### To be senior pharmacists

William M. Hanna  
Abraham Wolfthal

#### To be senior assistant pharmacists

Bernard Shleien	Philip R. Hugill
Samuel Merrill	Robert P. Chandler
Jacob H. Hendershot	

#### To be assistant pharmacists

Ray D. Crossley II  
Harley A. Mills  
Jerome A. Halperin

#### To be scientist directors

Melvin E. Griffith	Olaf Mickelsen
Lloyd W. Law	George W. Lones
Everette L. May	F. Earle Lyman

#### To be senior scientists

John E. Porter  
Colvin L. Gibson

#### To be scientists

Frank P. Brancato	Maxwell J. Wilcomb,
Harold V. Jordan, Jr.	Jr.
William B. Dewitt	Thomas E. Anderson
Joseph M. Butler, Jr.	

*To be senior assistant scientists*

John C. Feeley III  
Sheldon D. Murphy

*To be senior sanitarian*

Leroy S. Houser

*To be sanitarian*

James V. Smith

*To be veterinary officer director*

Robert D. Courter

*To be senior veterinary officers*

John F. Winn            Herbert G. Stoenner  
Arthur H. Wolff        Samuel Abramson  
John H. Scruggs

*To be veterinary officer*

Joe W. Atkinson

*To be nurse directors*

Lydia M. Zetzsche     Daphne D. Doster  
L. Dorothy Carroll    Edna A. Clark  
Lois E. Gardner       Mary O. Jenney  
Rosalie G. Abrahams   Harriett G. Dexheimer  
Madeline Pershing

*To be senior nurse officers*

Maud J. Larssen       Dorothy E. Reese  
Jeanette E. Westlake   Marie F. Hanzel  
Mary E. O'Connor     Doris E. Roberts  
Margaret E. Benson

*To be nurse officers*

Marie M. Lech           Helen Troxell  
Violet C. Ryb  
Josephine I. O'Callaghan

*To be assistant nurse officers*

Elizabeth L. Cooper

*To be dietitian directors*

Clare B. Baldauf  
Myrtle M. Vincent

*To be senior dietitians*

Edith A. Jones  
Frances M. Croker

*To be dietitian*

Letitia W. Warnock

*To be senior therapist*

Elizabeth M. Finke

*To be therapist*

John F. Burke

*To be health services directors*

Ralph L. Jenkins, Jr.    Nell McKeever  
Evelyn Rahm            Mary Jo Kraft

*To be health services officer*

Gloria M. Russo

*To be senior assistant health services officer*

Richard E. Gallagher

## COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointments to the grade indicated in the Coast and Geodetic Survey:

*To be ensigns*

William E. Blank- inship, Jr.	William B. Merselis
L. Logan Boles	Arthur L. Moshos
George M. Cole, Jr.	Edward J. Murphy
Darrell W. Crawford	William H. O'Hanlon
William E. Gott	Sigmund R. Petersen
C. William Hayes	Leonard E. Pickens
Archie L. Higgins	Saul Rosenberg
Richard N. Hune	B J Taylor, Jr.
Seymour R. Kotler	Andrew Tczap
James T. Lane	Ronald D. Walkenshaw
J. Rodney Lewis	Richard E. Williams
Robert J. Lewis	William B. Williford

## IN THE AIR FORCE

Gen. Thomas D. White, 22A (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of general, under the provisions of Section 8962, title 10 of the United States Code.

Gen. Curtis E. LeMay, 26A (major general, Regular Air Force), U.S. Air Force, for appointment as Chief of Staff, U.S. Air Force, for a period of 2 years, under the provisions of section 8034, title 10 of the United States Code.

The following-named officers for promotion in the Regular Air Force under the appropriate provisions of chapter 835, title 10, United States Code, as amended:

## MAJOR TO LIEUTENANT COLONEL

*Line of the Air Force*

Abernathy, Julian R., Jr., XXXXXX  
Aberson, Albert D., XXXXXX  
Abrams, Stuart M., XXXXXX  
Accola, Jacob P., XXXXXX  
Adair, Asa A., XXXXXX  
Adair, Philip R., XXXXXX  
Adams, Gall J., XXXXXX  
Adams, John B., XXXXXX  
Adams, Paul E., XXXXXX  
Adams, William P., Jr., XXXXXX  
Adcock, James K., XXXXXX  
Addis, Walter A., XXXXXX  
Alagna, Antonito F., XXXXXX  
Alber, George D., XXXXXX  
Alexander, Arthur K., XXXXXX  
Alexander, Ernest L., XXXXXX  
Alexander, Jim V., XXXXXX  
Allen, Charles T., Jr., XXXXXX  
Allen, Hubert E., XXXXXX  
Allen, Merle F., Jr., XXXXXX  
Allen, Nelson, XXXXXX  
Allen, William C., XXXXXX  
Alston, Archer S., XXXXXX  
Ambos, William G., XXXXXX  
Ammon, Robert H., XXXXXX  
Amundson, Maynard N., XXXXXX  
Anders, Edwin R., XXXXXX  
Andersen, Paul C., XXXXXX  
Anderson, Alfred I., XXXXXX  
Anderson, Charles C., Jr., XXXXXX  
Anderson, David S., XXXXXX  
Anderson, George S., XXXXXX  
Anderson, James E., XXXXXX  
Anderson, John B., XXXXXX  
Anderson, Ralph R., Jr., XXXXXX  
Anderson, Reid J., XXXXXX  
Anderson, Richard R., XXXXXX  
Anderson, Wyman D., XXXXXX  
Andre, Donald P., XXXXXX  
Andrews, Ralph P., XXXXXX  
Angel, Ralph E., XXXXXX  
Angell, Donald R., XXXXXX  
Angley, Clyde C., XXXXXX  
Annis, Ross E., Jr., XXXXXX  
Antalis, Stephen J., XXXXXX  
Archer, John H., Jr., XXXXXX  
Armbruster, Martha L., XXXXXX  
Arnette, John W., XXXXXX  
Arnold, Edison F., XXXXXX  
Arnold, George M., XXXXXX  
Arnold, William B., XXXXXX  
Arp, Elwood D., XXXXXX  
Artwohl, Arpod J., XXXXXX  
Ashley, Garland O., XXXXXX  
Ashman, Richard C., XXXXXX  
Ashmore, Vincent H., XXXXXX  
Ashworth, Kenton L., XXXXXX  
Atkinson, Margaret P., XXXXXX  
Austin, Paul F., XXXXXX  
Avise, Herbert J., XXXXXX  
Awtrey, William E., Jr., XXXXXX  
Ayers, Augustine W., XXXXXX  
Ayersman, Richard L., XXXXXX  
Bailey, Felix R., XXXXXX  
Bailey, Lawrence O., XXXXXX  
Bailey, Richard F., XXXXXX  
Bailey, Walter H., Jr., XXXXXX  
Baker, Dexter K., XXXXXX  
Baker, Harry F., XXXXXX  
Baker, Homer A. Jr., XXXXXX  
Baker, Ogden Z., XXXXXX  
Baldwin, Oscar F., Jr., XXXXXX  
Baleski, John J., Jr., XXXXXX  
Barbieri, Michael J., XXXXXX  
Barefoot, Selwyn J., XXXXXX  
Barker, Buford W., XXXXXX  
Barley, John N., XXXXXX  
Barnett, William E., XXXX

Barney, Robert O., XXXXXX  
Barracough, Edmund L., XXXXXX  
Barrett, Paul C., XXXX  
Barricklow, Fred M., XXXXXX  
Barry, John G., Jr., XXXX  
Bartel, Harry C., XXXXXX  
Bartol, Wante J., XXXXXX  
Bartos, Edmund J., XXXXXX  
Basham, Edward A., XXXXXX  
Baska, John W., XXXXXX  
Bayer, Ralph R., XXXXXX  
Bayne, Harry C., XXXXXX  
Beahan, Willard J., XXXXXX  
Beasley, Carl J., XXXXXX  
Beatty, Ibrle M., Jr., XXXXXX  
Beck, Joseph P., XXXXXX  
Beckett, James F., XXXXXX  
Beecham, William F., XXXXXX  
Beeler, Robert L., Jr., XXXXXX  
Beers, Robert L., XXXXXX  
Belew, John F., XXXXXX  
Bell, Roscoe L., XXXXXX  
Bellan, Rudolf A., XXXXXX  
Bennett, Walter D., XXXXXX  
Benton, Roger G., XXXXXX  
Berger, Marvin E., XXXXXX  
Bergeson, Harold M., XXXXXX  
Berry, John M., XXXXXX  
Berry, Vernon H., XXXXXX  
Bertie, Gilbert H., XXXXXX  
Betette, Albert G., XXXXXX  
Betha, William E., XXXXXX  
Bice, John D., XXXXXX  
Biggs, Ernest E., XXXXXX  
Biggs, George J., XXXXXX  
Biles, James L., Jr., XXXXXX  
Bilotta, Joseph P., XXXX  
Birge, Walter C., Jr., XXXXXX  
Birmele, William J., XXXXXX  
Biscayart, Jules D., XXXX  
Black, David P., XXXX  
Blacksten, Harry B., XXXXXX  
Blair, Ben R., XXXXXX  
Blair, Frank S., XXXXXX  
Blair, Guy N., XXXXXX  
Blake, Robert J., XXXX  
Blank, Eugene L., XXXXXX  
Blodgett, John H., XXXXXX  
Blomgren, Norman E., XXXXXX  
Blue, Eugene A., XXXXXX  
Bobbitt, Aubrey M., XXXXXX  
Bogan, Leon S., XXXXXX  
Bogard, Lawrence M., XXXXXX  
Bogert, James H., XXXXXX  
Boland, Jeremiah M., XXXXXX  
Boland, Joseph E., XXXXXX  
Bollinger, George W., XXXXXX  
Bone, Marshall B., XXXXXX  
Booth, Raymond W. W., XXXXXX  
Borchers, Clyde R., XXXXXX  
Borgens, James H., XXXXXX  
Boutelle, Winston E., XXXXXX  
Boutwell, Rufus C., Jr., XXXX  
Bowden, John D., Jr., XXXX  
Bowers, Charles J., XXXXXX  
Bowers, Joseph S., Jr., XXXXXX  
Bowers, Thomas E., XXXXXX  
Bowers, William R., XXXXXX  
Bowling, Temple, XXXXXX  
Bown, Fred B., XXXXXX  
Bowry, Donald W., XXXXXX  
Boyd, Hugh F., Jr., XXXXXX  
Boyd, Willis G., XXXXXX  
Boyle, Francis T., XXXXXX  
Braddock, Edward I., XXXXXX  
Bradshaw, Marion E., XXXXXX  
Brady, Roland H., Jr., XXXX  
Brand, Dudley V., XXXXXX  
Brandon, Harold E., XXXXXX  
Brantley, William L., XXXXXX  
Brassfield, William H., XXXXXX  
Brauer, Karl H., XXXXXX  
Bray, Leslie W., Jr., XXXX  
Brazee, Donald F., XXXXXX  
Brazil, Virgil L., XXXXXX  
Breeze, William A., XXXXXX  
Bregar, Adolph J., XXXXXX  
Brenner, Felix G., XXXXXX  
Brent, James O., XXXXXX  
Bressan, Christopher, XXXXXX  
Bridge, John E., XXXXXX

Bridges, John L., XXXXXX  
 Briery, Jack, XXXXXX  
 Briesemeister, Edward E., XXXXXX  
 Brimhall, Victor O., XXXX  
 Brinson, William L., XXXXXX  
 Brockhouse, Frederick W., XXXXXX  
 Brockman, Warren D., XXXXXX  
 Broussard, Eddie J., Jr., XXXXXX  
 Brown, Clarence W., XXXXXX  
 Brown, Clement F., Jr., XXXXXX  
 Brown, David A., Jr., XXXXXX  
 Brown, Dayton F., XXXXXX  
 Brown, Donald H., XXXXXX  
 Brown, Howard O., XXXXXX  
 Brown, James W., XXXXXX  
 Brown, Robert C., XXXXXX  
 Broyles, Roy L., Jr., XXXXXX  
 Bruckner, Louis M., XXXXXX  
 Bruson, George F., XXXXXX  
 Bryant, Billie B., XXXXXX  
 Bryant, Ernest D., XXXXXX  
 Buchta, Joseph, XXXXXX  
 Buck, Ralph J., XXXXXX  
 Buckspan, David, XXXXXX  
 Buckwalter, John S., XXXXXX  
 Buglass, Kenneth G., XXXXXX  
 Bujol, George W., XXXXXX  
 Bull, Leonard P., XXXXXX  
 Bull, Stephen D., Jr., XXXXXX  
 Bullock, Ralph E., XXXXXX  
 Bunnell, Jerry A., XXXXXX  
 Burdette, Archie G., XXXXXX  
 Burgess, Samuel C., XXXXXX  
 Burnett, Elvin E., XXXXXX  
 Burnett, Ernest T., XXXXXX  
 Burnett, John J., Jr., XXXXXX  
 Burnette, Willis D., XXXXXX  
 Burns, Carlton L., XXXXXX  
 Burns, Richard L., XXXXXX  
 Burns, Robert J., XXXXXX  
 Burrows, Adrian M., XXXXXX  
 Burt, George W., 3d, XXXXXX  
 Burton, Herbert C., XXXXXX  
 Bush, Frederick E., XXXXXX  
 Busha, George F., XXXXXX  
 Butler, Floyd N., XXXXXX  
 Byers, John R., XXXXXX  
 Byington, Telford S., XXXXXX  
 Byrne, George T., XXXXXX  
 Byrne, James F., XXXXXX  
 Byrne, John P., XXXXXX  
 Byrne, Joseph P., XXXXXX  
 Cabas, Victor N., XXXXXX  
 Cadwell, Truman F., XXXXXX  
 Caldwell, John S., Jr., XXXXXX  
 Callander, Thomas J., XXXXXX  
 Callis, William A., XXXXXX  
 Calnon, Jack F., XXXXXX  
 Cameron, Wallace H., XXXXXX  
 Campbell, Frederick A., Jr., XXXXXX  
 Campbell, John L., XXXXXX  
 Campbell, Joseph L., XXXXXX  
 Cannell, James L., XXXXXX  
 Cannon, William B., XXXXXX  
 Canny, Robert W., XXXXXX  
 Capio, Fred, Jr., XXXXXX  
 Caputo, John A., XXXXXX  
 Carkeet, John L., Jr., XXXXXX  
 Carlyon, William P., XXXXXX  
 Carmody, Francis C., XXXXXX  
 Carney, Reed H., XXXXXX  
 Carpenter, Noel, XXXXXX  
 Carraway, James B., XXXXXX  
 Carroll, William J., XXXXXX  
 Carson, Russell V., XXXXXX  
 Carter, Daniel R., XXXXXX  
 Carter, David L., XXXXXX  
 Carter, Herbert E., XXXXXX  
 Carter, Hobart E., XXXXXX  
 Carter, Walter T., XXXXXX  
 Cartledge, Binford M., XXXXXX  
 Carwile, Ernest D., XXXXXX  
 Case, Richard D., XXXXXX  
 Caseria, Armando, XXXXXX  
 Caskey, James W., XXXXXX  
 Cavell, Everett L., XXXXXX  
 Cavin, Edgar R., XXXXXX  
 Cercek, John F., XXXXXX  
 Chaffee, Ralph F., XXXXXX  
 Chalifoux, Alphonse, Jr., XXXXXX  
 Chamberlain, David S., XXXXXX  
 Chapman, Albert V., Jr., XXXXXX  
 Chapman, Paul V., XXXXXX  
 Chenchar, Paul, Jr., XXXXXX  
 Choate, Henry L., XXXXXX  
 Christensen, Edward M., XXXXXX  
 Christianson, Lyle C., XXXXXX  
 Cipolla, Roland H., XXXXXX  
 Clark, James F., Jr., XXXXXX  
 Clark, Leon R., XXXXXX  
 Clark, Ovie D., XXXXXX  
 Clark, Robert S., XXXXXX  
 Clark, Tom S., XXXXXX  
 Clarke, Donald L., XXXXXX  
 Claunch, John G., XXXXXX  
 Clay, Richard L., XXXXXX  
 Cleary, Gerard O., XXXXXX  
 Clellen, Raymond L., XXXXXX  
 Clements, Ross L., XXXXXX  
 Clifford, Raymond V., XXXXXX  
 Clower, Freeling H., XXXXXX  
 Clyde, John F., XXXXXX  
 Clymer, Harvey C., XXXXXX  
 Cobb, James W., XXXXXX  
 Coleman, David H., XXXX  
 Coleman, Francis J., XXXXXX  
 Collins, Edward M., XXXXXX  
 Collins, John J., XXXXXX  
 Collins, Rupert P., XXXXXX  
 Combs, Lloyd D., XXXXXX  
 Conkey, Howard L., XXXXXX  
 Conley, Keith, XXXXXX  
 Connell, Milton M., Jr., XXXXXX  
 Connell, Royal W., XXXXXX  
 Conway, Thomas H., XXXXXX  
 Cook, Carl L., Jr., XXXXXX  
 Cook, John W., XXXXXX  
 Cook, Marshall A., XXXXXX  
 Cooke, Raymond K., XXXXXX  
 Copenhaver, Donald L., XXXXXX  
 Corcoran, Edward L., XXXXXX  
 Cordell, Richard N., XXXXXX  
 Correll, Harold M., XXXXXX  
 Cosby, William L., Jr., XXXXXX  
 Cossaboom, William M., XXXXXX  
 Cottingham, Paul F., XXXXXX  
 Couch, James F., XXXXXX  
 Coverdale, Harold F., XXXXXX  
 Craft, William C., XXXXXX  
 Crampton, William M., XXXXXX  
 Crandall, Edmund B., XXXXXX  
 Creighton, Vernon F., XXXXXX  
 Cresto, Joseph L., XXXXXX  
 Crosby, John W., XXXXXX  
 Crow, Robert P., XXXXXX  
 Crow, Roy H., XXXXXX  
 Crowley, Robert B., XXXXXX  
 Cruciana, Louis G., XXXXXX  
 Crump, James B., XXXXXX  
 Cruse, Marshal H., XXXXXX  
 Culwell, Orrel, XXXXXX  
 Cummings, James O., XXXXXX  
 Cummins, Daniel G., XXXXXX  
 Cummins, Frank R., XXXXXX  
 Cunningham, George C., XXXXXX  
 Curran, Arthur R., XXXXXX  
 Curtis, James E., XXXXXX  
 Curtis, John E., XXXXXX  
 Cushman, Henry R., Jr., XXXXXX  
 Dafer, Henry A., XXXXXX  
 Daggitt, William E., XXXXXX  
 Daniel, Charles L., XXXXXX  
 Davies, Edwin R., XXXXXX  
 Davies, George A., XXXXXX  
 Davis, Calvin C., XXXXXX  
 Davis, Lance R., XXXXXX  
 Dean, Frederick F., XXXXXX  
 Dean, Robert M., XXXXXX  
 Deardon, Russell W., XXXXXX  
 Dearmont, Harry F., XXXXXX  
 Dearmond, Velfort J., Jr., XXXXXX  
 Decker, Richard H., XXXXXX  
 Deimling, Paul L., XXXXXX  
 Delap, John E., XXXXXX  
 Delisle, Arthur B. C., XXXXXX  
 Delvecchio, Dino, XXXXXX  
 Desaussure, Hamilton, XXXXXX  
 Detro, Frank, Jr., XXXXXX  
 Deutsch, Edward N., XXXXXX  
 Deves, Earl W., XXXXXX  
 Devoe, Robert C., XXXXXX  
 Diantonio, Andrew, XXXXXX  
 Dill, Alvin W., XXXXXX  
 Disilvestro, Mario, XXXXXX  
 Dixon, Dale V., XXXXXX  
 Doenges, Robert W., XXXXXX  
 Donohoe, Charles A., XXXXXX  
 Dooley, Clarence A., XXXXXX  
 Doran, Brendan J., XXXXXX  
 Dornbrock, Richard C., XXXXXX  
 Dotson, Herbert F., Jr., XXXXXX  
 Doty, Edward A., XXXXXX  
 Dougan, William P., XXXXXX  
 Dougherty, Ralph E., XXXXXX  
 Douglas, James D., Jr., XXXXXX  
 Douglas, Robert F., XXXXXX  
 Dowlearn, Alfred C., 3d, XXXXXX  
 Doyle, Miles M., XXXXXX  
 Draemel, Dean H., XXXXXX  
 Drake, Leo A., Jr., XXXXXX  
 Draper, William G., XXXXXX  
 Dreyer, Arthur, XXXXXX  
 Drubek, Gene E., XXXXXX  
 Ducat, Kenneth H., XXXXXX  
 Duckworth, Robert O., XXXXXX  
 Duffy, Robert A., XXXXXX  
 Duncan, Kenneth R., XXXXXX  
 Dupont, Rene G., XXXXXX  
 Duval, Joseph E., XXXXXX  
 Dwinell, Clifford H., XXXXXX  
 Dwyer, James G., XXXXXX  
 Dyke, Eugene H., XXXXXX  
 Dzamba, John P., XXXXXX  
 Eagle, Comly J., XXXXXX  
 Easley, Sidney P., XXXXXX  
 Eckerson, Olive L., XXXXXX  
 Ecklund, Eugene, XXXXXX  
 Edington, Leonard E., XXXXXX  
 Edwards, Clifford E., XXXXXX  
 Edward, Joseph E., XXXXXX  
 Edwards, William H., XXXXXX  
 Egender, Herbert F., XXXXXX  
 Eichman, Edward A., Jr., XXXXXX  
 Ekrem, Harvey Z., XXXXXX  
 Eldredge, Clayton R., XXXXXX  
 Eldridge, George W., XXXXXX  
 Elias, Samuel M., XXXXXX  
 Ellen, Cicero J., XXXXXX  
 Elliott, McLean W., XXXXXX  
 Ellis, Charles J., Jr., XXXXXX  
 Elrod, Erwin B., XXXXXX  
 Emerson, Jack G., XXXXXX  
 Emmons, Perry C., XXXXXX  
 Emrich, Daniel C., XXXXXX  
 Epperson, George M., XXXXXX  
 Erdmann, Orville L., XXXXXX  
 Esch, Maurice E., XXXXXX  
 Estes, Winston M., XXXXXX  
 Evanco, Michael, XXXXXX  
 Evans, George G., Jr., XXXXXX  
 Evans, William H., XXXXXX  
 Everett, Franklin A., XXXXXX  
 Everett, Phillip E., XXXXXX  
 Everhart, John W., XXXXXX  
 Eyster, Carl G., XXXXXX  
 Fahringer, Frederick H., XXXXXX  
 Fancher, Jack N., XXXXXX  
 Farr, Ned W., Jr., XXXXXX  
 Farr, Robert, XXXXXX  
 Farrell, Everett N., XXXXXX  
 Farrell, Thomas D., XXXXXX  
 Farrington, Raymond F., XXXXXX  
 Favors, Marcus W., XXXXXX  
 Fecher, Louis A., 3d, XXXXXX  
 Felice, Carman P., XXXXXX  
 Feliski, Daniel J., XXXXXX  
 Felt, Blaine J., XXXXXX  
 Fenlon, Peter C., XXXXXX  
 Fernandes, Joe L., XXXXXX  
 Ferris, Joseph, XXXXXX  
 Feuerstein, Donald W., XXXXXX  
 Finke, Eugene, XXXXXX  
 Finnell, Herbert S., Jr., XXXXXX  
 Fisher, Charles D., Jr., XXXXXX  
 Fisher, Jay N., XXXXXX  
 Fisher, Max L., XXXXXX  
 Fisher, Roy L., XXXXXX  
 Fitzhenry, Oscar C., XXXXXX  
 Flanagan, Preston S., XXXXXX  
 Flandars, Robert C., XXXXXX  
 Fleming, Joseph F., XXXXXX  
 Flesner, Eugene E., XXXXXX  
 Fletcher, Edward C., XXXXXX  
 Flicek, Jerry F., XXXXXX

Floyd, John F., XXXXXX  
 Flynn, Thomas G., Jr., XXXXXX  
 Fondaw, Sidney G., XXXXXX  
 Ford, Geoffrey R., XXXXXX  
 Ford, Oscar C., XXXXXX  
 Ford, Perry C., XXXXXX  
 Forrest, Birdene E., XXXXXX  
 Fortney, Alvin R., XXXXXX  
 Foster, Martin A., Jr., XXXXXX  
 Fowler, Oscar F., XXXXXX  
 Frederick, Russel R., XXXXXX  
 Frederickson, Marshall V., XXXXXX  
 French, Phillip N., XXXXXX  
 Frenk, Ardelle W., XXXXXX  
 Freund, Darral J., XXXXXX  
 Friedrich, Walter R., XXXXXX  
 Fritz, Paul C., XXXXXX  
 Frizzle, Bernard E., XXXXXX  
 Frobom, Leo, XXXXXX  
 Froehlich, Vernon W., XXXXXX  
 Frymire, William D., XXXXXX  
 Fuss, John H., XXXXXX  
 Gaertner, Adolph, Jr., XXXXXX  
 Gahl, Ralph D., XXXXXX  
 Gajan, Stephen A., XXXXXX  
 Gallagher, Kenneth F., XXXXXX  
 Gallagher, Rial F., XXXXXX  
 Garcia, Abraham G., XXXXXX  
 Gardner, Robert E., XXXXXX  
 Garris, Phillip W., XXXXXX  
 Garuti, Mario A., XXXXXX  
 Garvin, Louis A., XXXXXX  
 Gates, William M., XXXXXX  
 Gay, Dillar, Jr., XXXXXX  
 Gay, William M., XXXXXX  
 George, Daniel T., XXXXXX  
 Georges, Robert E., XXXXXX  
 Gerbing, Thomas M., XXXXXX  
 Gervase, Edward M., XXXXXX  
 Gerwick, James A., XXXXXX  
 Giannini, Jack L., XXXXXX  
 Gibson, Marion E., XXXXXX  
 Gibson, Orrin L., XXXXXX  
 Gibson, William M., XXXXXX  
 Gillespie, Leonard V., XXXXXX  
 Gilllatt, Paul T., XXXXXX  
 Gillis, Jack T., XXXXXX  
 Gilluly, John W., XXXXXX  
 Gilpin, Harry D., XXXXXX  
 Glassburner, Thomas M., XXXXXX  
 Gleichauf, Paul W., XXXXXX  
 Glover, Jerry C., XXXXXX  
 Goddard, Ernest D., XXXXXX  
 Gonske, Walter F., XXXXXX  
 Good, Arnold N., XXXXXX  
 Good, Clyde E., XXXXXX  
 Good, Roger R., XXXXXX  
 Goodman, Raymond E., XXXXXX  
 Goodrich, Wallace C., Jr., XXXXXX  
 Gorham, Robert M., XXXXXX  
 Goris, William B., XXXXXX  
 Grady, Robert J., XXXXXX  
 Grammas, George T., XXXXXX  
 Gray, David F., XXXXXX  
 Gray, Zack, XXXXXX  
 Greathouse, Nathan G., XXXXXX  
 Green, Frank R., XXXXXX  
 Greene, Sidney, XXXXXX  
 Greenspun, Morris J., XXXXXX  
 Greer, Edwin H., XXXXXX  
 Gregg, Charles R., XXXXXX  
 Grider, Arthur P., Jr., XXXXXX  
 Griffin, John A., XXXXXX  
 Griffin, Ralph O., XXXXXX  
 Griffith, Joseph H., Jr., XXXXXX  
 Grinstead, Albert H., Jr., XXXXXX  
 Griswold, Edward D., XXXXXX  
 Grover, Roy L., XXXXXX  
 Gruber, Kenneth W., XXXXXX  
 Gshwandtner, Frank J., XXXXXX  
 Guernsey, Harold J., Jr., XXXXXX  
 Gunn, Leon O., XXXXXX  
 Gunter, Lester E., XXXXXX  
 Gwaltney, Laverne, XXXXXX  
 Hagenback, James J., XXXXXX  
 Hague, Owen E., XXXXXX  
 Haines, Carroll E., XXXXXX  
 Hale, Charles E., XXXXXX  
 Hale, Jimmie W., XXXXXX  
 Hall, James H., XXXXXX  
 Halloran, James P. S., XXXXXX  
 Hamby, Malcolm C., XXXXXX  
 Hamilton, Julian W., XXXXXX  
 Hamilton, Ralph W., XXXXXX  
 Hamlin, Robert W., XXXXXX  
 Hammett, Charles E., XXXXXX  
 Hand, F. Ned, XXXXXX  
 Haney, Charles W., XXXXXX  
 Hange, Richard H., Sr., XXXXXX  
 Hansen, Carleton V., XXXXXX  
 Hansen, Paul H., XXXXXX  
 Hansen, William R., XXXXXX  
 Hanson, Kermit T., XXXXXX  
 Hanton, John T., XXXXXX  
 Hardin, Neal H., Jr., XXXXXX  
 Hardy, Fred P., XXXXXX  
 Hardy, Preston B., XXXXXX  
 Harkness, Orlo V., XXXXXX  
 Harmon, Clifford W., XXXXXX  
 Harmon, William A., XXXXXX  
 Harrell, Thomas, XXXXXX  
 Harrington, Homer F., XXXXXX  
 Harris, Charles A., XXXXXX  
 Harris, Floyd D., XXXXXX  
 Harris, Howard L., Jr., XXXXXX  
 Harris, James W., 3d, XXXXXX  
 Harris, William P., XXXXXX  
 Harrison, Robert B., XXXXXX  
 Harrison, William C., Jr., XXXXXX  
 Hart, Ernest J., XXXXXX  
 Hart, Raymond J., XXXXXX  
 Haslett, Hugh J., XXXXXX  
 Hasskamp, Harold E., XXXXXX  
 Hatcher, Albert D., Jr., XXXXXX  
 Hathaway, Bruce R., XXXXXX  
 Hausman, James J., XXXXXX  
 Haven, Galen M., XXXXXX  
 Hawkins, William R., XXXXXX  
 Haws, George A., XXXXXX  
 Hayden, Dean E., XXXXXX  
 Hayes, Lloyd R., XXXXXX  
 Hayter, Gerald H., XXXXXX  
 Healy, Warren R., XXXXXX  
 Hearn, Walter J., XXXXXX  
 Heggenberger, Robert W., XXXXXX  
 Helfner, George E., XXXXXX  
 Hein, Gordon E., XXXXXX  
 Heinzel, Roy H., XXXXXX  
 Helton, Homer H., XXXXXX  
 Hemmer, Albert B., XXXX  
 Henderson, Vernon J., XXXX  
 Henner, Ernest S., Jr., XXXXXX  
 Henry, Harry C., XXXXXX  
 Henry, Jesse G., XXXXXX  
 Herrington, William C., XXXXXX  
 Hewitt, George E., XXXXXX  
 Heyl, Rodney W., XXXXXX  
 Hibbert, John A., XXXXXX  
 Hickey, James E., XXXXXX  
 Hicks, Lindsey, XXXXXX  
 Hicks, Lonnie W., Jr., XXXXXX  
 Hicky, Dan M., XXXXXX  
 Hill, Marcus L., Jr., XXXXXX  
 Hill, William A. F., XXXXXX  
 Hinck, Robert B., XXXXXX  
 Hiney, John W., XXXXXX  
 Hinkley, Eugene L., XXXXXX  
 Hintze, Milton A., Jr., XXXXXX  
 Hirshberg, Sidney S., XXXXXX  
 Hobbs, Harold W., XXXXXX  
 Hogan, Walton L., Sr., XXXXXX  
 Hogg, Roy B., XXXXXX  
 Holeman, Harry G., XXXXXX  
 Holguin, Jose L., XXXXXX  
 Holliday, John H., XXXXXX  
 Hollingsworth, James S., Jr., XXXXXX  
 Holmes, Douglas I., XXXXXX  
 Holmes, Weldon F., XXXXXX  
 Hood, Charles T., XXXXXX  
 Hopkins, Harold J., XXXXXX  
 Horr, Wayne L., XXXXXX  
 Horschman, Robert L., XXXX  
 Houghten, Robert L., XXXXXX  
 House, Walter G., XXXXXX  
 Howard, Blake P., XXXXXX  
 Howard Harold E., XXXXXX  
 Howard, Herbert B., Jr., XXXXXX  
 Howell, Joseph V., XXXXXX  
 Howell, Selah H., XXXXXX  
 Hudson, Reed O., XXXXXX  
 Huffman, Delbert L., XXXX  
 Hughes, Lewis C., XXXXXX  
 Hughes Paul A., XXXXXX  
 Hugunin, Guy J., Jr., XXXXXX  
 Huke, Theodore C., XXXXXX  
 Hundley, Everett L., XXXXXX  
 Hunt, Jerry J., XXXXXX  
 Hunter, Harry F., XXXXXX  
 Hurlburt, Dana F., XXXXXX  
 Hurlburt, Gaines, XXXXXX  
 Hurst, John D., XXXXXX  
 Husband, Toy B., XXXXXX  
 Husemoller, Kenneth E., XXXXXX  
 Hutchins, Ralph, XXXXXX  
 Iddins, Donald J., XXXXXX  
 Iovine, Guy T., XXXXXX  
 Italia, Santo, XXXXXX  
 Jackson, Frank R., XXXXXX  
 Jackson, Harley F., XXXXXX  
 James, John G., XXXXXX  
 Jameson, Dorence C., XXXXXX  
 Jameson, Lowell E., XXXXXX  
 Jense, Lloyd K., XXXXXX  
 Jensen, Wiley O., XXXXXX  
 Jenstrom, Eino E., XXXXXX  
 Jess, Edward O., XXXXXX  
 Jewell, Malcolm E., XXXXXX  
 Johansen, Martin C., XXXXXX  
 Johnson, Arthur H., XXXXXX  
 Johnson, Clyde J., XXXXXX  
 Johnson, Donald W., XXXXXX  
 Johnson, Douglas D., XXXXXX  
 Johnson, Forrest D., XXXXXX  
 Johnson, George A., XXXXXX  
 Johnson, George W., Jr., XXXXXX  
 Johnson, Isham M., XXXXXX  
 Johnson, Thomas B., XXXXXX  
 Johnston, Robert D., XXXXXX  
 Johnston, Ruby E., XXXXXX  
 Johnston, Wallace W., XXXXXX  
 Jones, Donald P., XXXXXX  
 Jones, Ernest C., Jr., XXXXXX  
 Jones, James M., Jr., XXXXXX  
 Jones, Kenneth L., XXXXXX  
 Jones, Percy L., XXXXXX  
 Jones, Robert L., XXXXXX  
 Jones, William M., XXXXXX  
 Jordan, Jay J., XXXXXX  
 Jordan, Raymond V., XXXXXX  
 Joyce, Daniel G., XXXXXX  
 Joyner, William H., XXXXXX  
 Judas, Maxwell V., XXXXXX  
 Jungman, Clarence A., XXXXXX  
 Kanable, Gerald E., XXXXXX  
 Kane, Randall S., XXXXXX  
 Karas, Philip, XXXXXX  
 Kaufman, Frank L., XXXXXX  
 Kaufmann, Milton M., XXXXXX  
 Kearney, John L., XXXXXX  
 Keefe, Irvin J., XXXXXX  
 Keefe, Donald J., XXXXXX  
 Keene, Forrest M., Jr., XXXXXX  
 Kelper, John A., Jr., XXXXXX  
 Kelley, Carroll W., XXXXXX  
 Kelly, Charles E., XXXXXX  
 Kelly, Francis A., XXXXXX  
 Kemerling, William E., XXXXXX  
 Kemper, George A., Jr., XXXXXX  
 Kendall, Gardner W., XXXXXX  
 Kennedy, Clarence C., XXXXXX  
 Kennedy, Francis S., XXXXXX  
 Kenney, Richard F., XXXXXX  
 Kibler, Bertram A., Jr., XXXXXX  
 Kilroy, Walter D., XXXXXX  
 Kimbrough, Donovan, XXXXXX  
 Kincaid, Norris R., XXXXXX  
 Kingery, William W., XXXXXX  
 Kirk, Norbert W., XXXXXX  
 Kirkland, Jack M., XXXXXX  
 Kirklin, John M., XXXXXX  
 Kirsner, Sheldon W., XXXXXX  
 Kissell, William G., XXXXXX  
 Kleppinger, Paul G., XXXXXX  
 Klohe, Ivon F., XXXXXX  
 Knight, Billy E., XXXXXX  
 Knutson, Bruce B., XXXXXX  
 Knutson, Gerald P., XXXXXX  
 Koeck, Adolph K., XXXXXX  
 Koepf, Harry J., XXXXXX  
 Kohrman, Elwood N., XXXXXX  
 Kolbe, John E., XXXXXX  
 Koller, Rudolph C., Jr., XXXXXX  
 Korgor, Harold F., XXXXXX

Kral, William, XXXXXX  
 Kramer, Vernon J., XXXXXX  
 Krause, Arthur F., XXXXXX  
 Krout, Harold E., XXXXXX  
 Kuchenbecker, John E., XXXXXX  
 Kuehl, Albert R., XXXXXX  
 Kuhn, Francis L., XXXXXX  
 Kuhn, Robert W., XXXXXX  
 Kumnick, Chris A., Jr., XXXXXX  
 Kyle, James A., XXXXXX  
 Laberge, Vincent R., XXXXXX  
 Ladd, Robert B., XXXXXX  
 Lalmore, Glenn E., XXXXXX  
 Lake, James, XXXXXX  
 Lakin, John W., XXXXXX  
 Lally, Glenn J., XXXXXX  
 Lambert, Joseph R., XXXXXX  
 Lambert, Lee R., XXXXXX  
 Lambertson, Norman F., Jr., XXXXXX  
 Lancaster, Rayburn D., XXXXXX  
 Landry, John F., XXXXXX  
 Lane, Franklin K., XXXXXX  
 Lane, William F., Sr., XXXXXX  
 Langdon, George E., XXXXXX  
 Larsen, Howard W., XXXXXX  
 Lasko, Charles W., XXXXXX  
 Latella, John J., XXXXXX  
 Latham, Seymour E., XXXXXX  
 Latta, Farley A., XXXXXX  
 Laughlin, Harlan L., XXXXXX  
 Lavalley, Ernest A., Jr., XXXXXX  
 Lavigne, Edwin W., XXXXXX  
 Lee, John J., XXXXXX  
 Lee, Maurice E., Jr., XXXXXX  
 Lee, Raymond C., Jr., XXXXXX  
 LeFrancis, Richard G., XXXXXX  
 Leonhardt, Herbert V., XXXXXX  
 Lesonik, Leo, XXXXXX  
 Lester, Raymond N., XXXXXX  
 Lethers, Edward W., XXXXXX  
 Levan, Jay E., XXXXXX  
 Levine, Arnold, XXXXXX  
 Levine, Howard M., XXXXXX  
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 Lewis, Rone H., XXXXXX  
 Lewis, Warren E., XXXXXX  
 L'Heureux, Harry D., XXXXXX  
 Liebscher, Charles V., XXXXXX  
 Light, Herbert M., Jr., XXXXXX  
 Liles, Cecil N., XXXXXX  
 Linck, John J., XXXXXX  
 Lindberg, Frank R., XXXXXX  
 Linden, Eric O., XXXXXX  
 Lipari, James R., XXXXXX  
 Lipe, Fort W., XXXXXX  
 Litchfield, Robert L., XXXXXX  
 Little, Oliver W., XXXXXX  
 Livesay, Willie E., XXXXXX  
 Lockhart, George M., XXXXXX  
 Lockhart, Warren L., XXXXXX  
 Lockie, Stanley M., XXXXXX  
 Locklear, James Q., XXXXXX  
 Locy, James A., Jr., XXXXXX  
 Lodge, James D., XXXXXX  
 Logan, Harry R., Jr., XXXXXX  
 Long, John B., XXXXXX  
 Long, John D., XXXXXX  
 Long, Robert F., XXXXXX  
 Long, Walter W., XXXXXX  
 Longer, Donald K., XXXXXX  
 Looney, Victor N., XXXXXX  
 Looney, William A., XXXXXX  
 Lorino, Nash E., XXXXXX  
 Loughlin, Charles T., XXXXXX  
 Lovell, Stanley R., XXXXXX  
 Lowther, Dale R., XXXXXX  
 Lugo, Frank M., XXXXXX  
 Luke, Ernest P., XXXXXX  
 Luksic, Carl J., XXXXXX  
 Lunsford, George M., XXXXXX  
 Lynch, Clyde M., XXXXXX  
 Lyness, Charles J., XXXXXX  
 Lynn, William J., XXXXXX  
 Mabrey, Owen D., XXXXXX  
 MacAaron, Kenneth A., XXXXXX  
 MacDonald, Earle F., XXXXXX  
 MacGhee, David F., XXXXXX  
 Machado, Joseph G., XXXXXX  
 Mack, Charles C., XXXXXX  
 MacLean, Lynwood A., Jr., XXXXXX  
 Maddalena, Joe, Jr., XXXXXX  
 Madole, William H., XXXXXX  
 Magers, James W., XXXXXX  
 Mamalis, Solon, XXXXXX  
 Manatt, James C., XXXXXX  
 Mandell, Robert I., XXXXXX  
 Manteuffel, Roger W., XXXXXX  
 Marginean, Charles V., XXXXXX  
 Markiel, Henry J., XXXXXX  
 Marriott, William B., XXXXXX  
 Marsden, Roy F., XXXXXX  
 Marshall, Benjamin C., XXXXXX  
 Marshall, George L., XXXXXX  
 Martin, William P., XXXXXX  
 Mascot, Paul J., XXXXXX  
 Masden, Gilbert A., XXXXXX  
 Mask, Kenneth J., XXXXXX  
 Mason, Robert J., Jr., XXXXXX  
 Mason, Wallace A., XXXXXX  
 Massett, Joseph J., XXXXXX  
 Massey, Holman C., XXXXXX  
 Matthews, Richard G., XXXXXX  
 Mauck, Ernest B., XXXXXX  
 Maxey, Horace H., XXXXXX  
 Maxwell, George S., XXXXXX  
 Mayes, Archie S., XXXXXX  
 Mayland, Lawrence P., XXXXXX  
 Mayo, Jesse L., XXXXXX  
 Maze, Charles L., XXXXXX  
 McAusland, Douglas G., XXXXXX  
 McBrayer, James R., XXXXXX  
 McBrayer, Madison M., XXXXXX  
 McCarroll, Billy J., XXXXXX  
 McCaskill, Roderick E., XXXXXX  
 McCaslin, Kenneth R., XXXXXX  
 McCauley, Lon A., Jr., XXXXXX  
 McClean, William E., XXXXXX  
 McClelland, Alva L., XXXXXX  
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 McClung, Thomas S. L., XXXXXX  
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 McCombs, John R., XXXXXX  
 McCrear, Arthur, XXXXXX  
 McCuskey, Michael A., XXXXXX  
 McCutchen, Robert W., Jr., XXXXXX  
 McDonald, Gorman A., XXXXXX  
 McDonald, James M., XXXXXX  
 McDowell, Samuel A., Jr., XXXXXX  
 McElroy, James T., XXXXXX  
 McElroy, Perry B., XXXXXX  
 McEnerney, Margaret E., XXXXXX  
 McFadyen, James B., XXXXXX  
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 McFarland, James M., XXXXXX  
 McGee, George R., XXXXXX  
 McGill, Paul E., XXXXXX  
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 McKibban, Robert V., XXXXXX  
 McKinley, James W., XXXXXX  
 McKinney, Baylus B., Jr., XXXXXX  
 McKinney, Claude G., Jr., XXXXXX  
 McKinney, Clell H., Jr., XXXXXX  
 McKinney, David W., XXXX  
 McKnight, Theodore, Jr., XXXXXX  
 McKoy, Wendell G., XXXXXX  
 McLain, Mack A., XXXXXX  
 McLain, Steven J., XXXXXX  
 McMillan, Clinton, Jr., XXXXXX  
 McMillin, Wallace D., XXXXXX  
 McQuown, Herbert W., XXXXXX  
 McVay, Richard B., XXXXXX  
 Meek, Frank E., Jr., XXXXXX  
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 Meler, Clifford H., XXXXXX  
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 Menaker, William M., Jr., XXXXXX  
 Mendrop, Richard G., XXXXXX  
 Mercogliana, Albert P., XXXXXX  
 Metcalf, Curtis N., XXXXXX  
 Metzger, Edward W., Jr., XXXXXX  
 Michalowski, Joseph S., XXXXXX  
 Mickelsen, Earl H., XXXXXX  
 Miles, James H., Jr., XXXXXX  
 Miller, Carr L., XXXXXX  
 Miller, Harold M., XXXXXX  
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 Miller, Vernon H., XXXXXX  
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 Minietta, Eugene D., XXXXXX  
 Minihan, Charles E., XXXXXX  
 Minow, James W., XXXXXX  
 Minton, Silas J., XXXXXX  
 Misner, Richard F., XXXXXX  
 Mitchell, Collins P., XXXXXX  
 Mitchell, George C., XXXXXX  
 Mitchell, J.C., XXXXXX  
 Mitchell, Stanley P., XXXXXX  
 Mitchell, William E., XXXXXX  
 Modesitt, Walter E., XXXXXX  
 Moehle, Charles F., XXXXXX  
 Moffat, Harold L., XXXXXX  
 Moksanzowski, Raymond J., XXXXXX  
 Monaco, Anthony W., Jr., XXXXXX  
 Money, Thomas J., XXXXXX  
 Monkiewicz, Witold B., XXXXXX  
 Montagne, Robert D., XXXXXX  
 Montgomery, James W., XXXXXX  
 Montour, Gilbert E., XXXXXX  
 Moody, Edgar W., XXXXXX  
 Moore, Bryce S., XXXXXX  
 Moore, Donald F., XXXXXX  
 Moore, Ernest F., XXXXXX  
 Moore, Milton R., XXXXXX  
 Moran, Charles K., XXXXXX  
 Morel, Dante V., XXXXXX  
 Morgan, Charles W., XXXXXX  
 Morgan, Emory C., XXXXXX  
 Morgan, Spencer G., XXXXXX  
 Morris, Lester W., XXXXXX  
 Morris, Thomas E., Jr., XXXXXX  
 Morrison, Harry B., Jr., XXXXXX  
 Morton, Walter P., Jr., XXXXXX  
 Mosall, George W., XXXXXX  
 Muir, Robert W., XXXXXX  
 Munnerylyn, Billy J., XXXXXX  
 Murchison, Weldon O., XXXXXX  
 Murphy, Bernard L., Jr., XXXXXX  
 Murphy, Charles L., XXXXXX  
 Murphy, James J., XXXXXX  
 Murray, Joseph D., XXXXXX  
 Myers, Andrew J., Jr., XXXXXX  
 Myers, Duncan C., XXXXXX  
 Myers, George G., XXXXXX  
 Myers, Robert A., XXXXXX  
 Nadler, Paul O., XXXXXX  
 Nance, Ernest T., XXXXXX  
 Nash, John F., Jr., XXXXXX  
 Nash, Tom L., Jr., XXXXXX  
 Naum, Albert C., XXXXXX  
 Nave, Elza W., XXXXXX  
 Neff, Leo M., XXXXXX  
 Nelsen, Maynard P., XXXXXX  
 Nelson, Charles L., XXXXXX  
 Neison, William H., XXXXXX  
 Netherland, James O., XXXXXX  
 Newbern, Robert G., XXXXXX  
 Newstrom, Carroll M., XXXXXX  
 Nibouar, Grover C., Jr., XXXXXX  
 Nickols, Jess R., XXXXXX  
 Nielsen, Austin, XXXXXX  
 Niemczyk, Julian M., XXXXXX  
 Nolan, Alson V., Jr., XXXXXX  
 Nole, Jack D., XXXXXX  
 Nordenstrom, Wallace O., XXXXXX  
 Norman, Joe R., XXXXXX  
 Norton, Howard E., XXXXXX  
 Norton, Ross D., XXXXXX  
 Novinski, Norbert L., XXXXXX  
 Nowak, Edwin H., Jr., XXXXXX  
 Nowell, Rufus H., Jr., XXXXXX  
 Nowinski, Will M., XXXXXX  
 Noyes, Arnold V., XXXXXX  
 Nylen, Arthur H., Jr., XXXXXX  
 O'Brien, Alden W., XXXXXX  
 O'Brien, James E., XXXXXX  
 O'Brien, Raymond C., Jr., XXXXXX  
 O'Carroll, Thomas K., XXXXXX  
 O'Connor, Henry M., XXXXXX

O'Connor, Joseph J., XXXXX  
 O'Day, Russell M. H., XXXXX  
 Oehme, Vance, XXXXX  
 Ogburn, George H., Jr., XXXXX  
 Ogg, Charles L., XXXXX  
 Ohlmeyer, Harold Z., XXXXX  
 Okey, Joseph T., XXXX  
 Oldham, Charles B., XXXXX  
 Olney, Richard O., XXXXX  
 Olsen, Eugene M. R., XXXXX  
 Olson, Harold A., XXXXX  
 Olson, Robert C., XXXXX  
 Orem, Robert E., XXXXX  
 Orlando, Michael J., XXXXX  
 O'Rourke, Gordon J., XXXXX  
 Orr, Jack P., XXXXX  
 Osborn, Robert R., XXXXX  
 Osborne, William H., XXXXX  
 Otis, James D., Jr., XXXXX  
 Overholser, Earle L., Jr., XXXXX  
 Owen, Arthur W., Jr., XXXXX  
 Owen, Clyde W., XXXXX  
 Owen, George F., XXXXX  
 Owens, Edwin B., XXXXX  
 Pallo, John, XXXXX  
 Palmer, Robert T., XXXXX  
 Palowez, John, XXXXX  
 Pappas, Gus J., XXXXX  
 Pappas, Thomas R., XXXXX  
 Pareilo, Thomas L., XXXXX  
 Parker, George E., XXXXX  
 Parker, Henry L., XXXXX  
 Parker, Hunter D., XXXXX  
 Parker, John F., XXXXX  
 Parrish, Alexander H., XXXXX  
 Parsons, Robert P., XXXXX  
 Parsons, Wily, XXXXX  
 Partridge, Robert J., XXXXX  
 Patterson, Neill T., XXXXX  
 Patton, Gene M., XXXXX  
 Patton, William H., XXXXX  
 Paul, Arthur W., XXXXX  
 Paul, Benjamin, XXXXX  
 Paule, William, XXXXX  
 Pautz, Martin R., XXXXX  
 Payne, Alice H., XXXXX  
 Pearson, Karl R., XXXXX  
 Pearson, Samuel L., XXXXX  
 Pearson, William H., XXXXX  
 Pebles, Glen A., XXXXX  
 Peck, Douglas T., XXXXX  
 Pedigo, John H., XXXXX  
 Pellegrini, Joseph, XXXXX  
 Pellegrini, Joseph J., XXXXX  
 Penn, William W., Jr., XXXXX  
 Penrod, James B., XXXXX  
 Peratt, Jon David, XXXXX  
 Perkins, Dale J., XXXXX  
 Peronto, Earl N., XXXXX  
 Perry, Donald J., XXXXX  
 Perry, James W., XXXXX  
 Peters, Francis D., Jr., XXXXX  
 Peterson, Howard W., XXXXX  
 Peterson, Sumner W., XXXXX  
 Petkus, Walter A., XXXX  
 Petscher, James A., XXXXX  
 Pettibon, Dale E., XXXXX  
 Phears, William D., XXXXX  
 Phillips, Arthur G., Jr., XXXXX  
 Phillips, Francis T., Jr., XXXXX  
 Phillips, Robert P., XXXXX  
 Phipps, Charles E., XXXXX  
 Phoenix, Homer J., XXXXX  
 Pierce, Russell K., Jr., XXXXX  
 Pinney, Norman W., Jr., XXXXX  
 Pinson, Claud C., XXXXX  
 Piper, Max L., XXXXX  
 Pippin, Theodore C., Jr., XXXXX  
 Prozek, Wasil, XXXXX  
 Pivarnik, Michael, Jr., XXXXX  
 Planey, John A., XXXXX  
 Platz, Alfred W., XXXXX  
 Platz, Gerhardt H., XXXXX  
 Plecha, Stanley L., XXXXX  
 Plunkett, Marvin K., XXXXX  
 Poehler, Garland W., XXXXX  
 Poindexter, William R., XXXXX  
 Poling, Don L., XXXXX  
 Polve, James H., XXXXX  
 Porter, Denver M., XXXXX  
 Porter, James B., XXXXX  
 Post, George M., XXXX  
 Pottebaum, Cletus J., XXXXX  
 Potter, Dwight H., XXXXX  
 Potter, Nolen L., XXXXX  
 Potter, Richard E., XXXXX  
 Poullet, Albert S., XXXXX  
 Poulson, Raymond P., XXXXX  
 Powers, Robert L., XXXXX  
 Pratt, Charles J., XXXXX  
 Price, Teller S., XXXXX  
 Prien, Kenneth W., XXXXX  
 Prince, Robert A., XXXXX  
 Prochaska, Joseph R., XXXXX  
 Prout, Donald G., XXXXX  
 Provancha, George J., XXXXX  
 Pryor, Gaillard S., XXXXX  
 Pomas, Harry P., XXXXX  
 Puglisi, Vincent, XXXXX  
 Purkey, Gerald L., XXXXX  
 Puttkamer, Kenneth, XXXXX  
 Quayle, Gerald D., Jr., XXXXX  
 Quigley, Edward C., XXXXX  
 Radomski, Meko M., XXXXX  
 Raeke, Louis A., Jr., XXXXX  
 Ragsdale, Roy D., XXXXX  
 Raines, Lewis D., XXXXX  
 Ralph, John H., XXXXX  
 Ramirez, Norbert D., XXXXX  
 Randazzo, James J., XXXXX  
 Rankin, William H., XXXXX  
 Rapisardi, Augustin J., XXXXX  
 Rawlings, Udell R., XXXXX  
 Ray, James A., XXXXX  
 Ray, Norman W., XXXXX  
 Ray, Raymond R., XXXXX  
 Ray, Robert J., XXXXX  
 Reddall, Gordon C., XXXXX  
 Reddrick, Noel B., XXXXX  
 Redford, Bynum H., XXXXX  
 Reed, Howard E., XXXXX  
 Rehak, Frank, Jr., XXXXX  
 Rehm, Maurice P., XXXXX  
 Reiter, Jack, XXXXX  
 Renk, Norman G., XXXXX  
 Renneisen, Robert M., XXXXX  
 Revere, Floyd, Jr., XXXXX  
 Revoir, Kenneth J., XXXXX  
 Reynolds, William L., XXXXX  
 Reynolds, William M., Jr., XXXXX  
 Rice, Arthur E., XXXXX  
 Rice, Gale F., XXXXX  
 Rice, William L., Jr., XXXXX  
 Rich, David A., XXXXX  
 Richardson, Glen W., XXXXX  
 Richardson, Jack P., XXXXX  
 Richardson, Robert F., XXXXX  
 Richardson, Roland L., XXXXX  
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 Robertson, Everett E., Jr., XXXXX  
 Robinson, Charles C., XXXXX  
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 Robinson, Richard S., XXXXX  
 Rodby, Stanley E., XXXXX  
 Rogers, Ellard T., XXXXX  
 Rogers, William B., XXXXX  
 Rohrbough, Merrill H., XXXXX  
 Rosa, Joseph J., XXXXX  
 Rose, Denis R., XXXXX  
 Rosenberg, Louis S., XXXXX  
 Rosenfield, Joseph W., Jr., XXXXX  
 Rosentreter, Edward M., XXXXX  
 Rossano, Marcello J., XXXXX  
 Roy, Clyde, XXXXX  
 Ruddick, Lynn W., XXXXX  
 Rudrud, Norman V., XXXXX  
 Ruff, George F., XXXXX  
 Ruppelt, Ellis A., XXXXX  
 Ruscitto, James O., XXXXX  
 Rust, Henry B., XXXXX  
 Rutherford, Richard T., XXXXX  
 Ryhlick, Lawrence T., XXXXX  
 Sackett, Carl L., Jr., XXXXX  
 Salmon, Delbert J., XXXX  
 Saltmarsh, Frederic A., XXXXX  
 Sampson, George A., XXXXX  
 Sanders, Wendell W., XXXXX  
 Sandusky, William F., XXXXX  
 Sandvig, Kenneth L., XXXXX  
 Sanford, Douglas F., XXXXX  
 Santala, Eugene W., XXXXX  
 Sanxter, Donald L., XXXXX  
 Sapp, Roger E., XXXXX  
 Satterlee, Dean H., XXXXX  
 Saum, Hugh H., Jr., XXXXX  
 Saunders, Alan, XXXX  
 Scariano, Frankie E., XXXXX  
 Schaitel, Leonard J., XXXXX  
 Scharf, Richard E., XXXXX  
 Schaunaman, George S., XXXXX  
 Schiavoni, Vincent P., XXXXX  
 Schlabs, Frank W., XXXXX  
 Schiltzkus, Samuel C., XXXXX  
 Schmelz, Richard E., XXXXX  
 Schmidt, Howard R., XXXXX  
 Schmitz, Frederick H., XXXXX  
 Schnauber, Louis G., XXXXX  
 Schreffler, Charles E., XXXXX  
 Schuler, Eldor H., XXXXX  
 Schwartz, John C., XXXXX  
 Scott, Dale W., XXXXX  
 Scott, George W., XXXXX  
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 Scott, Winton A., XXXXX  
 Scoville, Curtis L., XXXXX  
 Sealy, Raymond J., XXXXX  
 Seaman, Clarence O., XXXXX  
 Seay, Earl, XXXX  
 Seay, James S., XXXXX  
 Seacrest, Edgar L., Jr., XXXXX  
 Segal, Alfred, XXXXX  
 Seigle, William H., XXXXX  
 Semanek, Joseph J., XXXXX  
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 Shimkus, Albina H., XXXXX  
 Shipley, Francis M., XXXXX  
 Shiver, Arthur M., Jr., XXXXX  
 Shoemate, Foy L., XXXXX  
 Shwiller, Seymour, XXXXX  
 Siddens, John V., XXXXX  
 Sildenafil, John H., XXXXX  
 Siegfried, Keith P., XXXXX  
 Sifford, Lynn D., Jr., XXXXX  
 Silliman, James G., XXXXX  
 Simons, Doyle E., XXXXX  
 Simpkins, Alan P., XXXX  
 Simpson, Dale P., XXXXX  
 Simpson, Jesse W., XXXXX  
 Simpson, Robert H., XXXXX  
 Simpson, Russell E., XXXXX  
 Sims, Keith E., XXXXX  
 Sinclair, Lance W., XXXXX  
 Singleton, John W., XXXXX  
 Skidmore, Lester J., Jr., XXXXX  
 Slaker, Kenneth W., Jr., XXXXX  
 Slaughter, Charles W., XXXXX  
 Slaughter, Clarence B., Jr., XXXXX  
 Sledge, Thomas E., Jr., XXXXX  
 Sly, Peter R., XXXX  
 Smith, Alwyn V., XXXXX  
 Smith, Bennie C., XXXXX  
 Smith, Carl C., Jr., XXXXX  
 Smith, Charlie M., XXXXX  
 Smith, Clifford E., XXXXX  
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 Smith, Durward, XXXXX  
 Smith, Francis H., XXXX  
 Smith, Gayle L., XXXXX  
 Smith, George R., XXXXX  
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 Smith, Larkin B., Jr., XXXXX  
 Smith, Lawrence J., XXXXX  
 Smith, Robert G., XXXXX  
 Smith, Robert N., XXXX  
 Smith, Roger H., XXXXX  
 Smith, Walter A., Jr., XXXXX  
 Smotherman, Benjamin F., XXXXX  
 Snell, Lester D., XXXXX

Snell, Robert M., XXXXXX  
 Snook, Allen W., XXXXXX  
 Snyder, Harold T., XXXXXX  
 Snyder, Marilyn F., XXXX  
 Soderberg, James W., XXXXXX  
 Soderberg, Robert W., XXXXXX  
 Sollars, John A., XXXXXX  
 Solomon, Edward T., XXXX  
 Solomon, Joseph L., XXXXXX  
 Sonntag, Willie H., XXXXXX  
 Sorrells, William M., XXXXXX  
 Spain, Frank H., XXXXXX  
 Sparks, Belmont E., XXXXXX  
 Sparks, John S., Jr., XXXXXX  
 Spiro, Bernard, XXXXXX  
 Sprague, Carl W., XXXXXX  
 Squillace, Dominick P., XXXXXX  
 Squires, Joseph C., XXXXXX  
 Stackhouse, Carl B., XXXXXX  
 Stalzer, Eugene A., XXXXXX  
 Stanch, Paul M., XXXXXX  
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 Statts, John H., XXXXXX  
 Staudenmayer, Marlon W., XXXXXX  
 Staylor, Leroy W., XXXXXX  
 Steffen, Harold J., XXXXXX  
 Stephen, Gerald L., XXXXXX  
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 Stewart, Hugh W., XXXXXX  
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 Stolarz, Andrew R., XXXXXX  
 Stone, Herbert B., XXXXXX  
 Stone, Raymond F., XXXXXX  
 Stoner, Lyle W., XXXXXX  
 Storck, Gordon F., XXXXXX  
 Stout, Loren R., XXXXXX  
 Strauch, Leland G., XXXXXX  
 Stumpf, Oscar J., XXXXXX  
 Sullivan, Francis C., XXXXXX  
 Sullivan, Leo W., XXXXXX  
 Summers, Clifford C., XXXXXX  
 Summers, John C., XXXXXX  
 Sutton, John L., XXXXXX  
 Swafford, Frederick L., XXXXXX  
 Swanger, Joe N., XXXXXX  
 Swanson, Dustin H., XXXXXX  
 Swayze, Jack, XXXXXX  
 Swickard, Jack D., XXXXXX  
 Swindal, James E., XXXXXX  
 Swope, Ira A., XXXXXX  
 Syphers, Victor K., XXXXXX  
 Talbot, Adrien A. G., XXXXXX  
 Talbot, George E., XXXXXX  
 Tally, William S., XXXXXX  
 Tarbell, Swift, Jr., XXXXXX  
 Tate, John C., XXXXXX  
 Taylor, Cecil P., Jr., XXXXXX  
 Taylor, Charles A., XXXXXX  
 Taylor, Garner W., 2d, XXXXXX  
 Taylor, Irving C., XXXXXX  
 Taylor, James L., XXXXXX  
 Taylor, Merrill E., XXXXXX  
 Taylor, Robert F., Jr., XXXXXX  
 Tedrowe, Thaddues W., XXXXXX  
 Templin, Jack D., XXXXXX  
 Tennyson, Francis I., XXXXXX  
 Tenold, Leslie A., XXXXXX  
 Testa, John J., XXXXXX  
 Thomas, Frank M., XXXXXX  
 Thomas, Parry L., XXXXXX  
 Thomas, William W., XXXXXX  
 Thompson, Arnold F., XXXXXX  
 Thompson, Donald V., XXXXXX  
 Thompson, John R., Jr., XXXXXX  
 Thompson, Robert C., XXXXXX  
 Thornton, Otis B., XXXXXX  
 Thorvaldson, Joel D., XXXXXX  
 Tidwell, Samuel A., Jr., XXXXXX  
 Tillotson, Bascom E., Jr., XXXX  
 Tissue, Jimmie L., XXXXXX  
 Todt, Donald C., XXXXXX  
 Torpey, Charles L., XXXXXX  
 Torpey, Robert F., XXXXXX  
 Towne, Ralph W., XXXXXX  
 Trefny, Milton J., XXXXXX  
 Trimble, Kenton H., 3d, XXXXXX  
 Trimble, William W., XXXXXX  
 Trojan, Joseph E., XXXXXX  
 Trumble, John B., XXXXXX  
 Tucker, James R., XXXXXX  
 Turk, Herbert A., XXXXXX  
 Turner, Arthur L., Jr., XXXXXX  
 Tuten, Wilson P., XXXXXX  
 Tuttle, Donald W., XXXXXX  
 Twomey, Thomas A., XXXXXX  
 Tyree, Eugene F., XXXXXX  
 Tyson, James L., XXXXXX  
 Uhring, Frank G., XXXXXX  
 Ulrich, Alvin E., XXXXXX  
 Urban, Harry, XXXXXX  
 Urquhart, Charles T., Jr., XXXXXX  
 Valentine, Dwane R., XXXXXX  
 Vanbibber, Charles E., XXXXXX  
 Vandiver, Robert S., XXXXXX  
 Vanetten, Chester L., XXXXXX  
 Vanhoy, Leslie B., XXXXXX  
 Vanmarter, William H., XXXXXX  
 Vannatta, Richard H., XXXXXX  
 Vannoy, Glen S., XXXXXX  
 Vanwingerden, Nicolas, XXXXXX  
 Venable, James M., Jr., XXXXXX  
 Veneziano, Salvatore J., XXXXXX  
 Vetter, Lawrence E., XXXXXX  
 Vickrey, Charles R., XXXXXX  
 Vinston, Stonewall P., XXXXXX  
 Vogler, Alfred F., XXXXXX  
 Vogler, James B., Jr., XXXXXX  
 Voigt, Dean A., XXXXXX  
 Vonkaenel, Earl W., XXXXXX  
 Voorhees, Roy D., XXXXXX  
 Vuchetich, Peter F., XXXXXX  
 Wacker, William W., XXXXXX  
 Wacławski, Walter B., XXXXXX  
 Wagner, James B., Jr., XXXXXX  
 Wagner, Robert M., XXXXXX  
 Wakeman, Coyd V., XXXX  
 Waldher, Eugene N., XXXXXX  
 Waldman, Herbert, XXXXXX  
 Walker, Demelt E., XXXXXX  
 Walker, James O., Jr., XXXXXX  
 Walker, Samuel A., XXXXXX  
 Walker, Willie G., XXXXXX  
 Wall, Risden B., XXXXXX  
 Wallander, Robert L., XXXXXX  
 Walmer, Harry E., XXXXXX  
 Walsh, Robert L., XXXX  
 Wanty, Donald W., XXXXXX  
 Ward, Charles A., Jr., XXXXXX  
 Ward, John W., Jr., XXXXXX  
 Warner, Raymond P., XXXXXX  
 Warner, Robert L., XXXXXX  
 Warren, James D., XXXXXX  
 Warren, Joseph B., XXXXXX  
 Washer, Larche M., XXXXXX  
 Watkins, Miles H., XXXXXX  
 Watkinson, Arlie G., XXXXXX  
 Watts, Arthur M., XXXXXX  
 Watts, Ernest L., XXXXXX  
 Wayland, Robert H., Jr., XXXXXX  
 Webb, Ernest L., Jr., XXXXXX  
 Webb, James H., XXXXXX  
 Weddle, Walter M., XXXXXX  
 Weigand, Frederick E., XXXXXX  
 Well, Melvin S., Jr., XXXX  
 Welland, Francis H., XXXXXX  
 Welner, James H., XXXXXX  
 Welch, James W., Jr., XXXXXX  
 Wells, Charles R., Jr., XXXXXX  
 Wells, Ernest J., XXXXXX  
 Wells, Robert L., XXXXXX  
 West, Robert W., XXXXXX  
 Wettstein, James D., XXXXXX  
 Wheeler, Glenn M., XXXXXX  
 Wheeler, William J., XXXXXX  
 Whipple, Ray W., XXXXXX  
 White, Boyd B., XXXXXX  
 White, Floyd, XXXXXX  
 White, George W., XXXXXX  
 White, Samuel A., Jr., XXXXXX  
 White, Thomas A., XXXXXX  
 Whitehead, Robert S., 3d, XXXXXX  
 Whittington, Richard L., XXXXXX  
 Wicker, Samuel J., XXXXXX  
 Wickman, Vernon E., XXXXXX  
 Wier, Charlie Y., XXXXXX  
 Wilcox, Charles R., XXXXXX  
 Wilcox, Lawrence R., XXXXXX  
 Wilcox, Robert W., XXXXXX  
 Wilds, Walter C., XXXXXX  
 Wildt, Jesse H., XXXXXX  
 Wilkerson, Harold H., XXXXXX  
 Wilkerson, Henry M., XXXXXX  
 Wilkerson, Joe T., XXXXXX  
 Williams, Dave W., XXXXXX  
 Williams, Edgar G., XXXXXX  
 Williams, Eugene S., XXXXXX  
 Williams, Jack E., XXXXXX  
 Williams, Joe C., XXXXXX  
 Williams, Paul E., XXXXXX  
 Williams, Robert G., XXXXXX  
 Williams, Wilson B., XXXXXX  
 Willson, Harry W., XXXXXX  
 Wilson, Emmett S., XXXXXX  
 Wilson, Ernest B., XXXXXX  
 Wilson, George H., XXXXXX  
 Wilson, Harold H., XXXXXX  
 Wilson, Myrt P., XXXXXX  
 Wilson, Raymond E., XXXXXX  
 Wilson, Richard S., XXXXXX  
 Wilson, Ronald C., XXXXXX  
 Wilson, Waring W., XXXXXX  
 Wilson, William W., XXXXXX  
 Winchester, Charlton W., Jr., XXXXXX  
 Wine, Joseph R., Jr., XXXXXX  
 Wingard, Jesse O., Jr., XXXXXX  
 Winningham, Porter L., XXXXXX  
 Winter, Ambrose J., XXXXXX  
 Wise, John W., XXXXXX  
 Wishart, James H. N., XXXXXX  
 Witry, Frank, Jr., XXXXXX  
 Wittbrodt, Edwin S., XXXXXX  
 Woeltz, August L., XXXXXX  
 Wolf, Gayle C., XXXXXX  
 Wolfendon, William, XXXXXX  
 Wollner, Richard P., XXXXXX  
 Womack, Jack E., XXXXXX  
 Wood, George R., XXXXXX  
 Wood, John R., XXXXXX  
 Wood, Robert E., XXXXXX  
 Wood, Theodore S., XXXXXX  
 Woodall, Merle P., XXXXXX  
 Woodward, Charles H., XXXXXX  
 Woodward, Edgar F., Jr., XXXXXX  
 Worde, Marcus H., XXXXXX  
 Working, William H., XXXXXX  
 Worthington, Joseph A., XXXXXX  
 Woy, Jack A., XXXXXX  
 Wright, Fred A., Jr., XXXXXX  
 Wright, Hanford R., XXXXXX  
 Wright, John P., XXXXXX  
 Wright, John W., Jr., XXXXXX  
 Wright, Theodore O., XXXXXX  
 Wynne, Lawson P., XXXXXX  
 Yaden, Earl N., XXXXXX  
 Yahr, Raymond R., XXXXXX  
 Yarborough, Benjamin H., XXXXXX  
 Yarbrough, Thomas E., XXXXXX  
 Yates, John H., XXXXXX  
 Yaworski, John, XXXXXX  
 Ybarra, Cecil R., XXXXXX  
 Yeager, Paul M., XXXXXX  
 Yeates, William E., XXXXXX  
 Yeoman, Edwin T., XXXXXX  
 York, Banta M., XXXXXX  
 York, John C., XXXXXX  
 Young, Fred W., XXXXXX  
 Young, Harry H., Jr., XXXXXX  
 Young, Joseph J., XXXXXX  
 Young, Kenneth A., XXXXXX  
 Yraceburn, Joseph R., XXXXXX  
 Yusievicz, John J., XXXXXX  
 Zager, Joe, Jr., XXXXXX  
 Zais, Richard A., XXXXXX  
 Zalonka, Adam F., XXXXXX  
 Zepp, Rex E., XXXXXX  
 Ziegler, John H., XXXXXX  
 Zimmerman, Arnold E., XXXXXX  
 Zipper, Harry, XXXX  
 Zwicke, Norbert A., XXXXXX  
 Zwink, Wayne E., XXXXXX

## Medical Corps

Baczewski, Zbigniew J., XXXX  
 Brannon, Earl W., Jr., XXXXXX

Chambers, George H., XXXXXX  
 Culver, James F., XXXXXX  
 Dimichele, John D., XXXXXX  
 Foley, Francis E., XXXXXX  
 Giffen, Martin B., XXXXXX  
 Gilliland, Jack M., XXXXXX  
 Green, Harry C., Jr., XXXXXX  
 Henderson, John A., XXXXXX  
 Hill, John J., XXXXXX  
 Kenoyer, Wilbur L., XXXXXX  
 Kraus, Ralph N., XXXXXX  
 Mays, Oliver A., XXXXXX  
 McManus, Hugh B., Jr., XXXXXX  
 Miller, Richard K., XXXXXX  
 O'Brien, Francis D., XXXXXX  
 Osetinsky, Venedict M., XXXXXX  
 Rowen, Burt, XXXXXX  
 Sorensen, Charles C., XXXXXX  
 Stonehill, Robert B., XXXXXX  
 Sutherland, Lawrence R., XXXXXX  
 Tkach, Walter R., XXXXXX  
 Vanpelt, James F., Jr., XXXXXX  
 Wilkins, John H., XXXXXX

*Dental Corps*

Bateman, Herbert E., XXXXXX  
 Brown, Charles A., XXXXXX  
 Burnette, Elmer W., Jr., XXXXXX  
 Cole, Thomas R., XXXXXX  
 Copeland, Henry I., Jr., XXXXXX  
 Dybowski, Eugene L., XXXXXX  
 Feldmann, Earl E., XXXXXX  
 Fricke, Vernon S., XXXXXX  
 Hartley, Jack L., XXXXXX  
 Hayden, Arthur L., XXXXXX  
 Hombs, Roger, XXXXXX  
 Laverre, Arthur M., XXXXXX  
 Runco, Joseph G., XXXXXX  
 Sandlin, Harold G., XXXXXX  
 Tomey, William H., XXXXXX  
 Willson, Howard R., Jr., XXXXXX  
 Zellers, Howard W., Jr., XXXXXX  
 Zellhoefer, Robert W., XXXXXX

*Veterinary Corps*

Dalziel, George T., XXXXXX  
 Hornickel, Edward P., XXXXXX  
 Sullivan, William G., XXXXXX  
 Well, Frederick, XXXXXX

*Medical Service Corps*

Hall, Austin S., XXXXXX  
 Holmes, Warren H., XXXXXX  
 Maybell, Robert E., XXXXXX  
 Merritt, William F., XXXXXX  
 Meyer, Emil J., XXXXXX  
 O'Malley, Robert J., XXXXXX  
 Otter, Henry F., XXXXXX  
 Pomphrey, Patrick J., XXXXXX  
 Swanson, Fred H., XXXXXX

*Nurse Corps*

Bakutis, Alice R., XXXXXX  
 Becker, Josephine M., XXXXXX  
 Burke, Menla, XXXXXX  
 Christison, Dorothy J., XXXXXX  
 Chupka, Helen A., XXXXXX  
 Cosma, Helen R., XXXXXX  
 Dittmar, Louise E., XXXXXX  
 Hovland, Otella A., XXXXXX  
 McGinnes, Madeline B., XXXXXX  
 Menge, Dorothy M., XXXXXX  
 Miller, Isabelle A., XXXXXX  
 Murphy, Elizabeth A., XXXXXX  
 Ottoy, Suzanne M., XXXXXX  
 Richey, Margaret A., XXXXXX  
 Spearnak, Pearl, XXXXXX

*Medical Specialist Corps*

Creech, Kathleen R., XXXXXX

*Chaplain*

Chess, Edwin R., XXXXXX  
 Hammon, Wilson C., XXXXXX  
 Hanlon, Thomas C., XXXXXX  
 Hartman, Kenneth E., XXXXXX  
 Marler, Charles H., XXXXXX  
 Miller, John H. K., XXXXXX  
 Paulk, Ivan L., XXXXXX  
 Ressel, Delvin E., XXXXXX  
 Schaefer, Roman J., XXXXXX  
 Schumacher, Bernard F., XXXXXX

Sharbaugh, Cornelius A., XXXXXX  
 Teska, Glenn F., XXXX

## SECOND LIEUTENANT TO FIRST LIEUTENANT

*Line of the Air Force*

Allen, Melvin A., XXXXXX  
 Allen, Robert L., XXXXXX  
 Ames, Park O., XXXXXX  
 Andre, Frank J., Jr., XXXXXX  
 Anlo, Reynaldo A., XXXXXX  
 Arent, Robert E., XXXXXX  
 Arner, Harold L., XXXXXX  
 Ault, Robert T., XXXXXX  
 Bailey, William D., Jr., XXXXXX  
 Balhorn, Robert J., XXXXXX  
 Batson, Don T., XXXXXX  
 Beer, Michael, XXXXXX  
 Bellella, Carlo A., XXXXXX  
 Belsom, Cletus A., XXXXXX  
 Benjamin, John H., XXXXXX  
 Bitton, Gary W., XXXXXX  
 Blake, John C., XXXXXX  
 Blake, Roy G., XXXXXX  
 Bloom, Gordon E., XXXXXX  
 Blystone, Paul A., XXXXXX  
 Brackett, William R., Jr., XXXXXX  
 Brasure, John E., XXXXXX  
 Brees, Anton D., XXXXXX  
 Brenden, Jerry B., XXXXXX  
 Bryan, Hayes R., XXXXXX  
 Burnett, Bernard B., XXXXXX  
 Burrus, George C., XXXXXX  
 Butterfield, Marcus R., XXXXXX  
 Byrd, Herman L., XXXXXX  
 Cairns, James G., Jr., XXXXXX  
 Campbell, Gary L., XXXXXX  
 Cannaday, John E., Jr., XXXXXX  
 Chappelle, Robert L., XXXXXX  
 Clark, John W., XXXXXX  
 Clark, Paul W., XXXXXX  
 Clarke, Samuel H., Jr., XXXXXX  
 Clarkson, Edward M., XXXXXX  
 Clovis, Gordon T., XXXXXX  
 Cochran, Bobby E., XXXXXX  
 Coolidge, Robert B., XXXXXX  
 Costello, Walter M., XXXXXX  
 Coughlin, John J., 3d, XXXXXX  
 Criswell, Reynolds L., XXXXXX  
 Cummock, David R., XXXXXX  
 Cunningham, Jay L., XXXXXX  
 Curtis, Lawrence C., Jr., XXXXXX  
 Daley, Jerry F., XXXXXX  
 Darling, Gordon P., XXXXXX  
 Davidson, Troy H., Jr., XXXXXX  
 Davis, Sedley C., XXXXXX  
 Demidovich, Carl W., Jr., XXXXXX  
 Demontigny, Dennis N., XXXXXX  
 Derlemacker, Allen J., XXXXXX  
 Dillon, Douglas C., XXXXXX  
 Dodge, Richard E., XXXXXX  
 Donahue, Roger P., 5 XXXXXX  
 Dortch, Harold D., Jr., XXXXXX  
 Durrieu, Armand E., XXXXXX  
 Edgett, Conrad B., Jr., XXXXXX  
 Elmore, Memory H., XXXXXX  
 Espey, James G., 3d, XXXXXX  
 Evans, Donald J., XXXXXX  
 Fenske, Gary T., XXXXXX  
 Ferruzza, David, XXXXXX  
 Fischer, Milo L., XXXXXX  
 Flesch, Ronald L., XXXXXX  
 Flood, William F., XXXXXX  
 Foerster, Leroy C., Jr., XXXXXX  
 Foy, William M., XXXXXX  
 French, Raymond W., XXXXXX  
 Frisnett, John C., XXXXXX  
 Gane, Charles E., XXXXXX  
 Giacobbe, John A., XXXXXX  
 Gibson, Gary D., XXXXXX  
 Giddings, Edward N., XXXXXX  
 Gillam, Shelton B., XXXXXX  
 Ginn, Howard H., XXXXXX  
 Grandrimo, John R., XXXXXX  
 Gray, Donald D., Jr., XXXXXX  
 Greene, Douglas C., XXXXXX  
 Grimes, George H., Jr., XXXXXX  
 Grismold, David B., XXXXXX  
 Grove, William J., Jr., XXXXXX  
 Gullett, William B., XXXXXX  
 Hagler, Ronald E., XXXX

Hall, Arthur D., XXXXXX  
 Hall, Gordon L., XXXX  
 Hall, William S., XXXX  
 Hamill, James F., XXXXXX  
 Hamilton, Donald L., XXXXXX  
 Harrill, James W., XXXX  
 Harrington, Ronald R., XXXXXX  
 Hathaway, Kenneth A., XXXXXX  
 Hawkins, James R., XXXXXX  
 Hayworth, Hubert R., XXXXXX  
 Heiliger, Donald L., XXXX  
 Hiner, William L., XXXXXX  
 Holland, Winford E., XXXXXX  
 Holzknicht, William J., XXXXXX  
 Hunt, Ralph P., XXXXXX  
 Hunt, William E., XXXXXX  
 Inman, J. W., XXXXXX  
 Israel, Paul S., XXXXXX  
 Jackson, Donald L., XXXXXX  
 James, Charles E., XXXXXX  
 Johnson, Arlen R., XXXXXX  
 Johnston, Maurice B., Jr., XXXXXX  
 Jones, Joseph D., XXXXXX  
 Jones, Malcolm M., XXXXXX  
 Joyce, William R., Jr., XXXXXX  
 Junkin, Jackie G., XXXXXX  
 Kellim, James D., XXXXXX  
 Kiser, James M., XXXXXX  
 Kobylak, Roger W., XXXXXX  
 Koch, Richard C., XXXXXX  
 Kraft, John L., XXXXXX  
 Kravarik, Martin E., XXXXXX  
 Krueger, Armin A., XXXXXX  
 Kurzenberger, John L., XXXXXX  
 Kyle, Logan W., XXXXXX  
 Lampel, Thomas R., XXXXXX  
 Land, Peter A., XXXXXX  
 Lantz, Donald L., Jr., XXXXXX  
 Larison, Robert J., XXXXXX  
 Larsen, Larry L., XXXXXX  
 Leblanc, Lynn L., XXXXXX  
 Lee, Victor T., XXXXXX  
 Lenhardt, Larimer J., XXXXXX  
 Lerch, Ralph A., XXXX  
 Lessard, Charles S., XXXXXX  
 Lindemuth, Robert W., XXXXXX  
 Long, Michael J., XXXXXX  
 Long, Ray B., XXXXXX  
 Loynd, James A., XXXXXX  
 Luddington, Frank L., Jr., XXXXXX  
 Mackay, Donald M., XXXXXX  
 MacMillan, David T., XXXXXX  
 Mahan, Allen V., XXXXXX  
 Majors, Donald M., XXXXXX  
 Mandart, Tracy J., Jr., XXXXXX  
 Matos, Philip W., XXXXXX  
 May, Robert M., XXXXXX  
 Maynard, Charles N., XXXXXX  
 McCallum, William S., Jr., XXXXXX  
 McLaughlin, James A., XXXXXX  
 Miles, Wayne L., XXXXXX  
 Miller, Robert J., XXXXXX  
 Miller, William H., XXXXXX  
 Mondor, Martin, XXXXXX  
 Monroe, William N., Jr., XXXXXX  
 Moore, Gerald W., XXXXXX  
 Mouton, Clifford P., XXXXXX  
 Mustoe, Arlie L., Jr., XXXXXX  
 Nakarai, Charles F. T., XXXXXX  
 Nation, Raymond P., XXXXXX  
 Nelson, Richard W., XXXXXX  
 Ness, Richard D., XXXXXX  
 Noren, Clinton L., XXXXXX  
 Orne, Kenneth J., XXXXXX  
 Ostrom, John C., XXXXXX  
 Pace, Dennis G., XXXXXX  
 Palms, John M., XXXXXX  
 Panella, Robert F., XXXXXX  
 Parker, Everette F., XXXXXX  
 Patton, Lawrence L., XXXXXX  
 Paul, Jean A., XXXXXX  
 Phillips, Frederick C., XXXXXX  
 Potter, William H., Jr., XXXXXX  
 Pranger, Robert J., XXXXXX  
 Price, John C., XXXXXX  
 Prueitt, Vernon K., XXXXXX  
 Rankine, Robert R., Jr., XXXXXX  
 Rans, Donald L., XXXXXX  
 Ray, Gary G., XXXXXX  
 Rector, William K., Jr., XXXX

Redinger, Larimore A., XXXXXX  
 Reid, Richard G., XXXXXX  
 Reining, Robert R., Jr., XXXXXX  
 Retherford, Norman L., XXXXXX  
 Rhoten, Billie J., XXXXXX  
 Richard, Arthur M., XXXXXX  
 Richey, Charles W., Jr., XXXXXX  
 Roberson, Charles E., XXXXXX  
 Roberts, Brooke D., XXXXXX  
 Robinson, Andrew T. J., XXXXXX  
 Rodgers, John H., XXXXXX  
 Roetclisender, Robert J., XXXXXX  
 Roush, Charles D., XXXXXX  
 Rowan, Roger W., XXXXXX  
 Rowley, Ralph A., XXXXXX  
 Rudzinski, Edward J., XXXXXX  
 Rutledge, Ernest W., Jr., XXXXXX  
 Salman, Gary A., XXXXXX  
 Sanford, William W., XXXXXX  
 Sattler, Harold, XXXXXX  
 Schaefer, Richard C., XXXXXX  
 Schaltenbrand, Eugene D., XXXXXX  
 Schneider, Ralph R., XXXXXX  
 Schoonover, Russell R., XXXXXX  
 Shornak, Thomas R., XXXXXX  
 Schwartz, Raymond G., XXXXXX  
 Scoggin, Philip R., XXXXXX  
 Senseney, Harvey G., 3d, XXXXXX  
 Shaffer, William C., XXXXXX  
 Shane, Douglas F., XXXXXX  
 Shriber, Richard W., XXXXXX  
 Sides, William B., XXXXXX  
 Sigmund, Volney G., XXXXXX  
 Sims, Ernest P., XXXX  
 Skinner, Charles R., Jr., XXXXXX  
 Skovgaard, Richard A., XXXXXX  
 Smith, Carl M., XXXXXX  
 Smith, Paul G., XXXXXX  
 Smith, Roger J., XXXXXX  
 Smither, Chester P., Jr., XXXXXX  
 Souder, David L., XXXXXX  
 Spearman, William L., Jr., XXXXXX  
 Spencer, Keith A., XXXXXX  
 Staas, Phillip C., Jr., XXXXXX  
 Staver, David A., XXXXXX  
 Stear, James R., XXXXXX  
 Stell, John R., XXXXXX  
 Street, Gerald W., XXXXXX  
 Stupka, Otto J., 3d, XXXXXX  
 Summerhill, Edward W., XXXXXX  
 Tarr, Alfred E., XXXXXX  
 Tennyson, Arthur V., XXXXXX  
 Thomas, Gary E., XXXXXX  
 Thorpe, Thomas S., XXXXXX  
 Topp, Wayne R., XXXXXX  
 Vanblois, John P., XXXXXX  
 Vanmeter, Richard K., XXXXXX  
 Verna, Joseph B., Jr., XXXXXX  
 Vogel, Frank C., Jr., XXXXXX  
 Voorhees, John H., XXXXXX  
 Voshell, Robert N., XXXXXX  
 Wagner, Frederick J., Jr., XXXXXX  
 Waldron, Kirk T., XXXXXX  
 Ward, Donald T., XXXXXX  
 Watts, Claudius E., 3d, XXXXXX  
 Waymire, Lester D., XXXXXX  
 Weaver, William G., XXXXXX  
 Wege, David J., XXXXXX  
 Weinstein, Martin E., XXXXXX  
 Wells, Jan A., XXXXXX  
 Wenstrand, Arlo P., XXXXXX  
 Wheatley, John R., XXXXXX  
 White, Leslie M., XXXXXX  
 Whiteaker, John W., XXXXXX  
 Whitsett, Charles J., XXXXXX  
 Williams, Charles B., XXXXXX  
 Williams, Norbet T., Jr., XXXXXX  
 Wilson, Robert L., Jr., XXXXXX  
 Winemiller, Thomas E., XXXXXX  
 Wiseman, Jerry F., XXXXXX  
 Woloshyn, Bohdan D., XXXXXX  
 Woodward, Charles C., Jr., XXXXXX  
 Yancey, William S., XXXXXX  
 Yingst, Chauncey O., XXXXXX  
 Youngblood, Allan C., XXXXXX  
 Zimmerman, Walter J., Jr., XXXXXX  
 Zoss, Alan R., XXXXXX

#### Medical Service Corps

Breeskin, John, XXXXXX  
 Obermyer, William N., XXXXXX  
 Schuman, Minot K., XXXXXX

### CONFIRMATIONS

Executive nominations confirmed by the Senate May 22, 1961:

#### U.S. MARSHALS

R. Ben Hosler, of Ohio, to be U.S. marshal for the northern district of Ohio for the term of 4 years.

Elmer W. Disspayne, of Tennessee, to be U.S. marshal for the middle district of Tennessee.

Ellis Maylett, of Utah, to be U.S. marshal for the district of Utah.

William M. Parker, Jr., of Alabama, to be U.S. marshal for the middle district of Alabama for the term of 4 years.

## HOUSE OF REPRESENTATIVES

MONDAY, MAY 22, 1961

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

II Timothy 1: 7: *God hath not given us the spirit of fear, but of power and of love, and of a sound mind.*

O Thou God of all goodness, who art our help and hope in the tasks of each new day, give unto us the light that reveals Thy wisdom and the grace that renews our strength.

We beseech Thee to discipline our minds and hearts, bringing them under the complete control and sovereignty of Thy wise and holy will.

Grant that in seeking the right solutions to our social, economic and political problems we may have respect for one another's convictions and points of view.

Many of these problems are so vast, so many sided, and so complex and far reaching that we dare not be too dogmatic and too unduly positive.

Make us magnanimous in spirit, believing that neither liberalism nor conservatism is large enough to include the whole truth and have the one and only answer.

Hear us in the name of the Christ who is the way, the truth, and the life for our troubled and baffled humanity. Amen.

### THE JOURNAL

The Journal of the proceedings of Thursday, May 18, 1961, 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, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 4, 1961:

H.R. 5189. An act to amend the Internal Revenue Code of 1954 to exempt from tax income derived by a foreign central bank of issue from obligations of the United States, and for other purposes.

On May 5, 1961:

H.R. 3935. An act to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large enterprises engaged in retail trade or service and of other employers engaged in commerce

or in the production of goods for commerce, to increase the minimum wage under the act to \$1.25 an hour, and for other purposes.

On May 8, 1961:

H.R. 4884. An act to amend title IV of the Social Security Act to authorize Federal financial participation in aid to dependent children of unemployed parents, and for other purposes.

On May 15, 1961:

H.R. 1723. An act to amend the joint resolution providing for observance of the 175th anniversary of the Constitution.

On May 16, 1961:

H.J. Res. 143. Joint Resolution authorizing the President to proclaim the week in May 1961 in which falls the third Friday of that month as National Transportation Week.

On May 19, 1961:

H.R. 2195. An act to convey certain land of the Pala Band of Indians to the Diocese of San Diego Education and Welfare Corporation.

On May 20, 1961:

H.R. 7030. An act to amend the Agricultural Adjustment Act of 1938, as amended.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5571. An act to provide for the addition or additions of certain lands to the Effigy Mounds National Monument in the State of Iowa, and for other purposes.

The message also announced that the Senate further insists on its amendment to the bill (H.R. 6518), entitled "An Act making appropriations for the Inter-American Social and Economic Cooperation Program and the Chilean Reconstruction and Rehabilitation Program for the fiscal year ending June 30, 1961, and for other purposes," disagreed to by the House, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. HUMPHREY, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

### HON. JOHN C. KUNKEL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania, Mr. JOHN C. KUNKEL, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

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

There was no objection.

The SPEAKER. The Member-elect will present himself to the bar of the House and take the oath of office.

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

### NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President

of the United States, which was read, and, together with the accompanying papers, referred to the Committee on the District of Columbia and ordered to be printed:

*To the Congress of the United States:*

In accordance with the provisions of section 5(a) of Public Law 307, 73d Congress, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1960.

JOHN F. KENNEDY.

THE WHITE HOUSE, May 22, 1961.

MRS. ALICE M. HUNT AND  
MRS. MAX WEIL

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have the honor and the pleasure to announce to the House of Representatives that this is the 100th anniversary of the birth of one of my fine constituents, Mrs. Alice M. Hunt. I know that my colleagues join me in sending greetings to this noble woman whose century of living has enriched the wide community of her associations. At 100 Mrs. Hunt makes no concessions to time. She does all the family dishes, washing and drying them. In the age of the New Frontier she keeps alive the spirit of the new frontier of another era. It is only when the spirit of youth is lost that age descends. Mrs. Hunt is still very, very young in the spirit of youth.

In little over another week, on May 29, another fine and noble woman in the Second District of Illinois will celebrate her 100th anniversary, Mrs. Max Weil, and to her also may we send the warmest greetings of the House of Representatives of the Congress of the United States. She, too, has kept aflame the spirit of youth and has set a pattern for us all.

I am happy and glad that in the great Second District of Illinois this month of May we are celebrating the 100th anniversaries of two fine and noble women.

At 79 in the district I represent, I am just a kid.

#### FORTHCOMING SUMMIT MEETING IN VIENNA

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

Mr. GROSS. Mr. Speaker, there has been much speculation about the value of the forthcoming summit meeting in Vienna between President Kennedy and Premier Khrushchev. Concern has been expressed over the dangers to our so-called prestige, and the possibility that mistakes of the past may be repeated.

I recall that on May 17, 1960, in Eugene, Oreg., Kennedy was asked about the U-2 incident, and he replied:

I certainly would express regrets and give assurances that it would not happen again. I would express regret that the flight did take place.

Several informed sources have indicated that Khrushchev might allow Kennedy to announce the release of U-2 Pilot Francis Powers, as a token concession to the United States. I am hopeful that President Kennedy does not intend to barter his proffered apology for our valuable reconnaissance flight to obtain this concession.

Our prestige, if there is any left, in the wake of Cuba, Laos, and Korea should not be subjected to further deterioration.

#### COMMITTEE ON EDUCATION AND LABOR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor and all subcommittees thereof may be permitted to sit this week during general debate.

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

There was no objection.

#### REREFERENCE OF BILL

Mr. McCORMACK. Mr. Speaker, at the request of the two committees concerned, I ask unanimous consent that the bill (H.R. 6277) for the relief of Maj. Lionel L. Riave, U.S. Air Force, be rereferred from the Committee on the Judiciary to the Committee on Armed Services.

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

There was no objection.

#### LEGISLATIVE BRANCH APPROPRIATION BILL, 1962

Mr. STEED. 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. 7208) making appropriations for the legislative branch for the fiscal year ending June 30, 1962,

and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, one-half of the time to be controlled by the gentleman from Washington [Mr. HORAN], and one-half by myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma.

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. 7208, with Mr. THOMPSON of Texas in the chair.

The Clerk read the title of the bill.

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

Mr. STEED. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, it is with some pride and humility that I come here to present for the first time this particular bill to the House. As the Members know, our late beloved colleague from Arkansas, Mr. Norrell, had charge of this bill for many years. All of us admired and loved him for the wonderful job he did on the legislative bill for all of us, since it is one in which we have a great deal of personal interest and one in which our own housekeeping on Capitol Hill is involved.

We have had a fine committee this year. I personally appreciate the wonderful help and cooperation I have had in these new duties from all my colleagues on this committee. They worked hard and gave me the benefit of their long experience on this legislation.

We are proud to bring a bill in today which in its total represents a considerable reduction in dollars from the amount appropriated for fiscal year 1962. The bill today, for fiscal year 1962, asks for a total appropriation of \$104,353,335, which is a reduction of \$1,294,242 from the budget request, and a total of \$5,124,371 less than appropriated for comparable items for fiscal year 1961. In line with custom, no provision is made for items for the other body. They will insert their own requirements when the bill reaches the other body. I include a summary at this point:

Group	Appropriations, 1961 (to date)	Budget estimates, 1962	Committee bill, 1962	Bill compared with—	
				1961 appropriations	1962 budget estimates
House of Representatives.....	\$45,543,510	\$48,226,635	\$47,856,835	+\$2,313,325	-\$369,800
Joint offices and items.....	3,494,669	4,063,842	4,063,300	+568,631	-542
Architect of the Capitol.....	28,056,800	17,107,000	17,051,500	-11,005,300	-55,500
Botanic Garden.....	352,300	489,000	489,000	+136,700	-----
Library of Congress.....	16,086,100	17,637,100	16,768,700	+682,600	-868,400
Government Printing Office.....	15,944,327	18,124,000	18,124,000	+2,179,673	-----
Total (excludes Senate items).....	109,477,706	105,647,577	104,353,335	-5,124,371	-1,294,242

NOTE.—Includes all appropriations for 1961 (through 3d Supplemental Act, 1961) and all budget estimates for 1962 for items covered to date of reporting of this bill.

We were able to do that largely because of the fact that we have been carrying on for a number of years a heavy capital investment program and

because of some nonrecurring items we are able this year to show a substantial reduction in the total amount of money required.

In that connection, Members may be interested to know that we are now approaching the end, appropriation-wise, of a large portion of the capital investment on Capitol Hill. Probably not to exceed \$25 million in the next 2 or 3 years, as to projects now authorized, will see the conclusion of that part of our problem. But we now know that in the next few years we have two other major items of capital investment facing us that we will have to deal with. We will soon have to make some provision for an additional building for the Library of Congress, since their space situation over there has become intolerable, and we will need to build a new warehouse for the Government Printing Office.

We are told that the warehouse situation there is such that it will pay for itself in savings in rentals and other costs in 21 years, that the present arrangement is very inefficient, and that it is good business to proceed as soon as possible with the provision of an adequate warehouse at the printing plant.

Neither of these two projects is included in this year's bill, and I bring it up only so the Members will know that some time in the not too distant future we will doubtless be faced with these two propositions.

Another item I want to emphasize is that currently the Post Office Department is faced with the highest deficit in modern times. Recommendations have been made that postal rates be increased. One of the common criticisms throughout the country has been that one of the reasons for a postal deficit has been that Congress has the franking privilege and we use what is often known as free mail. I call the attention of the House to the fact: Whatever the postal deficit may be, it cannot be attributed to any franking use of the mail by the Members of Congress. This bill this year has in it a provision for \$3,836,000 to be paid to the Post Office Department, which is an actual payment for the mails used by the Congress last year. We make our payments retroactively, so we pay for actual use. I think we all need to keep that in mind, because as time goes on and these criticisms arise I think it is only fair and right that the people know that we do charge ourselves this cash item, so whatever blame there may be for the use of this frank we take it forthrightly upon ourselves and without any equivocation or evasion of the point.

Questions have come up about the acquisition of some of the properties around the Hill. Last year, Congress authorized and appropriated the money to acquire a block over here just east of the Old House Office Building. Most of that purchase has now been concluded or is in the process of being concluded.

We are advised that the destruction of the buildings and the razing of the site will commence next August, with the commercial property on Independence Avenue having until March 1 of next year to vacate. Questions have come up as to what will be done with the property. If you go back and check the action of the House, authorizing its purchase, you will find that the act said it

was to be acquired as additions to the Capitol Grounds and other than being used as part of the Capitol Grounds, it is my understanding that no other use can be made of that property until further action by the Congress itself. I thought the Members would like to know that, whatever may be done with that piece of property after it has been cleared, will require further action by the House and, therefore, whatever is done will be a decision that will have to be made in the House of Representatives. I wanted to clear that up because some questions had come up about it.

There is another point I want to make. In our functions here as a legislative body, we carry on a number of activities which require our employees to handle funds. We have a disbursing office, we have the Sergeant at Arms, we have the stationery room, the recording facility, and so on. All these agencies of the House are regularly audited by the General Accounting Office. This committee has gone over many of these audits, and we find they are all performing a good job. There have been improvements made in efficiency and in the way these departments are operated. I am glad to be able to advise you that these employees have done a good job. The audits show they have carried on their affairs in a businesslike manner and there is constant improvement in efficiency in the jobs they do in the service of the House of Representatives. I want to pay a word of tribute to these fine employees today for the constant improvement they are making in the very important jobs that they perform.

Mr. Chairman, there are one or two other items in the bill today which may be of special interest. One is for a new heating and air-conditioning plant for the main building of the Library of Congress. That is an item of \$2.5 million. The heating plant in the Library of Congress is breaking down. It is most inefficient. Its condition is such that it has been beyond satisfactory repair for the past several years. It is 64 years old and the only solution to the matter is the installation of a new plant. After having made a personal tour of both the Capitol Building and the Library Building, this subcommittee decided it was high time we do something about it so we have allowed this item.

Another item is that we have in this bill some funds to reclaim 7 acres of land owned by the Congress across the river in Anacostia. It is adjacent to the new greenhouse being built over there. Under the Architect of the Capitol, a program has been worked out to reclaim this land and to stock it with nursery stock. They say they can produce and develop much of the shrub material and trees needed for the landscaping of the present Capitol Grounds and the newly acquired Capitol Grounds, the new office building, the proposed new Library Building, and so on. To do it otherwise, if these shrubs and trees were purchased from commercial sources, it would be several times more costly. We felt that this sort of long-range program

at such a great saving is fully justified and we have recommended the money for it.

By and large, many of the increases in the bill are mandatory increases brought about by action of the House and the Congress. The great majority of items recur from year to year, often without change, for well established activities and functions. They are covered in some detail in the committee report which is available to all Members, so I shall not take the time of the House on the routine items. Insofar as I know we have kept this a pretty clean bill; we have deliberately avoided any effort to put anything in this bill that was not properly authorized by law or in accord with the usual practice. We wanted to bring to the House what we considered a clean bill, one we could assure the House was in keeping with the wishes of the House expressed by official action of the House. So, Mr. Chairman, I think we have this year a bill that we hope will meet most of the urgent housekeeping needs around the Capitol and one that will continue making this great national shrine the source of pride and pleasure we know the American people find in it.

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

Mr. STEED. I shall be happy to yield to the gentleman from Iowa.

Mr. GROSS. I note there is money in this bill for certain additional Senate Office Building expenses. It was my impression that the Senate expenses were added to this bill by the other body when it went over to them.

Mr. STEED. By and large, that is true, unless it is something handled by the Architect of the Capitol in which we have some jurisdiction. Purely Senate items in this bill would be placed in the bill when it goes to the Senate.

Mr. GROSS. Would not additional expenses for a Senate Office Building be a purely Senate expense?

Mr. STEED. I know of no additional items of expense in this bill for the recently completed Senate Office Building as such.

Mr. GROSS. I note you have some reference to it in the hearings.

Mr. STEED. We discussed several items in the committee, one, for instance, an item of \$30,000 to paint the legislative garage which is jointly owned by the House, but often referred to as the Senate garage. We disallowed that this year. The gentleman will recall that we have been making some repairs and doing some wiring in the underground garage. We did not see the need to paint it this year. If the other body thinks differently, they can of course insert the money.

Mr. GROSS. It is nicely lighted for them now, is it not?

Mr. STEED. I think it is. It seems to be a really good job. The committee did not think we should include this painting item.

Mr. GROSS. I do not see the need of painting a cement ceiling.

Mr. STEED. We left that item out. We did not see the need for it either.

Mr. GROSS. I am glad you felt that way about it. I think it ought to be

called a Senate garage. With two garages they are pretty well off over there, are they not?

Mr. STEED. They have, of course, some additional garage facilities in their new office building. There are 58 spaces in the legislative garage assigned to the House of Representatives, and it is my understanding currently they are not all being used.

Since we have some facilities of our own on this side of the Capitol there has been less demand on the part of House Members for space over there. It may come to the point that they will want to make some other regulatory disposal of it; I do not know. That did not come up for our consideration this year.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. STEED. I yield.

Mr. GROSS. I understand each Member of the other body has two garage spaces. Is that correct?

Mr. STEED. There is something in our hearings to that effect. That is under their jurisdiction, and we did not go into it very thoroughly. I do not know just what their rules are. That is a matter we did not feel was our business to go into, so we did not.

Mr. GROSS. Is there any money in this bill by any chance for the new stadium to the east of Washington?

Mr. STEED. That is an item that does not come under this bill, and there is nothing in this bill, not 1 penny, touching that.

Mr. GROSS. I am glad to hear that is the case. I just wanted to make sure there was no money in this bill to permit Secretary of the Interior Udall to organize a professional football team. He seems to be determined to tell the owners of the existing club how to run it.

Mr. STEED. The gentleman need not worry about that in this bill. This committee does not have any jurisdiction in that regard.

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

Mr. STEED. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I realize that the gentleman has quite a responsibility in handling this particular measure. I am sure the gentleman is aware of this situation: Whenever we Members of the House, and the other body as well, have to do with anything that affects the operation of our committees or buildings within our jurisdiction, there is a tendency to quickly point out the flaws. We as a body have been condemned by members of the press, and the public picks it up. We are accused of abusing the taxpayers because of a little item that is subject to some criticism. I am sure the gentleman is aware that there is going to be a lot of criticism of the new office building we are constructing. The gentleman remembers the problems that were raised in connection with the new Senate structure.

Is the gentleman's committee doing everything possible to see that we will at least be spared the extreme criticism that the other body received in connection with the construction of their new building?

Mr. STEED. Yes, everything within our jurisdiction. I may say they have a field office over here adjacent to the construction work, and they welcome all Members of the House coming by and checking up to see what is going on. They encourage more Members taking an additional interest. It is easy to criticize after something has started, whereas the situation might be different if we took more interest in what is being done.

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

Mr. STEED. Mr. Chairman, I yield myself 2 additional minutes.

Mr. Chairman, we feel that everything over there is going along very well. We have tried in our hearings this year to make them as informative as we could. We have a bill that we think is clean in every respect, and we hope the press does scrutinize this bill. We hope the Members will read this record we have brought here this year so that they will themselves know more about the detail of what is going on on Capitol Hill. We encourage that. We wanted a record this year that would give as much information to the public and to the Members as to what is being done and what it is costing, the time schedules, and all that, as is possible.

Mr. DERWINSKI. May I say that I hope the members of the committee will see fit to study the gentleman's report carefully and follow his suggestion and look at the record. I hope that some of this unfair criticism will be eliminated and that the Members will take the time and make the effort to go over and see what is going on. I hope all the Members will avail themselves of that opportunity.

Mr. STEED. I thank the gentleman. And I may say further that if Members want information that is not in this record, if they will make that fact known to the committee we will do our best to get the information and let them have it, because we think it is better for all of us to be better informed on what is being done here, and that it will be better for everyone concerned.

Mr. HORAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to join my colleague from Oklahoma in paying respect to our departed colleague from Arkansas, Mr. Norrell, who handled this bill for so many years. He did a fine, conscientious job. We all miss Bill Norrell. I think it is very fitting that we take this occasion to remember him.

We have a fine successor to the chairmanship of the subcommittee in the gentleman from Oklahoma [Mr. STEED], who did a fine job as chairman of the subcommittee this year. We think we have brought a bill to the floor that we can live with and that is honest, and I think can stand scrutiny. We are in complete agreement on the items in this bill, so we hope that the House will accept it.

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

Mr. HORAN. I yield to the gentleman from Kansas.

Mr. AVERY. I have not read the committee report, and this matter, perhaps, may have been treated in it. What is the status of what is presently known as the Congressional Hotel as far as this legislative bill is concerned?

Mr. HORAN. Well, that is the property of the Congress, as you know. It has been leased to the Knott Hotel Corp. and the lease expires in about 2 years.

Mr. AVERY. Well, do we have any plans for it? Why are we in the hotel business?

Mr. HORAN. We are not in the hotel business. It was acquired as a part of the general expansion of the Capitol Grounds area, and within the next 2 years the decision will have to come on what disposition to make of it.

Mr. AVERY. Well, if we own the hotel, we are in the hotel business, whether we are actually managing it or not. Has the final price of acquisition been definitely determined upon? As I recall, a deposit was made in the court regarding its acquisition. Has the final figure been made?

Mr. HORAN. Yes; we have the final figure. I do not recall the exact amount.

Mr. STEED. If memory serves me correctly, the cost of that piece of property is \$1.6 million. Yes, I find the precise amount was \$1,686,000. It is now in the possession of the Congress, and whatever disposition is to be made at the end of the present lease contract will remain to be made by the Congress. It was found that it would be much cheaper to permit someone to occupy the building in the interim than to maintain it on a standby basis. When the property was acquired, that had to be taken into consideration, and since it was such a fine piece of property it was felt that it should be leased until it was determined what would be the most appropriate use of it. It seemed to be too good a piece of property to be torn down. And, by doing that, we saved some \$60,000 to \$70,000 a year, as I recall, to maintain the building on a standby basis.

Mr. AVERY. I thank the gentleman from Washington for yielding.

Mr. HORAN. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman of the subcommittee a few questions. I understand that the gentleman from Oklahoma is not a member of the Building Commission, but I thought perhaps he could clarify or answer a question or two, if he has the information. It is my understanding that it is proposed to start clearing the residences in the square east of the Old House Office Building in August of this year and the business establishments will begin to be demolished in March of next year.

Mr. STEED. That is correct. Those are the dates shown in the printed hearings.

Mr. GROSS. Now, the question is this, if the gentleman can answer: Why clear this taxpaying property? Why clear out these business establishments and these residences until there is some clear use for the property?

Mr. STEED. All I can tell the gentleman is this, that the House passed the bill authorizing its acquisition for addition to the Capitol Grounds, and that under that mandate the only way it can be made part of the Capitol Grounds is to clear it. What is being done was done under a legislative act. The clearing of the property is the completion of what that act of the House and the Congress authorized last year.

Mr. GROSS. Will not the gentleman agree with me that there is no purpose in clearing land or property that is now paying taxes to the District of Columbia until there is some use for that property?

Mr. STEED. Well, I am not in a position to disagree with the gentleman except to say this, and that is, under the law, within the purview of the commission in charge and not this committee, and what you and I think individually would probably have no bearing on it at this stage.

Mr. GROSS. Now, this east front of the Capitol, what was the original estimate of the cost? Was it \$13 million or \$15 million, or what?

Mr. STEED. We have exact figures here in the record. I would have to look them up to be accurate. Something on the order of \$17 million.

Mr. GROSS. That was the original estimate?

Mr. STEED. The original estimate. That was subsequently increased by \$4 million to include the Senate subway terminal and related improvements. That since has been increased by the action of the commission in charge by \$3 million, the full justification of which is in the record beginning on page 135 of the hearings.

Mr. GROSS. It is now up to \$21 million and there is another \$3 million in this bill; is that correct?

Mr. STEED. Not all of the total amount is for the actual extension of the east front. There was a considerable amount of work that had to be done on the dome and some other projects within the building. We have those figures in the record, for the benefit of those who want the dollars and cents breakdown.

Mr. GROSS. It is considerably above the original estimates, is not that correct? The total cost is now going to be, if this bill passes, \$24 million as of this date for the dome and the east front, is that correct?

Mr. STEED. That is correct. Of course, the gentleman realizes that all that this committee has any authority to do is to make available the money that the special commission in charge has contracted to spend under the authority it received from the Congress.

Mr. GROSS. Yes.

Mr. STEED. All that we do here is to ask for a breakdown and justifications and report on status of the work. Apparently, when they go into the old wall of the old part of the Capitol Building they found situations no one knew anything about. There were no records of them and it created quite a problem. They had to make quite a few changes because of the conditions they found. It had been remodeled two or three times

in years gone by, but no one had kept precise records, so some of these situations could not have been anticipated until they actually got into it and found what were the conditions of the wall. There are explanations of this in the record. We thought it best to record them, so that all Members could know the whole story.

Mr. GROSS. I do not want anything I have said to be construed as critical of the gentleman from Oklahoma or any member of this subcommittee.

Mr. STEED. I understand that. The gentleman will find in the hearings and the report that about half of this total of \$24 million can be charged to the actual extension of the front itself. The other work that had to be done accounts for the rest of the total. And as also noted in the report there has been a 17-percent rise in construction costs nationally since the project was first authorized 6 years ago.

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

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

Mr. HORAN. May I say to the gentleman that on page 135 of the hearings there is a complete table showing the cost of the extension of the east front and related work. The cost of the actual extension is \$11,825,901. The rest of it is for incidental work, such as furniture and equipment, painting the dome, and so forth. It is all set out in the table.

Mr. GROSS. The point that I am making, and I think the gentleman will agree with me, is that as usual those responsible underestimated the total cost of this project, this extension of the Capitol by 32½ feet. It was badly underestimated as to cost. And while the gentleman is on his feet, can he give me for the record the cost of the third House Office Building, the square on which it is located, plus the cost of the building to date?

Mr. HORAN. The additional House Office Building?

Mr. GROSS. The additional House Office Building, if he has that information available.

Mr. HORAN. That is itemized on page 162 of the hearings. The total cost is estimated at just under \$100 million. That is not all for the additional office building. That includes the acquisition of property, remodeling work in the two existing office buildings, and other related items.

Mr. STEED. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. I yield.

Mr. STEED. Including the Tiber Creek sewer work, the acquisition of the land, the excavation, and the actual construction of the House Office Building itself, the total will be about \$75 million.

Mr. GROSS. For the square on which the new building is located, and the cost of the building, is that correct?

Mr. STEED. That is right. As I say, that includes the cost of the Tiber Creek sewer work and everything else connected with the building, including the square to which you refer.

Mr. GROSS. I thank the gentleman, and I would like to add that I opposed

the construction of the additional House Office Building when it originally came to the House floor. I also opposed the purchase of the square along Independence Avenue and I cannot understand why anyone would move to tear down the tax revenue producing properties located thereon until there are firm plans for use of the land. Both the Federal and District Governments need all the revenue it is possible to obtain. Destruction of these properties, until the land is needed, is unwise and unreasonable.

Mr. STEED. Mr. Chairman, I have no further requests for time.

Mr. HORAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, I take this time for the purpose of advising the House of something that many Members may have already heard about. That is the fire hazard here in the Capitol. I express the hope that all Members will cooperate with this committee in an effort to do something about it.

The committee made a tour down through the subterranean areas of this building. There we found stacks and stacks of papers, much of which are unnecessary. Some areas had scaffolding stored on the side. There are areas where walls have been taken out, which creates a flue that would actually help to spread a fire.

This is a serious question. It is the intention of the committee to go forward in an attempt to do something about it. This is a question which requires action. We have here a very big Capitol with all these treasures that could never be replaced. They are actually in danger from the situation that exists. The committee under the chairmanship of the gentleman from Oklahoma is going to do something about it. We do not mention it in the report but we are going forward with it.

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

Mr. BOW. I yield to the gentleman from Oklahoma.

Mr. STEED. I want to associate myself with the remarks of the gentleman from Ohio. It has been almost entirely due to the good offices of the gentleman from Ohio that this very vital and urgent matter has come to our attention. We all owe him a debt of gratitude for taking the sort of action that we expect will get some results in meeting this important matter. I want to thank the gentleman for the good offices he has performed in that connection.

Mr. BOW. I thank the gentleman.

In conclusion, may I say that some areas of the Capitol have about 32 coats of paint. This in itself is a hazard, even with fireproof walls. We found places where paints were stored in rooms that are not fireproof. There are places that should have fire doors that do not exist. This is a serious situation. We call on all Members to join us in an attempt to clear up this situation.

I join the gentleman from Oklahoma and the gentleman from Washington in paying tribute to Bill Norrell, former chairman of this committee. He was one

of God's chosen noblemen. He was a great man to serve with on this committee and we all miss him. We are delighted with his successor, the gentleman from Oklahoma, who has done an outstanding job on this bill.

Mr. HORAN. Mr. Chairman, I have no more requests for time on this side.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill.

Mr. STEED. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. THOMPSON of Texas, 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. 7208) making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. STEED. Mr. Speaker, I move the previous question.

The previous question was ordered.

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.

The bill was passed.

A motion to reconsider was laid on the table.

#### FEDERAL CONSTRUCTION CONTRACTS FOR SMALL BUSINESS

Mr. STEED. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matters.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, last month the Honorable PHIL WEAVER, our colleague from the State of Nebraska, addressed a letter to all of the Members of this House, in which he detailed his reasons for asking for support of H.R. 3690, which he introduced on January 31, 1961, to amend the Small Business Act to provide that no contracts for Government construction would be set aside for or limited to bidding by small business concerns. In answer to my request for his comments on Congressman WEAVER's bill and letter, the Honorable JOHN E. HORNE, Administrator of the Small Business Administration, has addressed a very comprehensive and well-reasoned letter to me, responding in detail to the arguments made in Congressman WEAVER's letter and commenting, very learnedly, in my opinion, on the merits of the proposed legislation. I find myself in complete agreement with Mr. Horne's statements and conclusions, and feel that

the factual manner in which the pertinent data were presented by him will be of great interest to all of my colleagues, particularly in view of the fact that each of them received a copy of Congressman WEAVER's letter. It is my hope that all of my colleagues will give careful consideration to Mr. Horne's rebuttal:

SMALL BUSINESS ADMINISTRATION,  
Washington, D.C., May 16, 1961.

HON. WRIGHT PATMAN,  
Chairman, Select Committee on Small Business,  
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN PATMAN: Reference is made to your May 9, 1961, letter requesting our comments on the April 28 letter submitted to Members of Congress by the Honorable PHIL WEAVER. His letter refers to set-asides as they relate to the construction industry.

The Small Business Administration (SBA) appreciates the opportunity to comment on Congressman WEAVER's letter.

It is our opinion that the phraseology—“(including but not limited to contracts for maintenance, repair, and construction)”—referred to in the first paragraph of the Congressman's letter did not find its way into the Small Business Act by inadvertence. Prior to 1958, there had been a question in some contracting agencies as to whether Congress intended that construction contracts should be among those of which Congress desired small concerns should have a fair proportion. To eliminate any doubt, Congress added in the Small Business Act of 1958 the specific wording, “(including but not limited to contracts for maintenance, repair, and construction).” Congress specified that there was to be no differentiation between property, service or construction contracts, and that the Small Business Act covers all types of Government contracts.

The construction set-aside program was initiated in the beginning of fiscal year 1959, or the middle of calendar year 1958. In May 1959, SBA concurred in a proposal of the Department of Defense to suspend temporarily construction set-asides provided that the small business share of this work would not be adversely affected. Unfortunately, the participation of small firms in military construction contracting promptly declined. By the end of fiscal year 1960, the small business share of military construction contracts had dropped to about two-thirds of the dollar value of fiscal year 1958. Because of this decline, SBA requested reactivation of the construction set-aside program.

Under this agency's agreement with the Department of Defense, that Department's construction procurement offices automatically considered that this agency has initiated (recommended) a set-aside on all construction procurements (except Capehart housing) between \$2,500 and \$500,000. Thereupon, the military contracting officers evaluate the justification of the set-aside for each separate procurement. The contracting officer may concur in the initiation or state his reasons for nonconcurrence. The fact in the matter is that those construction projects which this agency and the Department of Defense jointly agree meet the criteria for small business set-asides will be set aside, and those which do not will not be set aside. It is not even within the realm of possibility that all contracts between \$2,500 and \$500,000 will be reserved for small contractor bidding only. There will be many projects in this dollar value category which are not suitable for small contractors.

I am sure you will be interested in knowing the history of military construction contracts of more than \$500,000 since the construction set-aside program was renewed 9 months ago. Thirty-two projects with an

estimated cost of \$36 million were set aside. Eighty-seven projects with an estimated cost of \$202 million were determined to be unsuitable for small business and were not set aside.

With reference to paragraph 5 of the Congressman's letter, I want to point out that on a 100-percent set-aside for supplies, services, or construction, only small business bids are invited and only small business bids are responsive. On partial small business set-asides, big business is permitted to bid on approximately 50 percent of the requirement. Since 1953, over \$3 billion in contracts have been awarded to small concerns under the set-aside program but not more than 2 percent of these were partial set-asides. Thus, I think it is fair to say that awards resulting from set-asides are made at reasonable prices or they would not be made. The identical safeguards apply to making awards for construction procurements under the set-aside program as apply to property and services, for the Defense Department and in fact all Government procurement agencies. The Armed Services Procurement Regulation and the Federal Procurement Regulations authorize set-aside awards to be made at fair and reasonable prices, but at the same time empower contracting officers to reject any bid that in their opinion is unreasonable.

Competitive bidding is present on construction procurements which are set aside just as it is on set-aside purchases of property and services. In authorizing the setting aside of procurements exclusively for small business participation, Congress must be presumed to have been cognizant of the fact that competition afforded by large business participation in such procurements will necessarily be absent. Let me stress too that in determinations by contracting officers as to whether or not the lowest bid of a small business is fair and reasonable, the contracting officer may and does take into consideration, when available, the prices bid by big business on similar contract work. Moreover, the contracting officer may and does take into consideration the lowest bid on similar prior contracts of successful small business bidders. Set-asides on construction procurements are neither initiated by this agency nor agreed to by the contracting agency unless there exists a reasonable expectation that bids will be received from a sufficient number of responsible small business concerns.

While it may be argued that the set-aside program for small businesses may possibly cost a little more, there is no conclusive proof that such generally is the case. And, it can just as logically be argued that the program results in lower prices to the Government. Your attention is also called to the fact that the Secretary of Defense himself has expressed doubt that this program adds to the cost to the Government. On April 25 at a hearing held by the Procurement Subcommittee of the Senate Select Committee on Small Business, the Secretary of the Navy stated, and I quote: “I don't know of a case where the Navy and the Government have wound up paying more for an item as a result of doing business with small business firms.”

Because of the decline since 1954 in the small business share (25.3 percent in 1954 to 16.1 percent in 1960), it would seem particularly untimely to restrict a program that now channels procurement opportunities to small firms. Further, we hope through a more vigorous set-aside program, among other things, to arrest the downward trend of recent years in small business participation in Government procurement.

With thanks to you and with kindest regards, I am,

Sincerely,

JOHN E. HORNE,  
Administrator.

## ARMED FORCES DAY

Mr. STEED. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, in a very short time I cannot begin to cover even a tiny fraction—a one-thousandth part of the glories of our Armed Forces. Nor can I single out certain events, certain historic deeds, grand victories gained on the battlefields, in the air, or on the seas. This is neither easy to do, nor would it be quite fair, because at all times and in all periods of our history the Armed Forces of this Nation have always been held in high esteem. In wartime, of course, our very existence as a sovereign and independent Nation is entrusted to them. In peacetime they are charged with the supreme responsibility of preparing themselves, and being ready, for any eventuality that might endanger our security. They constitute the basic underpinnings of our foreign policy. These are the awesome and onerous responsibilities of our Armed Forces which they carry out regardless of the sacrifices involved. The manner in which they have borne these responsibilities have earned them the gratitude of the Nation. We are justly and rightly proud of the spirit, the ideals, and the glories of our Armed Forces.

## RADIO AND TELEVISION PROGRAMS

Mr. MONAGAN. 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 Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, there is a danger in the current discussion of supervision of radio and television programs that claims of constitutional privilege may obscure the very real mediocrity of the programs involved.

In fact, in some cases, these current programs go beyond mediocrity and become actively injurious.

I append herewith an article which appeared in the New York Times on May 16, 1961, in which Jack Gould describes one of these frightful programs.

It is nothing short of frightening to consider the antisocial implications of this program, and when one realizes that susceptible children may be watching, one cannot escape the conclusion that such efforts are subversive of the values which we should be trying to inculcate in our youth.

We would be performing a disservice to the country, indeed, if we permitted any calculated cry of censorship to divert us from our efforts to improve the standards of our radio and television programs and to eliminate the active danger in the type of mental aberration typified by "Whispering Smith."

TV: NEW SHOW, SAME OLD MURDER—"WHISPERING SMITH" IN PREMIERE OF MAYHEM

(By Jack Gould)

A widow raised her son and daughter to avenge her husband who had been killed by a deputy sheriff. To instill adequate hatred in the young people, she periodically lashed their backs with a blacksnake whip.

The son's assignment was to get the draw on the sheriff, and for this task he practiced firing bullets between the eyes of scarecrows. The daughter's function was to play the old badger game by tricking the sheriff into her bedroom, throwing her arms around him and screaming that he wanted to compromise her.

The sheriff chanced to meet the son and explain why he had to kill the latter's father: the father had pushed a weapon into the stomach of an old man, pulled the trigger and laughed. Nonetheless, circumstances dictated that the sheriff and son meet in the main street of the town for a climactic duel; the sheriff got the draw. The elderly widow, in her rage, tried to shoot the sheriff but instead shot her daughter in the back.

The purpose: the violence illustrated that a mother should raise her children in love and not hate. The occasion: The National Broadcasting Company's premiere last night of its new series entitled "Whispering Smith." The medium: 1961 television.

## THE FUND FOR SOCIAL ANALYSIS

Mr. WALTER. 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 Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I arise today for the purpose of inviting the attention of the House to the latest development in the Communist campaign to smear, discredit, and bring about the eventual abolition of the Committee on Un-American Activities. This new attack stems from hearings which are scheduled by the committee into the activities of an organization known as the Fund for Social Analysis.

After issuance of the subpoenas, certain individuals who were officers or directors of the Fund for Social Analysis, certain recipients of its awards, the Communist Party, its members and supporters put into motion the second phase of their "Operation Abolition." In format, it is quite similar to their original abolition campaign.

As you will recall, in June 1959 the committee scheduled hearings in the State of California. Subpoenas were served on over 100 witnesses, most of whom were employed in educational institutions in that State. The names of many subpoenaed appeared in the public press and, while neither members of the committee nor members of its staff made this information available to the press, we were accused of deliberately releasing the names in order to destroy the character and employment possibilities of those subpoenaed. Even though the committee in that instance saw to it that these witnesses, who were employed in the school system, were subpoenaed in their homes, we were nevertheless accused of subpoenaing them in their classrooms as a part of a campaign to impede academic freedom. Without investigation to determine the sources from which

the press learned the identity of the persons subpoenaed and without an effort to determine that all but four were served in their homes and not at their schools, attacks were made upon the committee's procedures in speeches throughout the United States and, yes, on the floor of the House of Representatives.

At the start of this Congress the staff of the committee was again instructed to release no information on hearings scheduled and to insure that the identity of subpoenaed witnesses would not become public knowledge prior to their appearance.

The committee, or the members of its staff, did not make public release, directly or indirectly, of the names of any of the witnesses subpoenaed in this inquiry. Yet, the press has that information, and where do you think this information came from?

The first notice to the press of the committee's proposed hearings on this subject was in the form of a release by the Communist-controlled Emergency Civil Liberties Committee dated May 4, 1961.

On May 11, this same Communist organization presented to the Speaker a petition urging the House of Representatives to pass a resolution asking the committee to cancel its hearings. As a part of this petition, recipients of grants were identified.

On May 12, the New York Council To Abolish the House Un-American Activities Committee, as well as the Emergency Civil Liberties Committee, released a statement to the press and dispatched unsolicited letters, using membership lists of organizations such as trade union locals to individuals throughout the United States, charging that this committee's investigation was a "clear attack on academic freedom" and identifying not only the recipients of awards, but the directors of the Fund for Social Analysis.

It is a fact, Mr. Speaker, that some individuals identified in press releases of these organizations have not been subpoenaed to appear before the Committee on Un-American Activities in connection with this inquiry. These Communist organizations have included the names of educators not subpoenaed by the committee in order to support their fraudulent claim that the committee's hearings constitute an attack on academic freedom. This is typical of Communist propaganda tactics against the Committee on Un-American Activities.

Let us look at one of these so-called educators who has received an award from the Fund for Social Analysis and examine whether or not the committee is attacking academic freedom in subpoenaing this individual. The man I refer to is identified in the press releases as Dr. Herbert Aptheker.

Who is Dr. Herbert Aptheker? He is none other than a member of the National Committee of the Communist Party of the United States. He is none other than the editor of the theoretical organ of the Communist Party, Political Affairs. And how did he become editor of Political Affairs? He was appointed

to that position through a recommendation of the National Education Committee of the Communist Party and with the approval of the Communist Party's National Committee, of which he, Aptheker, is a member.

Mr. Speaker, these hearings into the Fund for Social Analysis were scheduled to commence this morning. They have been postponed to a later date. The postponement results from the committee's inability to sit at this time and, in a way, I am glad the postponement was necessary, as it will allow the Fund for Social Analysis, the Emergency Civil Liberties Committee, the National Committee to Abolish the House Un-American Activities Committee and its local councils additional time to carry out a phase of their abolition campaign. This delay will enable the House to see to what extent a small group of hard-core Communists are able to dupe the non-Communist educational community into supporting them in their attack on the Committee on Un-American Activities.

Mr. Speaker, the predictions I have made as to what will happen in this abolition campaign are not based on allegations or doubtful evidence. They are based on the recommendations of that Communist, Frank Wilkinson, and are contained in the recommendations for a national abolition campaign program, an authentic copy of which our colleague DONALD BRUCE of Indiana placed in the CONGRESSIONAL RECORD of May 3.

#### RAILROAD TRANSPORTATION

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

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

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, with the growth of competing forms of transportation, our railroads have been beset with ever-mounting financial problems. As a result, pressures for mergers and consolidations have proliferated. In many instances, mergers may offer the only answer for railroad companies fighting for their lives. Reasonable men would not object to carefully planned mergers as a solution for specific financial problems.

Likewise, reasonable men would wish to consider any such mergers in the light of the public interest. They would support mergers which strengthen our national transportation pattern, remembering that railroads are the backbone of our economic strength in peace and especially in war. They would wish to protect valid rights of all parties concerned, including passengers, stockholders, employees and shippers, for these too are elements which must be included in any estimate of the broad public interest.

On the other hand, reasonable men would not support mergers which appear to be motivated primarily by financial considerations, rather than by those of public interest.

These views of reasonable men traditionally have been the attitudes of Congress as well.

Generally speaking, the Congress has held, over the last 40 years, that rail mergers should fit logically into a broad pattern designed to give the United States a healthy and competitive railway system, not one which is fragmented. Each such system should consist of economically sound units, capable and anxious to serve the public interest.

In the Transportation Act of 1920, for example, the Congress is reported by the Special Study Group of the Senate Interstate and Foreign Commerce Committee as having treated of the merger problem in the following way:

The Transportation Act of 1920 relaxed and eased previously existing policy on competition. It sought to encourage the consolidation of railroads into a limited number of systems but under the comprehensive plan for the consolidation of railway properties embodied in the act, competition was to be preserved as fully as possible and existing routes and channels of trade and commerce were to be maintained wherever practical.

This general and reasonable policy was intended to place the public welfare first. Along with subsequent protections for the employees, investors, users, and others involved, it has remained a cardinal point of congressional policy for 40 years.

Now we are faced with a vast railroad affiliation, that of the Chesapeake & Ohio Railway Co.—C. & O.—and the Baltimore & Ohio Railroad Co.—B. & O. We in Congress, as well as the pertinent regulatory and executive authorities, should look carefully at this matter for many reasons. Among these are its profound effects upon workers, investors, users, and passengers, to name but a few. Is it primarily for financial purposes or does it further the public interest?

One railroad importantly affected, the New York Central System, has raised serious questions regarding the economics and the public policy raised in this matter. I would like, therefore, to call the attention of my colleagues and others affected to the views of the New York Central on this matter:

#### HOW ABOUT THE PUBLIC?

The Chesapeake & Ohio Railroad is seeking to control the Baltimore & Ohio Railroad. C. & O. says it wishes to eventually merge with B. & O.

The merging of these two systems will create the second largest railroad in the country, second only to the Pennsylvania.

The B. & O. is financially weak. The C. & O. is financially strong. By controlling or merging with the B. & O., the C. & O. hopes to become stronger.

Ordinarily, for the bondholders, stockholders and others financially interested in railroads, mergers can be a good thing. Mergers may also benefit, to varying degrees, the shippers and travelers who depend upon the resulting system for service.

On the face of it, then, it would appear that a proposed merging of the two companies might receive the blessing of the Interstate Commerce Commission—the Government agency which, under the law, must grant approval for such a move.

But, there is another side to the story. A side which we believe should be told simply and honestly, in the public interest.

It raises the key question, "How about the public?" Meaning the whole public to be affected by this proposal and not only those individuals with financial interests in the companies.

#### MERGERS CAN BENEFIT THE PUBLIC

Both the shipping and traveling public can benefit through mergers of railroads. Where there is an excess of rail capacity, elimination of duplicate facilities can result in great savings which can be passed on to the users.

By making more efficient use of the remaining facilities, the merged railroad can afford to invest in modernizing its plant and equipment. The public interest is served by thus upgrading equipment and service.

But when there is no great amount of duplicate rail capacity and facilities such as terminals, track, piers, and passenger accommodations, no substantial savings can be achieved through a merger. The public does not benefit and could well be hurt. Only those individuals with direct financial and other interests in the two carriers benefit through the merging of nonduplicating rail facilities or of railroads with relatively little duplication of facilities.

#### THE CASE AT HAND

In order to answer "How about the public?" we need only look to see whether the proposed B. & O.-C. & O. merger meets that simple yardstick of railroad economics: Will it result in the elimination of substantial duplications of facilities and thus permit the economies and improvements which benefit the public?

The answer is "No."

Throughout their combined 11,000 miles of track in 13 States and the District of Columbia, the C. & O. and B. & O. have only 17 connections and 23 common points of service. In Washington, D.C., they have 1 common point, in Illinois 1, in Indiana 2, in Kentucky 1, in New York 1, in Ohio 11, in Virginia 1, in West Virginia 5, and none in Pennsylvania, Michigan, Missouri, Maryland, Delaware, or New Jersey.

Even the complete elimination of these duplications, for which no plan has been announced to date, would fail to achieve the major economies which result in benefits to the traveling and shipping public.

#### HOW CAN SAVINGS BE ACHIEVED BY C. & O.-B. & O?

But despite this bleak outlook for achieving major savings from economies, the supporters of the C. & O.-B. & O. merger claim that it will result in savings for the system. There is only one way that such savings can materialize. That is by the ability of the combined system to take traffic away from other railroads in the territory.

The New York Central Railroad is the obvious prime target for the C. & O.-B. & O. raid on other freight business—the business which permits the continuation of any passenger and commuter services.

The freight traffic most susceptible to raiding by the C. & O.-B. & O. provides the backbone of Central's revenues. These revenues make it possible to provide essential Central freight and passenger service over the entire New York Central System, as well as the New York area commuter and terminal freight services. If these essential services are to be maintained, the New York Central must have the revenues which make them possible.

Thus, a C. & O.-B. & O. merger would not benefit the public through major savings achieved by eliminating duplicate facilities. There aren't that many duplicate facilities. And a C. & O.-B. & O. merger would hurt the public by depriving competitors of revenue they need to continue their freight, passenger and commuter services.

## WHAT IS THE ALTERNATIVE?

There is a workable alternative to this potentially dangerous and harmful C. & O.-B. & O. merger scheme. And the alternative offers a permanent long-range cure for many of the chronic economic ills afflicting the eastern railroad complex.

It is to build in the eastern United States two balanced, strong competitive rail systems. The Pennsylvania Railroad, through its control of the Norfolk & Western, the Wabash and other railroads, has already begun to establish one such system. There is room only for one more. The second system cannot be created through haphazard C. & O.-B. & O. type mergers born of expediency or in quest of narrow economic or competitive gains.

If haphazard self-serving C. & O.-B. & O. type mergers continue, there can be only one result. Carriers arbitrarily excluded from such mergers will be driven into bankruptcy. The shipping and traveling public will be the losers.

There is a compelling reason why the New York Central must be included in the proposed C. & O.-B. & O. merger as a step toward the creation of a healthy eastern railroad economy. Only through the inclusion of the Central will this merger result in the major economies through elimination of duplicate facilities which in turn will result in service improvements in the public interest.

Today, the New York Central system has 61 connections and 98 common points with the B. & O. It has 45 connections and 67 common points with the C. & O. This tremendous duplication of facilities, you will recall, compares with the mere 17 connections and 23 common points between B. & O. and C. & O.

The savings of millions of dollars annually which can be achieved through elimination of duplicate facilities by a N.Y.C.-C. & O.-B. & O. merger will be the subject of a later report.

The logic of creating a strong, balanced, competitive two-system railroad service in the East is so obvious that B. & O. was publicly committed to the approach outlined here.

Detailed studies of the plan were well underway. Though far from completion, these studies indicated beyond a doubt that savings would result which would be of unprecedented benefit to the railroads concerned, their investors, their customers, their users and to the public at large.

Then, abandoning the studies in the face of their promising outlook for all concerned, B. & O. entered on-again-off-again negotiations with C. & O. which resulted in the present situation.

In the light of the facts at hand, however, N.Y.C. intends to pursue the objective of helping to create a healthy two-system eastern railroad structure in the public interest.

We shall present to the Interstate Commerce Commission a feasible, practical plan which will protect the territory, the customers, the owners of the affected railroads, and, most importantly, the public, against such haphazard affiliations as that being proposed for C. & O.-B. & O. In doing so, we believe we will be working in your interest and in the interest of promoting the commerce and the defense of our country.

We shall be reporting further to you on this vital subject and we welcome your active interest in the problem.

I do not know, for I am not a railroad authority, the specifics in a technical matter like this. I do know, however, that the public interest must be paramount. Also, I am cognizant of the impact the proposed merger will have on the railroad workers and their welfare

must be kept in mind when consideration is given to the possibility of a merger. If the merger is not realized, what security can the financially weak B. & O. offer its employees, if any at all? If the C. & O. and the B. & O. do merge and the B. & O. is thereby strengthened, will this stronger financial position offer more job security to the railroad workers?

It must be borne in mind, also, that the railroad plant is too essential to this Nation for mergers on a hit-and-miss or piecemeal basis. They should be planned carefully so that the result will not be to have all the strong roads merged on one side, with the weak roads left out in the cold, so to speak. This would do irreparable damage to the communities served by the latter roads.

I would hope that the appropriate Federal regulatory and policy officials will, therefore, consider this merger within the context of the overriding public interest.

## SPACE CONQUEST

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

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

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, now that our Nation has successfully demonstrated the ability to put a man into outer space and return him safely, we can begin to think constructively about the next stages of such exploration.

Recently I attended the formal dedication of a space-orientated facility which increases my optimism that we have the resources and ability to translate tomorrow into today. Republic Aviation Corp., which for three decades has produced fighter aircraft which have been a backbone of our defense, publicly opened its new Paul Moore Research and Development Center. This \$14 million facility has since been described by reporters as "the most diversified privately owned facility of its type in existence." The work to be carried on within its walls is best reflected by the names of the seven research laboratories around which it is built. They are: Space Environment and Life Sciences, Re-Entry Simulation; Electronics, Materials Development; Fluids, Guidance and Control Systems; and Nuclear Radiation. In addition it is supported by three wind tunnels which, coupled with other units, give the company the unique capability of testing spacecraft models at speeds ranging from 400 miles per hour to over 19,500 miles per hour, which is orbital velocity.

Mundy I. Peale, president of Republic, and my constituent, pointed out that the technical transformation of the company from its original role as an airplane company had been going on for several years. Since 1958 alone, he said, the company had ventured into 29 new technological areas and had enlarged its research and scientific staff three times.

I would like now to quote some excerpts from the remarks of Mr. Peale

during the luncheon address at the ceremonies because I feel they are especially timely and reflect the kind of clear thinking which will stand this Nation in good stead during the days ahead.

Mr. Peale said, in part:

The laboratories you will see in this center have been bought and paid for by the past work of scientists, engineers, production workers, and office employees. They have been paid for, also, by the men and women who invested their earnings and their savings in this country. Looking back on my own 23 years with Republic, it sometimes seems that our stockholders were the bravest of us all.

A Russian major has orbited the earth and returned. It is a fine achievement. But even if we try to apply the traditional and sincere philosophy of American sportsmanship and say "Well done, Russia," the rest of the world will no longer let us get by with it. Laotians and Cubans and Congolese, and undoubtedly many others, accept the feat as proof of Soviet superiority in all things—diplomatic, scientific, military, mental and muscular.

Congressman WALTER JUDD, of Minnesota, expressed his doubts over the profitability of negotiating with the Communists on disarmament by making this point: "The difference between us is that we simply want to end the struggle—the Soviets want to win it."

In his inaugural address President Kennedy reminded us that we should not "ask what our country can do for us, but what we can do for our country."

This was intended and, I'm sure, accepted as an exhortation to the individual American. I would like to remind you all that this also applies to the American corporation which, under our laws, is a citizen of the United States.

There is no mystery as to what the corporation can do for our country. Its greatest contribution can be the utilization of capital to make possible the doing of worthwhile work, to provide employment, to increase our standard of living, and to give something to the enlargement of human values.

We are inclined to forget that progress is no longer measured in what we can do with our hands alone. It is also measured by what we can create in capital facilities that make human labor easier and vastly more productive.

Only 20 years ago the theme of the Temporary National Economic Committee hearings was that America's frontiers had closed and that this was what had caused the stagnation of the thirties. A famous survey made at the University of Notre Dame concluded that during the 1930's not \$1 had been added to the capital equipment of the United States.

Now, with a suddenness that we still can hardly grasp, the frontiers have opened in a way that no frontier ever opened before: to include the space and the universe.

This is the most dramatic aspect. Probably the more practical one is the flowering of dozens of sciences that make accomplishment possible in a hundred directions—not merely in outer space, but in the molecules of metals and the composition of the human body, to mention just a few.

It is important we see this revolution in accurate perspective:

Space, after all, is only a new and unexplored part of that universe we have been studying since Copernicus. The achievements of only the last 7 years impress upon us that the pace of discovery is more breathtaking than anyone would have dared prophesy. But still, what we are doing is simply wrenching truths about matter from the unknown and finding applications for this new knowledge.

Unless we convert this knowledge into progress for people it isn't worth anything. Our greatest need and our greatest opportunity is to interpret the new momentum of science so as to make it directly important and valuable to millions of Americans.

This can be done. Our facilities for communicating knowledge and ideas are highly developed. How long ago was it that, supposedly, only 10 people in the world understood the theory of Einstein? Today a scientist must not only know it, he must have 20 different ways of applying it, to get a job.

From there we must be careful to remind ourselves that there is no assurance of success in any single line of discovery. We must pursue broad parallel lines of development. Our assurance then is this: That the support of scientific thinking with physical facilities administered by dynamic and creative industrial management will increase the opportunities where people can be put to work gainfully in large numbers to create new wealth.

Science affects people through people—the concern for humanity is the endless responsibility of living men and women. This responsibility can never be delegated to the machine. Some might assume that the keynote of this dedication is a sense of awe at the rapidly expanding scientific world and the new tools it requires.

But that is not the keynote. The keynote is our renewal of the solemn pledge to make human life here—and everywhere—more meaningful. This requires a mighty effort at communication, keeping the family circle unbroken, with scientist linked to assembly line worker, executive to farmer, educator to investor, and clerical worker to minister.

Finally, we must use our best talents in the greater enterprise of discovery—seeking and making truly understood the elements of human progress that are embedded in this onrush of technical accomplishment.

This is the challenge to all of us—resolutely to give and to receive clear and helpful interpretations of all that we are doing, so that we strengthen our faith and inspire the hope and courage of all mankind.

#### EXCHANGE OF CUBAN PRISONERS

Mr. KOWALSKI. 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 Connecticut?

There was no objection.

Mr. KOWALSKI. Mr. Speaker, I have today introduced a resolution to urge the U.S. Government to explore an exchange of Cuban military and political prisoners for U.S. nonmilitary assistance to the Cuban people, including milk for Cuban children or school lunch programs.

It is unfortunate that Premier Fidel Castro should take the cynical and materialistic view that human lives can be traded for 500 bulldozers. But his offer of May 17 now opens up the possibility for releasing the Cubans who participated in the abortive invasion effort in April.

I feel sure all Americans welcome the formation of a group, organized to seek the release of the captives by private subscription.

My resolution goes beyond that worthy effort in three important respects—

First. It would establish the principle that the U.S. Government as well as private citizens should share in the cost. Our Government shared some responsibility for that invasion and now shares a moral responsibility to help obtain the release of brave men who have been captured.

Second. It would not be confined to an exchange of men for bulldozers. The Cuban people need many things in their efforts to build a better life for themselves and their children. Among the items which we could offer them are milk for their children, school lunch programs as well as a variety of health and technical assistance programs.

Third. It is not confined to prisoners captured in the invasion. Reports from Cuba indicate there are many thousands of political prisoners held by the Castro government. If they wish to leave the country, my resolution would authorize negotiations for their release.

The text of my resolution follows:

Whereas the United States and Cuba have committed themselves under the Charter of the Organization of American States to settle their disputes by peaceful procedures, such as "direct negotiation, good offices, mediation, investigation and conciliation, judicial settlement and arbitration"; and

Whereas the expansion of Communist influence within Cuba has contributed to greatly increased tensions between Cuba and the United States and has resulted in an armed invasion of Cuba by Cuban refugees which has failed, with an unfortunate loss of life and the capture of more than 1,000 invaders by the Cuban Government, which is now threatening to sentence them to hard labor for an indeterminate period of time; and

Whereas Premier Fidel Castro on May 17 is reported to have offered to exchange most of these prisoners for 500 bulldozers; and

Whereas the United States in the past has participated in arrangements whereby prisoners were exchanged for prisoners; and

Whereas it is reported that many thousands of men and women in Cuba have been arrested and are being held as political prisoners; and

Whereas the United States has a moral responsibility to aid these military and political prisoners: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring).* That it is the sense of the Congress that the United States should offer to explore the possibilities for some exchange, through the United Nations or the Organization of American States or otherwise, which would result in the freeing of the captives and political prisoners, and at the same time show the Cuban people in Cuba that the United States is willing to supply them with nonmilitary equipment, health or technical assistance programs, school lunches or milk for children, or other programs which will contribute to the well being of the Cuban people as a whole.

#### SUMMIT MEETINGS

The SPEAKER. Under previous order of the House the gentleman from Indiana [Mr. WILSON] is recognized for 10 minutes.

Mr. WILSON of Indiana. Mr. Speaker, many Congressmen on both sides of the aisle have noted with dismay and misgivings the news that once again an American President is "going to the summit" to meet Mr. Khrushchev, of Russia.

Many of us have sat in this Chamber and heard similar announcements about the late Mr. Roosevelt, and about Mr. Truman and Mr. Eisenhower.

We had our misgivings then and they proved well founded. Down through the years we have seen time and again that it does not pay to deal in "summitry" with the Russians. For some reason, though, our Presidents seem obsessed with the idea. None have been able to resist its siren call.

Summitry will never replace a strong and nationalistic foreign policy, nor should it be used to divert the attention of the American people from what seems to me to be the No. 1 foreign problem of today. That problem is Cuba.

While the President prepares to go to the summit at Vienna with the same man whose character, as he rightly said, was stamped forever on the bloody streets of Budapest, Fidel Castro is preparing himself to become the Lenin of the Western Hemisphere.

Our previous experiences at the summit have proven the truth of an old western saying—man is the only animal that can be skinned more than once. We have been skinned at Teheran, Yalta, Potsdam, Geneva, Camp David, and other places; yet it seems that every time Russia beckons, our chief executive is ready to run to a meeting.

Nothing is really gained. Much has been lost. You would think that by this time President Kennedy would profit from the mistakes of the late Mr. Roosevelt, and from the errors of Mr. Truman and Mr. Eisenhower.

It is apparent that is not the case. It is also apparent that this latest summit is a diversionary tactic to take the minds of the American people off the problem that sits 90 miles off our shores—the problem of Cuba.

Cuba is going to continue to be our No. 1 problem until this administration stops vacillating and adopts a firm policy designed to bring down Castro and his henchmen.

It is my opinion and the opinion of many military and foreign policy experts that this administration should at once clamp a tight air and sea blockade on Cuba. This blockade should be designed to prevent any military goods from Iron Curtain countries from reaching Cuba.

Many gentlemen on this side of the aisle have withheld criticism and advice in a true attempt to create a bipartisan air about our policy concerning Cuba. Since it is now apparent we have no true policy on Cuba, then perhaps it is our job, as the opposition, to suggest one.

We must start now, and we must bring down Castro now; otherwise, his military position may, in the future, be demolished at a cost dear to this Nation. Otherwise, we may see a Soviet missile base 90 miles offshore.

This blockade does not require any great change in foreign policy. It merely calls for implementation of the basic principles of the Monroe Doctrine and other past foreign policy edicts.

This House has already recognized the threat of Cuba to this hemisphere's peace and well being. Only last week, we passed a resolution that demanded col-

lective action against the clear and present danger of Cuba and communism in our midst.

Unless we insist that the sense of this resolution be followed up, unless we insist on adoption of a hard and firm policy in regard to Cuba, we are setting the stage for Fidel Castro to build up an island bastion of power. We are also allowing the stage to be set for a Communist springboard to Latin America.

We can expect Castro-agitated uprisings in other South American countries and we will some day find our weak-kneed policies in regard to Cuba have cost us nation after nation in Latin America.

Now, what are we actually doing?

Instead of concentrating on this hemisphere's "Communist cancer in Cuba" we see an attempt to divert the attention of the American people to another summit—which will see little or nothing accomplished and which will see Russia concede nothing and demand all.

When are we going to wake up to our peril? When will we realize that this Nation needs a positive, energetic, nationalistic foreign policy?

This, Mr. Speaker, is now the duty and responsibility of this administration, which, in just 4 short months, has plunged our prestige to its lowest ebb in history. I say it is the responsibility of this administration—it promised sweeping changes in our national prestige, but it certainly missed the call on the direction.

Since it has plunged us into the depths, it now becomes its responsibility to get us out. I want to state here and now that I will join in any attempt to get that job done and will back any strong stand on Cuba.

I will support any policy formed to get rid of communism in Cuba in particular and thwart the spread of communism in general.

I cannot support our present policy. It is, at its best, poorly conceived, poorly thought out, poorly administered, and its returns have been anything but encouraging.

Many of my constituents believe we are seeing an administration that is weak-kneed on foreign policy and civil rights legislation, and that really has only two accomplishments about which to talk.

These are the rough, tough political pressures on the home front and the diarrhea of words later weakened by utter inactivity.

This administration is willing to act tough and be tough with Congressmen. The President recognized that last week when he penned a short note on a photograph attesting to the ability of the administration to have its way in this House.

Yes, the administration is willing to get tough to get its deficit spending, welfare state schemes through the Congress.

Why doesn't it shift this toughness to the foreign scene, where it is really needed? And why does it not back up all those words with action?

Those of us who have served in Congress through World War II, the Korean action, and through most of the cold

war have seen that the Russians only respect strength, firmness and power.

It is time that this administration adopt just this sort of a policy and declare to the world that the United States intends to campaign vigorously for the republican concept of government, for the right of man to live in freedom, for the principles of individual enterprise, and for the principles for which Americans have been willing to fight and die since 1776.

It is time this administration state that America will be pushed no farther and that, in the future, it, too, intends to protect its interests and the interests of its people wherever and however necessary.

That is the type of course the American people want. That is the type, of course, they will endorse and support to the utmost, in Cuba and elsewhere.

#### THE KENNEDY ANSWER TO THE TEXTILE PROBLEM

The SPEAKER. Under previous order of the House, the gentleman from North Carolina [Mr. JONAS] is recognized for 15 minutes.

Mr. JONAS. Mr. Speaker, on May 2, 1961, President Kennedy gave his answer to those of us who have called for Government action in behalf of the domestic textile industry. This industry is the second largest employer in the United States and has been hard hit by a flood of imports of textile products from low-cost countries abroad. Industry and labor spokesmen had requested President Kennedy to take necessary steps to impose import quotas by category and country as the only feasible solution of what almost everyone now agrees is a very serious problem.

In response to these pleas for the imposition of import quotas, which incidentally were supported by many Members on both sides of the aisle in both Houses of Congress, President Kennedy on May 2 announced his seven-point program, as follows:

First. I have directed the Department of Commerce to launch an expanded program of research, covering new products, processes, and markets. This should be done in cooperation with both union and management groups.

Second. I have asked the Treasury Department to review existing depreciation allowances on textile machinery. Revision of these allowances, together with adoption of the investment incentive credit proposals contained in my message to the Congress of April 20, 1961, should assist in the modernization of the industry.

Third. I have directed the Small Business Association to assist the cotton textile industry to obtain the necessary financing for modernization of its equipment.

Fourth. I have directed the Department of Agriculture to explore and make recommendations to eliminate or offset the cost to U.S. mills of the adverse differential in raw cotton costs between domestic and foreign textile producers.

Fifth. I will shortly send to the Congress a proposal to permit industries seriously injured or threatened with serious injury as a result of increased imports to be eligible for assistance from the Federal Government.

Sixth. I have directed the Department of State to arrange for calling an early confer-

ence on the principal textile exporting and importing countries. This conference will seek an international understanding which will provide a basis for trade that will avoid undue disruption of established industries.

Seventh. In addition to this program, an application by the textile industry for action under existing statutes, such as the escape clause or the national security provision of the Trade Agreements Extension Act, will be carefully considered on its merits.

Upon the announcement of this seven-point program, spokesmen for the textile industry issued statements indicating that they were "encouraged," and certain Members of Congress have stated they were happy about it. If these seven proposals are satisfactory to the textile industry, they should certainly be agreeable to me because I have no financial interest in any textile operation. I do, however, have a profound interest in the well-being of the textile industry because many people in the district I represent here make their living working in textile plants and many of my constituents have substantial sums invested in the industry. Moreover, a prosperous textile industry is vital to the economy of North Carolina as well as the entire country. This is made manifest by the fact that more than 200,000 persons or 1 out of every 2 manufacturing employees in the State of North Carolina work in textile plants. Moreover, the President himself stated in his May 2 statement that there are approximately 2 million workers directly affected by conditions in the textile industry and another 2 million persons are employed in furnishing requirements to the industry.

The subject is of such vital importance to my State that recently the North Carolina General Assembly adopted a joint resolution memorializing President Kennedy and the Congress to "take immediate action to establish quotas by country and category on textile imports." Following is the text of that joint resolution, a copy of which was sent to the President before he announced his seven-point program:

A JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO TAKE IMMEDIATE ACTION TO ESTABLISH QUOTAS BY COUNTRY AND BY CATEGORY ON TEXTILE IMPORTS

Whereas the textile industry is and has been the backbone of the economy of North Carolina, employing 219,000 persons or nearly one out of every two manufacturing employees in the State; and

Whereas hundreds of millions of dollars in payrolls and millions of dollars in taxes are provided by the textile industry in North Carolina; and

Whereas the textile industry is vitally important to the economy of the Nation, employing nearly 1 million Americans and providing the livelihood for their families and dependents; and

Whereas the U.S. Quartermaster General has declared textiles second only to steel in time of national emergency and the Office of Civil Defense has officially affirmed the essentiality of the textile industry to national security; and

Whereas imports of foreign textiles have reached an alltime high level and increasing each year at alarming rates; and

Whereas these imports are responsible for the loss of hundreds of thousands of textile jobs, curtailment of the hours worked in the

textile industry, the closing of many textile plants, and drastically reduced consumption of cotton by American mills; and

Whereas the very existence of the whole textile industry and the jobs and livelihood of the millions that are dependent upon it are in grave danger due to textile imports: Now, therefore, be it

*Resolved by the house of representatives (the senate concurring):*

SECTION 1. That the North Carolina General Assembly strongly urges that the President and the Congress of the United States take whatever steps are necessary to immediately establish textile quotas by country and by category.

SEC. 2. A copy of this resolution shall be forwarded to the President of the United States, the Secretaries of Commerce, Labor, Agriculture, State, and Treasury, and the Members of Congress from North Carolina.

SEC. 3. This resolution shall become effective upon its adoption.

I do not take issue with the industry spokesmen who may be satisfied with the seven-point program announced by President Kennedy, but on the basis of conversations I have had with both management spokesmen and workers in the textile industry since the decision was announced, I feel compelled to state that I am disappointed that more positive and direct action was not proposed by the President. This disappointment stems from the fact that on August 31, 1960, when he was a candidate for the presidency, Senator Kennedy wrote a letter to the Governor of South Carolina, which was widely circulated throughout the textile-producing areas of the South during the 1960 presidential campaign, in which he stated that "Imports of textile products, including apparel, should be within limits which will not endanger our own existing textile capacity and employment, and which will permit growth of the industry in reasonable relationship to the expansion of our overall economy."

Following is the text of that letter:

U.S. SENATE,

Washington, August 31, 1960.

HON. ERNEST F. HOLLINGS,  
Governor of the State of South Carolina,  
Columbia, S.C.

DEAR GOVERNOR HOLLINGS: I would, of course, be delighted to discuss with you and with industry leaders the import problems of the textile industry and the development of constructive methods for showing the growth and prosperity of the industry in the future. The critical import situation that confronts the textile industry which you so eloquently describe in your letter is one with which I am familiar. My own State of Massachusetts has suffered and is suffering from the same conditions. The past few years have been particularly difficult for this industry. There seems to have been a basic unwillingness to meet the problem and deal constructively with it. During the first 6 months of this year imports of cotton cloth are twice what they were during the same period in 1959, the highest year on record. Similarly, alarming increases are occurring on other textile and apparel products. Since 1958 imports have exceeded exports by constantly increasing margins. There are now 400,000 fewer jobs in the industry than there were 10 years ago. It is no longer possible to depend upon makeshift policies and piecemeal remedies to solve the problems which the industry faces.

As you know, I supported the establishment of the Special Senate Subcommittee for the Textile Industry, under the chairmanship of Senator PASTORE, of which Sen-

ator STROM THURMOND is a member. In an effort to help develop suggestions to improve the competitive position of the industry in the United States and world markets, this subcommittee for the first time undertook a broad investigation of the problems of the U.S. textile industry and offered a number of constructive recommendations. With only minor exceptions, the Eisenhower administration has failed to implement these recommendations.

I agree with the conclusions of the Pastore committee that sweeping changes in our foreign trade policies are not necessary. Nevertheless, we must recognize that the textile and apparel industries are of international scope and are peculiarly susceptible to competitive pressure from imports. Clearly the problems of the industry will not disappear by neglect nor can we wait for a large-scale unemployment and shutdown of the industry to inspire us to action. A comprehensive industrywide remedy is necessary.

The outline of such a remedy can be found in the report of the Pastore committee. Imports of textile products, including apparel, should be within limits which will not endanger our own existing textile capacity and employment, and which will permit growth of the industry in reasonable relationship to the expansion of our overall economy.

We are pledged in the Democratic platform to combat substandard wages abroad through the development of international fair labor standards. Effort along this line is of special importance to the U.S. textile industry.

The Office of the Presidency carries with it the authority and influence to explore and work out solutions within the framework of our foreign trade policies for the problems peculiar to our textile and apparel industry. Because of the broad ramifications of any action and because of the necessity of approaching a solution in terms of total needs of the textile industry, this is a responsibility which only the President can adequately discharge. I can assure you that the next Democratic administration will regard this as a high-priority objective.

Additionally, we shall make vigorous use of the procedures provided by Congress such as section 22 of the Agricultural Adjustment Act and the escape clause in accordance with the intention of Congress in enacting these laws.

Lastly, I assure you that should further authority be necessary to enable the President to carry out these objectives, I shall request such authorization from the Congress.

I hope that these thoughts are helpful to you in your own deliberations and I reaffirm my interest in discussing problems of mutual concern with you.

With all good wishes, I am,

Sincerely yours,

JOHN F. KENNEDY.

In the light of the favorable references by candidate Kennedy to the recommendations of the Pastore committee, as contained in the foregoing letter to Governor Hollings during his 1960 campaign for the Presidency, it is interesting to contrast the seven-point program announced by President Kennedy on May 2 with the five recommendations made by the Pastore committee restated in its supplementary report dated March 14, 1961. Those recommendations are as follows:

1. That quotas on textile mill products, and on garments and apparel, and on man-made fiber staple, filaments, and filament yarn, be established by country and by category of product.

2. That the program of data collection and research instituted by the Business and Defense Services Administration be continued.

3. That the Internal Revenue Service publish a revised schedule of depreciation rates, taking into account current industry practices, which would permit a more rapid writeoff for tax purposes.

4. That appropriate Government agencies expand, and initiate where necessary, textile research.

5. That the two-price system for cotton be eliminated.

As one who is vitally interested in the well-being of the textile industry, although as previously stated I have no financial interest in any textile operation, I sincerely hope that the Kennedy seven-point program will be effective in substantially curtailing the flood of textile imports. This is the fundamental problem besetting the textile industry. I therefore announce my support of the program, although I must add that I do not share the optimism over it as expressed on this floor frequently by Members who previously joined industry spokesmen in saying that import quotas by category and country offer the only practicable and effective method of solving this problem.

While I hope the seven-point program will succeed, I am disappointed that President Kennedy did not announce his acceptance and the implementation of the recommendations of the Pastore committee. Because he had stated in his letter to Governor Hollings of South Carolina that "The outline of such a remedy—for the textile problem—can be found in the report of the Pastore committee," the widespread circulation of the Kennedy letter to Governor Hollings during the campaign had led people in the textile producing areas of our country to believe that, if Senator Kennedy became President, he would implement the Pastore committee recommendations.

I am also disappointed that President Kennedy did not see fit to follow the example set by President Eisenhower in 1957-58, when the domestic textile industry was then threatened by textile imports from Japan. The Eisenhower administration opened direct negotiations with Japan which resulted in an agreement whereby Japan voluntarily agreed to restrict textile exports to the United States.

When this voluntary agreement was concluded in 1958, Japan was exporting cotton textile manufactured products to the United States at an annual rate of 278 million square yards. But by 1960 these imports had gone down to 264 million square yards, according to figures released by the Northern Textile Association on May 11, 1961. Industry spokesmen have repeatedly stated that they are satisfied with the way the Japanese agreement has worked. For example, Mr. J. Spencer Love, chairman and president of Burlington Industries, Inc., stated in February 1961 that "the Japanese should be commended" for negotiating reasonable textile quotas with the U.S. Government, but that they "now feel frustrated and irritated over this because, while they have been living with reasonable limits, other areas have stepped into the breach and ex-

panded enormously their exports to the United States."

The following table from the Northern Textile Association Bulletin of May 11, 1961, shows the effect of this voluntary agreement:

*U.S. imports of certain textile manufactures, 1958-60*

[Millions of square yards]		
Cotton manufactures	1958	1960
Total	456	1,008
Japan	278	264
Hong Kong	66	278
Portugal	1	62
Spain	1	61
Egypt	1	55
India	3	53
France	2	38
Formosa, Pakistan, and Korea	5	52
All other	99	145

It will be seen from the foregoing table that in 1958 the Japanese share of U.S. cotton textile imports was about 60 percent of the total while after the voluntary agreement was negotiated that share had declined to about 26 percent.

But in the meantime, Hong Kong's share had increased from 66 million square yards in 1958 to 278 million square yards or from about 14 percent to about 28 percent of the total. Moreover, substantial increases occurred since that agreement in exports to the United States from Portugal, Spain, Egypt, India, France, Formosa, Pakistan, Korea, and other countries.

The Japanese agreement to limit textile exports to the United States is always referred to as voluntary on the part of Japan. This is technically correct although all of us who worked on the problem in 1957 and 1958 know full well that it only resulted from long and intensive negotiations between our Government and Japan.

I would not presume to claim undue credit for this agreement although I was quite active in bringing industry spokesmen together with officials in the Eisenhower administration and enlisting the active support of the latter in the effort which proved successful so far as Japanese exports to the United States are concerned. I personally arranged a number of separate conferences between textile industry spokesmen and Government officials of the Eisenhower administration at the White House and participated in those conferences. We were always received with courtesy and consideration. The resulting negotiated voluntary agreement with Japan proves that the interest always manifested by President Eisenhower and his associates was sincere and fruitful.

I shall always be grateful to President Eisenhower for giving me the privilege of announcing, from the White House itself, the successful outcome of these negotiations with Japan which led to the voluntary agreement.

Despite comments that have been made repeatedly on this floor, and similar ones made during the last presidential campaign to the effect that the previous administration evidenced no interest in the problems of the domestic textile industry, the facts just related

indicate conclusively that the Eisenhower administration was interested in the problem and that it moved decisively and effectively when the Japanese threat became so pronounced.

I regret that the Kennedy administration did not at least make a similar effort. It chose instead to approach the problem on a worldwide basis through an international conference to be arranged by the Department of State. For the sake of a vital U.S. industry and the millions of citizens who derive their livelihood from it, as well as for the sake of our national security, I sincerely hope that the efforts of the Kennedy administration, through the seven-point program announced on May 2, will prove as effective in curbing the flood of textile imports from other countries in the world as the efforts of the Eisenhower administration were with respect to imports from Japan.

But the volume of textile imports is only part of the problem besetting the textile industry. Assuming that some tangible curtailment of imports will result from the Kennedy proposal for an international conference, there will remain the very serious problem of our two-price system for cotton which substantially penalizes the domestic textile industry.

One of the Pastore committee recommendations was that this two-price system be eliminated. That it is discriminatory against and unfair to the domestic textile industry is too obvious to need elaboration. How can anyone possibly justify a system which will permit foreign textile manufacturers to purchase American-made cotton at \$42.50 per bale less than our own textile manufacturers have to pay and then flood our markets with goods manufactured from that cotton?

But instead of taking affirmative and positive action to eliminate this unfair two-price system, the fourth point in the seven-point Kennedy program recognizes the problem but utterly fails to come to grips with it. The fourth point is worthy of reproduction here:

Fourth, I have directed the Department of Agriculture to explore and make recommendations to eliminate or offset the cost to U.S. mills of the adverse differential in raw cotton costs between domestic and foreign textile producers.

There is nothing new in this proposal. The March 14, 1961, Supplementary Report of the Pastore committee indicated that the Department of Agriculture was already studying the problem. Actually, it has been studied so many times that, as the Rock Hill Evening Herald for May 7, 1961, said:

It is threadbare. Another study is not apt to shed new light. The idea of selling U.S. cotton at a lower price to foreign competitors of U.S. mills does not make sense.

But right in the midst of all of the activity on the part of industry spokesmen and Members of Congress urging the President to take positive action to save the textile industry from utter destruction, and in the face of the positive recommendation of the Pastore committee to eliminate the two-price system for cotton, Secretary of Agriculture Free-

man on February 21, 1961, compounded the injury and damage to the textile industry by announcing an increase in the support price of cotton from 75 percent to 82 percent of parity, and also announced an increase—effective August 1, 1961—in the export cotton subsidy from 6 cents to 8.5 cents per pound. The increase in the price support for cotton will cost U.S. mills an additional \$18.75 per bale for cotton and will enable foreign mills to buy U.S. produced cotton for \$42.50 per bale less than U.S. mills will have to pay for it.

To announce these increases in price supports and export subsidies, with the consequent heavy increases to U.S. mills in the cost of their cotton, right at the time the Pastore committee was calling for the elimination of the two-price system as one of its recommendations to help the textile industry, and at the very time the strong push was on by the industry itself, supported by a large number of the Members of Congress, for some relief against the unfair competition from abroad, is incompatible with promises for relief against an intolerable situation. It is like giving a hungry man a stone when he asks for bread.

I recall President Kennedy said, speaking on another subject, that things are likely to get worse before they become better. This action by Secretary of Agriculture Freeman seems to be a case in point.

Secretary of Commerce Hodges was quoted in the March 1, 1961, issue of the Washington Post as discussing the action of Secretary Freeman just referred to. The following paragraphs of that story, which was written by Mr. Bernard D. Nossiter, and which I have said appeared in the Washington Post on March 1, 1961, should be read in the light of my comment that this action by Secretary Freeman was a substantial disservice to an already hard-pressed textile industry:

Hodges (Secretary of Commerce Luther H. Hodges) also discussed the plight of the long-suffering textile industry which he said was getting "worse and worse." Because of the anomalous farm laws, Agriculture Secretary Orville L. Freeman "can't let his left hand know what his right hand is doing," Hodges cracked.

He meant this: Freeman wants to raise cotton price supports, thus increasing costs for domestic textile producers. At the same time, he wants to raise the subsidy for cotton exports, keeping costs down for competing foreign producers. These programs may help cotton producers, but they hurt textile manufacturers.

Government programs, Hodges declared, "are actually destroying a basic industry" and threaten to put textile producers here "out of business completely."

The Wall Street Journal, the editor of which incidentally is a gifted North Carolinian, recently published an editorial in which this particular subject was discussed. The contents of this editorial are pertinent in the light of President Kennedy's use of the words "offset the cost" in the fourth point of his seven-point program.

#### BALLED-UP COTTON

Having heard President Kennedy's thinking on the problems posed by rising foreign competition, textile industry leaders came

away from the White House "highly encouraged" the other day. The "atmosphere" there seemed sympathetic, said one spokesman, but neither he nor anyone else could point to a specific remedy promising relief.

That isn't surprising. The program outlined by the President is purposefully vague, reflecting the contradiction between the administration's official advocacy of free trade and the mounting domestic political pressure for protectionism. The relief held out to hard-pressed textile men consists mainly of a promise that an application for tariff or quota protection "will be carefully considered on its merits."

As for the rest of the President's program, it reveals a lack of thoughtful consideration of some fundamental causes of the domestic textile industry's ills. One of these is the Government's two-price policy on cotton. Foreign textile makers are able to buy American raw cotton at \$30 a bale less than American mills. On August 1, the differential between the export price and the Department of Agriculture's domestic support price is due to leap to \$42.50 a bale.

Hence, the Government to which cotton textile manufacturers turn for relief is in no small part the agent of their distress. But if the demand is loud enough, the Government may be prevailed upon to extend to textiles some of the same type of "protection" it has given agriculture. This approach is hinted in the President's order directing the Department of Agriculture to recommend a scheme of subsidies either to cotton producers or to the mills themselves to offset the price differential.

But an economic woe caused by the Government isn't likely to be cured by further Government spending and meddling. Nor would such subsidy help the textile industry solve its real problems; handouts would only cover them up temporarily.

Before leaping into the Government's arms, textile men ought to look at the plight of Government-subsidized agriculture. And Congress, instead of yielding to protectionist demands, ought to look hard at the cause-and-effect tie between subsidized cotton and suffering mills.

Other points in the seven-point Kennedy program may eventually be of some advantage to the textile industry, such as his direction to the Treasury Department to review current depreciation allowances on textile machinery and the direction to the Department of Commerce to launch an expanded program of research. However, the Pastore committee had recommended that the Internal Revenue Service publish a revised schedule of depreciation rates to permit a more rapid writeoff of machinery for tax purposes. While I do not have any right to speak for the textile industry, I assume it would welcome a stepup in research by the Department of Commerce. Such a program may have some long-range benefits, but will hardly have any immediate effect upon the competitive situation which has brought about the current textile industry problems.

Other points in the seven-point program call for the SBA to assist the cotton textile industry to obtain easier financing and for the textile industry to be made eligible for other assistance from the Federal Government. These points also avoid the current problem. While I assume that many textile organizations would be glad to receive Government loans on favorable terms as well as other unspecified assistance from the Federal Government, my impression

from talking with people in the industry is that they are not seeking Government handouts or loans, nor do they care to be placed on a Government dole, or to be treated on a depressed area concept. My impression is that all the textile industry is seeking is an opportunity to compete on fair terms with a modernized, efficient textile industry which has been assisted to its present condition by the U.S. Government using tax funds partly furnished by the textile industry which bears the brunt of the competition.

Their complaint is that such competition cannot be fair when the foreign plants have been partially financed through the U.S. foreign aid program, when labor costs in the competing countries are ridiculously low in comparison with wage rates and other labor costs imposed by the Government on U.S. mills, and when the Government also makes it possible for the foreign producer to purchase U.S. produced cotton at \$42.50 a bale cheaper than it costs our domestic mills.

This seems to me to be a reasonable position. Yet advocates of free trade label it "protectionism," and leave the impression that the textile industry is seeking to erect high trade barriers to avoid competition from abroad. These charges are incorrect.

I do not think the domestic textile industry is seeking a captive market. The leaders in this industry recognize the importance of foreign trade and they know we cannot sell goods abroad unless we are willing to import foreign-made goods. All they are seeking is a fair opportunity to compete in their own markets with low cost and subsidized manufactured goods from abroad. They maintain that the record clearly shows that, because of the factors enumerated above and others that might be cited, fair competition under present conditions is impossible.

Unless the U.S. Government is prepared to preside over the liquidation of the important textile industry, affirmative and positive action is imperative. I do not believe any action will be effective unless it eliminates the competitive advantage given foreign producers under the cotton export subsidy program and unless it results in the establishment of import quotas by country and by category.

I repeat what has previously been said, and that is that I hope the 7-point program announced by President Kennedy will prove to be effective in resolving this problem before it is too late. I feel that it is a timid approach instead of the dynamic one the industry has been led to expect. Nevertheless, it is the program announced by the President and I join my colleagues here in the House and industry spokesmen in expressing the hope that it will do the job we all feel must be done. If it has that result, I will be the first to applaud. If it fails, it will be my purpose again to urge a program which will deal with the real problem.

Mr. JONAS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### CIVIL RIGHTS LAW

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, not since President Eisenhower was compelled to send troops to deal with the school crisis in Little Rock has there been a more flagrant challenge to the forces of decency and human rights than the raging Alabama mobs which have attacked the so-called freedom riders and other citizens in the capital of that State.

So open has been the threat to constitutional law and order that, even in the absence of enabling legislation, the Attorney General has felt it necessary to send hundreds of armed Federal marshals into Alabama and to threaten Federal prosecution of certain individuals alleged to be responsible for violations of Federal law in the riotous attack upon groups of American citizens who had determined to challenge Alabama segregation on inter-State buslines.

In answer to this Federal action, the Governor of Alabama has declared martial law and threatened to arrest U.S. marshals, while conflicting injunctions from State and Federal judges raise again, as at Little Rock, the specter of a major conflict between State and Federal authority.

All good citizens will share the sense of national shame at this savage demonstration of racial bigotry and will trust that the President's appeal for reason and order in this and other aspects of race relations will be upheld. For the sake of our Nation and our position in the world, we cannot afford to permit such an exhibition of intolerant violence, least of all on the eve of the President's summit conference with the Soviet dictator at Vienna. It is, rather, time for all Americans of good will—including the many fine citizens of Alabama and other Southern States—to reassert their devotion to our national heritage of respect for the rights of all, regardless of race, creed, or color.

Last January, among eight measures which I introduced to give effect to the civil rights pledges of both parties in last year's election, was the key proposal to add title III to the civil rights laws to authorize the Attorney General to institute court action where an individual's civil rights have been violated. This would have eliminated the legal no man's land in which Alabama's racist mobs and officials feel free to operate.

While I am in full agreement with the dispatch of Federal law officers to Alabama to halt racial violence compounded by collusion of local authorities, I wonder if this most recent fiasco affecting elements striving for freedom was to some extent caused by too much talk and too little effective action by the administration.

After promising civil rights legislation before last year's Presidential election,

the President has withheld support from the rights legislation prepared by Democratic Party leaders at his own instance. Instead, the New Frontier indicated it would implement civil rights through executive department activity rather than legislation. But Federal action has been so irresolute that mobs, and even Alabama State authorities, have been emboldened. With the complicity and tacit approval of Alabama officials, violence erupted and the blame placed upon the victims.

I happened to be among the first Members of Congress to protest the recent appointment of Charles M. Meriwether, of Alabama, Governor Patterson's campaign manager, to be a Director of the U.S. Import-Export Bank. I requested the President to rescind the nomination before it went to the Senate.

This appointment was made despite Mr. Meriwether's links with the Ku Klux Klan and even his open admission that he still favored racial discrimination. The appointment appeased Governor Patterson but did it promote respect in Alabama for Federal authority and compliance with civil rights laws?

Instead of appointing Mr. Meriwether, Governor Patterson's own campaign manager, to an internationally vital post dealing with emerging Afro-Asian nations, maybe we should have sent the Peace Corps to Alabama to familiarize backward peoples with democracy and aid them along the path toward freedom.

Will Federal authorities now permit Alabama to prosecute the Freedom Riders, already victims of brutal beatings, on the trumped-up charge of contempt of an obviously unconstitutional injunction that would prevent Americans from traveling freely within their own nation? Will we have to negotiate a tractor-for-prisoners exchange with Governor Patterson?

Apart from the issue of minority rights, the basic freedom of the press demands Federal action when mobs, with seeming impunity, smash news and TV cameras, beating newsmen attempting to cover the news. Alabama is a State of the United States and is not a part of Cuba or Communist China.

Ours is a government of laws and I therefore urge the President to place the full powers of his administration behind the speedy enactment of legislation which will empower the Federal Government to take prompt, constitutional action, to deal effectively with any and all threats to the civil rights of the U.S. citizens anywhere in the Nation.

#### BRITISH STEEL PRODUCING COMPANY TO IMPORT U.S. COAL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. MOORE] is recognized for 5 minutes.

Mr. MOORE. Mr. Speaker, recently, a major British steel producing company announced that it had requested permission from the Board of Trade to import U.S. coal.

Despite the fact that the steel company is located in the heart of the Welsh coalfields—among the largest in Brit-

ain—it told the Government it can buy coal from the United States at about \$2.24 a ton less than it can from domestic nationalized mines.

I am sure, Mr. Speaker, that the fact that U.S. coal can be produced in our mines by men enjoying one of the highest wage scales in industry, moved by rail to the Atlantic coast and then shipped to Europe and be sold for less than British produced coal will come as a surprise to many people. But to persons familiar with the technological revolution which has occurred in the American coal industry in the past 10 years the fact that American coal is competitive with foreign produced coal in just about every coal market of the world is one more bit of proof of the efficiency and productivity of our coal industry.

The U.S. coal industry is without a doubt the most productive and efficient in the world. Today, the average production of all coal mines is more than 13 tons per man per day—more than double the 1947 production rate and about 10 times greater than individual production in most Western European mines.

In a period of strong inflationary pressures, the average mine price of commercial coal has actually declined during the past 12 years. As newer and more modern machines are put into use, there is every reason to believe that the price line can be held, regardless of what happened in other domestic fuels industries.

Unfortunately, Mr. Speaker, the coal industry has not been able to use its great efficiency and productivity to win new export markets for American coal. The truth of the matter is that because our coal mines are so efficient and productive foreign government has resorted to tariffs, quotas, and a variety of other trade barriers to keep out American coal.

If American coal was a high priced product, produced in an old, deteriorating plant, and unable to compete abroad without an export subsidy or some other form of government assistance, the decline in coal exports would be understandable. But the truth is that American coal is being frozen out of many markets through Government edict. American coal is the victim of the rankest kind of trade discrimination in many world markets, particularly in Western Europe.

It seems to me, Mr. Speaker, that the Federal Government has an obligation to the American coal industry to do everything it possibly can, through negotiations and other means at its disposal, to open once more European markets to American coal. In 1957, we exported 76 million tons of coal. At the present exports are running at the rate of about 37 million tons a year—a decline of almost 40 million tons.

I realize, Mr. Speaker, that the decision to bar or limit imports of coal from the United States was largely a matter of policy in each of the nations involved. But I am sure our Government can take steps to ease the situation for American coal without infringing upon the sovereignty of our allies or interfering in their internal affairs.

Mr. Speaker, an increase of 40 million tons a year in coal exports would go a long way toward alleviating conditions of significant and persistent unemployment which exists in almost all of the great coal producing regions of the Nation. Men would be put back to work in the mines, the coal carrying railroads would undoubtedly have to put on more men to handle the increased coal traffic and business generally throughout the coal areas of the Nation would receive a shot in the arm.

The Government is now pursuing policies which are detrimental to the coal industry. For example, the Government is permitting an increasing amount of foreign residual fuel oil, which can be priced to undersell coal along the east coast, to be imported and it also is doing nothing to discourage the sale of natural gas at dump prices in coal markets.

Imported residual fuel oil and dump gas are seriously affecting efforts of the coal industry to put the domestic coal industry on a sound and expanding basis. If these domestic policies are continued and nothing is done to reopen world markets to American coal—if this combination of adverse marketing conditions continue, then I say, Mr. Speaker, that the coal industry faces an impossible task and all of the modernization and improvements in efficiency and productivity will be for naught.

The American coal industry and the American coal miner have given ample evidence that they can produce coal more efficiently and cheaper than any other coal industry in the world. I trust the Government will do everything it can to see that the coal industry has the opportunity, both at home and abroad, to put this efficiency and productivity to work in free, competitive markets.

#### GIFT ENTERPRISE LAW

Mr. GOODELL. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the District of Columbia has been at a disadvantage in recent years because of its antiquated "gift enterprise" law. This law—title 22-3401, District of Columbia Code 1951—was passed in 1871 by the then legislative assembly of the District as a tax revenue law. Proprietors of gift enterprises were required to pay a \$1,000 annual license fee. After 2 years, Congress, on February 17, 1873, repealed the license clause of the enactment, and prohibited gift enterprises under a penalty.

The historical purpose underlying the District's gift enterprise law was the prevention of lotteries or similar schemes. These were a common problem throughout the United States in the 1870's. For example, in *Comm. v. Emerson*, 165 Mass. 146, 42 N.E. 559, the purpose of a similar law in one of the States was stated as being "to prevent offers of bargains

which appeal to the gambling instinct, and induce people to buy what they do not want by the promise of a gift or a prize, the precise nature of which is not known at the moment of making the purchase." The gambling problem today is under control, but the District's out-of-date law remains on the books.

Although there has never been a judicial decision construing the District's "gift enterprise" law as preventing the usual and normal sort of premium or gift-with-purchase merchandising carried on throughout the 50 States, the District's Corporation Counsel has so interpreted the law because of its rather broad and specific language.

As a result, residents of the District are being deprived of the opportunity to make bargain purchases, and the District is losing tax revenue, at a time when it is badly needed. Legitimate business is being unnecessarily interfered with under the present law.

The Federal Trade Commission reviewed this matter carefully in 1953 and issued a trade practice rule on the use of the word "free" in advertising and other commercial offers. I believe it will be in the public interest, in the interest of residents of the District, and in the interest of business in the District to amend the present law and incorporate the substance of the Federal Trade Commission rule. This will permit the same pattern of merchandising in the District of Columbia as prevails in the other States and territories. I am introducing such an amendment today.

#### AND NOW EXTORTION

Mr. GOODELL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, at the moment, do-it-yourself diplomacy and do-gooder sentimentality threaten to compound and complete the disaster of the Cuban invasion fiasco.

I am appalled at the apparent eagerness of many Americans to accept the principle of extortion and comply with the ransom terms laid down by Communist stooge Fidel Castro.

By what standards of responsible governmental leadership is the authority to negotiate with a ruthless foreign regime transferred to, or assumed by, Solidarity House and a private citizens committee?

By what standards of common humanity do we deliberately hand Castro an enormous propaganda victory, tighten the grip of a ruthless, dictatorial, Kremlin-dominated regime over millions of Cuban people and give incalculable aid to the Soviet campaign of subversion in this hemisphere?

By what standards of elemental prudence do we forge and sharpen the tools and weapons of Communist blackmail, extortion, and intimidation throughout the world?

How, by all this, do we strengthen the hand and the position of the President of the United States in his impending conversations with Soviet Premier Khrushchev?

I earnestly hope that we will recover from our current emotional binge, and that our national leadership will regain its voice, before we are too badly burned.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. TOLL (at the request of Mr. ALBERT) for today, on account of a death in the family.

#### 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. WILSON of Indiana for 10 minutes, today.

Mr. JONAS for 15 minutes, today.

Mr. HALPERN (at the request of Mr. GOODELL), for 10 minutes, today.

Mr. MOORE (at the request of Mr. GOODELL), for 5 minutes, today.

Mr. DENT (at the request of Mr. STEED), for 30 minutes, tomorrow.

Mr. DENT (at the request of Mr. STEED), for 30 minutes on Wednesday next.

Mr. GEORGE P. MILLER, for 20 minutes on Thursday, May 25.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. LANKFORD.

Mr. ROGERS of Colorado and to include extraneous matter.

Mr. MURRAY and to include an article.

Mr. GIAIMO.

Mr. STEED to revise and extend his remarks on the bill H.R. 7208, and to include certain tabular material.

Mr. HARRIS and to include a speech by the Secretary of Health, Education, and Welfare at the James E. West Boy Scouts annual meeting.

Mr. RAY.

(The following Members (at the request of Mr. GOODELL) and to include extraneous matter:)

Mr. MOOREHEAD of Ohio.

Mr. ALGER.

(The following Members (at the request of Mr. STEED) and to include extraneous matter:)

Mr. RABAUT.

Mr. FRIEDEL.

Mr. JENSEN.

#### ENROLLED BILLS SIGNED

Mr. BURLISON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5571. An act to provide for the addition or additions of certain lands to the Effigy Mounds National Monument in the State of Iowa, and for other purposes.

H.R. 6100. An act to amend title VI of the Merchant Marine Act, 1936, to authorize the payment of operating-differential subsidy for cruises.

#### SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 89. Joint resolution to amend section 217 of the National Housing Act to provide an interim increase in the authorization for insurance of mortgages by the Federal Housing Administration.

#### BILL PRESENTED TO THE PRESIDENT

Mr. BURLISON, from the Committee on House Administration, reported that that committee did on May 18, 1961, present to the President, for his approval, a bill of the House of the following title:

H.R. 7030. An act to amend the Agricultural Adjustment Act of 1938, as amended.

#### ADJOURNMENT

Mr. GEORGE P. MILLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 23, 1961, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

930. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement relating to the following watersheds: Crowabout Creek-Powell Creek, Ala., Grady-Gould, Ark., Napa River, Calif., Hog River-Pig Creek, Ill., Beasha Creek, Miss., Panther Creek, Mo., Haikey Creek, Okla., Cane Creek, Tenn., Blue Creek-Howell, Utah, and Polk Creek-Saltlick Creek, W. Va., pursuant to the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

931. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement relating to the following watersheds: Magma, Ariz., Muddy Fork of Illinois River, Ark., Bull Creek, Ga., Seven Mile Creek, Ill., Fall River, Kans., Bayou Rapides, La., and Camp Rice Arroyo Lower Plum Creek, Tex., pursuant to the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

932. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purpose"; to the Committee on Education and Labor.

933. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of March 31, 1961, pursuant to Public Law 554,

82d Congress; to the Committee on Interstate and Foreign Commerce.

934. A letter from the Administrator, General Services Administration, transmitting a report of an overobligation which occurred early in calendar year 1960 under the appropriation "Construction, public buildings projects," pursuant to title 31, United States Code, section 665; to the Committee on Appropriations.

935. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the 40th report on property acquisitions for the Office of Civil and Defense Mobilization for the period ending March 31, 1961, pursuant to the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

936. A letter from the Assistant Secretary of the Interior, transmitting one copy each of certain laws enacted by the Fifth Guam Legislature, 1960, pursuant to the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

937. A letter from the Assistant Secretary of the Interior, transmitting a copy of Senate Joint Resolution No. 1 entitled "Joint resolution requesting the Congress of the United States to grant for American Samoa the sum of \$2,298,000 to improve its water system"; to the Committee on Interior and Insular Affairs.

938. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 27, 1960, submitting a report, together with accompanying papers and illustrations, on a beach erosion control study of Palm Beach County, Fla., from Martin County line to Lake Worth Inlet and from South Lake Worth Inlet to Broward County line, prepared under the provisions of section 2 of the River and Harbor Act, approved July 3, 1930, as amended and supplemented (H. Doc. No. 164); to the Committee on Public Works and ordered to be printed with eight illustrations.

939. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 28, 1961, submitting a report, together with accompanying papers and an illustration, on Great Lakes Harbors Study—Interim Report on Huron Harbor, Ohio, requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted on May 18, 1956, and June 27, 1956 (H. Doc. No. 165); to the Committee on Public Works and ordered to be printed with one illustration.

940. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 4, 1961, submitting a report, together with accompanying papers and illustrations, on a review of report on Allegheny River at Salamanca, N.Y., requested by resolutions of the Committee on Public Works, U.S. Senate and House of Representatives, adopted May 9 and July 6, 1949 (H. Doc. No. 166); to the Committee on Public Works and ordered to be printed with three illustrations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 18, 1961, the following bill was reported on May 19, 1961:

Mr. STEED: Committee on Appropriations. H.R. 7208. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes; without amendment (Rept. No. 419). Referred to the Committee of the Whole House on the State of the Union.

[Submitted May 22, 1961]

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. CELLER: Committee on the Judiciary. Senate Joint Resolution 34. Joint resolution designating the week of October 9-15, 1961, as National American Guild of Variety Artists Week; without amendment (Rept. No. 420). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. Senate Joint Resolution 65. Joint resolution designating the week of May 14-20, 1961, as Police Week and designating May 15, 1961, as Peace Officers Memorial Day; with amendments (Rept. No. 421). Referred to the House Calendar.

Mr. ROGERS of Colorado: Committee on the Judiciary. H.R. 5255. A bill to clarify the status of circuit and district judges retired from regular active service; without amendment (Rept. No. 422). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. House Joint Resolution 109. Joint resolution designating the 17th day of December in each year as "Wright Brothers Day"; with amendments (Rept. No. 423). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of May 18, 1961, the following bill was introduced May 19, 1961:

By Mr. STEED:  
H.R. 7208. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes.  
[Introduced and referred May 22, 1961]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MORRIS:  
H.R. 7209. A bill to authorize construction of community support facilities at Los Alamos County, N. Mex.; to the Joint Committee on Atomic Energy.

By Mr. ADAIR:  
H.R. 7210. A bill to amend section 1803 of title 38, United States Code, to authorize the Administrator of Veterans' Affairs to prescribe such rate of interest on guaranteed loans as the loan market demands; to the Committee on Veterans' Affairs.

By Mr. AUCHINCLOSS:  
H.R. 7211. A bill to direct the Secretary of Commerce to undertake studies of the economic effects of deactivating certain permanent military installations situated in areas of substantial unemployment; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:  
H.R. 7212. A bill to give to the Walker River Palute Tribe the reserved minerals underlying its reservation; to the Committee on Interior and Insular Affairs.

By Mr. COHELAN:  
H.R. 7213. A bill to regulate the election in the District of Columbia of electors of President and Vice President, and for other purposes; to the Committee on the District of Columbia.

By Mr. GARLAND:  
H.R. 7214. A bill to regulate the foreign commerce of the United States by providing for fair competition between domestic industries operating under the Fair Labor Standards Act and foreign industries that supply articles imported into the United States, and for other purposes; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:  
H.R. 7215. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, and to authorize scholarship grants for under-

graduate study in such institutions; to the Committee on Education and Labor.

By Mr. GIAIMO:  
H.R. 7216. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, and to authorize scholarship grants for undergraduate study in such institutions; to the Committee on Education and Labor.

By Mr. BRADEMAS:  
H.R. 7217. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities, and to authorize scholarship grants for undergraduate study in such institutions; to the Committee on Education and Labor.

By Mr. HARSHA:  
H.R. 7218. A bill to provide that the authorized strength of the Metropolitan Police force of the District of Columbia shall be not less than 3,000 officers and members; to the Committee on the District of Columbia.

By Mr. IKARD of Texas:  
H.R. 7219. A bill to amend the Internal Revenue Code of 1954 to allow railroad corporations a tax credit equal to the deficit in passenger service revenue; to the Committee on Ways and Means.

By Mr. LANKFORD:  
H.R. 7220. A bill to further amend the act of August 7, 1946 (60 Stat. 896), as amended, by providing for an increase in the authorization funds to be granted for the construction of hospital facilities in the District of Columbia; by extending the time in which grants may be made; and for other purposes; to the Committee on the District of Columbia.

By Mr. MAILLIARD:  
H.R. 7221. A bill to amend title 23 of the United States Code to permit the utilization of space within certain highway rights-of-way for commercial, industrial, and residential structures and purposes; to the Committee on Public Works.

By Mr. MATHIAS:  
H.R. 7222. A bill to regulate gift enterprises in the District of Columbia and for other purposes; to the Committee on the District of Columbia.

By Mrs. MAY:  
H.R. 7223. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. MULTER:  
H.R. 7224. A bill to authorize the Architect of the Capitol to reimburse the owners and tenants of certain real property acquired as additions to the U.S. Capitol grounds for their moving expenses; to the Committee on Public Works.

By Mr. NYGAARD:  
H.R. 7225. A bill to amend the Tariff Act of 1930, as amended, to provide for reimbursement of services performed at special places, and for other purposes; to the Committee on Ways and Means.

By Mr. O'NEILL:  
H.R. 7226. A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; to the Committee on Ways and Means.

By Mr. PATMAN:  
H.R. 7227. A bill to amend section 4B of the Clayton Act; to the Committee on the Judiciary.

H.R. 7228. A bill to amend the Clayton Act to declare private antitrust suits to be impressed with a substantial public interest; to the Committee on the Judiciary.

H.R. 7229. A bill to provide for the publication before entry of decrees, judgments, and orders entered by consent upon the merits of civil antitrust proceedings; to the Committee on the Judiciary.

H.R. 7230. A bill to establish an equitable basis for application of the Federal income tax to mutual fire insurance companies which operate on the basis of perpetual policies or premium deposits; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 7231. A bill to amend title II of the Housing Amendments of 1955 to put idle men to work at useful local improvements and for other purposes; to the Committee on Banking and Currency.

H.R. 7232. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia, Virginia, Kentucky, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7233. A bill to amend section 503 of title 39 of the United States Code to provide that, for purposes of determining the annual income of an individual eligible for pension, payments of State bonus for military service shall be excluded; to the Committee on Veterans' Affairs.

By Mr. POWELL:

H.R. 7234. A bill to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes; to the Committee on Education and Labor.

By Mr. SMITH of Iowa:

H.R. 7235. A bill to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain sanctions, and for other purposes; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 7236. A bill to authorize the establishment of the Ice Age National Park in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Colorado:

H.R. 7237. A bill to amend subchapter S of the Internal Revenue Code of 1954 to provide that a small business corporation may in certain cases retain its tax status thereunder even though one of its shareholders becomes a trust; to the Committee on Ways and Means.

By Mr. SHELLEY:

H.R. 7238. A bill to amend title 23 of the United States Code to permit the utilization of space within certain highway rights-of-way for commercial, industrial, and residential structures and purposes; to the Committee on Public Works.

By Mr. TOLLEFSON:

H.R. 7239. A bill to direct the Secretary of Commerce to undertake studies of the

economic effects of deactivating certain permanent military installations situated in areas of substantial unemployment; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRIS K. UDALL:

H.R. 7240. A bill to authorize an exchange of lands at Wupatki National Monument, Ariz., to provide access to certain ruins in the monument, to add certain federally owned lands to the monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILSON of California:

H.R. 7241. A bill to amend section 410 of title 38, United States Code, to provide that all retired members of the uniformed services who served not less than 25 years on active duty, or who were retired for disability in excess of 50 percent, and who die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. ADAIR:

H.J. Res. 431. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

#### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the loan deadline of the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to relocating California Street in Washington, D.C.; to the Committee on the District of Columbia.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to urging the Department of Water Resources to initiate its study and recommendations for the east side division of the Central Valley project and to forward its recommendations to the U.S. Department of the

Interior; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States to continue its support of the Center for Cultural and Technical Interchange between East and West in Hawaii; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States to amend the old-age-assistance laws in order to permit individuals receiving old age assistance to earn extra compensation without being penalized; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. CHENOWETH:

H.R. 7242. A bill for the relief of Norman W. Enfield; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 7243. A bill for the relief of Maria Oricchio; to the Committee on the Judiciary.

H.R. 7244. A bill for the relief of Geom. Luigi Varnero; to the Committee on the Judiciary.

By Mr. MACK:

H.R. 7245. A bill for the relief of Wei Hsiang; to the Committee on the Judiciary.

H.R. 7246. A bill for the relief of Tsu-ming Yang; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7247. A bill for the relief of Giovanni Gioia; to the Committee on the Judiciary.

By Mr. ROUSSELOT:

H.R. 7248. A bill for the relief of Tadashi A. Okada; to the Committee on the Judiciary.

By Mr. FINO:

H. Res. 306. Resolution providing for sending the bill H.R. 7244 and accompanying papers to the Court of Claims; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

156. The SPEAKER presented a petition of Margaret M. Kaaua, county clerk, county of Hawaii, Hilo, Hawaii, urging enactment of legislation to provide funds for public school construction and/or teachers' salaries, which was referred to the Committee on Education and Labor.

## EXTENSIONS OF REMARKS

### Results of Public Opinion Poll

#### EXTENSION OF REMARKS

OF

### HON. TOM V. MOOREHEAD

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. MOOREHEAD of Ohio. Mr. Speaker, recently, I have been conducting a public opinion poll of the 15th Congressional District of Ohio in an effort to determine how the residents of the seven southeastern Ohio counties I represent here feel about a number of important national issues. These are issues which, in one form or another, may be considered by the Congress this year.

Many of the 19 questions in the poll are based upon specific recommendations on which President Kennedy has requested legislation. The survey is now complete and I wish to call the attention of the Congress to the expressions of opinion I have received.

This poll represents the tabulation of responses from 5,860 residents of my district. The questionnaire was given a large distribution by direct mail and through the cooperation of daily and weekly newspapers in the seven counties. Every effort was made to assure that the circulation was completed without regard to the political sentiments or special interests of those who received the questionnaire. It has also been my purpose to exercise care in the preparation of the questions so that their phras-

ing would not influence the answers given or impose my own opinions in any way. The results represent a very large sample of the total population of the district and it is my belief that the poll is a very good gage of public sentiment there at this time.

Since this is my first experience with a survey of this kind, I was very pleased that such a large number of persons responding commented in considerable detail, explaining why they feel as they do. These remarks cannot, of course, be reflected in the statistical tabulation. However, they have often raised points of view that I have not previously considered. Therefore, they have been very helpful to me in my own analysis of these issues. I am particularly grateful

for the serious and widespread interest the questionnaire has been accorded.

The most persistent expression in the poll was concern over increased Government spending and the expansion of Federal powers. Overwhelming responses to actual questions dealing with these issues were received and I received an avalanche of comments on these subjects, often as part of explanations pertaining to other questions.

I had expected a far greater divergence of opinion on many questions than was borne out by the poll. Out of the 19 questions, the tabulation showed that, on 9, more than two-thirds of the responses were in agreement. These involved opposition to the expansion of Federal authority, agreement on the need for stronger laws to protect voting rights of all citizens in Federal elections, approval of changing the Constitution

to require the election of Presidents and Vice Presidents by direct population vote, opposition to empowering the President to raise and lower taxes, approval of tax deductions by parents for their children's college expenses, opposition to farm programs providing more price supports and crop-production controls, approval of assistance for economically distressed areas, opposition to the admission of Red China to the United Nations, and approval of stronger laws to protect American industry from foreign import competition.

Greater variation of opinion was expressed on a number of other issues. On the measure to raise the hourly minimum wage from \$1 to \$1.25 and to broaden the coverage of the law, 2,734 responses favored the proposal, while 2,733 disapproved—a difference of 1 vote. Only 3 percentage points separated

those who approved and those who disapproved changing the social security laws to permit men to obtain reduced benefits at age 62, although more than 60 percent favored increasing benefits to widows.

Much interest was directed to the question of financing medical assistance for the aged. The answers and the comments in the poll showed wide disagreement. Twenty-seven percent of the people agreed with the proposal to include such assistance in the social security program. Twenty-four percent opposed Federal participation in medical care costs for older citizens. However, 39 percent favored Federal and State participation with the individual on a voluntary basis in financing the expense of such care.

The complete tabulation of the results of my 1960 public opinion poll is as follows:

	Yes	No	No opinion
1. Would you authorize the President to estimate annual world food needs and to use existing tax-supported farm programs to raise U.S. production to a level to meet world deficiencies?	32.85	57.59	9.56
2. Do you believe stronger laws are needed to protect voting rights of all citizens in Federal elections?	78.24	17.44	4.32
3. Are you in favor of Federal aid to education costing a minimum of \$5,600,000,000 over several years to be used either for school construction or teachers' salaries?	37.06	56.39	6.55
4. Should social security taxes be raised to—			
(a) Permit men to obtain reduced benefits at age 62?	45.39	48.08	6.53
(b) Increase widows' payments from 75 to 85 percent of their husbands' benefits?	60.95	31.05	8.00
5. Do you think the Federal Government is taking over too many responsibilities from local and State governments?	71.16	23.30	5.54
6. Do you feel increases in Federal spending are important enough to justify resulting rises in the cost of living?	21.55	64.26	14.19
7. Which one of the following do you support:			
(a) A compulsory Federal program of medical care for the aged under social security with costs borne by increased taxes on employees and employers?	27.51		6.20
(b) A voluntary program of medical care for the aged with costs shared by the Federal Government from general tax revenues and the individual beneficiary?	39.84		
(c) No medical care for the aged involving Federal Government participation?	24.65		
8. Should expansion of our economy be encouraged by granting Federal tax relief to companies which modernize and expand their plants?	53.49	39.09	7.42
9. Would you change the Constitution to abolish the electoral college and require the direct election of Presidents and Vice Presidents by popular vote?	75.26	21.25	3.49
10. Do you think the United States should continue its ban on testing nuclear weapons without reliable assurances that the Russians have also abandoned their tests?	15.36	80.19	4.45
11. Should Congress give the President power to raise or reduce taxes?	6.72	88.15	5.13
12. Do you favor a farm program with increased price supports and more production controls?	14.61	76.82	8.67
13. Do you believe Red China should be admitted to the United Nations?	13.23	79.43	7.34
14. Would you support the extension of the 1-cent tax on gasoline which expires this year to finance more rapid expansion of highways?	66.42	31.64	1.94
15. Should students' college expenses be deductible from parents' income taxes?	67.49	27.92	4.59
16. Would you favor stronger laws to protect domestic industries from competition of products imported for sale in the United States?	78.11	15.08	6.81
17. Should Congress raise the minimum hourly wage from \$1 to \$1.25 and increase the number of workers covered by the law?	46.6551	46.6382	6.7067
18. Should Federal aid be given to areas which are suffering chronically depressed economic conditions?	69.89	19.84	10.27
19. Do you support the proposal that a Peace Corps be established and financed by the U.S. Government wherein Americans would be recruited and sent abroad to help underdeveloped countries?	41.18	49.25	9.57

**Washington Report**

**EXTENSION OF REMARKS**

OF

**HON. BRUCE ALGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following Newsletter of May 20, 1961:

**WASHINGTON REPORT**

(By Congressman BRUCE ALGER, Fifth District, Tex.)

MAY 20, 1961.

Fear: (Noah Webster) "Painful emotion marked by alarm; dread; disquiet; also, an instance of this feeling."

Fear can be good or bad. It can be a protection (fear of fire and other bodily harm) or a weakness, as when dread or disquiet prevents the right action or provokes the wrong action. Examples of fear that tend toward weakness are found alternately in the fear of people of their government leaders, elective or appointive, and politicians' fear of their constituents. It is an interesting phenomenon to me that because

of unfounded fear some Members of Congress and some people wanting Federal aid or a special concession from government are willing to trade out their conviction and principles for a harbor, a lake, a bridge, or a Federal building. Is it possible for a Member of Congress to equate a public works project against his vote for or against civil rights, aid to education, foreign aid, minimum wages, a judgeship, tax legislation or social security benefit changes? Is it possible for citizens, businessmen and laboring men to abandon or accept a position on a controversial matter contrary to their own view to secure some political or government aid? Yes, these things are possible and are occurring in our country today.

The next question might then be, how much is our country weakened by fear of political reprisal, of insecurity, of communism? In an earlier day, men of stature laid peoples' fear to rest by saying,

"These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph."

"You ask, what is our aim? I can answer in one word: Victory—victory at all costs.

victory in spite of all terror, victory however long and hard the road may be; for without victory, there is no survival."

"We have nothing to fear but fear itself."

Indeed, these powerful statements in their times resolved doubts and anxieties and resulted in a rebirth of confidence.

Today we need a reawakening and a dedication to our way of life and the reasons underlying a society designed to respect the freedom, the dignity, the happiness of human beings. We have so much to be thankful for, so many spiritual and material blessings, we should face every day confidently. There should be no groundless fear, no dread, no anxiety; rather, a zeal to protect, enjoy and perpetuate our heritage. Instead we see people cowed by government power, by political reprisal or the threat of it, by communism's sterile philosophy. Such conduct is not worthy of U.S. citizens, as I see it. Obviously it is both a matter of ideals—that is, a dedication of purpose, a depth of feeling—and of attitude. Generally when fear is recognized (as cited above) and brought to light, groundless and unnecessary anxiety can be replaced by confident activity. This is what we need today in all walks of life in the United States. Indeed, our form of government is intended to rest upon and maintain its vitality by the unfettered exchange of controversial differences of viewpoint by men of good will. It is the difference of opinion,

based on facts, evolving into a later compromise that fuels the engine of a "republic in a democracy". Any capitulation of viewpoint, not warranted by the facts and adherence to high principle, weakens our system of government and society. For my part, I am totally unafraid of political pressure or reprisal and will never be so intimidated.

On several significant issues this week the House took action which could have far-reaching effect: (1) H.R. 4641 to establish an office of International Travel and Tourism. In my opinion it is unnecessary to establish another Federal bureau and bring the Government into yet another facet of our personal lives. (2) House Concurrent Resolution 226 expressing the sense of Congress in encouraging the Organization of American States to institute action against Cuba. We should not rule out unilateral action by the United States against Castro if such a move becomes necessary to protect our country. (3) House Concurrent Resolution 209 authorizing the President to provide assistance to Cuban refugee students. This was another instance of Congress waiving its authority to safeguard the peoples' money. Also, it is no more constitutional, in my judgment, to give Federal aid to foreign students than it is to our own. (4) Appropriations for Department of Labor and of Health, Education, and Welfare. I opposed the expenditures called for in the bill because in it we continue to increase our welfare spending two to one over our defense expenditures.

Thank you: To so many of you who have sent contributions to help defray the cost of this newsletter, my heartfelt thanks.

### Annual Sudeten German Day

#### EXTENSION OF REMARKS

OF

### HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. FRIEDEL. Mr. Speaker, it is quite natural for us as liberty-loving Americans to join in spirit with those who celebrate the annual Sudeten German Day in Cologne, Germany.

First of all, the over 2 million Sudeten German expellees and refugees from the stark terrors of ruthless communism have reaffirmed their dedication to the cause of freedom, democracy and peace. These ideals are more precious to us than life itself, therefore, we desire them for all people.

Second, the United States became the great nation it is largely as a result of the invaluable contributions of men, ideals, culture, and knowledge, from Europe. We all acknowledge that the Germans played a leading role with their natural scientific and technical genius, love of music, and deep religious faith.

Every American is to some degree influenced for the good by the Germany of the past. The present Chancellor, Dr. Konrad Adenauer, has given concrete evidence to the entire world that he sincerely works for a return of what was best in the past and that the lessons of history and of Germany's tragic era are not forgotten.

The free world desperately needs a strong and democratic Germany to face the evil forces in the Kremlin. We must be realistic. A new and united Ger-

many, reborn with its prior thirst for knowledge and learning, having a democratic republic as its form of government, merits the full support of the West.

All of us fervently pray that the day is not too distant when the many enslaved people and nations under the Communist heel behind the Iron Curtain will become free, and that liberty, toleration and the right to worship God as one wishes, will be respected everywhere.

It is in that spirit that I convey my sincere greetings and good wishes to those who commemorate the Sudeten German Day.

### Foreign Aid: A Form of Glorified Blackmail

#### EXTENSION OF REMARKS

OF

### HON. JOHN H. RAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. RAY. Mr. Speaker, under leave to extend my remarks, I am glad to place in the RECORD the remarks of our distinguished colleague, the Honorable H. R. Gross, of Iowa, made by him in his appearance on the Manion Forum on May 14, 1961. His discussion on foreign aid as it affects our national strength and therefore our national security is timely and valuable.

Mr. GROSS. Thank you, Dean Manion. I appreciate this opportunity to appear on the Manion Forum to discuss an issue which is of vital concern to all Americans—foreign aid.

Frequently I have been labeled as being "negative," "an isolationist" and out of step with the times because of the warnings I have issued during my entire service in Congress that it was not within the capacity of the citizens of this country to finance the rest of the world and still maintain the integrity of the American dollar and this constitutional Republic.

In my campaign for reelection last year, some of the assorted eggheads even asserted that I didn't know the world was round because of my refusal to imperil this Nation by dissipating the resources of our people—too often capriciously—in foreign lands.

It is reassuring to know that there are those in this country, like Dean Manion and those associated with him, who recognize that we cannot continue forever a reckless giveaway program and still, by some magic, avoid the day of accounting.

Since the end of World War II, the United States has spent the fantastic sum of at least \$100 billion in some 70 countries of the world, and contributed heavily to the loading of a staggering Federal debt of \$290 billion upon the backs of our children.

We have given economic and military aid to dictators who then used this aid to suppress their own people in the name of anti-communism. We have given to dictators, like Sukarno of Indonesia, who have indicated by word and deed their affinity for our Communist enemies.

And we have given to outright Communist dictators, like Tito of Yugoslavia.

#### A VERY SORRY SPECTACLE

Our aid has been used by our so-called allies and former foes to rebuild and modernize their industrial complexes in such a way

that they are now this Nation's chief competitors.

Corrupt officials have used our aid to enrich themselves and their cronies, leaving little for the people we supposedly were trying to help.

And the waste, the extravagance, the outright corruption in this vast foreign giveaway program almost defies imagination.

What have we bought with this incredible outpouring of our treasure? The record is clear that the billions of dollars we have lavished on foreign governments has bought us neither friends nor respect. Neither has it fashioned a world that is peaceful, prosperous, or free.

We have only to look to Laos as an example of how dimly foreign aid has failed.

If all the figures could be brought together, the ledger would show that the United States has pumped more than \$500 million into that little country in the form of economic aid, defense support and for military training and equipment.

And now comes word that the Laotian Army is strong enough in point of numbers and well equipped to meet the attacking forces, but it lacks the will to fight.

It is interesting to recall that foreign aid was first sold to Congress as a strictly temporary program. The original purpose, we were told, was to assist war-devastated nations on an emergency basis so they would be in a position to buy needed American goods at the end of World War II when the United States had nearly all the gold in the world.

We spent money in all corners of the globe to close what was called the foreign dollar gap.

Within 5 years, the tide started turning. Foreigners no longer were using their American dollars to buy our goods. Their factories, rebuilt with our tax dollars, were humming. Nations such as Great Britain, Japan, West Germany, France, and Italy prospered, but continued to demand and receive our aid. It has been in all too many instances a form of glorified blackmail.

Adding insult to injury, foreign beneficiaries of U.S. aid began to eat into the American market with imports of cars, cameras, steel, sewing machines, machine tools, textiles, and many other items. Today a flood of foreign merchandise is rising ominously in all American marketplaces—merchandise which was produced with low wages, new factories, American processes, and American money.

With this closing of the dollar gap, what we should have done was reduce substantially our spending overseas, but, unfortunately, the international do-gooders were in command and foreign-aid spending continued unabated. Attended with the same old specious arguments that peace in the world depends on the buying of friends, Congress has been stamped each year, year in and year out, to appropriate billions of dollars to be added to an already clogged foreign-aid pipeline.

Now, as a result of our own consummate foolishness, the chickens are coming home to roost.

The outflow of gold from this country continues at an alarming rate. The peril to the stability of the dollar is obvious, and yet only halfhearted measures have been instituted to deal with the very real problem of heavy deficits in America's balance of international payments.

Well, halfhearted measures won't get the job done, and the time is long overdue for the eggheads and internationalist do-gooders to face up to the fiscal facts of life.

The first and most important step for our Government to take is to serve notice on our so-called free world friends that the honeymoon is over: that no longer can they expect lavish handouts from a generous, and often foolish, Uncle Sam.

Unfortunately, there is nothing to indicate that the new administration plans any such move. As a matter of fact, President Kennedy's foreign aid message—which could very well have been entitled "Foreign Aid Forever"—makes it clear that he wants to spend even more money overseas in the years ahead.

The consequences of such an unwise course are too frightening to contemplate. Perhaps the day will come when the American taxpayers, who must carry the foreign aid burden, will demand an end. At least I hope so, and let us pray that day does not come too late.

## To Build—To Serve—To Achieve

### EXTENSION OF REMARKS

OF

### HON. OREN HARRIS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. HARRIS. Mr. Speaker, on the evening of May 10, 1961, the James E. West District, of the National Capitol Area Council Boy Scouts of America, held its annual meeting at the Naval Weapons Plant here in Washington. The Honorable Abraham Ribicoff, Secretary of Health, Education, and Welfare, was the speaker for the occasion and made an outstanding speech to several hundred Scouters on the subject "To Build—To Serve—To Achieve." As a former Scout, the Secretary spoke to this fine group out of the abundance of experience. It was well received by the several hundred Scouters in attendance. It is most appropriate that it be included in the CONGRESSIONAL RECORD with these remarks:

#### TO BUILD—TO SERVE—TO ACHIEVE

During the past half century, since the founding of the Boy Scouts of America in 1910, someone has estimated that the unique service rendered by the Scouts in their splendid service-to-others program has been the 10 billion good turns—little ones and big ones—which have been done by members of the organization.

Your gracious invitation to me to speak tonight makes 10 billion and 1 such good turns. It gives me an opportunity to honor the adult leaders of the District of Columbia for their service to Scouting and to speak on a subject which is very close to my heart. However, one good turn deserves another and as a former Boy Scout my good turn will be to try to keep my remarks brief and to the point.

It is always a privilege to speak in behalf of the Boy Scouts program; to recognize its high purposes; its unique opportunities and its mighty accomplishments. The needs of youth are many today. We live in a highly complex society with many pulls in many different directions.

The Scouting program provides a balance of good citizenship, high character, and physical fitness. It is a program with a purpose. It is a program of depth not only in getting across to boys the skills and techniques necessary for maturity but in using the learning processes related to those skills. It develops character and citizenship of a high order.

We build finer youth through scouting. We build democracy through finer youth. We build understanding and well-being through democracy. And we build peace and progress through understanding.

The Scouting program, dedicated to youth, is a program for the present and for the future. Its continued success will contribute much to the lives of countless individuals and to our progress as a Nation.

The James E. West District of the National Capitol Area Council honors tonight the 1,100 area adult leaders of the Boy Scouts of America. But with this recognition of your outstanding services there is an implied obligation and a challenge to continued effort. You are carrying forward the ideals of which our fathers dreamed. You are giving a bit of service to the sons of America. You are partners in building a finer Nation and a better world. You are guardians of the character of youth. In a very special way, you represent one of the great essences of Americanism. This Nation was built upon the willingness of men and women to give service on a voluntary basis. In Scouting you have evidence of the positive result of this kind of service.

Today the Scouting program reaches more than 5 million boys and adults. We can do still better. In the period ahead, none of us can do too much in relation to the need. In the face of great economic, social, and technological change, we are all called to new challenge, sacrifice, and dedication. "I will do my best to build, to serve, to achieve" is the theme of your program. The record of Scouting in the past has been spectacularly outstanding. The record of Scouting in the future is in your hands.

You cannot rest upon the achievements of yesteryear, no matter how tremendous they have been. You cannot be complacent in the face of the world situation, or happy in view of our nationwide problems of juvenile delinquency.

The Scouting program must go forward with increased vigor, new planning, and new ideas. Any program, no matter how purposeful or dynamic, can lose its freshness and vitality if the leaders are not continually recharged and re-inspired.

The Scouting program could be reduced to routine, mediocrity, and boondoggling, to rote and repetition, if it were ever to lose its zest and zeal. It could become uninspired and stereotyped if it lost its sense of dedication. It could grow stale and indifferent if the leaders did not constantly reeducate themselves. You who work in Scouting would be the first to agree that kind hearts are not enough to waken young minds.

This, then, is the essence of your challenge: Scouting must continue to stress a rigorous, rugged program, rich in resources to keep alive the old-fashioned virtues on which a pioneering democracy was built and which made America strong and have kept us free.

Scouting must continue to stress a program which will stir the imagination of our youth, demanding their finest abilities, enlisting their idealism, seeking their best efforts and accepting nothing less.

I would challenge you to keep that spirit of ruggedness always alive and growing. I would challenge you to new efforts in building boys who are well grounded in citizenship, well exposed to those ideals which go hand in hand with high moral character, well equipped with the physical attributes that bespeak and reflect the energy, dynamism, and strength of true Americans.

Scouting must continue to emphasize individual initiative and resourcefulness. In a recent article by Gen. Alfred M. Gruenther published in Scouting magazine, General Gruenther said, "The competition is much more keen than it was in my day. I am not talking about the competition for a job—I am talking about the development of great individual responsibility." Today, when in so many parts of the world the freedom and dignity of man is being threatened, individual responsibility must be inculcated in our children as something they owe both to themselves and to their country.

Scouting must always be a purposeful program with serious intent in building well-grounded citizens for this Nation. I see it as a highly significant, vital program of informal youth education, due the highest priority in any community from the standpoint of obtaining understanding and support. It has that community support. It richly deserves it.

But Scouting is more than a community program. It is worldwide in application and it must reach out increasingly to touch and influence the whole world. Scouts are aware of their responsibility to the world community. They are conscious that out of every 200 boys in our world only 5 of them live in this country; that on these 5 rests a heavy responsibility for the peace of tomorrow's world. It is heartening to know that since 1944 more than \$1¼ million worth of material help has been provided for the extension of Scouting in 90 countries, help in training adult leaders and increasing world understanding among youth. Much of this has been made possible by small contributions from individual Scouts and leaders. Since the beginning of the Boy Scouts of America, over 8,443 members have taken part in 10 world jamborees that have helped to promote world friendship and understanding.

It is particularly pleasant to note that the Boy Scout program during the coming year is placing special emphasis on health, safety, and physical fitness.

The need for physical fitness training for youth has been clearly established. Comparisons of the physical fitness ratings of children show that the average American boy or girl is not as physically fit as is a member of the same age group in many other countries. These fitness tests also indicate a downward trend in physical fitness in our own country in recent years. Working together, parents, schools, and youth organizations can do much to help solve this problem.

It was my great privilege, on behalf of President Kennedy and his Council on Youth Fitness, to preside at the recent Conference on Physical Fitness of Youth. The President's informal remarks at the closing general session are evidence of the concern with which the administration regards this problem.

"We do not want in the United States a nation of spectators," said President Kennedy, "we want a nation of participants in the vigorous life. \* \* \* We want to make sure that as our life becomes more sophisticated, as we become more urbanized, that we don't lose this valuable facet of our national character; physical vitality, which is tied into qualities of character, intellectual vigor and vitality."

The Boy Scouts of America were represented at this conference by their leaders from all across the country. They and the other delegates were in agreement that we need to think and act in terms that will assure our young people healthy and vigorous bodies, alert and intelligent minds, and that degree of emotional stability required to live in an age of both promise and peril.

What part will Scouting play in this great effort in the years ahead?

Scouting must be the spearhead of our drive against juvenile delinquency. This does not mean that Scouting should modify its high standards or accept responsibility as a punitive agency. Scouting is one of the strongest forces in the Nation today as a preventive factor in juvenile delinquency, guarding against the disease before it starts, guiding before habits of delinquency are formed, building constructively before the forces of destruction become operative.

Scouting must lead in the search for talent which is so important to America today. It must do everything possible to stimulate the intellectual curiosity of everybody, to stretch his mind and imagination, to supplement the work of the school, to encourage the

bright lad and to guide and counsel him toward the pursuit of excellence.

Scouting must emphasize the newer skills and understandings, recognizing the unlimited potentialities on the part of a boy for abstractions which we have previously considered beyond his grasp. We must awaken the mind of youth to new understandings, new concepts, new ideas, new inventions, new searchings, new challenges.

Only thus can we fulfill our obligations to our youth, and our responsibility to the society we live in.

Only thus can we meet the challenge of the days ahead.

**Speech Delivered by Alfred E. Santangelo,  
of New York, Before the American  
Committee on Italian Migration in New  
Haven, Conn., May 15, 1961**

**EXTENSION OF REMARKS**

OF

**HON. ROBERT N. GIAIMO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. GIAIMO. Mr. Speaker, on May 15, I had the pleasure of welcoming our colleague from New York, Congressman ALFRED E. SANTANGELO, to my district in Connecticut. Representative SANTANGELO spoke at a meeting of the American Committee on Italian Migration at the Waverly Inn in Cheshire. In commending his speech to the attention of our colleagues, I respectfully ask that they examine Mr. SANTANGELO's bill, H.R. 37, and my own bill, H.R. 5201; both of these measures provide for greatly needed changes in our basic immigration law. Congressman SANTANGELO's talk follows:

My colleague, ROBERT GIAIMO, thank you for such a glowing introduction. Reverend Fathers, Lt. Gov. Anthony Armentano, Mayor Dick Lee, Vice Consul, Dr. Emanuele Scammacca De Murgo, Mr. Ciro Paoletta, Judge Alfred Toscano, Mr. William De Tullio, distinguished guests on the dais, members of the American Committee on Italian Migration, Connecticut Italian Yankees, I am pleased to visit your fair city of New Haven to discuss a subject which is of vital importance, not only to you, but to all America. On May 24, 1957, I delivered a speech in Congress which appeared in the CONGRESSIONAL RECORD under the heading, "How Long Quotas?" As a consequence, one of the readers, named Oscar Dam from Seattle, Wash., wrote to me criticizing me for my position on immigration and stated that we should keep out the southern Europeans, especially the Italians, the Greeks and the Spaniards, that the native-born Americans of many generations do not want the immigration law changed. He stated further that his family had come to America in the 17th century and his ancestors had helped to develop the wilderness of America. One of his forebears was killed by Indians on a trek to California. He proudly stated that the Anglo-Saxon people had made this country great and not only must we keep out the southern Europeans, and especially the Italians, but also we should deport many who are here. I told him that he did not understand the contribution which the Catholics, the Spanish, the French, the Poles, the Hungarians and other ethnic groups have made to the development and growth of this country and the sacrifices that they have made to preserve its freedom and liberties.

I answered him and said that if the restricted immigration laws were in effect when his forebears came to America, I was certain that the whole Dam family would have been excluded. The attitude of Mr. Dam is shared by many people in the United States. If we take as a measuring rod the number of appointments of persons of Italian ancestry to high Cabinet office, one can infer that those in control of our Government today believe that the Italians have just gotten off the boat.

Yes, my friends, people forget that there was no restricted immigration law before March 3, 1875. If this country in its beginning had a restricted immigration law, Giovanni Cabot would not have been permitted to plant the Union Jack on American soil; Francis Vigo would not have been permitted to explore the Northwest with Rogers and Clark and could not have helped George Washington, after the American Revolution, with the Northwest Indians; 16 Venetians would not have built the first glass works in Jamestown, Va., in 1622; 300 Piedmontesi would not have settled in New Castle, Pa. at the invitation of the Dutch; Alfonso Tonti would not have founded the city of Detroit, and his daughter would not have been the first white woman to be born in that city; 50 Italians would not have gone to Georgia to set up the mulberry plantations and construct a silk factory; William Paca would not have signed the Declaration of Independence and then become the third Governor of Maryland; Caesar Alberti would not have planted his roots and trees in Brooklyn, N.Y.; and in your own State of Connecticut, they would not have had men like Deodati, Rossetti from Hartford, and Benzi, who came in the early 18th century.

We have mentioned only persons who were immigrants in the strict sense of the word. We do not speak of men like Christopher Columbus who discovered America; nor do we speak of Amerigo Vespucci, after whom this continent is named; nor of Giovanni da Verrazano, who discovered the Hudson River. They were explorers who came here but did not settle here. Not only did persons of Italian origin help to discover and explore America, but they helped in its early development in colonial times, and also in its development throughout the country in its early years.

From 1700 until the beginning of the 20th century, artists and craftsmen migrated to this land from Italy. The first decade of the 20th century shows the peak of this migration. At that point in time, the Italian peasant farmer began to outnumber the craftsman. They were poor indeed and were attracted to this land of opportunity, and when they came to America, they could qualify only for the most menial and humblest kind of labor—ditch digging, hod carrying, carpentry, and similar occupations.

Despite this humility and menial toil, within one generation the Italian immigrant and his offspring has repaid America for the opportunity more than a thousandfold by his contribution to the social, cultural, and economic development of our land and also in the preservation of its institutions and liberty.

Millions of people view with pleasure the beauty and the artistry of Constantine Brumidi on the frescoes in the rotunda of the U.S. Capitol. Arturo Toscanini, Enrico Caruso, Tommaso Salvini, Ernesto Rossi, gave pleasure to opera lovers throughout the land. When war came, 1,400,000 boys in World War II joined the services in defense of our country, and while newspapermen may assert that many Italian-Americans belong to the "big M," we can say with pride and with truthfulness that no one of the 1,400,000 servicemen belonged to the "big C" (communism).

During the war there were many heroes. We proudly recall the exploits of John Basi-

lone, of Raritan, N.J., the country's only two-time Medal of Honor winner. We rejoice at the aerial exploits of Don Gentile, known as the eagle of the skies. We take pride in the valor of a New York State Senator, Peter Dalessandro, who earned the Congressional Medal of Honor, two silver stars, and the Distinguished Service Cross. Many others could be mentioned, such as Gino Merlo, Bianchi, and Bangor, etc.

Persons of Italian ancestry have made their contribution, and we will not permit any Oscar Dam or a Walter Winchell to denigrate, blacken, or destroy the reputations of Americans of Italian origin or stereotype our people as gangsters.

The first restrictive legislation excluding entry into the United States of certain classes of immigrants was the act of March 3, 1875. On August 3, 1882, further legislation was passed which excluded paupers and criminals. That same year saw the enactment of the first Chinese exclusion law which remained in effect until its repeal in 1943.

Thereafter, other attempts were made to curb immigration, but it was not until 1917, when, to quiet the demands for restrictive and selective legislation, a law was passed on February 5, which codified and grouped together all laws affecting immigration which has previously been in effect.

The post period of World War I witnessed a radical change in our national immigration policies. The result was that on May 19, 1921 our country effected a change to a policy which restricted the number of immigrants who could enter. It limited the number of any particular nationality to 3 percent of foreign-born persons of that nationality who lived here in the year 1910. This, in effect, permitted about 350,000 immigrants to come here who originated mostly from northern and western Europe.

On May 26, 1924, further legislation was passed which changed both the base census year and the method of calculation. It was then changed to be based upon the 1890 census and the rate was lowered to 2 percent. Under this law until 1929, the total quota became 164,600.

The 1924 act was a far-reaching change during that quarter century in that it restricted any change in the basic composition of the American makeup. Thus these two basic acts—of 1917 and 1924—qualitatively and quantitatively operated to regulate the flow of immigration to this country.

In 1952, the Immigration and Nationality Act was enacted. This—the McCarran-Walter Act—pooled together all existing laws and regulations dealing with immigration and to this day it is the law which governs the immigrant. Under current law the total quota is 154,887 and the quotas are allocated to each area on the basis of one-sixth of 1 percent of the number of such nationals in the United States in 1920.

These laws are based on the absolute principle of national origin. The theory of national origin upon which the allotments of immigration quotas is based was developed in the early part of the 20th century when, following World War I, this country dug its head into the sands of isolationism with its xenophobic fear of aliens who were not of Anglo-Saxon stock. Northern Europe was favored over southern Europe, the Nordic races above the Slavic and Mediterranean peoples.

We see that the whole pattern of the national origins fabric has been shredded since the 1924 act. We have tried to put the cloth together by enacting special refugee legislation, by enacting special nonquota legislation relating to the principle of reuniting of families and by nonquota immigration from the western hemisphere. The national origins theory has lost all its practical meaning. It stands as an indictment not only as against American tradition, but also American logic. It mocks our Declaration of Independence and statement that

all men are created equal. Special legislation was enacted for refugees, escapees, spouses, etc. who came from such countries as Cuba, Italy, Spain, Poland, Czechoslovakia, all countries whose quotas, under the law, are severely restricted. While our immigration laws close the front door, the back door is left wide open. We know, too, that much immigration from the western hemisphere, particularly from Canada, is not of Nordic origin. Mexican nationals come into the United States by the hundreds of thousands under a bracero program, under a special program, or as resident aliens. Many people who fled persecution in the last 20 years have settled in Canada, Brazil, Argentina, and their children as native-born citizens in the western hemisphere enter the United States without regard for quota allotments. Puerto Ricans, as well as Mexicans, have entered in large numbers. The spirit which Emma Lazarus captured in her stirring words should be repeated despite the fact that in practice the Statue of Liberty does not offer a wide open door to democracy. I quote her words:

"Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tost, to me  
I lift my lamp beside the golden door."

Some of us in Congress, including your Representatives, ROBERT GAIAMO and EMILIO DADDARIO, have fought together for a realistic immigration law. In the midst of the last presidential campaign, on September 20, 1960, I proposed a four-point program, which in many respects conforms to the program which your organization has been advocating for a long time. I proposed at that time four points:

1. That the United States update the quota based on 1950 figures instead of 1920 figures.
2. A redistribution and a reallocation of the unused quotas which annually total about 55,000.
3. That the Attorney General be authorized to admit 60,000 refugees.
4. A reuniting of families by converting the preferential quotas to a nonquota status.

Both presidential candidates responded. On October 8, 1960, President John F. Kennedy, despite the demands of his campaign, replied to my solicitation. For his comments on my proposals, I quote in part from the President's reply:

"I believe that the most important immediate objective of immigration reform is the reuniting of families. There are many new citizens in America whose immediate families are in other lands, waiting patiently to join them. In countries which oversubscribe their quotas, they have been waiting for many years. We have a social obligation to bring these families together. For this purpose, I have suggested that nonquota status be granted to parents, minor children, and spouses of citizens and resident aliens, provided they are otherwise eligible under the law.

"I believe that each of the other proposals you set forth in your letter also provides a sound basis for legislative action. Updating our present quotas, and pooling unused quotas, are sound methods of assuring that present authorizations are used up in an equitable manner. A flexible formula for admission of refugees should be devised so that our country can act more speedily in meeting our share of the world's responsibility to the victims of oppression. But I also feel that we should look beyond these proposals to the abolition of the national origins quota system and its replacement with a more equitable method of regulating the inflow of immigrants."

On January 3, 1961, the first day of the congressional session, I introduced H.R. 37 to amend the Immigration and Nationality Act.

No action on legislation can be taken without the support or the approval of a man who considers himself the father of the immigration law, FRANCIS WALTER. Finally, on April 13, 1961, FRANCIS WALTER introduced H.R. 6300 revising the immigration law in which he gives a little with his left hand and takes away with his right. If we complain about the insufficiency, he threatens to take away what he offers to give. The major proposal is the reallocation of the unused quotas. Congressman WALTER proposed that of the approximately 150,000 quotas, those nations which have a quota of less than 7,000 should share the unused quotas in the proportion that the particular nation's quota bears to the total quota numbers of all countries, excluding Germany, Ireland, and Great Britain. You are aware, of course, that Germany has a quota of approximately 25,814; Great Britain, a quota of 65,361; Ireland, a quota of 17,756; and approximately 55,000 annually are unused; whereas the quotas of other countries have been mortgaged for many years to come.

These unused quotas, according to the Walter bill, shall be allocated 40 percent to those in second preference status; 30 percent to those in third preference status; and 30 percent for those in fourth preference status. This quota will vary from year to year, and the relatives who will benefit from the quota reserve include (1) parents and unmarried sons and daughters over 21 years of age of U.S. citizens, (2) spouses and unmarried sons and daughters, minors or adults, of lawfully resident aliens, and (3) married sons or daughters or brothers and sisters of U.S. citizens and their spouses, and minor children if accompanying them. Under this formula Italy will get about 2,500 more. The remainder of the Walter bill is, in my opinion, more restrictive than beneficial. Some of the provisions are designed to facilitate the deportation and denaturalization of lawfully resident aliens and naturalized citizens. Some provisions make easier the waiver of obstacles, such as sickness, TB, and other contagious diseases. There is some good to this legislation, but I believe that some of the provisions have such harmful procedures that the bad outweighs the good and one is tempted to oppose such legislation.

What has happened to the President's promise? Why has he not acted? I can understand his thinking. I believed the President when he wrote to me and I believe that he intends to carry out his promise, but we get awfully annoyed at the long wait, not only for his recommendations in the immigration field, but also in his delay in appointments of persons of Italian ancestry. For practical political reasons, I believe, the administration has not sent a message to the Congress asking for a revision of the immigration laws as was promised.

The many measures which the President has recommended relate to legislation for the improvement of the economic position of the people of the United States—the minimum wage law to increase the earning capacity of the workers of America, the aid to depressed areas, the extension of the unemployment insurance law for dependent children, the social security increases, are all designed to help a struggling people where unemployment is high and misery is rampant. The climate for opening the doors to permit a larger number of immigrants to enter our country would not sit well with a Congress or a people who claim that they cannot obtain decent wages and a good standard of living. Last week we voted and passed in the House of Representatives the Mexican national or bracero program which permits the entry of Mexican workers, approximately 400,000, to work on American farms. The paradox is that while we claim that we must keep out immigrants because there is unemployment, we permit the entry of 400,000 Mexicans because we need farm-

workers throughout the Southwest and the South of our country. It might be wiser for us to revise our immigration laws to permit farmworkers from Europe who are not specialists to come to work on the farms of America which are feeding not only the 180 million people of the United States, but practically all of the peoples of underprivileged nations.

For us to maintain our image to the peoples of the world, we must have a fair and realistic immigration law. We cannot say to the people of the Mediterranean, Africa, and Asia that we are interested in your welfare and yet when they come to our doors we raise our hands and say, "Thou shalt not enter here." Our Nation had the respect of the world since 1776 because the people felt that ours was a land of opportunity; we proclaimed that all men were created equal and that we welcomed in friendship the homeless, the tempest-tossed to our shores. The Statue of Liberty, which stands high on Bedloe's Island in New York, is still a magnet to the homeless and the refuge of the teeming shores of the peoples of the world. We must continue to keep its light bright, reflecting glory not only in the East but also in the West. We must give encouragement to those, who like our forefathers, have a contribution to make and we must open our doors wide once again to let democracy in.

### Light a Candle

#### EXTENSION OF REMARKS

OF

### HON. TOM MURRAY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. MURRAY. Mr. Speaker, the very able and gracious gentlewoman from Pennsylvania, Representative KATHRYN E. GRANAHAN, has served with distinction for over 2 years as chairman of the Postal Operations Subcommittee of the House Post Office and Civil Service Committee. During this period Representative GRANAHAN has contributed immeasurably to the public welfare through her vigorous and effective subcommittee program to rid the U.S. mails of traffic in obscenity and pornography.

I commend to the attention of the Congress a recent article by Representative GRANAHAN on this important subject. The article, most appropriately entitled "Light a Candle," and printed in Men of Malvern, a monthly publication of the Laymen's Weekend Retreat League at Malvern, Pa., follows:

#### LIGHT A CANDLE

(By Representative KATHRYN E. GRANAHAN, of Pennsylvania, chairman, Subcommittee on Postal Operations)

"It is better to light just one little candle  
Than to stumble in the dark;  
Better far that you light just one little candle—  
All you need's a tiny spark."

The words of this beautiful song, so gloriously sung earlier in the evening by the famed Justin Lawrie Choral Group, stayed with me as I returned to my Washington hotel room. Another day's work was behind me and another night's official functions were over. Now was the welcomed moment for reflection.

In pondering Joe Tinney's request that I do a short article for Men of Malvern on my pet project—the work of my Subcommittee

on Postal Operations in exposing and combating the traffic in obscene and pornographic literature—I couldn't help but think that here, beautifully expressed in poetry and music, was exactly what we are trying to accomplish.

It was not until I became chairman of this important investigating subcommittee that I began to understand the enormity of the problem of pornography. I was shocked when I learned of the depths of depravity to which filth merchants will resort. I soon came to realize the type of subhuman venality we are up against.

I quickly found out that one of the basic reasons for the growing volume of indecent matter in the mails and on the newsstands was the fact that the average decent citizen is entirely unaware of the nature and extent of this scourge.

So, in 2 years of extensive hearings on this problem, which took my subcommittee to most of the major cities of the country, in the report which we later issued, and in all my own speeches and personal contacts with citizen groups everywhere, our purpose has been to establish an aroused community consciousness to this vital problem.

We have, if you please, been trying to light just one little candle and to help provide the tiny spark for other such candles, so that we may not stumble in the dark over this cancerous growth which, if unchecked, will insidiously destroy the moral tissue of our Nation.

#### FILTH PEDDLING IS BIG TIME

Pornography today is big business. The peddling of obscene and pornographic literature is no longer confined to the backrooms of pool halls. It has become a lucrative business with wide and varied sources of distribution. According to reliable estimates, filth peddling brings in from  $\frac{1}{2}$  billion to \$1 billion a year.

Besides the fact that the average citizen is unaware of the extent of this problem, I believe there are two other basic reasons for the increased traffic in obscene literature. The first is the fantastic profits which can be derived with a relatively small capital outlay. The second is the difficulty of prosecuting offenders, especially in the jurisdictions where most of the mail-order business in pornography originates.

But, primarily because of public unawareness of this creeping menace, printed filth now appears in drugstores, supermarkets, and newsstands in addition to widespread distribution through the mail (which, actually, is the primary jurisdiction of my subcommittee). Too often it stands indiscriminately on the magazine rack next to respectable family magazines dedicated to the improvement of the American home.

Here, I fear, its ready accessibility to our young ones imparts a flavor of acceptability, with the result that they are gaining dangerously false impressions of the moral foundations of our society. For the fundamental unit of that society—the family—is challenged in the mind of every adolescent with each distorted idea he acquires regarding the true meaning of natural sex instinct.

#### SMUT AND DELINQUENCY

The evidence that juvenile delinquency is sharply increasing with each year, that it is more commonly concerned with acts of violence, and that it is appearing in the suburbs as well as in the slums, is unmistakable. In the 9-year period, 1949 through 1957, the number of appearances before juvenile courts for delinquency increased two and one-half times, while the child population increased by only one-fourth.

The direct relationship between obscenity and this rising incidence of juvenile delinquency was clearly pinpointed by many distinguished witnesses who appeared before my subcommittee—among them, the

Rev. Father Terrence J. Murphy, of the Loyola University Law School; Dr. Nicholas G. Frignito, chief neuropsychiatrist and medical director of our own Philadelphia municipal court, whose position affords an unusual opportunity to study and evaluate the effects of obscenity and pornography on the conduct of youthful law violators; and Mr. John Cornelius Hayes, president of the National Council of Catholic Men and professor of law at Loyola University.

I know there are psychiatrists who hesitate to relate publications devoted to distorted sex, terror, sadism, and crime with juvenile delinquency. However, after having listened to many authorities and worked closely with this problem for over 2 years, I find myself in complete agreement with J. Edgar Hoover, Director of the Federal Bureau of Investigation, who recently wrote:

"I say that we can no longer afford to wait for the answer. What we do know is that in an overwhelming large number of cases sex crime is associated with pornography. We know that sex criminals read it, are clearly influenced by it.

"I believe pornography is a major cause of sex violence. I believe that if we can eliminate the distribution of such items among impressionable school-age children, we shall greatly reduce our frightening sex crime rate."

#### KNOWLEDGE WILL BRING ACTION

More than ever, I am firmly convinced that only when the public is fully enlightened—when enough "candles" are lit—will we be able to stem the ravages caused by filth and smut. The "light" of knowledge will surely be followed by determined action. I have enough faith in the moral and spiritual backbone of this Nation to know that when thinking men and women get to know the whole sordid story of pornography, they will not long stand by and do nothing. They do not need to be reminded of Edmund Burke's admonition: "All that is necessary for the triumph of evil is that good men do nothing."

Fortunately, good men are doing something about the evil of pornography. Civil and church leaders in many cities and towns, large and small, throughout the country are demonstrating the effectiveness of organized committees and groups in combating and cleaning up the traffic in filthy publications in their own areas. Moreover, action in one community helps provide the tiny spark for similar action in other communities and these shared experiences yield large rewards.

In helping to encourage this kind of action by individuals and groups, my subcommittee's report summarized what the situation is both as to obscene matter sent through the mail and the increasing prevalence of smutty publications on the newsstands. We describe the efforts being made in some communities to combat the spread of this evil among their youth. We also suggest a program of community action and list recommendations to help stamp out the nationwide traffic in indecent publications.

Copies of this report, entitled "Obscene Matter Sent Through the Mail," may be obtained from the Government Printing Office, Superintendent of Documents, Washington 25, D.C., for the nominal charge of 20 cents per copy.

As I indicated earlier, the basic unit of our society—the family—is most seriously in danger from the pornographic attack. The family must, therefore, be the center of the counterattack against this festering disease. Additional laws, community action, and other group efforts—while valuable—are no substitute for the "light" of parental guidance. They cannot absolve fathers and mothers from their obligation to know their children, to understand their thinking, to lead them onto paths of better reading, and to guide them by appealing to their interests

at least as forcefully and attractively as the "dirt peddlers" are doing.

Truly, the brightest "candle" of all is the one that shines in the home.

### What Will the Harvest Be?

#### EXTENSION OF REMARKS

OF

### HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. JENSEN. Mr. Speaker, under leave to extend my own remarks in the RECORD, I am pleased to include a letter to me under date of April 27, from a typical, good American farm wife, Mrs. Jack W. Hester, of Honey Creek, Iowa, who speaks for herself and her husband, along with my letter in part to them asking their permission to have their letter printed in the CONGRESSIONAL RECORD, and their reply.

Mr. Speaker, the letter to me dated April 27 sets out in plain, scholarly, understandable language the position which these good, hard-working American farmers fear they will experience in complying with the 1961 feed grain law. Of course, thousands of our farmers are in the same category with the Hesters, who it appears have no choice but to sign up, or else. The letters follow:

HONEY CREEK, IOWA, April 27, 1961.

DEAR MR. JENSEN: For several years now we have been asked to write our President and Congressmen, how we feel about different Government legislation. Little attention did we give to it until the last couple years, when the agricultural controversy got to the place it is making even more satisfied farmers feel poverty stricken.

Jack and I are 32 and 28 years, respectively. We have four children ranging from 7 years to 3 months. We live on a rented 173 acres which has both bottom and hills. With lots of work and modern farming practices we have averaged over 80 bushel an acre corn. We aren't specializing, but milk cows, sell some eggs, and our main source of income is hogs.

We would like to point out we started farming in 1953, with a Farmers Home Administration loan. We are not debt free, but feel we have gained a lot not only in material assets, but in doing what we enjoy.

Please don't get the idea we feel we've reached our goal, as we're working toward the day we can buy the land we now rent. If we can accomplish this and raise our family with hopes of college for them, we don't feel we have room to complain. We feel we can reach this goal without the Federal Government giving it to us.

We do not like the present farm plan, but what choice is there when the landlady has to seal her corn. The corn program came out saying to put 20 percent and 40 percent in diverted acres. You would receive 50 percent of your average yield on first 20 percent. When we received our papers, we got a 65 bushel average yield. Where did our other 15 bushels go?

The television program out of Ames on the farm plan said the main purpose of the program was to increase farm income. Does this mean the farmer with the initiative to improve his farming practices takes the penalty for someone who doesn't try? Was it just a snow job for farmers, figuring they wouldn't know any better?

As far as the soybean support price is concerned, more people will raise them. Then another excess crop. We have always sold them for more than support prices. After this is there going to be complete control, too?

We are definitely against the Government controlling everything as suggested by the long-range farm plan. What initiative (the one thing our country boasts about) will be left if everything goes to bushel, pound, etc., measurements? The Government telling us to raise so much and no more.

We believe our country is the best, but the only difference in this policy and the Russian is they are told to raise more and we will be told exactly how much less to raise. Either way the Government takes over.

What do we have left to work for if the Government tells us what we can do? Then they take care of us through old age with social security and medical aid. At this rate all we got left is to say we'll be glad when we're 65 years, as so many are saying. Of course, someone is going to have to pay for all these so-called benefits. There are some people you can give everything and still they want more.

We realize the surplus problem is bad and something has to be done. We believe in the soil bank, with high enough rates, based fairly, and used to get rid of the surplus is still the solution. With high enough payments and lower prices why wouldn't farmers be better off cooperating? Using this system until the surplus is gone. Then give it a chance to take care of itself.

Have been reading where Secretary of Agriculture Freeman is overjoyed with the sign up on the present plan. I do hope he realizes there are a lot of us that had little choice.

Would like to thank you for your time taken to read this.

Sincerely,

Mr. and Mrs. JACK W. HESTER.

MAY 11, 1961.

DEAR MR. AND MRS. HESTER: Your letter to me about the feed grain law for the 1961 crop year is the best I have received in that you explain in more detail the effect which the law will have on your income, etc.

Therefore, I feel your letter deserves the wide publicity it would receive by having it inserted in the CONGRESSIONAL RECORD.

Please know I would not have your letter made a part of the CONGRESSIONAL RECORD which is mailed each day to over 68,000 people in the United States, without your approval. May I have your approval to do so?

Sincerely yours,

BEN F. JENSEN,

Member of Congress, Seventh Iowa District.

MAY 16, 1961.

DEAR MR. JENSEN: In regard to your letter of May 11, we'd be honored to have our letter printed in any publication.

We feel very proud and happy to find out that an individual still has a chance to be heard in our great country. Thank you.

Sincerely,

Mr. and Mrs. JACK W. HESTER.

## Fifteenth Anniversary of the Democratic Republic of Italy

EXTENSION OF REMARKS  
OF

HON. RICHARD E. LANKFORD

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. LANKFORD. Mr. Speaker, we all know of 1961 as the centennial of our

War Between the States—it is also the year of the centennial of the unification of Italy. June 2 marks the 15th anniversary of the democratic Republic of Italy and I should like at this time to pay tribute to our great Mediterranean ally.

Italy has always been a country of cultural inspiration—from the villas of Pompeii to the renaissance paintings and sculpture of Florence to the architectural center of the modern world, Milan. Music lovers find paradise at La Scala. Engineers still study the technical genius of Da Vinci. Sun worshippers find its shores and islands the most beautiful in the world.

Most important of all, Italy has been our continued friend for all of the 15 years of its Republic. It is our ally in NATO and is carrying out its share in the great struggle for freedom against oppression. And so, to the Italians across the sea and to the many Italo-Americans here, I extend my warmest congratulations and best wishes for a continued future in the fine traditions of the past.

### Michigan Week: The Michigan Story

EXTENSION OF REMARKS

OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. RABAUT. Mr. Speaker, each year since 1954 the citizens of the great State of Michigan have set aside 1 week in the year as Michigan Week. It is a period when we Michiganders reaffirm our pride in our State and rededicate ourselves to its future growth and prosperity. Michigan Week this year will be observed May 21–27. As a native and lifelong resident of Michigan, I would like to say a few words, in the spirit of Michigan Week, about some of the reasons why the people of Michigan are proud of their State.

Of course, Michigan is proud that it is first in the Nation in the production of automobiles. In Michigan's automobile industry, the manufacturing revolution which is now sweeping over the underdeveloped world came to maturity. The industrial genius of Michigan made Detroit the "arsenal of democracy" in World War II. Without the mass production techniques that emerged out of the auto industry, America could not have reversed the Nazi-Japanese tide.

But Michigan is out front not only in the production of motor vehicles and parts. Michigan's unmatched industrial know-how and the world's finest labor force, representing almost every skill listed by the U.S. Census Bureau, have placed Michigan first in the Nation in the production of mobile homes, boats, conveyors, internal combustion engines, metal stampings, steel springs, machine shop work, gray-iron foundry production, public building fixtures, hardware supplies, sporting and athletic goods, padding and upholstery filling as well as salt and cereals. Michigan leads all other States in the value of its manu-

factured products per worker. We have justly earned our reputation as the industrial capital of the world. Few areas in the United States can compare with Michigan as a State in which to locate industry and business.

Michigan believes that it has a mission of providing the same leadership in the space age as it did in the automotive age. As evidence of this, the booster chosen for the momentous flight into space of astronaut Navy Comdr. Alan B. Shepard, Jr., on May 5, 1961, was the Michigan-built Chrysler Redstone. Indeed, Michigan is taking its place on the frontier of the forces that are shaping the modern world. To the greatest pool of labor skills and managerial brains in the world, Michigan has added first-rate research facilities. The University of Michigan's Institute of Science and Technology is the Nation's first State-supported space age research endeavor. High resolution radar was designed at the University of Michigan. The Bomarc missile was designed and developed at the university. The ultra-high-performance Rambler rocket was conceived in Michigan, designed in Michigan, and can be built by Michigan companies with Michigan products. Atomic power installations are already under construction by Detroit Edison and Consumer Power companies.

During the past few years electronics companies have been showing increasing interest in locating in Michigan to take advantage of the research and consultant talent our universities are making available. The Greater Ann Arbor Research Park, now under construction, will provide a most fertile base for extending the partnership between industry and the university for the development of new and startling research and products for the space age. Yes, the people of Michigan are proud that their State is not a status quo State, not resting on past laurels—that it is a State on the move.

We are proud that Michigan is known all over the world as a great industrial State. We are equally proud of our preeminence as a great agricultural State. The first land-grant college in the United States emerged on the campus of Michigan State University at East Lansing. From the technical and scientific achievements of such colleges American agriculture was transformed. In Michigan, agriculture is one of the three principal sectors of the State's economy. Only a handful of States can boast of such a varied and successful agriculture. In all, 44 different fruit and vegetable crops are grown commercially. Michigan leads all other States in the production of strawberries, sour cherries, cantaloupes, late celery, cucumbers for pickles, and field beans. The famous bean soup served in the U.S. Senate and House dining rooms is made from Michigan beans. The sale of products from Michigan farms totaled nearly three-quarters of a billion dollars in 1958—the latest year for which statistics are available. In addition, the volume of business directly connected with the processing, storing, distribution, and transportation of farm products amounted to \$1,880 million. More than half of Michigan's

83 counties rank among the top 100 counties in the Nation in the production of field crops, fruit, and livestock. Despite Michigan's magnificent industrial and agricultural accomplishments, Michigan still has about 40 percent of its land area available for development.

Michigan's bountiful natural and physical resources are another source of great pride to the citizens of our State. Michigan's location in the greatest iron ore producing region of the world places Michigan second among the iron ore producing States in the Union. Michigan is still a major lumbering State with 19 million acres of forests which serve Michigan's furniture, paper and pulp industries. Michigan is first in salt production in the Nation. Michigan has the world's largest limestone quarries and deposits of gypsum. Michigan ranks sixth in the production of copper and is high in the annual production of oil. Michigan's abundant quantities of sand and gravel make possible one of the finest highway systems in the country.

All of these natural resources are helping build a chemical empire in Michigan. There has been amazing progress in this industry in the last few years and there will be additional developments in the near future. The value added by manufacture in our new and rapidly developing chemical industry is now in the neighborhood of \$600 million.

Michigan is proud of its roadbuilding program. In our State we are constructing freeways at the rate of 1 foot a minute. By the end of 1962 people and products will be able to travel nonstop from the Ohio border to the Mackinac Bridge and from Detroit to Muskegon over superb modern roads. This highway system will make Michigan's recreation areas more easily accessible than ever before.

Most people know how much wonderful fun it is to vacation in Michigan, but relatively few know the extent of the tourist industry in Michigan and the vital role it plays in our economy. There are some 28,000 individual businesses serving the wants of people who come from all corners of our Nation for refreshing and restful holiday fun in Michigan. Michigan is bordered by four of the Great Lakes and has the longest shoreline of any State except Alaska. We have more than 11,000 inland lakes, 36,000 miles of rivers and streams and 19 million acres of forest land in which are situated 61 State parks and recreational areas. We have more ski areas than any other State in the Nation. Last year Michigan tourism grossed more than \$650 million and provided employment for about 100,000 persons. Sales and use tax receipts from the tourist and resort industry have reached an annual figure of \$40 million and this figure is expected to rise to \$46 million this year. The U.S. Department of Commerce figures show that money spent by an average of 24 tourists a day equals the economic impact of a manufacturing plant with a \$100,000 annual payroll. This places in sharp focus the importance of tourism in the Michigan economy.

One of Michigan's unique assets for industry, health, and pleasure is her ever-abundant supply of fresh water. It is an asset envied by many other States which are faced with a critical water situation. Because of Michigan's geographical location, bordered by four of the five Great Lakes, our relatively level topography, our porous soil, our waterholding geological formations and our heavy and uniform rainfall, we have in Michigan the largest continuously available supply of fresh water in the world. In Michigan we do not use water, we only borrow it. By a relatively simple and inexpensive practice of water conservation we are capable of returning the same quantity and quality of water we receive back to its source. Water emptied anywhere into our 36,000 miles of streams is returned to its source, the Great Lakes. We do not have the costly problem of tapping water for use and later returning it to the same watershed. Michigan is indeed the "Water Wonderland" of the Nation.

In the area of industry, agriculture and recreational resources Michigan is a proven leader. The people of Michigan are also proud of another great accomplishment—the continuing development of its human resources through one of the finest educational systems in the Nation. Michigan ranks fifth among the States in its support of public education. Since 1948 Michigan has spent a billion dollars for school construction. Enrollment in elementary and secondary schools last year reached almost 1,700,000. In the Nation in 1958, State and local expenditures for all public education averaged 35.5 percent of the general expenditures of State and local governments. In Michigan it constituted 40.7 percent. The estimated current expenditure per pupil in average daily attendance in Michigan for 1959-60 was \$425 in contrast to the national average of \$369. The expenditure of \$425 per pupil is a 93.6 percent increase over the same expenditure in Michigan in 1949-50. During this decade, only two other States had a higher percentage increase in current expenditures per pupil. State aid per pupil in average daily attendance in 1957-58 in Michigan was \$206 as compared with the national average of \$162. Michigan is rated among the top 10 States for its program of educational excellence. Michigan's colleges and universities are recognized for the excellence of their programs, facilities, and graduates.

Michiganers point with pride to many other tangible advantages and accomplishments, to the fact that Michigan is located in the heart of the Great Lakes consumer market which has an annual retail sales of \$43.5 billion; that in transportation Michigan is serviced directly by the St. Lawrence Seaway, 32 railroads, 190 trucklines, 14 major feeder airlines; and that Michigan leads the Nation in homeownership with a total of almost 70 percent.

Yes, Michigan is a great State. We are proud of our great physical and human resources and of the splendid use to which they have been put. But we are not too proud to realize that we must be even greater in the sixties, that we

must set new goals of attainment in every area of endeavor not only for Michigan, but for the Nation and the future of the entire free world. It is in this spirit that we launch Michigan Week—1961.

## Kennedy Administration Fights Organized Crime

### EXTENSION OF REMARKS

OF

### HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 1961

Mr. ROGERS of Colorado. Mr. Speaker, the Kennedy administration is interested in curbing organized crime and racketeering. The Honorable Robert F. Kennedy, Attorney General, has appeared before the Subcommittee of the House Judiciary Committee and urged enactment of legislation that will accomplish this purpose. I know there is great interest in preventing crime and racketeering and the Attorney General has proposals to meet this problem as is evidenced by his statement, and under unanimous consent, I insert his statement in the RECORD. The statement is as follows:

Mr. Chairman, I am here today supporting proposed legislation which we, in the Department of Justice believe can be extremely effective in combating organized crime and racketeering. These proposals have been developed in the Department over a period of time to aid and assist local law enforcement officers in controlling hoodlums and racketeers, who in many instances have become so rich and so powerful that they have outgrown local authorities.

Some of these proposals are new. Others are revisions of proposals submitted by the prior administration. Still others were submitted by my predecessor and I have endorsed them.

There have been large scale investigations into this problem on both the national scene and at the State level. You are all familiar with the Kefauver investigation and its disclosures which shocked the Nation. In the Senate Rackets Committee's investigations into improper conduct in the labor-management field, we found organized crime and racketeering moving into that field. Both investigations highlighted problems existing in the larger cities.

Sometimes we get the impression that the general public believes that organized crime is a problem for the big cities, alone. If any one is under that misapprehension he can be corrected very quickly by reading the report of the New York State Commission on Investigation issued in February of this year. It deals with organized crime in central New York State. Then there is a report by the General Investigating Committee to the House of Representatives of the 57th Legislature of Texas. The latter report details what I can describe only as the rape of the city of Beaumont by organized crime. What the Texas committee found to be the results of organized crime having gained control of the town, will be of interest to you.

The investigation found houses of prostitution, gambling clubs, punchboards, pinball machines, slot machines, numbers, and book-making widely distributed throughout the city. Liquor was sold to teenagers and 45 pounds of raw opium worth \$500,000 was

seized. As has been pointed out so often, gambling, liquor violations, narcotics, bribery and corruption of local officials and labor racketeering and extortion go hand in hand.

The Texas report details the effects of organized crime as follows: The crime rate of the city rose 22 percent in 1960; desirable citizens left town; the city is in the red by \$1,125,833; \$350,000 in current checks were issued with no covering funds in the bank; within 3 years two water improvement projects ran out of money; the city is deficient in neighborhood parks and supervised recreation facilities; municipal bonds are difficult to sell; the city records were in such bad shape that independent auditors refused to certify an accounting rendered by them; and finally the efforts to attract industry to the city were sabotaged by the corrupting influence.

This appalling story has not had its ending recorded yet. An aroused citizenry currently is conducting a cleanup of what they rightly consider to be a local problem. However, we in the Federal Government can be of great assistance to them and other honest citizens.

The opium seized in Beaumont was not grown locally in Texas. The pinball machines and other gambling devices were not manufactured there. The profits from the activities did not remain in Texas. The information so necessary to the conduct of gambling operations did not originate locally. All the information and implements flowed into Beaumont through the medium of interstate commerce. Our package of bills is designed to prohibit the use of interstate facilities for the conduct of the many unlawful enterprises which make up organized crime today.

I now would like to discuss these bills in some general terms.

I will turn first to H.R. 6572, which would prohibit travel in aid of racketeering enterprises.

Organized crime is nourished by a number of activities, but the primary source of its growth is illicit gambling. From huge gambling profits flow the funds to bankroll the other illegal activities I have mentioned including the bribery of local officials.

The main target of our bill is interstate travel to promote gambling. It also is aimed at the huge profits in the traffic in liquor, narcotics, prostitution, as well as the use of these funds for corrupting local officials and for their use in racketeering in labor and management. Thus, when we speak of unlawful business it is business engaged in the aforementioned improper activities.

A brief explanation of the method by which the funds are obtained by the bigtime gambling operators may be useful at this time.

Many persons think of the corner handbook operator or the neighborhood merchant, who sells a numbers ticket to him, as the person to whom we refer when we talk of the gambling racketeer. This is about as accurate as describing an iceberg as a section of ice floating on top of the water. As with the iceberg the danger and the size of the problem can only be fully appreciated if we go below the surface.

On the surface is the handbook operator. He makes a profit from the persons who place bets with him because he has an edge on every bet. He pays track odds but usually not in excess of 20 to 1. The odds at the track are calculated after deducting the 15 to 18 percent of the total betting pool which goes to pay taxes and other expenses. The bookmaker pockets that amount. However, he is not a man of unlimited resources. He must balance his books so that he will lose no more on the winner than has been bet on the other horses in a race, after his percentage has been deducted. He cannot control the choices of his customers and very often he will find that one horse is the favorite choice of his clientele. His "ac-

tion," as he calls it, may not reflect the action of the track. Therefore, he must reinsure himself on the race in much the same fashion that casualty insurance companies reinsure a risk that is too great for it to assume alone. To do this the bookmaker uses the layoff man, who for a commission, accepts the excess wager.

The local layoff better also will have limited funds and his layoff bets may be out of balance. When this occurs he calls the large layoff bettors, who because of their funds, can spread the larger risk. These persons are gamblers who comprise a nationwide syndicate or combine. They are in close touch with each other all the time and they distribute the bets among themselves so that an overall balance is reached on any horse-race.

With a balanced book at the handbook, layoff or syndicate level the edge is divided and no one loses except the man who placed the original bet. As an indication of the volume of business I am talking about, one of the largest operators in the combine does a layoff business of \$18 million a year. His net profit is \$720,000 a year. This is a 4-percent return on volume with relatively no risk as a result of the balancing of his books on each event.

The term "gambler" is a misnomer for these persons. They accept money that the small gamblers wager but they do not gamble at all. This is further illustrated graphically by what we know as the numbers racket.

A man purchases a ticket with three numbers on it, paying a dollar for the ticket. Since there are 999 such numbers he should reasonably expect the odds to be 999 to 1. The numbers bank usually pays 600 to 1 on such a wager—or less—so you can see that the only gambler in this situation is the man making the bet. The operator pockets 40 cents on every dollar bet. That is if the game is run honestly. That, however, is too much to expect from this group. If the play is too high on any one number they manage through devious means to insure that a number on which the play has been small will be the winner.

With that background on the type of business done by these persons, let me now move to their interstate travel activities to show how we hope to be of aid and assistance to local law authorities.

The examples I am going to give have a factual basis, but I will speak mainly in generalities in open session for obvious reasons.

Our first example is as follows: Some notorious individuals, whose names you would immediately recognize, had interests in a numbers bank but lived in a resort town far from the scene of operation. Every month a messenger carried the profits of the numbers racket from the scene of operations to the resort town. One of the payments was in excess of \$250,000. Thus, the persons reaping the profit from the illegal activity remained beyond the reach of the law enforcement officials at the place of operation and committed no crime in the State where they lived. Only the Federal Government can curtail the flow of funds which permit the kingpins to live far from the scene, preventing the local officials, burdened by the gambling activity, from punishing him.

If our bill is enacted we will be able to prosecute the courier who carries the funds across State lines and in conjunction with the aiding and abetting statute (18 U.S.C. 2) we will be able to prosecute the person who caused the courier to travel—the kingpin. This example illustrates what we have found to be a pattern around the country where the apparently innocuous 10-cent numbers bet in a large city turns into tremendous profits in the hands of bigtime hoodlums.

Another example involves the frequent travel from a middle Atlantic State to a

New England State by the operator of a lottery—and/or members of his family—to make payments to winners or pick up money wagered. Our information reveals that, in order to avoid the statute proscribing interstate transportation of lottery tickets (18 U.S.C. 1301), the individual carried the plates for printing the tickets to the various States. He did that so the tickets could be printed locally.

In another instance in a Midwestern State, the scene of illicit operations is close to the border of the State. One individual travels daily between the two States. He conducts his layoff business in the one State and lives in a \$200,000 house in the suburbs of a large city across the border in the other State.

Let me cite another example. The layoff men at the top of the bookmaking organization are in daily contact with each other to reinsure their bets and divide the action, thus assuring that all make a profit and no one takes an exorbitant risk.

These people can conduct their businesses by telephone. When local authorities get close to them, they merely pick up stakes and move to another jurisdiction. The best example of this moving to frustrate local police, is the case of a man who started operations as a layoff man in the Midwest in 1946. He moved to another town in 1949 and then to Newport, Ky., in 1950. In 1952, under pressure of the Kefauver investigations into organized crime, he moved to Montreal, Canada. When the Royal Canadian Mounted Police raided his establishment he moved back to Newport, Ky.

We can follow these people from State to State and prosecute them for the very activities which now make a mockery of local law enforcement if this travel bill is enacted.

The layoff men, who comprise the gambling syndicate, must settle their accounts periodically for they do not trust each other any more than they trust the average bettor. They settle the accounts by having a bagman travel throughout the country picking up and depositing funds to balance the books. He receives reports of balances due from each of the layoff men. He acts as a clearinghouse and accountant for the group—settling the accounts in accordance with good accounting practice—in much the same manner that our banking clearing houses operate. The only difference is that the banking houses are not afraid of divulging their incomes through the use of banking channels. The gamblers use cash and a messenger to clear the daily balances.

When a Braniff airplane crashed at Buffalo, Tex., on September 30, 1959, a collection man for a prime subject of the Kefauver investigation, was killed. The collection man was enroute to New York with his boss's share of profits from gambling operations in Texas. With the enactment of this bill, prosecution may be undertaken in future situations against men like this and the persons who send them to collect the proceeds.

In summary, our information reveals numerous instances where the prime mover in a gambling or other illegal enterprise operates by remote control from the safety of another State—sometimes half a continent away. He sends henchmen to the scene of operations or travels himself from time to time to supervise the activity and check on his underlings. As for the profits, he receives his share by messenger.

Another example of the type of situation which we are trying to curb in proscribing the interstate travel in furtherance of an unlawful activity is the situation which arose in Hot Springs, Ark., in 1960. A printing company in Jefferson Parish, La., receives race wire information from Chicago bookmakers and disseminates the data to gambling establishments in sections of the South and Southwest. The company is owned by a racketeer, since deported, and his race

service manager, of New Orleans. The manager, while in Hot Springs in March of 1960 got into a violent argument with the owner of the race wire service there. The Hot Springs man told the New Orleans man to stay in New Orleans as he could operate his business without help.

In May of 1960, the owner of the Hot Springs service traveled to Chicago and visited a Chicago rackets overlord. The Hot Springs man sought assistance in curtailing the activities of the New Orleans group in seeking to take over his race wire service. If we could show the existence of race wire services in New Orleans and Hot Springs and the travel on the part of the New Orleans man to expand the New Orleans service and the travel of the Hot Springs man to protect his interest in the Hot Springs service we could prosecute both of these top racketeers with the enactment of the proposed bill.

A race wire service has been provided in Wisconsin by Chicago hoodlums. In return for allowing the race wire service to prosper in Wisconsin, a person, who is now the subject of intensive investigations, has been allocated a portion of Antioch, Ill., for the conduct of gambling. This individual apparently has trained his housemen at Kenosha before they traveled to Antioch to run the gambling operations. Such travel as by the Chicago people to Kenosha and the Kenosha hoodlums to Antioch would violate the bill as travel to promote an unlawful business, thus permitting the interruption if not the destruction of the gambling empires.

There is wide open gambling in Newport, Ky., adjacent to Cincinnati, Ohio, and Covington, Ky. A review of the financial statements of four Newport gambling casinos in 1957 revealed that 11 persons, who reside outside of Kentucky, participated in the casino profits. With this bill we would be able to move against interstate travel to distribute the profits of these casinos to the out-of-State owners.

Edward Silver, the district attorney of Kings County, testified before the New York State Commission of Investigation that there have been several unsolved gangland homicides connected with gambling in recent years in his jurisdiction. It would be in keeping with past practices of this element if the perpetrators of the crimes had come from out of State. This practice was amply illustrated by the disclosures in the trial of the members of the notorious Murder, Inc.

None of the activities of which I have just spoken, that is, interstate travel to carry on a racketeering enterprise, travel to deliver the profits of an illegal enterprise, or travel to commit a crime of violence in furtherance of the activities of an illegal business is now per se, a violation of State or Federal law. The travel is performed by these persons with impunity, but because of that travel and the interstate aspects of the activities, the task of the local law enforcement officials is staggering.

I am not discussing isolated instances but what we have found to be a pattern of behavior in a number of geographic areas.

We have skirted the area of social gambling by limiting the proposed statute to gambling, as a business, which violates State or Federal law. In this limited aspect, the enactment of the bill will be a tremendous tool for stamping out the vicious and dangerous criminal combinations.

Mr. Chairman, this bill is vital. We need it. Local law-enforcement officials need it. The country needs it.

The second bill I wish to discuss, H.R. 7039, amends chapter 50 of title 18, United States Code, with respect to the transmission of bets, wagers, and related information. Its purpose is to assist the various States in enforcement of their laws pertaining to gambling and bookmaking. It would prohibit the use of wire communication facilities for the transmission of certain gambling in-

formation in interstate and foreign commerce.

Gambling in the United States, we estimate, involves about 70,000 persons and a gross volume of \$7 billion annually.

The most diligent efforts of local law enforcement officers are often frustrated by the ease with which information essential to gambling operations can be disseminated in interstate commerce.

Bookmaking bases its operations upon races at about 20 major racetracks throughout the country, and requires rapid transmission of the results on each race. Usually there are only a few tracks in operation at any given time and the average bet placed with a bookmaker is a small one.

In order to run a successful book that pays a good return, the bookmaker needs a volume of business. This volume is usually obtained by the fact that bettors can play their money and any winnings upon the whole card of daily races reported from one or more tracks, if they know their standing from race to race. Thus, information almost simultaneously transmitted prior to, during, and immediately after each race on such items as the starting horses, scratches of entries, probable winners, betting odds, results and the prices paid, is essential to both the bookmaker and his clientele in order to insure any sizable gambling.

Furthermore, let me emphasize that no matter by what means the bookmaker and his clients receive this in-bound information—whether by telegraph ticker tape, by telephone, or even by radio or television broadcast—the bookmaker needs a means of rapid out-bound communication. This usually is by telephone—with other bookmakers, the purpose is to balance his book and protect against a severe loss when the betting becomes heavy on any particular entry. I have explained this hedging process, known as layoff betting, in my earlier testimony on the interstate travel bill.

The rapid gathering and dissemination of trackside information is a highly profitable and integral part of commercialized gambling on horseracing. This information can be obtained by stealth and use of various ingenious devices, such as the pitch-catcher type operation where a man at the track flashes the result of a race by a hand signal or other device, to a confederate at an open telephone line. The confederate then gives the result to a central point of dissemination. The information is placed upon leased telegraph circuits or long distance telephone lines running to the major cities of the country from which it is further fanned out on other leased circuits or telephone lines, or in some cases by radio broadcast, to the ultimate subscribers, the bookmakers, who pay a substantial fee for this vital service.

The rapid results provided by this wire service are indispensable to all bookmakers operating on any but the most modest scale. They are a means of expanding the play and stimulating further betting from race to race. They protect the bookmaker from the dilemma of either refusing bets which are placed about the time a race is scheduled to start, or of accepting a bet on a horse which has already won the race.

Equally essential to the bookmaker is the local telephone service which he must have to avoid the risk of arrest for running an open betting room. He needs the telephone to take a substantial portion of bets; and, of course, the bettors also will use the phone to be informed of the results. Furthermore, telephones provide auxiliary service for rapid results where telegraph tickers or speaker circuits fail. In areas where ticker or speaker service is not available, the bookmaker must have at least one telephone for the exclusive purpose of receiving service from the subdistributor who supplies him with the trackside information.

In addition to the unique transmission situation in the field of commercialized horserace betting, the gamblers also have moved into large-scale betting operations in such amateur and professional sports events as baseball, basketball, football, and boxing.

This has been highlighted recently by disclosures that for the second time in 10 years, gamblers have bribed college basketball players to shave points on games. In this situation the bookmaker needs telephone communication to get the latest "line" on the contest. This is the handicapped prediction of the probable results and the point spread in basketball and football. Without the latest information as to the condition of the team, and the happening of such things as late injuries to key players, the bookmaker is the victim of fate. He cannot permit this to happen, so he subscribes to a service which gives him and his confederates the latest up-to-the-minute information which may bear on the result.

It is quite evident that modern, organized, commercial gambling operations are so completely intertwined with the Nation's communications systems that denial of their use to the gambling fraternity would be a mortal blow to their operations.

This is the precise purpose of the proposed legislation. It would be an exercise by the Congress of its plenary power over interstate communications to aid the States in coping with organized gambling, by denying the use of interstate communication facilities for such activities.

It cannot be overemphasized that this bill is designed, first to assist the States and territories in the enforcement of their laws pertaining to gambling and like offenses. Second, the bill would in that regard help suppress organized gambling by prohibiting the use of wire communications for the transmission of gambling information in interstate and foreign commerce.

The word "organized" is underscored because it should be clear that the Federal Government is not undertaking the almost impossible task of dealing with all the many forms of casual or social wagering which so often may be effected over communication facilities. It is not intended that the act should prevent a social wager between friends by telephone. This legislation can be a most effective weapon in dealing with one of the major factors of organized crime in this country without invading the privacy of the home or outraging the sensibilities of our people in matters of personal inclinations and morals.

The next bill I would discuss is one we sent to the Congress, but which has not been introduced in the House. At this time, I would like to speak in support of subsections (a) and (b) of our draft. Subsection (c), dealing with false and misleading information will be presented as a separate bill. The bill would amend chapter 73 of title 18, United States Code dealing with the obstruction of justice. Its purpose is to prohibit the intimidation of witnesses in administrative investigations.

The need for this legislation stems from the language of the existing obstruction of justice statutes (18 U.S.C. 1503 and 1505) which prohibit the intimidation of witnesses in matters pending before a court or an administrative agency. Section 1503 prohibits the intimidation of any witness in any court proceeding. Section 1505 prohibits the intimidation of any witness in any proceeding pending before any department or agency.

Section 1503 has been construed in *United States v. Scoratow* (137 F. Supp. 620) as not applying to the intimidation of a witness in an investigation by the Federal Bureau of Investigation until a complaint is pending in a Federal court. As so construed, the section leaves a gap in the law which permits the intimidation of witnesses in preliminary

investigation. This withholds sanctions against persons who may by their actions forestall the commencement of criminal proceedings in the Federal courts. The gap was recognized in the 85th Congress and remedial legislation was recommended by the Senate Subcommittee on Improvements in the Federal Criminal Code.

You will, of course, understand that in very many cases investigations are conducted in order to ascertain whether a complaint should be filed or a matter referred to a grand jury. If this preliminary investigation is frustrated by the intimidation of witnesses, the investigation may be brought to a halt before evidence sufficient to warrant the filing of a complaint or the referral of the evidence to a grand jury has been ascertained. Intimidation at this point, therefore, is more effective than it would be at a later point when there may be other evidence upon which to proceed.

Some examples of this intimidation are as follows. In the *Scoratown* case, the defendant threatened to kill a Mr. and Mrs. Friedman if Friedman gave any information to the FBI. Friedman was being interrogated by the FBI in an investigation of a possible false statement to the FHA involving a nephew of Scoratown. The court held that such intimidation was not within the purview of existing obstruction of justice statutes and dismissed an indictment against Scoratown.

Another case such as this involved a man named Lloyd Scuttles. Scuttles had been interviewed in connection with a stolen automobile. When the man who sold Scuttles the automobile got out of prison, he threatened to kill Scuttles because he believed that Scuttles had given the FBI information leading to his conviction. Scuttles was never a witness at the trial of the man who threatened him. Therefore the case was not within the purview of the obstruction of justice statute.

In still another case, a man who had been interviewed by FBI agents in a white slave case was accosted by another man who displayed a knife and threatened to kill our witness if he gave any information to the FBI, or the police. Again, since the man threatened was not a witness in a proceeding, no action could be taken against the threatener.

These are some of the cases we know about. We don't know, of course, the number of cases where the intimidation has been wholly effective.

We are asking for an expansion of the obstruction statutes to cover this situation. It is particularly necessary in view of the other bills I am discussing today.

If those bills are enacted the Department of Justice is going to be involved in large-scale combat with the forces which use interstate commerce to conduct their criminal activities. The persons who make up this element are tough and ruthless. They also are shrewd enough to be aware of the need of secrecy in the conduct of their activities. They know the dangers to which they will be subjected if witnesses talk freely to our investigators. Therefore, we expect attempts will be made to mislead us through intimidation of witnesses by threats or by violence.

I am sure that the gap of which I spoke previously is known to the leaders of organized crime. They are made well aware of the laws' limitations and the opportunities for forestalling investigations. This loophole permits the use of threats and violence in the first stages of an investigation thus preventing the development of a case.

Our opponents are ruthless, vicious, and resourceful. I cannot stress this too much. They will use every weapon at their command to prevent our discovery of incriminating information. The present state of the law is an open invitation to them to cripple our efforts and prevent our inquiries at the

very point where witnesses need protection the most. The need for this bill seems to me to be self-evident.

The next bills are H.R. 468 and H.R. 3023 to amend the Fugitive Felon Act. They are identical. This amendment was introduced in the 86th Congress at the behest of my predecessor as H.R. 11897. It passed the House on August 23, 1960, but no action was taken on it in the Senate. It was again introduced at the beginning of this session of the Congress at Mr. Roger's recommendation. I endorse this proposal and urge its enactment.

The purpose of this proposal is to expand the coverage of the Fugitive Felon Act (18 U.S.C. 1073) which now makes it a Federal offense to flee a State jurisdiction in order to avoid prosecution or confinement for certain crimes of violence. These crimes include murder, kidnaping, burglary, robbery, mayhem, rape, assault with a dangerous weapon, arson punishable as a felony, extortion accompanied by threats of violence or attempts to commit those offenses.

Although the law only applies to fugitives, who have committed these crimes, this section has been extremely useful in strengthening local law enforcement. It has enabled the FBI to arrest fugitives fleeing a State jurisdiction and turn them over to the State in which they are arrested to await extradition by the demanding State. In 1960, the FBI apprehended 1,361 fugitives under the provisions of this law. Only two were tried in Federal courts. The rest were turned over to local authorities.

We can understand the limited scope of the section if we go back to the time of its enactment in 1934. Local law enforcement officials were troubled then, as they are today, with the ease with which fugitives could escape their jurisdiction by crossing a State line. The local officials could not follow, find, and return the criminals. It became apparent that the Federal Government had to assist those officials by apprehending fugitives in other jurisdictions and returning them for prosecution.

The nature of the publicized crime of that era was, however, different than it is today. At that time, the Congress and the public were greatly disturbed by widespread crimes of violence. Names like Capone, Dutch Schultz, Mad-dog Coll, Dillinger, and Karpis were on the front pages of the newspapers of the country.

Today, as in 1934, the major responsibility for the combating of crime and the prosecution of offenders rests with the States. Today, however, the face of organized crime has changed. While there still are crimes of violence, the modern criminal has become somewhat more sophisticated in the planning and perpetration of his activities in gambling, prostitution, narcotics, bribery, fraud and larceny. He has moved into legitimate businesses and labor unions where he embezzles the funds and loots the treasury. He has much more rapid means of escape from the jurisdiction of the local law enforcement. Unless his offenses also are Federal offenses, the Federal Government may not through the means of this section enhance the power of the State officials to apprehend racketeers and hoodlums.

If the Fugitive Felon Act is expanded, as proposed by this bill, the FBI will be able to put into operation the first of the necessary steps leading to the return to the proper jurisdiction of any person who has committed a crime punishable by death or imprisonment for more than 1 year. In such an expanded scope, we in the Federal Government can be of the greatest aid and assistance to the States.

Another area of gambling which needs attention, if we are to make a coordinated and successful attack on organized crime, is the easy interstate transportation of wagering paraphernalia. This was highlighted by

the report of the Texas commission mentioned in my earlier testimony. That problem is the subject of H.R. 6571.

Federal laws, designed to suppress the lottery traffic in interstate and foreign commerce, have been on the books since 1895 (28 Stat. 963, act of March 2, 1895, ch. 191). The present statutes are found at 18 U.S.C. sections 1301 to 1305. In summary, these statutes make illegal the transportation in interstate or foreign commerce of "any paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery \* \* \*" (18 U.S.C. 1301).

From the very beginning the courts narrowly have limited the scope of these statutes. In 1897, the Supreme Court held that the statutory proscription against interstate transportation of lottery paraphernalia applied only to writings, instruments, or tickets representing chances on an existing lottery and not an already completed one (*France v. United States*, 164 U.S. 676 (1897)). The 1903 decision in *Francis v. United States*, 188 U.S. 375 (1903), further limited the scope of the statute by holding that a duplicate slip, retained by the agent of a numbers lottery to indicate the number played, is not a paper "purporting to be or to represent a chance, share, or interest in a lottery." I have previously told you of the shipment of the plates for printing numbers tickets. That shipment will violate this section whereas the travel to deliver the plates will also violate our travel proposal.

Finally, it has been held that the use of the mails in advertising and conducting a bookmaking business does not violate the present statutes because the selection of winners may require some skill or knowledge rather than mere chance (*United States v. Rich*, 90 F. Supp. 624 (E.D. Ill. 1950)).

Since the classic definition of a lottery is the payment of consideration for a prize to be awarded by chance, this interpretation excludes sport betting slips from the existing statutory prohibition against interstate transportation.

The proposed statute is designed to close the most important loopholes resulting from the above decisions. This measure would make it a felony to send, or knowingly carry in interstate or foreign commerce, any wagering paraphernalia or device used, adapted, or designed for use in bookmaking, wagering pools with respect to a sporting event, or numbers, policy, bolita, or similar games. This language makes clear its applicability to slips, papers, or paraphernalia which may be used in a lottery scheme not yet in existence or already completed. It also specifically prohibits the interstate transportation of slips recording the amounts and numbers bet in a numbers lottery and betting slips and other materials of a bookmaking operation.

In addition to the example I have previously cited there is considerable evidence that the operators of certain types of lotteries—which are undeniably interstate in character—have adopted various ways to avoid violating the narrow prohibitions of existing law. For example, lottery tickets may be printed in blank at a central point in one State, then transported to other States where the so-called playing numbers are overprinted. Without these numbers the blanks are not within the statutory definition of lottery tickets and their interstate transportation is not prohibited. Under the proposed measure, the blank tickets would be prohibited from interstate shipment as paper designed for use in a numbers or similar game.

The so-called numbers lottery, or one of its infinite variations, operates in virtually every major metropolitan area. Particularly where such a metropolitan area covers part of several States, it is not unusual that the numbers sellers in one State turn over their

play to runners who report at a numbers bank in another State. The interstate carrying of slips or writings, indicating the amounts of bets and the numbers played, is essential to this type of operation. The proposed statute would prohibit the interstate carrying of such numbers slips.

The fear of a raid by Federal or local police has turned the attention of the numbers operators and the bookmakers to the problem of quick disposition of the records used in the conduct of the business. This would include the papers used to record the bets of the numbers played by the individual bettor. The operators are making our task more difficult through the use of flash paper for the quick disposition of the records. This paper is highly inflammable and will burst into flame if a cigarette is placed on it. In less time than it will take a law enforcement officer to cross the room, a bookmaker can turn his records into a pile of ashes of no use as evidence against him.

We wish to curtail the interstate transportation of this type of equipment. If we do so, the bookmaker and numbers operator is going to find another specialized type of equipment to frustrate our efforts. We thus are asking for this bill to curtail the interstate shipment of paraphernalia that is used, intended or designed for use in their activities. With this broad prohibition we hope to be able to keep step with the criminal element as it tries a different approach to the problem.

The last bill I will comment upon is H.R. 3021, which would amend chapter 95 of title 18, United States Code, to permit the compelling of testimony under certain conditions and the granting of immunity from prosecution in connection therewith. This proposal was first submitted to the Congress on May 25, 1959, by my predecessor. The bill was introduced as H.R. 7392 but did not pass. It was resubmitted to the Congress on January 18, 1961. In our examination of the program submitted by the previous administration, we found that the bill will perform a necessary function and I recommend its enactment.

The experience of the Department has shown that there are difficulties in obtaining proof of violation of the Taft-Hartley Act and the Hobbs Act because certain portions of those acts overlap. For example, an employer may have been the victim of labor extortion, which is prohibited by the Hobbs

Act. However, because he has made payments to the labor racketeer, he may fear that the payments will be construed by prosecutive agencies or a grand jury as a payment to the labor leader in violation of the Taft-Hartley Act. Thus, the employer understandably is reluctant to testify about transactions that are not clear-cut violations of the Hobbs Act. In this gray area of activity our difficulties in obtaining proof are substantial.

This proposal will permit us to call the businessman before the grand jury, compel him to testify as to the transactions. If he first refuses to answer the questions on the basis of his constitutional privilege, he could be given immunity against prosecution for any matter, thing, or transaction about which his testimony is compelled.

We will then be able to obtain the evidence we need against the person who is most culpable in the matter while relieving the fears of the person who has been wronged.

In addition, in Hobbs Act violations, we very often run into a situation where a person is a conduit for funds from an employer to a labor racketeer. The conduit, while not the most culpable person involved, is nevertheless able to and under the present law justified in refusing to answer any questions about the transaction on the basis of his constitutional privilege. If the present bill is enacted we will be able to require testimony from the least culpable of the conspirators and obtain the proof we need for conviction of the real offenders.

In summary this bill will enable the Department to prosecute with more effectiveness the persons engaged in labor racketeering which is tied into the rest of organized crime and has become such a blight upon the business community.

Mr. Chairman, in conclusion, I would like to read into the record the comments of Mr. J. Edgar Hoover, Director of the FBI, about the bills I have discussed. Mr. Hoover's statement is as follows:

"Your legislative program as to interstate crime currently pending in Congress should receive the wholehearted endorsement of law enforcement at Federal, State, and local levels. As we are all aware, the growing seriousness of the Nation's crime problem presents an increasing threat to the safety and welfare of the Nation. Today its severe effects are felt directly or indirectly in every home in America. In terms of dollars and

cents alone crime imposes a tremendous burden upon us all. Our annual cost of crime now totals \$22 billion—the equivalent of \$128 for every man, woman, and child in these United States.

"One of the most deeply entrenched segments of crime is represented in the underworld activities of racketeers and professional hoodlums. I refer to the vice barons, those engaged in illegal gambling, commercialized prostitution, and illicit liquor operations as well as the narcotics peddlers and the strong-arm racketeers whose lucrative illicit profits are derived from every stratum of our society. Many of these racketeers utilize interstate facilities and operate with impunity, if not in open defiance.

"The ranks of law enforcement are closing against the challenge of hoodlum lawlessness. As an example, on a day-to-day basis the FBI exchanges information with other law enforcement agencies at the local, State, and Federal levels concerning the operations and activities of professional hoodlums. During the past 6 months the FBI has disseminated over 53,000 items of a criminal intelligence nature to other law enforcing authorities.

"In addition, the scientific facilities of our laboratory and the fingerprint services of our Identification Division have been fully available to all agencies which are joined in the fight against crime. In return the FBI received invaluable assistance throughout the year from other members of the law enforcement profession in all parts of the Nation.

"These important weapons, science and co-operation, are successfully meeting the hoodlum challenge of lawlessness every day in the areas where we are now empowered by law to use them. These can be made even more effective if the law enforcement profession is given authority to bring these facilities to bear on those present voids in the law which allow organized crime and racketeering to operate on an interstate basis.

"This new and vitally needed legislation, which you have proposed, will strengthen the Federal Government's hand and will provide it with additional effective weapons in stamping out the evil of organized crime. If enacted into law, these legislative proposals would certainly enable the Government to proceed more effectively and vigorously against the well-entrenched interstate racketeers who are beyond the reach of local law enforcement."

## HOUSE OF REPRESENTATIVES

TUESDAY, MAY 23, 1961

The House met at 12 o'clock noon.

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

Jeremiah 31: 3: *I have loved thee with an everlasting love; therefore with loving kindness have I drawn thee.*

Eternal and ever-blessed God, we thank Thee for the tenderness and tenacity of Thy love which we need so supremely and which alone can satisfy us.

We humbly acknowledge that day by day we plan and propose, we counsel and contrive, and often feel very self-confident and self-sufficient.

Help us to understand that our hope for success and security cannot rest upon our own skill and human ingenuity, but upon Thy divine guidance and hold upon us.

May our hearts go out in love and sympathy toward all whose faith is be-

ing assailed by doubt and whose whole life seems to be one of conflict and struggle, of labor and sorrow, and of heartache and anguish.

Grant that our love may be a world feeling and may Thy light and truth shine in all the dark and dismal places of the earth, bringing unto mankind the blessings of peace and joy.

Hear us in Christ's name. Amen.

### THE JOURNAL

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 610) entitled "An act to strengthen the foreign and domestic commerce of the United States by providing for the es-

tablishment of a U.S. Travel Service within the Department of Commerce and a Travel Advisory Board," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. SMATHERS, Mr. BARTLETT, Mr. BUTLER, and Mr. COTTON to be the conferees on the part of the Senate.

### HON. LOUISE G. REECE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee, Mrs. LOUISE G. REECE, be permitted to take the oath of office today. Her certificate of election has not arrived, but there is no contest, and no question has been raised with regard to her election.

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

There was no objection.

Mrs. REECE appeared at the bar of the House and took the oath of office.