By Mr. DORN:

H. Res. 318. Resolution prohibiting the shipment of equipment to Cuba; to the Committee on Foreign Affairs.

By Mr. O'BRIEN of New York:

H. Res. 319. Resolution to express the sense of the House of Representatives on the recommendations of the Alaska International Rail and Highway Commission; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H. Res. 320. Resolution to express the sense of the House of Representatives on the recommendations of the Alaska International Rail and Highway Commission; to the Committee on Interior and Insular 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 Florida, memorializing the President and the Congress of the United States to provide sufficient funds for a survey of Apalachee Bay area into Spring Creek; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to grant Federal aid or assistance to urban, metropolitan, and publicly owned mass transportation facilities; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States relative to the recognition of Federal employee unions; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 7362. A bill for the relief of Rodolfo Micaletti; to the Committee on the Judiciary.

By Mr. ANFUSO:

H.R. 7363. A bill to authorize the Secretary of the Navy to lease certain land to the Navy Yard Boys' Club, Inc. (a New York corporation); to the Committee on Armed Services.

By Mr. DORN:

H.R. 7364. A bill to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property; to the Committee on Interior and Insular Affairs.

By Mr. DOWNING:

H.R. 7365. A bill for the relief of Herbert B. Shorter, Sr.; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7366. A bill for the relief of Lem Hong and May Hong; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 7367. A bill for the relief of Roberto Castillo Garza; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 7368. A bill for the relief of Urszula and Bogumil Dronka Getris; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 7369. A bill for the relief of Gerda Godin; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 7370. A bill for the relief of Jerzy Bielecki; to the Committee on the Judiciary.

SENATE

THURSDAY, MAY 25, 1961

The Senate met at 9:55 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:

Eternal God, who art above all and in all: We seek Thee as our fathers before us have sought Thee in every generation.

Amid all the subtle dangers that beset us, save us from the fatal folly of attempting to rely upon our own strength.

Gird us with Thy might, that the strain of these days may not break our spirits when deluded men who have not Thee in awe imagine vain things. May no denials of human freedom now loose in the world intimidate our souls.

When the problems which front us seem insoluble, when the very principles for which brave men have died are betrayed, when the seamless robe of world unity is rent in twain, when even the shining river of our dreams seems to sink into the sands of futility, still may we labor on, serene and confident that Thy sure victory cometh in the morning, when we shall see that these clouds are lies and that the blue sky is the truth.

We bring our morning prayer in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 24, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1852) to authorize appropriations for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 6874) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction of facilities, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 6874) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction of facilities, and for other purposes, was read twice by its title and referred to the Committee on Aeronautical and Space Sciences.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, under the unanimous-consent agreement previously entered, at 10 o'clock the Senate will proceed to the consideration of Senate Concurrent Resolution 25. Debate will be limited to 1 hour; and if a vote has not been reached in 1 hour, the resolution will be placed on the calendar.

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.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Foreign Relations and the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I have asked the majority leader to give me 3 minutes in order that I may comment on a matter of personal privilege.

Time magazine in its issue of May 5, 1961, published a completely false article about the senior Senator from Oregon. It is one which obviously was designed to damage me. That is characteristic of the editorial policy of Time magazine toward me and has been for some time, for reasons well recognized on the floor of the Senate. This particular article is, of course, being picked up by my opposition press in Oregon. The article seeks to give the impression that the senior Senator from Oregon has had a break with the President of the United States and therefore cannot be of help to Oregon with the Kennedy administration.

To the opposition press in Oregon, I say: Ask the President, and you will

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

find that there is not only a close, warm personal friendship existing between the senior Senator from Oregon and the President, but that the senior Senator from Oregon enjoys the complete confidence and respect of the President of the United States. It is also well known in the Senate and in the White House that I am devoted to the President and can be counted upon to help him in every way that I can. The President does not expect or want any Senator to follow him blindly. He wants our honest differences if we disagree on some issue. I am proud of the President's statesmanship and I am proud to be on his team.

On May 4, 1961, I replied to the Time magazine article in a letter to Time magazine, a letter which Time has not seen fit to publish in its magazine—again, for obvious reasons. Time magazine does not want to have the truth about the senior Senator from Oregon known. I said to the editor:

SIR: In the May 5 issue of Time magazine, there appears an item which reads as follows:

"THE MORSE THAT ROARED

"'Who does that pip-squeak think he is?' raged Oregon's Democratic Senator WAYNE MORSE about John F. Kennedy to friends on the Senate floor. What angered MORSE was that Kennedy had failed to reverse a recent order by the Eisenhower administration that shifted a regional office of the Post Office Department from Portland to rival Seattle without first consulting him. 'Kennedy is not going to get my support until I get some satisfaction,' said MORSE. Soon after, MORSE postponed Education and Labor Committee hearings on a Kennedy-backed education bill."

I wish to advise you that there is not a word of truth in the article. I have long since become accustomed to being lied about by Time magazine, but the President of the United States is entitled to more accurate reporting.

Very truly yours,

WAYNE MORSE.

On May 4, I sent to the President a letter which reads as follows:

The Honorable JOHN F. KENNEDY,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing a copy of a letter I have written to the editor of Time magazine.

I resent not only the complete falsehood in the Time magazine article, but I deeply resent the injustice that the article does to you, as well as to me.

Yours respectfully,

WAYNE MORSE.

I may say that in a telephone conversation with the President, he made it perfectly clear to me that he knew at the time he read the article that there was no basis of fact in it. He made clear that knowing me as he did through our close association in the Senate that I had not made any such remark about him.

Under date of May 8, 1961, I received from Time magazine a letter saying that they were referring my letter to the editors. I ask unanimous consent that the letter be printed at this point in the RECORD.

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

TIME,
New York, N.Y., May 8, 1961.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: Your comment has been received and is being forwarded to the editorial department so that the editors may see it. You will hear from us again at an early date.

Sincerely yours,

GWYNETH KAHN
(For the editors).

Subsequently, I received a very interesting reply from Time magazine. It reads as follows:

On receipt of your letter we asked our correspondent to recheck the incident about you (Time, May 5) and he tells us that not only does his source, who was within earshot of the conversation, confirm Time's reporting but also that several other Senate staff members were very much aware of your displeasure with the President and the Postmaster General.

Since one often does not remember precisely what one has said in spirited, informal conversation, it is unfortunately true that a printed version may come as an unpleasant surprise. We can, however, assure you that both at the time the story went to press and now on rechecking we have made every effort to be accurate.

That is a very interesting reply. It is a confession and avoidance reply. It is a confession that the attack on me was based upon hearsay gossip and not on direct evidence. Time magazine knows that its reporter never checked the gossip smear of me by coming to me and asking me directly if I ever made such a statement. If Time magazine were a responsible periodical it would have at least checked its gossip story with me. However, that would be expecting too much from Time magazine.

The reply of Time is an avoidance of its journalistic ethical responsibility by shifting to an unknown gossiper the blame for the smear against me.

ENFORCEMENT OF THE CONSTITUTION AND LAWS

The PRESIDENT pro tempore. The hour of 10 o'clock having arrived, the Chair lays before the Senate the concurrent resolution (S. Con. Res. 25) concerning the enforcement in certain States of the Constitution and laws for the protection of individual rights.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, will the Senator yield 1 more minute to me?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Mr. President, I yield 1 additional minute from the allocated time.

Mr. MORSE. I thank the Senator.

Mr. President, I replied to Time magazine, as follows:

In reply to your letter of May 5, I wish to reaffirm that the story which you published in the May 5 issue of Time magazine was completely false. I shall now discuss it on the floor of the Senate and make clear to the Senate that your story was false.

I was very much displeased with the action that the Postmaster General took in regard to the removal of the Regional Post Office from Portland to Seattle, but I at no time spoke disparagingly of the President of the United States.

Mr. President, I close by saying that if any Senate staff member made any such statement about me as reported in Time magazine, that staff member lied. If a Time magazine correspondent in the Press Gallery made such a report about me to Time magazine, that correspondent lied. At no time did I speak disparagingly of the President of the United States in regard to the removal of the Regional Post Office from Portland to Seattle. I think those who know me know I do not disagree over an issue on that basis.

I made very clear to the Postmaster General that I thought he was mistaken in his decision. But at no time did I speak disparagingly of the President of the United States, nor will I.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute, in order to corroborate what the Senator from Oregon has just stated.

The PRESIDENT pro tempore. The Senator from Montana is recognized for 1 minute.

Mr. MANSFIELD. Mr. President, I know that the relationship of the Senator from Oregon [Mr. MORSE] with the President is most cordial, and that the support of the Senator from Oregon of the President's program is uniformly loyal and devoted. I think there is ample proof of that, if proof is needed, in the floor leadership and the managing by the Senator from Oregon of the aid-to-education bill, which the Senate has considered during the past 7 or 8 days.

The record will speak for itself; but again I wish to corroborate what the Senator from Oregon has just now stated about his support of and his close and friendly relationship with the President of the United States.

AMENDMENT OF TITLE 39, UNITED STATES CODE, RELATING TO CERTAIN FUNDS RECEIVED BY POST OFFICE DEPARTMENT

The PRESIDENT pro tempore laid before the Senate a letter from the Postmaster General, transmitting a draft of proposed legislation to amend title 39 of the United States Code relating to funds received by the Post Office Department from payments for damage to personal property, and for other purposes, which, with the accompanying papers, was referred to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A resolution of the General Court of the Commonwealth of Massachusetts; to the Committee on Banking and Currency:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO GRANT FEDERAL AID OR ASSISTANCE TO URBAN, METROPOLITAN, AND PUBLICLY OWNED MASS TRANSPORTATION FACILITIES

"Resolved, That the General Court of Massachusetts hereby urges the Congress of the United States to enact Senate Document 345 now pending before Congress, or other legislation to grant Federal aid or assistance to urban, metropolitan, and publicly owned mass transportation facilities by granting or providing Federal assistance for the purchase of passenger equipment and the purchase or acquisition by publicly owned authorities of rights-of-way and for the installation, construction, and improvement of said rights-of-way, so as to provide expanded facilities to meet the mass transportation needs of the urban and metropolitan areas of this country; and be it further

"Resolved, That copies of this resolution be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress, and to the Members thereof from this Commonwealth.

"Adopted by the house of representatives, May 2, 1961.

"LAWRENCE R. GROVE,
"Clerk.

"Adopted by the senate in concurrence May 4, 1961.

"IRVING N. HAYDEN,
"Clerk.

"Attest:

"KEVIN H. WHITE,
"Secretary of the Commonwealth."

A joint resolution of the Legislature of the State of Oregon; to the Committee on Post Office and Civil Service:

"HOUSE JOINT MEMORIAL 16

"To His Excellency the Honorable John F. Kennedy, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

"We, your memorialists, the 51st Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent that:

"Whereas congenial labor management conditions are more and more considered an essential part of our economic system; and

"Whereas provision for this relationship between personnel and management is provided in nearly all labor laws and certainly all labor contracts; and

"Whereas there exists no vehicle for this purpose in the relations between the various department heads of the Federal Government and its employees; and

"Whereas bills have been introduced in the Congress to accomplish this purpose: now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring):

"1. The Congress of the United States is memorialized to support in substance legislation providing for recognition of Federal employee unions and to provide procedures for the adjustment of grievances.

"2. Copies of this memorial shall be sent to the President of the United States, Chief Clerk of the U.S. Senate, Chief Clerk of the U.S. House of Representatives and to all members of the Oregon congressional delegation.

"Adopted by house April 20, 1961.

"FRANK L. ROBERTS,
"Chief Clerk of House.

"ROBERT B. DUNCAN,
"Speaker of House.

"Adopted by senate May 8, 1961.

"HARRY D. BOIVIN,
"President of Senate."

A resolution of the Legislature of the State of Florida; to the Committee on Public Works:

"HOUSE MEMORIAL 2260

"Memorial to the Congress of the United States to provide sufficient funds for a survey of Apalachee Bay area into Spring Creek

"Whereas the area from the mouth of Spring Creek to the intercoastal waterway has numerous sand bars and other obstructions; and

"Whereas these obstructions make navigation extremely difficult; and

"Whereas Wakulla County would benefit greatly in both tourist and commercial traffic if it were possible to navigate into the mouth of Spring Creek; Now, therefore, be it

"Resolved by the Legislature of the State of Florida, That the Congress of the United States be and it is hereby requested to provide sufficient moneys to make a survey of the Apalachee Bay area from the intercoastal waterway into the mouth of Spring Creek; and be it further

"Resolved, That copies of this memorial be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the U.S. House of Representatives."

A telegram in the nature of a memorial, signed by Rev. Leo C. Pollack, of Arcadia, Wis., remonstrating against the location in the United States of fronts and councils of following countries; to the Committee on the Judiciary.

ENFORCEMENT OF THE CONSTITUTION AND LAWS

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 25) concerning the enforcement in certain States of the Constitution and laws for the protection of individual rights.

Mr. JAVITS. Mr. President, I have submitted, together with the Senator from Illinois [Mr. DOUGLAS] and the Senator from Pennsylvania [Mr. CLARK], Senate Concurrent Resolution 25, which expresses as the sense of the Congress that the President of the United States be supported in measures to enforce the Constitution and laws of the United States enacted for the protection of individual rights.

Mr. President, I yield myself 10 minutes in this debate.

The PRESIDENT pro tempore. The Senator from New York is recognized for 10 minutes.

Mr. JAVITS. Mr. President, the reason for submitting the resolution is well known; it was to support the action of the President in taking the great responsibility of sending U.S. marshals into Alabama in order to enforce the laws of the United States.

The parliamentary practice under which I have proceeded is designed to avoid the reference of this resolution to a committee, and is designed to obtain a vote on the resolution, if at all possible, this morning—inasmuch as consideration of the resolution on yesterday was objected to, under the rule—or, at worst, to have the resolution placed directly on the calendar, so it may be called up on motion, instead of finding a pigeonhole in which it could be conveniently forgotten, in a committee to which it might have been referred. So at the very least we shall have on the calendar a resolution pertaining to very critical current events, and available to be called up as the situation may indicate that to be required.

Mr. President, this resolution relates to a very serious situation for what occurred in Alabama, and what has occurred this morning in Mississippi, reflect the existence of a situation which has existed all the time, notwithstanding the laws and the Constitution of the United States. The only difference between the situation the day before yesterday and the situation yesterday and today is that we now see that it exists, instead of its just existing while we, as a nation, averted our gaze from it. The averting of our gaze from it is, in my opinion, an indication of a very serious national deficiency, and will affect most seriously and adversely our standing in the country and in the world.

When some persons in Alabama took violence into their own hands, in order to prevent other Americans from enjoying their constitutional rights, there was displayed the hard core of the problem, which is the rule of law, and nothing less. The rule of law must be asserted. It is high time that those who have been engaged in violence and mob action in the South, and their friends and those who refrain from taking action or refuse to take action—even those in the highest places, up to the Governor of a State—understand that the doctrine of nullification, which is all that such persons are preaching and acting on, 100 years after the Civil War ended, cannot be tolerated, under either State law or State authorities.

The words "with all deliberate speed"—to use the words used by the Supreme Court in the desegregation cases—apply in this instance, too, as regards the enjoyment of all the rights guaranteed by the Constitution.

This is no light matter, because not only does it represent a direct violation of law by mobs, but it could represent a direct violation of law by the highest authorities of the individual States concerned.

Let us remember that the courts have held that a Governor can be enjoined from taking any act which would lead to violation of the civil rights guaranteed in our country.

On that subject I cite specifically title X, United States Code, section 333, entitled "Interference with State and Federal Law." I should like to read it into

the RECORD, for after citing this, we need no other argument:

§ 333. INTERFERENCE WITH STATE AND FEDERAL LAW.

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, if it—

(1) so hinders the execution of the laws of that State and of the United States within the State, that any part or class of its people is deprived of a right, privilige, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection, or—

As they did in the case of Alabama—

(2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

And then the statute goes on to say:

In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

Mr. President, we have a case specifically on the issue of whether a Governor may be enjoined. It is a very important Supreme Court case—that of *Sterling* v. *Constantin* (287 U.S. 378). The Court said:

The Governor of the State, in this respect—

Relating to the enforcement of such laws—

is in no different position from that of other State officials.

Let us understand clearly—and I believe that those who are called moderates in the South do understand clearly—that what happens when there are law violations of this character which receive sanction, either express or implied, by the so-called respectable people in and out of the Government, is endemic in a society. There cannot be a healthy body politic if there is such mob rule. The people in the States themselves must know in their hearts that such activity by individuals never can be confined to precise limits, not even to race matters. This situation is about to color the entire life of the State and to jeopardize the rights of all the people in it.

Obviously, if there is to be rule by violence or the force of mobs, it can seriously affect matters of race, creed, color, or any other matter which a mob, as either a majority or a minority, does not like.

So when we fight on the floor of the Senate—as the Senator from Illinois [Mr. DOUGLAS] and I and so many of our colleagues are doing in connection with these matters—we fight not only in connection with racial matters, to enforce the Constitution and civil rights, but we also fight for the very prevalence of law and order; and no section of the country believes in it more thoroughly than does the South.

The President has taken historic action in sending the marshals there. He is facing very much the same situation now that he faced in Mississippi, because again there are acts which I believe are completely unlawful; I refer to the arrest of persons who walked into what is called a white waiting room in Mississippi.

We have adequate authority for that in Boynton against Virginia, one of the leading cases in the U.S. Supreme Court, decided in December 1960. The Court specifically said that terminals and restaurant facilities and services available to interstate passengers as a regular part of the transportation are just as much protected by the laws against discrimination as the transportation itself.

So this resolution could be very pertinent tomorrow, as it is today, in respect of what happened in Mississippi just yesterday.

Mr. President, that is the situation at home. There is one other point I should like to make before I leave the subject and go into the foreign aspects of the problem, and then I shall yield to the Senator from Illinois [Mr. DOUGLAS], who has been such a great hero in this whole field.

The argument is made that the bus riders—the so-called freedom riders—are provoking somebody into violence. Since when can it be said, anywhere in American jurisprudence or American practice or American life, that a person is provoking another one, when that person is performing perfectly legal acts, while the person supposedly provoked is performing perfectly illegal acts?

The law of the United States is, clearly and without question, that bus transportation cannot be segregated; and segregation is not only illegal, but evil. That is the word used in an editorial of the New York Times the other day. These riders, who are doing what is permitted by the law, are the respectable people. The people who are attacking them violently are the people who are outrageously violating the law.

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

Mr. JAVITS. I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Yet, we are told that those outrageously violating the law are being provoked. If any one of the Senators who make that point were a Supreme Court judge, or even the least judge in terms of our judicial system, let us say a criminal court judge, would he pay any attention to a criminal who said, "He provoked me" or "He thumbed his nose at me?" This is nonsense. All of us, as lawyers and judges, have been through that for years and years.

The resolution which was introduced yesterday by myself and a number of our distinguished colleagues may be accused of throwing more dust in the air, but it certainly is not dust through which the clear sight of the law cannot see. For the law, the Constitution, and all human experience, certainly demonstrate that what we are seeing is the suppression of the laws and the violation of the Constitution which has been endemic and under which people have suffered for decades. It has now come to light, and it is time that the people looked at it in the light.

Finally, to conclude, on the critical point of the country's complacence or willingness to avert its gaze in other days, it cannot do so today, because it jeopardizes its own security and the security of the whole free world. People like myself have said that over and over again.

The overwhelming majority of the people who will rule in the world, perhaps not during our time, but certainly during our children's time and their children's time, and who will determine whether we will be free, are people whose skins are black, brown, and yellow.

If we need further evidence of that fact, listen to what the head of the U.S. Information Agency, Edward Murrow, said recently:

To some of us the picture of a burning bus in Alabama may merely represent the speed and competence of a photographer, but to those of us in the U.S. Information Agency it means that picture will be front-page tomorrow all the way from Manila to Rabat.

Mr. DOUGLAS rose.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Illinois [Mr. DOUGLAS]?

Mr. JAVITS. I yield 8 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 8 minutes.

Mr. DOUGLAS. Mr. President, no one can add anything to the law, the logic, and the morals laid down in the speech of the Senator from New York. He made it perfectly clear that the so-called freedom riders are merely exercising their constitutional right, which has been confirmed repeatedly by the U.S. Supreme Court in the Henderson, Morgan, Boynton, and other cases, to travel in an unsegregated fashion, not only between States but within a State. This right, according to the recent Boynton decision, extends not merely to the process of travel itself, but also to the waiting rooms and restaurants in the terminal stations. The freedom riders were therefore proceeding constitutionally as well as peacefully.

It certainly follows that it is the legal duty of the Federal Government to protect American citizens in these rights when they are threatened either by mobs or by State action or inaction which attempts to deny to individuals the protection of the Federal Constitution as embodied in the 5th and 14th amendments and in the act of 1871.

The President of the United States and the Attorney General, could not, in good conscience, have done anything other than what they did. Had they remained silent, had they stood aside and allowed the local mobs to beat up these men and women, had they abdicated to State and local governments which would not do their duty, then the Federal Government would have been the tacit ally and the silent partner in the unfortunate

happenings which developed. This was something which the traditions of this country could not tolerate. The one redeeming feature of the whole unfortunate situation is the fact that the Federal Government did try to step in and protect these men and women.

I want to say a few words, in conclusion, about these so-called freedom riders themselves. They have been attacked on the ground that they are "stirring up trouble." They did not come to attack anyone. They came peacefully to carry out Federal law. They have not attacked anyone, nor have the participants in the so-called sit-ins. The philosophy behind this movement—nonviolent resistance—is modeled upon the teachings and practices of Mahatma Ghandi in India. We rightly admire Ghandi, for he won independence for the people of India by his practice of civil disobedience. He and his followers practiced nonviolent resistance to the unjust laws of British India. The freedom riders were practicing a nonviolent protest in support of the American Constitution as interpreted by the Supreme Court. They were protesting peacefully and without violence against social practices, local ordinances and State laws which violated the Constitution. They have been attacked but they have not struck back. They have instead preached love and sympathy for those who have abused them.

I have known men who were in the British Army and who, under orders, reluctantly shot down Indians when they were peacefully demonstrating, but who were later so conscience smitten that they resigned their commissions and left military life. Ghandi appealed to the conscience of the British people and to the conscience of the world; and his followers, by abstaining from violence, ultimately won independence for India.

A few years ago, Negro people of Montgomery, Ala., led by Martin Luther King and Reverend Abernathy, adopted the philosophy of Ghandi, which, I may say, is parallel to the philosophy of Jesus and based in part upon the sermon, On the Mount, as well as on the teachings of Buddha—"Resist not evil. Do good to those who injure you. If slapped upon one cheek, turn the other. Do not hate. Walk the second mile. Conquer not by physical resistance, but by love."

It is extraordinary that the Negro race, which has been so abused by the white race in the North as well as in the South, has thus far exhibited great patience, true forbearance, and a Ghandian attitude in word and conduct.

What infuriated the baser elements among the British population in India against Ghandi was that he was so clearly their moral superior. This was the last thing they could stand. Perhaps this same resentment is at work here.

Mr. President, I am not certain how long this Ghandian movement can continue to be the controlling force among the members of the Negro race unless it is met with sympathy, help, and understanding from the white race. There is already a rival movement sweeping through sections of the Negro population; namely, the so-called Black Muslim movement, which preaches hatred and defiance of the whites, which says that the whites cannot be moved by pity or by compassion, and that ultimately, exactly as force and oppression have been wreaked upon the blacks, so the blacks, in revenge, must use similar tactics upon the whites.

There is being shown at this very moment in New York, a play written by the Frenchman, Genet, which preaches exactly that doctrine with terrific and terrifying force.

So, my friends, the white race is on trial, very seriously on trial. America is on trial. We in the Senate and the Congress are on trial. I thank the Lord that the President of the United States and the Attorney General have proved worthy of this occasion. We should give them our support, and not our opposition.

I hope the Senators will excuse me if I close on a personal and minor note. It is sometimes said that it is very easy to defend the rights of people far away and to ignore abuses close at home. I think we in the North who feel very keenly on these matters do have an obligation to speak out against similar practices—even though they may be more veiled—which occur in our own communities. Ten years ago in Cicero, Ill., a mob attacked a Negro family which was moving into a white community. The National Guard had to be called out. I can only say, without indulging in self-righteousness, that at that time I felt it my duty to rise on the floor of the Senate and to denounce the action of the white mob in my own State. I am sure that my colleagues who feel as I do in this matter take a similar position. For our principles are not parochial or sectional but universal.

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

Mr. JAVITS. Mr. President, I yield the Senator from Illinois 1 additional minute.

The PRESIDING OFFICER. The Senator from New York yields another minute.

Mr. DOUGLAS. Mr. President, I do not know whether it will be possible under the rules of the Senate for us to take action upon the resolution, but I think we ought to take the matter very seriously to our consciences. We should do everything to protect and to defend the Constitution of the United States and the rights of citizens under it and to uphold the actions in this matter of the President and of the Attorney General.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the Senator from South Carolina [Mr. THURMOND].

The PRESIDING OFFICER. The Senator from Montana yields 10 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, the resolution before this body cannot be considered in the abstract, but must be weighed in the light of recent events and existing circumstances in order to determine the consequences which would flow from a favorable consideration of it. I am convinced that Senate Concurrent Resolution 25 would not only not contribute to the prevention of violence, but, indeed, might well contribute to the incitement of further trouble.

In the first place, such a step by the Senate would be unprecedented. Although it is far from a source of pride to any American, we have experienced during our history, even in recent years, the outbreak of lawlessness and mob violence from time to time in various States of many sections of our country. Some of these regrettable incidents occurred from racial differences, and by no means have these been confined to the Southern States. Other instances of violence, occasionally attended by what was apparently a complete breakdown in law and order, have been occasioned by differences between labor and management. On most of these occasions, the Chief Executive of the United States has refrained from direct intervention, which is not only in accord with the Constitution, but also with previous expressions of this body. I remind the Senate that in 1957 the Senate rejected a proposal to authorize the President to use armed intervention in the States in such situations by a unanimous vote of 90 to 0.

Unfortunately, a President did undertake armed intervention once previously in recent years and created a blot on American history which will not soon be expunged. It is to the credit of the Senate that no such resolution as Senate Concurrent Resolution 25 was either introduced or considered at that time.

The recent difficulties in Alabama, at which this resolution is undeniably directed, have to some extent subsided. The President has contributed to the easing of tensions by withdrawing the Federal forces. The Attorney General himself has stated that the State authorities are maintaining order. In view of these circumstances, favorable consideration of Senate Concurrent Resolution 25 could contribute nothing to the maintenance of law and order, but it well might, and probably would, give aid, comfort, and encouragement to the self-styled freedom riders and other agitators who seem bent on inciting violence at all costs. They continue to flow into the Southern States from places far removed, not for the purpose of interstate travel, but to create incidents which can contribute nothing to improved race relations, but which will most certainly further heighten the tensions and passions which already have been incited.

Above all, it is imperative that we keep in mind that the difficulties which have been experienced and the violence which has occurred were a direct result of the premeditated and deliberate agitation of persons who sought to create incidents which would focus attention on racial differences. The conduct of the self-styled freedom riders is lawless and malicious. Just as no American from the South, North, East, or West can condone the violence which occurred, no American can condone the instigation of such violence nor encourage it as this resolution would do.

Mr. President, it is a common thing for outsiders to jump on the South. I should like to remind those who do so that all the violence has not occurred in the South. Some violence has occurred there, and this I and other Senators, I am sure, regret, but there are other parts of the country in which violence has occurred, too.

I hold in my hand a clipping entitled "Terrorism in New York; Law and Order Break Down." That occurrence was not in the South; it was in the North. I shall not take time to read the entire article, but it states that law and order broke down in New York, and that terrorism prevailed there.

I hold in my hand another clipping which states: "Throng of New Yorkers Beat New York Officers." Where did that incident occur? In the South? No. In the North? Yes.

I am a believer in this country—North, East, South, and West—being unified, and not arraying one section against another. I remind the American people today that it was not the southerners who created this incident. The South did not instigate the current trouble. The instigation was at the hands of those who came from afar for that purpose.

Incident after incident has occurred in the big cities of the North, but they have generated little excitement from national officers or news media.

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

Mr. THURMOND. I am pleased to yield to the Senator from Idaho.

Mr. DWORSHAK. The concurrent resolution refers only to States in which citizens of the United States may be deprived of their rights under the Constitution and laws. Does the Senator recognize, in view of extensive violence which has occurred in our National Capital, that probably we ought to include the District of Columbia in the same category with other States?

Mr. THURMOND. I think the able and distinguished Senator from Idaho has put his finger on a very sensitive point. I know of no place in the Nation where there has been more heinous crime, accompanied by the inability of local authorities to cope with it, than in the Capital of the United States. This crime does not occur in Southern States, but right under the noses of National officers.

I hold in my hand another clipping that reads as follows: "Police in Brooklyn Shoot Two Negroes, Setting Off Mauling Demonstration by 1,000 Persons."

Mr. President, where did that incident occur? Did it occur in Alabama or some Southern State? No, it occurred in the North.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The time of the Senator from South Carolina has expired.

Mr. THURMOND. Mr. President, I ask the majority leader for 5 additional minutes.

Mr. MANSFIELD. I yield 5 additional minutes to the Senator from South Carolina.

Mr. THURMOND. I hold in my hand another clipping. Incidentally, these clippings are available to Senators or to the press, if they wish to see them. They are available to those who are supporting the resolution being debated. I shall be pleased to have them read the clippings if they care to do so.

I hold in my hand another clipping that reads as follows: "Near Riot of White-Negroes Broken Up." That clipping comes from where? The South? No, it is datelined Buffalo, N.Y.

I shall not take time to go into the details, but I invite the attention of Senators and the American people to the fact that some of those whose hearts are bleeding so badly have situations at their own doorsteps that ought to be cleaned up first before they attempt to castigate the South. The maintenance of law and order, just as charity, should begin at home.

I hold in my hand another clipping, the subject of which is, "Angry Negroes Attack Police in New York." That is another instance concerning which, if time permitted, I would go into details, but I shall read only the first paragraph:

An angry, shouting mob attacked two detectives Sunday who were trying to take a Negro man and woman into custody on an East Bronx Street.

I hold in my hand another clipping entitled "Long Violent Summer Draws to Close in New York, Leaving Sad Record of Youth Gang Warfare and Death." Where did that incident occur? Not in a southern State, but in New York.

I hold in my hands another clipping, entitled "Policeman Battles Gang in New York." I shall read only the first paragraph:

A policeman battled an organized teenage gang, a mauling mob of 300 persons, tonight before he got help from another policeman and arrested the gang's president and war counselor.

Does it seem possible that these incidents occurred in the North? From the statements and actions of some people who propose such action as is contemplated by Senate Concurrent Resolution 25, one would think that everything in the North is perfectly pure. One would be led to believe that everything has been purified in the North and that there is no crime there.

There is more violence more often in other parts of the country than there is in the South.

I hold in my hands another clipping, entitled "'Keep Out of Schools,' New York Toughs Warn Police," from the Washington Post and Times Herald.

I shall read only the first paragraph:

Teenage terrorists today defied police trying to stamp out a wave of juvenile violence that has included the rape of three girls and led to the suicide of a junior high school principal.

Where did that incident occur? In the South? No. In the North? Yes. Where? In New York City.

I hold in my hands yet another clipping, entitled "White Students Mauled by Negroes as Climax to Racial Unrest in New York."

I shall read only the first paragraph:

A group of Negro teenagers mauled a number of white high school students on a Brooklyn elevated train Thursday in climax to 2 days of racial unrest at the school.

There is no mention of any call for Federal intervention or Federal marshals to stop the bloodshed and restore order. Could it be because the occurrence was in the North and not the South?

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. THURMOND. Mr. President, I could go on. I have stacks of such clippings before me, not only from the State of New York, but from Illinois and other States, which, if time permitted, I would read. My time has expired, but if any Senator wants to see them, I have available an infinite number of such reports.

Mr. President, I ask unanimous consent that two editorials from the State, an ably edited newspaper in Columbia, S.C., and one from the responsible and excellent newspaper, the Florence (S.C.) Morning News, all of which are enlightening, be printed in the RECORD at this point in my remarks.

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

[From the Columbia (S.C.) The State, May 23, 1961]

SHOULD STAND FIRM—THE CHALLENGE TO THE STATES

A difficult day for relationships between the President, on the one hand, and the Governors of some southern States is fatefully at hand.

President Kennedy has, in effect, reprimanded Governor Patterson of Alabama in the eruptions there. And the Federal administration dispatched the first assistant attorney general to Montgomery grimly to set forth its position of positive and determined intervention.

Here indeed is the possibly decisive confrontation involving the States and the central power. Here is the prelude to the stern imposition of Federal force. What must have been the thoughts of southern newspapermen as they heard the historic exchange between the Federal assistant attorney general and Governor Patterson.

The Governor of Alabama stood firm, and as this is written still stands for the rights of his State. He deserves the plaudits and support of the other southern Governors, of the southern citizenry, of all who still believe in local self-government, of all everywhere who would limit the exercise of Federal force to those powers set forth in the Constitution.

The reprimand from President Kennedy is to be found in his telegram of Friday. In this message he, in effect, dressed down Governor Patterson for what occurred at Montgomery and reminded the Governor of Mr. Patterson's promise to preserve law and order.

The Federal action in this case of premeditated troublemaking on the part of the invading integrationist party unquestionably has deeply imprinted itself in the minds of the other Governors of the South. If Governor Patterson does not weaken, he will have set the pattern for the heads of the other States of the South.

This clash between Federal and State power takes a terribly disturbing form since it comes from a background of the current concept of a strong Presidency. One does not see it as a separate act, but as one of a series, in various fields, reflecting this condition of freshly conceived Federal power.

Governors of Southern States stand challenged by the Washington position of super-

seding authority. They are challenged not to bend, but to contend for the rights of the States.

It is not important that most of the southern Governors supported Mr. Kennedy, or indeed, relevant who is President at the moment. What is important is that the States demonstrate their own capacity to restore order when such disturbances occur, and that the Federal authority grant the States reasonable opportunity to do so. Alabama moved quickly to do so.

One cannot escape the conviction that the Federal officials, men with a feel of extraordinary power born in 1961, intervened almost eagerly. That is the crux of the matter, the factor which casts a shadow over the future.

The Federal intervention at Little Rock under the orders of then President Eisenhower was equally abhorrent to those who believe in local self-government, but does not purify what has occurred in the Montgomery case.

[From the Columbia (S.C.) State, May 22, 1961]

BLIGHT BEYOND DIXIE—THE ERUPTION IN ALABAMA

The composed southerner deplores the violence at Montgomery. First, he is a mature and civilized man who accurately evaluates peace everywhere. Second, he knows such eruptions as that which occurred at Montgomery are used unfairly to portray all southerners as bigots, racists, and rabble.

But this same southerner equally deplores the deliberately provocative invasion which came out of the North. It would have been better if sincere integrationists in the North had used their influence to have recalled this expedition in its earlier stages, just as it would have been better had the people of Montgomery restrained their resentment and their tempers.

The recalling of the expedition would have restored the process of court action for integration as the only action, and would have prevented the breach of the peace. It would also have relieved the President of the United States of the responsibility he had assumed in giving Federal protection to the members of the invading group. Likewise, the avoidance of violence in Alabama would have left the President free to focus his mind on the world problems which are paramount. But restraining an invaded State would always be more difficult than the recalling of a small group, bent upon disturbing the peace.

If it should be maintained that the forces of integration in the North, including the top personnel of the Federal Government, lacked the power to stop or recall the invading band, then the powers of persuasion were stifled by the weakness of a will which give clandestine support to the venture. And such a will casts a reflection upon the proper course, which is through the courts and which to date has been an unfailingly successful one for integration, doubtless satisfactory to the normally patient but apparently insufficient to the impetuous and the reckless.

Although most southerners believe the Supreme Court to have been wrong in its conclusions, they recognize the right of the integrationists to resort to the courts. And that having been done, one is mystified that the intelligent among them do not reject the supplementary tactic of forays into the South by such a group as that which encountered violence in Alabama.

The failure of rational integrationists of influence in the North to have acted against the invaders and thereby to have prevented the trouble which inevitably developed is a blight on their composure and good sense.

[From the Florence Morning News, May 24, 1961]

FEDERAL VOICES ARE STRANGELY SILENT

All the action of the Federal Government up until now has been against the mobs who attacked the freedom riders.

None has been taken against those who deliberately planned this excursion, advertised it extensively in advance, and consciously sought, there is reason to believe, to provoke violence in order to focus national attention upon the race controversy.

If their action was not an overt action of law violation, when viewed in the light of the events in Alabama, they are clearly an accessory to the fact. And if that accessory relationship is not close enough to justify legal action, it certainly justifies moral persuasion on the part of Federal authorities, including President Kennedy himself, to discourage actions which, by their very nature, are dangerous to the peace.

Federal authorities have a duty to advise freedom riders and other agitators that what is legal is not always expedient, and that unwise action works against the very objectives sought.

This is an area in which Federal voices have been strangely silent. In their silence, they demonstrate not only moral neglect but an astounding lack of understanding of the southern problem.

This does not detract from the ugliness of the mob violence which flared in Alabama, or from the responsibility of local and State authorities to keep the peace whatever the pressures. But it does emphasize that calmness, sanity, resolution, and understanding are required on both State and national levels.

On the side of the State government it requires that good influence be used to suppress the agitators. If this had been done in the case of the freedom riders, the Nation might have been saved the Alabama riots.

On the side of the State government and local citizens and law enforcement, two cardinal points should be kept in focus:

1. To preserve the peace, the law must be upheld, and surrender to or participate in mob action is the destruction of orderly, organized society.

2. Violence serves the agitators. It promotes their cause. Regardless of how the story ends in Alabama, the freedom riders have scored a victory. The mobsters played into their hands.

Mr. MANSFIELD. Mr. President, I have only 15 minutes remaining on this side. I would appreciate it if the other side would allocate a little time, and then I intend to yield to the Senator from Pennsylvania [Mr. CLARK] 5 minutes, and the Senator from Mississippi [Mr. STENNIS] 10 minutes.

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I wish to support the Senator from New York [Mr. JAVITS], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Illinois [Mr. DOUGLAS] by urging passage of the resolution. The Senator from Illinois mentioned the driving psychological forces of the freedom riders. He talked about the dedication of the freedom riders to the philosophy of Ghandi. He pointed out that there was also a danger that other psychological forces, such as the Moslem philosophy, and the Communist totalitarianism, may become involved.

But I think the most important driving philosophical force that is involved in the educational program of the freedom riders and the sit-in groups is their faith in Christianity to the point of Christian martyrdom.

The psychology of martyrdom is a very interesting subject as we study its manifestations throughout history. A great spirit of martyrdom is to be found within the manifestations and the application of the Jewish religion throughout history. Interestingly, when people believe in one God, they are perfectly willing many times to make whatever sacrifice is necessary in order to keep faith in the teachings of the religion symbolized by that God. That has been typical of millions of Jews throughout the history of mankind. It is also true of Christian martyrdom. As we study the motivation of this great educational force which is now loose in this country in the form of freedom riders and sit-in demonstrators, we see among them dedicated Christians who believe that it is their Christian obligation to put into practice the teachings of Christ.

Mr. President, it is not possible to study this movement without recognizing that it is Christianity put to practice. Because there are certain implications contained in the speech made by the distinguished Senator from South Carolina, I wish to emphasize that the resolution offered by Senators JAVITS, DOUGLAS, and CLARK is universal, not sectional, in its coverage. The resolution speaks for the carrying out of the constitutional guarantees for all citizens in all parts of the United States.

The churches of America which do not countenance this great drive of Christian martyrdom should have black crepe put on their doors until those churches themselves proceed to practice within their sanctums the teachings of Christ the Lord. Basic in those teachings is the tenet that in the sight of God all men are equal and all men are the children of God.

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

Mr. JAVITS. I yield 1 more minute to the Senator from Oregon.

Mr. MORSE. We have now reached the place where from the standpoint of world judgment on the United States we no longer can pretend to be a God-fearing nation, believing in one God, unless we practice our religious principles.

The resolution in a very real sense is a resolution which calls upon us to put the principles of the Constitution into practice and by so doing we also will be putting into practice our religious faith. Those who would deny first-class citizenship rights to the Negroes of America must suffer increasing pains of conscience and they witness the increasing manifestations of Christian martyrdom on the part of increasing numbers of nonviolent Christian crusaders among Negro and white people in the United States who are determined to end race discrimination in our country.

Mr. MANSFIELD. Mr. President, I yield 4 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, the pending concurrent resolution states that—

It is the sense of Congress that the President of the United States be supported in

measures to enforce the Constitution of the United States and the laws enacted thereunder for the protection of individual rights, in such States where citizens of the United States may be deprived of their rights under the Constitution and such laws, or jeopardized in the enjoyment thereof, by virtue of the actions of citizens of any State, or by virtue of the actions or failure to act of the public authorities charged with the enforcement of the laws of such States.

The resolution says nothing about any section of the country. It does not single out the South. It covers the entire country. It does not condone or encourage violence. It is not tenable to suggest that it does. It merely supports the President in his efforts to support the clearly established civil rights of all Americans—white and Negro alike—which were violated in Alabama and are now being violated in Mississippi.

At this point I ask unanimous consent to have printed in the RECORD, a letter which has been addressed to me—and I assume to other Senators also—by the Attorney General of the United States, and the text of a telegram which the Attorney General sent to Governor Patterson, of Alabama.

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

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., May 22, 1961.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I am enclosing a copy of the telegram which I sent to Governor Patterson of Alabama on Saturday, May 20, informing him of the reasons why it was necessary to send U.S. deputy marshals to Montgomery to maintain peace and order and protect interstate travel and commerce.

The action was taken pursuant to title 10, United States Code, section 333 which provides that:

"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."

Very sincerely yours,
ROBERT F. KENNEDY.

DEPARTMENT OF JUSTICE,
Washington, D.C., May 20, 1961.

GOV. JOHN PATTERSON,
Montgomery, Ala.:

As you know, since early this last week I have been deeply concerned about the situation in Alabama. From my conversation with you on Monday and numerous conversations that I and my associates here had with your aides, you have been aware of the concern with which we have regarded this very explosive situation. Since the destruction of the bus on Sunday and the interference of interstate travel you have been made aware of our clear responsibility in this area. The President himself when he was unable to reach you Friday made this clear to the Lieutenant Governor and pointed out that the Federal Government has the responsibility to guarantee safe passage in interstate commerce and that free travel had not been possible for 5 days in Alabama. The President hoped that the government of Alabama would restore the situation without the need for action by Federal authorities.

You then requested that the President send a personal representative to discuss the matter with you. As you know, Mr. Seigenthaler of this office met with you last evening and in your presence talked to me on the telephone. He told me that you wanted to assure the President and the Federal Government that you had the will, the force, the men, and the equipment to fully protect everyone in Alabama.

Mr. Seigenthaler assured you that the Federal Government was willing to provide marshals and any other assistance in order to assure that interstate commerce was unimpeded. You stated that this was unnecessary and that you and the local authorities would be completely able to handle every contingency. You suggested that we notify the Greyhound Bus Co. that this guarantee had been given. It was based on this assurance of safe conduct that the students boarded the bus in Birmingham on their trip to Montgomery. These students boarded the bus this morning. They arrived in Montgomery and were attacked and beaten by a mob. Prior to their arrival we took the additional precautionary step of having the FBI notify the police department that these students were coming and asked the police to take all necessary steps for their protection. The FBI was informed and in turn notified us that all necessary steps had been taken and that no action on our part was necessary. As a matter of fact, no police were present. However, an armed mob was. Several of the travelers were severely beaten. The President's personal representative, Mr. Seigenthaler, who attempted to rescue a young white girl, who was being attacked by the mob, was knocked to the ground and left unconscious in the street.

Once again I have tried to reach you by telephone to discuss this matter with you. I was informed that you were out of town and no one knew when you would return or where you were. Therefore, although I strongly believe that law enforcement matters should be handled by local authorities whenever possible, now not being even able to reach you to learn what steps you intend to take we have no alternative but to order the following action:

1. I am asking the U.S. court in Montgomery to enjoin the Ku Klux Klan, the National States Rights Party, certain individuals and all persons acting in concert with them, from interfering with peaceful interstate travel by buses.

2. I am arranging for the FBI to send in an extra team to intensify its investigation of the incident in Montgomery and the other events this past week in which the Federal Government has jurisdiction.

3. I am also arranging for U.S. officers to begin to assist State and local authorities in the protection of persons and property and vehicles in Alabama.

Mr. Byron White, the Deputy Attorney General, will be in charge and will be in touch with your office as well as the local authorities.

I trust we will have your cooperation and the cooperation of local authorities.

ROBERT F. KENNEDY.

Mr. CLARK. Mr. President, the impact of the happenings in Alabama and Mississippi on our foreign policy is incalculable. The picture of the burning bus in Alabama and accompanying news stories are on the front page of most of the newspapers from the cape to Cairo, from Kamchatka to Karachi, from Oslo to Istanbul.

Senators will search their own consciences as to the position they will take on this resolution. I am the guardian only of my own. I am compelled to support the resolution.

There is no doubt, in my judgment, that in the Senate at least 80 Senators, if they had an opportunity to do so, would support the resolution if it were brought to a vote; but the resolution cannot be brought to a vote under the present rules of the Senate.

These rules must be changed. The rules of the Senate must be changed, Mr. President, so that a majority of the Members of the Senate can act expeditiously when a majority of the Senators are ready for action.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD. I yield the remainder of the time in opposition to the resolution to the Senator from Mississippi.

Mr. STENNIS. First, before I speak on the pending resolution, I wish to compliment the senior Senator from Oregon [Mr. MORSE] for the very masterful way in which he handled the education bill on the floor. He and I disagreed on many of the major parts of the bill, but he made a splendid presentation of the proponents' side of the subject, and he handled himself in excellent fashion. I am not overquick to compliment anyone. However, I do wish to compliment the Senator from Oregon on the way he handled himself and in the way he presented the matter on the floor.

Mr. MORSE. I thank the Senator from the bottom of my heart.

Mr. STENNIS. Mr. President, as a Senator from Mississippi I submit that it is very unfortunate to hear State officials who are doing everything they possibly can do to uphold Federal law and State law castigated on the floor of the Senate. With all deference to the Senator from New York, it is unfortunate that he should accuse my State of trying to invoke the doctrine of nullification. It is not doing that at all. Governor Ross Barnett of Mississippi and all other officials of the State, including mayors of the cities involved, have done everything they possibly could do to maintain complete order, quiet and calm, to protect anyone who has come to the State, whatever his mission may be. There has been no disorder in my State. Unfortunately, some did occur elsewhere. Instead of being criticized, these officials should be publicly commended.

We have here a picture of a few people who are acting for a very small minority of colored people. They are being pictured as a group who in a very peaceful way are trying to travel through the South. Mr. President, some of this group of so-called freedom riders had their photographs taken here in Washington. Some of these people met in Washington. They sent out advance notice. They did what they could, aided and abetted by others who were misguided, to stir up strife and enmity and in creating strife in advance in the areas in the South where they were going.

I have a very few remarks to make on this subject, because time is limited. It is tragic to me that we should be debating a subject like this at the same time that we are sending emissaries all over the world seeking alliances, seeking peace, and seeking ways to restrain those

who would attack us and undermine our philosophy of government.

The Vice President has been to Asia. The President of the United States addresses Congress today. We have emissaries all over the world on missions of many kinds. At the same time here in America we are encouraging minority groups who do not represent the best thinking of the Negro race or any other group. They go out and stir up strife and discord and enmity. We encourage these people by giving this resolution, with all deference to its authors, time for debate. In my humble opinion, under the conditions which exist today, the most charitable thing I can say about the resolution under debate is that it is a political move, pure and simple, a far-reaching political move. There is no sympathy for those in the great Southland who actually are trying to meet the conditions under the most adverse conditions imaginable.

This freedom rider group has already announced that they are setting up operational headquarters at Montgomery, Ala. They plan to spread out from there and carry out their mission. The morning's News carries an article from New Orleans, La., about another group, the Rockwell group, which is going around the country with banners flying on the buses and reading: "Hate the Jew. Hate the Negro. Hate Integration. Hate Everybody." They openly call themselves a Hate Group. Thus one group spawns another. Soon there will be others.

I have before me a UPI dispatch from New Orleans, La., dated yesterday. I ask unanimous consent that it be printed at this point in the RECORD.

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

NEW ORLEANS JAILS NAZIS FOR MARCHING

NEW ORLEANS, May 24.—Police hauled in nine Nazi storm troopers and their self-proclaimed fuehrer, George Lincoln Rockwell, tonight as they tried to picket the movie "Exodus" with signs reading "America for whites, Africa for blacks, and gas chamber for traitors."

Police also drove them away from their planned picketing of an NAACP membership rally tonight.

Officers took the troops and Rockwell to first district police headquarters. No charges were filed against them, but a police spokesman said they probably would be booked for violation of a statute outlawing any act which might alarm the public.

The Nazi troopers, all wearing swastika armbands and khaki uniforms, braved a driving rain and unsympathetic police to demonstrate against the Jews and the Negroes. Rockwell and his young followers arrived here yesterday on what they dubbed a "hate tour."

One of the troopers was arrested earlier today when the group's bus had an accident as it tried to elude a police patrol car.

In addition to the arrests, other frustrations have piled up for the group. So far, they've been booted out of their motel, kept out of a State park where they planned to prepare their picket signs, and twice been drenched by Louisiana downpours.

To add to their woes, the manager of the civic theater where "Exodus" is playing reported a good crowd, despite the rain and the pickets.

Mr. STENNIS. Mr. President, I shall read one paragraph from the article:

The Nazi troopers, all wearing swastika arm bands and khaki uniforms, braved a driving rain and unsympathetic police to demonstrate against the Jews and the Negroes. Rockwell and his young followers arrived here yesterday on what they dubbed a "hate tour."

The Rockwell group are traveling through the great area of the country where I come from and where I was reared. I never heard the phrase "Hate the Jew" until I was a grown man, a college graduate, and had traveled in other parts of the country. I heard that term applied for the first time on the Eastern Seaboard. Yet that kind of junk is sent on us down in the South. And at the same time some Senators want resolutions passed on the floor of the Senate, in effect, condemning the South.

What should be offered are resolutions of encouragement and confidence; resolutions encouraging officers and the people who are trying to cope with the conditions of hate generated by outsiders with which we are faced in the South, rather than condemning us and resurrecting the century-old word charges of "nullificationists." They are trying to discredit us.

Thank God, things are quiet and calm in Mississippi as of now. I have not had a chance to make a personal telephone call there this morning, but I know that is so, because if it were not, the newscasts on the television and radio and articles in the newspapers would be telling us bad news if any existed.

So we need expressions of confidence and encouragement. The situation is being dealt with well as of now, considering what we are confronted with in the form of this group. But we need sympathy and understanding.

The Senator from Idaho [Mr. DWORSHAK] made a very good point a moment ago. I have spent most of my life in the South. I have never yet slept or had to leave my family behind a locked door. But in Washington—and I am not one to discredit the great Capital City of our Nation—I do not dare leave my family unprotected, even in the morning hours. When I leave home early, even in the open daylight, I leave them behind locked doors. The reason is obvious—the terrorism which is constantly taking place here.

What the Senate—and especially the Senators who have submitted the resolution—should be doing is to take the lead in commending, instead of condemning, those officers and people who are coping with these terrible conditions generated by the so-called freedom group and hate groups.

Mr. JAVITS. Mr. President, I have listened with the greatest of interest to the arguments which have been made in opposition to the resolution. Before dealing with them, I desire to pay my respects and appreciation to the distinguished Senator from Illinois [Mr. DOUGLAS], who was a leader in this fight long before I ever got into it, or even into public life; to the distinguished Senator from Oregon [Mr. MORSE], who is in exactly the same category; and to the distinguished Senator from Pennsylvania [Mr. CLARK], who is more of my vintage in terms of public life, for their support in what is always a trying and sometimes emotional issue.

But with all due deference to my friend, the distinguished Senator from Mississippi [Mr. STENNIS], for whom I have the greatest regard as a lawyer and a man—and I should also like to emphasize my respect for every State and National official in authority—the fundamental point is this: No matter how many crimes may be committed in the North, no matter how much sympathy and understanding the people of the South are entitled to for what is by now an almost age-old load which they carry, the idea that there has to be a separation of the races is a blight on the social system, as one Senator has called it. The fact is that this whole current runs against the times, and the times simply cannot stand it.

Even if we tolerated it at home, we cannot tolerate it as an element of the foreign policy of the United States, for it, and it alone, could defeat everything else we are trying to do. So while these voices are charming, genial, and interesting, nevertheless they are voices of the past. We are here arguing for what must be done in order to live in a working world.

The big difference between what happened in States like those we are discussing today and what happens in Northern States is that in the one place the whole public morality, the whole public law, the entire action of public officials and the action of society condemns segregation and discrimination. It deals with them even to the extent of quelling riots, but it condemns them. It does not accept or tolerate them. Whereas, on the other side, we are told that the kind of quiet which comes because we let things alone is the better way in society. Yet that is a situation which our country cannot tolerate, especially in its position of exposure to the whole world today. That is the difference.

We do not read about any Governor in the North who opposes the Attorney General. This is the Attorney General's comment on why marshals had to be sent into Alabama:

Therefore, although I strongly believe that law enforcement matters should be handled by local authorities whenever possible, now not being even able to reach you to learn what steps you intend to take, we have no alternative but to order the following action—

That is the difference between the two kinds of law and administration. It brings us to the present situation. The purpose of my resolution, in which I have been joined by the Senator from Illinois [Mr. DOUGLAS] and the Senator from Pennsylvania [Mr. CLARK], is threefold. If there is nothing else I do before the resolution goes to the calendar, I should like to make it clear, first, that a climate must be created in which elements in the South which want to obey

the Constitution and are law abiding have assurance that they will not be intimidated by reason of the fact that the laws of the United States are not being applied; second, that the President can be courageous; that, notwithstanding the denunciation by Senators on the floor, a President of the United States has great support if he seeks to enforce the laws of the United States to protect the rights of citizens in any State. Think of it: One hundred years after the Civil War, freedom riders—and I hold no brief for them; that is not necessary for this argument—were arrested because they went into a white waiting room in Mississippi. Certainly, it is quiet in Mississippi. It is also quiet in a prison. It is also quiet in a tomb. That is not the test of whether there is a society which is composed of free men, as it should be, by all our religious faiths; men who are equal and dignified, as the distinguished Senator from Oregon [Mr. MORSE] so eloquently described it. So my second purpose is to show that the President, if he proceeds in a way which is necessary—and this was necessary—to enforce the laws of the United States has the support of the great bulk of the country.

The third purpose is to demonstrate that we need a leader as well as action by individuals.

I end upon this note: One of the elements of the climate which has been set here is attributable to the fact that the administration has backed away from asking Congress to pass a law on civil rights. I have said before, and I say again, appeasement in these situations, for any purpose, whether it concerns a "must" program or anything else, will not work. Congress must be a party to the activity. The Attorney General must be given the right to institute suits under the much maligned Part III. It is up to Congress to act.

Finally, I hope the President will do what he said in the campaign he would do, namely, call the southern Governors and leaders into the White House——

Mr. HOLLAND. Mr. President, a point of order. Under the order, the time allotted for the consideration of the resolution has expired.

Mr. JAVITS. Mr. President, I hope the President will call the leaders of the South into the White House and tell them what he personally thinks about the enforcement of the laws of the Nation.

Mr. HOLLAND. Mr. President, a point of order. The time has expired.

The PRESIDING OFFICER. The hour of 11 o'clock having arrived, the resolution, under the agreement, will be placed on the calendar.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S. Res. 149. Resolution to establish a West Virginia Week in commemoration of its 98th anniversary.

By Mr. ROBERTSON, from the Committee on Appropriations, with amendments:

H.R. 5954. An act making appropriations for the Treasury and Post Office Departments, and the Tax Court of the United States for the fiscal year ending June 30, 1962, and for other purposes (Rept. No. 289).

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. DIRKSEN:

S. 1962. A bill for the relief of Kenneth David Wooden; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 1963. A bill to extend to employees subject to the Classification Act of 1949 the benefits of salary increases in connection with the protection of basic compensation rates from the effects of downgrading actions, to provide salary protection for postal field service employees in certain cases of reduction in salary standing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JAVITS:

S. 1964. A bill to authorize the Secretary of the Navy to lease certain land to the Navy Yard Boys' Club, Inc. (a New York corporation); to the Committee on Armed Services.

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

By Mr. JAVITS (for himself, Mr. BEALL, Mr. HARTKE, and Mr. SMATHERS):

S. 1965. A bill to establish a Peace By Investment Corporation, and for other related purposes; to the Committee on Foreign Relations.

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

By Mr. BURDICK:

S. 1966. A bill for the relief of James Nenow; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 1967. A bill for the relief of Dr. Chien Li Huang; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 1968. A bill for the relief of Dr. G. L. Clifton; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 1969. A bill to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes; 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. TALMADGE:

S. 1970. A bill for the relief of Mr. and Mrs. Edward V. Amason; to the Committee on the Judiciary.

By Mr. CASE of New Jersey:

S. 1971. A bill for the relief of Mirielle and Robert Guzelbahar; to the Committee on the Judiciary.

By Mr. WILEY:

S. 1972. A bill for the relief of Ourania Nicolaou Papanikolaou Asllanaj; to the Committee on the Judiciary.

S.J. Res. 93. Joint resolution to extend through June 30, 1962, the life of the U.S. Citizens Commission on NATO; to the Committee on Foreign Relations.

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

By Mr. LONG of Missouri (for himself and Mr. SYMINGTON):

S.J. Res. 94. Joint resolution designating the 1st day of July in each year as Tom Sawyer Day, U.S.A.; to the Committee on the Judiciary.

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

RESOLUTION

RECOMMENDATIONS OF ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

Mr. MAGNUSON (for himself, Mr. ALLOTT, and Mr. BARTLETT) submitted a resolution (S. Res. 151) to express the sense of the Senate on recommendations of the Alaska International Rail and Highway Commission, which was referred to the Committee on Foreign Relations.

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

LEASE OF CERTAIN LAND TO NAVY YARD BOYS' CLUB, INC.

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill which would permit the Navy Yard Boys' Club of Brooklyn to build new permanent quarters on U.S. property in the Brooklyn Navy Yard.

The bill, which is also being introduced in the House by Representative VICTOR L. ANFUSO, Democrat of Brooklyn, would authorize the Navy to lease a half-acre of land to the Boys' Club for $1 per year for a period of 99 years.

The Navy Yard Boys' Club over the past 34 years has established an extraordinary record as a stabilizing influence in the community. Its work has been applauded by civic, social, and religious leaders. It is imperative that its work be continued and expanded.

The Boys' Club is now using a public school building as its quarters on a temporary basis. The need for permanent quarters with modern facilities is emphasized by the fact that the boy population of the area has grown to more than 6,000 as the result of the erection of two low-cost housing projects in the neighborhood.

Brooklyn Navy Yard officials have indicated that they have no objection to making the land available to the Boys' Club.

I am informed that the Charles Hayden Foundation of New York City has made a grant of $225,000 to the club for building new quarters; and the club has undertaken a campaign to raise an equal amount.

I ask unanimous consent that the bill and a statement be printed in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. METCALF in the chair). The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 1964) to authorize the Secretary of the Navy to lease certain land to the Navy Yard Boys' Club, Inc. (a New York corporation), introduced

by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Armed Services, 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 (a) the Secretary of the Navy is authorized to lease, for a term of ninety-nine years, the land described in subsection (b) of this section to the Navy Yard Boys' Club, Incorporated (a New York corporation), for use by such corporation as a site on which to establish a boys' club. Such lease shall expressly provide that (1) in the event such land is used for any purpose other than a situs for the facilities and activities of a boys' club, the lease may be terminated at the option of the Secretary of the Navy; and (2) such corporation shall pay as consideration for such lease an amount equal to one dollar.

(b) The land authorized to be leased under subsection (a) of this section is described as follows:

Beginning at the point of intersection of the south boundary line of the New York Naval Shipyard on Flushing Avenue, and the west boundary line of the New York Naval Shipyard, on Navy Street, said point being located north 9442.76 feet and west 3622.43 feet of the Prospect Water Tower Station, as established by the Greater New York Triangulation Survey; thence proceeding along the west boundary line of the New York Naval Shipyard N. 2°57'05'' E., 312.05 feet to a point on the extended line of a fire wall, in Building No. 16 of the New York Naval Shipyard; thence along the line of the fire wall in Building No. 16 S. 86°59'34'' E., 69.66 feet to a point on the easterly face of Building No. 16; thence along the easterly line of Building No. 16 S. 2°55'5'', 311.97 feet to the south boundary line of the New York Naval Shipyard; thence along the south boundary line of the New York Naval Shipyard N. 87°03'41'' W., 69.78 feet to the point of beginning, containing 0.50 acres.

SEC. 2. Except as otherwise provided in the first section of this Act, the terms and conditions of the lease authorized by such section shall be as prescribed by the Secretary of the Navy after consultation with the President of the Navy Yard Boys' Club, Incorporated.

The statement presented by Mr. JAVITS is as follows:

NAVY YARD BOYS' CLUB HISTORY

The Navy Yard Boys' Club, a nonsectarian, philanthropic institution, was incorporated under the membership corporation law in the State of New York on May 17, 1935.

The Boys' Club is a fully affiliated member of the Boys' Clubs of America, incorporated August 6, 1956, by the Congress of the United States (36 U.S.C. 691), for the purpose of promoting "the health, social, educational, vocational, and character development of boys throughout the United States of America."

The Navy Yard Boys' Club was originally incorporated as the Boys' Club, Navy Yard District, Inc., to accomplish the following objects:

"To provide and furnish a place of amusement, entertainment, and recreational facilities for boys who have not the means to pay dues in other clubs or associations, residing in that section of the Borough of Brooklyn, city of New York, known as the Navy Yard District, as well as to provide such other facilities which have for their end the formation of character and American citizenship.

From the date of its incorporation in 1935, and up to 1945, the club occupied and used a building located in the Navy Yard District on Nassau Street, Brooklyn, which was owned by the Brooklyn Community Center, a philanthropic organization, which leased this property to the boys' club at a nominal annual rental.

In 1945 the Boys' Club moved its center of activities to 193 York Street, Brooklyn, which is in the Navy yard district where it occupied a former church building owned by the Brooklyn City Mission, a religious corporation which leased this property to the Boys' Club for a stipulated annual rental of $1.

In the year 1952, the Brooklyn City Mission, in conjunction with other religious groups undertook to erect and maintain a new community church in the Navy yard district. Its contribution to this effort was to be the proceeds of sale of the premises occupied by the Boys' Club at 193 York Street.

The Brooklyn City Mission had a bona fide offer of $45,000 for this property but in recognition of the valuable contribution made by the Boys' Club in the proper training and development of boys in this congested area, and being desirous that this work should be continued, elected to sell the property to the Boys' Club at a price of $35,000 which amount the Boys' Club paid under a mutually agreeable low cost financial arrangement.

This property soon became inadequate to properly handle an expanded membership and the age and plan of the building made the cost of modernization prohibitive. The situation was further complicated when, in the summer of 1959, definite physical weakness in the structure made it necessary to vacate it.

Thereupon temporary accommodations were obtained through the cooperation of the Board of Education of the City of New York at Public School No. 287 located in the same area. These accommodations were made available to the club with the understanding that it was on a temporary basis only and subject to cancellation, if required, by the board of education.

At about the time these arrangements were made, the Charles Hayden Foundation, of 25 Broad Street, New York City, made a grant of $225,000 to the Boys' Club for the purpose of building new, permanent quarters, conditioned, however, upon a like sum being raised by the Boys' Club. For the purpose of determining a proper central location a broad survey was made of the entire navy yard district with the advice and cooperation of Hon. John Cashmore, president of the Borough of Brooklyn and his chief engineer, Charles Reidel.

At this point it was determined that the increasing need for Boys' Club activities resulting from the erection of two low-cost housing projects in the neighborhood required a larger plot and modern facilities more centrally located.

Information was received in February 1960 that the New York Naval Shipyard was not using and had no plans to use an old brick and wooden warehouse located on the southwest corner of the land. This is a plot 69.78 by 312.05 feet, irregular, on the northeast corner of Navy Street and Flushing Avenue.

The size is ideal for the construction of a modern Boys' Club and the location is the best possible to care for a boy population in excess of 6,000 in the area.

The record established by the Boys' Club over the past 34 years has been applauded by civic, social and religious leaders as a stabilizing influence in this area and the need for its continued operation is indeed imperative.

PROPOSED PEACE BY INVESTMENT CORPORATION

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, on behalf of myself and Senators BEALL, HARTKE, and SMATHERS, as cosponsors, a bill that would permit millions of small investors to buy a share in peace.

The bill would establish a "Peace by Investment Corporation" that would expand by billions of dollars the flow of private U.S. investments in economic development projects located in the underdeveloped areas of the free world. The unique feature of the bill is that the corporation would obtain its investment funds primarily from millions of small investors, who would, in effect, be buying a share in peace.

The new bill is a complete reworking and comprehensive improvement of earlier proposals, based upon additional study and consultation in the United States and other continents during the past 2 years. The financial and economic basis for the bill is principally the work of Benjamin A. Javits, my brother, well-known lawyer and author, who for many years has written extensively on the subject, and Leon H. Keyserling, well-known economist and former Chairman of the Council of Economic Advisers.

Under the terms of the legislation introduced today, initial and temporary capital funds for the Peace by Investment Corporation, totaling $100 million, would be subscribed to by the U.S. Government through the Treasury. During the first 6 years of its operations, to obtain added funds for its investment purposes, the Corporation would also be authorized to borrow from the Treasury in amounts not exceeding $125 million in any one year, and in an aggregate outstanding amount not exceeding $600 million. During this initial period, the Corporation would function as an agency of the United States. But upon retirement of the basic portion of the original investment in the project by the Treasury, the Corporation would go through an orderly transition from an agency of the United States to private operations and management.

The bill contains provisions for the retirement of these initial subscriptions and borrowings with earnings in investments and with permanent capital funds obtained by offering stock for public sale, predominantly to small investors, at a price yielding $5 per share of the Corporation. The issuance of this stock would be authorized by the bill in a total amount of $15 billion, not more than half of which could be during the first 6 years of the operation of the Peace by Investment Corporation.

The plan also includes an insurance feature, designed to protect investment on a sound actuarial basis against certain types of risk.

The recent establishment of the Peace Corps reflects growing realization that governments and diplomatic relations alone cannot bring enduring peace, without the consolidation and expansion of people-to-people relationships. Economic relationships are fundamental to human relationships, and private economic endeavors are inseparable from systems of human freedom. This measure is designed to establish and expand people-to-people relationships in the economic field; to encourage an expanded

flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the peoples of the world; to reduce gradually thereby the need for U.S. public investment and grants overseas; to help redirect the total flow of capital from the United States so that increasing portions of this total flow go to the underdeveloped areas, and thus be in better harmony with the domestic economic needs of the United States and the effective management of its international balance-of-payments problems.

The onrushing Soviet economic challenge underscores a fact which has been evident since the end of World War II—that our own national and economic security depends upon our willingness and ability to play a substantial economic role in the advancement of industrialization, agricultural productivity, and living standards which are now so abysmally low in many areas of the free and noncommitted world. Undoubtedly, public funds from the United States, from other countries and from international agencies, will need to be continued for some years, and even enlarged. But it is obvious that the flow of private capital needs to be expanded enormously in the years ahead, if a stable productive structure is to be built on the foundations created with the help of public funds.

Equally important as the economic factors are the political and social factors. By demonstrating throughout the world, not only that we in the United States can help to make responsible sovereign governments work for the benefit of free peoples everywhere, but also that we can help to make responsible private enterprise work for the benefit of free peoples everywhere, we may by precept and example enlarge the appeal of our admixture of private enterprise and government in other areas of the world. And by making it possible for other peoples to rise out of starvation or deprivation to a degree of production which will make further improvement in living standards increasingly feasible through their own efforts, we shall have gotten closer to the heart of the problem of peace.

Further, the sound and expanding opening up of the trade and market opportunities which will result from an improved technology in the underdeveloped areas can make an immense contribution to our own long-range economic advancement at a steady growth rate, with beneficent consequences in the form of business and farm prosperity, increased job opportunities, and better living standards right here in the United States.

The basic criteria for the entire investment program contained in the bill require that the Peace by Investment Corporation make these findings:

First. That each specific investment is in furtherance of an undertaking which is economically sound, actually or potentially profitable, and consistent with the sound, long-range economic development of the country in which it is located;

Second. That the country in which the undertaking is located shall have had full information with respect to it and opportunity to express a judgment as to its desirability;

Third. That the investment is not in competition with nor duplicative of other private investment programs or other public programs of the United States or of international agencies which give reasonable promise of accomplishing comparable results in accord with the purpose of this act;

Fourth. That each investment, taking into account the country in which it is located, is in accord with the general international economic and political policies of the United States;

Fifth. That the investment program in general is consistent with the short-range and long-range policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy;

Sixth. That the investment program in general is consistent with the short-range and long-range need of the United States to maintain a satisfactory balance of payments position; and

Seventh. That the investment program in general, and in its specific applications, is mutually beneficial to the country to which the investment flows and country from which it emanates, taking into account not only purely economic considerations but also consideration of human improvement under free institutions.

Mr. President, on April 18, the Honorable Norman Manley, Q.C., Premier of Jamaica, addressed a National Press Club luncheon here, in Washington. Several of the excellent points which he made in the course of his remarks have a particular bearing on the need for and the purposes of the Peace by Investment Corporation which this legislation would establish.

I believe that Premier Manley is one of the most effective and one of the truest friends of democratic institutions in those areas of the world which are struggling to raise the standards of life among their people. He is leading his people to economic development along democratic paths. He is not interested in exploring the tragic possibilities of economic growth through Communist, totalitarian means or through dangerous liaison with the Soviet bloc.

He needs our support. His words speak for themselves, Mr. President. Therefore, I ask unanimous consent to have the bill and excerpts from his remarks printed in the RECORD at this point.

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

The bill (S. 1965) to establish a Peace by Investment Corporation, and for other related purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

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

GENERAL PURPOSES

SEC. 1. The recent establishment of the "Peace Corps" reflects growing realization that governments and diplomatic relations alone cannot bring enduring peace, without the consolidation and expansion of people-to-people relationships. Economic relationships are fundamental to human relationships, and private economic endeavors are inseparable from systems of human freedom. This measure is designed to establish and expand people-to-people relationships in the economic field; to encourage an expanded flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the peoples of the world; to reduce gradually thereby the need for United States public investment and grants overseas; to help redirect the total flow of capital from the United States so that increasing portions of this total flow go to the underdeveloped areas, and thus be in better harmony with the domestic economic needs of the United States and the effective management of its international balance of payments problems.

PEACE BY INVESTMENT CORPORATION: BASIC FUNCTIONS

SEC. 2. There is hereby established a Peace by Investment Corporation (hereinafter referred to as the Corporation) with the following basic functions in accord with the purposes of this Act:

(1) As an equity investment agency, to purchase the securities and obligations of, or make loans to (a) any underdeveloped country or political subdivisions thereof, (b) any public agency or instrumentality of any such country, or (c) any private or semi-private firm, corporation, or association doing or intending to do business wholly or mainly in any such country or countries for the purpose of financing or assisting in financing any undertaking to expand such industrial, mining, construction, or agricultural activity in such country or countries as will, in the judgment of the Corporation, further the purposes of this Act;

(2) As an investment trust, to purchase minor stock interests in enterprises in the United States already in being under effective management and engaged substantially in investment in underdeveloped countries, to the extent that such purchases are clearly desirable in conducting the financial functions of the Corporation on a sound and prudent basis;

(3) To establish an insurance system, on an actuarially sound basis including such premiums as are required, designed to protect all or part of the outstanding investments under paragraph (1) of this section against loss arising from any cause, including but not limited to political or military events;

(4) To establish a second insurance system (distinct from that pursuant to paragraph (3) of this section), on an actuarially sound basis including such premiums as are required, designed to protect against loss for specified causes, not including mismanagement, all or part of the outstanding investments of private investors (other than the Corporation) in any undertaking eligible for financial assistance under paragraph (1) of this section).

BASIC CRITERIA FOR INVESTMENT PROGRAM

SEC. 3. In carrying forward the investment program pursuant to paragraph (1) of section 2 of this Act, the Corporation shall be guided by these basic criteria, and shall make appropriate findings accordingly:

(1) That each specific investment is in furtherance of an undertaking which is economically sound, actually or potentially profitable, and consistent with the sound long-range economic development of the country in which it is located;

(2) That the country in which the undertaking is located shall have had full information with respect to it and opportunity to express a judgment as to its desirability;

(3) That the investment is not in competition with nor duplicative of other private investment programs or other public programs of the United States or of international agencies which give reasonable promise of accomplishing comparable results in accord with the purposes of this Act;

(4) That each investment, taking into account the country in which it is located, is in accord with the general international economic and political policies of the United States;

(5) That the investment program in general is consistent with the short-range and long-range policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy;

(6) That the investment program in general is consistent with the short-range and long-range need of the United States to maintain a satisfactory balance of payments position;

(7) That the investment program in general, and in its specific applications, is mutually beneficial to the country to which the investment flows and country from which it emanates, taking into account not only purely economic considerations but also consideration of human improvement under free institutions.

BASIC FINANCING OF PEACE BY INVESTMENT CORPORATION

SEC. 4. (a) The Corporation shall have a capital stock consisting in part of one hundred shares of par value of $1,000,000 per share of class A stock, which shall be the only stock of the Corporation having voting power so long as any of it is outstanding. This class A stock shall be subscribed to by the United States Government. The Secretary of the Treasury shall use the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, for the purpose of such subscriptions, and the purposes for which securities may be issued under such Act are extended to include such subscription. Payment under this paragraph to the Corporation for the subscription of the United States and repayments thereof shall be treated as public debt transactions of the United States. Certificates evidencing stock ownership by the United States shall be issued by the Corporation to the President of the United States or to such other person or persons as he may designate from time to time. Neither the provisions of the Securities Act of 1933, as amended, nor the provisions of the Securities Exchange Act of 1934, as amended, shall apply to the Corporation or to the original issue of its securities while class A stock is outstanding.

(b) The Corporation is authorized to increase its capital stock by offering for public sale 3,000,000,000 shares of class B stock at par value of $5,000 per share. This stock shall be placed on public sale to net the Corporation $5,000 per share, with an override not exceeding $0.30 per share to cover distribution costs: *Provided*, that not more than 1,500,000,000 shares of this class B stock in the aggregate, nor more than 500,000,000 shares in any one year, shall be sold so long as the Corporation remains an agency of the United States as provided in section 5(a) of this Act. The Corporation, with approval of the Secretary of the Treasury, shall by regulation determine the maximum amount of such class B stock which may be held at any time by any individual, and the maximum amount which may be held at any time by business enterprises and other organizations of various types and sizes.

(c) The Corporation is authorized to issue from time to time, for purchase by the Secretary of the Treasury, its notes, debentures, bonds, or other obligations: *Provided*, That the issue of such obligations shall not exceed $125,000,000 in any one year, nor shall the aggregate amount of such obligations outstanding at any one time exceed $600,000,000, nor shall any such obligations be issued more than six years from the date of the first issue, nor shall any such obligations be issued except so long as the Corporation remains an agency of the United States as provided in section 5(a) of this Act. Such obligations shall have such varied maturities, not in excess of twenty years, as may be determined by the Corporation with the approval of the Secretary of the Treasury, with periodic retirement of each obligation commencing in the first year subsequent to its original issue: *Provided*, That any such obligations may be retired at the option of the Corporation before maturity in such manner as may be stipulated therein. Each obligation purchased by the Secretary of the Treasury shall, so long as the Corporation remains an agency of the United States, bear interest at a rate determined by the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such obligation; and when the Corporation is no longer an agency of the United States, as provided in section 6 of this Act, each such obligation shall bear interest at the rate of 4 per centun per annum. The Secretary of the Treasury is authorized for the purpose of this subsection to use as a public-debt transaction the proceeds of any securities issued after July 31, 1945, under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act and extended to include such purpose. Payment by the Treasury under this subsection of the purchase price of such obligations of the Corporation and repayment thereof by the Corporation shall be treated as public debt transactions of the United States.

(d) One-fifth of the proceeds of the sale of class B stock issued under subsection (b) of this section shall be set aside by the Corporation in a special fund to be established by the Corporation. This special fund shall be utilized (1) to retire fully, within a period of six years or less from the initial issuance of such class B stock, the class A stock of the Corporation issued under subsection (a) of this section, and (2) to retire fully the obligation issued under subsection (c) of this section in accord with the terms of retirement contained in such obligations. This special fund shall be invested or reinvested by the Corporation in interest-bearing obligations of the United States or in obligations guaranteed as to interest and principal by the United States. *Provided*, that when the class A stock of the Corporation and the obligations issued under subsection (c) of this section shall have been retired in full, any balance remaining in this special fund shall be merged with other funds of the Corporation obtained through the sale of class B stock and shall thereupon be available for the general purposes of this Act.

(e) Except as otherwise provided in this section, all funds available to the Corporation pursuant to this section, and as earnings from its operations, shall be available for its general purposes under this Act.

INITIAL MANAGEMENT OF PEACE BY INVESTMENT CORPORATION

SEC. 5. (a) Until the conditions set forth in Section 6 of this Act are fully met, the Corporation shall be an independent agency of the United States.

(b) The management of the Corporation during its existence as an agency of the United States shall consist of a Board of Directors (herein referred to as the Board), composed of (1) five members appointed from private life by the President with the advice and consent of the Senate, who shall collectively possess broad experience in various areas of economic endeavor; (2) the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Labor, to serve ex officio; (3) four members to be appointed by the President from various United States agencies concerned with international economic development; and (4) a President and Executive Vice President of the Corporation as set forth below, who may be appointed from private life or from public service. All members, except those serving ex officio, shall serve at the pleasure of the President.

(c) The Board shall elect a Chairman from among its members. Any vacancy in the Board shall not affect its powers, but shall be filled in the same manner as the original appointment. A majority of the Directors shall constitute a quorum, and action shall be taken only by a majority vote of those present.

(d) The Board shall designate an executive committee of seven members, not more than two of whom (exclusive of the President and Executive Vice President of the Corporation) shall be members appointed from private life. The executive committee shall perform the functions and exercise the powers of the Board at such times and to such extent as shall be provided in the bylaws of the Corporation.

(e) Members of the Board appointed from private life shall receive $_____ per diem when engaged in the actual performance of their duties, plus reimbursement for necessary travel, subsistence, and other expenses incurred by them in the performance of such duties.

(f) There shall be a President of the Corporation, to be appointed by the President by and with the advice and consent of the Senate, who shall receive a salary at the rate of $_____ per annum, and who shall serve as chief executive officer of the Corporation, as a member of the executive committee, and as a member of the Board. The President of the Corporation shall, in accordance with the bylaws, appoint such officers and employees as may be necessary for the conduct of the business of the Corporation, define their duties, and fix their compensation.

(g) There shall be an Executive Vice President of the Corporation, to be appointed by the President by and with the advice and consent of the Senate, who shall receive a salary at the rate of $_____ per annum. The Executive Vice President shall serve as President of the Corporation during the absence or disability of the President thereof or in the event of a vacancy in such office.

(h) No director, officer, attorney, agent, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any government, corporation, partnership, or association in which he is directly or indirectly personally interested.

(i) The President may also appoint an advisory committee to the Board, composed of individuals drawn from private and public life outside of the United States, who need not be citizens nor residents of the United States.

TRANSFER OF PEACE BY INVESTMENT CORPORATION TO PRIVATE OWNERSHIP AND MANAGEMENT

SEC. 6. (a) When the class A stock of the Corporation has been retired in full within the period of six years or less provided in Section 4(d) of this Act, the Board shall transmit to the President of the United States, for submission to the Congress, recommendations for such legislation as may be necessary to provide for the orderly transition of the Corporation from any agency of the United States to a corporation under private ownership and management, including (1) appropriate provision for transfer to the owners of the outstanding class B stock of the Corporation the assets and liabilities of the Corporation, (2) appropriate provision for vesting in such owners of class B stock the exclusive voting power of the Corporation originally vested in the owners of class A stock, with each owner of class B stock being thereupon entitled to one vote per share, and (3) such additional provisions as may be necessary to protect any outstanding investments in the Corporation by the United States: *Provided*, That the Secretary of the Treasury, with the approval of the President, may defer submission to the Congress for the purpose of the transition pursuant to this section if he finds that an insufficient portion of the obligations purchased by the Secretary of the Treasury pursuant to Section 4(c) of this Act have been retired to justify the transfer of the Corporation from public to private ownership and management.

(b) In connection with such transfer, a complete and final accounting shall be made by the Corporation and the Government, at which time the Government shall receive reasonable compensation for all Government services rendered the Corporation.

GENERAL CORPORATE POWERS AND DUTIES

SEC. 7. (a) For the purpose of carrying out its functions under this Act the Corporation shall have succession in its corporate name; may adopt and use a corporate seal, which shall be judicially noticed; may sue and be sued in its corporate name; may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised; may make and carry out such contracts and agreements as are necessary and advisable in the conduct of its business, and may purchase, discount, rediscount, sell, and negotiate (with or without its endorsement or guarantee) and guarantee notes, drafts, checks, bills of exchange, acceptances, including bankers' acceptances, cable transfers, and other evidences of indebtedness in carrying out its functions under this Act; may appoint and fix the compensation of such officers and employees as may be necessary for the conduct of its business, without regard to the civil service laws or the Classification Act of 1949, define their authority and duties, delegate to them such powers vested in the Corporation as may be necessary, require bonds of such of them as may be desirable, and fix the penalties and pay the premiums of such bonds; may assign or sell at public or private sale, or otherwise dispose of for cash or credit, upon such terms and conditions as shall be determined reasonable, any evidence of debt, contract, claim, personal property, or security held by the Corporation in connection with the payment of loans or other obligations, and collect or compromise all obligations held by the Corporation; may set up or engage such subsidiary agencies in the United States or in underdeveloped countries as will facilitate the business of the Corporation and may enable such subsidiary agencies to sell class B stock or to sell their own stock for the purpose of buying class B stock; may acquire by purchase, lease, or donations such real property or any interest therein, and may sell, lease, or otherwise dispose of such real property, as may be necessary for the conduct of its business; shall determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this Act, and provisions of law specifically applicable to Government corporations; may pay dividends on class B stock out of profits or other earnings; shall be entitled to the use of the United States mails in the same manner and upon the same conditions as may be applicable to the executive departments of the United States Government until such time as it ceases to be an agency of the United States; and shall be subject to Federal taxation from the time that it ceases to be an agency of the United States. The foregoing enumeration of powers shall not be deemed to exclude other lawful powers necessary to the purposes of the Corporation.

(b) Notwithstanding the provisions of section 955 of title 18, United States Code, any person, including any individual, partnership, corporation, or association, may upon proper authorization act for or participate with the Corporation in any operation or transaction engaged in by the Corporation.

(c) Section 101 of the Government Corporation Control Act, as amended (31 U.S.C. 846), is amended by inserting after "Saint Lawrence Seaway Development Corporation" the words "World Development Corporation."

PENAL PROVISIONS

SEC. 8. (a) All general penal statutes relating to the larceny, embezzlement, or conversion of public moneys or property of the United States shall apply to the moneys and property of the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, makes false entry in any book of the Corporation, or makes false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

REPORTS AND STUDIES

SEC. 9. The Corporation shall submit to the President for transmission to the Congress at the beginning of each regular session, a complete and detailed annual report of its operations under this Act.

SEC. 10. The Corporation, immediately upon its establishment, shall commence studies of additional measures, including tax measures, which would further promote the flow of private capital from the United States to underdeveloped areas of the world and be consistent with the economic and financial policies of the United States. Such studies shall be amplified in the light of the experience of the Corporation. As soon as practicable, and not later than three years after the establishment of the Corporation, it shall prepare for transmission to the Congress the initial results of such studies, including legislative recommendations.

CITATION

SEC. 11. This Act may be cited as the "Peace by Investment Corporation Act of _____."

The excerpts presented by Mr. JAVITS are as follows:

EXCERPTS FROM THE ADDRESS BY THE HONORABLE NORMAN MANLEY, Q.C., PREMIER OF JAMAICA, AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., APRIL 18, 1961

We make the maximum effort to develop ourselves out of our own resources. We do not come asking for gifts. We are prepared to depend on progress for loans of money. We do not ask for money to be spent to defend ourselves by trying to build some dams against communism, and as far as there are Communist forces in the West Indies, we can take care of them. All we ask is to be allowed to develop fast enough and we know exactly what to do with them and how to do it.

We do not ask for money to build our forces to stem revolutions. All we want is sound business deals, and we will guarantee payment a hundred percent.

We look forward to the sort of help we can get from your international lending agencies, which I am glad to see your Government proposes to reorganize and streamline, because I confess for myself that I have been bewildered to know how to find my way through the maze of those agencies.

We in Jamaica are the first colony of our type to go to the money market in New York and borrow money on Jamaican bonds which we are selling with a premium paying over 7 percent. Good money, gentlemen, good money. You come and help us set up industry; you invest in our gorgeous climate with your tourist trade.

I hope that some day some sort of new agency will be created in the Americas * * * with some assurance or guarantee from the Government for small funds that people would like to invest to help underdeveloped countries so long as they were sure the development was secure, because there must be thousands of people, who under the crisis of the Caribbean and who under the crisis of Latin America, would be willing to do something to contribute to development properly conceived in those fields.

As far as we are concerned, we welcome those who come in to help us. We have no fear of economic domination. Money is money, and investment is investment. We welcome it. All we ask is a chance to prove to the world what a country like ours, made up of all sorts of people, beset by every sort of problem of economic difficulty, all we ask is to be given a chance to prove that we can do the job and to become a living example to the world that there is not only one road for underdeveloped countries, but another road, the road of freedom, democracy, and observance of the rule of law and the rights of humanity.

Mr. JAVITS subsequently said: Madam President, earlier today I introduced a bill called the "Peace by Investment Bill," the development of a concept of my brother, Benjamin Javits, and Leon Keyserling, the former Chairman of the Council of Economic Advisers. This will give an opportunity to the private economy to bring into the development of the underdeveloped areas billions of dollars of U.S. private investment raised from people who will each be buying a share for peace.

Madam President, it is unfortunate that the bill is introduced on a day when we have had a speech by the President and other controversies, so that perhaps it may be overlooked, because it is one of the most significant, one of the most bright, and one of the most initiative-producing ideas I have yet seen in the field of foreign economic policy, in which

I have been ardently engaged ever since 1945. I commend this to my colleagues very much. The bill is sponsored by the Senator from Maryland [Mr. BEALL], the Senator from Indiana [Mr. HARTKE], the Senator from Florida [Mr. SMATHERS], and me. I hope very much it will have early attention by the committee to which it is referred.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, RELATING TO SUPPLEMENTAL AIR CARRIERS

Mr. MAGNUSON. Mr. President, by request of the Civil Aeronautics Board, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes. I ask unanimous consent that a statement of purpose of the proposed legislation be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement of purpose of the bill will be printed in the RECORD.

The bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, 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 statement of purpose and need presented by Mr. MAGNUSON is as follows:

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION

(A bill to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes)

The Board, on January 28, 1959, in the Large Irregular Air Carrier Investigation, docket 5132, issued temporary certificates of public convenience and necessity for supplemental air service to a number of air carriers found by the Board to be fit to receive them. Under these certificates, supplemental air carriers were authorized to conduct without reference to any specified terminal or intermediate points not more than 10 flights carrying individually ticketed passengers or individually waybilled property in the same direction between any single pair of points in any calendar month, and to render unlimited planeload charter services. This authorization was limited to interstate air transportation. It was the latest step in the development of this industry which was originally known as "large irregular air carriers."

A number of air carriers certificated to render route type service petitioned the U.S. Court of Appeals for the District of Columbia Circuit for review of the Board's order and opinion of January 28, 1959. On April 7, 1960, the court rendered its decision in *United States Lines et al.* v. *Civil Aeronautics Board* (278 F. 2d 446), in which it found that the Board's action in certificating supplemental air carrier operations was legally deficient in three respects:

"1. The certificates issued by the Board do not specify the terminal and intermediate points between which air transportation is authorized but grant a blanket authorization to operate between any two points in the United States.

"2. The certificates issued by the Board contain a limitation of 10 flights per month in the same direction between the same two points. In the opinion of the court, this limitation was in violation of Section 401(e) of the act which provides: "No term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules * * *.

"3. In referring to the determination of fitness required by Section 401(d) of the act, the court pointed out (one judge dissenting) that the Board gave the same nationwide cargo and passenger authority to each of the applicants to which it issued certificates. The court stated that in many instances the prior operations of the individual applicants had been small or specialized and that their financial resources were inadequate for the newly authorized operations. It would thus appear that the court's standard of fitness that each carrier must establish would be greater than that found by the Board to be necessary for supplemental service."

As a stopgap measure to avoid immediate cessation of the supplemental air carrier industry, the Congress enacted P.L. 86-661, approved July 14, 1960. Under this legislation the Board is given temporary authority to permit supplemental air carriers to conduct operations for 20 months. However, legislation of a more permanent nature is needed if there is to be any assurance that the supplemental air carrier industry is to continue in existence.

The Board has found that the supplemental air carriers have performed a useful public service and has a definite place and role in meeting this Nation's air transportation needs. There can be no doubt that the continued existence of the irregular air carrier fleet is of real value in terms of national defense, and it is evident that the future ability of the irregular air carriers to serve the military, as they are doing now and have done so ably in the past, depends upon their ability to operate their planes in commercial activities when not engaged in service for the military.

The Board recommends changes in the law as follows:

1. The law should be made clear that a carrier may request, and be authorized to perform, limited services supplemental to those furnished by the regular air carriers, and the Board should be expressly authorized to issue certificates of public convenience and necessity for supplemental service containing limitations on the type and extent of service authorized.

2. The Board should be authorized to grant a blanket authorization without having to designate specific points.

3. The present stringent requirement of fitness should be reduced so that only general findings of fitness need be made for supplemental service.

4. Statutory operating rights should be granted to the existing holders of supplemental air carrier certificates in the nature of a "grandfather" provision, thus assuring the continuity of operations presently being conducted by the supplemental air carriers.

The draft bill attached has been prepared to carry out these recommendations.

EXTENSION OF U.S. CITIZENS COMMISSION ON NATO

Mr. WILEY. Mr. President, I introduce for appropriate reference a joint resolution proposing to extend for 5 months the life of the U.S. Citizens Commission on NATO.

During the 86th Congress, a law—Public Law 86-719—was enacted to establish a Citizens Commission for the North Atlantic Treaty Organization. The purpose would be to authorize citizens to confer unofficially on ways and means to promote greater cooperation among the members of the alliance.

The law, enacted on September 7, 1960, provided for a year and a half of work, to be terminated on January 31, 1962.

Unfortunately, the 1960 national election and installation of a new administration resulted in a considerable delay in the appointment of the membership of the Commission. Consequently, it was not possible to hold the first organization meeting before April 8, 1961.

Unless the life of the Commission is extended, its working time will be seriously curtailed.

To better enable the Commission to carry out its purposes, I am introducing a joint resolution to extend the life of the Commission for a 5-month period—until June 30, 1962.

Internation conferences among the members of NATO on a nonofficial level offer, I believe, real promise for closer political, social, economic, cultural cooperation, as well as opportunity to make a greater contribution to security, progress, and peace.

I am very hopeful that out of such conferences can come ideas and recommendations that can bind the alliance more strongly together to benefit member countries, separately and collectively, and to better fulfill the overall objectives of NATO.

The extension of the life of the Commission would, in my judgment, serve our national interest and the cause of peace.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 93) to extend through June 30, 1962, the life of the U.S. Citizens Commission on NATO, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on Foreign Relations.

DESIGNATION OF 1ST DAY OF JULY IN EACH YEAR AS "TOM SAWYER DAY, U.S.A."

Mr. LONG of Missouri. Mr. President, a Missouri writer, Samuel L. Clemens, better known as Mark Twain, brought laughter to this Nation at a time when it needed the release from tension which only humor can bring.

Soon, the entire world was benefiting from Mark Twain's warmly human stories.

Then came the story of Tom Sawyer, which put into words of lasting feeling that period of discovery and glorious adventure known as boyhood.

We should honor this great American author and his lasting literary creation of American boyhood.

The very distinguished dean of the Missouri congressional delegation [Mr. CANNON] has introduced a resolution in the House of Representatives similar to the one I am about to send to the desk.

Therefore, Mr. President, on behalf of myself and my colleague, the senior Senator from Missouri [Mr. SYMINGTON], I introduce, for appropriate reference, a joint resolution designating the

1st day of July in each year as "Tom Sawyer Day, U.S.A."

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 94) designating the 1st day of July in each year as "Tom Sawyer Day, U.S.A." introduced by Mr. LONG of Missouri (for himself and Mr. SYMINGTON), was received, read twice by its title, and referred to the Committee on the Judiciary.

RULES FOR INSTALLATION, INSPECTION, MAINTENANCE, AND REPAIR OF RAILROAD EQUIPMENT—ADDITIONAL COSPONSOR OF BILL

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the junior Senator from California [Mr. ENGLE] may be added as a cosponsor of the bill (S. 1669) to provide that the Interstate Commerce Commission shall prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of certain parts on railroad cars, and to require carriers by railroad to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes.

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

IMPROVEMENT OF NATIONAL TRANSPORTATION SYSTEM—ADDITIONAL COSPONSORS OF BILL

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the names of Senators DOUGLAS, HART, HUMPHREY, KUCHEL, MOSS, and SMITH of Maine may be added as additional cosponsors of the bill (S. 1670) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes, the next time the bill is printed.

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

CIVIL USES OF ATOMIC ENERGY—AMENDMENTS TO AGREEMENT FOR COOPERATION WITH TURKEY

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD certain amendments to the Agreement for Cooperation Concerning the Civil Uses of Atomic Energy With the Government of the Republic of Turkey, with accompanying correspondence. The original agreement was approved by the President on May 3, 1955. The amendments provide that the U.S. Atomic Energy Commission may sell or lease additional amounts of material to Turkey, including 15 kilograms of uranium enriched up to 20 percent in the isotope U^{235}. The Commission may, in its discretion, make all or part of these 15 kilograms available as material enriched up to 90 percent for use in research and test reactors and reactor experiments.

Other highlights of these amendments include provisions for the transfer of other radioactive materials in connection with defined research projects. In addition, these amendments provide for certain safeguards to assure that the materials furnished under the agreement will not be devoted to nonpeaceful purposes. Finally, both parties reaffirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects the Agency may participate in carrying out the provisions of this agreement for cooperation.

These documents, which were received by the Joint Committee on Atomic Energy on April 27, 1961, came before the Joint Committee in accordance with the provisions of section 123 of the Atomic Energy Act of 1954.

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

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., April 27, 1961.

Hon. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. HOLIFIELD: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. An executed amendment to the Agreement for Cooperation With the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy;

2. A letter from the Commission to the President recommending approval of the proposed amendment; and

3. A letter from the President to the Commission approving the amendment, containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorizing its execution.

The amendment, which has been negotiated pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States and the Government of the Turkish Republic on June 10, 1955. This amendment was requested by the Turks primarily to obtain 90 percent enriched fuel for use in a research reactor being constructed in Turkey by an American firm. Major features are summarized below.

The existing agreement provides that the Commission will lease to the Government of the Turkish Republic, as fuel for research reactors, up to 6 kilograms of contained U^{235}, in uranium enriched up to a maximum of 20 percent U^{235}, unless the Commission shall specify that a greater quantity of such material may be transferred.

Article II of the amendment provides that the Commission may sell or lease, as may be agreed, a net amount of 15 kilograms of uranium enriched up to 20 percent in the isotope U^{235}, except as noted below, for use in research reactors, materials testing reactors, and reactor experiments. The Commission, at its discretion, may make all or a portion of the 15 kilograms available as material enriched up to 90 percent for use in the foregoing facilities, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium. In addition, article II provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

The quantity of uranium enriched in the isotope U^{235} transferred to the Government of the Turkish Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling or in transit, or, subject to Commission approval, is being reprocessed in Turkey.

Article III of the amendment provides for the transfer to Turkey of source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes in connection with defined research projects on an as-may-be-agreed basis. The original amendment did not provide for the transfer of such materials.

Article IV of the amendment incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article V of the amendment the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the Agreement for Cooperation to provide for Agency participation in activities such as the administration of safeguards.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

GLENN T. SEABORG,
Chairman.

THE WHITE HOUSE,
Washington, D.C., April 19, 1961.

Hon. GLENN T. SEABORG,
Atomic Energy Commission,
Washington, D.C.

DEAR MR. SEABORG: Under date of March 17, you informed me that the Atomic Energy Commission has recommended that I approve the proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The amendment would modify the agreement for cooperation signed by the Government of the United States and the Government of the Turkish Republic on June 10, 1955.

Among other things, the amendment provides that the Commission may sell or lease, as may be agreed, a net amount of 15 kilograms of uranium enriched up to 20 percent (in the isotope U^{235}, except as noted below, for use in research reactors, materials testing reactors, and reactor experiments. The Commission, at its discretion, may make all or a portion of the 15 kilograms available as material enriched up to 90 percent for use in the foregoing facilities, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium. It also provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

The quantity of uranium enriched in the isotopes U^{235} transferred to the Government of the Turkish Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus

such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling or in transit or, subject to Commission approval, is being reprocessed in Turkey.

The amendment further permits the transfer of quantities of special nuclear materials, including U^{235}, U^{233}, and plutonium, on an as-may-be-agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors and reactor experiments.

The amendment also contains several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes. Finally, the amendment contains a provision whereby the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement for cooperation in view of the establishment of the Agency.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(b) Approve the proposed amendment to the Agreement for Cooperation Between the Government of the United Sates of America and the Government of the Turkish Republic enclosed with your letter of March 17.

(c) Authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

JOHN F. KENNEDY.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., March 17, 1961.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The amendment, which has been negotiated pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States of America and the Government of the Turkish Republic on June 10, 1955.

Turkey is one of the 38 countries with which the United States has bilateral agreements for cooperation in the peaceful uses of atomic energy. The existing Turkish agreement, like the agreement with Ireland, an amendment to which you recently approved, permits the lease to the Government of the Turkish Republic by the Commission of a modest quantity of uranium enriched up to 20 percent in U^{235} for fueling research reactors, provides for the exchange of unclassified information in connection with research reactors and the use of radioisotopes, and enables private individuals and organizations in the United States to provide services and materials to Turkey in these areas.

Turkey's principal interest in concluding the enclosed proposed amendment is to enable it to obtain uranium enriched up to 90 percent in U^{235}, in place of the 20 percent enriched material now provided for, to fuel a research reactor under construction by an American firm in Turkey. U.S. policy permitting the transfer of material enriched up to 90 percent in U^{235} abroad for use in research reactors was adopted following conclusion of the original Turkish agreement and has been incorporated into agreements with several other cooperating countries. This change was adopted since uranium of this enrichment can have distinct technical and economic advantages over 20 percent enriched material as fuel in such facilities. Associated with the transfer of 90 percent enriched material are comprehensive controls and safeguards which are designed to assure that the material is used only for peaceful purposes.

In addition to providing for the transfer of 90 percent fuel and the associated controls and safeguards, the amendment also incorporates other provisions which have become standard in our bilateral agreements since the original Turkish agreement was signed. Major features of the amendment are summarized below:

Article II of the amendment provides that the Commission may sell or lease, as may be agreed, a net amount of 15 kilograms of uranium enriched up to 20 percent in the isotope U^{235}, except as noted below, for use in research reactors, materials testing reactors, and reactor experiments. The Commission, at its discretion, may make all or a portion of the 15 kilograms available as material enriched up to 90 percent for use in the foregoing facilities, each capable of operating with a fuel load not to exceed 8 kilograms of contained U^{235} in uranium.

Article III includes provisions for the transfer to Turkey, on an as-may-be-agreed basis, of reactor materials, including special nuclear materials, for research purposes other than fueling reactors and reactor experiments, if such materials are not available commercially.

The provisions setting forth the comprehensive controls and safeguards, noted above, are contained in article IV of the amendment.

In article V of the amendment the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement for cooperation to provide for Agency participation in activities such as the administration of safeguards.

After you have approved and authorized the execution of the proposed amendment, and made the determination referred to above, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Turkish Republic and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE TURKISH REPUBLIC CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Turkish Republic,

Desiring to amend the Agreement for Cooperation between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, signed at Washington on June 10, 1955 (hereinafter referred to as the "Agreement for Cooperation"),

Agree as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the limitations of Article V, the Parties hereto will exchange information in the following fields:

"1. Design, construction and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this Agreement shall be the responsibility of the Party which receives and uses such information or data, and it is understood that the other cooperating Party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

Article II of the Agreement for Cooperation is amended to read as follows:

"A. The Commission will sell or lease, as may be agreed, to the Government of the Turkish Republic, uranium enriched up to 20 per cent in the isotope U^{235}, except as otherwise provided in paragraph C of this Article, in such quantities as may be agreed, in accordance with the terms, conditions, and delivery schedules set forth in contracts, for fueling defined research reactors, materials testing reactors, and reactor experiments which the Government of the Turkish Republic, in consultation with the Commission, decides to construct or authorize private organizations to construct and which are constructed in Turkey and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased under this Article during the period of this Agreement shall not at any time exceed 15 kilograms of the isotope U^{235} contained in such uranium. This net amount shall be the gross quantity of such contained U^{235} in uranium sold or leased to the Government of the Turkish Republic during the period of this Agreement less the quantity of such contained U^{235} in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this Agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this Article, the quantity of uranium enriched in the isotope U^{235} transferred by the Commission under this Article and in the custody of the Government of the Turkish Republic shall not at any time be in excess of the quantity necessary for the full loading of each defined reactor project which the Government of the Turkish Republic or persons under its jurisdiction construct and fuel with uranium received from the United States of America, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments while replaced fuel is radioactively cooling, is in transit, or, subject to the provisions of paragraph E of this Article, is being reprocessed in Turkey, it being the intent of the Commission to make

possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make all or a portion of the foregoing special nuclear material available as uranium enriched up to ninety per cent (90%) in the isotope U^{235} for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of the isotope U^{235} contained in such uranium.

"D. It is understood and agreed that although the Government of the Turkish Republic may distribute uranium enriched in the isotope U^{235} to authorized users in Turkey, the Government of the Turkish Republic will retain title to any uranium enriched in the isotope U^{235} which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U^{235}.

"E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"F. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Turkish Republic and after reprocessing as provided in paragraph E of this Article, shall be returned to the Government of the Turkish Republic, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit to the Government of the Turkish Republic, any such special nuclear material which is in excess of the needs of Turkey for such material in its program for the peaceful uses of atomic energy.

"G. With respect to any special nuclear material not subject to the option referred to in paragraph F of this Article and produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of Turkey for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

"H. Some atomic energy materials which the Commission may provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Turkish Republic the Government of the Turkish Republic shall bear all responsibility, in so far as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any source or special nuclear material, or other reactor materials, which the Commission may, pursuant to this Agreement, lease to the Government of the Turkish Republic or to any private individual or private organization under its jurisdiction, the Government of the Turkish Republic shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear material, or other reactor materials, after delivery by the Commission to the Government of the Turkish Republic or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

Article III of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Government of the Turkish Republic or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Turkey. The sale or lease of these materials shall be on such terms as may be agreed.

"B. Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy and under the limitations set forth in Article V, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Turkish Republic by the Commission for research purposes other than fueling reactors and reactor experiments in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially."

ARTICLE IV

Article IV of the Agreement for Cooperation is amended to read as follows:

"A. The Government of the United States of America and the Government of the Turkish Republic emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Turkish Republic pursuant to this Agreement shall be used solely for civil purposes.

"B. Except to the extent that the safeguards provided for in this Agreement are supplanted, as provided in Article VI bis, by safeguards of the International Atomic Energy Agency the Government of the United States of America, notwithstanding any other provisions of this Agreement, shall have the following rights:

"1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any

(i) reactor and

(ii) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards,

which are to be made available to the Government of the Turkish Republic or persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission.

"2. With respect to any source or special nuclear material made available to the Government of the Turkish Republic or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or devices so made available:

(i) source material, special nuclear material, moderator material, or other material designated by the Commission,

(ii) reactors,

(iii) any other equipment or device designated by the Commission as an item to be made available on the condition that the provision of this subparagraph B2 will apply,

(a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such material; and

(b) to require that any such material in the custody of the Government of the Turkish Republic or any person under its jurisdiction be subject to all of the safeguards provided for in this Article and the guaranties set forth in Article VII;

"3. To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph B2 of this Article which is not currently utilized for civil purposes in Turkey and which is not purchased or retained by the Government of the United States of America pursuant to Article II, paragraph F and paragraph G(a) of this Agreement, transferred pursuant to Article II, paragraph G(b) of this Agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;

"4. To designate, after consultation with the Government of the Turkish Republic, personnel who, accompanied, if either Party so requests, by personnel designated by the Government of the Turkish Republic, shall have access in Turkey to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B2 of this Article to determine whether there is compliance with this Agreement and to make such independent measurements as may be deemed necessary;

"5. In the event of noncompliance with the provisions of this Article, or the guaranties set forth in Article VII, and the failure of the Government of the Turkish Republic to carry out the provisions of this Article within a reasonable time, to suspend or terminate this Agreement and require the return of any materials, equipment, and devices referred to in subparagraph B2 of this Article;

"6. To consult with the Government of the Turkish Republic in the matter of health and safety.

"C. The Government of the Turkish Republic undertakes to facilitate the application of the safeguards provided for in this Article."

ARTICLE V

The following new Article is added directly after Article VI of the Agreement for Cooperation:

"ARTICLE VI bis

"The Government of the United States of America and the Government of the Turkish Republic affirm their common interest in the International Atomic Energy Agency and to this end:

"(a) The Parties will consult with each other, upon the request of either Party, to determine in what respects, if any, they desire to modify the provisions of this Agreement. In particular, the Parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the Agency of those conditions, controls, and safeguards, including those relating to health and safety standards, required by the Agency in connection with similar assist-

ance rendered to a cooperating nation under the aegis of the Agency.

"(b) In the event the Parties do not reach a mutually satisfactory agreement following the consultation provided for in subparagraph (a) of this Article, either Party may by notification terminate this Agreement. In the event this Agreement is so terminated, the Government of the Turkish Republic shall return to the Commission all source and special nuclear materials received pursuant to this Agreement and in its possession or in the possession of persons under its jurisdiction."

ARTICLE VI

This Amendment shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this 27th day of April 1961.

For the Government of the United States of America:

PHILLIPS TALBOT.
GLENN T. SEABORG.

For the Government of the Turkish Republic:

B. USAKLIGIL.

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

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

By Mr. BYRD of West Virginia:

Statement by him before the Senate Committee on Finance in support of House bill 6027, dealing with a provision for voluntary retirement at age 62.

By Mr. RANDOLPH:

Excerpts from remarks by him prepared for delivery on the dedication of the new technical service laboratory of Standard Lime & Cement Co., Martinsburg, W. Va., May 25, 1961.

By Mr. CANNON:

Book review on the recently published book "Buy Now, Pay Later," by Hillel Black, and reviewed by Senator PROXMIRE.

Mr. DIRKSEN. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Yes.

Mr. DIRKSEN. I should like to say a few words about the aid to education bill.

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield to me, if it is understood that in doing so he will not lose his right to the floor?

Mr. DIRKSEN. Yes, I yield.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SCHOOL ASSISTANCE ACT OF 1961

Mr. MANSFIELD. Mr. President, before the Senator from Illinois proceeds, will he yield?

Mr. DIRKSEN. I yield to the distinguished majority leader.

Mr. MANSFIELD. I ask unanimous consent that Senate bill 1021 be laid before the Senate, so that the Senate may resume its consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 1021) to authorize a program of Federal financial assistance for education.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, before I address myself to the aid-to-education bill, I should like to ask the majority leader about the program tomorrow, and whether any substantive or controversial legislation will be considered, and whether there is any likelihood or rollcall votes tomorrow.

Mr. MANSFIELD. In response to the question asked by the distinguished minority leader, let me say it is hoped that the Senate will vote today on the aid-to-education bill, S. 1021. If that is done—and we shall try to remain in session until it is done—it is the intention of the leadership to have the Senate go over until tomorrow, on which day items on the calendar to which there is no objection will be considered. Certain Senators have indicated that at that time they would like to make speeches on taxation and other subjects.

There will be no rollcall votes tomorrow, and it is the intention, at the conclusion of the business of the Senate tomorrow, to have the Senate go over until the following Monday. On that day, Monday, there will be no formal business, no votes. It is anticipated that then the Senate will go over until Wednesday or possibly Thursday.

I think tentatively I can state that a week from Friday the Senate will take up the housing bill. I have discussed this matter with the distinguished Senator from Indiana [Mr. CAPEHART] and the distinguished Senator from Alabama [Mr. SPARKMAN].

I hope that if this course is agreeable, in the intervening period, some Senators will get a well-deserved rest and some committees will be able to make up for lost time. I hope that what I am now stating tentatively will turn out, tonight, to be the fact.

Mr. President, to repeat: If the Senate takes final action today on the aid-to-education bill, there will be no rollcall votes before late next week, at the earliest; and I would ask Senators and committees to proceed accordingly.

Mr. DIRKSEN. Mr. President, I thank the majority leader for his statement, and I trust that will be made manifest to all Members of the Senate.

ORDER FOR CALL OF THE CALENDAR TOMORROW

Mr. MANSFIELD. Mr. President, in connection with this program, I ask unanimous consent that tomorrow, following the morning business, there be a call of the calendar, beginning with Calendar No. 231, House bill 6094, to amend the Unemployment Act of 1946.

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

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. DIRKSEN. Mr. President, as a member of the committee which reported the aid-to-education bill, I wish to state that the record will show that in the committee there were two votes against reporting the bill. One of those votes was mine; the other was that of the distinguished Senator from Arizona [Mr. GOLDWATER].

I am opposed to the bill on principle; and before the debate concludes, I wish to be certain that I make my views manifest and explain why I take that position.

First, let me say that I think of the old preacher in the Old Testament—Ecclesiastes—who uttered a great bit of wisdom, centuries ago. He said:

> The thing that hath been, it is that which shall be; and that which is done is that which shall be done: and there is no new thing under the sun.

Mr. President, this bill indicates that there is no new thing under the sun, because the first aid-to-education bill was introduced in Congress in the year 1870, some 91 years ago; and the agitation for the enactment of such a bill has continued ever since then. I may say that is not far short of a century ago; and it indicates the continuing pressures on the part of persons who would intrude the Federal Government deeper and deeper into a field of this kind—and, for that matter, into other fields, as well.

There were intense debates in the period from 1870 until 1890 as continuing bills, of which there were literally dozens, were introduced in the House and the Senate. In some cases, the Senate approved. In other cases, the House approved. But at no time was there a concurrence of the House and the Senate with respect to an aid-to-education bill, whether it dealt with construction or for any other purpose.

Then there came a period of 30 years, between 1890 and 1920, when there was less interest in the matter, and probably so because there was a tremendous increase in the amount of funds that were devoted to this purpose by the localities, the school districts, and the States.

It is rather interesting to note that as early as 1886, when Woodrow Wilson was probably still on the faculty at the University of Princeton, one of these

bills was being rather roundly discussed. I think the RECORD ought to show what the distinguished professor, later president of the university, later Governor of his State, and later President of the United States, had to say. His remarks appear on page 622 of the hearings, and I read one excerpt. He said:

> It was evident that no increase in the State appropriation for public education would be voted as long as there was the least prospect of aid from Washington. There was deliberate determination to enjoy the easy position of a beneficiary of the National Government to the fullest possible extent, rather than to be independent and support a good school system by its own unaided efforts.

Mr. President, there was a great liberal. There was a great Democratic President, in the days when he was deeply immersed in the educational field, who indicated only too well that when the Federal Government intrudes itself into this picture, the net result will be that the States and localities will rest upon their oars and let the Federal Government undertake the whole job.

Mr. President, since 1870 there have been at least 100 Federal aid programs, of one kind or another, proposed. They dealt with nearly every subject under the sun. But the interesting thing is that in all of this period, going back 90 years, there have been no aid programs for schools enacted. That fact indicates how deeply, not only the Congress, but the people, felt upon this issue.

Incidentally, as I think of grants-in-aid, they have tripled every 10 years since 1940. Now if we add a program for aid to schools, and that same formula persists in the future, the impact upon the Federal budget and the tax structure of the Federal Government will be an astonishing burden before we get through.

It has been argued, in connection with this bill, that we have aided schools in other respects before. But I doubt very much whether those arguments will stand up in any respect as they relate to the bill which is presently before us. Take, for instance, the question of land-grant colleges. Attempts were made to indicate that is a sample of Federal aid to education. The suggestion came as early as 1850 that the land-grant colleges were too academic in their curricula and that therefore they should go in more for agriculture and the mechanic arts. So a bill was introduced and finally passed in 1859. It was vetoed by President Buchanan, and the veto message appears in the hearings. It is, by all odds, one of the most vigorous veto messages and one of the most all-inclusive I have ever seen. But even in 1859, just before the Civil War, President Buchanan would have nothing to do with land-grant colleges and the intrusion of the Federal Government in that field.

The bill was resubmitted in 1862. That was when Abraham Lincoln was President of the United States. It was in wartime, and there was a shortage of manpower. There was a demand for greater emphasis on agriculture and the mechanic arts, certainly in the North, and I would suppose in the South, although they could probably not share in it at the time. So without too much ceremony, and with very little discussion, the land-grant college bill finally went through.

When all is said and done, it involves, even as of today, only $5 million, which is a drop in the bucket compared to the bill before us. Here is a grant program in which the U.S. Government will spend $2½ billion in a period of 3 years. I trust there is no one in this Chamber so naive as to believe that is where it is going to stop. This is just a beginning, and year after year it will snowball, it will increase, it will expand, other items will be added; and it will be interesting to see what will happen to this measure, if ever enacted into law, 10 years hence.

Second, it has been pointed out that Federal aid is as old as the Constitution, if not older. It is rather interesting how these singular ideas are bandied about when they are a departure from the historical facts.

In 1780 the Congress asked the States to re-cede to the Federal Government the western lands they claimed. Seven States did so. Then a question arose as to what to do with the lands, after the Federal Government retrieved title to the lands. There were no buyers. The lands could not be sold. Someone hit upon the happy idea that the lands should be given away. That was tried. Actually, a billion or more acres were given away. Some 70 million acres were given ostensibly—I emphasize the word "ostensibly"—to schools. This included in fact, section 16 in every township. But if one goes back to examine the debates with respect to the bill one discovers that the lawmakers scarcely mentioned education.

That is not of interest to them. They knew that 98 percent of all the people, and that meant 98 percent of all the schoolchildren, lived east of the Allegheny and Appalachian Mountains, not west. There were only a few people west of the mountain areas. What those men wished to do, if they could, by the giveaway program, was to lure more settlers—to lure more new frontiersmen west of the Allegheny and the Appalachian Mountains. That is how they hit upon the deal, and they had very little interest in trying to tie it up to education.

That idea persisted as late as 1787, when Congress uttered the Ordinance of 1787, for the guidance of that huge Northwest Territory of which my own State was a part.

The amazing thing is that in the same year, 1787, when the Northwest Ordinance was finally passed, the Constitution of the United States was formulated. How singular, when people try to tie the idea of education to it, that nothing was heard of education in the debates in the Constitutional Convention in Philadelphia. Nothing was said about it, and the makers of the Constitution carefully and religiously abstained from any mention of education in the Constitution of the United States.

When it is said that Federal aid is as old as the Constitution, this has no regard for the basic historical facts which are involved, and is nothing more than a superficial opinion which is not borne out by history.

It is argued that the impacted area bill, to take care of schools in the areas which have the children of soldiers who have to go to school, is a case in point. It is not a case in point at all, for a very good reason. The Federal Government went into certain areas and there, by declarations of taking, preempted land for a cantonment, for a campsite, for a military installation, for a factory or for an enterprise to manufacture the instrumentalities of war. Since the land was taken, this removed that much land from the tax rolls of the community and of the county, and thereby diminished the revenues not only of the county and of the community but also of the school district in the area as well. Something had to be done. If local schools were to accept the children of soldiers and the children of Federal civilian workers, then in all equity and in all conscience it was necessary for the Federal Government to take some action. What it did, in the bill relating to impacted areas, was to make available financial help in lieu of the taxes which were lost. That was the basic consideration involved. Who shall argue, in the face of that, that it was an aid-to-education proposal?

It has been pointed out that we aid the vocational courses in schools over the country and, very notably, agricultural schools. The fact of the matter is that the first aid to vocational schools was enacted by the Congress a few weeks after we got into World War I. As a result, there was a clamor that more emphasis should be placed upon the things which might be conducive to the training of youngsters, who might become of greater value to the war effort. It was a war measure.

I point out parenthetically that it was a control measure. I reread the language of the act of 1916. The Congress specifically spelled out what the schools would have to do with respect to curriculums. It was a control measure.

The bill before us contains a paragraph which abjures in solemn terms all control and all intention to control, but the vocational aid bill was a control-of-curriculums bill, as surely as the English language can express it.

It was pointed out that a few months after Sputnik began to excite the imagination and to cause some concern, we passed the National Defense Education Act. What did we do? The great cry was for more scientific talent. The great cry was for people who would devote themselves to the languages, to physics, to mathematics, to science. That was a curriculums control measure, no less, born out of an incident which, in my judgment, cannot be so considered when we have before us a general support bill for aid to education.

At no point, Mr. President, in all the recitals or in all the exhibits which have been presented, has anyone come forth

with a clear-cut item of past history to support the fact that the Federal Government has gone in for general school support before and that school aid is as old as the Constitution. That is simply one of those manufactured cliches which under no circumstances will hold water. It is a tribute to our careless examination of what the history books really indicate.

I thought those items ought to be disposed of first, since Senators have talked about the various acts upon the statute books, seeking to indicate there is ample authority or ample evidence to indicate the Federal Government's interest in the field, and that the Federal Government has followed this kind of course before.

In 90 years the Congress has always resisted a so-called general support to education bill; but it is before us, and I am opposed to it. There are reasons for being opposed to it.

The first reason I cite, Mr. President, is the controls which can be found in the bill itself. One need only go into the provisions of section 110, which deals with the applications to be submitted by the State agencies, to show that control begins at once.

Oh, I know how lightly the argument has been thrown off on the grounds that what I refer to as controls are only directions which one cannot escape and which are not actually controls at all.

I suggest that Senators look at section 110, which deals with the form and the content of the applications that must come from State educational agencies if they want some of the money that is authorized, and I presume will be appropriated under the bill. The language speaks for itself. It requires no interpretation. It requires no amplification on my part. I merely read it. Section 110(a) provides:

> A State which desires to receive its allotments under this title shall submit—

It does not state "may submit." The State "shall submit." That language is a mandatory admonition to the State—

> through its State education agency an application to the Commissioner which—

Then follows whole series of criteria. What is the first one? The application would not be considered unless the State provided assurance that it was the sole agency. So we say to the State, "There must be a single agency through which all these applications must be funneled."

The second provision is that States must specify the proportion that will be expended for public school teachers' salaries and construction of public school facilities.

There has been a great deal of discussion about the modification of that provision. There was no intent to hold the States too strictly to the line. But that is the question we are voting on. So the State shall specify how much is for teachers' salaries; how much for construction; and how much for other purposes. If that is not a control direction, I have never seen one.

The third requirement is that the application must contain criteria and procedures to insure that in allocating funds the neediest shall have priority. Who shall determine which schools are the neediest? A school board may have one idea; a State agency may have another. But some facts must be adduced, and if the school board or school district has agreed, a review principle is provided, and a State agency cannot deny the right to have the application reviewed. If that is not a species of control, I have never seen it.

Then the application must set forth—

> The criteria and procedures, consistent with the purposes of section 109, on the basis of which local education agency projects under such section will be approved by the State education agency;

That provision contains a variety of elements. If that is not a type of control, I have never seen it.

The fifth point requires that there be assurance, which must be solemnly written into the application, that—

> Every local education agency whose application for funds under this title is denied will be given an opportunity for a hearing before the State education agency.

The Federal Government would mandate that agency to provide a hearing and a review for a local school board. If that is not an intrusion into State affairs, I have never seen it.

Then there is an accounting provision and a good many others that I could allude to.

How naive can we be when we say in pious and solemn terms that section 102 recites the fact that there shall be no Federal control? It is rather interesting language. I wonder why the committee did not merely say, "In the administration of this title there shall be no direction, control, or supervision of any kind whatsoever," and let it go at that. That is not what the bill provides. Section 103 provides:

> No department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

We think we can nail it down by language, and things pop up that we never quite imagine. Yesterday the Senator from Georgia [Mr. TALMADGE] attempted to add a proviso that no withholding of funds should obtain under any obligation under this act. The proposed amendment raised a very curious question. The bill would authorize funds for 3 years. Then we must appropriate accordingly. What will happen in 3 years? Many things. What will happen in the field of civil rights? What will happen as to integration and segregation? Who shall say? But when we have nailed it down and the bill provides:

> No funds shall be withheld that are authorized under the provisions of this act.

We shall have locked the door. I think a pretty good case could be made against any proposed legislation that might be subsequently introduced to deal not only with the segregation and integration issue, but also with other issues that may not be presently foreseen. So I am against the bill because I do not believe that language will stop control. I do not believe it will stop the nationalization of the school systems of the country before we get through.

Finally, the bill starts with controls. So let no one be under any delusion as to what will happen once the venture is made.

In order to clinch that point, I refer my colleagues to the language that appears on page 626 of the hearings. Here are some selected references to Federal school control and a national system of education. First, there is a quotation from an editorial published in "The Nation's Schools," issue of September 1960, as follows:

> There's something quite naive in the way we school people talk about Federal control of education. Some of us seem to think that Federal influence on education can be prevented simply by stating that it shall not exist.
>
> The next time someone tells you that he is absolutely opposed to Federal control of education, ask him to define what he means by control. What is it? How does it operate? How does it grow?
>
> Federal direction is inherent in any Federal law or any Federal court decision pertaining to education. This is true, even if Congress delegates to the States the administration of a Federal grant.

The school people are not fooled, Mr. President. It is astonishing to hear these arguments we have heard on the floor, that here is pious, pontifical language which securely closes the door on Federal control. The school people have been speaking out on this matter themselves. I quote from another school magazine called Overview, of November 1960. What does it say? I will read only one sentence. I believe that is enough:

> The United States is inexorably moving toward a national system of education.

It is not necessary to read any more. Anyone who is curious about it will find that quotation on page 626 of the hearings. There is another quotation, on page 627. It is by Theodore Brameld, professor of education, Boston University. He says:

> The National Government should exercise the same authority over the spending of school funds as it does in other areas; otherwise, there would always be the danger of Federal money being squandered by dominant minorities in States or localities.

Control of funds, and how they should be spent. If this is not control, then I do not know the meaning of the word "control."

Here is still another quotation from a great educator, John A. Hannah, president of Michigan State University, in a speech before the National War College. The preceding President appointed Mr. Hannah Chairman of the Civil Rights Commission. He said that education must be "a primary instrument of national policy."

There are other quotations, from Harold W. Stoke, president of Queens College; Mr. H. Thomas James, of the School of Education, Stanford University.

I had better give the country the benefit of the whole quotation. He said:

As the States have denied, first to the family, and then to local communities, the right to make decisions on education contrary to State-defined policy, so the Nation may be expected to deny to the States the right to make decisions on educational policy that are not in accord with the emerging national policy for education.

There are others. I need not read any more. However, if they do not clinch this matter of what the ultimate objective is, namely Federal control of education, and education as an instrumentality of national policy, then all I can say is those who read this and still disbelieve are beyond redemption. I use that expression in the most refined sense.

So I summarize at this point to say that what is before us is not new. It has been here for 90 years or more.

There is nothing in the arguments which have been advanced that the Federal Government has immersed itself in this field of aid to education. All one needs to do is to look at the qualifying circumstances. There are controls already in the bill. The basic objective finally is to give the Federal Government control over the educational system and make it an instrument of national policy.

Here is a partisan note that I must intrude—and yet it is not so badly partisan. I was thinking about our National Republican Convention in Chicago in 1960. I have served on resolutions committees of national conventions for years, first in one capacity and then in another. There are a great many subcommittees, and I have served as chairman of some of these subcommittees, once on civil rights. In that connection my recommendation was adopted by the full committee and it was transmitted finally to the convention as such, and it was adopted by the convention.

But, Mr. President, I notice that delegates try not to make too much of these arguments. When it is pointed out that this was subscribed to by the Republican Party in solemn conclave in 1956 and 1960, the president of a western university went to the trouble of polling every delegate who attended the convention in Chicago in 1960. There were 1,331 delegates. He polled them on two questions: Did they favor salaries for teachers in a Federal aid bill? The answer was: Yea, 3 percent; nay, 96 percent. Then he polled them on this question: Are they interested in Federal aid for classroom construction? The answer was: Yea, 18 percent; nay, 81 percent. There is the story.

Far be it from me to reflect upon the solemn deliberations of the party and the convention in which I had a modest part. However, so often these things do not come fully to the attention of the delegates. Time is of the essence. We have to move forward with a great party platform. There is the usual timidity on the part of the delegates who do not want to provoke a floor fight.

But when they got back there and took count of themselves, here was what they said on the question. So when someone rises up to say to me, "Your party endorsed it," well, I can only say that here is a very careful poll, and the delegates themselves, certainly in the light of hindsight, were absolutely opposed both to Federal aid for teachers' salaries and Federal aid for construction.

The third reason for opposition to the bill is that when all is said and done it is only a token. The present expenditures for education are in the range of $16 billion per year. The additional amounts proposed in the pending bill for the 3-year period are only of token size and would have only a modest impact. The best authorities in this field insist that gradually local and State appropriations and expenditures for this purpose will gradually increase. The greatest authority in the school field—in fact, the one man who could speak with authority and who came before the committee—indicated that the school districts could take care of themselves, and he anticipated on a historical basis that the $16 billion in expenditures at the local level could be expected gradually to increase to $24 billion and then perhaps to $31 billion. At the local level the States can do this job pretty well for themselves, and so can the local districts.

There is one interesting feature in connection with this question. I mentioned that Roger Freeman is the one man who has devoted many years to this matter and is the one who could speak with authority about it. All one has to do is to consult the witness list which appears in the front of the hearings. It merits a careful examination. So I ask unanimous consent to have printed at this point in the RECORD the table of contents of the hearings because it makes good reading.

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

CONTENTS

Text of:	Page
S. 8	2
Report of the Department of Health, Education, and Welfare	29
S. 57	6
Report of the Department of Health, Education, and Welfare	30
S. 293	9
Report of the Department of Health, Education, and Welfare	34
S. 433	9
S. 723	11
S. 991	14
Report of the Department of Health, Education, and Welfare	35
S. 1021	19
Report of the Department of the Interior	37
Report of the Department of Labor	39
S. 1078	27
S. 1109	28
Report of the Bureau of the Budget	28

CHRONOLOGICAL LIST OF WITNESSES

March 8, 1961

Fulbright, Hon. J. W., a U.S. Senator from the State of Arkansas	56
Cotton, Hon. Norris, a U.S. Senator from the State of New Hampshire	83

CONTENTS—Continued

CHRONOLOGICAL LIST OF WITNESSES—continued

March 8, 1961—Continued

	Page
Ribicoff, Abraham, Secretary, Department of Health, Education, and Welfare, accompanied by: Wilbur J. Cohen, Assistant Secretary-designate, Department of Health, Education, and Welfare; Sterling M. McMurrin, Commissioner-designate of Education; Ralph Flynt, Assistant Commissioner for Legislative and Program Development, Office of Education; Dr. Kenneth A. Simon, analytical statistician of the Reference, Estimates, and Projection Section, Office of Education; Dr. Rall Q. Grigsby, Commissioner for School Assistance in federally affected areas; and B. Alden Lillywhite, Associate Director, Division of School Assistance in federally affected areas	91

March 9, 1961

Bartlett, Hon. E. L., a U.S. Senator from the State of Alaska	179
Carr, Dr. William G., executive secretary, National Education Association, accompanied by Dr. Sam M. Lambert, director, research division	190
Lambert, Dr. Sam M., director, research division, National Education Association, Washington, D.C.	270
Fuller, Dr. Edgar, executive secretary, Council of Chief State School Officers	299

Afternoon Session

Willias, Dr. Benjamin C., president-elect of the American Association of School Administration, and superintendent of schools, Chicago, Ill., accompanied by Dr. Philip J. Hickey, superintendent of instruction, St. Louis, Mo	327
Schertler, Leon A., representing Electronic Teaching Laboratories, Inc.	331
Hecht, George J., chairman of the American Parents Committee, Inc.	335
Watson, Dr. K. Brantley, Chamber of Commerce of the United States of America	338
Lutz, Dr. Harley, Government finance consultant, National Association of Manufacturers	373
Schoemann, Peter T., vice president, and chairman of the education committee, American Federation of Labor, accompanied by Andrews J. Biemiller, director of legislation, American Federation of Labor and Congress of Industrial Organizations	389
Bull, Mr. Fred L., national chairman of legislation, National Congress, Parent-Teachers Association, accompanied by Mrs. Gray	400

March 10, 1961

Metcalf, Hon. Lee, a U.S. Senator from the State of Montana	410
Barkhurst, W. Ted, assistant superintendent of schools, Great Falls, Mont	411
Lindahl, Dean, State administrator of Public Laws 815 and 874, State department of public instruction, Helena, Mont	423
Mitchell, Clarence, director, Washington Bureau, National Association for the Advancement of Colored People	426
Root, Margaret, executive secretary of the Pennsylvania Federation of Teachers	440
Pincus, Celia, president of the Philadelphia Federation of Teachers	446
Kampelman, Max M., counsel for the American Jewish Congress, accompanied by Joseph B. Robison	456

CONTENTS—Continued

CHRONOLOGICAL LIST OF WITNESSES—continued

March 10, 1961—Continued

Page

Carlson, C. E., executive director, Baptist Joint Committee on Public Affairs ---- 472

Afternoon Session

Lowell, C. Stanley, associate director of Protestants and Other Americans United for Separation of Church and State ---- 483

Blanshard, Mrs. Paul, executive director, Unitarian Fellowship for Social Science ---- 496

La Driere, David L., president, accompanied by Glen Andreas, vice president, and Francis Brown, vice president, Citizens for Educational Freedom ---- 501

Bell, Mrs. Alison, legislative staff, American Association of University Women ---- 505

Mercano, Hipolito, grand master of the Masonic Lodge, Puerto Rico ---- 508

Little, M. V., consultant to Americans Unlimited and other organizations ---- 517

Mercano, Hipolito, grand master of Masonic Lodge, Puerto Rico (recalled) ---- 523

March 13, 1961

Meyer, Agnes E ---- 527

Goldwater, Hon. Barry, a U.S. Senator from the State of Arizona ---- 538

Metcalf, Hon. Lee, a U.S. Senator from the State of Montana ---- 560

Cooper, Hon. John Sherman, a U.S. Senator from the State of Kentucky ---- 580

Afternoon Session

Freeman, Roger A., research associate, Institute for Studies in Federalism, Claremont Men's College, Claremont, Calif ---- 620

Engle, Hon. Clair, a U.S. Senator from the State of California ---- 682

Proxmire, Hon. William, a U.S. Senator from the State of Wisconsin ---- 686

O'Brien, Father William, S.J., assistant professor of government and constitutional law, Georgetown University ---- 701

Shore, Frederick, administrative assistant, East Meadow Public Schools, Nassau County, Long Island, N.Y ---- 717

March 14, 1961

Gruening, Hon. Ernest, a U.S. Senator from the State of Alaska, accompanied by George Rogers, professor of economics, University of Alaska ---- 731

Rose, Oscar V., superintendent of schools, Midwest City, Okla.; Dr. Ralph Dallard, superintendent of schools, San Diego, Calif.; and Walter McKee, superintendent of schools, Montgomery, Ala ---- 773

Rose, Oscar V., superintendent of schools, Midwest City, Okla ---- 807

Borchardt, Selma, national vice president, American Federation of Teachers ---- 815

Swainson, Hon. John B., Governor of the State of Michigan, accompanied by Lynn M. Bartlett, superintendent of public instruction for the State of Michigan, and Hon. Philip A. Hart, a U.S. Senator from the State of Michigan ---- 822

Hochberg, Samuel, deputy president, United Federation of Teachers, local No. 2, American Federation of Teachers ---- 858

Hilton, Dr. David, vice president, American Federation of Teachers, Detroit, Mich ---- 860

Megel, Carl J., president, American Federation of Teachers, AFL-CIO, Chicago, Ill ---- 922

CONTENTS—Continued

CHRONOLOGICAL LIST OF WITNESSES—continued

March 14, 1961—Continued

Page

Hutchison, Phillys, vice president, American Federation of Teachers, Portland, Oreg ---- 926

Hochwalt, Rt. Rev. Msgr. Frederick G., director, National Catholic Welfare Conference ---- 933

Afternoon Session

White, Don, executive vice president, National Audio-Visual Association, Fairfax, Va ---- 939

Boehm, Charles H., superintendent of public instruction, Pennsylvania ---- 941

Martin, David B. H., Special Assistant to the Assistant Secretary for Legislation, Department of Health, Education, and Welfare ---- 953

Hill, W. W., Jr., on behalf of the Member State Chambers of the Council of State Chambers of Commerce; accompanied by Robert Gresham, assistant research director ---- 960

March 15, 1961

Hayes, Dr. John Cornelius, president, National Council of Catholic Men, accompanied by William R. Considine, director, legal department, National Catholic Welfare Conference ---- 969

Lamberth, Edwin L., superintendent, Norfolk City Public Schools, Norfolk, Va ---- 984

Krettek, Mrs. Germaine, director, Washington office, American Library Association ---- 991

Feldman, J. Arnold, executive director, American Veterans' Committee ---- 996

Long, Hon. Oren E., a U.S. Senator from the State of Hawaii ---- 1007

March 20, 1961

Neuberger, Hon. Maurine, a U.S. Senator from the State of Oregon ---- 1013

Knoff, Dr. Gerald E., executive secretary, Division of Christian Education, National Council of the Churches of Christ in the United States ---- 1015

Murch, James DeForest, chairman, Commission on Evangelical Action, National Association of Evangelicals ---- 1026

Van Deusen, Dr. Robert E., Washington secretary, Division of Public Relations, National Lutheran Council ---- 1029

Zagri, Sidney, legislative counsel, International Brotherhood of Teamsters ---- 1049

McDiarmid, Mrs. Hugh, member, General Assembly of Virginia, representing Fairfax County ---- 1060

Walker, Robert B., assistant superintendent of schools, Fairfax County, Va ---- 1063

STATEMENTS

American Civil Liberties Union, New York City, prepared statement ---- 1303

American Jewish Committee, prepared statement ---- 1205

Bamberger, Rabbi Bernard J., president, Central Conference of American Rabbis, prepared statement ---- 1206

Barkhurst, W. Ted, assistant superintendent of schools, Great Falls, Mont ---- 411

Bartlett, Hon. E. L., a U.S. Senator from the State of Alaska ---- 179

Bartlett, Lynn M., State superintendent of public instruction, Michigan ---- 826

Bell, Mrs. Alison, legislative staff, American Association of University Women ---- 505

Blanshard, Mrs. Paul, executive director, Unitarian Fellowship for Social Science ---- 496

Boehm, Dr. Charles H., superintendent of public instruction, Pennsylvania, prepared statement ---- 941, 956

CONTENTS—Continued

STATEMENTS—continued

Page

Borchardt, Selma, national vice president, American Federation of Teachers ---- 815

Bull, Mrs. Fred L., national chairman of legislation, National Congress, Parent-Teachers Association, accompanied by Mrs. Gray ---- 400

Carlson, C. E., executive director, Baptist Joint Committee on Public Affairs ---- 472

Carr, Dr. William G., executive secretary, National Education Association, accompanied by Dr. Sam M. Lambert, director, research division ---- 190

Citizens for Educational Freedom, Wisconsin chapters, prepared statement ---- 1253

Clayman, Jacob, administrative director, industrial union department, AFL-CIO, prepared statement ---- 1165

Colborn, Fern M., secretary for social education, National Federation of Settlements and Neighborhood Centers, prepared statement ---- 1147

Cooper, Hon. John Sherman, a U.S. Senator from the State of Kentucky ---- 580

Cotton, Hon. Norris, a U.S. Senator from the State of New Hampshire ---- 83

Dallard, Ralph, superintendent of schools, San Diego, Calif., prepared statement ---- 790

Department of Health, Education, and Welfare, prepared statement ---- 998

District of Columbia Education Association, Washington, D.C., prepared statement ---- 1281

Federal impact and burden, Hardin County Board of Education, Elizabethtown, Ky., prepared statement ---- 720

Engle, Hon. Clair, a U.S. Senator from the State of California ---- 682

Feldman, J. Arnold, executive director, American Veterans' Committee ---- 996

Freeman, Roger A., research associate, Institute for Studies in Federalism, Claremont Men's College, Claremont, Calif ---- 620

Prepared statement ---- 649

Fulbright, Hon. J. W., a U.S. Senator from the State of Arkansas ---- 56

Fuller, Dr. Edgar, executive secretary, Council of Chief State School Officers ---- 299

Prepared statement ---- 319

Goldwater, Hon. Barry, a U.S. Senator from the State of Arizona ---- 538

Gruening, Hon. Ernest, a U.S. Senator from the State of Alaska, accompanied by George Rogers, professor of economics, University of Alaska ---- 731

Hardin County Board of Education, Elizabethtown, Ky., statement of Federal impact and burden ---- 720

Hays, Dr. John Cornelius, president, National Council of Catholic Men, accompanied by William R. Considine, director, legal department, National Catholic Welfare Conference ---- 969

Hecht, George J., chairman, American Parents Committee, Inc ---- 335

Hill, Dr. W. W., Jr., State chamber of commerce ---- 960

Prepared statement ---- 964

Hilton, Dr. David, vice president, American Federation of Teachers, Detroit, Mich ---- 860

Hochberg, Samuel, deputy president, United Federation of Teachers, Local No. 2, American Federation of Teachers ---- 858

Hochwalt, Rt. Rev. Msgr. Frederick G., director, National Catholic Welfare Conference ---- 933

Hutchison, Phillys, vice president, American Federation of Teachers, Portland, Oreg ---- 926

Prepared statement ---- 928

CONTENTS—Continued

STATEMENTS—continued

Page

Kampelman, Max M., counsel for the American Jewish Congress, accompanied by Joseph B. Robison 456
Knoff, Dr. Gerald E., executive secretary, division of christian education, National Council of the Churches of Christ in the United States 1015
Prepared statement and addendum 1022
Krettek, Mrs. Germaine, director, Washington office, American Library Association 991
La Driere, David L., president, accompanied by Glen Andreas, vice president and Francis Brown, vice president, Citizens for Educational Freedom 501
Lambert, Dr. Sam M., director, research division, National Education Association, Washington, D.C 270
Lamberth, Edwin L., superintendent, Norfolk City Public Schools, Norfolk, Va 984
Lindahl, Dean, State administrator of Public Laws 815 and 874, State department of public instruction, Helena, Mont 423
Little, M. V., consultant to Americans Unlimited and other organizations 517
Prepared statement 512
Supplemental statement 513
Long, Hon. Oren E., a U.S. Senator from the State of Hawaii 1007
Prepared statement 1010
Lowell, C. Stanley, associate director of Protestants and Other Americans United for Separation of Church and State 483
Lutheran Church, Missouri Synod, St. Louis, Mo., prepared statement 1211
Lutz, Dr. Harley, Government finance consultant, National Association of Manufacturers 373
McDiarmid, Mrs. Hugh, member, General Assembly of Virginia, representing Fairfax County 1060
Mercano Hipolito, grand master of the Masonic Lodge, Puerto Rico 505
(Recalled) 523
Martin, David, Special Assistant to the Assistant Secretary for Legislation, Department of Health, Education, and Welfare 953
Mayer, Vera Waltman, general secretary, National Consumers League, prepared statement 1306
Megel, Carl J., president, American Federation of Teachers, AFL-CIO, Chicago, Ill 922
Metcalf, Hon. Lee, a U.S. Senator from the State of Montana 410, 560
Meyer, Agnes E 527
Mitchell, Clarence, director, Washington bureau, National Association for the Advancement of Colored People 426
Murch, James DeForest, chairman, Commission on Evangelical Action, National Association of Evangelicals 1026
National Education Association of the United States, Washington, D.C., prepared statement 1283
National Lutheran Council at Detroit, Mich., January 31–February 3, 1961, entitled "Church Hospitals and the Hill-Burton Act," prepared statement 1044
Neuberger, Hon. Maurine, a U.S. Senator from the State of Oregon 1013
O'Brien, Father William, S.J., assistant professor of government and constitutional law, Georgetown University 701
Pincus, Celia, president of the Philadelphia Federation of Teachers 446
Prepared statement 454
Proxmire, Hon. William, a U.S. Senator from the State of Wisconsin 686

CONTENTS—Continued

STATEMENTS—continued

Page

Ribicoff, Abraham A., Secretary, Department of Health, Education, and Welfare, accompanied by Wilbur J. Cohen, Assistant Secretary-designate, Department of Health, Education, and Welfare; Sterling M. McMurrin, Commissioner-designate of Education; Ralph Flynt, Assistant Commissioner for Legislative and Program Development, Office of Education; Dr. Kenneth A. Simon, Analytical Statistician of the Reference, Estimates, and Projection Section, Office of Education; Dr. Rall Q. Grigsby, Commissioner for School Assistance in Federally Affected Areas; and B. Alden Lillywhite, Associate Director, Division of School Assistance in Federally Affected Areas 91
Root, Margaret, executive secretary of the Pennsylvania Federation of Teachers 440
Prepared statement 444
Rose, Oscar V., superintendent of schools, Midwest City, Okla 773
Prepared statement 810
Rose, Oscar V., superintendent of schools, Midwest City, Okla.; Dr. Ralph Dailard, superintendent of schools, San Diego, Calif.; and Walter McKee, superintendent of schools, Montgomery, Ala 807
Saginaw, Mich., Board of Education, prepared statement 1300
Schertler, Leon A., representing Electronic Teaching Laboratories, Inc 331
Schoemann, Peter T., vice president, and chairman of the Education Committee, American Federation of Labor, accompanied by Andrews J. Biemiller, director of legislation, American Federation of Labor and Congress of Industrial Organizations 389
Seventh-Day Adventist Church, prepared statement 1218
Sharpe, D. R., prepared statement 1313
Sherer, Rabbi Morris, executive vice president, Agudath Israel of America, prepared statement 1203
Shore, Frederick, administrative assistant, East Meadow Public Schools, Nassau County, Long Island, N.Y 717
Storper, Bernard S., Long Island City, N.Y., prepared statement 1313
Swainson, Hon. John B., Governor of the State of Michigan, accompanied by Lynn M. Bartlett, superintendent of public instruction for the State of Michigan; and Hon. Philip A. Hart, a U.S. Senator from the State of Michigan 822
Thomas, Norman, prepared statement 1095
United Christian Missionary Society, prepared statement 1220
Van Deusen, Dr. Robert E., Washington secretary, division of public relations, National Lutheran Council 1029
Walker, Robert B., assistant superintendent of schools, Fairfax County, Va 1063
Watson, Dr. K. Brantley, Chamber of Commerce of the United States of America 338
White, Don, executive vice president, National Audio-Visual Association, Fairfax, Va 939
Supplementary statement 1316
Willis, Dr. Benjamin C., president-elect of the American Association of School Administration, and superintendent of schools, Chicago, Ill.; accompanied by Dr. Philip J. Hickey, superintendent of instruction, St. Louis, Mo 327
Zagri, Sidney, legislative counsel, International Brotherhood of Teamsters 1049

CONTENTS—Continued

ADDITIONAL INFORMATION

Page

Amendment intended to be proposed by Senator Gruening to S. 1021 737
Amendments to S. 1021, a bill to authorize a program of Federal financial assistance for education 689
Analysis of the receipts and expenditures of the Michigan public schools for 1959–60 831
Articles entitled:
"A Statement of Policy," by the General Board of Christian Social Concerns of the Methodist Church 1214
"Does Public Aid to Sectarian Schools Violate the Separation Principle?" by Clarence E. Mershon, Troutdale, Oreg 1082
"Federal Aid to Education and Religious Liberty," by Joseph F. Costanza, S.J 1098
"Fairfax 'Overbuilds,' Now Has Spare School," from the Washington Star of February 22, 1961 987
"Historical Justification for Federal Aid to Education," by American Federation of Teachers, AFL-CIO 865
"How To Hurt Both Religion and Education," by James Reston, in the New York Times of March 10, 1961 499
"Men Teachers and Ex-Teachers: Some Attitudes and Traits," by Robert L. Thorndike and Elizabeth Hagen, Teachers College, Columbia University 60
"Smartest Teachers? They Quit Teaching," by Erwin Knoll, from the Washington Post of January 8, 1961 71
"Three Rulings Cited To Back Kennedy School Stand," by Miriam Ottenberg in the Washington Sunday Star of March 19, 1961 1020
"The Cardinal's Statement," from the New York Times of March 14, 1961 769
"Today and Tomorrow," by Walter Lippmann, from the Washington Post of March 14, 1961 770
Comparison of estimated allotments for fiscal year 1964 under S. 1021 (Morse bill) proposed School Assistance Act of 1961, based upon attendance at public elementary and secondary schools and school-age (5 to 17 inclusive) population 228
Comparison of proposals for Federal grants for public elementary and secondary schools 214
Compilation figures from Office of Education Statistical Summary of Education, 1955–56, quoted by Senator Goldwater 589
Compilation of:
Public Law 815, 81st Congress, as amended 601
Public Law 874, 81st Congress, as amended 610
Editorials from the Washington Post of—
March 9, 1960, entitled "Appeal to Reason" 498
March 10, 1960, entitled "Motive and Criticism" 498
Federal programs under which institutions with religious affiliations receive Federal funds through grants or loans 139
Hypothetical effect on salaries of instructional staff if all States used 90 percent of their allotments under S. 1021 to increase salaries of instructional staff 174
Inquiry by Dr. Fuller to 35 individuals and the replies from same 304

CONTENTS—Continued

ADDITIONAL INFORMATION—continued

Page

Letters and telegrams from—

Alaska State Board of Education, Hon. Abraham Ribicoff, Secretary of Health, Education, and Welfare, telegram inserted by Senator Gruening 733

Alcott, Chauncey G., president, board of school directors, Hanover, Pa., to Senator Morse, dated March 14, 1961 1311

Allott, Hon. Gordon, a U.S. Senator from the State of Colorado to Senator Hill, containing letter from Robert H. Johnson, superintendent, Jefferson County public schools, Lakewood, Colo 723

Bailey, Nathan, president, Christian and Missionary Alliance, New York City, to Senator Morse, dated March 21, 1961 1219

Barnes, D. Keith, M.D., Davis County Health Department, Kaysville, Utah, to Senator Bennett, dated March 14, 1961 1144

Barlett, Hon. E. L., a Senator from the State of Alaska, to Senator Morse, containing a supplementary memorandum 1180

Bemis, Maynard, executive secretary Phi Delta Kappa, Bloomington, Ind., to Senator Morse, containing copy of board's statement of position 1308

Benner, Lester C., general superintendent, Churches of Christ in Christian Union, to Senator Morse, dated March 23, 1961 1208

Biondolille, Gabriel, College of Our Lady of the Ozarks, Carthage, Mo., to the subcommittee, dated March 17, 1961 1278

Bittner, Mark R., National Council of Real Estate Taxpayers, Allentown, Pa., to Senator Morse 1290

Brandt, Henry, president, Evangelical Mennonite Brethern Conference, Omaha, Nebr., to Senator Morse, dated March 22, 1961 1209

Brother Anthony Frederick, S.M., chairman, Department of English, National Council of Teachers of English, to Senator Morse, dated March 29, 1961 1291

Brother Raymond Fleck, C.S.C., St. Edwards University, Austin, Tex., to Senator Morse, dated March 15, 1961 1297

Burkhardt, Frederick, president, American Council of Learned Societies, New York, N.Y., to Senator Morse 1148

Bush, Hon. Prescott, a U.S. Senator from Connecticut, to Senator Morse, dated March 10, 1961, with attachments 1072

Calvert, Gordon L., Investment Bankers Association of America, Washington, D.C., to Senator Morse, containing statement 1150

Carling, Daniel F., Potter Township School District, Monaca, Pa., to Senator Morse, dated March 7, 1961 723

Cohen, Wilbur J., Assistant Secretary, Department of Health, Education, and Welfare, to Senator Morse, dated April 7, 1961 761, 767

Dunn, Harvey E., president, Grant District Teacher's Association, Del Paso Heights, Calif., to Senator Morse, dated March 17, 1961 1288

Eggers, Ben, executive secretary of parish education, Lutheran Church, Missouri Synod, Kansas district, to Senator Morse, dated March 14, 1961 1213

Page

Letters and telegrams from—Continued

Ewart, William J., president, Elementary Class Room Teachers Association of the District of Columbia, telegram to Senator Morse 1288

Faugmeier, Robert A., national director, United Christian Missionary Society, Indianapolis, Ind., to Senator Morse, dated March 22, 1961 1219

Flemming, Hon. Arthur S., Secretary, Department of Health, Education, and Welfare, to Clarence Mitchell, NAACP 439

Frantz, Roy O., president, National School Boards Association, Evanston, Ill., to Senator Morse, March 10, 1961 728

Frantz, Roy O., president, National School Boards Association, Evanston, Ill., telegram to Senator Hill 1292

Freeman, Roger A., Claremont Men's College, Claremont, Calif., to Senator Morse, containing appendixes A–G 625

Frizzell, Rev. John R., Jr., rector, St. St. Alban's Episcopal Church, Annandale, Va., to Senator Morse, dated March 15, 1961 1208

Fuller, Edgar, executive secretary, Council of Chief State School Officers, letter containing questionnaire to 35 chief State school officers and their replies 304

Gavin, Evelyn M., L.H.S., Third Order of Our Lady of Mount Carmel, Scapular Bureau, New York City, to Senator Morse, dated March 22, 1961 1218

Gellhorn, Walter, Betts professor of law, Columbia University, New York City, to Senator Morse, dated March 20, 1961 1279

Givler, Mrs. Homer M., Kansas Baptist Woman's Mission Society, Kansas City, Kans., to Senator Morse, dated March 23, 1961 1207

Graham, C. V., president, Center Stake of Zion, Church of Jesus Christ of Latter-day Saints, Independence, Mo., to Senator Morse, dated March 23, 1961 1207

Groff, Clarence, acting chairman, Sidney Deanery, Council of Catholic Men, to the subcommittee, dated March 29, 1961 1217

Gruening, Hon. Ernest, a U.S. Senator from the State of Alaska, to Senator Morse, dated March 16, 1961, containing remarks from the CONGRESSIONAL RECORD entitled "A Better Formula for the Allocation of Federal Funds for Education" 1182

Dated March 15, 1961, containing statement of Dr. George W. Rogers 1076

Hamilton, Thomas J., chairman, NCAA Fitness Committee, Athletic Association of Western Universities, San Francisco, Calif., to Senator Morse, dated March 21, 1961 1278

Harman, Rev. Robert J., minister, Hope Presbyterian Church, Watertown, N.Y., to Senator Morse, dated March 24, 1961 1253

Harmelink, Ray J., associate general secretary, United Presbyterian Church in the U.S.A., to Senator Morse, dated—

March 16, 1961 1096

March 24, 1961 1220

Harris, Herbert E., II, president, Fairfax County Federation of Citizens Associations, to Senator Morse, dated April 5, 1961 1299

Page

Letters and telegrams from—Continued

Harris, Sterling R., superintendent of schools, Tooele, Utah, to Senator Bennett, dated March 14, 1961 1146

Holt, G. Harold, superintendent, Davis County school district, Farmington, Utah, dated March 16, 1961 1144

Hoyt, Joseph W., temporary president, AFGE Local 2024, Kittery, Maine, to Senator Morse, dated March 22, 1961 1305

Hummon, Serge F., secretary, Board of Home Missions, Congregational and Christian Churches, New York City, to Senator Morse, dated April 2, 1961 1208

Hymes, Mrs. Charles, national president, National Council of Jewish Women, New York, N.Y., to Senator Morse, dated March 13, 1961, containing statement 1079

Isbill, O. Ralph, general officer, Open Bible Standard Churches, Inc., Des Moines, Iowa, to Senator Morse, dated March 22, 1961 1217

Jackson, Hon. Henry M., a U.S. Senator from the State of Washington, to Senator Morse, dated March 13, 1961, with atachments 1069

Jageman, James E., superintendent, Knob Noster Public Schools, Knob Noster, Mo., to Senators Symington and Long, dated March 15, 1961 1299

Johnston, Hon. Olin D., a U.S. Senator from South Carolina, to Senator Morse dated March 13, 1961 1071

Kaminetsky, Dr. Joseph, national director, Torah Umesorah, New York City, to Senator Morse 1179

Keiller, James A., president, International Pentecostal Assemblies, Atlanta, Ga., to Senator Morse, dated March 22, 1961 1210

Kelley, Dean M., executive secretary, National Council of the Churches of Christ, to Senator Morse, dated April 3, 1961 1217

Kirk, Russell, Mecosta, Mich., to Senator Morse, containing his biography and an article entitled "Do We Want Federal Subsidies for the Schools?" 1157

Lambert, Sam M., director, research division, National Education Association, dated March 24, 1961, to Senator Morse 204

Lehman, Rev. Glen A., national executive secretary, Independent Fundamental Churches of America, Chicago, Ill., to Senator Morse, dated March 22, 1961 1209

Leskes, Theodore, director, legal division, American Jewish Committee, to Senator Morse, dated March 22, 1961 1204

Logan, William B., president, American Vocational Association, Inc., to Senator Hill, dated April 5, 1961 1276

Long, Hon. Edward V., a U.S. Senator from the State of Missouri, to Senator Morse, dated April 4, 1961 1200

Long, Hamilton A., New York City, to Senator Morse, dated March 21, 1961 1312

Lyle, Dorothy, president, American Home Economics Association, telegram to Senator Morse, dated March 27, 1961 1276

Lynn, John C., legislative director, American Farm Bureau Federation, Washington, D.C., to Senator Morse, containing statement 1169

CONTENTS—Continued

ADDITIONAL INFORMATION—continued

Page

Letters and telegrams from—Continued
McCormack, Hon. John W., a Representative from the State of Massachusetts, to Senator Morse, dated—
March 28, 1961 ---- 1202
March 29, 1961 ---- 1203
McDonough, James R., executive secretary, Hawaii Education Association, Honolulu, to Senator Morse, dated April 3, 1961, containing resolution adopted March 29, 1961 ---- 1289
McFeely, Elizabeth K., special services deputy, superintendent of schools, Alameda County, Calif., to Senator Morse, March 21, 1961, containing resolution adopted March 17, 1961 ---- 1298
McMahon, Joseph H., New York City, to Senator Morse, containing statement signed by various individuals ---- 1309
Magliolo, Andrew J., M.D., Dickinson, Tex., to Senator Morse, dated March 14, 1961 ---- 1302
Mark, Ruth, president, PTA, Public School 61, New York, to Senator Morse, dated Mar. 21, 1961 ---- 1294
Martin, Samuel E., county superintendent, Seneca County schools, Tiffin, Ohio, to Senator Morse, dated Mar. 3, 1961 ---- 722
Mays, Floyd R., Jr., M.D., Medical Arts Clinic Hospital, Big Spring, Tex., to Senator Morse, dated Mar. 20, 1961 ---- 1302
Melvin, Billy A., executive secretary, National Association of Free Will Baptists, Nashville, Tenn., Mar. 22, 1961 ---- 1213
Metcalf, Hon. Lee, a U.S. Senator from the State of Montana, to Senator Morse, enclosing a letter from Harry H. Cloke, principal, Lame Deer Public Schools, Lame Deer, Mont ---- 569
To Senator Morse, dated Mar. 20, 1961, containing a letter from Ruth Putz, superintendent of schools, Valley County, Mont ---- 565
Miles, Clarence R., manager, legislative department, Chamber of Commerce of the United States, containing attachments to Senator Morse ---- 355
Miller, Arthur L., executive secretary, Lutheran Church, Missouri Synod, St. Louis, Mo., to Senator Morse, dated Mar. 22, 1961 ---- 1211
Mitchell, Clarence, director, Washington Bureau, NAACP, to Senator Morse, dated Mar. 10, 1961, containing statement of Roy Wilkins, executive secretary, NAACP ---- 1080
Mitchell, Clarence, director, Washington Bureau, NAACP, telegram dated Aug. 29, 1960, and letters dated Nov. 8, 1960, to Hon. Arthur S. Flemming, Secretary, Department of Health, Education, and Welfare ---- 437
Mitchell, Glenn F., superintendent, Madison Public Schools, Madison, Kans., to Senator Morse, dated Mar. 17, 1961 ---- 1289
Mondy, J. L., executive secretary, General Association of General Baptists, Poplar Bluff, Mo., telegram to Senator Morse, dated Mar. 22, 1961 ---- 1209
Morse, Hon. Wayne, to Senator Mansfield, Representative Rayburn, Senator Humphrey, and Representative McCormack, dated Mar. 14, 1961 ---- 983
Morse, Hon Wayne, to Dean Katz, Professor Howe, and Professor Sutherland, and replies thereto ---- 705

Page

Letters and telegrams from—Continued
Mortola, Edward J., president, Pace College, New York City, to Senator Keating, dated March 10, 1961 ---- 1293
Newman, Chas. C., superintendent of schools, Paxton, Ill., to Senator MORSE ---- 722
Nichols, William B., president, Public Education Association, New York City, to Senator Morse, dated March 28, 1961, containing prepared statement ---- 1295
Nolan, Robert L., M.D., Oakland, Calif., to Senator Hill ----
Norby, Theo J., commissioner, Alaska State Department of Education, to Senator Bartlett, dated March 8, 1961 ---- 189
O'Connor, Warren B., secretary, Citizens for Educational Freedom, Hales Corner, Wis., to Senator Morse, dated March 21, 1961 ---- 1253
Oklahoma County Republican Women's Club, Oklahoma City, Okla., to Senator Morse, dated March 7, 1961 ---- 722
Pelissier, Charlotte N., legislative chairman, American Association of University Women, to Senator Morse, dated March 18, 1961 ---- 1302
Pell, Hon. Claiborne, a U.S. Senator from Rhode Island, to Senator Morse, dated March 10, 1961, with attachments ---- 1074
Phillips, Ferman, president, National Association of Secretaries of State Teachers' Associations, to Senator Morse, dated March 9, 1961, containing a prepared statement ---- 404
Raymond, Thelma M., secretary, Classroom Teachers Council, District of Columbia, telegram to Senator Morse ---- 1288
Regan, Robert, Jr., director, general board of the Christian Social Concerns of the Methodist Church, to Senator Morse ---- 1149
Regner, Rabbi Sidney L., executive vice president, Central Conference of American Rabbis, to Senator Morse, dated March 23, 1961 ---- 1206
Rehberg, Jane A., president, Michigan Federation of Teachers, Detroit, Mich., to Senator Morse, dated March 6, 1961 ---- 1078
Rehberg, Jane A., president, Michigan Federation of Teachers, telegram to Dr. David Hilton ---- 863
Reichert, Ivan, president, Argonia Local Teachers Association, Argonia, Kans., to Senator Morse, dated March 17, 1961 ---- 1289
Reuss, Carl F., director, American Lutheran Church, Minneapolis, Minn., to Senator Morse, dated March 21, 1961 ---- 1210
Reuter, George S., Jr., research director, American Federation of Teachers, to Senator Morse, dated April 3, 1961 ---- 1260
Ribicoff, Hon. Abraham, Secretary of Health, Education, and Welfare:
Dated March 28, 1961, to Senator Morse ---- 110
Dated April 18, 1961, to Senator Hill ---- 1321
Riegle, H. Edgar, district superintendent, Gettysburg Joint School System, Gettysburg, Pa., to Senator Clark ---- 1146
Rinta, Eugene F., executive director, Council of State Chambers of Commerce, Washington, D.C., to Senator Morse, dated March 20, 1961 ---- 967
Riordan, Mary Ellen, president, Detroit Federation of Teachers, telegram to Dr. David Hilton ---- 863

Page

Letters and telegrams from—Continued
Rose, Herbert H., secretary, Ministerial Association, Livingston, N.J. telegram to Senator Morse, dated March 16, 1961 ---- 1213
Rosine, Don, Indio Faculty Club, Indio, Calif., to Senator Morse, dated March 26, 1961 ---- 1290
Ross, Roy G., general secretary, National Council of the Churches of Christ, New York City, to Senator Morse, dated March 13, 1961 ---- 1215
Ryan, Aileen B., assemblywoman, State of New York, to Senator Morse, dated March 28, 1961 ---- 1204
Samuel, Helen E., executive secretary, District of Columbia Education Association, to Senator Morse, dated March 23, 1961 ---- 1281
Schell, Steven R., Associated Students, University of Oregon, Eugene, Oreg., dated February 8, 1961, to Senator Morse ---- 52
Schiotz, Fredrik A., American Lutheran Church, Minneapolis, Minn., to Senator Morse, dated March 21, 1961 ---- 1210
Scott, Chas. W. H., assistant general superintendent, General Council of the Assemblies of God, Springfield, Mo., to Senator Morse, dated March 23, 1961 ---- 1209
Sharpe, D. R., 48th Assembly District, Democratic Council, Los Angeles County, to Senator Morse, dated March 20, 1961 ---- 1312
Shaw, R. Harland, Free World Committee, Chicago, Ill., to Senator Morse, dated March 24, 1961 ---- 1305
Shemin, Henry, president Erasmus Hall High School, New York City, telegram to Senator Morse ---- 1294
Sherer, Rabbi Morris, executive vice president, Agudath Israel of America, New York City, to Congressman McCormack, dated March 27, 1961 ---- 1202
Siegman, Joseph, chairman, legislative committee, Pennsylvania State Education Association, Harrisburg, Pa., to Senator Morse, dated March 21, 1961 ---- 1294
Slocum, James F., superintendent, Minot Public Schools, Minot, N. Dak., to Senator Young, dated March 23, 1961 ---- 1201
Stackhouse, William R., area representative, United Presbyterian Church in the U.S.A., Kansas City, Mo., to Senator Morse, dated March 31, 1961 ---- 1253
Stahl, Steve, chairman, National Taxpayers Conference, Oklahoma Public Expenditures Council, Oklahoma City, Okla., March 9, 1961 ---- 728
Stausbury, Eugene P., president, Board of Education, Saginaw, Mich., to the committee, dated March 15, 1961 ---- 1081
Stevenson, Margaret, executive secretary, Department of Classroom Teachers, National Education Association, Washington, D.C., to Senator Morse, dated March 23, 1961 ---- 1291
Stovall, Travis, superintendent, Clovis Municipal Schools, Clovis, N. Mex., to Senator Morse, dated March 14, 1961 ---- 1293
Sullivan, Dan J., president, New York Chapter, Citizens for Educational Freedom New York City, to Senator Morse, March 23, 1961, containing petition signed by various persons ---- 1255
Synan, Joseph A., bishop, Pentecostal Holiness Church, Hopewell, Va., to Senator Morse, dated March 23, 1961 ---- 1218

CONTENTS—Continued

ADDITIONAL INFORMATION—continued

Page

Letters and telegrams from—Continued
Talbot, Mary N., secretary, Riverton Teachers Association, Riverton, Kans., telegram to Senator Morse 1297
Taylor, A. G., president, Charlottesville-Albemarle Ministerial Association, Charlottesville, Va., to Senator Morse, dated April 2, 1961 1207
Thorson, Arne, superintendent, Riverdale Public Schools, Riverdale, N. Dak., to Senator Young, dated March 30, 1961 1202
Thurmond, Hon. Strom, a U.S. Senator from South Carolina, to Senator Morse, dated March 15, 1961 1075
Tuttle, Edward M., School Board Leadership in America, to Senator Morse, dated March 17, 1961 1297
van der Haag, Ernest, professor of social philosophy, New York University, to Senator Morse, containing statement 1155
Ward, A. Dudley, associate general secretary, General Board of Christian Social Concerns of the Methodist Church, to Senator Hill, dated March 30, 1961 1213
Weymouth (Mass.) Teachers Association, telegram to Senator Morse 1294
Wheat, Willis J., president, Oklahoma Public Expenditures Council, Oklahoma City, Okla., to Senator Morse, March 9, 1961 724
White, Don, executive vice president, National Audio-Visual Association, Inc., Fairfax, Va., to Senator Morse, March 30, 1961 1258
Wyrick, Rex R., superintendent, Warrensburg Public Schools, Warrensburg, Mo., to Senator Long, dated March 27, 1961 1200
Young, Hon. Milton R., a Senator from the State of North Dakota, to—
Senator Hill, dated March 28, 1961 1200
Senator Morse, dated April 3, 1961 1201
Memorandum entitled "Estimated Amount of School Revenue Which Would Be Derived From Federal Property if Taxable by Federally Affected School Districts" 415
Memorandum on the constitutional authority of the Congress to enact S. 1021 111
Memorandum on the impact of the first amendment to the Constitution upon Federal aid to education 113
Memorandum submitted by Dr. William G. Carr, National Education Association 192
Memorandum submitted by the Department of Health, Education, and Welfare, entitled "Statement Regarding Method of Allocating Funds Among the States Under Title I of S. 1021" 205
Memorandum submitted by Carlisle P. Runge, Assistant Secretary of Defense 1320
Official statement entitled "The Church and the Public Schools," approved by the 169th General Assembly of the Presbyterian Church in the U.S.A. 1223
Preliminary estimate of annual receipts per State if 2 cents of Federal tax on cigarettes were returned to the States 86
Pronouncement entitled "Public Funds for Public Schools," adopted by the National Council of the Churches of Christ 475, 1025
Proposed amendment to S. 815, submitted by Senator Metcalf 417
Protestants and Other Americans United for Separation of Church and State, rebuttal statement of Msgr. Frederick G. Hochwalt 1259

CONTENTS—Continued

ADDITIONAL INFORMATION—continued

Page

Publication entitled "Some Constitutional Prohibitions Against Financial Aid to Private Schools," by the American Federation of Teachers 1261
Release from the Department of Political Science, Washington University, St. Louis, Mo. 220
Remarks by Senator Cooper in the Senate, January 31, 1961, entitled "Educational Opportunities of 1961" 591
Remarks by Senator Gruening in the CONGRESSIONAL RECORD of January 31, 1961, entitled "Federal Action for Education Requested by President Kennedy Is Essential" 742
Remarks by Senator Morse re President Kennedy's special message entitled "Federal Aid to Education," from the CONGRESSIONAL RECORD of February 20, 1961 40
Resolution adopted by the general assembly of the United Presbyterian Church in the U.S.A., March 9, 1961 1096
Resolution adopted by the Orange County, Va., Board of Supervisors 1300
Resolutions and legislative policies adopted by the Council of Chief State School Officers annual meeting, Santa Fe, N. Mex., November 18, 1960 325
Speech by former Congressman Barden 559
Statement regarding legislative background of Public Law 815 and Public Law 874 and evidence of congressional intent as to permanent or temporary nature of these programs 396
Statement regarding current needs for Public Law 815 and Public Law 874 compared to the need for these programs when these two laws were enacted 418
Statement regarding survey of borrowed-up districts 164
Statements analyzing the criticism of Senators Gruening, Metcalf, Engle, and Long of Hawaii 754
Summary of proposed amendments to Federal impact area laws 31, 100
Survey of teachers' salaries in districts of over 10,000 population, September 1960 880

TABLES AND CHARTS

Table 1. Total of State and local tax collections per $100 of personal income, 1951 54
Table 2. Preliminary estimate of annual receipts per State if 2 cents of the Federal tax on each package of cigarettes were returned to the States, as proposed in S. 293 86
Table 3. Estimated allotments to States under S. 1021 (fiscal years 1962–64) 97
Table 4. Summary of Public Law 874 estimated entitlements, by State, under existing law and proposed amendments 104
Table 5. Summary of Public Law 815 estimated entitlements, by State, under existing law 105
Table 6. School expenditures per pupil (by State) 107
Table 7. Personal income per pupil (by State) 108
Table 7a. Summary table: Survey of public school classroom shortages in the fall of 1951 in borrowed-up districts 167
Table 8. Selected characteristics of borrowed-up school districts with classroom shortages: Fall 1951 (by State) 168
Table 9. Hypothetical effect on salaries of instructional staff if all States used 90 percent of their allotments under S. 1021 to increase salaries of instructional staff, fiscal year 1962 174

CONTENTS—Continued

TABLES AND CHARTS—continued

Page

Table 10. Internal Revenue Service: Cost, tax collections, employees, and U.S. population since 1866 195
Table 11. State administration costs of collecting $100 of sales and use tax revenues, selected States, fiscal year 1955 197
Table 12. Federal administration and research expenditures as a percentage of grant expenditures for Federal aid programs to State and local governments, fiscal years 1956–58 198
Table 13. Formula change with change in "spreader factor" 204
Table 14. Nonpublic school enrollment as percent of total enrollment in elementary and secondary schools, 1955–56 225
Table 15. Enrollment in full-time public and nonpublic elementary and secondary regular day schools, by State, 1957–58 226
Table 16. Comparison of estimated allotments for fiscal year 1964 under S. 1021 based on ADA and school-age population 228
Table 17. Tables showing rankings of the States, 1961 (index, p. 230) 229–266
Table 18. Level of school completed by persons 25 years old and older and 25 to 29 years old, 1940–59 271
Table 19. Lifetime income (earnings) for males in selected age groups by years of school completed, United States, 1939, 1946, 1949, 1956, and 1958 272
Table 20. Total expenditures per pupil in ADA 1949–50 and 1959–60 in current and constant prices 274
Table 21. Percent of selective service registrants failing the mental test, 1959 275
Table 22. Importance of selected characteristics in future determination of low income population 276
Table 23. Public school enrollments and related figures, 20 largest cities 284
Table 24. State and local tax collections per $100 of personal income 1951 287
Table 25. Average tax burden per family, by level of income, 1958 288
Table 26. Taxes as a percentage of total income, by source and by income class, calendar 1958 289
Table 27. Teachers' salaries and school construction: Approximate allocations under S. 1021 for 1960–61 and 1962–63, estimated expenditures in 1960–61 and allocations under S. 1021 a percent of 1960–61 expenditures 290
Table 28. Approximate allocations under S. 1021 for special educational projects (10 percent of State allocation for 1961–62) 292
Table 29. Graph: Elementary and secondary classrooms constructed 1919–60 342
Table 30. How States would fare during fiscal year 1962 net "aid" received versus net "aid" paid 344
Table 31. How States would fare during fiscal year 1963 net "aid" versus net "aid" paid 345
Table 32. How States would fare during fiscal year 1964 net "aid" versus net "aid" paid out 346
Table 33. Graph: Regional per capita personal income as percent of continental United States per capita income 347
Table 34. Upward trend in classroom salaries 376
Table 35. Teachers' salaries versus school construction needs 405–406
Table 36. Number of children counted for payment under sections of Public Law 815, 1950–62 422

CONTENTS—Continued

TABLES AND CHARTS—continued

Page

Table 37. Appropriations for Public Law 815, fiscal years 1951–61 422
Table 38. Increase in number of federally connected children in ADA and costs per child in eligible school districts under Public Law 874, fiscal years 1951–62 422
Table 39. Number of Federal properties and number of acres claimed by applicants under Public Law 874, as amended, fiscal years 1952–60 423
Table 40. Actual and estimated expenditures for national defense, commerce, housing, space technology, and natural resources, fiscal years 1959–62 423
Table 41. Vote of Southern States on Powell amendment and on final passage of school construction amendment 428
Table 42. Tables relating to local contribution rate under Public Law 815 and Public Law 874, Montana School Districts 570–575
Table 43. Educational expenditures and enrollment, 1940–60 590
Table 44. Expenditures for education as percent of national income, 1890–1960 590
Table 45. Educational expenditures, corporate net profits, and national income, 1929 and 1959 591
Table 46. Cooper bill: Estimated State allotments per child 596
Table 47. Cooper bill: Estimated State allotments 1st through 4th year 597
Table 48. State comparison, income, public school pupils and current expenditures 598
Table 49. Public school revenues as a percentage of national income (1945–61) 620, 650
Table 50. 1960 bond elections, elementary and secondary schools, by State 630
Table 51. Failures in Armed Forces tests and school expenditures 641
Table 52. Employment in public education and in private industries, 1929 and 1959 656
Table 53. Enrollment and teachers in public schools, 1900 and 1961 656
Table 54. Enrollment and teachers in the public schools, 1953–54 and 1960–61 656
Table 55. Number of earned college degrees, 1958–59, 1968–69 657
Table 56. Earnings of teachers and other groups, 1929 and 1959 657
Table 57. Educational expenditures and enrollments, 1940–61 (public and nonpublic, elementary, secondary, and higher) 658
Table 58. Expenditures for education as a percentage of national income, 1890–1961 (all levels, public and private) 658
Table 59. School revenues and State support in selected years, 1890–1960 659
Table 60. Sources of school revenues, 1959–60 660
Table 61. Federal grants-in-aid to State and local governments, in selected years, 1922–60 660
Table 62. Rates of increase in Federal and State—local revenues in peacetime periods, 1902–59 661
Table 63. Sources of public school revenue in 1958 662
Table 64. Tax collections in the United States 1932, 1940, 1959 663
Table 65. Increase in tax collections (National, State, local) 1944–59 664
Table 66. Summary of effects of Public Law 874, New York State, 1960 718

CONTENTS—Continued

TABLES AND CHARTS—continued

Page

Table 67. Comparable data concerning public schools of Oklahoma 1909–10 to 1960–61 726
Table 68. Sources of revenue and amount collected from each source by the common schools of Oklahoma for fiscal years 1951–60 727
Table 69. School expenditures by "poor" States 729
Table 70. Comparison of State allotments under School Assistance Act of 1961 (S. 1021) and amendments proposed by Senator Ernest Gruening 738
Table 71. State allotment ratios under amendment proposed, School Assistance Act of 1961 739
Table 72. Data for estimating unadjusted State allotments under amendments proposed to the School Assistance Act of 1961 740
Table 73. Data for estimating adjusted State allocation under amendments proposed by Senator Ernest Gruening to the School Assistance Act of 1961 741
Table 74. December average retail prices of 40 items in 9 Alaska cities, compared with Seattle and the United States 749
Table 75. Assistance for payments to school districts, federally affected areas, Public Law 874, as amended, fiscal year 1962 757
Table 76. Assistance for school construction, federally affected areas, Public Law 815, as amended, fiscal year 1962 758
Table 77. Difference in total estimated requirements, with percentage reduction factor for payments to school districts (Public Law 874) and construction grants (Public Law 815) under laws presently in effect extended without amendments, and total estimated requirements (Public Laws 815 and 874) under proposed extension with amendments, S. 1021 and H.R. 4970, fiscal year 1962 759
Table 78. Comparison of estimated reductions under titles II and III with increases under title I of S. 1021, by States, fiscal year 1962 760
Table 79. Estimated allotment under S. 1021 and proposed amendment (Gruening) 765
Table 80. Allotment under S. 1021, with alternate minimum grant based on current expenditure per pupil, fiscal year 1962 766
Table 81. Assistance for school construction, federally affected areas, Public Law 815, as amended, fiscal year 1962 (by State) 778
Table 82. Assistance for payments to school districts, federally affected areas, Public Law 874, as amended, fiscal year 1962 779
Table 83. Estimated allotments to States under the proposed administration School Assistance Act of 1961, fiscal years 1962, 1963, and 1964 780
Table 84. The effect of a 50-percent reduction of payment for B category children in section 3(b) of Public Law 874 on applicant districts in California (based on 1959–60 data) 795–803
Table 85. The effect of eliminating B category children from section 3(b) of Public Law 874 on applicant district in California (based on 1959–60 data) 804
Table 86. Summary by counties of average daily attendance reported by applicants under Public Law 874, 1958–59 805

CONTENTS—Continued

TABLES AND CHARTS—continued

Page

Table 87. San Diego Unified School District, summary of federally connected pupils under Public Law 874 806
Table 88. Growth of average daily attendance of federally connected pupils and total statewide average daily attendance, 1950–51—1959–60 806
Table 89. San Diego Unified School District: Summary of Federal properties listed on RSF–1, 1960–61 806
Table 90. Loss to selected States, effect of section 3(b) amendments, Public Law 874 814
Table 91. Summary of entitlements to Michigan school districts under Public Laws 815 and 874 for the years 1950 through 1960 829
Table 92. Analysis of receipts and expenditures of the Michigan public schools 831–855
Table 93. Family incomes after Federal income taxes 883
Table 94. State and local tax burden of selected taxes, family of four, $5,000 income 884
Table 95. Summary of general wage changes, 1959 886
Table 96. Fringe benefits for teachers 889
Table 97. Summary of minimum wage laws for certificated teachers 891
Table 98. Salary schedules in cities over 400,000, September 1960 895
Table 99. Salary schedules of teachers in cities over 10,000 population, September 1960 896
Table 100. Analysis of Public Law 874 eligibility in the State of Washington including potential loss if proposed amendments are approved (1961–62 estimate). Summary by congressional districts 1071
Table 101. Effect of titles II and III amendments on selected Connecticut towns 1073
Table 102. Percent of Federal impact, 1951–61, selected counties, Utah 1145
Table 103. Elementary and secondary school bonds sold, 1960 1154
Table 104. Enrollment and teachers in the public schools 1900–61 1172
Table 105. College degrees and college graduate teachers, 1957–58 and 1968–69 1173
Table 106. Increase in public school enrollment for preceding year and graduation of new teachers, 1958–59 and 1969–70 1173
Table 107. State of Alaska: Assistance to school districts, impacted areas, fiscal year 1962 1181
Table 108. Estimated State per pupil cost of constructing minimum school facilities, 1959 1182
Table 109. Comparison of State allotments under School Assistance Act of 1961 (S. 1021) and amendments proposed by Senator Gruening 1188
Table 110. State allotment ratios under Gruening amendments to S. 1021 1189
Table 111. Data for estimating unadjusted State allotments under proposed Gruening amendments to S. 1021 1190
Table 112. Data for estimating adjusted State allocations under amendments proposed by Senator Gruening to S. 1021 1191
Table 113. Current expenditures by purpose, per pupil expenditures, and average salaries of instructional staff in full time public elementary and secondary day schools, by State: 1957–58 1192
Table 114. Income tables, Alaska income and population, 1950–59 1195
Table 115. Personal income: Major sources, by States, 1957 1196

CONTENTS—Continued

TABLES AND CHARTS—continued

Page

Table 116. Comparison of total appropriations for the District of Columbia with the total appropriations for public schools, 1949–60 ---------- 1283
Table 117. Trends in population in 20 largest cities and related metropolitan areas ---------- 1284
Table 118. Effective buying income, 20 largest cities ---------- 1285
Table 119. Effective buying income per capita, 20 largest cities ---------- 1285
Table 120. Retail sales, 20 largest cities ---------- 1286
Table 121. Retail sales per capita, 20 largest cities ---------- 1286
Table 122. Public school enrollments and related figures, 20 largest cities -- 1287
Table 123. Employment opportunities in various occupational groups and educational level ---------- 1307
Table 124. Effect of reduced percentage payments to Idaho Public Law 874 applicants for 3b1 and 3b2 students as proposed in S. 1021 ---------- 1315
Table 125. Number and percent of eligible applicants in fiscal year 1950 by proportion of Federal payments (Public Law 874) to total current expenditures of the applicant district -- 1319
Table 126. Information regarding number of federally connected children in and Federal payments under Public Law 874 to Arlington County, Va ---- 1320
Table 127. Information regarding total attendance, total operating costs, and costs per pupil attendance of federally connected children and Federal entitlement under Public Law 874 and the percentage of total operating costs from Federal funds under Public Law 874 by State for the 1959 fiscal year ---------- 1324–1325
Table 128. Public Law 874 applicant school districts eligible in fiscal year 1960 that would have been ineligible if the minimum eligibility requirements had been 4-, 5-, or 6-percent accumulative totals, by State -- 1326–1327
Table 129. Reduction in number of eligible districts, eligible attendance, and entitlement if 4-percent eligibility requirement had been in effect during 1960, by State ---------- 1328–1329
Fall 1960 statistics on enrollment, teachers, and schoolhousing in full-time public elementary and secondary day schools, by States (table) -- Facing 298

Mr. DIRKSEN. Mr. President, I can understand people who emotionally and romantically think this is a great business. But we are dealing with millions of dollars; and once that threshhold has been crossed, what will subsequent Congresses do, and how far shall we go? I have an idea, after a long experience in legislative halls, having seen the mushrooming of these functions once they have been undertaken, that we can almost predict what will happen to this program. The billions which will be added will be an onus.

When I say that the school districts and the States can finance themselves, I turn to the table on page 630 of the hearings, which indicates the number of school-bond issues which were approved in 1960. The voters went to the polls, and 1,188 bond issues for schools were approved for a total of $1,762 million. The number which were disapproved was 353, for a total of $401 million. Does that indicate whether there is an abiding and intense interest in education at the local level? It is most definitely there, and the voters have expressed themselves on these issues. The figures speak for themselves.

The percentage of bond issues approved was 81.4 percent on the basis of the dollars involved, and 77.1 percent on the basis of the number of bond issues. So three-quarters of the bond issues in number and four-fifths of the bond issues in terms of dollars were approved by the voters in 1960.

With respect to the first month in 1961, the only figures available as of now indicate that the number had increased by another 19 percent. Who can stand up in the face of actuality and in the face of unrepudiated facts and say that the local districts and the people at the grassroots are not doing their work?

The next reason I assign is: Give the bill a chance, and after a while, notwithstanding all the amazing formulas, it will take a book of logarithms, a knowledge of trigonometry, and a slide rule to comprehend that little by little, and despite a definition of school index and effort, and so forth, the States will wait to see whether there is not more and more largess to be had from the Federal Treasury. If Senators want something explicit on that point, let me read a reference to a statement by the distinguished Governor Lawrence, of Pennsylvania, on that subject. It appears at page 622 of the hearings:

> In Pennsylvania, Governor Lawrence holds off proposing any substantial increase in State aid for schools in the new budget; he looks instead to Congress to authorize Federal educational grants for States.

What Governor would not, if he could, protect his budget, when he knows that all he has to do is to look at the great white illumined dome in Washington and say, "From this cometh my succor and my assistance."

Here was a Governor who was honorable enough to express himself in that way.

So the bill will destroy initiative; I have not the slightest doubt about it. It is instinctive in humankind. That probably will be one of the side effects, as the druggists say, if and when the bill is enacted.

I go further. This was the very thing on which Woodrow Wilson commented in 1886, when he said:

> It was evident that no increase in the State appropriation for public education would be voted as long as there was the least prospect of aid from Washington. * * * (There was) deliberate determination to enjoy the easy position of a beneficiary of the National Government to the fullest possible extent, rather than to be independent and support a good school system by its own unaided efforts.

It is fair to assume that Federal aid, instead of being an addition to State expenditures, will become a substitute for State expenditures. Oh, I know there are administrators who will measure the State index effort and all the other complicated terms; but how much will they ultimately amount to when the pressures are on and when the political pressure gets a chance to vent itself? They will not mean too much.

I said this was, after all, token assistance. Let us see. Let us divide the aid which will go to the States and assume they will spend half of it for schoolrooms and the other half for teachers' salaries. If that be the case, approximately 7,500 classrooms a year will be built. What is that? The people now, without Federal aid, are building 70,000 classrooms a year. So here comes a dubious venture which would add 10 percent to the number of classrooms, if these allegations can be taken at face value. But I have grave doubts about it. But at its very best, it will probably amount to 10 percent of what is being done at the present time.

Then comes the argument that the bill will elevate the general tone of the instructional staff, the teaching corps throughout the country, if something is done in the field of salaries. It has been pointed out that they lag so far behind. I had planned to interpose in the colloquy the other day between the distinguished Senator from Oregon [Mr. MORSE] and the distinguished senior Senator from Illinois [Mr. DOUGLAS] when there was a series of questions. The question always begins, "Is it not true?" Of course, one invites the answer. Then, "Is it not a fact," and the answer is invited. Well, I do not know. I simply look at the book for the answer, and here it is. It has been carefully documented. If anyone is curious about it, let him look at page 631 of the hearings. Here are the facts as submitted to the committee. With respect to salaries for female teachers and other professional workers who have had 4 years of college, the salary given is $3,533; for public school teahcers, it is $3,680. So there is a disparity, roughly, of $140 on the side of the teachers who have had 4 years of college. They are ahead of the professional workers.

In the case of those who have had 5 or more years of college, the salary of professional workers is given as $4,612 a year; for teachers, $4,925. The average on the side of the teachers is $300 higher than for the professional workers who have had 5 years of college work.

No one ever says anything about adjusting the figures with respect to the length of time one has devoted to the job; but if earnings are compared according to the length of time one has worked, here is the picture. For public school teachers, number of weeks worked in 1958, 27 to 47, the salary would have been $4,032. If they worked more than 48 weeks, the salary would have been $4,418.

Professional workers in nonschool jobs: If they are considered on the same basis, for the same number of weeks of work, their salaries, in the case of 27 to 47 weeks, would have been $2,267, or $1,765 a year less than the salaries of the teachers.

Therefore, Mr. President, in view of that study and the documented record, who can so naively complain that we must do this because the teachers are behind in the salary list? If they are in

any given State, of course that is a State matter, and should be handled at that level.

Mr. President, I am opposed to the bill also for the following reason: Percentagewise, there will be an enrollment decline from now on. We have gotten over the war baby peak; and we can anticipate that although the population will increase and although the number of school children will increase, percentagewise the increase will be smaller. If we continue to build schools at the rate at which we have been building them, there will not only be enough classrooms, but it is possible that at some point in the future, not too many years hence, there might be an oversupply of classrooms. Here is a figure: that in the 1950's, the enrollment increase, percentagewise—and I have to accentuate that, so that no one will mistake the meaning of my remarks—was 46 percent; enrollment increases during the 1960's—1960–70—will be 20 percent, according to the Bureau of the Census projections. If that continues, what will be the answer? In that event there will be enough classrooms and there will be enough teachers.

Mr. President, it is amazing that authentic figures about the classroom situation are so difficult to procure. I cite the following from page 643 of the committee hearing:

> It was in 1954 that the Commissioner of Education testified that the classroom shortage totaled 370,000 classrooms; and about a year later the chairman of the Senate Committee on Labor and Public Welfare stated that the shortage would rise to 600,000 within 3 years.
>
> Well, actually the most recent figure which the Office of Education has put out is 142,000, which is 228,000 less than a mere 6 years ago.

In short, Mr. President, that figure was that the classroom shortage then was 142,000—not 370,000, not 600,000. One hundred and forty two thousand is a long way from the figures we were given not only in 1954 but also in the period following that year.

So, Mr. President, that number of classrooms—and I have my fingers crossed as to whether that is an adequate figure and an accurate figure, knowing that there are no common standards for reporting classrooms and their use in the respective States—simply means that the figures which have been supplied to us from time to time are of doubtful authenticity; and thus I am inclined to consider the private exploration which has been made, which shows that we are meeting this situation in a grand fashion.

Furthermore, the Office of Education had to report that, as stated in the CONGRESSIONAL RECORD:

> In the past 4 years the number of classrooms in use has increased 251,000. Now, the number required to take care of the additional enrollment in that time, which was 4.8 million, would have been 170,000 which means that the net increase in classrooms that were available for the reduction of shortages was 81,000.

Mr. President, statistics are wonderful things. It simply depends on where one sits and how one uses them.

Some observation was made to the effect that we are way behind the Soviet Union, and that should inspire fear, dread, and misgivings, and we should ladle out Federal largess in order to meet that situation. It was said that the Soviet Union has claimed that since the war they built enough classrooms for 9 million children. What did we do? We built enough classrooms for 20 million children—more than twice as many.

The Budget Bureau had its own doubts about these classroom shortage figures, and it made a field survey. But it has never been satisfied with the figures that have come before it.

Mr. President, there are so many things to say, but I know that I am now close to the time when I must conclude this discourse.

But there is one other thing I must say—namely, that in a short time we shall listen to the President; and I apprehend—without knowing—that he may talk about the fevers in the world and about the need for more funds in the field of space and the need for more funds for this, that, and the other thing. I couple that with a statement made last Friday night, in New York, by the Deputy Director of the Bureau of the Budget, Elmer B. Staats, when he addressed the Business Advisory Council. I talked to him only this morning, and the figure does not appear in his manuscript. It was given in a response made to a question which was asked. He said that the deficit in the fiscal year 1961 will probably be twice what the President indicated to the Congress; and that would mean a budget deficit, in the current fiscal year, not of $2,300 million, but of $5,500 million or more; and there will be an even greater deficit in the following year.

So I survey the bills that are in the making and the demands that are going to be made, and then there occurs to me the old question, "Is it guns and butter, or is it guns or butter?"

If the world situation is as feverish as is intimated from time to time to the various congressional committees, how far do we go in fields of policy and expenditure where we should not venture, since the defense of the country, our national security, is the first consideration—for without national security there can be no individual security and no individual freedom. So we had better be giving thought to the appropriation bills and the authorizations which are building up these built-in increases in the budget; and this is one good way to start.

No need has been demonstrated, in any of the testimony, for the bill that is before us. In addition, we have the fact that we had better "mind our knitting" if in Laos, in Vietnam, in the Congo, in Cuba, in Latin America, in East Berlin, in Iran, and elsewhere, the situation is so sensitive and so fraught with danger that the taxpayers of the country will be called upon for larger and larger outlays for our security. There had better be a point at which we cut back, and I can think of no better point in the whole field at which to do so than to reject the bill before us, because it is unnecessary. The case has not been made. We may need the money necessary to implement it for other purposes far more important than those described in the bill.

Mr. President, I could go on and amplify the case, but I see no further point in it. I sincerely hope the Senate will give serious thought to what I have urged.

I add one point in conclusion. If there is any Senator on this floor who thinks $2,500 million is the limit for this bill, oh, what a tragic illusion that will prove to be. The distinguished Presiding Officer who sits in the chair today [Mr. METCALF]—and I am sure he does not mind my referring to him—was the coauthor of a bill called the Murray-Metcalf bill. What did it call for? It went, for that period of years, to $11.4 billion. As I recall, it tailed off at $5 billion a year. So let there be no mistake as to what we are doing today. We are opening the door. Then the millions will flow freely, because how can a political body finally withstand the pressures?

This, I think, is the time to stand up and be counted, in the durable and basic interest of the country.

Mr. President, I yield the floor.

Mr. McGEE. Mr. President, I intend to speak on the bill, but because of the lateness of the hour and the coming joint session, I would like to yield for insertions in the RECORD.

Mr. MANSFIELD. Mr. President, could I ask the Senator to make it very brief?

Mr. McGEE. Yes. At what time is the Senate to go to the joint session?

Mr. MANSFIELD. Now.

Mr. McGEE. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, without the Senator's losing his right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

JOINT SESSION OF THE TWO HOUSES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed in a body to the Hall of the House of Representatives for the purpose of hearing a message from the President of the United States.

The motion was agreed to; and (at 12 o'clock and 14 minutes p.m.), pursuant to House Concurrent Resolution 316, the Senate, preceded by the Secretary (Felton M. Johnston), the Sergeant at Arms (Joseph C. Duke), the Vice President, and the President pro tempore, proceeded to the Hall of the House of Representatives for the purpose of attending the joint session to hear the address to be delivered by the President of the United States, John F. Kennedy.

(For the address delivered by the President of the United States, see pp. 8877–8883 of the House proceedings in today's CONGRESSIONAL RECORD.)

The Senate returned to its Chamber at 1 o'clock and 30 minutes p.m. and reassembled when called to order by the Presiding Officer (Mr. METCALF in the chair).

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.

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

Mr. McGEE. Mr. President, I yield to the senior Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the distinguished Senator from Wyoming may yield to me without losing his right to the floor.

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

Mr. McCLELLAN. I shall be brief. First, I ask unanimous consent that a statement that I made on the floor of the Senate on February 4, 1960, when a comparable bill was before the Senate last year, be printed at this point in the RECORD.

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

Mr. McCLELLAN. Mr. President, I shall be brief. I had not intended to make any remarks on this measure; I had fully desired and expected to support the bill as it was reported by the committee. I would still be happy to do so.

However, I cannot vote for the bill with the provisions which it now contains. I shall be compelled, reluctantly, therefore, to cast my vote against its passage.

In my judgment, the situation in this country with respect to our schools does justify Federal aid to schools in the construction of the physical plants, the thousands of additional classrooms which are so greatly needed and necessary. Such aid could be given, Mr. President, without destroying the integrity of local government and without surrendering the control of our public school system as it was established and as it has traditionally existed and been operated from its founding. We could give aid to schools in that fashion without placing in jeopardy the operation and management of our schools, without running any risk of the control and government of our school affairs being transmitted from the local jurisdictions that now have authority over our school system to a central power located in the National Capital, because I sense—yes, more, Mr. President, because I am convinced beyond any doubt—that the minute the Federal Government provides aid for the operation and management of schools by making available funds for the payment of teachers' salaries and other administrative expense, immediately the Federal Government puts itself in position, and the local government surrenders to the Federal Government the power to exercise control and domination over the school system.

He who controls the purse strings becomes the master; and we cannot escape it. The Federal Government can aid in the building of a physical plant, and that is over and done with; but it cannot supply the money from year to year for the support, management, and operation without usurping the whole governmental authority and power that is now reposed in the State, county, municipality, and local school district.

That is the direction we are taking. That is why I cannot vote for this bill as now amended by the Monroney proposal.

Somebody has said, "Well, there is a 2-year limitation" on this authorization. There is, but it means absolutely nothing. We all know that teachers are underpaid. There is a responsibility upon us as citizens, and upon the State and local governments, to increase their pay commensurate with their duties and responsibilities. But, Mr. President, this is the wrong way to do it.

When this bill becomes law—if it does—and an appropriation is made to carry out the expenditures it authorizes, local school districts' school boards will immediately make contracts with schoolteachers on the basis of the anticipated revenues to be derived from the Federal Government by reason of this enactment. Should that mean, on the basis of the bill as it now stands, an increase in salaries for schoolteachers of some $300 to $500 a year, it follows that contracts will be made by the local board or Government authority with those teachers for another year, on that basis.

Once that is started, once the process is put in motion, we will not be able to stop it. If 2 years from now we undertake to stop it, the charge will be made that the Federal Government is breaching confidence, breaking faith, and repudiating its solemn and moral obligation. Mr. President, we have heard such charges made on this floor already with respect to the national highway program. It will be contended, again and again, that we have obligated the Federal Government to do it. The States and local school districts will claim they put their faith and trust in the Federal Government; that they were assured this was a national policy and the aid would be continued. They will assert, and truthfully so, that they made their plans and commitments accordingly.

Mr. President, what does that mean? Let no Senator vote for this bill thinking this program will be only temporary. It will not be. It is to become a fixed, continuing national policy. Maybe that is what some Senators want. If Senators want that, then let them vote for it. But let no Senator vote for it with the idea that it is only for a temporary period of 2 years. It will be of indefinite duration. It will be in perpetuity. What does it mean? It means 2 years from now, 3 years from now, 4 years from now, we will have put upon us pressures to make other provisions in the law which are not now in the pending bill. Conditions will be placed in the law that a school district or a State will not be eligible to participate in this program and receive these funds except, unless, and until it meets certain standards and conditions that the amended law will impose or administrative edict will require.

Do not, I say to my southern friends, vote for this measure with any thought that the segregation issue is not involved. We may just as well be frank about it and understand it. It is not openly present here at the moment, but let no one vote for this bill under any illusion or false conception that that issue is being bypassed. It is not. That issue cannot be evaded. We cannot escape it. In due time it will be here to haunt us. Just one simple amendment, Mr. President, to this bill can be made, one sentence added, saying: *"Provided,* That no State or school district that practices or permits segregation of the races in the public schools shall be eligible to receive any of the financial aid herein provided."

That is all that will be needed to compel integration. I am talking now to my colleagues of the South who I know entertain the same views I do. Once the contracts are made by the local school authorities, Mr. President, on the basis of the anticipated Federal aid in support of and to pay the increased salaries to teachers, it will be too late to turn back. We will have gone too far. Our southern schools will not then be able to say, "No." They will have no alternative except to integrate or lose their share of these Federal funds.

No doubt some believe in integration. I have no quarrel with them, if that is what they honestly believe. That is their right. But I entertain a different belief. I believe in local self-government. I believe where the people want integration they should have a right to practice it. But I also believe with an abiding conviction that those who want to segregate have an inherent and constitutional right to do so. I believe the people have a right, as they have had from the very beginning of our Government, to choose the kind of school system they want and are willing to administer and support. I believe those rights should be held inviolate and preserved.

I make this statement because if and when this issue should arise some 2 or 3 years from now, it shall not plague me. I shall not then feel that I invited it by voting for this bill. I shall not obligate myself to accept it under those terms. I shall not, as their representative, commit the people of my State to accept it under those terms. I am not voting on this measure under any mistaken apprehension about the consequences. I know what the consequences will be if this bill should be enacted into law.

Mr. President, it gives me great concern to put this Government of ours further and further in debt. I know some think our national debt of some $300 billion is inconsequential. They scoff at the idea of a balanced budget. But I am disturbed about it. Just as certain as there is the day of judgment, just as surely is there a time of accountability in the fiscal affairs of any government. That time is rapidly approaching for us. We will have to meet it.

I have heard the statement made on the floor during this debate that Americans spend more money for cigarettes than they spend for education, and that they spend more money for liquor than they spend for education. Other similar comparisons have been made, I agree. But, Mr. President, who spends that money? It is the citizens of this country who spend the money, and they are free men and women. If they think more of the pleasure of a cigarette or a cocktail than they do about educating their children, then they will spend their money that way. They are Americans, and they are free. If collectively our citizens so indulge and pursue that course to the neglect of providing ample and necessary educational opportunities and facilities, then a tragic destiny is likely in store for us—and I doubt that any amount or manner of Federal aid will save us from it.

We should spend more on education. I am perfectly willing to do so. I am willing to have the Federal Government help equalize educational opportunities by bearing some of the expense of building the physical plants. It is said, "Well, a plant, a schoolroom, is no good without a teacher." That is true, Mr. President, but if the little school district which needs a new building can get $500,000 from the Federal Government to help pay the cost of construction of the building, the same school district will have released to it for other use the revenues it would have had to obligate and apply for the liquidation of the debt incurred by the construction cost. Those revenues will then be available to raise the salaries of teachers.

Thus the original bill would help increase the salaries of teachers. It should be

passed. I favor it. But, Mr. President, I am not going down the road of surrender and capitulation with regard to the inherrent duty and constitutional right under our system of government of the local school districts and the local people having their public school systems operate in the manner they desire. I am not ready to surrender that for a mess of dubious pottage.

Mr. President, our country is blessed. We are blessed with wealth. We are blessed with abundant resources. We can have the kind and quality of educational system we want. We can have an adequate educational system when we want it and are willing to pay for it. When we are ready to place the value of that system above the value we are placing on some of the other things for which we spend our money then we can have all that we now need and profess to want.

Mr. President, if every time there is a need for something in this country we run to the Federal Government and continue to pyramid the national debt, we can also have a bankrupt Treasury and an insolvent Government. I shudder to think of what will happen to our school system and what will happen to our liberties and to our security if we ever permit that to occur.

I wish I might have the privilege of voting for the bill which was reported by the committee. I am very apprehensive—and I say this for the RECORD—that what is about to occur here in the Senate will mean no school aid at all of any kind. I say this to those who are really interested in the children, who are really interested in education and the building up of a better school system, and the providing of aid which will afford some relief in this present distressing situation.

I am not sure that by the course which is being pursued we are best serving the cause and the purpose desired. I rather think what is being done here will defeat the aid which we would get under the terms of the original bill. I think what is occurring will mean no aid, or aid deferred, and perhaps long deferred.

I should like to see the bill pass in its original form. I should like to have us make that start, which I think would be somewhat substantial, toward relieving existing conditions.

Mr. President, there ought to be a consciousness on the part of the people of the country that if we want education and want the best we have to be willing to pay for it. There are times when we have to make a choice between things which are pleasant and delightful which we might desire, and those which we really need in order to meet the obligations of citizenship which are upon us.

Mr. President, I am not unmindful that political expediency suggests, if not dictates, the propriety of supporting Federal aid for education. I should like to support the right kind of a bill and see it enacted into law, but I shall not be a party to destroying the integrity of State and local government in the affairs and management of our public school system in this country.

Mr. McCLELLAN. On February 4, 1960, as shown by the RECORD, I stated my objections to this type of legislation. Everything I said about the bill at that time, all my reasons for not supporting it then, hold true now. Every reason that I gave then I would state again today in opposition to the pending measure. The situation has not changed since that date with respect to the need for this type of legislation, except that now the need is less than it was a year ago. States and local communities are endeavoring, with success, to meet the school needs of their areas, and Federal aid and assistance of the proposed character are not imperative at all under present conditions.

What I said then applies now: Our public schools will be dominated and controlled by Federal power and authority if we succumb to this proposal to have the Federal Government pay a substantial part of the operating expenses of our public schools. In my opinion if we pass the bill, it will mark the beginning of the end of the public school system, controlled by local authority, as we have known it in the past.

Those who believe in Federal Government control, domination, power and centralized government will enthusiastically support the bill, because it is a step in that direction. I do not subscribe to that kind of government, and therefore I shall oppose it.

I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, section II of the minority views that appear in the report on the bill, beginning on page 18, and extending down to the first part of page 24 of the minority views filed by members of the committee.

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

ANALYSIS OF THE BASIC ASSUMPTIONS OF THE COMMITTEE BILL

1. ARE OUR SCHOOLS INADEQUATELY FINANCED?

The answer to that question is "no." In the past 20 years, enrollment in educational institutions of all kinds and at all levels increased 57 percent while total educational expenditures increased 642 percent. Although prices more than doubled during this period, the increase in educational expenditures of 642 percent would still have been 257 percent if computed in dollars of constant purchasing power, as compared with the 57-percent increase in pupil enrollment, a ratio of almost 5 to 1.[1]

If we look at the share of the national income being spent for education we find a similar upward trend. In 1890, 1.4 percent of the national income was spent on education. In 1913 it was 2.2 percent, in 1930, 3.7 percent, in 1950, 4 percent, in 1956, 5.1 percent, in 1960, 6 percent. Thus the percentage of the national income going to education has multiplied more than four times since 1890 and increased 50 percent between 1950 and 1960.[2] It is also not without significance, that according to UNESCO figures, almost all other countries of the world allocate a smaller percentage of their national income to education, and that the Soviet Union, whose national income is far smaller than ours, spends no greater proportion on education than we do, erroneous assertions to the contrary notwithstanding.

Growth in our total educational expenditures has outdistanced the advance in both business profits and living standards. Thus between 1929 and 1958 expenditures for education grew 580 percent, corporate net profits, 129 percent. As a percentage of national income, corporate profits dropped sharply from 9.4 to 5.2 percent, while the percentage for educational expenditures rose from 3.7 to 6 percent for the same period.[3]

When we turn to the public elementary and secondary schools, attendance at which has been declining in proportion to our population growth, while college and private school attendance has been increasing, we find that the rate of expenditure has gone up more rapidly than the living standards of our people. Over the past 30 years, per capita expenditures for personal consumption have increased 57 percent, while public school expenditures per pupil have risen 166 percent, both ratios being measured identically in constant dollars.[4] And while this development was taking place public school expenditures were far outstripping public school enrollments in the rapidity of their increase. Thus, from 1900 to 1961, enrollment multiplied 2.4 times, whereas school expenditures per pupil, on the average and in constant dollars, have doubled about every 20 years, and the current school expenditures per pupil have multiplied 8.4 times in terms of the same constant dollar, an increase more than 3½ times as great as the increase in enrollment.[5]

When we examine the population projections made by the Bureau of the Census, the evidence indicates that the peak of educational needs in terms of population growth has already been reached, and that this ratio will decline during the next decade. The school-age group (those between 5 and 17 years of age) increased 46 percent between 1950 and 1960. It is estimated that for the next 10-year period (1960 to 1970), this rate of increase will be cut in half, shrinking to about 20 percent.[6]

2. HOW LARGE IS THE CLASSROOM SHORTAGE?

The size of the classroom shortage has been a major issue in the continuing debate on Federal aid to education. Figures on classroom shortages issued by the Office of Education show a shortage of 250,000 in 1950, 312,000 in 1953, 370,000 in 1954, 159,000 in 1956, 142,300 in 1957, 141,900 in 1958, 132,400 in the fall of 1959, and 142,100 in the fall of 1960. It we take these figures at face value, they indicate a reduction in the classroom shortage from 370,000 to 142,100 between 1954 and 1960 without the benefit of a Federal-aid program.[7]

There is, however, some doubt about the accuracy of classroom shortage figures. In March 1955 the Secretary of Health, Education, and Welfare testified before a congressional committee that a revision of estimates placed the expected shortage in 1959–60 at 176,000 instead of the 407,000 he had estimated a few months earlier. Actually, the report issued in the fall of 1960 placed the figure at only 142,100. These estimates are usually based on statistics prepared by the school authorities in each State; there are no national standards, and many believe they reflect the subjective attitudes of the compilers rather than any actual classroom situation. For example, two neighboring States with roughly similar classroom situations, and great similarities in other im-

[1] U.S. Office of Education, "Statistical Summary of Education, 1955–56"; "Progress of Public Education in the U.S.A., 1959–60"; releases of Aug. 28, 1959, and Aug. 14, 1960.

[2] Roger A. Freeman, "Financing of the Public Schools, Vol. I: School Needs in the Decade Ahead (1958)," p. 5.

[3] U.S. Office of Education, "Statistical Summary of Education, 1955–56"; "Progress of Public Education in the U.S.A., 1958–59"; U.S. Department of Commerce, Survey of Current Business, July 1959.

[4] "Economic Report of the President," January 1961; U.S. Department of Commerce, Bureau of the Census; National Education Association, "Status and Trends, 1959"; "Estimates of School Statistics."

[5] U.S. Office of Education, "Statistical Summary of Education, 1955–56"; National Education Association, "Estimates of School Statistics, 1960–61."

[6] U.S. Bureau of the Census, Current Population Reports, Series P–25, No. 187.

[7] Various reports, Office of Education.

portant respects—Wisconsin and Minnesota—reported classroom shortages of 3,941 and 310, respectively. The disparity is so great as to raise serious doubts about the objectivity of many of these estimates.

At any rate, a comparison of the inventory contained in the long-range phase of the school facilities survey of 1954 with the autumn 1959 survey shows that in those 5 years enrollment increased 20 percent, number of classrooms 30 percent, and the number of pupils per classroom was reduced by 2½ from 30.6 to 28.1.

President Kennedy in his education message asserted that classroom needs for the coming 10-year period between 1960 and 1970 will be 600,000. This averages out to 60,000 classrooms per year.[8] However, figures released by the Office of Education disclose that between 1956 and 1961, a total of 349,300 classrooms were built for an annual average of 69,860, or almost 10,000 per year more than the yearly average asked for by the President. Assuming these estimates to be reasonably accurate, it is as plain as a pikestaff that to take care of all estimated classroom needs for the next decade it will not be necessary to maintain even the annual volume of school construction that was completed in the average of the past 5 years by the States and localities acting without benefit of a Federal grant-in-aid program.[9]

3. HOW SERIOUS IS THE TEACHER SHORTAGE?

Here again we are confronted with highly suspect statistics. Thus, on August 30, 1959, the Office of Education reported a shortage of 195,000 qualified teachers. But in 1953, the Secretary of Health, Education, and Welfare had estimated that the teacher shortage would be 292,000 by the fall of 1960. These huge disparities between projected estimates and actual future developments are common in the discussions of the issue.[10] They indicate to us that much of the so-called data consists of poetry and propaganda rather than objective research. At any rate, even if we use these dubious statistics, they point only to the conclusion that the so-called need for Federal aid-to-education has been exaggerated by its proponents. As a matter of fact, the 1959 report on teacher shortages was so severely criticized that the Office of Education omitted a reference to the teacher shortage in its regular report in the autumn of 1960.

Actually, the figures seem to indicate that education has made great strides in meeting its manpower needs. Over the past 30 years, the number of employees in all forms of public education, both lower and higher, increased 140 percent while employment in private industry rose by only 45 percent; but enrollment in public education rose at the same rate as the population of the United States as a whole—45 percent.[11]

Our public schools have increased their teaching staff proportionately faster than enrollment and the number of pupils per teacher has been consistently reduced. Since 1900, the number of public school pupils rose 140 percent, the number of teachers 250 percent, and the pupil-teacher ratio was reduced by 11.2, from 35.6 pupils per teacher to 24.4 for 1960–61. Even if we take the figures for the last 7 years alone, the number of pupils increased 29 percent, the number of qualified teachers increased 40 percent and the pupil-teacher ratio declined by 2.4 pupils per teacher (from 28.4 to 26).[12]

At this point we cannot resist a further illustration or two of the unreliability of the figures emanating from some of the most active and articulate proponents of Federal aid to education. Thus, in a release dated August 28, 1958, the Office of Education estimated the number of qualified teachers in 1958–59 at 1,334,800 and the shortage at 132,200. A year later, on August 30, 1959, it reported the number of qualified teachers in the same years (1958–59) to have been 1,400,700 or 65,900 higher than previously estimated. But strangely enough, instead of reducing the shortage correspondingly by 65,900, it increased it retroactively by 49,800—from 132,200 to 182,000. In that very same report (August 30, 1959) in which it raised its estimate of qualified teachers for 1958–59 to 1,400,700, it estimated for the next year, 1959–60, a supply of 1,368,000 qualified teachers, a decline of 32,700. But in the December 1959 issue of its magazine School Life the Office of Education reported that the number of qualified teachers had risen during the same year (between 1958–59 and 1959–60) by 55,200. Thus one report suggests a decline of more than 32,000, another from the same source, an increase of more than 55,000.

When we come to the question of the future supply of teachers the outlook is highly favorable. If the percentage of college students seeking a teaching career merely remains stable over the next decade, the number of newly graduated teachers will almost double. But pupil enrollment will be far less, for as we have pointed out it will be only about 20 percent as compared with 46 percent during the last decade.[13]

Much has been said about the inadequate earnings of the teacher. But these judgments must remain subjective unless they are based on comparisons with earnings of other segments of our population. The figures show that during the past 30 years (1929–59) teachers' salaries have more than kept pace with the other working elements of our population. In that period, teachers' salaries rose by 106 percent as compared to 91 percent for all persons working for wages and salaries and only 73 percent for Federal Government civilian employees. It should also be emphasized that a huge proportion of our public school teachers are women, and all the surveys on the subject have shown that women teachers average higher earnings than other women college graduates or professional workers.[14]

4. CAN STATE AND LOCAL GOVERNMENTS CONTINUE TO FINANCE THE SCHOOLS?

In December 1959, the Department of Health, Education, and Welfare conducted a telegraphic canvass among chief State school officers, 45 of whom replied. Fifteen of the States reported having districts which, although needing additional classrooms, had reached their borrowing limits and had no access to other funds. There were 237 such districts, most of them small, out of a national total of over 40,000—a showing that only one-half of 1 percent of all the school districts in the Nation legally lacked financial means to build needed schools. Despite the heavy burden of Federal taxation, the States and local communities, as we have shown, have done magnificently in meeting their own school needs. The sales of State and local bonds have been at a high level for the past several years, and the overwhelming majority of them are being approved by the votes of the citizens in the States and localities.[15] If the heavy yoke of Federal taxation were eased, there can be no doubt that the States and local community would not only be able, but would be most willing to increase both their taxes and expenditures for all public services including education.

5. INEQUITIES AND INCONSISTENCIES IN THE COMMITTEE BILL

It is plain that, judged by any of the relevant criteria, which we have set forth above, there is no "crisis in education" and no justification for extending the activities of the Central Government into that area as the committee bill would do. But even apart from the lack of need for legislation of this type, the proposed measure is self-contradictory in important respects, inequitable in its allocation of benefits, and in a number of instances fails to achieve the President's stated objective of giving the greatest aid to those who need it most.

The high-income States who will pay the largest shares of the cost of the program and receive the smallest allocations, which in many instances are considerably smaller than the amounts they pay out, are precisely the States in which most of the increase in school enrollment has taken place. The low-income States who will contribute least to financing the program and receive far larger sums in their allocations have had the smallest growth in pupil enrollment. Thus four-fifths of the increase in school enrollment between 1955 and 1970 has and will occur in States with above-average per capita income; but only 6 percent of the enrollment increase will be in the 12 lowest income States.

We need to illustrate only a few of these inequities. According to the Office of Education's 1960 survey, New York State had a net schoolroom need of about 10,200. Texas needed a net of 809. During the 3-year program under the committee bill, New York State, although paying far more than Texas in financing the program, will receive considerably less in allocation although its classroom needs are 12 times as great. Wyoming, according to this same survey, will have a net shortage of 22 classrooms but will receive the relatively enormous allocation of almost $5½ million. And finally, Indiana, which according to the official Office of Education surveys, needed 1,505 classrooms in 1959 and 1,321 in 1960 and which more than kept abreast by scheduling the completion of 2,000 classrooms in 1959–60 and 2,152 more in 1960–61, will get more than $68 million under the committee bill, although it actually has more classrooms than the surveys indicate that it needs. It should be added that the average teacher salary in Indiana is also $370 above the national average.

Thus, it is plain, that the operation of the bill's allocation formula is unfair. It appears to us to have been concocted simply with an eye to the unjust results which it actually would achieve, and with little or no concern for equity and fairness.

---

[8] Paper presented to American Statistical Association on Dec. 30, 1959, by Louis H. Conger, Educational Statistics Branch, Office of Education.

[9] "Staffing and Constructing Public Elementary and Secondary Schools, 1959–69," Department of Health, Education, and Welfare, Jan. 19, 1961.

[10] National Education Association, "Estimates of School Statistics, 1959–60," pp. 10 and 11; U.S. Office of Education, release of Aug. 30, 1959, and earlier releases.

[11] U.S. Department of Commerce, "National Income," 1954 edition; "Survey of Current Business," July 1960.

[12] U.S. Office of Education, "Statistical Summary of Education, 1955–56"; National Education Association, "Estimates of School Statistics, 1960–61."

[13] Office of Education, "Projection of Earned Degrees to 1969–70"; "Staffing and Constructing Public Elementary and Secondary Schools, 1959–69."

[14] Survey of Current Business, July 1960; National Education Association, "Economic Status of Teachers in 1959–60."

[15] U.S. Bureau of the Census, "'Historical Summary of Governmental Finances in the United States"; "Governmental Finances in 1959, 1960."

We would like to make this further comment. The loud fanfares which have accompanied the bill are quite misleading. Many have been led to believe that the bill will add substantially to our educational resources. This is utterly inaccurate. The total amount of aid for public schools which it would provide is about 4 percent of what the States and localities will themselves spend on education during the same period even if they do not increase their own efforts by a single penny. And when we compare this additional 4 percent with the 16 percent by which the States and localities have during the past 5 years exceeded the rate of construction of classrooms asked for by the President for the next 10 years, it becomes apparent that the committee bill will add little to improving our school facilities. But there is no doubt that it will do much to further impair the strength of our constitutional State-Federal system.

Those who speak for the administration in behalf of this bill are equally self-contradictory in its support. Thus, during the interrogation of Secretary Ribicoff when he appeared before the Senate subcommittee to support the administration bill, he admitted that the States and localities had made enormous expenditures for education during the past 10 years. But he insisted that that was precisely what caused the problem requiring Federal educational grants to the States for its solution, and indicated that the States and localities couldn't be expected to continue to maintain such efforts. He said:

"Now you have had the fantastic commitments by the States and the local communities in their State and local debt requirements, their expenditures and the increase of taxes. I think that is the reason why we are here now, because of that large increase in the past decade.[16]

He referred to this increase as "indigestible economically" by many of the localities.

But the committee bill, like the administration bill, specifically provides that as a condition of receiving its benefits in full, the States must maintain, at the very least, their present level of school expenditures, and as we read the bill, they are actually required to increase these expenditures.

It necessarily follows therefore that Secretary Ribicoff's implication that the bill would to some degree relieve the States of the needs for continuing to make the enormous educational efforts of the past few years is quite inaccurate. To the contrary it will add to those burdens if they are to secure the full benefits the bill provides.

Again, Secretary Ribicoff was asked the following question:

"Now, Mr. Secretary, if all the States and local communities were able to finance their own educational development, in other words if the problem were not a financial one, but rather an unwillingness on their part to expand or improve their education facilities to the degree you regard as necessary, would you still favor a program of Federal aid to education?"

The Secretary replied:

"Personally, if I thought that every community and every State could do their own I would not".[17]

Mr. McCLELLAN. Mr. President, I have stated my reasons. My action is not necessarily popular politically. I know that. I knew that last year when I took the position I assumed at that time. But we have listened to a rather stirring appeal in a message from the President of the United States, alerting and acquainting us with world conditions, the problems that we face, and the crisis that has engulfed us. I say there are responsibilities inherent in the bill which belong primarily to the States, and if we are to fight a totalitarian system, let us make our system of State sovereignty work.

The action proposed would tend to tear down our system. In my opinion, the enactment of the bill would do it great damage and irreparable harm.

I conclude by saying that it is time for all of us, in the face of world conditions today, to rise above temporary or immediate political considerations or advantage and try to vote on problems as important as the one before us, in the interest of the security and welfare of our country and the preservation of the liberties of our people.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. WILLIAMS of Delaware. Mr. President, the Senate has before it a bill calling for a program of massive Federal aid to local elementary and secondary education, in which it is proposed that the Federal Government undertake great new responsibilities in an area of our citizens' lives which has traditionally been reserved to the States and local communities. It is on this subject of Federal aid to education that I would like to speak at this time.

I have always taken the position that our education system should be strengthened wherever possible, and as a taxpayer I have been perfectly willing to pay whatever taxes are necessary to support our school system. However, I feel very strongly that public education is something that must continue to be financed and directed by the State and local communities.

There is not a Member of this body who does not agree on the desirability of an improved education system. We are all aware of the tremendous strides that have been made in science in recent years and the vastly growing need for more scientists and engineers. I am sure that we would agree, also, that too many of our youngsters leave school these days without having obtained a good knowledge of such basic subjects as reading, spelling, composition, arithmetic, history, and literature.

There are shortcomings in American education today; that is granted by virtually everyone who has concerned himself with this subject at all. And I am equally certain that the vast majority of our citizens not only recognize that we are not perfect in elementary and secondary education, but agree with the need to move forward and make vitally needed improvements in those areas which are found lacking.

The answer that we hear for these problems, however, has an all too familiar ring about it. It is that we should simply begin another new massive Federal program, pour billions of dollars somewhere, and another problem will be solved. The argument has much appeal to it, but unfortunately the majority of its appeal is purely emotional, not logical.

President Kennedy, in outlining his program for Federal aid to education, used such telling arguments as these:

> The quality of the students depends in large measure on both the quality and the relative quantity of teachers and facilities. * * * Our progress as a nation can be no swifter than our progress in education. * * * The human mind is our fundamental resource.

And so on. Who among us can quarrel with such glowing rhetoric? Every one of those statements by the President is, of course, true. Certainly we want, we need, and I am certain that we shall have, the very best in education for our children.

But where in those high sounding phrases is the basis for the conclusion that is drawn from them? If the quality of our students does in fact depend—as of course it does—on the quality and relative quantity of teachers and facilities, how does one arrive at the conclusion that this requires a massive Federal aid program?

If in fact our progress as a nation can be no swifter than our progress in education—which no one disputes—how can we conclude from that that the only way to attain such a desirable goal is to have the Federal Government do it?

If it is true that the human mind is our fundamental resource, surely this cannot be considered a new discovery. If such is true now, then it has always been true, and it would seem that that fundamental resource has been developed reasonably well up until now without the assistance of the Federal Government.

In his message on education, President Kennedy had this to say:

> Our progress in education over the last generation has been substantial. We are educating a greater proportion of our youth to a higher degree of competency than any other country on earth. One-fourth of our total population is enrolled in our schools and colleges. This year $26 billion will be spent on education alone.

After hearing such a statement from the President of the United States, one would logically think that the States and local communities have, in fact, done a pretty good job, and on the basis of what the President has told us there would clearly be no reason at all for the Federal Government to involve itself in this area in which such fine progress is being made.

But strangely enough, that is not the conclusion that is drawn by the President. He has told us, in effect, that since the States and local communities have done such a good job we must now have the Federal Government expand its already overexpanded field of activity and offer aid to the States.

However, nowhere in all of this confused welter of rhetoric and high-flown phrases is there a single hint of how money from the Federal Treasury will

[16] Public School Assistance Act of 1961, hearings before the Subcommittee on Education of the Committee on Labor and Public Welfare, U.S. Senate, 87th Cong., 1st sess., pp. 159–160.

[17] Ibid, p. 159.

accomplish the new standard of excellence in education.

Some years ago we were being told that the Federal Government simply had to enter the field of elementary and secondary education financing because the States and local communities were not doing enough. There was a huge shortage of classrooms; we did not have enough teachers; teachers were underpaid; and besides the States and local districts did not have enough money—nor could they get it—to correct these shortcomings.

Well, despite the perennial bait of financial assistance from the Federal Government, which would be along at any moment to save us, the people went right ahead and did the job themselves. Testimony before the Education Subcommittee of the Senate Committee on Labor and Public Welfare this year shows that in the past 20 years, while enrollment in our schools increased 56 percent, expenditures rose 642 percent. Our people have spent an ever increasing proportion of the national income for education, despite constantly reiterated statements that it cannot be done.

We are told that there is a serious shortage of classrooms and that, naturally, it will take a massive program of Federal money to solve that problem.

In his message on education, the President told the Congress that a total of 600,000 classrooms must be constructed during the next 10 years. That was the figure used, too, by the Secretary of Health, Education, and Welfare, when he testified before the Education Subcommittee in March. But neither President Kennedy nor Secretary Ribicoff told the Senate how fast we are currently building classrooms. They did not tell the Senate that the States and local communities—without a huge program of Federal aid—are now constructing classrooms at a rate of nearly 70,000 per year, or in excess of the stated need.

Secretary Ribicoff's Office of Education states that we have a current shortage of 142,160 classrooms, but he also states that during the 1960–61 school year 69,553 instruction rooms are scheduled for completion and that during 1959–60 school year a total of 69,400 instruction rooms were completed. At this rate, at the end of the 10-year period we will have 100,000 more classrooms than even recommended by the President. Is it not proper to ask, then, where the emergency is here?

The second major argument in favor of a Federal aid-to-education program concerns both the quantity of teachers and the salaries that they are paid.

But again, let us find out what the progress has been without any Federal aid-to-education program.

The National Education Association, long a proponent of massive Federal intervention in the public school area, states in its publication, Estimates of School Statistics, 1960–61, that the public school instructional staff has increased by 39 percent since the 1953–54 school year, while pupil enrollment has gone up only 29 percent. And while the number of teachers who are teaching without full certificates has increased in absolute numbers during that 7-year period, the percentage increase of 19 percent is markedly below the increase of the overall instructional staff.

The result of this improvement—all without Federal aid—is that the number of pupils for each certified teacher has been reduced from 28.4 in 1953–54 to 26 in 1960–61, a decrease of 2.4 pupils per teacher.

Again, it would seem that the progress being made at the local level is admirable and should not only be allowed to continue, but should be encouraged.

There is another aspect of this teacher-pupil ratio that should be considered, and that is the prospect for the future. The Office of Education indicates that there were 378,000 earned college degrees in 1958–59 and estimates 703,000 for the school year 1968–69, or an expected increase of 82 percent in that 10-year period. At the same time, it is expected that the rate of increase in school enrollment will decline, now that the great bulk of the huge postwar population increase has gone through the schools.

Mr. Roger Freeman, research associate at the Institute for Studies in Federalism, Claremont Men's College, Claremont, Calif., whose intensive studies in the field of education clearly mark him as an expert, told the Senate Education Subcommittee that during the 1950's, the increase in enrollment was 46 percent and in the 1960's, the increase will be only 20 percent. He goes on to say that in the years between 1965 and 1969, the average required increase will be 25,000 teachers, less than half as many as required in the past 5 years.

As I mentioned earlier, we all agree that too many of our teachers may be underpaid, but should we rush headlong into a great new program in which the Federal Government begins to take over the responsibility of paying teachers' salaries?

It would seem that while many teachers are still not receiving as much money as many people feel that they should receive, certainly their rate of increase, particularly in more recent years, has been commendable. It has been accomplished without Federal aid to education, and there is every reason to believe that it would continue in the same direction.

We have heard, too, that the Federal Government must undertake to finance the schools because there are some school districts somewhere which are no longer able to bear the burden. We are being asked to aim a shotgun at a target which, if it actually exists, requires not a broadside, but a pinpoint.

That the States and local communities have done an excellent job in financing elementary and secondary education should by now be evident from the foregoing facts. But perhaps it would be well to pull this all together and see what has been done in total since the beginning of World War II—without Federal aid to education.

Figures released by the Office of Education show that there has been the enormous increase of 642 percent in expenditures for all public and nonpublic schools at all levels between 1940 and 1960. Think of it. An increase in expenditures of 642 percent while enrollment climbed only 57 percent. Can any fair-minded observer call that a lack of effort or of ability? We hear that we are not devoting enough of the national income to education. Maybe not. But education certainly has been consuming an increasing proportion of the national income since the turn of the century. Back in 1890, only 1.4 percent of the national income went for education. By 1960 the figure had more than quadrupled—we are now devoting 6 percent of our national income to education. And even that figure of 6 percent represents a 50-percent increase since 1950, which is the decade during which the greatest and most prolonged cries for Federal aid were heard.

It may next be asked if it is true that certain school districts have reached the point where they can no longer support their school systems adequately. About the only information we have on that score is the hurry-up canvass by telegraph made by the Department of Health, Education, and Welfare in December 1959. That report showed that of more than 40,000 school districts in the Nation, only 237—about one-half of 1 percent of the total—claimed they were in a position where they had no funds and could borrow no more.

A consideration of a State's ability to provide for its own education needs must be explored on at least two other fronts. First of all, is it true that the local communities are failing to provide for their schools? Figures prepared by the Investment Bankers Association of America and supplied to the Education Subcommittee would not bear out that contention. Those figures show that in 1960, 81.4 percent of the value of bond issues placed before the voters of this country were approved at the polls; local citizens last year voted to bond themselves for an additional $1,762,821,000; sales of elementary and secondary school bonds totaled $2,183,870,000 in 1960, an increase of 13 percent over 1959. In addition, sales of such bonds in January 1961, totaled over $305 million, the largest amount of school bonds ever sold in a single month.

Surely these actions cannot be construed as a lack of interest on the part of local citizens. The story is pretty much the same over the past 5 years. With the exception of 1956, each year since that time has seen sales of State and local bonds for all purposes top the $7-billion mark, clearly no indication of an unwillingness on the part of the taxpayers to foot the bill for improvements they consider worthy.

As I pointed out earlier, the proposals for Federal aid to education that are before us carry no distinction between those school districts which may honestly need help and those which obviously do not. If Federal assistance to education in certain areas were being advanced on the premise that those areas of our country, after making every effort possible to support their education systems, were still

unable to uphold our national standards, I would be willing to support Federal assistance in those specific areas. But certainly that is a far cry from any Federal aid to education proposal which has ever been advanced to the Congress or from the one presently pending.

Under the present bill, Federal assistance is granted to every school district in the United States. And that brings me to my second point on which this question of financial need and effort needs to be explored. Many of the States which will receive generous sums under the proposed bill have the ability to do more for their education system than they are presently doing.

For example: the State of Texas, which certainly has some citizens who are financially able to contribute toward the support of their schools, has no individual income tax, no tax on corporations operating in that State, and no general sales tax. Yet Texas, which thus far is not taxing its own citizens, would, under the committee's proposal, receive $58,063,833 per year and in turn would pay into the Federal Treasury only $36,805,000 as its contribution through Federal taxes. In addition, Texas collected $182 million last year in severance tax on oil. This tax in turn is passed on to all gas and oil consumers in the United States. Surely Texas can afford to support its own education system. It should be noted also that Texas has a per capita State gross debt of only $33.94.

On the other hand, our own State of Delaware has the highest per capita gross State debt of any State in the Union—$463.35 per person. Much of this debt represents our endeavor to support our own education system, and, in addition, in Delaware we levy an individual income tax on our citizens, an inheritance tax, and a tax on corporations doing business in the State. Yet under this bill, Delaware would get the second lowest per pupil allotment of any State, or a total of only $1,239,501 per year against which we would pay into the Federal Treasury under the same bill $5,100,000. The extra money which we would be paying into the Treasury would go to support the education systems of Texas and many other States which have thus far been unwilling to levy individual and corporate taxes on their citizens to support their own schools.

As further evidence of the disparity of this bill, I mention the case of the State of Florida. Florida under the committee bill would get an annual payment of $21,923,016. However, the citizens of the State of Florida would pay in through Federal income taxes toward the financing of this bill only $17,508,333. Yet Florida is a State which does not have any State income tax, nor do they have any State inheritance taxes, nor do their corporations pay income taxes.

I fully recognize that it is the business of Texas and Florida alone as to whether or not they impose individual income taxes or corporation taxes. However, it becomes the business of Delaware citizens when those other States, through failure to finance their own education systems, ask other States to help them. As if this were not enough, Florida is circulating attractive booklets to all the residents of the northern States urging that those citizens renounce their citizenship in Delaware, Pennsylvania, et cetera, and establish residence in the great State of Florida, where they will be free from income and inheritance taxes.

As we lose our wealthy citizens, those left must pick up the additional tax load and now, through Federal aid to education are being asked to tax further our remaining citizens to finance the education systems in States which are offering these attractions to our citizens and manufacturing plants.

To point out just how far this Federal aid to education goes in the redistribution of the tax money of the American people, I call attention to the fact that our own neighboring State of Pennsylvania, which surely cannot be classified as one of the poorer States, would, under the committee bill, be getting $16.56 per pupil during the next 3-year period, as compared to $10.59 per Delaware pupil. The State of Pennsylvania is another State which does not have any individual income taxes.

Again I ask why should we levy a further tax upon the citizens of the State of Delaware to finance the education system in Pennsylvania? We are already paying a high rate of State income taxes, a high rate of corporation taxes, and have the highest per capita gross debt of any State in the Union. Yet there are those who want us to burden further the citizens of Delaware with taxes to support the education systems of all these other States.

I wish to touch on one more aspect of this whole matter, Mr. President, and that concerns a point which has perhaps caused as much reluctance to enact such a program before this time as any other single factor. I am referring to the question of Federal control of our schools.

Much has been said on both sides of this question, which in itself demonstrates how deeply the fear of a centralized control of public schools dwells in the minds of the people of this country.

I fully recognize that those who endorse this program of Federal aid to education are trying in the proposed bills to eliminate any element of Federal control. However, the historical record has been that, in every instance in which there has been an element of Federal aid through grants, there has been an element of Federal control. In a test case in 1942, the Supreme Court ruled that not only did Congress have the right to control that which it subsidizes, but that it had a responsibility to exercise control over all expenditures it underwrote.

No stronger argument against a program such as this has been given than that given by the late Senator Robert A. Taft when he said:

> Our schools are one of the few remaining bulwarks of local self-government and community enterprise. They should remain so.

Mr. Taft further stated:

> We cannot give Federal aid to education without the Government controlling education.

Former President Eisenhower, on October 16, 1948, said he was opposed to Federal aid to education:

> So long as there is one single iota of Federal control coming with it * * * and * * * the Federal Government has no right to take tax out of our pockets and then give it back to us without some form of supervision.

A study of the history of many of the dictatorships shows that they expanded their power over the people by first taking control of the education systems. In Germany under Hitler, this worked to the extent that in some instances the children under the doctrines being taught by the state at times turned against their own parents.

Mussolini used the control of the youth as the background of his dictatorship, and in Russia today the children are being taught what the government dictates.

Again, I emphasize that I do not question the motives of this administration or any preceding administration which has endorsed Federal aid to education, but we never know when, at some future date, we may have in the White House a man who would exercise such controls.

I realize that this bill has in it a section which specifically states that there shall be no Federal control over the administration or operation of any school or school system. But who among us is so naive as to believe that an increasing degree of Federal controls will not follow the adoption of such a program?

The fact of the matter is that there are already built-in controls in the bill now before us.

Mr. Roger Freeman, whose testimony before the Senate Education Subcommittee is something that every American who is interested in the future of public education in this country should read, supplied the subcommittee with some interesting and very revealing statements on this question of a national system of education, which would have its beginnings in the passage of this bill.

Mr. Freeman said:

> John A. Hannah, president of Michigan State University, in a speech before the National War College, presented the case for national direction of education on the premise that education must be a primary instrument of national policy.
>
> Harold W. Stoke, president of Queens College, declared that "this is not Federal aid to education; it is the Federal creation of education. * * * Here is no Federal aid to education, here is Federal education for purposes distinctly national. * * *"
>
> Lester S. Vanderwert, dean of the College of Education, Northeastern University, demanded "that the myth of popular control of school programs should be exploded." Presenting a bill of particulars against the locally controlled system, he proposed that national guidelines be developed and control be placed in the hands of professional educators. State boards of education should be retained, but composed of classroom teachers who would have to work closely with a national board.

Van Cleve Morris, of the School of Education, Rutgers University, blamed educational shortcomings on "our historical love affair with what might be called grassroots-ism in American education."

He suggested "a gradual weakening of local autonomy over the school and a gradual emergence of control mechanisms that are not so socially and politically proximate to the educational worker * * * we should hope in the years to come to erect new agencies of control which would oversee the work of the educational profession at a little greater distance than is now the case."

There are more such statements, but these should be sufficient to indicate the trend of thinking of many of our leading educators. Make no mistake about it, they consider this legislation as merely the beginning.

We should perhaps stop before acting on this bill and ask ourselves very seriously whether we are now prepared to make our State governments merely administrative offices of the Federal Government. It is long past time when we should ask what we believe to be the rightful future role of our 50 States. And we may as well be honest with ourselves, for in passing this legislation we would have taken one more great step in the direction of the dissolution of our States as the political entities that we know them to be today.

We are told by the proponents of this legislation that the educational fabric of our Nation needs strengthening. I agree that it does. But, Mr. President, the educational fabric of our country is not only made up of new classrooms, fancy buildings, and higher teachers' salaries, desirable though they may be. These things in and of themselves do not guarantee the education of a child.

It seems to me that the greatest need in our education system today is a strong, burning curiosity on the part of our children. More than anything else, they need to have instilled in them the desire to learn, to seek out for themselves, and to acquire knowledge.

This entire concept of massive infusions of Federal aid is in itself symptomatic of the state of our thinking. How are our children ever to acquire the curiosity essential to increased learning if they are constantly being told that there is no reason for them to do anything? How do they become inventive, from where do they acquire traits of self-reliance and imagination if they are taught to look to Washington for the solution to all their problems?

How can we expect our children to grow up to be intelligent, thinking, reliable adults when we constantly drill into their minds the fallacious doctrine that for anything to be done right it must be done by the Federal Government?

It seems clear to me that the solutions that are proposed to somewhat imaginary problems and the manner in which such action is justified are in themselves the keys to the cause of the problem which is said to exist. So long as we hear pleas for more and more Federal intervention into purely local matters, so long as we continue to move Government further and further from the people of this country, just so long will our educational fabric and individual incentive continue to deteriorate.

Mr. BEALL. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. BEALL. Mr. President, the objectives of S. 1021, as set forth in the Declaration of Purpose, are noble. Certainly, needed school facilities should be constructed and additional teachers that may be needed should be hired. These teachers should be paid adequate salaries.

I am in full accord with those who seek to improve the quality of our educational system. I do not understand, however, why a Federal aid program is necessary to achieve these goals.

We have been told that the States are unable to build the classrooms that will be required in the next decade. We are told that the States are faced with financial difficulties which will make it impossible to hire additional teachers and pay them adequate salaries. Finally, it is suggested—and I quote from the committee report:

That it is essential to the general welfare and security of the United States that the Federal Government promptly undertake to provide an increased share of the national resources for our school systems.

To sum it up, we are asked to believe that the public education system of the United States is faltering—that unless the Federal Government intervenes, we will be faced with an educational depression.

I do not accept these pessimistic predictions. On the contrary, I choose to evaluate the ability of the States on the basis of the available data on past performance.

I will admit that the statistics relating to classroom and teacher shortages are open to question. Yet we must have some basis upon which to justify this program. I shall accept the figures offered by the U.S. Office of Education.

In 1953, the Commissioner of Education reported a shortage of 312,000 classrooms. A year later this estimate rose to 370,000 with predictions that further increases in the classroom shortage were expected. While these statistics were being compiled, the States managed to construct classrooms at an average rate of almost 70,000 per year, thus exceeding the goal set by the Department of Health, Education, and Welfare. By the fall of 1960, the classroom shortage had been reduced to 142,100.

In order to offset this magnificent record, proponents of this bill contend that the States cannot continue to finance the educational needs of the 1960's and therefore Federal aid is essential. Once again, the record reveals otherwise as the taxpayers of America continue to approve school bonds to improve educational facilities. But, even if we accept this contention, this bill offers no relief. In order to receive its full entitlement, each State must maintain a minimum effort based on the average State effort over the three preceding fiscal years.

This simply means that the States must maintain their present level of progress. I believe they will meet their educational needs without the coercion of the Federal Government and notwithstanding the pessimism of those who support this bill.

In staffing our public schools, the States have also proven their ability to proceed without Federal Aid. Since 1900, public school enrollment increased by 140 percent while the number of teachers rose by 250 percent. We now have one teacher per 24.4 pupils whereas in 1900 one teacher served 35.6 pupils. At the same time teachers' salaries have more than kept pace with those of other wage earners. Again, the record fails to justify Federal intervention.

In praising the States for their efforts in meeting the educational needs of the Nation, I take special pride in the progress made in my own State of Maryland. Since 1950, the number of pupils in Maryland public schools has increased by 70 percent while the number of teachers increased by 90 percent. During this same period, teachers' salaries have been increased by 63.8 percent. Maryland's average salary of classroom teachers is now $5,680 per year. Maryland thus ranks 11th in the Nation in the payment of teachers. We are spending $415 per pupil in average daily attendance. This is above the national average and represents an increase of 86.9 percent during the past 10 years.

It has not been easy for Maryland to meet these educational needs. It will not be easy for us to meet future needs. But we are prepared to meet them—that is, if the Federal Government will hold the line and not require Maryland taxpayers to finance a national program which will cost $1 for every 75 cents received from Washington.

I have no illusions that this bill will be defeated nor that it will be improved by the adoption of worthy amendments. Nevertheless, I deem it to be the duty of those who oppose S. 1021 to point out the shortcomings of this bill and support amendments to improve the bill. It has been implied, during the debate, that opponents of the bill should not offer amendments if they are not prepared to support the final product. I sincerely hope that the time will never arrive when any Senator must forfeit his right to amend pending legislation merely because he intends to oppose final passage of the legislation.

Accepting the fact that this bill will pass, I wish to comment on some of the more glaring inequities and shortcomings of S. 1021.

Returning to the declaration of purpose, we find it to be the intent of Congress that "inequalities of educational opportunities within and between States will be substantially reduced." This bill endorses a principle of equal opportunity in education while permitting Federal funds to be used to support segregated schools—an activity clearly in violation of the Constitution.

An amendment to prohibit such use of Federal funds was rejected by the proponents of S. 1021 on the grounds that it was not germane to this bill and that it would jeopardize the benefits which would accrue to the little boys and girls

of America. I would remind the proponents of this bill that there are thousands of Negro boys and girls who are entitled to equal educational opportunities. It is about time that we stop treating the Negro as a problem unrelated to the issues which affect the American people. It is about time that we lay aside the cloak of expediency and give something more than lipservice to those principles which we claim to endorse.

I sincerely believe that government should not do for the people that which the people can do for themselves. I believe that government which is closest to the people is best. For these reasons, I am opposed to shifting the responsibility for educating our youth from the local school districts to the States or the Federal Government.

None of us are so naive as to believe that the program we initiate today will end after the expiration of 3 years. On the contrary, this is just the beginning. As the program progresses, it will be necessary to set additional standards and controls. Ultimately, the Federal Government will assume the responsibility for educating our youth. If I may engage in the game of foretelling the future, I predict that it will not be long before we are asked to approve the establishment of a Department of Education.

I oppose this shift of responsibility. I do not share the lack of faith and trust of those who contend that the parents of America will not demand and provide the best possible education for their children.

Finally, I would address myself to titles II and III of S. 1021, which extend Public Laws 815 and 874. If we are to talk about germaneness, then I submit that these titles have no place in this bill. The impacted areas legislation was not enacted to improve the educational standards of this Nation. Rather, the purpose of these laws is to compensate the States for land taken off the tax rolls by the Federal Government. If not for these Federal activities, this land would represent a lucrative source of revenue far in excess of the payments now being received. I support the continuation of these programs. However, I shall not trade my vote on this issue, important as it may be, for the acceptance of a Federal aid program which I know to be unjustified and inherently wrong.

Federal aid to education is not a new concept. It has come before the Congress periodically since 1871. Each time voices of pessimism warned of the collapse of our educational system. Each time these warnings were proved to be wrong as the States met current needs with positive action. I am confident that the needs of the future will be met by the States with equal determination.

CASTRO'S CIVILIAN PRISONERS

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

Mr. McGEE. I yield to the Senator from Colorado.

Mr. CARROLL. Mr. President, last night there occurred a colloquy on the floor of the Senate between the Senator from Florida [Mr. SMATHERS] and myself about the anti-Castro fighters for whom a private U.S. committee is negotiating to free. During the colloquy I suggested that perhaps in addition to taking whatever action was advisable on the military prisoners, in line with a humanitarian viewpoint we ought to give some thought to the 150,000 political prisoners who now languish in Cuban jails.

It seemed to me at that time, as we were discussing the subject on the floor of the Senate, that whatever action was taken by a private group, more intelligent and effective action could be taken by either a committee of the United Nations or a committee of the Organization of American States or by the International Red Cross or by any other group or mechanism which could help free some of the larger group of people who are being held as political prisoners in the prisons of Cuba.

I read from a New York Times editorial of today, May 25, entitled "Castro's Civilian Prisoners." I will read only a section of the editorial. It is vitally important:

> While international efforts are being made for the release of over 1,200 military prisoners in Cuba, the world must not forget the civilians incarcerated by Premier Fidel Castro's regime.
>
> Newsmen have estimated that 200,000 men and women were rounded up after the unsuccessful landing in April.

Think of that, Mr. President. If the news report is true, 200,000 men and women were rounded up.

> Exiles talk of 5,000 persons penned in a 150-seat theater in Havana, 19 dying the first day. Relatives in many cases have been unable to learn whether vanished kin are in custody. Only slowly have any of those confined in the latest roundup been winning release. Other political prisoners are reported to have been held without trial for months. Summary executions have been rumored.
>
> There was a time when Fidel Castro was himself a rebel against the Fulgencio Batista government.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the colloquy which occurred on the floor of the Senate between the Senator from Florida and myself.

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

Mr. CARROLL. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. Mr. President, I do not have the floor.

Mr. GOLDWATER. Mr. President, I have the floor; and I ask unanimous consent that the colloquy may continue, but that time required for it be not charged to the time available to either side, under the unanimous-consent agreement.

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

Mr. CARROLL. Mr. President, this is a very important subject. I know the able Senator from Florida has studied it very carefully. Will he inform us as nearly as he is able to, based on what he has been able to learn from the press and in other ways, how many prisoners are being held in Cuba, today, by Castro?

Mr. SMATHERS. Over and above the so-called freedom fighters?

Mr. CARROLL. Yes, the 1,200.

Mr. SMATHERS. Over and above the 1,271, my information is—although I cannot vouch for its authenticity—that in the neighborhood of 100,000 people are being held.

Mr. CARROLL. A few days ago I read in the newspapers that the estimated number was 147,000. However, whether it be 100,000 or 50,000——

Mr. SMATHERS. The information is that on the night of the revolution, Castro picked up 147,000 or 157,000. Since then, approximately 50,000 have been released; but 100,000 are still incarcerated in theaters and in pens of all kinds, under the most terrible conditions imaginable.

Mr. CARROLL. In order to be conservative, let us say that the number still held by Castro is only 50,000. But regardless of the exact number of prisoners Castro still holds, certainly the negotiations are most important, for they involve thousands of people. So if the Government of the United States has to negotiate on this basis, let the negotiations be across the board.

Mr. SMATHERS. I do not disagree with the Senator. I merely say I do not think the Government, itself, is in a position to become involved in this particular matter. The whole burden of what I was trying to say is that citizens' groups do a much more effective job. I understand the Government has taken no particular position with respect to this question, and I hope that will continue to be the case; but I agree that we ought to try to have every prisoner in Cuba released, and, for that matter, anywhere else. There are three boys in Ecuador who need to be released.

Mr. CARROLL. Would the Senator not say that, if we are to negotiate for 1,271 prisoners, we should talk about all the people who are now in prisons, whether it be done by private groups, or by a commission of the Government, or by the U.S. Government?

Mr. SMATHERS. I could not disagree with the Senator. Certainly, we want to see that all people who are incarcerated wrongly are freed. Certainly, there are some in Cuba. Certainly, if we are to try to free 1,200, we ought to try to free more. Certainly, we should try to free Cuba. Certainly, we should try to get rid of communism there.

Mr. CARROLL. Emphasis has been placed on some 1,200 people. Some persons call it a ransom, some call it backmail, to exchange machines for men. What about the thousands who languish in the jails of Cuba? It seems to me, they also represent a proper basis for negotiation.

Mr. SMATHERS. The Senator is correct.

Mr. CARROLL. Mr. President, I ask unanimous consent that the entire editorial which appeared in the New York Times may be printed in the RECORD at this point in my remarks.

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

CASTRO'S CIVILIAN PRISONERS

While international efforts are being made for the release or over 1,200 military prisoners in Cuba, the world must not forget the civilians incarcerated by Premier Fidel Castro's regime.

Newsmen have estimated that 200,000 men and women were rounded up after the unsuccessful landing in April. Exiles talk of 5,000 persons penned in a 150-seat theater in Havana, 19 dying the first day. Relatives in many cases have been unable to learn whether vanished kin are in custody. Only slowly have any of those confined in the latest roundup been winning release. Other political prisoners are reported to have been

held without trial for months. Summary executions have been rumored.

There was a time when Fidel Castro was himself a rebel against the Fulgencio Batista government.

Then Dr. Castro was declaring in a broadcast of August 21, 1958: "The victories we have won in arms, without murdering, torturing, or even questioning the enemy, show that attacking human dignity can never be justified."

Then he was arguing: "If in any war cruelty is stupid, it never is so much so as in a civil war, where the fighters will have to live together some day and the victors will find themselves before the children, wives, and mothers of the victims."

Then he was insisting: "The example that our combatants are giving must be held up as an edifying stimulus for our future generations, as against the shameful and depressing examples given by the murderers and torturers of the dictatorship."

In those rebel days, Fidel Castro was calling for the International Committee of the Red Cross to take over prisoners and to provide medicines. He was proud that on July 24, 1958, his rebels had released 253 captured Batista troops to an International Red Cross delegate, and 169 more to the Cuban Red Cross a few days later.

This would be the time once again to invoke the International Red Cross—or an inter-American governmental committee or a United Nations mission—to alleviate conditions of detainees, to report lists to families, to press for respect for the universal declaration of human rights.

Article 9 of that declaration states: "No one shall be subjected to arbitrary arrest, detention, or exile." Article 10 says: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

This should be a cause for the United States and the governments of the Western Hemisphere, in particular, as well as for those governments that sought so ardently for human rights for the late Premier Patrice Lumumba of the Congo. If Dr. Castro should see fit to regard the International Red Cross in the same humanitarian light as he did his own revolt, it would be an advance for human rights—and for Cuba.

Mr. CARROLL. I wish to read again briefly from the editorial. After outlining three or four important factors, it states:

This would be the time once again to invoke the international Red Cross—or an inter-American governmental committee or a United Nations mission—to alleviate conditions of detainees, to report lists to families, to press for respect for the universal declaration of human rights.

Article 9 of the declaration states: "No one shall be subjected to arbitrary arrest, detention, or exile." Article 10 says: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

I do not profess to be an expert in these matters, but it seems to me that the purport of the editorial and the discussion we had the other night is nothing more than the application of commonsense. The President said that he looks upon these men as brothers. Are the 150,000 people who languish in jails anything less than our brothers and sisters?

Therefore, when we talk about this private group functioning, I say let them go ahead. Let them exchange tractors. However, I advocate we take an additional step, but not by private groups. I advocate that through the Organization of American States or through the United Nations or through an international organization like the Red Cross, an immediate, continuing and unrelenting effort be made to free the 150,000 civilian prisoners who languish in jails in Cuba. Let us hear an answer from Castro on this to the people of Latin America. Let him attempt to answer it to the peoples of the world.

THE PRESIDENT'S ADDRESS

Mr. MANSFIELD. Mr. President, will the Senator from Wyoming yield, with the understanding that he will not lose his right to the floor?

Mr. McGEE. I yield.

Mr. MANSFIELD. Mr. President, I wish at this time to make only two comments on the President's message. The first is to remark on the extraordinary range of subjects which he discussed. There is scarcely an aspect of our national security that did not receive attention in the course of his address; yet no one could say that his remarks were disparate or unrelated to a sense of the totality of the struggle that faces us.

I can recall few speeches in the past decades that have more clearly and forcefully demonstrated the complexity of the issues before us, or the interdependence of our foreign and domestic responsibilities.

My second comment is that the President showed throughout his address his profound sense of optimism that we can expect to meet the great changes before us. I share his optimism, and I honor him for his faith in Congress and in the American people. He has presented us the picture as he sees it, and he has laid before us a program by which we can act responsibly, as befits a leader of the Western World.

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. MANSFIELD. Mr. President, this is a proud and hopeful moment for those who have supported education legislation in the past decade. On occasion, during this period, it has appeared that Congress might agree on a bill to assist American public schools in their struggle to provide a first-class education for our rapidly expanding school-age population; but a variety of obstacles, including the threat of a Presidential veto, has prevented its enactment.

No doubt, difficulties are still in the way and much work needs to be done before the bill can be sent to the White House. But for the first time the prospects of accomplishment are bright. There is broad and vigorous support for the bill in both Houses, and the President of the United States has long since identified an aid-to-education bill as a vital part of his program for America.

I think it is appropriate for me now to commend the work of those who have brought the bill to fruition in the Senate. Few matters come before this body which arouse as many controversies, both general and particular, as does an aid-to-education bill.

Feelings run deep, as indeed they should, when the Senate deals with so fundamental a part of the national life. It is therefore necessary that the leadership and floor management of the bill be in the hands of Senators who have examined every aspect of Federal aid to education, who are familiar with alternative proposals, and who can articulate the committee's position fairly and thoroughly. I believe every Senator, whether he supports or opposes the bill, can agree that such leadership was offered by the able Senator from Oregon [Mr. MORSE] during the debate on S. 1021.

In fact, it is my opinion that the management of the bill by the senior Senator from Oregon was among the most effective, enlightened, and fair in recent Senate history. He was indefatigable; he was obliging; and he gave us a standard of sheer competence that is in the highest traditions of Senate debate. We have long known the Senator from Oregon as an astute and resourceful advocate for humane causes, but his performance in leading the fight for an aid-to-education bill, both in his subcommittee and on the Senate floor, set a new mark of excellence. I take this opportunity to express my very deep gratitude and admiration for him.

Of course, he did not do the job alone; he had with him, on his subcommittee, a group of able and dedicated Senators who devoted long hours to the disposition of this infinitely complicated matter. He had the great chairman of the full committee, an unwavering friend of American education, the Senator from Alabama [Mr. HILL], the Senator from Michigan [Mr. MCNAMARA], the Senator from Texas [Mr. YARBOROUGH], the Senator from Pennsylvania [Mr. CLARK], and the Senator from West Virginia [Mr. RANDOLPH], all of them veterans of the long campaign to shore up our elementary and secondary schools, all of them willing and able to undertake the challenge once again.

They were ably aided by the Senator from New Jersey [Mr. WILLIAMS], the Senator from North Dakota [Mr. BURDICK], the Senator from Massachusetts [Mr. SMITH], and the Senator from Rhode Island [Mr. PELL], all of whom did their full share in bringing this proposal through the committee and the Senate.

I desire to commend, as well, the minority members of the subcommittee, the Senator from New Jersey [Mr. CASE], the Senator from New York [Mr. JAVITS], and the Senator from Arizona [Mr. GOLDWATER]. The Senator from Arizona, although he profoundly disagreed with the philosophy behind S. 1021, was never an obstructionist during its consideration.

Also, great credit for their understanding should go to the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], and the distinguished junior Senator from Vermont [Mr. PROUTY], both of whom made great contributions to the progress of the bill.

I wish to interject a personal note in these commendations, Mr. President. It is a source of profound satisfaction to me that I am associated with LEE METCALF in representing the State of Montana.

I do not believe there is an abler or more diligent Member of the Senate. I know there is no one who has given more of himself to the passage of an education bill. His counsel and friendship have been invaluable to me.

Finally, Mr. President, I express my appreciation for the excellent staff work that has been evident throughout this debate—particularly to John Forsythe and Charles Lee of the committee staff, to Benjamin Read of Senator CLARK'S staff, to Michael Bernstein and Roy Hurley of the minority staff, and to the HEW consultants who have been unfailingly helpful to the committee and the Senate.

Again I extend my thanks and appreciation not only to the distinguished senior Senator from Oregon and the members of his subcommittee and the full committee, but also to all Senators who participated in the debate. They were cooperative. They did what they could, in spite of their personal feelings, to bring about the passage of the bill. It is because of this collective action and collective understanding that shortly the Senate will be able to vote on its passage.

Mr. BIBLE. Mr. President, I associate myself with the majority leader's words of commendation concerning those who were associated with the consideration of the bill, and in particular with his tribute to the distinguished Senator from Oregon [Mr. MORSE] for his able management of a most difficult bill, and the adroit, skillful, and patient way in which he guided it to the point where it is now ready for passage.

I desire to express my support of S. 1021 with particular reference to the alleged risk of Federal control. To me, the most significant and practical indicator respecting the likelihood of Federal control is the history of the operation in my own State of Public Laws 815 and 874, providing assistance for public school operating expenses and construction in federally impacted areas.

Nevada has had Federal assistance to individual school districts for 11 years. More than $12 million of Federal funds have been administered to districts in the State under these programs, more than half of this amount being used for teachers' salaries and the rest for operating expenses.

I have been unable to find a single instance over this period of Federal domination, interference, or control, a fear voiced by some Senators during the debate on the bill. This is true in spite of the fact that under the federally impacted area programs the Office of Education deals directly with local school districts. I have spoken particularly with those in authority in the school systems of my State relative to the effects of the bill on their operations.

It seems to me important to recognize that under the program proposed in S. 1021, the Federal grants would be made to State education agencies and by them to local school districts. There will be no direct dealings by the Federal Government with local school districts, under the bill.

However, under Public Law 815 and Public Law 874, the federally impacted areas laws, there have been no problems arise in my State of Nevada—nor in any other State so far as I have been informed, insofar as improper Federal domination, dictation, or unwarranted control.

Public Laws 815 and 874 both contain provisions similar to that of section 103 of the present bill, prohibiting the exercise of any Federal direction over local personnel, curriculum, or programs of instruction in the administration of the grants authorized. I see no provision or circumstance in connection with the present bill which would make this injunction any less effective in the proposed general public school support program than it has been in the program for school assistance to federally affected school districts over the past 11 years.

Therefore, Mr. President, I shall give the bill my support, and trust that Congress will adopt it. However, I shall watch closely its administration should final enactment be carried out, to assure that Federal domination and control will not infringe on the time-honored prerogative of sovereign States over local control of personnel, curriculum, or programs of instruction.

Mr. HUMPHREY. Mr. President, I rise in support of the School Assistance Act of 1961, S. 1021, the Federal aid to education legislation, as approved in the Senate Labor and Public Welfare Committee by a vote of 12 to 2, and now under final consideration here in the Senate. I am pleased to be a cosponsor of the measure, and to be present in the Senate when this important bill will be overwhelmingly approved by the Senate.

There is widespread agreement among all Americans on the vital need to provide the very best possible education for our young people. In my own travels around Minnesota and throughout the Nation, I have heard again and again about the financial troubles of school systems which are simply unable to cope with the demands of their communities for topnotch education at the primary school and secondary school levels.

Yesterday I cited for the record one of the reasons why I favored the proposed legislation. My statement appears on page 8710 of the RECORD. I had read an article published in the Washington Post concerning 10 straight A, high school students who were graduating with honors. Of the 10, only 1 signified a willingness or a desire to be a teacher. The remainder gave as their reasons for not selecting the teaching profession the inadequate income of that profession.

The President's message today on the space program surely emphasizes the importance of this legislation. We cannot have a program of expanded activity in the scientific field of outer space exploration without improving the basic structure of our elementary school and secondary school education. It is ridiculous to talk about spending billions of dollars for space research unless we are able to provide from our society the scientists and the technicians that such research requires.

Mr. President, we have also heard a great deal about sacrifice. I call attention to some figures which will show whether we are sacrificing for education.

Mr. President, in the period 1959–60, the most recent period for which we have complete statistics, the total spending in our country on both public and private elementary schools and secondary schools was $18,315 million. It is estimated that in 1960–61 that total will be approximately $20 billion.

In 1959–60—the most recent period for which we have complete figures of this sort—the total expenditures on alcohol, tobacco, cosmetics, and movies came to $20,600 million. Thus, it now is evident that we spent $2,285 million more for alcohol, cosmetics, tobacco, and motion pictures than we spent on all public, private, and parochial schools in our country. So, Mr. President, let no one tell me that under those conditions we are sacrificing for education.

To be exact, we spent $9,600 million on alcohol, $7 billion on tobacco, and $2,700 million on cosmetics—$9,600 million on alcohol, in an attempt to make us feel better than we really do; $7 billion on tobacco, in an attempt to tranquilize our nerves; and $2,700 million on cosmetics, in an effort to look better.

I suggest that a little improvement of the mind might be in order, in addition to the expenditures made for the items to which I have just now referred.

LOCAL EFFORTS FOR SCHOOLS

Our States and local school districts have made valiant efforts to improve the education available to America's young people.

Our States and local school districts have struggled valiantly to raise the money needed to build better schools, to expand existing schools, and to raise teachers' salaries to levels in keeping with their professional work and their responsibilities.

But already many of these States and local communities have exhausted the limited revenue available to them for support of their schools. The taxing power of these communities is generally limited to the property tax.

Unfortunately, revenue from the property tax fails to rise as rapidly as a community's population and income rise. Furthermore, the property tax is regressive. The burden of this tax is greater on low- and middle-income families than it is on their wealthier neighbor.

At present, approximately 56 percent of all funds for education come from local communities, about 40 percent comes from the States, and only 4 percent comes from the Federal Government.

I should also like to point out that Federal tax revenues have increased 85 percent since 1945, but State and local tax revenues have risen more than 220 percent.

LOCAL DEBT RISES

From 1946 to 1959, the Federal debt rose only 6 percent, while the indebtedness of the States and local communities rose 300 percent.

These figures make it only too clear that our States and local school districts have tried hard to keep up with the growing demands put upon them since the end of World War II. They have often gotten themselves into serious financial trouble in order to meet the educational needs of America's children. Many school districts are at their bonded debt limit. They cannot borrow money to build classrooms or to improve their existing facilities, and their income is limited by the rigid property tax base.

FEDERAL SCHOOL AID NEEDED

The Federal Government has a far more flexible and equitable tax base in personal and corporate income. Therefore, Federal aid to education will help shift the financing of education to a more reasonable and equitable basis.

It will relate school financing more closely to a basic principle of our tax system, the principle that the tax burden should be distributed, so far as possible, in accordance with the ability to pay taxes.

In view of the superior tax resources of the Federal Government, there is no question that Federal aid is the best source for the money needed to help in ending our long-continued school crisis of overcrowded classrooms and underpaid teachers.

Our democracy depends on the existence of a well educated, well informed citizenry; and we would need better educated citizens—better trained teachers, scientists, engineers, artists, businessmen, skilled workers, and civic leaders—even if our democratic way of life were not threatened by aggressive communism.

To produce citizens mentally equipped to meet the social and technological challenges of the space age, we need outstanding, well-paid teachers and well-equipped classrooms, libraries, laboratories, and health facilities in every school community throughout our country.

OVERCROWDED CLASSROOMS

At the beginning of the current school year, more than 36 million children were enrolled in America's public elementary and secondary schools with a combined classroom teaching staff of some 1,400,000 teachers.

But almost 2 million of these children are trying to get their education in schools and classrooms crowded beyond normal capacity. In spite of continuing classroom construction financed at the local level, we are still short more than 140,000 classrooms.

And the shortage of qualified teachers will continue until there is a decent beginning salary and reasonable expectation for better salaries for all schoolteachers. A 1958 survey showed the average salary for engineers was $9,647, but the average salary for teachers was only $4,827. After 10 years, the engineer is getting 67 percent more than his starting salary, but the teacher, after 10 years, is getting only 49 percent more than his starting salary.

TEACHERS SUBSIDIZE SCHOOLS

I do not know how we expect to recruit men and women for the teaching profession if this situation continues. Certainly it is unfair to compel America's dedicated, hard-working schoolteachers to subsidize our educational system by consistently paying them less than they deserve and could easily get in another line of work.

As a cosponsor of S. 1021, I endorse enthusiastically this revised version. It has been carefully worked out after public hearings and most detailed study in the committee.

OUTLINE OF THE BILL

Let me outline briefly the main features of this bill.

Federal grants totaling $850 million a year are authorized for payments to the States. The States could then use these funds to help build public school facilities, to help pay teachers' salaries, and for special demonstration or experimental education projects approved by the State education agencies.

The allotment of Federal funds among the States follows an equalization formula based on the relative number of children aged 5 to 17 and on relative income per school-age child. This is basically the same formula approved by the Senate last year when we passed a similar Federal aid-to-education program

The bill is designed to make sure that State and local support for public school financing will be maintained by providing for a reduction in the second and third year of the allotment for any State which fails to keep up its school support effort.

PUBLIC LAWS 815 AND 874

Unlike the original version of S. 1021, the present version wisely provides for a 3-year extension of Public Laws 815 and 874, the existing programs of Federal aid to education in federally impacted school districts overburdened by children of military personnel or defense workers.

However, the Commissioner of Education is directed to prepare a report for Congress by January 1, 1963, on the relation between payments under title I of this measure and payments under Public Law 815 and Public Law 874.

The aid to impacted school districts program has been an outstanding success during the past 10 years, and the revised version of S. 1021 very properly continues this program pending a determination of its role within the general program of Federal aid to education. Since the beginning of this program in 1950, Congress has appropriated $1,825 million, almost $2 billion, through fiscal 1961, and this money has been spent wisely and well for construction and maintenance in crowded schools near defense plants or military posts.

I have always had a deep interest in the program of Federal aid to impacted school districts, for it was my privilege to sponsor this legislation in the Senate and to serve as chairman of the Subcommittee on School Construction during the 81st Congress. The contribution to school construction and maintenance under Public Law 815 and Public Law 874 has been most gratifying to me.

MINNESOTA BENEFITS

Assuming appropriation of the full amount authorized, Minnesota would get $18,395,829 for fiscal 1962—an average of $20.67 per school age child, or about $2 more than the national average of $18.54 per school age child.

FEDERAL CONTROL PROHIBITED

Finally, Mr. President, I wish to comment on the provision in this legislation which specifically prohibits Federal control. Here is the language in section 103:

> In the administration of this title, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

There has not been the slightest hint of Federal control over the school districts which have participated in the aid to impacted areas program, and I am confident that we shall find that the same situation will prevail under the program authorized by the pending legislation.

The program we have before us in the pending legislation is long overdue and is far from overgenerous.

Let us hope this effort at the national level will evoke enthusiasm and action at the State and local level to expand teaching facilities, to raise teachers' salaries, and generally to upgrade the quality of American elementary and high school education.

Finally, Mr. President, let me repeat that, in my opinion, this program can and will be administered without any Federal interference. Throughout the debate we have cited Public Law 874 and Public Law 815 as classic examples of what can be done without interference.

In addition, I desire to commend the Senator from Oregon [Mr. MORSE] for his outstanding leadership and management in connection with this bill.

I also wish to commend each and every member of the Senate Committee on Labor and Public Welfare; and permit me also to commend, in particular, the junior Senator from Montana [Mr. METCALF], who is now our Presiding Officer, just as I certainly wish to commend, also, in all sincerity, the senior Senator from Montana [Mr. MANSFIELD], the majority leader, who has done so much to put this bill through the Senate.

The efforts of the chairman of the committee, the Senator from Alabama [Mr. HILL], the efforts of the chairman of the subcommittee, the Senator from Oregon [Mr. MORSE], and the efforts of the subcommittee and the majority leader, are all worthy of our highest commendation.

ACTIVITIES IN THE SOUTHERN STATES

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

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

Mr. EASTLAND. I must ask the Senator from Pennsylvania to excuse me, for I have two speeches to make. Thereafter, I shall be glad to yield.

The PRESIDING OFFICER. The Senator from Mississippi declines to yield at this time.

Mr. EASTLAND. Mr. President, the agent provocateurs who have descended upon the Southern States in the name of "peace riders" were sent for the sole purpose of stirring up discord, strife, and violence. "Peace riders" is a revered Communist term, an old Communist technique. The movement was masterminded and directed by an organization known as the Congress of Racial Equality, called CORE. This organization is the war department of those who sell hate, collect donations, and sow the seeds of discord in this country. Since its inception, its creed has been lawlessness and its tactics have followed the pattern set by Communist agitators the world over.

Prior to the sit-in demonstrations that started in the Southern States in 1960, CORE confined its activities to cities in the North and border States, and received little public notice. With the advent of the lawless sit-in, it moved in and took over the direction of the whole movement. Steve Allen signed a recent fund raising letter given wide circulation by CORE; and in it he said, in part:

> How did the sit-ins, first tried by CORE in 1942 and used every year since, suddenly become southwide? How do the students think of their movement? To give you a personal, first-hand understanding I am enclosing a copy of "Sit-ins: the Students Report," with a foreword by Lillian Smith and six student articles from representative movements across the South.

In my judgment, one of its objectives is to manufacture incidents, and thus raise money, from the dupes, for the international Communist conspiracy.

The booklet attached to the letter contains the maudlin stories of the student trespassers that were trained by CORE, and were arrested in various cities in the South when they violated the law by trespassing on private property. As Allen points out, the foreword of the pamphlet is written by Lillian Smith, the leading white Southern integrationist, a member of the advisory committee of CORE, and the author of the most abominable book written in the 20th century, the miscegenation novel "Strange Fruit." Lillian Smith has also been associated with numerous organizations and activities cited as being Communist or Communist fronts.

I submit that when a person belongs to a large number of Communist-front organizations that follow the policies of the international Communist conspiracy, that person is aiding and abetting the Communist movement in the world—a movement which, if not halted, will result in a blood bath in our own country, because the United States will fight, if necessary, in order to prevent Communist domination of our country.

The "freedom ride" planned by CORE, and commenced in Washington on May 4, was the master effort of this organization. I have been informed that it was devised deliberately as a prelude to various high-level meetings in Europe, as a propaganda method to embarrass the Government of the United States in the handling of international affairs. Certainly those participating in the ride have been guilty of such practices of embarrassment, many times in the past.

Long before the bus reached Alabama, certain members thereon were involved in instances of violence. The Washington Evening Star of Monday, May 15, 1961, reports that at Rock Hill, S.C., two men were beaten, and that one of them was Albert Bigelow, 55, the former Navy captain who ran afoul of the law when he attempted to sail a ketch into the Pacific Ocean Lucifer Testing Area, in 1958, to protest the nuclear bomb test. The same news story reports that a day later, at Winnsboro, S.C., one Thomas, a Howard University student, and James Peck, 47, of New York City, were charged with trespassing when they attempted to eat at a roadside restaurant. Strange as it may seem, this selfsame Peck was also aboard the ketch in the Pacific Ocean when it ran afoul of the law attempting to sail into the nuclear testing area in 1958. Peck was the first "hero" of the "freedom ride." He came back from Birmingham parading the bandages and stitches received in the altercation that took place at the bus station.

It must be admitted that this is the closest that Peck ever came to "warfare" of any kind. According to a recent news story in the New York Herald Tribune, in World War II, when Peck was called up in the draft, he declared himself a conscientious objector. Unlike most conscientious objectors at that time, he would not become a medic, nor would he agree to take part in other noncombat activities connected with the military. As a result, he spent 3 years in the Federal prison at Danbury, Conn. He first became associated with the Congress of Racial Equality in 1946.

The Herald Tribune's story reports that in 1949 Peck chained himself to a railing in the White House and staged a sitdown strike, which was ended by Secret Service agents.

Peck was arrested in Nevada in 1957, along with others, for trying to force their way through the gate of an Atomic Energy Commission proving ground, allegedly in the cause of pacifism.

The next year Peck was again under arrest, this time as a member of the crew of the ketch previously mentioned in the nuclear testing area of the Pacific.

There are strong indications that Peck was associated with the Committee for Nonviolent Action, which conducted demonstrations against the Polaris building shipyards of the Electric Boat Co. in Groton, Conn.

Mr. President, do I have to say more to show that this man, the leader of CORE, is disloyal to his country? Well, I am going to give more.

Back on August 31, 1947, Peck was arrested at Cliffside Park, N.J., and charged with disorderly conduct. In July and August of that year he was active in demonstrations charging racial discrimination at Palisades Park and Cliffside Park, N.J.

The Communist paper Peoples' World of July 23, 1960, reports that a certain Jim Peck was scheduled to lead a 2-day conference of opponents of the death penalty in the Chessman case.

While the current letterheads of CORE do not carry the name of James Peck, reference to those used in 1956 indicate that his title was "editor" of a publication called Corelator, which was the official publication of this organization.

Mr. President, in my judgment, this man is a Communist agitator and organizer of the most dangerous kind.

CORE could not rely on "student trainees" for the master "freedom ride." Its core were its own agent provocateurs with the longest possible record of experience in activities inimical to the security and welfare of the United States.

Mr. President, it is incredible that the American people can be humbugged and deceived by an organization such as this.

I have another letter mailed by CORE on February 16, 1956. It describes what I mentioned at the outset in regard to CORE's original activities in northern and border cities in this language. It reads:

> In the cities where CORE has operated, advances toward integration have occurred. In recent years, the border cities, St. Louis and Baltimore, have seen dramatic CORE victories. The method works. When I first joined CORE's advisory committee years ago, I could not have foretold that the ratio of success to failure would be so high.

This letter is signed by one A. J. Muste, who is still active on the advisory committee of CORE. Who is A. J. Muste?

In 1957 A. J. Muste got up a delegation for the purpose of observing the procedures of the Communist Party's 16th National Convention on February 9 to 12. J. Edgar Hoover said:

> The Communists boasted of having impartial observers cover the convention. However, most of these so-called impartial observers were handpicked before the convention started and were reportedly headed by A. J. Muste, who has long fronted for Communists. * * * Muste's report on the convention was biased, as could be expected.

Those are the words of the great Director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover. Who wants further proof of the Communist origin of this group that wants to plant discord in this country on the very eve of international conferences which mean so much to the welfare of future generations of Americans?

Muste has been connected or associated with no less than 32 Communist-front organizations or activities. A more complete story of his relation to

banning nuclear weapons tests and his activities in relationship to the Communist conspiracy will be found in material which I shall ask to have printed in the RECORD. If the American people had to depend on pacifists like Peck and Muste for the defense and security of this country, there would be no country—only a Russian satellite.

Mr. President, in further examining the individuals who make up the advisory committee of the "War Department for Racial Agitation," we find a close interrelationship to the NAACP. Allen Knight Chalmers, longtime national treasurer and member of the board of directors of the NAACP, is on the advisory committee of CORE. A report of the House Un-American Activities Committee on Chalmers' connections with organizations or activities connected with the Communist conspiracy is included, and I ask unanimous consent that several inserts bearing on this subject may be made a part of the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. EASTLAND. Mr. President, Dr. Algernon D. Black, longtime member of the national board of directors of the NAACP, is also a member of the advisory committee of CORE. Dr. Black's record, as revealed by the House Un-American Activities Committee, is replete with connections in organizations and activities connected with the Communist conspiracy. The long record of Dr. Algernon D. Black, is revealed by the records of the House Un-American Activities Committee.

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

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

(See exhibit 2.)

Mr. EASTLAND. Mr. President, Earl B. Dickerson, onetime national vice president and a member of the national legal committee of the NAACP, is also listed as a member of the advisory committee of CORE. The long record of Earl Dickerson's affiliation with Communists or Communist-front activities is available from official sources. I ask unanimous consent that this record be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 3.)

Mr. EASTLAND. Mr. President, A. Phillip Randolph, longtime vice president of the NAACP, is also a member of the advisory committee of CORE. Randolph's record, as revealed by the records of the House Un-American Activities Committee, is also available from official records. I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 4.)

Mr. EASTLAND. This list, Mr. President, is sufficient to illustrate the nature of the interlocking directorate and that the interlockers have also been connected with many organizations and groups other than CORE and the Communist movement.

Mr. President, it is interesting to compare the advisory committee of CORE as it existed in 1956 and its makeup in 1960 and 1961. As long as CORE was confining its activities to northern and border cities, it is a fair inference that certain classes of agitators were indifferent to its operation. When it moved into the South, Martin Luther King and Ralph Abernathy, the two preachers who have been in the forefront in agitating violence against the white people, joined hands with the masterminds of CORE in organizing the freedom riders and became members of CORE's advisory committee. One might say that Martin Luther King took over where CORE left off—or has CORE left off? At least King attempts to claim credit for the organization of parties for the subsequent buses.

Martin Luther King and Abernathy are one of a kind with the so-called Reverend Elton Cox, one of the original freedom riders. He is the person who, when arriving in New Orleans, called for "marry-ins—racial intermarriage—because love is colorblind anyway." Mr. President, no language on earth is more intended to incite and foment violence in Southern areas, or in any area, than is this.

James Peck held a press conference at the office of Charles S. Zimmerman, vice president of the International Ladies' Garment Workers Union, 218 West 40th Street, when he returned from Birmingham. Also present at that press conference was Henry Thomas, the 19-year-old Negro boy who was arrested with Peck at Winnsboro, S.C., charged with trespassing when they attempted to eat at a roadside restaurant. Charles S. Zimmerman is a member of the advisory committee of CORE. The record of Charles Zimmerman's association with Communist-front activities will appear at a later point in my remarks.

Mr. President, I ask unanimous consent that the record be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 5.)

Mr. EASTLAND. Mr. President, since CORE has started directing its operations into the southern areas of the United States, other leaders in organized labor have joined the directorate of CORE. Foremost among these is Walter P. Reuther. Reuther has spent years trying to obtain respectability since those days in 1934 when he and his brother worked in an industrial plant in Russia. The words that they transmitted back to the United States in a letter which appeared in the August 14, 1948, issue of the Saturday Evening Post are well worth repeating today. The letter ended with the statement:

> Carry on the fight for a Soviet America.

Mr. President, that is what CORE is doing today. It is carrying on the fight for a Soviet America.

The portions of the letter as appearing in the CONGRESSIONAL RECORD of August 2, 1955, will be attached at the end of my remarks, along with a report of the House Un-American Activities Committee in regard to Reuther's association and affiliations with Communist or Communist-front activities in the United States.

Mr. President, I ask unanimous consent that the portions of the letter and the report be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 6.)

Mr. EASTLAND. Mr. President, other members of the advisory committee of CORE who have been listed at one time or another as being connected with front organizations of various kinds and character are: Roger N. Baldwin, Lillian Smith, Ronald B. Gittelsohn, Ira DeA. Reid, and Goodwin Watson.

I ask unanimous consent, Mr. President, that the record of their association with Communist-front activities be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 7.)

Mr. EASTLAND. Mr. President, is any further proof necessary to establish that the "freedom riders" have been sent into the South with the deliberate intent of fomenting and provoking violations of the laws of the States which they intended to visit and did visit? If these be pacifists, it is a tragic commentary on our times that the Governors of Alabama and Mississippi have to call out the 31st National Guard Division, members of which have been in the forefront in sacrificing their lives in the valiant defense of this country in Korea, in World War II and in World War I, to defend—and protect—these self-proclaimed pacifists from violence. No area on the face of the earth has more demonstrated its ability to maintain peace and domestic tranquillity than the Southern States of our country. In spite of outside agitation, the harmonious relationship, the mutual affection that today exists there between the white and colored races is more marked than it is in any other area on the face of this earth where the black and white races live together.

Mr. President, the day has come when these agent provocateurs must be stopped.

The day has come, Mr. President, when the Communist movement must be stopped, and this is part of the Communist movement inside the United States.

Mr. President, I salute the Governor and the officials of my State for the

prompt, efficient, and peaceful treatment that they extended to these riders who entered the State of Mississippi for the deliberate purpose of violating the laws of Mississippi and fomenting strife and discord.

I salute the people of Mississippi for their courage, their intelligence, and their patience. This is the first time they have come face to face with the worldwide Communist conspiracy. They have acted well.

I ask unanimous consent that certain documents bearing on the Communist record of people to whom I have referred be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 8.)

EXHIBIT 1

ALLAN KNIGHT CHALMERS

FEBRUARY 13, 1956.

Subject: Allan Knight Chalmers, national treasurer, member of the board of directors, NAACP, 1954.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

In connection with his public testimony on August 17 and 18, 1937, before the Special Committee on Un-American Activities, Mr. Walter S. Steele furnished additional information which was printed in the hearings following his testimony and from which the reference below is taken:

"A good example of one of the united fronts in the United States is the Scottsboro Defense Committee * * *. The national chairman of this committee is the Reverend Allan Knight Chalmers, head of the Church League for Industrial Democracy; member of the advisory board of the National Religion and Labor Foundation; executive committee of the War Registers League; sponsor of the Emergency Peace Campaign, and a member of the sponsoring committee for the testimonial dinner given in honor of Norman Thomas in 1936." (Public hearings, vol. 1, p. 628.)

Except for the Scottsboro Defense Committee, none of these organizations has been cited in any manner either by the Committee on Un-American Activities or the Attorney General of the United States. The Special Committee on Un-American Activities cited the Scottsboro Defense Committee as a Communist-front organization in reports of January 3, 1939 (p. 82), and March 29, 1944 (p. 177).

Rev. Allan Knight Chalmers was listed among the sponsors of the Greater New York Emergency Conference on Inalienable Rights in the program of that conference held February 12, 1940. The Special Committee on Un-American Activities cited the Greater New York Emergency Conference on Inalienable Rights as a Communist front which was succeeded by the National Federation for Constitutional Liberties (report of March 29, 1944, pp. 96, 129). The Committee on Un-American Activities cited it as being among a "maze of organizations" which were "spawned for the alleged purpose of defending civil liberties in general but actually intended to protect Communist subversion from any penalties under the law" (report of September 2, 1947, p. 3).

A leaflet entitled "Protestantism Answers Hate" contains the name of Dr. Allan Knight Chalmers, Broadway Tabernacle, New York, in a list of sponsors of the call to a dinner forum in New York City, February 25, 1941, under auspices of Protestant Digest Associates. The Protestant Digest was cited by the special committee as "a magazine which has faithfully propagated the Communist Party line * * *." (Rept. 1311 of March 29, 1944.)

EXHIBIT 2

ALGERNON D. BLACK

FEBRUARY 13, 1956.

Subject: Dr. Algernon D. Black, national board of directors, NAACP, 1954.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

Dr. Algernon D. Black was one of the sponsors of the Cultural and Scientific Conference for World Peace, arranged by the National Council of the Arts, Sciences, and Professions, March 25–27, 1949 (conference program, p. 12, and conference call). The Daily Worker of February 21, 1949 (p. 2), announced that he was a member of the program committee of that conference. Speaking of peace, edited report of the conference, March 25, 26, 27, 1949, listed Algernon Black as a speaker on "A Warning Against Sectarian Prejudice," and gave biographical data concerning him (pp. 121, 139).

In 1948 and 1949, Dr. Black signed statements of the National Council of the Arts, Sciences, and Professions (Daily Worker, Dec. 29, 1948, p. 2; letterhead received in January 1949; New York Star of Jan. 4, 1949, p. 9, an advertisement). He spoke before the group in February 1949 (Daily Worker, Feb. 28, 1949, p. 2).

The Committee on Un-American Activities, in its Review of the Scientific and Cultural Conference for World Peace arranged by the National Council of the Arts, Sciences, and Professions and held in New York City on March 25, 26, and 27, 1949. April 26, 1950, cited the National Council of the Arts, Sciences, and Professions as a Communist-front organization. In this same report the Committee on Un-American Activities cited the scientific and cultural conference as actually a supermobilization of the inveterate wheelhorses and supporters of the Communist Party and its auxiliary organizations.

The call to a national conference on American policy in China and the Far East, held in January 1948, included the name of Dr. Algernon Black in the list of sponsors (Call, January 23–25, 1948, New York City); the conference was called by the Committee for a Democratic Far Eastern Policy. In the December 1949–January 1950 issue of Far East Spotlight, which is the official organ of the Committee for a Democratic Far Eastern Policy, Dr. Black answered a questionnaire issued by that committee, favoring recognition of the Chinese Communist government.

The Attorney General of the United States cited the Committee for a Democratic Far Eastern Policy as a Communist organization in a letter furnished the Loyalty Review Board and released to the press by the United States Civil Service Commission April 27, 1949; redesignated April 27, 1953, pursuant to Executive Order No. 10450, and included on the April 1, 1954, consolidated list of organizations previously designated.

The Daily Worker of June 21, 1948, reported that Algernon D. Black had signed a statement of the National Council of American-Soviet Friendship, calling for a conference with the Soviet Union; he signed an appeal of the same organization to the United States Government to end the cold war and arrange a conference with the Soviet Union (leaflet entitled "End the Cold War—Get Together for Peace" which was dated December 1948); he signed a statement in praise of Henry Wallace's open letter to Stalin (May 1948), as shown in the pamphlet How To End the Cold War and Build the Peace (p. 9), prepared and released by the National Council of American-Soviet Friendship.

The Attorney General cited the National Council of American-Soviet Friendship as subversive and Communist in letters released December 4, 1947, and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 156), cited the National Council of American-Soviet Friendship as "in recent months, the Communist Party's principal front for all things Russian."

Dr. Black contributed an article to the pamphlet We Hold These Truths (p. 22), which was issued by the League of American Writers. He was named as a member of the executive committee of Film Audiences for Democracy in the June 1939 issue of Film Survey, official organ of Film Audiences, cited as a Communist-front organization by the Special Committee on Un-American Activities (Rept. 1311, Mar. 29, 1944, p. 150).

The Attorney General cited the League of American Writers as subversive and Communist in letters furnished the Loyalty Review Board and released to the press by the U.S. Civil Service Commission June 1 and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The organization was cited previously by the Attorney General as "founded under Communist auspices in 1935 * * * in 1939 * * * began openly to follow the Communist Party line as dictated by the foreign policy of the Soviet Union." (CONGRESSIONAL RECORD, Sept. 24, 1942, pp. 7685 and 7686.) The Special Committee on Un-American Activities, in its reports of January 3, 1940 (p. 9), June 25, 1942 (p. 19), and March 29, 1944 (p. 48), cited the League of American Writers as a Communist front organization.

A letterhead of the nonpartisan committee for the reelection of Congressman Vito Marcantonio, dated October 3, 1936, listed the name of Algernon D. Black as a member of that committee. The Special Committee on Un-American Activities, in its report dated March 29, 1944 (p. 122), cited the nonpartisan committee for the reelection of Vito Marcantonio as a Communist-front organization.

Algernon Black was a member of the advisory board of the American Student Union, as shown in a pamphlet entitled "Presenting the American Student Union." The Special Committee on Un-American Activities, in its report dated January 3, 1939 (p. 80), cited the American Student Union as a Communist-front organization.

A letterhead of the Veterans Against Discrimination of Civil Rights Congress of New York, dated May 11, 1946, listed the name of Algernon Black as one of the public sponsors of that organization. The Attorney General cited the Veterans Against Discrimination of Civil Rights Congress of New York as subversive in a letter released December 4, 1947; included on the April 1, 1954, consolidated list.

Mr. Black signed an open letter of the National Federation for Constitutional Liberties, as shown in the booklet 600 Prominent Americans (p. 16). The Attorney General cited the National Federation as subversive and Communist in letters released December 4, 1947, and September 21, 1948;

redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Attorney General cited the organization previously as "part of what Lenin called the solar system of organizations, ostensibly having no connection with the Communist Party, by which Communists attempt to create sympathizers and supporters of their program." The Special Committee on Un-American Activities, in its report dated March 29, 1944 (p. 50), cited the National Federation for Constitutional Liberties as "one of the viciously subversive organizations of the Communist Party." The Committee on Un-American Activities, in its report of September 2, 1947 (p. 3), cited the National Federation as among a "maze of organizations" which were "spawned for the alleged purpose of defending civil liberties in general but actually intended to protect Communist subversion from any penalties under the law."

The printed program of the Greater New York Emergency Conference on Inalienable Rights, February 12, 1940, reveals the name of Algernon D. Black as vice chairman of the group. A letterhead of the American Russian Institute, received July 26, 1949, contains the name of Dr. Black as a member of the interchurch committee of that institute. The Special Committee on Un-American Activities, in its report dated March 29, 1944 (pp. 96 and 129), cited the Greater New York Emergency Conference on Inalienable Rights as a Communist front organization. The Attorney General cited the American Russian Institute as a Communist organization in a letter released April 27, 1949; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list.

Dr. Black was a member of the American Friends of Spanish Democracy (letterheads dated March 13, 1931, and February 21, 1938); and described as a representative individual in a booklet entitled "These Americans Say" which was published by the Coordinating Committee To Lift the (Spanish) Embargo. The Special Committee on Un-American Activities, in its report dated March 29, 1944 (p. 82), cited the American Friends of Spanish Democracy as a Communist front organization. The Coordinating Committee To Lift the (Spanish) Embargo was cited by the Special Committee on Un-American Activities in its report dated March 29, 1944 (pp. 137 and 138), as one of a number of front organizations set up during the Spanish civil war by the Communist Party in the United States and through which the party carried on a great deal of agitation.

In a pamphlet entitled "News You Don't Get" (dated November 15, 1958), Algernon Black was named as one of those who signed the call to a Conference on Pan-American Democracy; a letterhead of the organization dated November 16, 1938, named him as one of the sponsors of the Conference. The Attorney General cited the Conference on Pan-American Democracy as subversive and Communist in letters released June 1 and September 21, 1948; redesignated April 27, 1953, pursuant to Executive Order No. 10450. The Special Committee on Un-American Activities, in its report dated March 29, 1944 (pp. 161 and 164), cited the Conference on Pan-American Democracy as a Communist-front organization.

Algernon Black signed a declaration of the Reichstag Fire Trial Anniversary Committee honoring Dimitrov, as shown in the New York Times of December 22, 1943 (p. 40). The Special Committee on Un-American Activities, in its report of March 29, 1944 (pp. 112 and 156), cited the Reichstag Fire Trial Anniversary Committee as a Communist-front organization.

Dr. Black signed an open letter in defense of Harry Bridges. (See Daily Worker of July 19, 1942, p. 4.) Letterheads of the Citizens Victory Committee for Harry Bridges dated June 8, 1943, and January 10, 1944, listed Algernon Black as a committee member or sponsor of that group. The open letter in defense of Harry Bridges was cited as a Communist-front organization by the Special Committee on Un-American Activities in its report of March 29, 1944 (pp. 87, 112, 129, 166). The Citizens' Committee for Harry Bridges was cited as Communist by the Attorney General in a letter released April 27, 1949; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Special Committee on Un-American Activities, in its report of March 29, 1944 (pp. 90 and 94), cited the Citizens' Committee for Harry Bridges as a Communist-front organization.

The Daily Worker of March 29, 1951 (p. 9), reported that Dr. Algernon D. Black signed a letter of the American Committee for Protection of Foreign Born attacking the McCarran Act. Algernon D. Black was shown as a sponsor of the American Committee for Protection of Foreign Born in the Daily Worker, April 4, 1951 (p. 8), a leaflet: "Call—Mass Meeting and Conference," October 27, 1951, Dearborn, Mich., and a photostatic copy of an undated letterhead of the 20th anniversary national conference * * *, U. E. Hall, Chicago, Ill. (December 8–9, 1951). The Daily Worker of August 10, 1950 (p. 5), reported that Dr. Algernon Black signed a statement of the American Committee against denaturalization.

The Attorney General cited the American Committee for Protection of Foreign Born as subversive and Communist in letter released June 1 and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 155), cited the American Committee for Protection of Foreign Born as "one of the oldest auxiliaries of the Communist Party in the United States."

On June 13, 1949, the Daily Worker reported that Dr. Black was one of the sponsors of an organization formed to oppose the Mundt-Nixon anti-Communist bill; a press release of the National Committee to Defeat the Mundt Bill, dated June 15, 1949, revealed the same information. The Committee on Un-American Activities, in its report on the National Committee to Defeat the Mundt Bill, dated January 2, 1951, cited that organization as "a registered lobbying organization which has carried out the objectives of the Communist Party in its fight against antisubversive legislation."

A letterhead of the Voice of Freedom Committee dated June 16, 1947, listed Algernon D. Black as a sponsor of that organization. An invitation to a dinner held under auspices of the group, January 21, 1948, listed him as a member of the dinner committee. He signed a petition of the organization as shown by a leaflet published by the Voice of Freedom Committee. The Attorney General included the Voice of Freedom Committee on his April 1, 1954, consolidated list of organizations previously designated.

Algernon D. Black, New York Ethical Culture Society, signed an open letter of the Conference on Peaceful Alternatives to the Atlantic Pact to Senators and Congressmen urging defeat of President Truman's arms program, as shown by a letterhead dated August 21, 1949.

The Committee on Un-American Activities, in its report on the Communist peace offensive, April 1, 1951 (p. 56), cited the Conference for Peaceful Alternatives to the Atlantic Pact as a meeting called by the Daily Worker in July 1949, to be held in Washington, D.C., and as having been instigated by Communists in the United States (who) did their part in the Moscow campaign.

The Daily Worker of December 10, 1952 (p. 4), listed Dr. Algernon D. Black as a signer of an appeal to President Truman requesting amnesty for leaders of the Communist Party convicted under the Smith Act.

EXHIBIT 3

EARL B. DICKERSON

FEBRUARY 13, 1956.

Subject: Earl B. Dickerson, national board of directors, national legal committee, NAACP, 1954.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

According to the Daily Worker of February 28, 1949 (p. 9), Earl Dickerson, attorney, Illinois, was one of the signers of a statement defending the 12 Communist leaders. He signed a statement in behalf of the attorneys in the Communist cases as shown by the July 31, 1950, issue of the Daily Worker (p. 9). This same information was shown in the February 1, 1960, issue of the Daily Worker (p. 3). As shown by the Daily People's World of May 12, 1950 (p. 12), Earl B. Dickerson was a signer of a statement to the United Nations in behalf of the Communist cases.

Earl B. Dickerson protested approval of the Smith Act by the Supreme Court as "having a disastrous impact upon * * * struggle of Negro people" (Daily Worker, October 1, 1951, p. 1). He filed a petition with the clerk of the U.S. Supreme Court supporting the pending application for a hearing on the constitutionality of the Smith Act as shown by the Daily Worker, October 4, 1951 (p. 15). Mr. Dickerson was identified in this source as a Negro attorney in Illinois. He spoke against the Smith Act according to the February 12, 1952, issue of the Daily People's World (p. 3), and was coauthor of a memorandum to the Supreme Court "on the menace of the Smith Act to the Negro people" (Daily People's World, July 15, 1952, p. 1). Earl B. Dickerson, president, National Lawyers Guild, Chicago, was a signer of an appeal to President Truman requesting amnesty for leaders of the Communist Party convicted under the Smith Act (Daily Worker, December 10, 1952, p. 4). As shown by the Daily Worker, December 29, 1953 (p. 8) and the Worker, January 3, 1954 (p. 6), Earl B. Dickerson was one of 39 prominent Midwest citizens staging a plea for Christmas amnesty for Communist leaders convicted under the Smith Act, which was wired to President Eisenhower. He was one of the initiators of an appeal for reduced bail for Claude Lightfoot, Illinois Communist leader, indicted under a section of the Smith Act, as shown by the September 12, 1954, issue of the Worker (p. 16).

According to the December 25, 1952, issue of the Daily Worker (p. 8), Earl B. Dickerson was a signer of an open letter to President Truman asking clemency for the Rosenbergs. The Daily People's World of March 13, 1953 (p. 3), reported that Earl B. Dickerson contributed a statement to the pamphlet, The Negro People Speak Out on the Rosenbergs, distributed by volunteers for the East Bay Committee To Save the Rosenbergs, Oakland, Calif.

Earl B. Dickerson was a signer of an appeal to the Greek Government protesting the court-martial of Greek maritime unionists as shown by the Daily Worker, August 19, 1952 (p. 1).

Earl B. Dickerson was listed in the spring 1943 (p. 22) and fall session 1943 (p. 27) catalogs of the Abraham Lincoln School as a member of the board of directors. He was named in the same source as a guest lecturer at the school (p. 19).

The Attorney General of the United States cited the Abraham Lincoln School as an adjunct of the Communist Party in a letter to the Loyalty Review Board, released December 4, 1947. The Attorney General redesignated the school April 27, 1953, pursuant to Executive Order No. 10450, and included it on the April 1, 1954, consolidated list of organizations previously designated. The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 82), cited the Abraham Lincoln School as successor of the Workers School as a Communist educational medium in Chicago.

A pamphlet entitled "For a New Africa" (containing the proceedings of the conference on Africa, New York, April 14, 1944) names Earl B. Dickerson as a member of the National Negro Congress.

The National Negro Congress was cited as subversive and Communist by the Attorney General in letters released December 4, 1947, and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The organization was cited previously by the Attorney General as a Communist-front group (CONGRESSIONAL RECORD, September 24, 1942, pp. 7687 and 7688). The Special Committee on Un-American Activities, in its report of January 3, 1939 (p. 81), cited the National Negro Congress as "the Communist-front movement in the United States among Negroes."

He was a member of the Council on African Affairs, as shown in a pamphlet entitled "8 Million Demand Freedom," and the pamphlet For a New Africa (p. 36). Earl B. Dickerson is listed as a member of the Council on African Affairs in a leaflet, issued by the organization, The Job To Be Done, a leaflet entitled "What of Africa's Place in Tomorrow's World?" a pamphlet entitled "Seeing Is Believing" (1947), and a letterhead of the group, dated May 17, 1945, and a pamphlet, Africa in the War.

The Attorney General cited the Council on African Affairs as subversive and Communist in letters released December 4, 1947, and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list.

The name of Earl Dickerson, of 35 South Dearborn Street, Chicago, Ill., appears on a 1939 membership list of the National Lawyers' Guild on file with this committee. In 1949 he was president of the Chicago chapter of the guild and chairman at a meeting on anti-Communist legislation, as shown in the Daily Worker of March 15, 1949 (p. 6); in the same year he attacked the Marshall plan as shown in the Daily Worker of July 19, 1949 (p. 5), in which source he was identified as president of the Chicago chapter of the guild; he participated in a discussion entitled "Status of Civil Liberties," fifth annual convention, National Lawyers' Guild, Book-Cadillac Hotel, Detroit, Mich., May 29–June 1, 1941, as shown by the convention program printed in Convention News, May 1941 (p. 2), published by the guild. This same Convention News (pp. 3 and 4) listed him as a member of the convention nominations committee of the fifth national convention of the National Lawyers' Guild. He submitted a report of the guild, denouncing lynching and discrimination, as shown in the Daily Worker, November 30, 1942 (p. 1). As shown by the October 15, 1951, issue of the Daily Worker (p. 1), Earl B. Dickerson was president of the Chicago chapter of the National Lawyers' Guild; he spoke at the national convention of the organization in Chicago. The October 18, 1951, issue of the Daily People's World (p. 2), reported that Earl B. Dickerson was elected president of the National Lawyers' Guild. He was shown as president of the National Lawyers' Guild in the Daily Worker, January 25, 1952 (p. 1), and February 20, 1953 (p. 6), and the Daily People's World, January 25, 1952 (p. 8). The January 18, 1952, issue of the Daily People's World (p. 3) reported that Earl B. Dickerson was to speak on the Smith Act, the Constitution, and You, at a gathering of the San Francisco chapter of the National Lawyers' Guild on February 1, 1952. The Daily Worker of February 24, 1953 (p. 6), reported that Earl Dickerson, president on the National Lawyers' Guild, addressed the annual convention of the group held February 20–23, at the Park-Sheraton Hotel, New York City, and stated that "a new foreign policy is needed if the drive against liberties is to be halted." The Daily People's World of July 6, 1953 (p. 3), announced that he was to be honored by the Los Angeles-Hollywood chapter of the National Lawyers' Guild at a luncheon. The Daily Worker of August 28, 1953 (p. 2), reported that Earl B. Dickerson, president of the National Lawyers' Guild, issued a statement opposing the American Bar Association's call for disbarment of Communist lawyers. As shown by the September 6, 1953, issue of the Worker (p. 6), Earl Dickerson protested the placing of the National Lawyers' Guild on the list of subversive organizations by the Attorney General.

The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 149), cited the National Lawyers' Guild as a Communist-front organization. The Committee on Un-American Activities, in its report on the National Lawyers' Guild, September 17, 1950, cited the group as a Communist front which "is the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions" and which "since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents."

One Earl Dickerson (with no middle initial shown) spoke at the morning session of the Congress on Civil Rights which was held in Detroit, Mich., April 27–28, 1946, as shown in the program, Congress on Civil Rights (p. 1): Earl B. Dickerson signed a statement of the Civil Rights Congress which was in defense of Gerhart Eisler, according to the Daily Worker of February 28, 1947 (p. 2); he was one of the sponsors of the National Emergency Conference for Civil Rights which was held in New York City on July 19, 1948, according to the Daily Worker of July 12, 1948 (p. 4); a photostat of a letterhead of the Civil Rights Congress, Illinois, dated December 18, 1948, listed Earl Dickerson as a sponsor. As shown by the Daily Worker of November 1, 1950 (p. 4), Earl B. Dickerson was a sponsor of the Civil Rights Congress. A handbill, Dodge Local 3 Supports FEPC Rally, listed Earl B. Dickerson as one of those who would speak at a rally to be held under partial auspices of the Civil Rights Congress of Michigan on April 16, 1950.

The Attorney General cited the Civil Rights Congress as subversive and Communist in letters released December 4, 1947, and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Committee on Un-American Activities, in its report of September 2, 1947 (pp. 2 and 19), cited the Civil Rights Congress as an organization formed in April 1946 as a merger of two other Communist-front organizations (International Labor Defense and the National Federation for Constitutional Liberties); "dedicated not to the broader issues of civil liberties, but specifically to the defense of individual Communists and the Communist Party" and "controlled by individuals who are either members of the Communist Party or openly loyal to it."

According to the printed program of the Cultural and Scientific Conference for World Peace (p. 14), Earl B. Dickerson was one of the sponsors of this conference which was held in New York City, March 27–28, 1949, under the auspices of the National Council of the Arts, Sciences, and Professions; he signed a statement of the council which was reprinted in the CONGRESSIONAL RECORD of July 14, 1949 (p. 9620). Earl B. Dickerson was a signer of a Resolution Against Atomic Weapons as shown by a mimeographed list of signers attached to a letterhead of the National Council of the Arts, Sciences, and Professions dated July 28, 1950. Mr. Dickerson signed a statement to the American people, "We uphold the right of all citizens to speak for peace," released by the National Council of the Arts, Sciences, and Professions, as shown by the handbill, "Halt the Defamers Who Call Peace Un-American." He spoke at a conference on equal rights for Negroes in the arts held by the New York Council of the National Council of the Arts, New York City, November 10, 1951, according to the November 7, 1951 (p. 3), and November 14, 1951 (p. 7), issues of the Daily Worker. The Daily Worker of June 2, 1952 (p. 3), listed Earl B. Dickerson as one of the endorsers of the national council resolution calling for a hearing of Tunisia's demands in the United Nations. He spoke at a conference for equal rights for Negroes in the arts, sciences, and professions held by the Southern California Council of the Arts, Sciences, and Professions, on June 14, 1952, in Los Angeles (Daily Worker, June 20, 1952, p. 7).

The Committee on Un-American Activities, in its Review of the Scientific and Cultural Conference for World Peace, April 19, 1949 (p. 2), cited the National Council of the Arts, Sciences, and Professions as a Communist-front organization. In this same report the committee cited the Scientific and Cultural Conference for World Peace as a Communist front which "was actually a supermobilization of the inveterate wheelhorses and supporters of the Communist Party and its auxiliary organizations."

Earl B. Dickerson was a national sponsor of the Spanish Refugee Appeal of the Joint Anti-Fascist Refugee Committee, as shown by letterheads of the group dated February 26, 1946, February 3, 1948, May 18, 1951, and January 5, 1953. He signed an open letter of the organization to President Truman on Franco Spain as shown by a letterhead and mimeographed letter of April 28, 1949. He signed a petition of the Spanish Refugee Appeal of the Joint Anti-Fascist Refugee Committee to President Truman "to bar military aid to or alliance with Fascist Spain" as shown by a mimeographed petition, attached to a letterhead of the group dated May 18, 1951.

The Attorney General cited the Joint Anti-Fascist Refugee Committee as subversive and Communist in letters released December 4, 1947, and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 174), cited the Joint Anti-Fascist Refugee Committee as a Communist-front organization.

Mr. Dickerson was chairman of the Illinois Legislative and Defense Committee of the International Labor Defense, as shown in Equal Justice, September 1939 (p. 3). He spoke before the International Labor Defense, together with Earl Browder, according to the Daily Worker of October 1, 1942 (p. 5); October 6, 1942 (p. 5); and October 11, 1942 (p. 3). The pamphlet Victory in Oklahoma, October 1943, back cover, listed Earl B. Dickerson as a member of the National Committee of the International Labor Defense.

The Attorney General cited the International Labor Defense as subversive and Communist in letters released June 1 and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The organization was cited

previously by the Attorney General as the "legal arm of the Communist Party." (CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7687.) The Committee on Un-American Activities, in its report of September 2, 1947 (pp. 1 and 2), cited the International Labor Defense as "part of an international network of organizations for the defense of Communist lawbreakers."

Earl B. Dickerson was a speaker at the Conference on Constitutional Liberties, the founding conference of the National Federation for Constitutional Liberties, as shown in the printed program, Call to a Conference, page 2, June 7, 1940.

The Attorney General cited the Conference on Constitutional Liberties in America as a conference as a result of which was established the National Federation for Constitutional Liberties, "part of what Lenin called the solar system of organizations, ostensibly having no connection with the Communist Party, by which Communists attempt to create sympathizers and supporters of their program" (CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7687). The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 102), cited the conference as "an important part of the solar system of the Communist Party's front organizations."

The program and call to a national conference of the American Committee for Protection of Foreign Born, held in Cleveland, Ohio, October 25 and 26, 1947, listed Earl B. Dickerson as one of the sponsors of the conference; he was one of the sponsors of the sixth national conference, which was held in Cleveland, May 9 and 10, 1942, as shown in a leaflet of the conference, page 4. In the latter source, Mr. Dickerson was identified as a member of the President's Committee on Fair Employment Practices. Earl Dickerson was a sponsor of the American Committee for Protection of Foreign Born as shown by a 1950 letterhead, an undated letterhead (received for files, July 11, 1950), an undated letterhead (distributing a speech of Abner Green at the conference of the American Committee for Protection of the Foreign Born of Dec. 2–3, 1950), and a letterhead of the Midwest Committee for Protection of Foreign Born (Apr. 30, 1951). Mr. Dickerson, identified as president of the Chicago Urban League, was a sponsor of a dinner given by the Midwest Committee for the Protection of Foreign Born for Pearl Hart (Daily Worker, Apr. 6, 1950, p. 4). A letterhead of the sixth annual conference of the Midwest Committee for the Protection of the Foreign Born dated May 16, 1954, Chicago, listed Earl B. Dickerson as a sponsor.

The Attorney General cited the American Committee for Protection of Foreign Born as subversive and Communist in letters released June 1 and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Special Committee on Un-American Activities in its report of March 29, 1944 (p. 155), cited the American Committee for Protection of Foreign Born as "one of the oldest auxiliaries of the Communist Party in the United States."

In 1942 Earl B. Dickerson was a patron of the Congress of American-Soviet Friendship, as shown on a letterhead of the congress dated October 27, 1942; he was named in Soviet Russia Today (December 1942 issue, p. 42) as one of the sponsors of the Congress of American-Soviet Friendship; the call to the Congress of American-Soviet Friendship, November 6–8, 1943, listed Earl B. Dickerson among the sponsors. He signed a statement of the National Council of American-Soviet Friendship, praising Wallace's open letter to Stalin, May 1948, as shown in a pamphlet, How To End the Cold War and Build the Peace, page 9. He was identified in the last-named source as an attorney at law, Chicago. A photostatic copy of a letterhead of the Chicago Council of American-Soviet Friendship dated September 17, 1951, listed Earl B. Dickerson as a sponsor of that group. A photostat of a letter of the national council dated March 19, 1952, listed Mr. Dickerson as a sponsor.

The Attorney General cited the National Council of American-Soviet Friendship as subversive and Communist in letters released December 4, 1947, and September 21, 1948, redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 156), cited the national council as "in recent months, the Communist Party's principal front for all things Russian."

The Daily Worker of October 21, 1942 (p. 1), named Earl B. Dickerson among the list of members of the National Emergency Committee To Stop Lynching. He signed an appeal to lift the Spanish embargo, which appeal was made by the Negro People's Committee To Aid Spanish Democracy, according to the Daily Worker of February 8, 1939 (p. 2). He contributed to the June 22, 1943, issue of New Masses (p. 9). He signed a petition of the Citizens' Committee To Free Earl Browder, as shown in an official leaflet of the organization.

The National Emergency Committee To Stop Lynching was cited by the Special Committee on Un-American Activities as a Negro Communist-front organization, whose secretary was Ferdinand C. Smith, high in the circles of the Communist Party (report, Mar. 29, 1944, p. 180).

The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 180), cited the Negro People's Committee To Aid Spanish Democracy as a Communist-front organization.

New Masses was cited as a Communist periodical by the Attorney General (CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7688), and the Special Committee on Un-American Activities (report, Mar. 29, 1955, pp. 48 and 75).

The Citizens' Committee To Free Earl Browder was cited as Communist by the Attorney General in a letter dated April 27, 1949; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The organization was cited previously by the Attorney General as a Communist organization (CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7687). The Special Committee on Un-American Activities in its report of March 29, 1944 (pp. 6 and 55), cited the Citizens' Committee To Free Earl Browder as follows: When Earl Browder (then general secretary, Communist Party) was in Atlanta Penitentiary serving a sentence involving his fraudulent passports, the Communist Party's front which agitated for his release was known as the Citizens' Committee To Free Earl Browder.

An open letter demanding discharge of Communist Party defendants in Fulton and Livingston Counties contained the name of Earl E. Dickerson in the list of persons who signed according to the Daily Worker of September 24, 1940, page 5. He was attorney for Eugene Dennis, general secretary, Communist Party, as shown in the Daily Worker of November 19, 1947, page 7, being identified in this source as a former member of the city council, Chicago. Reference to Earl Dickerson as attorney for Eugene Dennis appears in the Worker, November 30, 1947, page 4; the Daily Worker of January 15, 1948, page 5; and the Daily Worker of October 27, 1948, page 10, in which source he is identified as a Negro leader, of Chicago.

Earl B. Dickerson was a sponsor of the American Peace Crusade, Illinois assembly, as shown by a letterhead dated April 12, 1951, the Illinois Peace Crusade, May 1951 (p. 4), and a photostat of a letterhead dated June 21, 1952. He was a sponsor of the American People's Congress and Exposition for Peace, held by the American Peace Crusade in Chicago, Ill., June 29, 30, and July 1, 1951, as shown by a leaflet. An Invitation to American Labor To Participate in a Peace Congress, the Call to the American People's Congress, and the leaflet, American People's Congress * * * Invite You To Participate in a National Peace Competition, June 29, 1951, Chicago, Ill. He was a sponsor of a contest held by the American Peace Crusade for songs, essays, and paintings advancing the theme of world peace as reported in the Daily Worker, May 1, 1951 (p. 11).

The Attorney General included the American Peace Crusade on his January 22, 1954, list of organizations designated pursuant to Executive Order No. 10450, and on the April 1, 1954, consolidated list. The Committee on Un-American Activities, in its statement issued on the March of Treason, February 19, 1951, and report on the Communist Peace Offensive April 1, 1951 (p. 51), cited the American Peace Crusade as an organization which the Communists established as a new instrument for their peace offensive in the United States and which was heralded by the Daily Worker with the usual bold headlines reserved for projects in line with the Communist objectives.

Masses and Mainstream for February 1952 (pp. 52–56) listed Earl B. Dickerson as coauthor of an amici curiae brief to the Supreme Court supporting an appeal for rehearing of its decision upholding the Smith Act, dated September 27, 1951.

According to the April 30, 1950, issue of the Worker (p. 15), Earl B. Dickerson was a sponsor of the Midcentury Conference for Peace, cited by the Committee on Un-American Activities at a meeting held in Chicago, May 29 and 30, 1950, by the Committee for Peaceful Alternatives to the Atlantic Pact and as having been "aimed at assembling as many gullible persons, as possible under Communist direction and turning them into a vast soundingboard for Communist propaganda" (report on Communist peace offensive, April 1, 1951, p. 58).

Earl B. Dickerson was a sponsor of the National Committee To Defeat the Mundt Bill as shown by the pamphlet, Hey, Brother, There's a Law Against You (p. 2); a release of June 15, 1949 (p. 2), and a photostat of a letterhead dated May 5, 1950. He signed a statement of the organization according to the Daily Worker of April 3, 1950 (p. 4).

The Committee on Un-American Activities, in its report on the National Committee To Defeat the Mundt Bill, December 7, 1950, cited the organization as "a registered lobbying organization which has carried out the objectives of the Communist Party in its fight against antisubversive legislation."

Earl B. Dickerson signed a letter defending the 12 Communist leaders, as shown on a letterhead, dated January 7, 1949; he later signed a statement asking for the release of the Communist leaders, as shown in the Daily Worker of November 8, 1949 (p. 6). He signed a brief on behalf of the attorneys who represented the Communist leaders, as shown in the Daily Worker of November 2, 1949 (p. 2); he signed a statement on behalf of the attorneys, as shown in the Daily Worker of December 7, 1949 (p. 5); he represented the attorneys, who represented the 11 Communist leaders, according to the Daily Worker of January 24, 1950 (p. 3).

EXHIBIT 4

A. PHILIP RANDOLPH

FEBRUARY 13, 1956.

Subject: A. Philip Randolph, national vice president, NAACP, 1954.

The public records, files, and publications of this committee contain the following information concerning the subject individual.

This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

The Daily Worker of September 12, 1950 (p. 2), reported that A. Philip Randolph, president, AFL Brotherhood of Sleeping Car Porters, opposed the jailing of the Communist leaders.

The Attorney General of the United States reported that A. Philip Randolph, president of the National Negro Congress, refused to run in April 1940 "on the ground that it was 'deliberately packed with Communists and Congress of Industrial Organizations members who were either Communists or sympathizers with Communists'" (CONGRESSIONAL RECORD, September 24, 1942, pp. 7687 and 7688).

Walter S. Steele, in testimony in public hearings, Committee on Un-American Activities, July 21, 1947 (p. 92), referred to A. Philip Randolph as follows:

"A. Philip Randolph, one-time president of the National Negro Congress, resigned his position because of the Communist control thereof. At the time of his resignation, at a meeting held in Washington, D.C., he charged that the congress was controlled by the Communist Party, through which he found it was chiefly financed."

George K. Hunton testified in public hearings, Committee on Un-American Activities, July 13, 1949 (p. 451), concerning the Communist infiltration of the National Negro Congress with reference to A. Philip Randolph as follows:

"In the National Negro Congress they did make progress. That was a sound, constructive organization started about 10 years ago. It was a good organization, with a sound, constructive program, and the Commies moved in, and within a year and a half the white Communist members completely outnumbered the Negro members and took over. Be it said to his credit that the then president, A. Philip Randolph, roundly denounced them and then resigned, and said no longer would the National Negro Congress represent the feeling of the Negro people who organized it * * *."

Manning Johnson testified in public hearings, Committee on Un-American Activities, July 14, 1949, as follows concerning the National Negro Congress and A. Philip Randolph:

"Mr. TAVENNER. What was the relationship of that commission (Negro Commission of the Communist Party) to the American Negro Labor Congress, the League of Struggle for Negro Rights, and the National Negro Congress?

"Mr. JOHNSON. The Negro League was formed by the Communist Party, and its program was identical with the program of the Communist Party for the Negro.

"The majority of members of the American Negro Labor Congress were Communists or fellow travelers. It is a very narrow, sectarian organization, and the party decided to change its name and broaden its activities, so the name was changed to the League of Struggle for Negro Rights. * * *

"The League of Struggle for Negro Rights was never successful in penetrating any broad sections of the Negro people. It remained a very narrow and sectarian organization. So the party, after having received the open letter, which was really drawn in Moscow and called for breaking away from narrow organizations, in line with this open letter, at a meeting of the national committee which, as I recall, was in the latter part of 1934 or early part of 1935, we discussed the general situation among Negroes, and the conclusion was that there was considerable unrest among them and that the time was historically right for the formation of a broad and all-inclusive organization.

"As a result of that discussion and that conclusion, the national committee of the party, upon the recommendation of one of the members of the Negro commission present at that meeting, decided to set up the National Negro Congress. The national committee gave James W. Ford the responsibility, along with the Negro commission of the national committee, to form that congress.

"We were fishing around for someone to head the congress, and we found there was no finer person to get who was not a member of the party than A. Philip Randolph. He was approached and agreed.

* * * * *

"The third—and fatal—National Negro Congress was held in Washington, D.C. The Communists had become so drunk with power, and they felt they had such strong control over the congress, that they thought they could walk roughshod over the liberals, and they antagonized A. Philip Randolph and he began to fight James W. Ford and others.

"James W. Ford and others insisted I fight A. Philip Randolph, and I refused to do so, and at that time I predicted they were on the road to breaking up the congress.

"The fight widened to such an extent that Randolph began to speak openly against Communist domination. I used to wonder how Randolph could be so naive as to not know it was a Communist-front organization.

"Before the third congress met, we got wind that Randolph was going to resign. We had Communists go to that congress representing various paper organizations so as to give them control in voting.

"When Randolph saw the congress was packed with Communists, Randolph resigned and walked out * * *." (Pp. 510–512.)

A. Philip Randolph supported a statement to Congress issued by the American League Against War and Fascism against neutrality measures as reported by the Daily Worker of February 27, 1937 (p. 2). The Daily Worker of April 22, 1938 (p. 2), reported that A. Philip Randolph was one of the signers of a letter urging open hearings on the Neutrality Act which was sent to Congress under auspices of the American League for Peace and Democracy. A. Philip Randolph was nominated as a member of the National Labor Committee of the American League for Peace and Democracy at the American Congress for Peace and Democracy held in Washington, D.C., January 6–8, 1939, as shown by the pamphlet. "7½ Million * * *" (p. 32). Letterheads of the China Aid Council of the American League for Peace and Democracy dated May 18, 1938, and June 11, 1938, name him as a sponsor of the council. He was a sponsor of the Easter drive of the China Aid Council of the American League * * *, as shown by the Daily Worker of April 8, 1938 (p. 2). A photostatic copy of a letterhead of the American League for Peace and Democracy dated April 6, 1939, listed A. Philip Randolph as a national sponsor of that organization.

The Attorney General of the United States cited the American League Against War and Fascism as subversive and Communist in letters to the Loyalty Review Board, released December 4, 1947, and September 21, 1948. The organization was redesignated by the Attorney General April 27, 1953, pursuant to Executive Order No. 10450, and included it on the April 1, 1954, consolidated list of organizations previously designated. The organization was cited previously by the Attorney General as a Communist-front organization (in re Harry Bridges, May 28, 1942, p. 10). The Special Committee on Un-American Activities, in its report dated March 29, 1944 (p. 53), cited the American League Against War and Fascism as "organized at the First United States Congress Against War which was held in New York City, September 29 to October 1, 1933. Four years later at Pittsburgh, November 26–28, 1937, the name of the organization was changed to the American League for Peace and Democracy. * * * It remained as completely under the control of Communists when the name was changed as it had been before."

The Attorney General cited the American League for Peace and Democracy as subversive and Communist in letters released June 1 and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The Attorney General cited the group previously as established in the United States in 1937 as successor to the American League Against War and Fascism "in an effort to create public sentiment on behalf of a foreign policy adapted to the interests of the Soviet Union. * * * The American League for Peace and Democracy * * * was designed to conceal Communist, control, in accordance with the new tactics of the Communist International" (CONGRESSIONAL RECORD, Sept. 24, 1942, pp. 7663 and 7684). The Special Committee on Un-American Activities, in its report of January 3, 1939 (pp. 69–71), cited the American League for Peace and Democracy as "the largest of the Communist-front movements in the United States."

A letterhead of the organization, Commonwealth College, dated January 1, 1940, listed A. Philip Randolph as a member of the National Advisory Committee. He endorsed the reorganization plan of Commonwealth College, as shown by the August 15, 1937, issue of Fortnightly, a publication of the college (p. 3).

The Special Committee on Un-American Activities cited Commonwealth College as a Communist enterprise in its report of March 29, 1944 (pp. 76 and 167). The Attorney General cited the Commonwealth College as Communist in a letter released April 27, 1949; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list.

An undated leaflet of the League for Mutual Aid listed A. Philip Randolph as a member of the executive committee of that organization. He was a guest of honor at the 17th annual dinner of the League for Mutual Aid held February 1, 1937, as shown by New Masses, January 26, 1937 (p. 37).

The League for Mutual Aid was cited as a Communist enterprise by the special Committee on Un-American Activities in its report of March 29, 1944 (p. 76).

A. Philip Randolph was a sponsor of the Medical Bureau and North American Committee To Aid Spanish Democracy, as shown by letterheads of the organization dated July 6, 1938, and February 2, 1939. The Daily Worker of June 2, 1938 (p. 5), reported that A. Philip Randolph was a supporter of a meeting of the Medical Bureau * * *.

"In 1937–38, the Communist Party threw itself wholeheartedly into the campaign for the support of the Spanish Loyalist cause, recruiting men and organizing multifarious so-called relief organizations." Among these was the Medical Bureau and North American Committee To Aid Spanish Democracy. (Special Committee on Un-American Activities, report, Mar. 29, 1944, p. 82.)

New masses for October 26, 1937 (p. 11), reported that A. Philip Randolph was chairman of the National Negro Congress. A. Philip Randolph was president of the National Negro Congress, as shown by the Daily Worker of January 1, 1938 (p. 4), January 13, 1938 (p. 3), April 19, 1938 (p. 3), and the pamphlet, Second National Negro Congress, October 1937. He was president of the Third National Negro Congress, as reported by the June 1940 issue of the Communist (p. 548). The official proceedings of the 1936 National Negro Congress (p. 41), listed A. Philip Randolph as a member of the

national executive council of the organization. He spoke at a gathering of the congress, as reported by the Daily Worker of March 8, 1938 (p. 3). The Daily Worker of February 15, 1938 (p. 7), reported that A. Philip Randolph contributed to the official proceedings of the Second National Negro Congress.

The Attorney General cited the National Negro Congress as subversive and Communist in letters released December 4, 1947, and September 21, 1948; redesignated April 27, 1953, and included on the April 1, 1954, consolidated list. The organization was cited previously by the Attorney General as a Communist-front group (CONGRESSIONAL RECORD, Sept. 24, 1942, pp. 7687 and 7688). The Special Committee on Un-American Activities, in its report of January 3, 1939 (p. 81), cited the National Negro Congress as "the Communist-front movement in the United States among Negroes * * *."

A. Philip Randolph was a consultant of the Panel on Citizenship and Civil Liberties of the Southern Conference for Human Welfare, as shown by an official report of the organization, dated April 19–21, 1942. The call to the second conference, Southern Conference for Human Welfare, April 14–16, 1940, listed A. Philip Randolph as a sponsor of that conference.

The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 147), cited the Southern Conference for Human Welfare as a Communist front which received money from the Robert Marshall Foundation, one of the principal sources of funds by which many Communist fronts operate. The Committee on Un-American Activities, in its report of June 12, 1947, cited the Southern Conference for Human Welfare as a Communist-front organization "which seeks to attract southern liberals on the basis of its seeming interest in the problems of the South" although its "professed interest in southern welfare is simply an expedient for larger aims serving the Soviet Union and its subservient Communist Party in the United States."

The Daily Worker, issues of March 28, 1938 (p. 3), and April 4, 1938 (p. 3), listed A. Philip Randolph as a sponsor of the World Youth Congress. The special Committee on Un-American Activities, in its report of March 29, 1944 (p. 183), cited the World Youth Congress as a Communist conference held in the summer of 1938 at Vassar College.

A. Phillip Randolph signed a petition of the American Friends of Spanish Democracy to lift the arms embargo as shown by the Daily Worker of April 8, 1938 (p. 4). The Special Committee on Un-American Activities, in its report of March 29, 1944 (p. 82), cited the American Friends of Spanish Democracy as follows: "In 1937–38, the Communist Party threw itself wholeheartedly into the campaign for the support of the Spanish Loyalist cause, recruiting men and organizing multifarious so-called relief organizations * * * such as * * * American Friends of Spanish Democracy."

A. Philip Randolph is listed as a sponsor on a letterhead of the American Relief Ship for Spain dated September 3, 1938. The American Relief Ship for Spain was cited as "one of the several Communist Party front enterprises which raised funds for Loyalist Spain (or rather raised funds for the Communist end of that civil war)." (Special Committee on Un-American Activities Report, Mar. 29, 1944, p. 102).

The proceedings of the Congress of Youth of the American Youth Congress, July 1–5, 1939 (p. 3), listed A. Philip Randolph as a signer of the call to the congress.

A. Philip Randolph was a sponsor of the Conference on Pan-American Democracy (letterhead, Nov. 16, 1938). The booklet, These Americans Say, published by the Coordinating Committee To Lift the Embargo, named him as a representative individual. He was a sponsor of the Greater New York Emergency Conference on Inalienable Rights (program of conference, Feb. 12, 1940).

The Conference on Pan-American Democracy (known also as Council for Pan-American Democracy) was cited as subversive and Communist by the Attorney General in letters released June 1 and September 21, 1948; redesignated April 27, 1958, pursuant to Executive Order No. 10450. The Special Committee on Un-American Activities, in its report of March 29, 1944 (pp. 161 and 164), cited the organization as a Communist front which defended Carlos Luiz Prestes, a Brazilian Communist leader and former member of the executive committee of the Communist International.

The Special Committee on Un-American Activities, in its report of March 29, 1944 (pp. 137 and 138), cited the Coordinating Committee To Lift the (Spanish) Embargo as one of a number of front organizations set up during the Spanish civil war by the Communist Party in the United States and through which the party carried on a great deal of agitation.

The Greater New York Emergency Conference on Inalienable Rights was cited as a Communist front which was succeeded by the National Federation for Constitutional Liberties (special committee report, Mar. 29, 1944, pp. 96 and 129). The Committee on Un-American Activities, in its report of September 2, 1947 (p. 3), cited the Greater New York Emergency Conference on Inalienable Rights among a "maze of organizations" which were "spawned for the alleged purpose of defending civil liberties in general, but actually intended to protect Communist subversion from any penalties under the law."

A. Philip Randolph was a sponsor of the Spanish Refugee Relief Campaign, as shown by the back cover of a pamphlet, Children in Concentration Camps. He signed the call to a United May Day Conference, according to the Daily Worker of March 17, 1937 (p. 4). An undated letterhead of the United May Day Committee listed him as chairman.

The Special Committee on Un-American Activities cited the Spanish Refugee Campaign as a Communist-front organization (report, Jan. 3, 1940, p. 9).

The United May Day Conference was cited as "engineered by the Communist Party for its 1937 May Day demonstrations" and also organized by the party in 1938 (special committee report, Mar. 29, 1944, pp. 124 and 139).

The Attorney General cited the United May Day Committee as subversive and among the affiliates and committees of the Communist Party, U.S.A., which seeks "to alter the form of government of the United States by unconstitutional means." (Letter released Dec. 4, 1947; redesignated Apr. 27, 1953, and included on the Apr. 1, 1954, consolidated list.)

The Daily Worker of January 23, 1937 (p. 3), announced that A. Philip Randolph was scheduled to speak at the Southern Negro Youth Congress, Richmond, Va., February 12–14. "The People Versus H.C.L." listed him as a sponsor of the Consumers National Federation. He was shown as a sponsor of the Public Use of Arts Committee on an undated letterhead of that organization.

The Southern Negro Youth Congress was cited as subversive and among the affiliates and committees of the Communist Party, U.S.A., which seeks to alter the form of government of the United States by unconstitutional means. (Attorney General, letter released Dec. 4, 1947; redesignated Apr. 27, 1953, and included on Apr. 1, 1954, consolidated list.) The Special Committee on Un-American Activities, in its report of January 3, 1940 (p. 9), cited the Southern Negro Youth Congress as a Communist-front organization. The Committee on Un-American Activities, in its report of April 17, 1947 (p. 14), cited the Southern Negro Youth Congress as "surreptitiously controlled" by the Young Communist League.

The Consumers National Federation was cited as a Communist-front group by the special committee in its report of March 29, 1944 (p. 155).

Public Use of the Arts Committee was cited as a Communist front by the special committee in its report of March 29, 1944 (p. 112).

EXHIBIT 5

CHARLES S. ZIMMERMAN

Member, Advisory Committee, Congress of Racial Equality (CORE).

Identified as secretary-manager, Local 22, ILGWU. Sponsor, National Anti-War Congress, May 1938, auspices of Keep America Out of War Committee.

Ed. B. "Rev. Age" Communist Party of U.S.A.

National Executive Commission, Am. League Against War and Fascism, 1935.[1]

Signer of "Golden Bk." for Russia (Daily Worker, Oct. 8, 1937, p. 5).

Res. Com't. People's Congress for Democracy and Peace, 1938.[2]

Governing Commission, Keep America Out of War Congress, 1939.

Sponsor, Fourth Annual Conference American Commission for Protection of Foreign Born, March 1940.[2]

Eulogized Russia (Soviet Russia Today, November 1935, p. 49).[3]

State Executive Commission (New York), American Labor Party, 1938, Communist Party candidate, fifth assembly district, Bronx, N.Y. (Daily Worker, Oct. 14, 1925).

Sponsor, Spanish Refugee Aid, Inc.

Identified as manager, AFL International Ladies' Garment Workers, Local 22. Statement protesting proposal to outlaw Communist Party (Daily Worker, Mar. 13, 1947, p. 4).

Protested proposal to outlaw Communist Party. (Daily Worker, Mar. 13, 1947, p. 1).

Presiding Commissioner, 3d U.S. Congress Against War and Fascism, 1936 (proceedings of Congress, p. 19).[1]

EXHIBIT 6

Walter and his brother Victor went to Europe in 1933. There, while working and studying in an industrial plant in Russia, on January 20 of 1934, they wrote a letter to close friends in Detroit, a copy of which was published in the August 14, 1948, issue of the Saturday Evening Post.

Among other things, the letter stated:

"What you have written concerning the strikes and the general labor unrest in Detroit, plus what we have learned from other sources of the rising discontent of the American workers, makes us long for the moment to be back with you in the frontlines of the struggle; however, the daily inspiration that is ours as we work side by side with our Russian comrades in our factory, the thought that we are actually helping to build a society that will forever end the exploitation of man by man, the thought that what we are building will be for the benefit and enjoyment of the working class, not only of Russia, but the entire world, is the compensation we receive for our temporary absence from the struggle in the United States.

---

[1] The Attorney General's list.

[2] California Committee on Un-American Activities.

[3] House Un-American Activities Committee.

And let no one tell you that we are not on the road to socialism in the Soviet Union. Let no one say that the workers in the U.S.S.R. are not on the road to security, enlightenment and happiness."

The factory in which they worked was described as "the largest and most modern in Europe, and we have seen them all; there are no pictures of Fords and Rockefellers, or Roosevelts, and Mellon. No such parasites, but rather huge pictures of Lenin, etc., greet the workers' eyes on ever side. Red banners with slogans "Workers of the World Unite" are draped across the craneways. Little red flags fly from the tops of presses, drill presses, lathes, kellers, etc. Such a sight you have never seen before. Women and men work side by side—the women with their red cloth about their heads, the men with their fur hats. We work here 7 hours per day, 5 days a week (our week here is 6 days long). At noon we all eat in a large factory restaurant where wholesome plain food is served. A workers' band furnishes music to us from an adjoining room while we have dinner. For the remainder of our 1-hour lunch period we adjourn to the Red Corner recreation where workers play games, read papers and magazines or technical books or merely sit, smoke, and chat. Such a fine spirit of comradeship you have never before witnessed in your life. Superintendent leaders and ordinary workers are all alike. If you saw our superintendent as he walks through the shop greeting workers with 'Hello Comrade' you could not distinguish him from any other worker."

Further praising the Russian thinking and methods, the letter ends with the statement: "Carry on the fight for a Soviet America."

WALTER P. REUTHER

The public records, files, and publications of this committee contain the following information concerning Walter P. Reuther. This report should not be construed as representing the results of an investigation by this committee nor findings of this committee. It should be noted that the individual referred to is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

In testimony of Mr. John P. Frey, president of the metal trades department of the American Federation of Labor, given before the Special Committee on Un-American Activities, August 13, 1938, we find:

"Mr. FREY. These are the 280-odd members of the Communist Party who are now or have been on CIO organization payrolls. There are one or two who have not been on the payroll, but I will call attention to them. If it is the committee's desire, I will read all these names and turn them over. They are all numbered '1,' '2,' '3,' * * * and so forth; and I will comment on those which are of a more interesting or important character.

"135. Walter Reuther, Detroit, Mich.: He is one of the leaders of Automobile Workers Union, and President Martin has preferred charges against him. He has been to Russia several times and made reports as a result (public hearings, vol. 1, pp. 112 and 116).

"134. Walter Reuther, Detroit, Mich.: This fellow is one of the leaders of the Auto Workers Union and President Martin has preferred charges against him. He visited Soviet Russia and sent back a letter to this country which included the following paragraph: 'Carry on the fight for a Soviet America' (public hearings, vol. 1, p. 125.)

"Mr. FREY. There are two disrupting factors in the automobile workers at the present time. One consists of the bulk of the membership who very much resent the Communist control that was secured of national officers. The other is an internal fight between two factions of the Community Party. With that I do not want to deal. All that I desire to call your attention to is a complete report of their last meeting, which I am submitting—my report of what went on.

"Before the United Automobile Workers Union Convention opened in Milwaukee, the Communist Party members held a faction meeting or caucus at Eagles Hall in that city. There were present at this caucus Wyndham Mortimer, Ed Hall, Walter Reuther, and about 90 delegates to the convention who were actual Communist Party members. Also present were William Weinstone, Michigan secretary of the Communist Party; Jack Stachel, of New York" (ibid., p. 248).

Mr. Frey also submitted a report of the Second Annual Convention, United Automobile Workers of America, from which the following excerpts were taken:

"Since Martin controlled a majority of the delegates to the convention, which he had lined up before the opening day, Lovestone advised a drive to eliminate the regular Communist Party members in the leadership of the so-called unity faction, led by Vice Presidents Wyndham Mortimer, of Flint, Mich.; Ed Hall, of Milwaukee, Wis.; and Walter Reuther, head of the west side local of the union in Detroit. Lovestone's policy was to eliminate Mortimer, Hall, and Reuther and thus strengthen the position of the Trotskyist group behind Martin. There is no question that Martin and Frankensteen, influenced by Lovestone, were prepared to clean house of the Communist group, and it is equally true that up to a month before the convention the Mortimer-Hall-Reuther faction was trying to get rid of President Martin.

"When President Martin, much to the surprise of John L. Lewis and the Mortimer-Hall-Reuther faction, lined up a majority of the delegates to the convention, the latter faction was forced to change its policies. As stated before, the Mortimer-Hall-Reuther faction is Communist-controlled but disguised that fact by calling themselves the unity group, as, under the guise of unity, they thought they could save their own necks and possibly build a fire under Martin during the course of the convention.

"Mortimer, Hall, and Reuther worked closely with Gra Cassaway, a personal representative of John L. Lewis; Ray Edmundson, president of the Illinois district of the United Mine Workers and CIO director in that State, and David Dubinsky, a president of the International Ladies Garment Workers Union. On the evening of August 25, Charles S. Zimmerman, president of the powerful New York Local No. 22 of the International Ladies Garment Workers Union and a leading Trotskyite and follower of Lovestone, arrived in Milwaukee to use his influence on Dubinsky.

"On the same day (Wednesday), a load of Communist leaders came from Chicago, among them Joe Weber, a Steel Workers organizing committee organizer in South Chicago; Harry Shaw and Jack Johnstone, who had in the interim returned to Chicago. Upon arrival of the Chicago group, another Communist Party caucus was called, to which only the top elements were invited. Those present were Jack Stachel, Roy Hudson, William Weinstone, Ned Sparks, Wyndham Mortimer, Ed Hall, Walter Reuther, and B. K. Gebert" (public hearings, vol. 1, pp. 248–251).

Mr. Frey continued with his testimony as follows:

"The only material in connection with the automobile workers union which I want to file with the committee is a publication known as the Great Sitdown Strike. It was prepared by William Weinstone, who is a member of the central committee. He has an impressive record. His name is William Wolf Weinstone, and he is district organizer of district No. 7, Communist Party, headquarters, Detroit. He has had direct charge of party activities within the Auto Workers Union from the beginning. Among those reporting to him are Maurice Sugar, who is the counsel for one group of the auto workers, and has been a candidate for office in Detroit on the Communist ticket; also active with him are Roy Reuther, Walter Reuther, William Raymond, and Wyndham Mortimer" (ibid., p. 255).

In the information submitted by Mr. Walter S. Steele, chairman of the American Coalition Committee on National Security representing various organizations, in connection with his testimony given before the Special Committee on Un-American Activities in public hearings, August 17, 1938, the following reference was made to Walter Reuther:

"Among those sending greetings to the Second National Negro Congress were Walter Reuther, communistic president of Local 174 of the United Auto Workers Association" (ibid., pp. 625 and 626).

In testimony given by Mr. John D. McGillis, secretary, Detroit Council 305, Knights of Columbus, given before the Special Committee on Un-American Activities in public hearings on October 11, 1938, it was shown that Doctors Landrum and Shafarman of Detroit gave physical examinations to members of the Communist Party, who were able to pay for such examinations, but, instead, billed the city of Detroit. These examinations were in connection with recruiting for Loyalist Spain, and in some cases the doctors "have given them to other people prominent in communistic activities in Detroit." Among the latter, Mr. McGillis listed "Walter Reuther and his wife" (public hearings, vol. 2, pp. 1239, 1247–1248).

On October 12, 1938, Sgt. Harry Mikuliak, Detroit Police Department, testified before the special committee and made the following reference to Walter Reuther:

"Walter P. Reuther is president of the West Side Local 174, and he signs this TB test stating that he could not afford to pay for the examination" (ibid., p. 1286). Sergeant Mikuliak's testimony referred to the same matter as that referred to in the testimony of John D. McGillis quoted above.

In testimony of Mr. Clyde Morrow, a Ford Motor Co. employee, given in public hearings before the Special Committee on Un-American Activities on October 21, 1938, the following reference was made to Walter P. Reuther:

"Mr. MORROW. Mr. Martin, in his haste to get the automobile workers organized, went out and hired Communist members to do it. I think Martin thought he could use them 3 or 4 months and get rid of them.

"The CHAIRMAN. And they have gotten to the point where they might get rid of him?

"Mr. MORROW. That is right. They might get rid of Martin the way it looks to me. I hope not.

"The CHAIRMAN. Why cannot the international officers get rid of these men?

"Mr. MORROW. Here is the setup in Detroit. I only speak for Detroit because that is all I know about in Michigan. The international union has fired many Communist Party organizers. Now, what happens to them when Martin fires them? We have three or four 'Red' locals in Detroit, local 155, which is a haven for discharged officers, and when they are discharged by Martin these 'Red' locals immediately hire them as their financial secretaries, or recording secretaries, or organizers. Local 174 is what I would call an old soldiers' home for discharged Communist Party members whom Martin has fired. They are immediately taken in by the Communists in charge of their locals, such as Loyd Jones and Walter Reuther, and people like that." (Ibid., pp. 1652–1653.)

The following excerpts from the testimony of John M. Barringer, city manager

and director of publicity of Flint, Mich., given in public hearings, October 21, 1938, before the Special Committee on Un-American Activities concern the sitdown strike at the Chevrolet Motor Co., December 3, 1936:

"Mr. MOSIER. What part would you say that members of the Communist Party, Socialist Party, or the leftwing group of the Socialist Party played in that strike?

"Mr. BARRINGER. They played a very prominent part. We came in contact in every trouble with the Reuther brothers, Travis, and men of that sort.

"Mr. MOSIER. They were men you knew, and while you could not prove they were members of the Communist Party, you knew they were in sympathy with them.

"Mr. BARRINGER. That is right" (public hearings, vol. 2, p. 1682).

Mr. J. B. Matthews, testifying before the special committee on November 7, 1938, made the following reference to Walter Reuther:

"Mr. MATTHEWS. I had personal contacts with all three of the Reuther brothers, who have been prominent in the automobile workers union—Walter, Victor, and Roy. The night that Walter and Victor Reuther sailed for Russia many years ago, I had dinner with them and saw them off, and had some contact with them while they were in Russia and subsequent to their return. I do not know what their exact political connections are at the present time. I only know that their ideology, if I may be permitted to use the word here, is Communist" (public hearings, vol. 3, p. 2188).

In testimony given by Mr. Zygmond Dobrzynski, a member of the U.A.W., given before the Special Committee on Un-American Activities in public hearings, November 14, 1938, the following reference was made to Walter Reuther:

"The CHAIRMAN. Mr. Dobrzynski, I believe you were testifying before lunch with reference to the conference or conversation you had with Mr. Weinstone. Did those conversations take place in his office?

"Mr. DOBRZYNSKI. Yes, sir; they took place in the Communist Party headquarters. He also mentioned the Reuther brothers, Victor, Walter, and Roy, as workers with him. He stated, of course, that they were members of the Socialist Party, and not of the Communist Party, but that on certain policies they worked in conjunction with each other.

"The CHAIRMAN. You say he mentioned Roy, Victor, and Walter Reuther?

"Mr. DOBRZYNSKI. Yes, sir; as workers with him in the union on certain policies. He stated to me that they were not members of the Communist Party, but were members of the Socialist Party" (ibid., pp. 2219–2221).

A report of the U.S. Chamber of Commerce entitled, "Communists Within the Labor Movement," which was inserted in the record in connection with the testimony of Dr. Emerson Schmidt in public hearings before the Committee on Un-American Activities on March 26, 1947, contains the following reference to Walter Reuther:

"Gains or even demands made in one section of the A.F. of L., or the CIO, tend to repeat themselves elsewhere. It must be remembered that the labor movement is intensely political. If non-Communist leaders do not gain as much as their opponents, they may soon find themselves with an active Communist opposition in their own union. The opposition makes capital of the reasonable demands of the honest leadership. Hence, irresponsibility in labor tends to become infectious.

"An illustration of this analysis can be found in the policies of Walter Reuther. In the political struggles of labor, Reuther is considered a leader of the anti-Communist bloc. But at the same time, he is head of a union which has a powerful Communist minority. He faces sabotage, not only from this clique, but also from the national headquarters of the CIO. Communist influences there have persuaded the top leadership that Reuther is a threat to their positions. As a result, Reuther faces an alternative; he must either be aggressive or retire in favor of some Communist dupe. This explains in part the conflict in his public statements. On the one hand, he may favor increased labor productivity and decry inflationary wage rises. On the other hand, he makes wage demands which cannot be other than inflationary" (public hearings on H.R. 1884 and H.R. 2122, Mar. 24–28, 1947, p. 173).

Further references to Walter Reuther occur in the committee's hearings regarding communism in labor unions during testimony of Leon E. Venne and Walter Peterson on February 27, 1947, as follows:

"Mr. STRIPLING. Just a moment, Mr. Venne. In connection with the strike, Mr. Chairman, I would like for the record to show the attitude of the now president of the United Automobile Workers with reference to this local.

"The CHAIRMAN. What is his name?

"Mr. STRIPLING. Walter P. Reuther. In a newspaper article which appeared in the Buffalo Courier-Express on August 5, 1941, Walter P. Reuther charged that the Allis-Chalmers local was 'dominated by political racketeers of Communist stripe.' He described a local 248 election as 'the worst kind of strong-armed political racketeering' (p. 36).

"Mr. VENNE. I believe that labor, in order to make any of the gains that labor must make, must clean house, and it doesn't start at the bottom, but it starts at the top. We see in Allis-Chalmers today a situation that has come about through political maneuvering of two people who want the same job in the United Automobile Workers of America, namely, Walter Reuther and R. J. Thomas. R. J. Thomas is now using the Allis-Chalmers strike to insure that at the next convention he will have 87 votes to cast in favor of his presidency. R. J. Thomas—I mean, R. J. Thomas—belongs to the leftwing bloc in the international. While I don't pretend to call him a Communist, he accepts their support (p. 48).

"Mr. VENNE. The International—I mean, local 248—is exonerated from paying per capita tax to the international union while a strike is in progress. On April 29, the day the strike was called, local 248 had 87 votes at the international convention—that is, they have a vote for every one of the members. They will still carry that 87 votes at the convention that is to be held; I believe it is in September.

"Providing that—I am getting ahead of myself.

"The constitution of the United Auto Workers states that a per capita tax will be based on a period of 1 year preceding 60 days from the convention date, which means that if the strike continues to approximately June 31, then local 248 will carry 87 votes to support R. J. Thomas in his fight against Walter Reuther; whereas, if the strike was settled, say, today, we will have to figure some months on an 87 basis and some months at possibly—I would state that if the strike were settled, today the members of local 248 would drop to an alltime low or probably 2,000 to 3,000 on the outside, and probably less.

"The CHAIRMAN. Then, Mr. Venne, do you mean to imply that the real purpose of this strike is to determine the national leadership between Reuther and Thomas?

"Mr. VENNE. I will put it this way, sir; the continuation of this strike—the continuance of the strike is due to the—rests on the political angle of the international fight for the presidency of the U.A.W. of America" (p. 48).

Mr. Venne's testimony was followed by that of Mr. Walter Peterson of Allis-Chalmers, in which he referred to Walter Reuther, as follows:

"Mr. STRIPLING. Did you hear the testimony of the preceding witness, Mr. Venne?

"Mr. PETERSON. Yes.

"Mr. STRIPLING. What do you have to say concerning his testimony about the 87 votes?

"Mr. PETERSON. That is right. If the strike is prolonged until June 1947, which would be about 60 days before the date of the convention, local 248 would still carry 87 votes; and if the strike was settled before that, they would lose approximately, about 30 votes.

"Mr. MUNDT. You mean they would lose about 60 votes?

"Mr. PETERSON. They would lose about 60 votes.

"Mr. STRIPLING. Have you made any effort to oust the Communists—as a member of good standing?

"Mr. PETERSON. Yes; we did. We have been in and out of this fight practically since 1939. In 1941, I had much correspondence with CLARE HOFFMAN. We already knew about it.

"Mr. STRIPLING. Did you ever communicate with any of the international officers of the union?

"Mr. PETERSON. I did.

"Mr. STRIPLING. Did you communicate with them? Who did you communicate with?

"Mr. PETERSON. I communicated with Mr. Reuther and Mr. Murray both.

"Mr. STRIPLING. Walter Reuther?

"Mr. PETERSON. Yes.

"Mr. STRIPLING. Did you get any response?

"Mr. PETERSON. No. This dates back to last September 1946. There was about four or five of us from our department who got together and talked things over and we gradually expanded. * * * We decided at last that there was no way we could beat them but by going on the other side of the fence and withdrawing our support from the union, which we did. There was at that time about 3,000 of us that went in and more workers came in right along and in the latter part of November we had repudiation cards printed. * * *

"Mr. STRIPLING. How many members of local 248 signed such a card?

"Mr. PETERSON. We had approximately—at the time we sent the petition in, we had 2,600 of those cards signed.

"Mr. STRIPLING. Where did you send the petition?

"Mr. PETERSON. We sent it to Mr. Reuther—one to Mr. Reuther and one to Mr. Murray.

"Mr. STRIPLING. And you received no reply from them?

"Mr. PETERSON. We received no reply whatsoever. * * * It happened that on December 8, Walter Reuther was in town, was in Milwaukee, and we made an attempt to contact him. I had tried to contact him all that day at different points around town. I knew where he was and failed to make connections. When the rioting happened on this Monday, we put out a call for a special meeting for that evening. * * *

"During the course of the meeting I stated the fact that Reuther was in town the day before and failed to notify us or get in touch with us, and I failed to contact him, and what happened that day out at the plant.

"We took that for his answer to our demands" (public hearings regarding communism in labor unions in the United States, Feb. 27; July 23, 24, and 25, 1947, pp. 36, 48, 51–52).

The Daily Worker of September 4, 1937 (p. 8), contained a picture of the three Reuther brothers, above the following caption: "Three militant members of the unity

caucus of the United Auto Workers Union are Roy, Victor, and Walter Reuther, the latter also a member of the International Executive Board of the union. These brothers played a prominent part in the Milwaukee convention. They are champions of the united front within the Socialist Party and are opponents of Trotskyism as a counter-revolutionary movement."

EXHIBIT 7

ROGER N. BALDWIN

Member, National Committee for Justice in Columbia, Tenn., 1947 (pamphlet, "Terror in Tennessee").

American Committee Opposed to Alien Registration, 1930.

Board of Director, American Funds for Public Service, 1930.

National Committee All A. Anti-Imperialist League.[1]

Vice Chairman Anti-Imperialist League of United States.[1]

Labor Defense Council.[2]

National Committee To Aid Striking Miners Fighting Starvation, 1931.

National Committee, The International Workers Aid, 1931.

Advisory Board, Russian Reconstruction Farms, 1926.

New York Committee for Progressive Miners Relief, 1932.

Arrangements Committee, U.S. Congress Against War, 1933.[1]

American Committee for Struggle Against War, 1933.[2]

Endorser, First National Convention, Friends of Soviet Union, 1934.

Supporter, National Committee to Aid Victims of German Fascism, 1934.[3]

Advisory Board, American Committee for Protection of Foreign Born, 1935.[1]

National Congress for Unemployed and Social Insurance, Washington, D.C., January 1935.[2]

National Bureau, American League Against War and Fascism, 1935.[1]

Chairman, Executive Committee, Political Prisoners Bail Fund, 1935.

Contributor, "Soviet Russia Today," 1935.[2]

Speaker for I.L.D., in defense of Scottsboro Boys, 1935.[1]

Advisory Council, Book Union, 1935.[2]

Advisory Committee, Commonwealth College, 1935–36.[1]

Scottsboro Defense Committee.[2]

Member, League for Mutual Aid, 1936.

Vice Chairman, United Citizens Committee for the American League Against War and Fascism, 1936.[1]

Sponsor, American Friends of Spanish Democracy, 1936–38.[2]

Advisory Board, American Student Union, 1937.[2]

Sponsor, mass celebration in honor of "Mother" Bloor, 1937.

Supporter, American Youth Congress, 1937.[1]

Eulogized Russia on 20th anniversary ("Soviet Russia Today", Dec. 1937, p. 34).[2]

Speaker, The Group (Group Theater), 1937 (handbill) (21—Communist Movements—Cultural).[3]

Speaker at United Anti-Nazi meeting, Yorkville, N.Y. (Daily Worker, May 14, 1938, p. 2.)

Marcus Graham Freedom of the Press Committee, 1938.

Nominating Committee, People's Congress for Democracy and Peace, 1938.

American Congress of Peace and Democracy, 1939.[1]

[1] The Attorney General's list.
[2] House Un-American Activities Committee.
[3] California Committee on Un-American Activities.

Civil Rights Commission, American League for Peace and Democracy, 1939.[1]

Sponsor, National Sharecroppers Week, 1939, auspices Southern Tenant Farmers Union.

Board of Sponsors, American Guild for German Cultural Freedom, 1940.

Attended IWO "Stop Dies" rally, New York City, 1940 (10th anniversary issue, "Fraternal Outlook").[1]

Called for freedom of Earl Browder (Washington Post, May 11, 1942, page advertisement).

Washington Citizens' Committee To Free Earl Browder (Washington News, May 12, 1942).[1]

Sponsor, Lynn Committee To Abolish Segregation in the Armed Forces, 1944.

Article, "New Masses," May 20, 1947, page 3.

Committee, Refugees Defense Committee, 1947 (letterhead).

Protested Communist arrest for election frauds, Chicago (Daily Worker, Sept. 24, 1940, p. 5) 29–13.

A leader in CORE (Congress of Racial Equality). (People's World, Oct. 18, 1958, p. 7.)

Asked to testify for "4 Calif. Smith Act Victims" (Daily Worker, July 7, 1952, p. 2).

On program of conference auspices American Forum for Socialist Education. (Daily Worker, Nov. 4, 1957, p. 3.)

Roger N. Baldwin, NAACP Committee of One Hundred:

1. All-America Anti-Imperialist League—member of national committee—letterhead, April 11, 1928.[1]

2. American Committee for Protection of Foreign Born, supporter of Coller bill—Daily Worker, April 11, 1938, page 5.[1]

3. American Committee for Protection of Foreign Born—member of advisory board—letterhead, January 1940.[1]

4. American Committee for Struggle Against War—member—Struggle Against War, June 1933, page 2.[2]

5. American Congress for Peace and Democracy—endorser—call, January 6–8, 1939.[2]

6. American Friends of the Chinese People—participant in mass meeting—New Masses, October 5, 1937, page 30.[3]

7. American Friends of Spanish Democracy—member of executive committee—letterhead, February 21, 1938.[2]

8. American Fund for Public Service—member of board of directors—appendix IX, page 384.[2]

9. American League for Peace and Democracy—endorser of conference—Daily Worker, January 11, 1938, page 2.[1]

10. American League for Peace and Democracy—member of national committee—letterhead, July 12, 1939.[1]

11. American League Against War and Fascism—contributor to Fight—Fight, November 1933, page 10; September 1937, page 18.[1]

12. American League Against War and Fascism—member of national bureau—Fight, April 1934, page 14.[1]

13. American League Against War and Fascism—member of national executive committee—letterhead, August 22, 1935.[1]

14. American League Against War and Fascism—speaker at conference—Daily Worker, February 27, 1937, page 2.[1]

15. American League Against War and Fascism—participant in mass meeting—New Masses, October 5, 1937, page 30.[1]

16. American Student Union—member of sponsoring committee—Student Advocate, February 1937, page 2.[2]

[1] The Attorney General's list.
[2] House Un-American Activities Committee.
[3] California Committee on Un-American Activities.

17. American Student Union—speaker at fourth national convention—Student Almanac, 1939, page 32.[2]

18. American Youth Congress—member of national advisory committee—pamphlet, 1936; letterhead, July 4, 1937.[1]

19. Anti-Nazi Federation of New York—U.S.A. supporter—letterhead, 1940.

20. Book Union—advisory council member—letterhead, undated.[2]

21. Chicago Sobell Committee—signer of scroll presented to Urey at dinner, February 12, 1955—House committee report, "Trial by Treason," page 124.

22. Citizens Committee To Free Earl Browder—appealed to President Roosevelt on behalf of Browder—leaflet, 1942.[1]

23. Committee To Aid the Striking Fleischer Artists—affiliated with—letterhead, undated.

24. Consumers National Federation—sponsor—pamphlet, December 11–12, 1937.[2]

25. Friends of the Soviet Union—member of reception committee—letterhead, September 1929.[1]

26. Friends of the Soviet Union—contributor to "Soviet Russia Today"—September 1934, page 11.[1]

27. Frontier Films—member of advisory board—letterhead, undated.[2]

28. Greater New York Emergency Conference on Inalienable Rights—speaker at conference—program, February 12, 1940.[2]

29. Henri Barbusse Memorial Committee—chairman—New Masses, September 29, 1936, page 31.

30. International Labor Defense—speaker—New Masses, April 2, 1935, page 46.[1]

31. International Workers Order—speaker at rally—Fraternal Outlook, June–July 1940, page 15.[1]

32. Joint Committee for the Defense of the Brazilian People—signer of cable—appendix IX, page 949.[3]

33. Labor Defense Council—member of national executive committee—Voice of Labor, October 20, 1922, page 12.[3]

34. Labor Defense Council—committee member—letterhead, April 6, 1923.[2]

35. Medical Bureau, American Friends of Spanish Democracy—member of executive committee—letterhead, November 18, 1936.[2]

36. Medical Bureau and North American Committee To Aid Spanish Democracy—member of executive board—booklet, 1938.[1]

37. Mother Bloor Celebration Committee—sponsor of banquet; sent greetings—program, January 24, 1936, pages 7, 9.

38. National Committee To Aid Victims of German Fascism—U.S.A., supporter—letterhead, July 3, 1934.[3]

39. National Committee Friends of the Soviet Union—endorser of—Soviet Russia Today, December 1933, p. 17.[1]

40. National Committee To Aid Striking Miners Fighting Starvation—sponsor—letterhead, January 30, 1933.

41. National Congress of Unemployment and Social Insurance—sponsor—leaflet, January 5–7, 1935.[2]

42. National Mooney Council of Action—member—Daily Worker, May 12, 1933, page 2.

43. National People's Committee Against Hearst—member—letterhead, March 16, 1937.[2]

44. National Scottsboro Action Committee—member of executive committee—Daily Worker, May 3, 1933, page 2.[2]

45. National Student League—signer of call for support—Daily Worker, September 28, 1932, page 2.[1]

[1] The Attorney General's list.
[2] House Un-American Activities Committee.
[3] California Committee on Un-American Activities.

46. New Masses—contributor—New Masses, April 2, 1935, page 13; November 16, 1937, page 20.[1]

47. New Masses—sent letter—New Masses, May 13, 1941, page 23; August 26, 1947, page 17.

48. New York Professional Workers Conference on Social Insurance—speaker—leaflet, December 20, 1934.

49. New York Tom Mooney Committee—sponsor—letterhead, June 5, 1939.[2]

50. North American Committee To Aid Spanish Democracy—sponsor—New Masses, September 28, 1937, page 28.[1]

51. People's Congress for Democracy and Peace—member of national bureau—letterhead, November 3, 1937.[2]

52. Political Prisoners Bail Fund Committee—trustee—letterhead, January 18, 1935.

53. Prisoners Relief Fund of International Labor Defense—member—leaflet, undated.[1]

54. Protest Against Verdict of Guilty in Case of 11 Communist Leaders—spoke out against verdict—Worker, October 30, 1949, page 3.

55. Russian Reconstruction Farms—member of advisory board—letterhead, March 20, 1926.[2]

56. Supports Dissenting Opinions of Black and Douglas Toward Smith Act—statement—Masses and Mainstream, August 1951, page 14.

57. Testimonial Dinner to Carol King—sent message—Lamp, April 1948, page 4.

58. U.S. Congress Against War—member of arrangements committee—letterhead, November 1, 1933.[1]

LILLIAN SMITH

Member, Advisory Committee, Congress of Racial Equality (CORE). Editor, South Today, Georgia. Author, "Strange Fruit." National Citizens' Political Action Committee (Daily Worker, July 15, 1944, p. 4).

While attending American Peace Mobilization meeting, New York City, April 6, 1941, signed petition demanding freedom of Earl Browder (Daily Worker, May 2, 1941, p. 2).[1]

Lillian Smith, NAACP Committee of One Hundred.

1. American Peace Mobilization—signer of petition to free Browder—Daily Worker, May 2, 1941, page 2.[1]

2. Committee for Equal Justice for Mrs. Recy Taylor, an auxiliary of International Labor Defense—sponsor—booklet, August 1945.

3. Emergency Peace Mobilization—affiliated with—appendix IX, page 692.[1]

4. National Citizens Political Action Committee—member—official list, August 28, 1944.

5. National Council of American-Soviet Friendship—speaker—Worker, November 19, 1944, page 2.[1]

6. South Today—editor—National Citizens Political Action Committee official list, August 28, 1944.

7. Southern Conference for Human Welfare—consultant—official report, 1942.[2]

ROLAND B. GITTELSOHN

Information from the files of the Committee on Un-American Activities, U.S. House of Representatives

MAY 7, 1959.

For: Hon. JAMES O. EASTLAND.

Subject: Roland B. Gittelsohn.

This committee makes no evaluation in this report. The following is only a compilation of recorded public material contained in our files and should not be construed as representing the results of any investigation or finding by the committee. The fact that the committee has information as set forth below on the subject of this report is not per se an indication that this individual, organization, or publication is subversive, unless specifically stated.

Symbols in parenthesis after the name of any organization or publication mentioned herein indicate that the organization or publication has been cited as being subversive by one or more Federal authorities. The name of each agency is denoted by a capital letter, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and, S—Subversives Activities Control Board. The numerals after each letter represent the year in which that agency first cited the organization or publication. (For more complete information on citations, see this committee's "Guide to Subversive Organizations and Publications.")

As shown on their letterhead dated August 3, 1939, Rabbi Roland B. Gittelsohn was a sponsor of the Refugee Scholarship and Peace Campaign (C–1944) of the American League for Peace and Democracy (C–1939; A–1942; I–1956).

A news release of the Mid-Century Conference for Peace (C–1951; I–1956), dated May 8, 1950, listed Rabbi R. B. Gittelsohn (on page 2) among the religious leaders who supported the appeal for special peace sermons made by Rev. Halford E. Luccock and Rabbi Edward E. Klein. Rabbi Gittelsohn's address was shown as Rockville Centre, N.Y.

EXHIBIT 8

IRA D'A. REID

OCTOBER 24, 1955.

For: Hon. JAMES O. EASTLAND, U.S. Senator.

Subject: Dr. Ira DeA. Reid.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

On April 17, 1943, the American Committee for Protection of Foreign Born entertained at a United Nations in America dinner in New York City, as "a tribute to the contributions of the foreign born to America." The invitation and program of the dinner announced that Dr. Ira DeA. Reid would participate in the program by giving a testimonial to Franz Boas, identified by the Special Committee on Un-American Activities as "a noted Communist fellow traveler," (Report 1311 of the special committee on * * * dated Mar. 29, 1944.) In the same report, the American Committee for Protection of Foreign Born was cited as "one of the oldest auxiliaries of the Communist Party in the United States"; the Attorney General of the United States cited the American Committee * * * as subversive and Communist (press releases of June 1 and Sept. 21, 1948; included on consolidated list released Apr. 1, 1954.)

The Daily Worker of April 26, 1947, reported that Dr. Ira DeA. Reid had forwarded to the Council on African Affairs in New York his protest of the action by the Albany (N.Y.) city administration in refusing to permit Paul Robeson to hold a concert in the Albany public schools. The attorney general cited the Council on African Affairs as subversive and Communist (press releases of Dec. 4, 1947, and Sept. 21, 1948).

A leaflet of the Southern Conference for Human Welfare entitled "The South Is Closer Than You Think," named Dr. Ira DeA. Reid as a member of that organization's executive board; he participated in the program of the Second Southern Conference for Human Welfare, April 14–16, 1941, as shown on the call to that conference. The Southern Conference * * * has been cited by the Committee on Un-American Activities as a Communist-front organization "which seeks to attract southern liberals on the basis of its seeming interest in the problems of the South" although its "professed interest in southern welfare is simply an expedient for larger aims serving the Soviet Union and its subservient Communist Party in the United States." (Report dated June 12, 1947, on the Southern Conference for * * *.)

Dr. Ira DeA. Reid was a member of the advisory board of the Southern Negro Youth Congress, as shown on a page from a leaflet published by the organization and letterheads of the group dated June 12, 1947 and August 11, 1947. The Attorney General cited the Southern Negro Youth Congress as "subversive and among the affiliates and committees of the Communist Party, U.S.A., which seek to alter the form of government of the United States by unconstitutional means" (press release of December 4, 1947). The group was also cited as a Communist-front organization by the Special Committee on Un-American Activities (report of January 3, 1940); and as "surreptitiously controlled" by the Young Communist League. (Report of the Committee on Un-American Activities dated April 17, 1947.)

A letterhead of the U.S. Congress Against War, dated November 1, 1933, contained the name of Ira DeA. Reid in a list of members of the arrangements committee; he was identified with the League for Industrial Democracy. The American League Against War and Fascism was organized at the First U.S. Congress Against War and Fascism which was held in New York City, September 29 to October 1, 1933. "The program of the first congress called for the end of the Roosevelt policies of imperialism and for the support of the peace policies of the Soviet Union, for opposition to all attempts to weaken the Soviet Union." (The Attorney General of the United States, CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7683.) The Special Committee on Un-American Activities cited the congress as "completely under the control of the Communist Party" (a report dated March 29, 1944).

On April 26, 1948, the Daily Worker reported that "the Jefferson School (of Social Science) board of trustees hailed the statement of American educators protesting to President Truman and Attorney General Clark the blacklisting of the Jefferson School and other educational institutions. The educators' statement was regarded as a 'welcome contribution to sanity' by the Jefferson School board, Prof. Lyman Bradley, chairman of the board, told the Daily Worker.

"The board lauded the statement's signers as 'educators of courage and conviction who refuse to be intimidated by the current hysteria emanating from Washington and who express their devotion to the ideals of democratic education by supporting the right of labor and of Marxists to conduct schools for the teaching of their views without threat or intimidation.'

"The statement of the board followed a report from Professor Bradley on the protest letter which had been sponsored by 12 prominent educators and sent to a selected list of college and university professors throughout the country. The open letter was signed by 153 professors from more than 60 institutions of higher learning." In the list of persons who signed the open letter was the name of Ira DeA. Reid, identified as chairman, sociology department, Atlanta University and director, People's College at Atlanta.

[1] The Attorney General's list.

[2] House Un-American Activities Committee.

The Attorney General of the United States cited the Jefferson School of Social Science as an "adjunct of the Communist Party" (press release of December 4, 1947; included on consolidated list released April 1, 1954); the special committee cited it as follows in a report of March 29, 1944: "At the beginning of the present year, the old Communist Party Workers School and the School for Democracy were merged into the Jefferson School of Social Science."

In a leaflet of the National Council of the Arts, Sciences, and Professions entitled "To Safeguard These Rights * * *," the name of Ira DeA. Reid appears in a list of sponsors of a conference arranged by the Bureau on Academic Freedom of the National Council, October 9–10, 1948; in the same source, he was identified with Haverford College. He spoke at the Scientific and Cultural Conference for World Peace which was held under the auspices of the National Council of the Arts, Sciences, and Professions, as shown by the conference program; the same source revealed that he was one of the sponsors of that conference, as did the Daily Worker of February 21, 1949 (p. 2); the conference was held in New York City March 25–27, 1949. He spoke at a rally on academic freedom, arranged by the national council, on behalf of teachers who had been dismissed (see advertisement in the New York Star of Oct. 8, 1948, p. 10).

In a Review of the Scientific and Cultural Conference for World Peace which was prepared and released by the Committee on Un-American Activities April 26, 1950, the National Council of the Arts, Sciences, and Professions was cited as a Communist-front organization; in the same review, the Scientific and Cultural Conference was cited as a Communist front which "was actually a supermobilization of the inveterate wheelhorses and supporters of the Communist Party and its auxiliary organizations."

On December 23, 1952, Mr. Louis Francis Budenz, member of the faculty of Fordham University and Seton Hall University, appeared under subpena before the Select Committee To Investigate Tax-Exempt Foundations and Comparable Organizations, House of Representatives. At that time Mr. Budenz gave the following testimony concerning the subject individual:

"Dr. Ira Reid, my impression is I've met him as a Communist, but I do know definitely, and can state here, that official communications from Stachel and Jerome, Trachtenberg, have definitely identified Dr. Reid as a Communist."

Later, on December 30, 1952, Dr. Reid appeared before the same committee, at his own request, for the purpose of giving him an opportunity to make a statement with reference to Mr. Budenz' testimony presented under oath. Dr. Reid identified himself as "Ira D. A. Reid, 2 College Lane, Haverford, Pa., professor of sociology at Haverford College." Dr. Reid stated for the record that "I am not a Communist, I have never been a Communist, and therefore regard that as a deliberate untruth as advanced by Mr. Budenz.

"It is true that I was a fellow of the general education board in 1933–34, receiving a fellowship that enabled me to complete my residence work at Columbia University. I was vouched for that fellowship by the man who was my college president, a very estimable person, the late John Hope, who wanted me to come to Atlanta to teach. After completing that work in residence at Columbia University, I went to Atlanta, Ga., and began teaching at Atlanta University.

"The one occasion when I was very certain that Communist influence was being brought to bear on the conference held in New York in 1949, I resigned from the program, and we did not appear. That has been thrown up against me several times and offered as proof that I was a Communist. I think as a preliminary statement, Mr. Counsel, that is what I wish to make."

Dr. Reid denied knowing Mr. Budenz, Mr. Jerome, and Mr. Stachel. Then committee counsel asked two or three questions of Dr. Reid, as follows:

"Mr. KEELE. * * * Did you sign a petition of the citizens committee to free Earl Browder?

"Mr. REID. No, sir. I have submitted to another branch of the Government a statement, duly affirmed, to that effect.

"Mr. KEELE. Did you sign a letter defending the Jefferson School of Social Science?

"Mr. REID. No, sir. As I have also stated, I know nothing about the Jefferson School of Social Science.

"Mr. KEELE. Were you a member of the executive board of the Southern Conference for Human Welfare?

"Mr. REID. Yes, I was, and during the time that I was a member of that organization, it was a forthright, democratic, good organization, in which a number of us who were interested in the South believed and cooperated, and when it no longer seemed to serve that end, numbers of us pulled out. I, for one, did, and enabled and worked for the setting up of the Southern Regional Council in Atlanta, Ga., with a number of others of the forward-looking people in the South."

Committee counsel then questioned Dr. Reid concerning a testimonial he made to Franz Boaz at the United Nations in America dinner held under the auspices of the American Committee for Protection of Foreign Born, New York City, April 17, 1943, and Dr. Reid answered him as follows:

"Yes, I wrote a testimonial to that meeting. I see now that the American Committee for Protection of the Foreign Born—I knew that committee only in two ways: One, when I was working on my dissertation, the office provided me with some material. Franz Boaz was a former teacher of mine at Columbia University, and I sent a letter of comment on his skill and my appreciation of him as a teacher, which I would have done again and again and again. I do not regard that as a subversive activity."

When questioned about a statement of the Council for African Affairs which Dr. Reid was alleged to have signed, he made the following statement:

"I have been interested in the Council for African Affairs, because it was one source from which you could get materials on Africa. I do not remember signing a statement. I may have. If so, it was about problems in Africa. But it was not in any connection with anything that might have been called subversive. It was in the province of darker peoples throughout the world, I suppose."

In connection with the Scientific and Cultural Conference for World Peace and the sponsoring organization, National Council for the Arts, Sciences, and Professions, Dr. Reid told that committee that "I spoke at that conference on the subject, I think, of race discrimination, and academic freedom. I have sent to the Government a copy of that speech, and it was that conference that led to my being asked to speak at the cultural, whatever the meeting was, that was held the next year, and it was only then that I realized that there were connections that were regarded as subversive. Therefore, I did not appear at the other. I did appear and speak at the council on academic freedom at that time on the subject of race discrimination." Dr. Reid further told the committee that he did not appear at the Scientific and Cultural Conference in New York City, March 25–27, 1949; that he sent a telegram stating his reasons for not appearing, saying "that I did not believe in the things which it seemed to be sponsoring."

During the same testimony, Dr. Reid told the committee that he knew nothing about his name appearing on a letterhead of the United States Congress Against War in a list of members of their arrangements committee. Dr. Reid testified that in June and August of 1947, he had left the South and was no longer there. "I had been a member of the advisory committee of the Southern Negro Youth Congress" he told the committee, and "many of us in Negro education in the South were interested in it. We came into it under very, oh, reliable auspices, and I served in those purposes. And it was not until years later that there was any discovery that there was any sort of Communist influence in it. I resigned from that group. I do not remember the exact time, the cause was, I told the director at the time that I did not approve of the methods that were being used in the South, and I thought that they were exploiting Negro youth by so doing it. And I was never called upon to do anything more, although the names may have remained on the letterhead."

References to and excerpts from testimony of Mr. Budenz and Dr. Reid may be found in printed Hearings Before the Select Committee To Investigate Tax-Exempt Foundations and Comparable Organizations, House of Representatives, 82d Congress, 2d session, pages 715 and 729, respectively.

GOODWIN WATSON

Member, advisory committee, Congress of Racial Equality (CORE).

PROF. GOODWIN WATSON

Conference on Equal Rights for Negroes in the Arts, held Saturday at the Pythianon, West 70th Street. Wide Discrimination Against Negroes in Art, Science, etc. (Daily Worker, Nov. 14, 1951, p. 7.)

Conference on Equal Rights for Negroes in the Arts, Science, and Professions. (Daily Worker, Nov. 9, 1951, p. 8.)

GOODWIN B. WATSON, PROFESSOR OF EDUCATION, TEACHERS COLLEGE

Clipping: "Schools Failing, Educators Charge." (New York Times, Feb. 15, 1937.)

Clipping: "Educator Assails Capitalist Ideas." (Washington Star, Feb. 23, 1934.)

Clipping: "Class War on the Campus." (American Mercury, Apr. 1937.)

Signer, petition urging discontinuance of Dies committee. (Daily Worker, Jan. 8, 1940, p. 4.)

Signer, letter to President Roosevelt protesting attacks upon Veterans of Abraham Lincoln Brigade. (Daily Worker, Feb. 21, 1940, p. 4.)[1]

Signer, letter to Dies committee, sponsored by American Committee for Democracy and Intellectual Freedom, denouncing proposal to investigate political and social affiliations of authors of textbooks. (Daily Worker, Apr. 8, 1940, p. 2.)[2]

Sponsor, Committee of One Thousand To Abolish House Committee on Un-American Activities Committee, 1948. (Letterhead.)

Writer for Wallace, 1948.

GOODWIN WATSON, PROFESSOR, SOCIAL PSYCHOLOGY, COLUMBIA UNIVERSITY

Stated that "The point of Russian education is to give everybody the kind of education that makes him stand on his tiptoes and stretch himself to the utmost." (Worker, Nov. 9, 1958, p. 8.)

Goodwin Watson (professor, Teachers College, Columbia University, New York City).

Signer, statement released by Committee for Peaceful Alternatives to the Atlantic Pact, 1950 (letterhead).[2]

One of 83 signers of open letter to the American people for the Bill of Rights, released by Americans for Traditional Liberties. (Daily Worker, Sept. 26, 1955, p. 4.)

---

[1] The Attorney General's list.

[2] House Un-American Activities Committee.

Charged with championing the "objectives of the Communist conspiracy" by the Americanism Commission of the Westchester County American Legion. Part-time consultant, Guidance Center of New Rochelle, N.Y. (New York Times, Mar. 6, 1954, p. 22). See also his record published in the Firing Line of April 15, 1954, official organ of the American Legion.

Kerr subcommittee of Congress upholds finding of Committee on Un-American Activities that Goodwin Watson is unfit for Federal employment. (New York Times, Apr. 15, 1943.)

Member of the program committee of the Committee for Peaceful Alternatives to the Atlantic Pact (HUAC, report on the Communist peace offensive, pp. 143, 145).[2]

Signer of petition to President Truman for amnesty for convicted Communist leaders (Daily Worker, issued during August 1952).

Endorsed the International Workers Order ("Action for Unity" by Goodwin Watson, p. 22).[1]

Endorsed the National Negro Congress ("Action for Unity" by Goodwin Watson, p. 9).[1]

Endorsed the National Federation for Constitutional Liberties ("Action for Unity" by Goodwin Watson, p. 12).[1]

Endorsed the People's Institute for Applied Religion ("Action for Unity" by Goodwin Watson, pp. 125 and 126).[1]

For further endorsements of Communist fronts by Goodwin Watson, see his book, "Action for Unity."

A. J. MUSTE

Senate civil rights hearings, 1959.

Nuclear-weapons tests and A. J. Muste: For centuries, pacifists of many kinds have conducted their propaganda campaigns around the horror of war. To the actualities of war, which are bad enough, pacifists have added their own particular speculations: namely, that the next war would spell the end of civilization.

In the present era, Communists have found pacifists activity and propaganda very much to their liking. As long as such activity affects only the peoples of non-Communist countries, Communists would like to see pacifism become the dominant mood throughout the so-called free world. Toward this end, Communists and pro-Communists give all the encouragement possible to every pacifist organization that sentimental clergymen may wish to set up in the United States.

Among the thousands of Protestant clergymen who have joined or otherwise supported the long list of Communist peace fronts during the past 40 years, one name stands out above all the others; namely, A. J. Muste. This Holland-born Presbyterian clergyman and agitator, now in his 75th year, is the undisputed dean of American leftwing activity. Muste was a delegate to the Fifth World Order Study Conference at Cleveland. Muste's credentials, if he has any, are his life-long dedication to undermining the security of his adopted land.

Two years ago, A. J. Muste got up a delegation for the purpose of "observing" the procedures of the Communist Party's 16th National Convention, February 9–12, 1957. The press was barred from the deliberations of the leading Communists, but Muste and his fellow "observers" were cordially welcomed. In their formal report to the American people, Muste's delegation found "that the sessions of the convention were democratically conducted." Whether the Communist conspirators conspired democratically or undemocratically is about as important as the color of their hair—except to the mentality of an A. J. Muste.

The work of the Muste delegation drew the following comment from Mr. J. Edgar Hoover:

"The Communists boasted of having 'impartial observers' cover the convention. However, most of these so-called impartial observers were handpicked before the convention started and were reportedly headed by A. J. Muste, who has long fronted for Communists * * *. Muste's report on the convention was biased, as could be expected."

A. J. Muste has described his recent activity in the following words: "Thus in this summer of 1957 I am occupied with problems relating to the attitude of the churches toward nuclear war * * *."

Muste has been highly successful in recruiting outstanding Protestant clergymen for agitation on the subject of nuclear weapons. The following delegates to the Fifth World Order Study Conference have been involved in this type of agitation: John C. Bennett, Harold A. Bosley, Roy Burkhart, Edwin T. Dahlberg, Ralph D. Hyslop, Homer A. Jack, Louis H. Lammert, Paul L. Lehmann, John A. Mackay, Robert W. Moon, G. Bromley Oxnam, W. Harold Row, Culbert Rutenber, Walter W. Sikes, B. Julian Smith, Ralph W. Sockman, Carl D. Soule, Alfred W. Swan, and Daniel E. Taylor. To this list must be added the name of the Quaker layman, Clarence E. Pickett.

Fellowship of Reconciliation: The largest leftwing pacifist group in the United States is the Fellowship of Reconciliation. For years, A. J. Muste was the executive secretary of this organization.

The Fellowship of Reconciliation claims to have been the parent of many leftwing organizations which have worked to further the interests of the Communist conspiracy in the United States. In its official history, the fellowship has the following to say about itself: "Out of its activities and the concerns of its members and committees have grown such diverse organizations as the National Conference of Christians and Jews, the American Civil Liberties Union, the Religion and Labor Foundation, the Workers Defense League, the Committee on Militarism in Education, the Congress on Racial Equality, the National Council Against Conscription, the Society for Social Responsibility in Science, the Church Peace Mission, and most recently, the American Committee on Africa."

The Fellowship of Reconciliation is officially on record as urging its members to join "political movements which aim at the replacement of private capitalism by a system of collective ownership." This broad category is enough to include the Communist movement as well as the Socialist.

The current and official apparatus of the fellowship was well represented in the composition of the Cleveland Conference of the National Council of Churches. From the early years of the Federal Council of Churches, its personnel was extensively interlocked with that of the Fellowship of Reconciliation.

The following delegates who were present at the Cleveland Conference are currently listed as officially connected with the Fellowship of Reconciliation (FOR) in the latter's publications.

Hiel D. Bollinger, accredited representative of the Fellowship of Methodist Pacifists to the FOR.

Harold A. Bosley, member of the FOR advisory council.

Charles F. Boss, member of the FOR advisory council.

Edwin T. Dahlberg, member of the FOR advisory council.

Barton Hunter, accredited representative of the Disciples Peace Fellowship to the FOR.

Jameson Jones, editorial contributor of Fellowship, official magazine of the FOR.

A. J. Muste, secretary emeritus of the FOR.

Clarence E. Pickett, member of the FOR advisory council, winner of the Nobel Peace Prize.

Culbert G. Rutenber, member of the FOR national council.

John M. Swomley, Jr., cosecretary of the FOR.

Herman Will, Jr., member of the FOR national council.

Church Peace Mission and the Cleveland Conference: The Church Peace Mission, currently headed by A. J. Muste, was represented at the Cleveland Conference in the following delegates:

John C. Bennett, dean of Union Theological Seminary.

Harold A. Bosley, Methodist Church.

Edwin T. Dahlberg, president of the National Council of Churches.

Milton H. Hadley, Five Years Meeting of Friends.

Ralph D. Hyslop, Union Theological Seminary.

Louis H. Lammert, Evangelical and Reformed Church.

Paul L. Lehmann, Harvard Divinity School.

John A. Mackay, former moderator, Presbyterian Church, U.S.A.

Robert W. Moon, Methodist Church.

A. J. Muste, secretary emeritus, Fellowship of Reconciliation.

Clarence E. Pickett, former head, American Friends Service Committee.

W. Harold Row, Church of the Brethren.

Culbert G. Rutenber, American Baptist Convention.

J. Harold Sherk, National Service Board for Religious Objectors.

Walter W. Sikes, Disciples of Christ.

Bishop B. Julian Smith, Christian Methodist Episcopal Church.

Ralph W. Sockman, Methodist Church.

John M. Swomley, Jr., Methodist Church.

Herman Will, Jr., Methodist Church.

The Church Peace Mission has been specially involved with the question of nuclear-weapons tests.

1. American Forum for Socialist Education—chairman—New York Times, May 13, 1957, page 12; Daily Worker, May 13, 1957, page 1; National Guardian, February 3, 1958, page 1.

2. Appeal for Amnesty for Eleven Communist Party Leaders—signer—press release, January 13, 1953.

3. Bronx Socialist Forum—speaker—National Guardian, February 3, 1958, page 11.

4. Christmas Amnesty Plea for Communists Convicted Under the Smith Act—initiator—New York Times, December 21, 1955, page 20.

5. Church Peace Mission—signer of statement on nuclear weapons tests—press release, December 2, 1957.

6. Church Peace Mission Statement Calling for Cancellation of Nuclear Tests—signer—press release, April 21, 1958.

7. Clemency Appeal for Green and Winston—signer—New York Post, September 23, 1958.

8. Committee on Militarism in Education—member of national council—letterhead, October 1, 1935.

9. Committee for Socialist Unity—speaker at United Socialist Rally for May Day—Daily Worker, April 30, 1957, page 8.

10. Consumers National Federation—sponsor—program, December 11–12, 1937.

11. Dissent—contributing editor—letterhead, May 1958.

12. Fellowship of Reconciliation—speaker at forum—Daily Worker, May 29, 1956, page 1.

13. Fellowship of Reconciliation—secretary emeritus—letterhead, January 1958.

14. First U.S. Congress Against War, 1932—member of arrangements committee—Massachusetts hearings, page 464.

[1] The Attorney General's list.

15. Greater New York Committee for a Sane Nuclear Policy—sponsor—leaflet, April 14, 1958.

16. Greater New York Emergency Conference on Inalienable Rights—speaker—program, February 12, 1940.

17. Melish Brief Amici Curiae—signer—U.S. Supreme Court, January 11, 1951.

18. Militant Labor Forum—speaker—National Guardian, March 3, 1958, page 10.

19. National Associates—sponsor of dinner-forum—program, May 25, 1952.

20. National Committee To Aid Victims of German Fascism—chairman—letterhead, July 3, 1934.

21. National Committee To Secure Justice in the Rosenberg Case—appealed for clemency—leaflet, 1953.

22. National Scottsboro Action Committee—member of executive committee—Daily Worker, May 3, 1933, page 2.

23. New York Committee for the Harold Davies MP Meeting—sponsor; speaker—letterhead, September 11, 1958.

24. New York Committee for a Sane Nuclear Policy—speaker—leaflet, April 11–19, 1958.

25. Petition to Congress to eliminate the House Committee on Un-American Activities—signer—Washington Post and Times Herald, January 7, 1959, page A8.

26. Rosenberg clemency appeal—signer of appeal to President Truman—Daily Worker, January 13, 1953, page 2.

27. Scottsboro Unity Defense Committee—participated in meeting—Daily Worker, April 18, 1933, page 2.

28. Socialist Unity Forum—speaker at symposium—Worker, January 13, 1957, page 15.

29. Statement by non-Communist observers at Communist Party Convention, stating that the convention was democratically run and assailing Eastland committee—signer—Daily Worker, February 25, 1957, page 1.

30. Symposium on socialism in America—participated in—Worker, August 26, 1956, page 4.

31. United States Congress Against War—member of arrangements committee—letterhead of National Organizing Committee, November 1, 1933.

32. Women's International League for Peace and Freedom—signer of open letter asking President Eisenhower to call off H-bomb tests—New York Times, May 7, 1956, page 21; Daily Worker, May 8, 1956, pages 1, 8.

Mr. THURMOND. Mr. President, will the distinguished Senator yield?

Mr. EASTLAND. I yield.

Mr. THURMOND. I take this opportunity to congratulate the able and distinguished Senator from Mississippi, who is the chairman of the Committee on the Judiciary of the U.S. Senate, for the valuable information he has brought to Senators and to the American people on this very timely and pertinent topic.

Mr. EASTLAND. I thank my distinguished friend from South Carolina.

Mr. President, the Subcommittee on Internal Security of the Committee on the Judiciary, by special resolution, has been instructed to investigate the Communist conspiracy in our country and the administration of the Internal Security Act. From investigation and examination of the facts and records there can be little doubt, in my judgment, but that this group is an arm of the Communist conspiracy. They are agents of worldwide communism, who sow strife and discord in this country. A Communist movement must live with decisions that must be made by our Government. They desire to hurt our Government in the eyes of countries in other parts of the world who do not realize what the real conditions in the Southern States are.

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. EASTLAND. Mr. President, I am opposed to title I of S. 1021, to authorize a program of Federal financial assistance for primary and secondary education. My opposition to this legislation is based on many grounds, all of which I propose to develop during the course of this debate. But it is well to start with the elemental proposition that the $80 billion annually required to sustain the expenditures of the Federal Government is not money that is manufactured or created by the Government. Government is parasitic in form and sustains itself only by levying tribute in the form of taxes on the income and wealth of the individual citizens. The reach of Federal taxation is uniform against the 50 States and the countless local communities and school districts that have the honor and responsibility of supplying educational facilities to the children of this Nation. All this character of legislation can possibly do is to force citizens to transfer their dollars from local and State control to that of the Federal Treasury and then receive them back in a greater or lesser degree with this joker attached—that is, that what the Federal Government finances it is inevitable that it will eventually control.

Pious claims of limited programs, States rights, and no strings attached are repudiated by the experience of history. Just consider for a moment the Department of Health, Education, and Welfare, which devised and prepared this latest program and would be charged with its administration. This Department did not even exist until April 1, 1953. While it is true that it did incorporate many old agencies and bureaus, many of which render useful and valuable service, its growth has been gigantean. In the last fiscal year its operation budget amounted to $3,515,872,000. This contrasts with $1,920 million that was required in 1953 to operate the Department. During the fiscal year of 1960 the average number of employees totaled 62,958.

I propose to show during the course of my remarks that this agency of the Government has been both ready, willing, and anxious to enter the field of direct control and supervision of the operation of public school systems in the Southern States.

Before turning to some of the details of the proposed legislation, I would like to point up more of the fundamental issues that are involved in this attempt of the Federal Government to invade a new field of public assistance. Those of us who believe deeply and sincerely in the concept of States rights, under which certain limited and specific powers are delegated to the Federal Government where all others are reserved to the States and the people, have justifiably become increasingly alarmed that we are entering the twilight of State sovereignty without any definite changes in the language of the Constitution of the United States. The increasing and erosive usurpation of power on the part of the Federal establishment through the combined legislative, executive, and judicial branches of the Federal Government has diminished and debilitated the powers of the States. Education is one area which, up until this time, State and local authorities have had the sole control and operational responsibility without interference from the Congress of the United States. It is one of the saddest commentaries of the mid-20th century that the same character of restraint has not been exercised by the judicial branch of our Federal Government.

Mr. President, in all sincerity I say that neither the Founding Fathers of this country nor the Constitution of the United States contemplates that the citizens of 50 States in these United States be pressed together in one conglomerate mass, but when this Congress starts funneling money into the educational facilities of the countless school districts of these United States, this is going to be the inevitable result—one conglomerate mass of people. There are those equalitarians amongst us who full well realize that in order to achieve the purpose of a totally centralized government in this country, the first step must inevitably be to take the child away from the family and make him the ward of the state through a universalized system of public education. Control of our school system under the present scheme is founded in the citizens of the local community. Even though the several States participate in the educational program to a greater or lesser degree, the foundation rock of control still resides with the members of the local school boards and trustees. Control of public education must be retained at this level and it cannot be if we now open the door to gradual federalization.

S. 1021 is heralded as a modest bill. It is proposed to allot to the States $2,550 million at the rate of $850 million per year for 3 years. This Federal assistance is to apply for teachers' salaries, classroom construction, and special projects in our public elementary and secondary schools. If the public school system of this country is in such a deplorable condition, of what substantial assistance can $850 million a year spread over a period of 3 years be to operational costs in excess of more than $16 billion a year which is now expended by the States and local communities to operate these schools? Whether the money is expended on teachers' salaries, classroom construction, or special projects, it is purely and simply the concerted effort on the part of proponents of Federal aid to education to crack the door and

make this Federal assistance a reality so the cornucopia of the Federal Treasury can be opened wider and wider in subsequent years.

Mr. President, I come from a State that would receive as much under the terms of this bill on a per student basis as any other State in the Union. Mississippi's allotted share amounts to $27.79 per pupil. At the bottom of the scale there is one State and the District of Columbia that will receive only $9.26 per pupil over the 3-year period.

Other low States are New York, $10.90 per pupil; Delaware, $10.59; New Jersey, $11.98; California, $12.45; Illinois, $13.11; Massachusetts, $13.38; and Nevada, $13.65 per pupil. The original bill regarding allotments was changed to delete subsections providing for a $15 minimum allotment per public school pupil, and the formula was further broadened to include all school-age children—5 to 17 years. The committee modified the allotment formula in order to achieve an equalization ratio of 3 to 1, regardless of the amount appropriated.

I do not pretend to understand the need and necessity for this elaborate system of formulistic allocation of funds. I was opposed to the way the bill was originally drafted just as much as I am opposed to it in its present form even though the per pupil allotment in the State of Mississippi was considerably higher under the bill as introduced.

Mississippi is one of the States that was not satisfied with its public school system and the token of its dissatisfaction is reflected in the remarkable and phenomenal strides that have been made by the State in the field of public education over the last decade. This has been done without the aid and assistance of the Federal Government and the citizens of Mississippi have cheerfully contributed a greater proportion of their tax dollar per $100 per capita wealth to the cause of public education than have the citizens of any other State in the United States. In 1951 there were 2,094 school districts, with 3,884 schools located in those districts throughout the State of Mississippi, 1,409 of those schools were one-room schools. There were 4,387 classrooms which were entirely unsatisfactory. Some were not owned by the districts, but by churches, and so forth. There were 2,000 classrooms in the State that had an average of 40 or more students per room. These classrooms were located in and near the cities. Some of the school buildings in the State had empty classrooms, due to the fact that people were moving from rural areas into or near the cities. It was estimated that approximately 6,600 classrooms would be needed before the 1959 school year in order to replace unsatisfactory classrooms and to provide for increased attendance in urban areas.

In 1953 the legislature passed laws that provided for a complete reorganization of school districts in the State. All districts were abolished. A survey was made of each county and districts had to be reorganized prior to July 1, 1957. The district reorganization was completed in June 1957, and now there are 150 school districts in the State. This means that from the standpoint of school operation Mississippi reduced its number of districts in a period of 6 years from 2,094 to 150. Proponents of the Federal aid program cry out that one of the great uses this money can be put to is the reduction of the existing number of school districts in the separate States and the reorganization of these districts into economical operational entities. What is urged now for other States has been achieved in Mississippi and without Federal aid.

The original reorganizational law in Mississippi provided that each school district would receive $12 per child in average daily attendance and an additional $3 for each Negro child in average daily attendance until 1964 for the construction of school buildings. The State provides $6,660,000 annually from sales tax collections to finance the program, and the law sets a limit of $80 million in bonds that may be outstanding at any one time. Districts are required to submit long-range plans for needed school construction. These plans indicate the number of satisfactory classrooms available for the children of each race, the number that are to be constructed for each race, and the total number that will be available for each race when the plan is completed.

After the reorganization of the districts went into effect, the greatest need was for Negro school facilities. In approving applications for school construction the commission takes into consideration the equality of facilities and for that reason in many cases Negro school buildings were constructed first. Square feet per student in elementary schools was limited to 65 feet and in secondary schools to 85 feet. The cost per square foot was limited to $7.50. Mississippi can build superior schools under a $7.50 per square foot limitation. An elementary school constructed entirely with State funds was required to use a cafetorium rather than a cafeteria and an auditorium. This is a plan that might well be followed everywhere because it certainly works very satisfactorily in our State. A secondary school was required to use a combination auditorium-gymnasium rather than an auditorium and gymnasium. Buildings had to be insured for their full insurable value and, for that reason, buildings have had to be fire resistant.

From 1946 through 1954 the State of Mississippi spent approximately $75 million for school construction. Since reorganization, the State has approved approximately $85 million in State funds, and local districts have issued bonds for more than $60 million. Some districts have added local funds to State funds in order to provide a better type of building or in order to provide additional facilities. Approximately 4,750 classrooms have been completed with State aid since reorganization and approximately 1,000 are now under construction. More than 40 percent of the children in the State of Mississippi are now attending schools in buildings that have been constructed since World War II. There are 17,000 satisfactory classrooms in the right location. It is estimated that 2,000 additional classrooms are needed at this time, and they will be provided.

This great school building and replacement program represents an honest and sincere attempt on the part of the people of Mississippi to provide adequate educational facilities for all the children of the State. Less than 30 percent of the entire amount has been expended for the benefit of white school children while more than 70 percent has been utilized to supply or replace classrooms for Negro children. The ratio of these expenditures between white and Negro children becomes even more marked when the average daily attendance is taken into consideration. Average daily attendance is the base upon which all school operations are founded.

Since the school year of 1954–55, this is a statistical record of average daily attendance:

Average daily attendance

	White	*Negro*
1954–55	237,865	204,826
1955–56	240,346	203,188
1956–57	241,889	207,004
1957–58	242,413	201,756
1958–59	256,468	216,562

Since the school year 1941–42, the average salary of white classroom teachers has increased from $735.39 for a school year to $3,362.61 in 1958–59. The average salary for Negro classroom teachers has increased from $232.93 in 1941–42 to $2,677.50 in 1958–59. The discrepancy between the present average salary of Negro and white teachers is not to be found in the base pay. It arises from the fact that certain achievements in teacher preparation such as a master's degree and summer work in normals and universities permits a teacher to obtain a higher base pay than those with just the primary certificate. In the primary, elementary, and secondary system of schools in Mississippi there are a total of 10,277 white teachers and 7,217 Negro teachers.

For the school year 1958–59, the expenditures for public education in Mississippi amounted to $88,920,254. Of this total the State contributed $48,176,795; textbooks—State, $1,120,328; local communities contributed, $37,861,150; Federal Government, $1,761,980.

State expenditures for the support of primary and secondary public education have increased from $5,950,000 for 1941–42 to the more than $48 million for the 1958–59 year.

Most of that has gone for Negro education.

To compare the progress that is being made in Mississippi schools with the schools in other States we find that in 1949–50, total expenditure per pupil in everyday attendance was $86.40. This increased per pupil by 1959–60 to $289.60, a percentagewise increase of 235.2 percent. The closest States to Mississippi in percentage of increase are more than 100 points behind.

The entire picture of school expenditures in the so-called poor States of the United States is most illuminating. The

27 poorer States in the Nation—those with less than $2,000 per capita per personal income in 1950 increased school operating expenditures from $585,263,319 in 1941 to $3,291,902,681 in 1950. This is an increase of 562 percent and in two States the increase exceeds 1,000 percent. I ask unanimous consent that the chart reflecting school expenditures in the so-called poor States be inserted in the RECORD at this point.

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

TABLE 69.—*School expenditures by "poor" States* [1]

State	Current expenditures (excluding interest and capital outlay)			Increase from 1940 to 1960	Percent of increase
	1940–41 [2]	1951–52 [3]	1959–60 [3]		
Kansas	$28,483,642	$70,000,000	$155,000,000	$126,516,358	444.17
Nebraska	18,345,957	44,200,000	82,000,000	63,654,043	346.96
Florida	20,081,241	89,387,941	260,965,000	240,883,759	1,199.55
Minnesota	46,033,791	127,505,500	251,300,000	205,266,209	445.90
Arizona	8,510,619	33,875,900	99,655,000	91,144,381	1,070.95
Montana	10,454,376	28,531,309	[4] 55,800,000	45,345,624	433.75
Iowa	38,059,231	105,000,000	200,000,000	161,940,769	425.50
Texas	78,537,608	253,033,439	599,570,000	521,032,392	663.42
Utah	9,889,088	28,300,000	72,886,000	62,996,912	637.03
New Mexico	8,542,462	28,330,000	71,500,000	62,957,538	736.99
Virginia	24,442,447	85,000,000	196,414,000	171,971,553	703.58
Vermont	4,799,601	12,405,325	21,387,000	16,587,399	345.60
Oklahoma	30,972,567	87,850,534	150,500,000	119,527,433	385.91
Idaho	8,422,606	22,500,000	40,937,000	32,514,394	386.04
Maine	9,436,217	24,622,536	56,300,000	46,863,783	496.64
West Virginia	26,555,339	68,162,876	103,101,000	76,545,661	288.25
Louisiana	23,332,825	94,013,005	230,895,000	207,562,175	889.57
Georgia	24,885,021	93,000,000	184,375,000	159,489,979	640.91
North Dakota	8,577,217	23,468,295	42,400,000	33,822,783	394.33
Tennessee	24,494,306	79,100,000	160,000,000	135,505,694	553.21
Kentucky	23,915,355	67,000,000	120,876,000	96,960,645	405.43
North Carolina	34,491,163	121,090,987	230,000,000	195,508,837	566.84
South Dakota	11,848,029	26,857,969	46,000,000	34,151,971	288.25
Alabama	20,445,590	[4] 67,000,000	[4] 152,000,000	131,554,410	643.44
South Carolina	16,060,356	59,107,584	110,000,000	93,939,644	584.92
Arkansas	11,677,741	[4] 38,300,000	83,541,000	71,863,259	615.39
Mississippi	13,968,924	40,880,488	99,764,000	85,795,076	614.18
Total	585,263,319	1,818,523,688	3,877,166,000	3,291,902,681	562.47

[1] Includes all States with per capita personal income under $2,000 in 1959.
[2] By David T. Blose, U.S. Office of Education, Federal Security Agency, Washington, D.C.
[3] Research Division, National Education Association.
[4] National Education Association Research Division estimates.

Source: Oklahoma Public Expenditures Council, March 1961.

Mr. EASTLAND. Mr. President, this is a record of achievement in which these States can take justifiable pride, and insofar as my own State is concerned, if the Federal Government would only leave us alone I can assure you that it will continue to make this kind and character of progress.

Neither the language of the U.S. Constitution nor the Founding Fathers of this country ever intended for public education to be in the province of the Federal Government. At the time of the Revolution, education was recognized as being a necessary foundation stone upon which a free republic and an enlightened civilized country should be built, but it was further recognized that children were first and foremost members of a family group and that the responsibility for education lay with the family and the local community.

The obligation of the States toward education was recognized even before the inception of the United States. Thomas Jefferson submitted a bill to establish a general system of free public schools at the first session of the Virginia Legislature after the Declaration of Independence—1779—and drafted a similar proposal 40 years later—September 9, 1817. Much further back there was an act of the Massachusetts Bay Colony in regard to education, as early as 1647. The oldest State constitution in effect today, that of Massachusetts, adopted in 1780, provides that:

It shall be the duty of legislatures and magistrates, in all future periods of this Commonwealth, to cherish the interests of literature and the sciences, and all seminars of them, especially the University of Cambridge, public schools and grammar schools in the towns. * * *

Carter Davidson, a president of Union College and a profound student in the field of education, made this comment about the attitudes of the members of the Constitutional Convention. He said:

Education was not left out of the Constitution of the United States because nobody thought about education. I can't believe that the gentlemen who attended the Constitutional Convention at Philadelphia in 1787, including men like Franklin and Madison and others, who were very conscious of education in their own lives and the life of the Nation, left out education just because they didn't think of it. I believe it was omitted because they felt this was one of the concerns that must be left at the grass roots level; therefore, it is the States, the local governments, and private philantrophy which were intended to be the support of education in America.

The constitution of the State of Alaska, ratified by Congress on July 7, 1958, provides:

The schools and colleges provided for in this act shall forever remain under the exclusive control of the State, or its governmental subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college or university.

A substantially similar provision has been a part of the admission act of every new State since South Dakota was admitted on November 2, 1889.

In view of the omnivorous growth and development of the Federal Government and the direction, control, and administration it has now extended into so many areas of the political, economic and even social life of the citizenry, it is ridiculous for proponents of Federal aid to education to argue that the Northwest Ordinance of 1785, which authorized land grants for school purposes, is even remotely a precedent for this present proposed plan of Federal assistance to education. The history of the disposal of federally owned lands is most interesting. At the end of the Revolutionary War and the creation of the United States, the United States owned no land. The Thirteen States held all nonappropriated lands, including claims to the unsettled areas west of the Appalachian Mountains.

As Hibbard points out in his book on public land policies, Jefferson and others were trying to devise a means of attracting pioneers to move west and settle the virgin lands. A resolution was offered and passed in the Continental Congress calling on the States to donate their western lands to the Confederation. Seven of the Original Thirteen States which owned western lands; namely, New York, Virginia, North Carolina, South Carolina, Georgia, Massachusetts, and Connecticut ceded, between 1781 and 1802, about 268 million acres. Congress considered numerous plans of inducing families to migrate to the west to lands which were then hard of access, dangerous, and of doubtful value. Attempts were made to sell land, but they brought few buyers. As Marion Clawson reports in "Uncle Sam's Acres," there simply was no real market for Federal lands in this period. There were then devised over a period of years the systems whereby homesteads were granted, military bounties were given, and other methods were devised to make the occupancy of these lands attractive to settlers. One of these methods was reserving the 16th section of every township for the maintenance of public schools within the same township. The very character of the reservation emphasizes the degree wherein Congress recognized that public education was tied irrevocably to the local community. The increase or profit off of an area of land 1 square mile was restricted to the use of the 36-square-mile township.

The Original States of the Union, with the addition of five others, Kentucky, Tennessee, Maine, Texas, and Vermont, had no public lands and did not get the benefit of this Federal bounty. The areas in which school land grants were made available contained a bare 1.5 percent of the American people in 1800. H. C. Taylor, writing in the "Educational Significance of the Early Federal Land Ordinances," remarks:

There seems to have been no clear consciousness on the part of the committee or of Congress of the full significance of this educational provision. Apparently, it was viewed only as a selling point for the dis-

posal of the western lands in compact settlements. The thought of laying a permanent foundation for a public school system seems not to have entered into the discussion of the matter.

Approximately 77,500,000 acres of land were eventually granted to the States for public school purposes under the 16th section reservation.

In all, more than 1,031 million acres of public lands were disposed of in the following manner:

	Million Acres
Homesteads	285
States, for schools and other purposes	185
Railroad construction	131
Military bounties and private claims	95
Timber and stone grants	35
Cash and miscellaneous	300

It is interesting to see that the railroads of this country received 53½ million acres more than did the townships in the 16th section grants.

I do not see how even those with the most vivid imagination could characterize this activity on the part of the Federal Government with any intent to enter the field of general assistance to public education at either the primary, secondary, or higher education level. Just as the Government wanted railroads built, it wanted vacant land occupied, and a source of income to a township for public education was certainly an inducement for settlers to buy or homestead within a township.

The land-grant college program has never grown to any proportions. After almost 100 years, it totals less than 10 million out of over 5 billion annually outlayed for higher education. Historically, it is interesting to note that President Buchanan vetoed the original act, stating that:

> Congress does not possess the power to appropriate money in the Treasury, raised by taxes on the people of the United States, for the purpose of educating the people of the respective States.

The Morrill Act was originally suggested and approved not for the support of higher education, but because Congress was not satisfied with the curriculum of existing colleges which primarily offered classical and cultural programs. Grants were offered to the States for the establishment and maintenance of colleges for the agricultural and mechanical arts. The law specified the broad type of curriculum and the class of students served.

When the original act was resubmitted and passed, it was during the Civil War, and a provision was added for mandatory military training.

In the past, as it is today, land grant funds account for only a small fraction of the revenues of benefiting institutions. This is the only reason that these grants have not led to Federal control and administration of the educational institutions.

The Smith-Hughes Act was enacted in 1917, just prior to the entry of the United States into World War I, and for the same reason that the Morrill Act was adopted: Congress was not satisfied with the curricula that concentrated too much on academic subjects. Federal funds were approved for the teaching of certain vocational skills, particularly in fields in which the conduct of the war demanded greater production, such as defense industries and agriculture.

All of us who come from agricultural areas of the United States must admit that the Smith-Hughes program has achieved many of the worthwhile purposes for which it was established. It is my firm conviction that the program would have achieved far greater results had it not been for the extreme degree of Federal control that has been exercised in the administration of the program.

Regulations and controls in vocational education are detailed, cumbersome, and strict. The amount involved equals only a fraction of 1 percent of all public school expenditures. Arthur B. Moehlman, in his book "School Administration," describes Federal control of vocational education as follows:

> The Federal authority dominates and approves even the minute details of the State programs, controls the majority of State directors who in turn exercise a degree of State supervision over community programs totally foreign to the American concept of community competence to manage its own education affairs. The centralization of educational authority in Washington under the operation of the vocational acts is an exceedingly dangerous tendency which if not checked will result in the extension of Federal control to other aspects of public instruction.

In a later edition of this same book Mr. Moehlman said:

> One of the worst outcomes of federally dominated public education is that since the teaching profession has gradually adjusted to these conditions, new executive controls patterned on the vocational pattern will be extended to other areas of elementary-secondary education, and the integrity of public education as a State function will be seriously imperiled.

Just as the Morrill Act and the Smith-Hughes Act were war measures, the GI educational plan was also the result of a great World War, wherein the Federal Government was repaying a debt and obligation that it owed to its young manhood who served in and survived the conflict. This prgoram involves specific grants to individuals, and there could be no possible reason or justification for Federal interference in the field of public education generally.

It is the cold war that has increased agitation for additional grants for special purposes, such as those contained in the National Defense Education Act of 1958. The avowed intention of this act is to compete with Russia in scientific achievements. The preamble declares the purpose to be to meet the present emergency in national defense. Although scheduled to expire in 4 years, this program, like all others instituted by the Federal Government, will probably be continued on a permanent basis. It is my sincere conviction that we can never compete with Russia in any field where we attempt to emulate in the free world techniques employed by a Communist state. If the framework of republican government in this country has any meaning at all, free people must continue to compete with everyone in a free society. If States are to be obliterated and the political, economic, and social life of this country is to be dictated and controlled by the Central Government, we will be no longer a free people under the structure of government now devised by the Constitution of the United States. The greatest tragedy of the 20th century is that the basic structure of government is being changed by judicial decrees and constitutional interpretations of Federal power that are absolutely contrary not only to the written word but the intent and meaning of the Constitution as it was written by our forefathers and adopted by the people.

Not only does the 10th amendment reserve to the States and the people thereof the powers not delegated to the United States by the Constitution nor prohibited by it to the States, but the 9th amendment, which has received so little attention either in judicial decision or political discussion, is even more significant, in view of the present debate on Federal assistance to education. It provides that—

> The enumeration in the Constitution, of certain rights shall not be construed to deny or disparage others retained by the people.

Nothing can be closer to the rights of the people at the level of the grassroots than their complete control of education, be it public or private. That the people are beginning to have an innate fear and distrust even today of public education is indicated by the enormous growth of private schools throughout the United States. Over the past 20 years, while enrollment in public schools has grown 42 percent, in the same time period private enrollment has jumped 147 percent. If the present course and tendencies now inherent in the attitude of the Federal Government to public education in the States is not reversed, a 147 percent growth in the enrollment of students in private educational institutions is minuscule compared to what is going to happen.

Mr. President, I mention these distasteful subjects because the presently pending bill on Federal assistance to public education is a threshold measure—an instrument by which the door can be cracked and the dike can be penetrated so that a trickle will flow in an area and over ground not yet covered by the Federal goliath. Involved herein far more than Federal expenditures, as important as they are, is principle—principles that challenge the foundation of our structure of government. This is the hour, the time, and the place where those who believe that there are some powers left to the States and the people should stand up and be counted, and counted in opposition to the proposed bill.

Mr. President, I have said before, and I repeat, and will repeat again, and again, and again, that pious denials in proposed legislation of any intent for the Federal Government to control and administer the funds therein being appropriated, are as meaningless as any words that could ever be written. Even philanthropic institutions that make grants for various purposes are inevitably going

to put strings on the money that they give away. They would be foolish if they did not. As far as the Federal Government is concerned, the Supreme Court of the United States has recognized this as an elementary proposition in those vast areas of our economic life where Federal moneys subsidized private or public activity. As early as 1942 the Supreme Court of the United States stated in the case of *Wickard* v. *Filburn* (317 U.S. 111):

It is hardly lack of due process for Government to regulate that which it subsidizes.

While I personally have many differences, at least with the presently constituted Supreme Court, it is difficult for anyone to quarrel with this very elementary statement by the Supreme Court. It is in line with commonsense and human experience.

We now have a bill that proposes to grant Federal funds to primary and secondary public education institutions for school construction, teachers salaries, and special projects. These three fields open wide the door for the form and character of Federal supervision and control in every school district in the United States.

One witness testifying against the bill suggested a few of the areas of control involved would be policy decisions and controls affecting the training and licensing of teachers, pay scales for teachers and administrators, school district organization, a national school board, compulsory kindergarten and nurseries, compulsory driver education, standards for school buildings and buses, and federally approved curriculums and textbooks. This list could be extended ad infinitum. No amount of policy declarations can destroy the validity of the Supreme Court's pronouncement that the Government can regulate that which it subsidizes.

All of us might agree that social security which is also administered by the Department of Health, Education, and Welfare is a beneficial program, but who among us can help but mourn for the sad experience of the Mennonite brethren in Pennsylvania who ask nothing and want nothing from the Federal Government but to follow their conscience and the dictates of their religion, being hounded, harassed, and bankrupt by tax collectors seeking to force them to participate in a program that will support someone else and of which they want no part. Where will the family be if the tentacles of Federal control over public education reach to the point where these Mennonites now find themselves enmeshed in the social security laws?

I am not alone in charging that it is impossible for the Federal Government to enter the field of assistance to education without exercising over this field an ever-increasing degree of control, supervision, and standardization. A former Under Secretary of Health, Education, and Welfare said:

An Anglo-Saxon rubric of responsible government, reiterated in the sacred document of free government, is that along with the granting of supply (appropriations in today's language) goes responsibility for how the money is spent.

To depart from this rubric, to give grants in aid to any function, including higher education, would in the long run defeat self-government as certainly as would the future neglect of higher education. No one responsible for higher education and believing in its importance to the preservation of self-government would demand funds on his own terms.

The Nation's Schools in describing the trend said:

The Federal pattern for the future may be more earmarked legislation, like the National Defense Educational Act, rather than broad general grants to the States. Congress seldom releases money to schools or to any other agency, without asserting some control over how it is spent.

The presently proposed bill completely reverses this described policy of earmarked legislation and moves head on into general grants to the States, teachers salaries, school construction, and special projects.

A former Commissioner of Education argues in effect that if you do not have Federal control accompanying Federal aid you will not improve the character and quality of education. He says:

On the one hand we have presented to us arguments indicating that there will be no Federal control accompanying Federal aid. Alongside we find evidence showing the inadequacy and inequality of education in States able to support a good educational program and evidence of inefficient or inadequate efforts by the States to eradicate inequality and inefficiency within their borders. If there is to be little or no Federal control accompanying Federal aid, what right have we to expect a major improvement of the education within States under the same leadership as they now have? Thus, if Federal aid is to bring about better schools it seems apparent that there must be some Federal control.

What answer can the proponents of this present bill give to this former U.S. Commissioner's testimony. If the presently proposed grants can achieve a major improvement of education within the States without Federal controls then for what purpose are they made? The question answers itself. We are all told to beware of Greeks bearing gifts. This is a gift that would simply stick the finger to the flypaper. After the contact is first made nature will take care of itself and the web will be spun to completely enmesh the local school districts into the skein of Federal control.

On the simple point of raising teachers salaries, if the increased portion of the salary made possible by Federal aid was removed after 3 years, would it be supplied by the local district or would the intolerable pressure require that the Federal Government repeat the appropriation? There is no doubt about what the teachers would expect. Secretary Ribicoff, testifying before the House subcommittee on the proposed bill, had the figures that would demonstrate how much various States could raise the salaries of their teachers by applying the proceeds of the allotment for this purpose. For instance, as to New Jersey, he said New Jersey could raise every teacher $264 a year and added:

Now $264 a year for a teacher is a lot of money.

A few others he quoted are:

You take Arkansas. It could raise the average salary by $600 a year; Georgia, $574 a year; Louisiana, $476. The State of Maine $440. In other words, this is a substantial increase. Minnesota could go $382; New York, $265; and North Carolina, $626.

Let us reverse this coin and take the attitude of teachers toward the receipt of these salary increases from the Federal Government. The deputy president of the United Federation of Teachers, Local No. 2, American Federation of Teachers, AFL–CIO, testifying before the House subcommittee, who lives and teaches in the State of New York said it was his opinion that the amount then in the bill would provide a teacher increase in the neighborhood of $500 per teacher, per year, for 3 years. He said that was better than nothing and was most desirable. He was asked this question:

What should the Federal role be, if any, to the general subsidy for teachers? How effective would it be? Will it result in the relaxation of the effort which perhaps is not being made in your State, or which might not be made if there is a Federal program?

He replied:

If it were to provide $300 this year, $400 next year, and $500 the next year.

Significantly he stops at 3 years. Who is to take care of him and all the other teachers for the fourth year? The Federal Government is not in that picture now but it goes without saying that if we pass this bill Congress will then be in the middle of the fourth year. It is always easier to start a subsidy than it is to stop it; and when the time comes that the Federal Government starts paying teachers salaries it will have just as much to say about the rate of pay as it is now saying in the Davis-Bacon Act in regard to the application of minimum wages to be paid by contractors for laborers working on school construction projects financed by the fund. This condition provides:

All laborers and mechanics employed by contractors or subcontractors, in the performance of construction work financed in whole or in part under this title shall be paid wages at rates not less than those prevailing on similar construction in a locality to be determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended * * *.

The condition further provides that—

the State education agency of each State shall take such steps as shall be necessary to assure that the wage standard required above shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

If the Federal Government is going to put out part of the money, is it not just as reasonable that it control the minimum that should be paid to a teacher as it is to control the minimums that will be paid to laborers and mechanics?

Educational theorists do not hesitate to assert the direction they want to see taken in the field of public education. Prof. H. Thomas James, of the School of Education, Stanford University, says:

As the States have denied first to the family, and then to local communities, the right to make decisions on education contrary to State defined policy, so the Nation may be expected to deny to the States the right to make decisions on educational policy that are not in accord with the emerging national policy for education.

Van Clive Norris, School of Education, Rutgers University, blamed educational shortcomings on our historical love affair with what might be called "grassroot-ism" in American education. He suggested:

A gradual weakening of our local autonomy over the school and a gradual emergence of control mechanisms that are not so socially and politically proximate to the educational worker * * * we should hope in future years to come to erect new agencies of control which would oversee the work of the educational profession at a little greater distance than is now the case.

I do not believe that there are a handful of parents in the United States today—at least none who have a sense of responsibility to their children—who would want to see a nationalized system of education in this country. Hitler demonstrated what could be done with a nationalized system of education that took the child away from the parent and made him a creature of the State. Nazi totalitarianism would have been impossible had he not been able to take over the mind of the German child. The frightening thing about the German experience is the short period of time in which he achieved this nefarious purpose. Never let it be said that it cannot happen here. Any child who is made a creature of the state, and this has certainly been demonstrated also in Russia, can be molded into the slave of the state. The historic reason for leaving the field of public education at the grassroots of the family and local community is as valid today as it was when this policy was adopted as the foundation of the Republic.

For my colleagues on the other side of the aisle I would like to call attention to the remarks of the late beloved former Senator Taft on the subject of Federal aid in the field of education. Speaking against the teachers salary bill that was most seriously advocated and debated in the Senate in October of 1943, he said:

The intrusion of the Federal Government into the field of education is one which threatens more than any other intrusion the control of the thoughts of the people in the localities. Education is something the people are interested in having complete control over at home.

At another point he added:

Of course, education is not a Federal function. There is nothing in the Constitution of the United States which makes it so. On the other hand, all State constitutions contain educational clauses. The practice for 150 years has established education as a State and local function, and it has been carried out by State and local governments.

We meet exactly the same character of us all year after year and decade after decade. The answers are always the same and those answers are the heart of the eternal verities. They made this country what it is today. If we destroy these fundamental divisions of government we destroy our country as we have known it.

A former chairman of the House Education and Labor Committee, the late Representative John Lesinski, Sr., stated:

It is impossible to draft a general Federal aid bill which will not contain a great deal of Federal control over local school assistance. * * * I am convinced, after the hard study we have put to the question, that no acceptable bill preventing Federal domination of local schools can be drawn. I reluctantly come to the conclusion, but I had to face the facts.

John J. Tigert, a former U.S. Commissioner of Education, expressed his opinion as to what would happen with a grant-in-aid Federal program in this language:

Reason and experience both indicate that Federal money cannot be expended wisely and efficiently except by exercising Federal control and supervision, even then there is considerable waste. * * * If we embark upon a program turning over Federal money to schools without any strings attached, it is only a question of time until the waste, extravagance, and misuse of these funds will result in a reaction or a change. The alternative is Federal control.

While I might disagree with this distinguished former Commissioner of Education as to the degree of waste and inefficiency that might be involved in the expenditure of Federal funds for educational purposes, I do not doubt but what the then Commissioner of Education would decide that there was waste and inefficiency, and that the only alternative was for him to take over the control of the program.

Woodrow Wilson was not only one of our greatest Presidents, but as a professor of government, and a political scientist, no student or commentator has ever been more accurate and precise in his comments on the development of the American political system. As an educator, as well as a great statesman, his views more than any other should be taken as authoritative when considering the field of education in its relation to Government. In his great and monumental work "Constitutional Government," he said:

There can, I suppose, be little doubt that it is due to the moral influences of this policy that the States are now turning to the common Government for aid in such things as education. Expecting to be helped, they will not help themselves. Certain it is that there is more than one State which, though abundantly able to pay for an educational system of the greatest efficiency, fails to do so, and contents itself with imperfect temporary makeshifts because there are immense surpluses every year in the National Treasury which, rumor and unauthorized promises say, may be distributed amongst the States in aid of education. If the Federal Government were more careful to keep apart from every strictly local scheme of improvement, this culpable and demoralizing policy could scarcely live. States would cease to wish, because they would cease to hope, to be stipendiaries of the Union, and would address themselves with diligence to their proper duties, with much more benefit to themselves and to the Federal system.

Wilson was writing of a day when surpluses existed in the Federal Treasury. We are living in a day of deficits and a public debt so enormous imagination cannot conceive its extent.

The States asking for this program are asking that new funds be supplied from an agency that is bankrupt by every standard recognized in the law merchant. Fortunately for us and the people, as a sovereign, it can withstand bankruptcy for an unlimited time.

Mr. President, this portion of my remarks has been devoted to the inevitability of Federal control of public education if general grants are allocated to the States as proposed in the pending legislation. Over and above, or I should say within the broad framework of Federal control and administration of public education generally, we who live in the southern areas of the United States are faced with still another aspect of control and supervision, which is a fact, not theory.

The judicial branch is as much a part of our National Government as are the executive and legislative branches. Since the Supreme Court's decision in the case of Brown against Topeka, rendered on May 17, 1954, U.S. district courts have been taking over, or at least attempting to take over, the entire administration of school districts and school systems where actions have been brought under the Brown doctrine. Chief Justice Warren said in a companion case rendered on the same day that the equal-protection clause of the 14th amendment prohibits States from maintaining racially segregated public schools. Implementation of this fundamentally unconstitutional decision by U.S. district judges has led to fantastic results. These results have not been confined to the Southern States. Let me read some portions of the opinion by U.S. District Judge Irving R. Kaufman in the New Rochelle, N.Y., school case:

I find that the Board of Education of New Rochelle, prior to 1949, intentionally created Lincoln School as a racially segregated school, and has not, since then, acted in good faith to implement desegregation as required by the 14th amendment; and that the conduct of the board of education even since 1949 has been motivated by the purposeful desire of maintaining the Lincoln School as a racially segregated school.

The years between 1949 and 1960 have been 11 years of agitation for New Rochelle. For 11 years, responsible civic-minded organizations and groups have urged that something be done to correct the Lincoln situation; for 11 years the board has discussed the problem, hired experts, made surveys, and constantly reiterated its belief in racial equality and the necessity for equal opportunities.

But, in these 11 years, it has taken no action whatsoever to alter the racial imbalance in the Lincoln School. It has met the problem with mere words, barren of meaning, for they were never followed by deeds.

This judge's condemnation of the Board of Education of New Rochelle is fantastic. He goes back to 1949, 5 years before the Brown decision, to set a time where he accuses the board of intentionally creating Lincoln School as a racially segregated school. He then reasons that the Brown decision was not necessarily a decision on the cases then before the court and the facts therein delineated but says it "was a lesson in democracy, directed to the public at large and more particularly to those responsible for the operation of the schools." He said:

It imposed a legal and moral obligation upon officials who had created or maintained segregated schools to undo the damage which they had fostered.

Mr. President, this language admits on its face that the Brown decision was judicial legislation, a fact that we have charged time and time again in challenging the basic unconstitutionality of the decision.

Again, the judge averts to 1949 when he says:

The freeze placed by the board in 1949 on the already gerrymandered boundaries of the Lincoln district remained unchanged, despite 11 years of public agitation, pleas, and advice from distinguished educators and sociologists. And, what is more, the board has not evidenced any intention to change its policies in the future.

This, if you please, still refers to school boundaries that were legally set by a school board in the year 1949.

The judge avers:

Principles long accepted by psychologists and sociologists were given the stature of the law of the land.

In many previous speeches I have analyzed and exposed the pseudoscientific authorities upon which the Supreme Court purported to rely as a foundation for its destruction of the separate but equal doctrine. Carleton Putnam in his book "Race and Reason, a Yankee View," approached his study of these pseudoscientific authorities from a different angle, but his conclusions are no less devastating than those I reached. He said that at the outset he went to the Library of Congress and studied the decision and the briefs of the parties. He also carefully noted the footnotes to the Court's decision, and observed the names of the individuals and organizations who wrote the briefs. He concluded that the argument that modern anthropology had exploded observation, experience, and all past research required serious review, and, as he says:

Accordingly I began reading again in the Boas school of anthropology. Boas, I knew, was considered the founder of the modern vogue, and I deliberately began studying his books before learning, from people who had known him over many years, the facts about Franz Boas himself—his minority group background, his arrival from Germany in 1886, his association with Columbia in 1896, his earlier nonequalitarian views on race, his change of heart in the late 1920's (the date will have significance later), the names of his students—Herskovits, Klineberg, Ashley Montagu—the nature of his department at Columbia, the influence in it of an instructor named Weltfish who later publicly announced that she had evidence to prove that the United States had used germ warfare in Korea, and the reorganization of the department by Ralph Linton who was brought in from Wisconsin after Boas died. Linton dismissed all of Boas' appointees who had no tenure and Columbia finally dropped Weltfish on a charge of "too long" tenure.

I read Boas before learning these things because I wanted to approach his ideas with an impartial mind, on their merits and not on the merits or demerits of the author. Yet page by page my amazement grew. Here was clever and insidious propaganda posing in the name of science, fruitless efforts at proof of unprovable theories. I went on to Herskovits and others until the pattern began to repeat itself, the slippery techniques in evading the main issues, the prolix diversions, the sound without the substance. Was it possible that a whole generation of Americans had been taken in by such writing as this? My wife and I began to read seriously and earnestly—after a few evenings we found ourselves laughing out loud.

Still I was not satisfied. Surely there must be some explanation. It was hardly possible that schools were being closed in Virginia, men threatened with jail in Ohio, on the basis of a hoax as transparent as this. Were there no professional scientists in America who saw what I saw?

By mail, by telephone, and finally by personal visits, north and south, I found professional scientists aplenty who saw what I saw. And I discovered something else. One prizewinning northern scientist whom I visited at his home in a northern city asked me, after I had been seated a few minutes in his living room, whether I was sure I had not been followed. Another disclosed in the privacy of his study that he had evidence he was being checked by mulattoes at his lectures. All, when first approached, were hesitant, withdrawn and fearful, and the reason was not far to seek. Their employers on whom their livelihood depended—the universities, the museums, the foundations—were either controlled by equalitarians or were intimidated by the race taboo. The scientists whom these institutions employed, if they were ever to hint at the truth, must do so deviously, under wraps, over wraps, half seeming to say the opposite.

But as they grew to know me they gave me the facts without varnish. In long conversations and letters they provided the confirmation I needed. Many were internationally known. Some had received the highest prizes. Any public official who will guarantee their livelihood can get their names from me, on one condition—that the scientists themselves agree.

I do not hold a brief for or against the attitude of these men. Most of them expressed their reluctance in terms of a temporary condition. One was about to publish a book and he felt it more important in the long run to keep the track clear for the book than to declare his position now. Another had a confidential assignment for his State that he must first perform. Another said, "I cannot commit academic suicide. I still have work to do. But when I retire——" Another was simply "biding his time." How much of this was rationalization, arising from a timidity that ought to be overcome, I would not venture to say. It was easy enough for me, a man entirely independent of control, to speak—indeed it made my obligation unavoidable. It was less easy for them.

A second element in the situation soon dawned on me. The difficulty was compounding itself. The South instinctively saw the real issue, yet it had been told so often that what it saw did not exist that it had almost come to believe it. In this respect the South was in an identical trance with the North but, as happens in such cases, it could not actually be brought to destroy itself. It fought the trance with a counterillusion. It clung to the hope that the Constitution could save it—that States rights was its best defense. I was soon to learn how profound this counterillusion was. From Governors to lawyers in the street I received the same despairing protest—"What else is left?" There seemed to be an agreement among public officials that race should no longer even be mentioned. Among the few northern defenders of the South the same defeatism existed. Feverish talk about the validity of the 14th amendment went on, up north, down south, while no one challenged the assumption at the root of the whole trouble—the validity of Boas.

In his book he destroys and disproves any possible validity for the Boas school and its adherents, who were uniformly cited by the Supreme Court as the principles Judge Kaufman says were given the stature of the law of the land. Judge Kaufman then held:

That the Board of Education of New Rochelle, by its conduct in the years prior to 1949, created and established the Lincoln School as a segregated, Negro school. Thus formulated, the present case falls squarely within the plain meaning of the Brown decision.

As a matter of fact, at the time this case was heard, according to Judge Kaufman, 94 percent of the students were Negroes, rather than 100 percent. White children living in this school district were required to attend Lincoln School. So, Judge Kaufman reasons that the 94-to-6 ratio also violates the 14th amendment and the Brown principles because the contention of the board "misconstrues the underlying premise of the Brown rationale. That opinion, while dealing with a State-maintained dual system of education, was premised on the factual conclusion that a segregated education created and maintained by official acts had a detrimental and deleterious effect on the educational and mental development of the minority group children."

He reasoned that "in a community such as New Rochelle, the presence of some 29 white children certainly does not afford the 454 Negro children in the school the educational and social contacts and interaction envisioned by Brown."

He concluded that "the Constitution imposed upon the board the duty to end segregation, in good faith, and with all deliberate speed. It is patently clear that this obligation has not been fulfilled."

Then, in projecting himself into the middle of the New Rochelle School Board, he concludes that "the neighborhood school policy certainly is not sacrosanct. It is valid only insofar as it is operated within the confines established by the Constitution. It cannot be used as an instrument to confine Negroes within an area artificially delineated in the first instance by official acts. If it is so used, the Constitution has been violated and the courts must intervene."

I do not know what the population of New Rochelle, N.Y., may be or how this population is divided between Negro and white children. I suppose if the judge is going to use a slide rule he will simply abolish the neighborhood school policy and require this school board to fill every school in the exact proportion that there are Negro and white children under the jurisdiction of the board. Whatever his blueprint may be, he concluded his opinion by ordering the board to present to the court, on or before April 14, 1961, a plan for desegregation in accordance with this opinion. I am sure the board and patrons of the New Rochelle schools would be the first to admit that the Federal Government has taken a definite hand in the control, operation, and direction of its public school system. Judge Kaufman offers no other basis for stocking the school with children other than that of color, in equal proportion.

Our colleague of Illinois [Mr. DOUGLAS] attached this opinion to his remarks of March 24, 1961, when he introduced S. 1434, a bill providing for the desegregation of all school districts in the United States wherein both white and Negro children may reside. There is a marked similarity between S. 1434 and the provisions of S. 1817, a bill introduced in the Senate by Senator CLARK on May 8, 1961, entitled "Public School Desegregation Act."

Since I have mentioned these desegregation bills, I will explore this area from a standpoint of legislative proposals before returning to the court decision.

Secretary Ribicoff, in testifying on the presently proposed legislation before the House subcommittee, said:

> Now, as far as the Federal Government is concerned, keep this in mind: This is a States rights bill. This money will go to the State. The State will make the decision.

In 1959 Secretary Ribicoff's predecessor in office, Secretary Flemming, evidenced a marked concern for State school assistance in the South when he testified before the House Judiciary Committee on title VII of the then proposed Civil Rights Act of 1959. He said:

> The decisions of the Supreme Court holding racial segregation in the public schools to be unconstitutional established the task of public school desegregation as the responsibility of those States which previously required or permitted racial segregation in their school systems. The States and localities had been operating their schools in reliance upon earlier Supreme Court rulings that public segregation was lawful, provided that separate but equal facilities were maintained.
>
> Now, in making the transition to a desegregated public school system in accordance with constitutional requirements, these States and their communities may, in varying degrees, experience temporary but real financial and educational burdens. Significant problems of organization, transportation, curriculum planning, and school community relationships may arise. Intensive efforts may be required at the State and local levels to assure that the transition is made in a sound and orderly manner.

What problems did he say were involved, Mr. President? "Problems of organization, transportation, curriculum planning, and school community relationships may arise." If this is what the Federal Government proposes to do, how deeply can it get in the operation of local public school systems? Decisions in these areas are the veritable heart of the public school system. Of course the Secretary says that he wants to assist, not direct, so he adds that the Federal Government can supply both the personnel and the money to do the job. This is his language:

> This Department, as the Federal agency charged with national responsibilities in the field of education, has a special concern with such problems. We believe that citizens and leaders dealing with them should be able to obtain assistance from the Federal Government in developing programs of transition and in meeting the problems arising from the transition. The legislation recommended by the President in title VII would authorize this kind of affirmative help when it is requested.
>
> Under the bill, the Federal Goverment would be authorized to make grants-in-aid to share half of the cost of additional and special educational services which desegregation programs may require. For example, State departments of education will undoubtedly be called upon by their school districts to provide leadership help in the form of statewide studies, professional consultative and advisory services, local and regional conferences and workshops, and the development of curriculum materials.
>
> Again, a local school system initiating a program of desegregation may in many cases find it desirable to employ staff members with special responsibility for developing the program, creating community understanding of its aims and approaches, and working with the parents and children affected. These staff members might include an assistant to the superintendent of schools, perhaps visiting teachers, and specialists in various fields—specialists who would deal with such matters as statistics and their interpretation, counseling and guidance, human relations, inservice training of teachers, and school social work. The actual pattern of organization and services in an individual school district would, of course, depend on its particular needs.

Substantially the same provisions contained in the old proposed title VII, which was deleted by the House Judiciary Committee, reappeared in S. 1817 of the present Congress. When and if Secretary Ribicoff appears before either a House or Senate committee to testify on this bill, is he going to say:

> Now, as far as the Federal Government is concerned, keep this in mind: This is a States rights bill.

Mr. President, if this situation were not so deadly serious it would be ludicrous. The technical assistance and financial aid bill for desegregated schools in the present Congress goes far beyond that that was presented and rejected by the 86th Congress. It starts with a definition:

> Desegregation is achieved only when race or color is completely eliminated as a factor in assigning students to public schools.

It requires every school district in which white and Negro children live to adopt a desegregation plan and file it within 180 days after the enactment of the act with the Secretary of the Department of Health, Education, and Welfare. If no plan is filed or if the plan as filed is not satisfactory to achieve the first step in integration not later than the commencement of the 1963–64 school year, then the Attorney General is authorized to institute, in the name of the United States, a civil action or other proceeding for preventive relief against the school board or its successor. When the court finds that the school board has not desegregated in accordance with the act, it must require the school board or its successor to adopt a plan, or to implement the plan which was adopted, or to implement any other school desegregation plan which the court may find appropriate. Nothing that was dreamed up or enacted during the Reconstruction era could possibly reach the peak of coercive vindictiveness that is proposed in this bill. It is not going to pass. I am using it purely for the purpose of illustrating the illusion of thinking that it is possible to have Federal assistance to public education in the States and local communities without the corollary of Federal control and direction.

The judicial and executive branches of the Federal Government are creating sufficient turmoil and havoc in the area of public education without the need of any assistance from the legislative branch. Some time ago I read the statement of the Chief Justice as to the extent of the meaning inherent in the Brown decision. One of the defendants in this original case of Brown against the Board of Education of Topeka and others was the County School Board of Prince Edward County, Va. The conclusion that Justice Warren reached was:

> We conclude that in the field of public education the doctrine of "separate but equal" has no place.

Then to repeat the language that I previously quoted used in the companion case of Bowling against Sharp, he said:

> We have this day held that the equal protection clause of the 14th amendment prohibits the States from maintaining racially segregated public schools.

The law-abiding people of Prince Edward County, Va., bowed to this decree. They did not violate its terms. They held no public school.

Yet today we are confronted with the anomalous situation of the executive branch of the Government attempting to intervene in an action which was clearly laid at rest when the defendant, Prince Edward County School Board, abandoned public schools. The sovereign power of the United States of America has now injected itself into this case. Attempts to join the sovereign State of Virginia, among many others, has new defendants, and in (d) of its prayer for relief, prays that the U.S. district court, in an order—

> Enjoining the State, the State board of education, the State superintendent of public instruction, and the State comptroller, from approving, paying, or issuing warrants for the payment of any funds of the State, or the maintenance or operation of public schools anywhere in Virginia for so long and during such a period as the public schools of Prince Edward County are closed

and a system of public free schools is not maintained within the county.

The petition of the Government to intervene in this case, join the additional defendants and present its evidence as a basis for the relief sought, is now awaiting disposition in the U.S. district court. And as important as this matter is, not only to the State of Virginia, but to all States where there may live white and Negro students in the same school district, I do not think it appropriate to try the issue in advance. It is used as an illustration of how the compounding of an original wrong, the basic decision of the Supreme Court in the Brown against Topeka case can be compounded to such a degree that the Government would seek to penalize the entire public educational system of the State of Virginia to achieve a purpose that was illegal and unconstitutional in its inception. I will ask this question. If the Government achieved the ultimate relief it prayed for it would not only be controlling public education in the State of Virginia, but would abolish it entirely.

Mr. President, in Federal legislation generally the voice of the siren has been sung to the South many, many times. There is no talk today about the Powell amendment. In fact, its author is the sponsor of the administration's bill in the House of Representatives. The Powell amendment, if it were added to the present impending legislation would deny the delegation of any of these funds to school districts maintaining racially segregated schools. Now the proponents of Federal assistance to education are deadly serious and they are willing to play practical politics to the same degree it was played when the original House act of 1949 was adopted.

An interesting colloquy occurred during the hearings on the nomination of Robert C. Weaver to be Housing and Home Finance Agency Administrator, in regard to the history of the Housing Act of 1949. The Powell amendment of 1949 was known as the Bricker amendment. Senator SPARKMAN said to Mr. Weaver:

You will recall that the Senate took a very practical viewpoint on this—that if that amendment should go in it would mean the killing of the housing program. This was on the enactment of the program originally.

The one who led the fight against that amendment was my esteemed friend on the left here, Senator DOUGLAS, and he was quite realistic.

In fact, if it would not consume the time of the committee, I would read some of the things——

Senator DOUGLAS. Go ahead.

Senator SPARKMAN. I was going to say it would take too much time.

Senator DOUGLAS. Since the issue has been raised, I would appreciate it if you would. If you do not, I will.

Senator SPARKMAN. I will certainly offer them for the record.

Senator DOUGLAS. No; please read them now.

Senator SPARKMAN. All right.

Senator DOUGLAS. If you do not read the appropriate passages, I will select them.

Senator SPARKMAN. I will. I quote:

"Mr. DOUGLAS. What would happen if we voted for and hence adopted the Bricker amendment? The answer is very simple. It would inevitably defeat the whole housing bill itself. I think every Member present in this Chamber knows that to be a fact, and knows why it is so. But it needs to be made plain to the people of the country.

"In the first place, it would compel virtually all of the some 30 southern and border State Senators to vote against the housing bill as a whole, once this amendment were included in it."

I said we took a realistic approach, and we did, and we might as well be realistic now.

We know that ordinarily we are able to get public housing through the Senate, but in the House we know that the margin is very, very close.

In fact, Congressman RAINS, the chairman of the Housing Subcommittee, told me a few days ago that his margin there now was five votes.

There are a good many southern Members who vote for public housing—

Senator DOUGLAS. Let it be recognized that the southern Senators and Congressmen have a great deal of political weight in the Congress of the United States.

Senator SPARKMAN. I am not arguing about that. I am just talking about votes.

Senator DOUGLAS. All right.

Senator SPARKMAN. And particularly in the House.

And so Senator DOUGLAS was being quite realistic.

I am not reading this in any effort to rib him at all—

Senator DOUGLAS. Oh, no.

Senator SPARKMAN. I know his viewpoint quite well. And I think he acted as a statesman that day. He did a wonderful job and defeated the amendment.

Senator DOUGLAS. I got the housing bill through.

Senator SPARKMAN. That is right.

Senator DOUGLAS. It gave me some uneasy moments afterward.

Senator SPARKMAN. He says, talking about the southern Members:

"Many of them would do this with a heavy heart, for they believe in this bill and want to see it passed. But their sentiments and those of the people whom they represent are so intense on this question that if the choice is presented between added housing with the abolition of segregation in the housing projects of the South and no housing at all, they will choose no housing.

"We may deplore their feelings, as I personally do, but let us judge not, lest we ourselves be judged.

"Let me emphasize the fact that from all I can learn, a large majority of the southern Senators are in favor of the bill in the present form without the Bricker amendment. The senior Senator from Louisiana, Mr. ELLENDER, has for years been one of the leading sponsors of this bill.

"In the present session perhaps its two most vigorous and intelligent champions have been the distinguished Senator from South Carolina, Mr. Maybank, and the distinguished junior Senator from Alabama, Mr. SPARKMAN.

"Thank you.

"As a humble member of the Banking and Currency Committee with those Senators I want to pay tribute to the devotion and public spirit with which they have fought for this measure.

"If the Bricker amendment is not included, they and a large majority of their southern and border colleagues will vote for the measure, and enable it with northern and western help to pass. But if the Bricker amendment is adopted, then all of them will move to the opposition."

Then there were some questions and answers, and finally he said this:

"We, therefore, have the choice of voting for the Bricker amendment prohibiting segregation in public housing everywhere and thereby killing the whole program of voting it down, enabling the act to be passed, the slums to be cleared, and the 810,000 dwellings to be constructed, and then let the localities themselves decide this question of segregation in public housing."

Later on he said:

"Personally I do not believe in segregation; but I also know that the Southern States are firmly committed to that principle, and I do not want at this time to disrupt the United States of America, during a period of grave national crisis, when we are being threatened by the police state, in order to force upon them what I believe to be correct."

I could go on and read other excerpts.

Senator DOUGLAS. Pretty good. Go ahead.

Senator SPARKMAN. It is one of the finest arguments I ever heard the Senator from Illinois make and one of the most effective may I say. He carried the day.

"Let me point out that of the approximately 140,000 units constructed by the Federal Housing Authority, I believe exclusive of those originally built by the Public Works, 46,000 are now occupied by Negroes, or one-third of the total, despite the fact that Negroes form one-tenth of the population; and in virtually every southern city that I know of dwellings have been constructed for Negroes."

And then later he said: "Then, Mr. President, I would reply to the distinguished Senator from Minnesota that I do know of that statement—"

Senator HUMPHREY had asked him if he knew of a statement that had been made by the National Council of Negro Women—"which has been issued by the National Council of Negro Women under date of April 12. The president of that organization is Mrs. Mary McLeod Bethune, certainly one of the leading Negro women of the country. Mrs. Bethune says their organization is opposed to the so-called Bricker amendment because they believe it would kill the housing program."

Senator DOUGLAS called attention to the telegrams that had been received from other organizations opposing this.

Let me read a little something here if I may.

I find that Senator DOUGLAS yielded to the Senator from Alabama, and I said this:

"The question has been repeatedly put to the Senator from Illinois with reference to the defeat of housing if the Bricker amendment should be adopted, and reference has been made, apparently, to the question of defeating the bill. What I want to ask the Senator from Illinois is this. It is true, is it not, that no housing project is to be imposed upon any city or any local housing authority but it is to be placed there only upon application of the local authority?"

Senator DOUGLAS said, "That is correct."

And then I ask further:

"Is it not merely good practical sense, which we might as well recognize right here that if the bill should pass and become law with an antisegregation amendment in it, no city or town in southern States, where segregation is the custom and tradition, and, in most of those States a part of the law, would have any housing project applied for; and is it not also a fact that the South is the place in which the Negroes most need housing?"

Then I want to read this delightful statement by the Senator from Illinois:

"The Senator from Alabama, as always, states the case accurately and with precision."

Senator DOUGLAS. I would amend that. "Almost always."

Senator SPARKMAN. Then I said:

"It is not true, then, for all practical purposes, public housing, certainly so far as the Negro is concerned, would be defeated, bill or no bill, law or no law?"

Senator DOUGLAS said, "That is correct."

History repeats itself. An attempt is now being made to obtain threshold legislation, but insofar as public schools are concerned, the situation is far different from what it was in public housing in 1949. The South will not be given such a long breathing period where Federal assistance to public education is concerned. In fact, arguments are being advanced that what Federal assistance for public education is now being extended to southern States should be withheld until such time as the schools are integrated. There was called to my attention a brochure by the legislative reference service of the Library of Congress. It is entitled, "The Power of the President to Withhold Federal Funds from Educational Institutions Which Discriminate Among Students or Kinds of Race." This remarkable document was prepared by one, Vincent A. Doyle, legislative attorney, American law division, under the date of March 10, 1961. Mr. Doyle seems to adhere to the conviction that the Supreme Court has the power to legislate and that its decisions in specific cases have all the sweep and dignity of a statute enacted by this Congress. He concludes:

All provisions of Federal, State, or local law requiring, or permitting, racial discrimination in public education must yield to the fundamental principle that such discrimination is unconstitutional."

Without any statutory guidelines there can be no per se definition of what constitute racial discrimination until such time as the Court has under its consideration a state of facts, a controversy recognized by article III of our Constitution.

The pertinent provision provides that the judicial power shall extend to all cases in law and equity arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their authority; to all cases affecting Ambassadors, and so forth. The novel theory that a court decides anything other than law of a case is one that never received any universal acceptance prior to the decision in Brown against Topeka. I deny that a Supreme Court decision can give the President of the United States a mandate to do anything other than that involved in the parties or subject matter that is before the Court in any given case. I say this because this memorandum reaches a conclusion that the President himself has the power to withhold payments to States for the support of public segregated educational institutions.

This brochure does illustrate just another one of the many areas where the executive branch of the Federal Government is being asked and encouraged to interfere not only with the operation of the public school systems in the South but in every area where public moneys are appropriated by Congress and expended in the States by one or another of the executive departments.

There is a three-judge court sitting on a school case in Louisiana that threatens to go further in tampering with public school systems in the South than could have been dreamed of at the time the Supreme Court rendered the original decision in the Brown case. The court has done an unprecedented thing. It has posed two questions to the attorneys general of our 50 States and asked that they reply to them in order to aid and assist the court in arriving at its decision. If the answers of the attorneys general were in the affirmative and if the court attempted to write an opinion based upon those affirmative answers, a republican form of government would be forever denied to the several States and the people thereof. The two questions were these:

1. Would the abandonment of a State's public school system deprive children of rights guaranteed by the 14th amendment's due process or equal protection clauses?

2. Would the answer be the same if the abandonment were on a local option basis after a vote of the electorate authorizing county school authorities to close public schools?

Mr. President, if the day comes in this country when Federal judges appointed to office on a life tenure can deny to the people at the level of the local community and the State the inherent right to exercise the franchise in any way they see fit, then the State has no republican form of government. It becomes, in fact, an oligarchy, completely controlled and dominated by a judge who, in the alleged exercise of judicial power, arrogates unto himself not only the powers delegated by the Federal and State Constitutions to the respective judicial, legislative and executive branches of the government, but the sovereignty vested in and retained by the people. Thus the court threatens to supplant State legislatures, local school boards and, finally, the people themselves. Is it any wonder that many of us look askance at any proposed Federal assistance to public education?

In the early part of 1961, the Civil Rights Commission forwarded to the President and to the Congress a so-called report on Equal Protection of the Laws in Public Higher Education. The findings and recommendations contained in this report, if implemented, would place the Federal Government in the middle of the operation and control of institutions of higher education. Let me read you the first recommendation:

1. Therefore, the Commission recommends that the Federal Government, either by executive or, if necessary, by congressional action, take such measures as may be required to assure that funds under the various programs of Federal assistance to higher education are disbursed only to such publicly controlled institutions of higher education as do not discriminate on grounds of race, color, religion, or national origin.

Here again we find an assumption that the executive branch of the Government might be able to take some action in withholding Federal funds without any legislative warrant being given to it by the Congress. This is a peculiarly significant assumption insofar as institutions of higher education are concerned, because the Morrill Acts which have been enacted by this Congress and are still on the statute books specifically provide for separate but equal facilities being supplied to white and Negro students by the funds authorized under the land-grant programs.

At least Vice Chairman Storey had some reservations in regard to executive or administrative action to implement this recommendation. In his concurring statement he says:

This recommendation seems to assume that executive or administrative action to withhold such funds might be proper under some existing laws because broad powers are conferred upon some agencies or officials without legislative prohibition of such administrative action. Strong arguments can be made for the opposite point of view, namely, that had Congress intended to curtail the distribution of Federal funds to institutions which discriminate in admission policies, it would have delegated such powers expressly and would have set forth specifically the conditions under which such funds should be withheld. It is reasonable to conclude that not having delegated such power Congress did not intend it to be assumed or exercised.

And Commissioner Rankin, in his concurring statement, says, in part:

I must express my concern that this recommendation, if put into effect in an immediate and drastic fashion, would be interpreted by many citizens as a punitive measure rather than one in support of proper constitutional objectives. I am interested in promoting sound public education; I seek compliance with the Constitution, not the imposition of penalties. Additionally, if the conditioning of Federal funds were to result in widespread refusal to accept Federal assistance, those who would suffer would not be those who made the decision but the students who directly or indirectly benefit from Federal grants-in-aid to education.

I, therefore, concur in this recommendation in principle but could not support certain procedures that would, in my mind, be unwise means of implementation.

Commissioner Doyle E. Carlton dissented from the first recommendation, stating:

As to recommendation No. 1, it is my opinion that this objective will not be attained by any action which has the effect of withholding public funds from institutions that do not conform to a Federal pattern. The withholding of such funds is to me unsound from a political, governmental and moral standpoint. I cannot approve the withholding of money, coming as it does to the Federal Government from the taxpayers of the several States, as a club to forge any fixed pattern set forth by a Federal agency. Such action would impede rather than advance public higher education. It would also create resentment and ill will to the injury of both races. Progress can be made on the basis of good will without such arbitrary action.

But it must be concluded that a majority of the Commission are actually

recommending to the President that he here and now, by either executive or administrative action, withhold all funds under the various programs of Federal assistance to higher education where either the administrator or the executive reaches the conclusion that discrimination on grounds of race, color, religion, or national origin exist.

In the second recommendation the Commission wants to take away from a local Federal district judge the power to resolve factual issues regarding the denial of equal protection of the laws. As presently constituted, these courts can only sit when a constitutional issue is involved. The bare bone of the recommendation states:

> Therefore, the Commission recommends that Congress consider the advisability of authorizing the use of three-judge courts under section 2284 of the United States Judicial Code (U.S.C., title 28) to cases presenting a substantial factual issue as to whether persons are being denied equal protection of the laws with respect to public education.

Both Vice Chairman Storey and Commissioner Carlton dissent. Vice Chairman Storey says he well appreciates the fact that what the Commission is trying to do in this recommendation is to change the character of jurisdiction vested by statute in district courts to get the school cases before a three-judge court where the duly constituted United States district judge will be denied the power and right to hear and determine the facts in any given situation.

Finally, the Commission recommends that the Federal Government sponsor in the several States educational programs designed to assist public school teachers and students of native talent and ability who are handicapped professionally or scholastically as a result of inferior educational opportunity and training.

Mr. President, I do not propose at this time to argue the demerits of this report by the Civil Rights Commission on equal protection of the laws in public higher education. I am using the recommendations of this Commission to show the degree in which it desires the Federal Government to tamper with the operation of public education in the junior colleges and universities of this country.

Mr. President, I am in complete agreement with the conclusions reached in the minority views on the report accompanying S. 1021. These conclusions stated:

> We are of the opinion that there is no "crisis in education" as claimed by the supporters of the committee bill. Judging by all the relevant criteria, statistical and otherwise, as provided by the bill's proponents themselves, we can find not the slightest justification for extending the activities of the Central Government into the field of education which, both traditionally and constitutionally, has been the exclusive domain of the States and the localities.

Conclusions reached on the basis of statistical data by the proponents and opponents of Federal assistance to public education are so diverse that it is bewildering for one not intimately connected with the field of public education to make heads or tails of the meaning. This is true both in the field of alleged classroom shortage and on the question of teacher shortage and salaries for teachers. According to the figures of the U.S. Department of Education, a tremendous reduction must have been made in classroom shortage over the period from 1950 to 1960. The shortages, as reflected by these figures, were 250,000 in 1950, 312,000 in 1953, 370,000 in 1954, 159,000 in 1956, 142,300 in 1957, 141,900 in 1958, 132,400 in the fall of 1959, and 142,100 in the fall of 1960. This would indicate a reduction from 370,000 in 1954 to 142,100 in 1960. This reduction was achieved by State and local effort alone.

President Kennedy, in presenting the present program to Congress, indicated a need for around 60,000 classrooms a year for the next 10 years. This 60,000 figure is approximately the same figure that was claimed to be needed 10 years ago. For the last 5-year period the States have averaged construction of almost 70,000 classrooms per year. Even without Federal aid, the States would, on this basis, exceed what the President said was required by 10,000 a year, if they maintain the present construction rate.

Dr. Roger A. Freeman, research associate, Institute for Studies in Federalism, Claremont Men's College, Claremont, Calif., testified before the Senate subcommittee considering S. 1021. His knowledge of the field of public education is wide and comprehensive and his book "Taxes for the Schools" is one of the most definitive publications that has ever been made in studying and analyzing public education. The following is his analysis of the so-called classroom shortage:

> It was in 1954 that the Commissioner of Education testified that the classroom shortage totaled 370,000 classrooms; and about a year later the chairman of the Senate Committee on Labor and Public Welfare stated that the shortage would rise to 600,000 within 3 years.
>
> Well, actually the most recent figure which the Office of Education has put out is 142,000, which is 370,000 less than a mere 6 years ago.
>
> But even the new figure is not reliable, as is quite evident from a detailed analysis. The estimate has changed so much from year to year and from State to State that I doubt if very much reliance can be placed upon it.
>
> One statement was inserted in the CONGRESSIONAL RECORD just about a month ago, which quoted figures of the U.S. Office of Education, and said about this: "In the past 4 years the number of classrooms in use has increased 251,000. Now, the number required to take care of the additional enrollment in that time, which was 4.8 million, would have been 170,000 which means that the net increase in classrooms that were available for the reduction of shortages was 81,000."
>
> But the shortage reports of the Office of Education in the meantime were reduced by only 17,000, and what has happened is this, sir: That some of the States, several each year, have reevaluated their needs and have, in some years, increased their shortages by 5,000 or 10,000 classrooms.
>
> On the average during the past 4 years, the reevaluations have upped the shortage by about 16,000 classrooms each year.
>
> On this basis, obviously we could go on indefinitely to have a big shortage. It seems to me that this game of shortage reports and of construction is somewhat like greyhounds chasing a mechanical hare; the mechanical hare always stays ahead.
>
> The fact is that over the past 10 years States and communities have built over 600,000 classrooms; that the added enrollment required 400,000 classrooms, which means that about 200,000 classrooms were available for, first, the reduction of shortages or class sizes and, second, for the replacement of obsolete or old buildings.
>
> It seems to me that this record is a vivid testimony to the faith of the American people in education. They have voted in thousands of elections for higher taxes and for school-bond issues.
>
> To give you just one comparison, the Russians, who usually do not understate their claims, I would say, have claimed that since the war they have built classrooms for 9 million children.
>
> In the United States we have built public classrooms for close to 20 million, and private classrooms for another 1½ to 2 million children, and we have fewer people in the United States than there are in the Soviet Union. So I think we are doing quite well as far as classroom construction is concerned.
>
> Much confusion has existed about the so-called shortages and they were very seriously questioned by the examiners of the Bureau of the Budget who went on a field trip just about a year ago to nine States and came back with a report that questioned some of the claims. More recently they also questioned the current report that winds up with 142,000 shortage. That report was completed last December 1.
>
> The Bureau of the Budget objected to it, and the Secretary of HEW held it up until the last day that he was in office, January 19, and then released it. The former Secretary, of course, is the one to whom I refer.
>
> However, I believe that the outlook in classroom construction is quite simple and does not require very complicated mathematics.
>
> The President, in his education message on February 20 said that to take care of all the needs there ought to be built 600,000 classrooms in the next 10 years, that is, over 60,000 a year.
>
> I may mention here, Mr. Chairman, that in a book which I wrote 3 years ago I came up with exactly that figure.
>
> In the past 5 years States and communities have been building an average of 70,000 classrooms a year, which simply means that the present volume of construction will not have to be maintained through the 1960's, it can actually decline very materially, and still provide all the classrooms which the schools will need to meet all reasonable demands.
>
> Moreover, there is no sign or indication of a decline in school construction. Quite the contrary. The year 1960 established a new alltime record both in the volume and the approval percentage of school bond issues, $1.8 billion, an 81 percent approval.
>
> Now this, I think, refutes the statements that have been made about a taxpayers' revolt. There is no such thing as a taxpayers' revolt, surprising as it might seem.
>
> The Department of Commerce has estimated that public educational construction in 1961 will increase 8 percent over 1960 and, in fact, in January, which is the only month for which we have figures so far, they just came out last week, public educational construction was up 19 percent over the corresponding period a year ago.

So, in other words, there is no indication of a decline in school construction, although somewhere along the line in the 1960's school construction will decline, simply because annual enrollment increases will be cut in half, and there is no question about it, according to the projection of the U.S. Bureau of the Census.

A careful examination of all the testimony by the proponents of this proposed bill cannot refute the conclusions that are reached by Dr. Freeman in regard to classroom construction. I know of no better authority than Dr. Freeman to quote on the question of teacher shortages. He says:

The Office of Education used to issue statements every year on the size of the teacher shortage. In 1953, it was placed at 72,000, and in 1959 it was placed at 195,000.

At that point the criticism became so severe and, in fact, I would say so sarcastic, that last year the Office did not publish any statement of the teacher shortage, and simply left a white sheet in that place where in the past the teacher shortage used to be reported.

The available statistics indicate that, on the whole, education has done far better than any other sector of the economy in terms of manpower.

The one comparison I have here in my testimony compares the increase in employment in (a) public education and (b) in private industry.

Public education in that case includes both higher and lower, because these statistics of the Department of Commerce do not have a breakdown between higher and lower. Here are the figures over the past 30 years.

The increase in employment in public education was 140 percent. In private industry the increase was 45 percent; and I would like to mention that the increase in the population of the United States over that period was 45 percent, exactly the same as the increase in enrollment in public education.

Now, if we view the public schools excluding higher education, you will find that consistently over the period which we can follow, which is back to 1900, proportionately more teachers were added to the payroll than students. Over the period from 1900 to 1961 the increase in enrollment was 150 percent, and the increase in teachers was 250 percent.

To be specific, the pupil-teacher ratio which in 1900 stood at 35.6, in 1930 was at 29.2, and in 1961, in the current school year, according to estimates of the National Education Association, is 24.4.

If you only take the past several years and include only the teachers who have certificates, eliminating the so-called substandard teachers, you have this picture; that is the period over which, according to the Office of Education, the teacher shortage increased so tremendously.

The increase in the number of certificated teachers was 40 percent, and in pupil enrollment 29 percent.

The number of pupils per certificated teacher declined by 2.4; in other words, it was reduced from 28.4 to 26.

What the pupil-teacher ratio should be is a matter of opinion. There have been close to 200 research studies undertaken over the years, many of which tried to prove that children learn more in small classes than in large.

However, the studies were unable to prove this. In fact, the majority of studies, to everybody's surprise, and they were objective studies undertaken by researchers, seemed to indicate the opposite, for some reason, the reason for which I do not know.

The children in the larger classes actually had progressed more in terms of skills and knowledge.

The detail and the proof of this is in a book, "School Needs in the Decade Ahead," which I wrote 3 years ago. The facts are largely taken from the Encyclopedia of Educational Research, which is a big volume, and I do not want to quote any more, but the data are available if you wish them.

Now, coming to the outlook for the teachers' supply, we find it to be favorable for a very simple reason: The percentage of college students who prepare for teachers' certificates has risen from 21 percent in 1948 to 32 percent in 1955, and has since remained stable.

The number of bachelors' and first professional college degrees is projected by the Office of Education almost to double over the next 10 years, the reason being, of course, that the war babies now are getting to be of college age, as you know.

To be quite specific, the number of earned college degrees was estimated at 387,000 in the year 1959, and at 703,000 in the year 1969. That is an increase of 82 percent. So if the percentages of college students going into teaching just remains the same—in the past it has increased, but supposing it remains the same—it would be increasing the number of newly graduated teachers by 82 percent.

But I would like to remind you that over the same period the enrollment increases will be cut in half. During the 1950's, the increase in enrollment was 46 percent and in the 1960's, the increase will only be 20 percent.

The Office of Education about 2 months ago issued a major report on "Staffing and Constructing Public Elementary and Secondary Schools." In that report it estimated that over the past 5 years the annual required increase in instructional staff in the public schools averaged 60,000 per year.

In the years between 1965 and 1969, the average required increase will be 25,000 teachers, less than half as many as in the past 5 years.

So what we are facing through the 1960's is a doubling of the new supply and a halving of the requirements for additional teachers.

In other words, it seems to me what we are facing by the late 1960's is not a shortage but a surplus of teachers.

Mr. President, as to teachers' pay, the Women's Bureau, U.S. Department of Labor, in 1956, conducted a survey of women school teachers and other female professional workers of women college graduates of 1955. The report indicated that the average woman college graduate of 1955 earned $3,141 annually, and that the average pay was, for teachers, $3,197; for all others $3,047. The teachers were thus $150 a year ahead of their college classmates.

The U.S. Bureau of the Census prepared a tabulation of its 1958 survey for the National Education Association, comparing the income of male and female teachers with professional workers outside the schools. The results were published in an NEA report, "Economic Status of Teachers in 1959–60." The significant data are: Median annual money earnings of female professional, technical, and kindred workers: All workers, $3,126; instructional staff in public schools, $3,748; and, professional workers in nonschool jobs, $2,619. No data are shown for the latter category according to length of college attendance. But such data are shown for all professional workers and for public schoolteachers, as follows:

	4 years college	5 or more years college
All professional workers	$3,533	$4,612
Public schoolteachers	3,680	4,925

If earnings are compared according to the length of time worked, the picture appears as follows:

	Number of weeks worked in 1958	
	27 to 47	48 or more
Public schoolteachers	$4,032	$4,418
Professional workers in nonschool jobs	2,267	3,658

It is apparent that women in professional occupations earn considerably higher salaries in public schoolteaching than in other types of jobs, and that on the basis of time worked their advantage is very substantial.

Dr. Freeman, in criticizing generally grant-type bills, such as S. 1021, charges that this character of legislation would shift control of education from where it is presently located, with the State legislatures, Governors, boards of education, communities, and parents, to the State departments of education; that it would greatly strengthen the State departments of education versus the general State and local authorities. While developing this point in his testimony, he added:

Some people believe that a shift toward professional control of education is desirable, necessary or inevitable, and again I would like to quote to you from the School Administrator's Journal Overview, which editorialized in November 1960:

"The United States is inexorably moving toward a national system of education * * *. The long-held view that education is largely a personal concern and that educational policies should be made by local units of government will have to go * * *. The national welfare demands a national system of education."

He added, in response to a question from Senator DIRKSEN:

I could quote to you, Senator, many statements which are exactly along the same line, which point out that what is really aimed for here is the establishment of a national system of education.

Such statements are usually not made in presentations to the Senate or to the House. But when the professors of education and the school administrators speak to each other, they talk in a different language. In fact, they make fun of what they call the "grassrootism" in American education.

I would be very happy to supply additional quotes, dozens of them, from professors of education, from educational administrators along the same lines.

A few of these quotas which he did supply follow:

From the Nation's Schools, September 1960; editorial, "It Is Federal Control":

There's something quite naive in the way we school people talk about Federal control

of education. Some of us seem to think that Federal influence on education can be prevented simply by stating that it shall not exist.

The next time someone tells you that he is absolutely opposed to Federal control of education, ask him to define what he means by control. What is it? How does it operate? How does it grow?

Federal direction is inherent in any Federal law or any Federal court decision pertaining to education. This is true, even if Congress delegates to the States the adminstration of a Federal grant.

From Overview, November 1960, "A National System of Education":

The United States is inexorably moving toward a national system of education. By the end of the 20th century we should be far along the road toward this goal. There will be much travail, dissension, and heated debate concerning the wisdom of traveling this road. There will be many regrets, many cherished viewpoints which will have to be given up or changed. For instance, the long held views that education is largely a personal concern and that educational policy should be made by local units of government will have to go. The growing dependence of the Nation upon education will tip the scales overwhelmingly for a national system of education.

* * * * *

As I see it, then, the national welfare demands a national system of education. The growing complexity of national and international problems which require solution makes mandatory a high degree of educational efficiency which can only be achieved by making education a national enterprise.

Theodore Brameld, professor of education, Boston University, "Toward a Reconstructed Philosophy of Education," New York, Holt, 1956, from a passage entitled, "The Bugaboo of Federal Control":

The National Government should exercise the same authority over the spending of school funds as it does in other areas; otherwise there would always be the danger of Federal money being squandered by dominant minorities in States or localities. The spending of Federal funds already provided for education in specific fields (notably through the Smith-Hughes law, providing for agricultural, industrial, and home economics education) is controlled by definite requirements which, although sometimes annoying certainly have not given rise to wholesale corruption or rigidity of educational practice. It is equally consistent to insist upon a working synthesis between Federal aid and control with regard to general education.

Mr. President, I deny that our system of education, either public or private, has failed in the United States because it has been decentralized to the level of local control. No single factor has made a greater contribution to the growth and development of these United States than has that of our system of education. Destroy States and the local communities; destroy our system of competitive free enterprise; nationalize and standardize our public school system and you will at that time achieve the destruction of these United States, and the name of our country could well be changed to "The United State."

Mr. President, in my country we used to have all day meetings, with lunch on the ground. One of the choicest dishes served was the delectable, delightful and delicious watermelon. Have you ever tried to take a knife and make each slice of watermelon come out in geometrically perfect divisions? The attempts to devise so-called allocation formulas for this school assistance bill reminds me of putting the knife to the watermelon. It is impossible to devise any formula that will achieve an equitable result. You must invariably take something from one person and give it to the other. While I am fundamentally opposed to any formula and any Federal taxation for the purpose of distributing money to the States and local communities to support public education, I have considered the formulas that have been devised and the one now before this Senate with a great deal of interest. Any way you attempt to cut the melon, it just does not make sense.

The melon must be cut so 50 States, the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands get their proportionate share of the fruit. A chart has been prepared which shows the allotment to each of the States and the estimated tax payments that will be made by the citizens of that particular State to supply the needed funds to the Treasury for distribution. Sixteen States will pay into the Federal Treasury money in excess of that which they will receive back in a Federal allotment. Leading the list is the State of New York. Its share of the melon will be an allotment of $40,652,380 per year. To receive this money, the people of this State will pay into the Federal Treasury $116,280,000. The excess of New York money, $75,627,620, will be redivided elsewhere. The people of the State of California will pay in $46,929,643 annually in excess of that which they will receive back, which, incidentally, just balances out $46,230,357. They will be giving $2 for $1. Illinois' contribution to her sister States will amount to $29,428,133 per year. The people of New Jersey will be hooked for $20,382,729. Next in line is Pennsylvania, $15,048,583. Massachusetts' share will be $14,705,249. The tribute of the people of Connecticut will amount to $13,229,460. For some reason which I have not stopped to analyze, the great State of Michigan will contribute only $66,299, while its sister State of Ohio kicks in $9,612,107. The smaller States which will also contribute to a greater or lesser degree are Delaware, Maryland, Missouri, Nebraska, Nevada, Rhode Island, and Washington.

I ask unanimous consent that the table showing how the States will fare during fiscal year 1962 under the School Assistance Act of 1961, S. 1021, as reported by the Senate Committee on Labor and Public Welfare, be inserted in the RECORD at this point.

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

How States would fare during fiscal year 1962 under the School Assistance Act of 1961, S. 1021, as reported by the Senate Committee on Labor and Public Welfare

State	Federal allotment	Estimated taxpayments	Net aid received from other States	Net aid paid to other States	State	Federal allotment	Estimated taxpayments	Net aid received from other States	Net aid paid to other States
Alabama	$24,005,156	$8,330,000	$15,675,156		New Hampshire	$2,726,162	$2,805,000		$78,838
Alaska	1,111,660	935,000	176,660		New Jersey	16,592,271	36,975,000		20,382,729
Arizona	7,405,140	4,845,000	2,560,140		New Mexico	6,370,666	3,145,000	$3,225,666	
Arkansas	12,867,468	3,995,000	8,872,468		New York	40,652,380	116,280,000		75,627,620
California	46,230,357	93,160,000		$46,929,643	North Carolina	33,751,156	11,730,000	22,021,156	
Colorado	8,896,358	7,990,000	906,358		North Dakota	4,535,574	1,615,000	2,920,574	
Connecticut	5,215,540	18,445,000		13,229,460	Ohio	39,517,893	49,130,000		9,612,107
Delaware	1,239,501	4,760,000		3,520,499	Oklahoma	12,602,078	7,905,000	4,697,078	
Florida	21,923,016	21,335,000	588,016		Oregon	9,042,171	8,075,000	967,171	
Georgia	28,045,856	11,305,000	16,740,856		Pennsylvania	44,026,417	59,075,000		15,048,583
Hawaii	3,739,229	2,550,000	1,189,329		Rhode Island	3,433,585	4,505,000		1,071,415
Idaho	4,408,622	2,295,000	2,113,622		South Carolina	20,398,967	5,185,000	15,213,967	
Illinois	31,516,867	60,945,000		29,428,133	South Dakota	4,459,796	1,700,000	2,759,796	
Indiana	22,781,255	19,380,000	3,401,255		Tennessee	23,526,845	10,115,000	13,411,845	
Iowa	14,386,515	10,115,000	4,271,515		Texas	58,063,833	36,805,000	21,258,833	
Kansas	11,111,415	8,160,000	2,951,415		Utah	6,321,123	3,060,000	3,261,123	
Kentucky	21,409,762	8,925,000	12,480,762		Vermont	2,083,288	1,445,000	638,288	
Louisiana	22,202,969	10,115,000	12,087,969		Virginia	23,803,278	14,450,000	9,353,278	
Maine	5,175,297	3,655,000	1,520,297		Washington	12,976,374	13,855,000		878,626
Maryland	13,681,203	16,320,000		2,638,797	West Virginia	12,913,602	5,780,000	7,133,602	
Massachusetts	14,789,751	29,495,000		14,705,249	Wisconsin	20,021,484	17,595,000	2,426,484	
Michigan	37,928,701	37,995,000		66,299	Wyoming	1,793,553	1,360,000	433,553	
Minnesota	18,395,829	13,685,000	4,710,829		District of Columbia, American Samoa, Guam, Puerto Rico, and Virgin Islands	23,632,045	5,865,000	17,767,045	
Mississippi	17,480,858	3,825,000	13,655,858						
Missouri	18,520,779	19,465,000		944,221					
Montana	3,888,736	2,380,000	1,508,736						
Nebraska	7,357,227	5,355,000	2,002,227						
Nevada	1,040,292	1,785,000		744,708	Total	850,000,000	850,000,000		

Source of data: Col. 1, S. Rept. 255, "School Assistance Act of 1961." Other columns computed by Chamber of Commerce of the United States.

Mr. EASTLAND. The 1960 census gives Florida a population of 4,951,560 people. The State of Texas grew to a total of 9,579,677. I know that the good people of Florida will be either flattered or chagrined at the comparison the School Assistance Act of 1961 makes between these two great States. The formula makes Florida more or less self-sufficient. Her share of the Federal school allotment would be $21,923,016, while her citizens would contribute in taxes to pay for this $21,335,000. Since it is always better to come out a little ahead than to lose, the $588,016 received net as aid from other States should be appreciated, but in comparing Florida with the State of Texas the formula says that Texas' share of the allotment will amount to $58,063,833. The citizens of Texas will contribute in estimated tax payments $36,805,000 of this allotment. The balance of $21,258,833 will be contributed to poor Texas by the other States of the Union. Other States in the South that will receive a lion's share of tax money contributed by other States are North Carolina, with an allotment of $33,751,156 and estimated tax payments of $11,730,000, resulting in a contribution by other States of $22,021,156, and Georgia, who is next in line. The citizens of Georgia would pay $11,305,000 for an allotment of $28,045,856, the difference in their favor being $16,740,856. South Carolina would receive $15,213, 967 more than it would pay into the fund. Alabama would receive $15,675,156 in excess of estimated tax payments. Mississippi's net aid from other States—or should I say the 16 States—would amount to $13,655,858. Arkansas is the lowest State in bounty to be received. The net aid to this State amounts to only $8,872,468.

Mr. President, applying such a formula is the absolute in arbitrariness and capriciousness. Classroom shortage in New York is demonstrated to be far greater than that in Texas. The 1960 survey of the Office of Education alleged that New York had a net schoolroom need of about 10,200 classrooms. The need in Texas was a net of 809 rooms. Wyoming, according to the Office of Education, would have a net shortage of 22 classrooms. Wyoming's share of the proposed Federal allotment is $1,793,553. Indiana, which, according to the Office of Education surveys, needed 1,505 classrooms in 1959 and 1,321 in 1960 and which more than kept abreast by scheduling the completion of 2,000 classrooms in 1959–60 and 2,152 more in 1960–61, will get more than $22,780,000 annually under the committee bill. In addition to the lack of classroom shortage, the average teacher's salary in Indiana is $307 above the national average. Incidentally, Indiana will receive back $3,401,255 more than its estimated tax payments will be against the allotment.

Mr. President, these figures illustrate once again that the great mistake being made by this Congress is to even consider entering the field of public assistance to public education throughout the States. Both in principle and in application it is contrary to every conception of an area in which the Federal Government should concern itself.

Mr. President, the argument has been advanced that the moneys expended by the Federal Government under Public Laws 815 and 874, which are extended by titles II and III of S. 1021, constitute Federal grants to support public education. These laws were designed to provide that the Federal Government carry its fair share of the tax burden to support public schools in areas where federally owned and operated installations placed a heavy burden on local communities. Fundamentally, they are no more and no less than laws which provide for payments in lieu of taxes against federally owned property located within a State or local community. This is a character of obligation upon which there is a moral and equitable obligation for the Federal Government to contribute its fair share of the cost of educating the children in the impacted communities. I deny that payments under these laws are in any sense either a grant or a gift. They represent an obligation that is recognized on the part of the Congress.

Attempts to obtain Federal aid to public education by way of outright grants from the Federal Government to the States and local communities are like waves that flow in from the sea. Each time the proponents seek to drive the wave farther and farther up the beach. To this point in the history of our country the States and local governments have not been inundated by the waves. Every attempt to pass this character of legislation has been successfully resisted. In the almost 19 years that I have been in the U.S. Senate, the presently proposed legislation appears to have more congressional support than did any previous proposal. This legislation is just as bad in its principle and proposed application as was any other bill that was considered and defeated by this Congress. In many of its aspects it is worse, because it enters the field of teachers' salaries and special projects, which can cover a world of Federal evils.

There was never a time in our history when the energies of Congress and the Federal Government should be more directed and devoted to its constitutional functions of providing for the common defense and carrying out the other specific injunctions of our Constitution where the powers were delegated by the States to the Central Government. If we are to win the cold war, the strategy and tactics which can best be employed would be for the Federal Government to adequately perform the function delegated to it by the Constitution, and leave to the States and the people those manifold and diverse activities that, in the nature of our Government, can be best performed by no other. I urge the defeat of S. 1021.

Mr. McGEE. Mr. President——

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

Mr. McGEE. I yield.

Mr. SCHOEPPEL. I appreciate the courtesy of the Senator from Wyoming. I shall be brief.

I rise to express my views with reference to the bill now before the Senate, and on which the Senate will vote this afternoon. I regret that I cannot support this measure. I have an abiding conviction and belief that the responsibility is one that belongs to the States and localities. The sums of money that would be allotted to the respective States seem to me to be allotted in such fashion that I believe it would be unfair to many States that have been taking care of their educational needs and responsibilities.

Furthermore, I adhere to the minority views with respect to this measure. I do not share the optimistic views of many Senators who feel that there will be no Federal interference or control in the administration of the aid-to-education measure in the years ahead.

Frankly, I have no quarrel with Senators who disagree with my views upon this important measure. I have supported Federal assistance to schools and educational institutions in the military-impacted areas. I thought then, and still think, that that work is an important responsibility of the Federal Government, especially in the fields of military defense preparation activities. I have heretofore supported the use of Federal funds for educational purposes, and have believed that we should approach the use of Federal funds on long-term arrangements or agreements to assist certain areas of educational activity by way of the construction of school facilities.

But the bill would go far beyond that point in a great many respects. I am unwilling to weaken the authority of the citizen in his community. I wanted to make my views known on this important piece of proposed legislation.

I have received numerous communications in the form of telegrams and letters requesting me not to support the measure. Those communications have come from people in my own State of Kansas. It has been my privilege to work in the educational field, from the standpoint of an official of a school board, for a good many years and in a number of capacities. I have a great desire to assist the educational activities, not only of my own State, but of other States.

Finally, I believe education is a cardinal responsibility of the communities and the States and as we go down the road I believe that we shall find that we shall have given up something that we might wish that we had not surrendered so willingly in the enactment of the proposed legislation.

I thank the Senator from Wyoming for his courtesy in yielding to me.

Mr. McGEE. Mr. President, I rise today to speak to the question before the Senate at the present time—the Federal aid-to-education bill. I do so after a considerable delay and plenty of time to reflect on what to say. At 11:30 this morning I arrived prepared to make these remarks for the RECORD and the Senate, but a number of events transpired in the meantime, including important announcements from Senators

and addresses of one sort or another. I have a commitment very early this afternoon. Therefore I prefer not to yield to any more of my colleagues until I finish my remarks.

The significance of the question of education was brought into proper perspective in President Kennedy's stirring message to Congress a short while ago. When he was talking about the extraordinary times and the extraordinary challenge which we face, he was measuring the magnitude of the problem and capturing the sense of urgency that engulfs us all, whether we speak of outer space or of education.

I know of no proposed legislation pending before the Senate or that we have enacted this year that can match the national mobilization of educational effort as our greatest, most enduring resource to meet the need of the times.

I believe it is not without significance that most of the rest of the world is not only stirring, but driving with the impetus of their new-found power in the pursuit of education. When I have traveled in the Soviet Union I have been struck by the drive among the people there to try to gain knowledge. Long lines are queued in front of libraries where the people can obtain books. The precedence they accord to educational questions over others of a more material nature demonstrates that they have sought in many ways to put first things first.

In parts of the heavily populated sections of the globe, such as south Asia, one is struck by the numbers of people crowded into the very simplest little corrals, or what we would call one-room schools, seeking learning. The people in Africa gather in groups in their grass huts, or sit in the open bush, in the pursuit of the same goal.

All I am saying today is that more than ever before in the history of man, peoples everywhere—whether they be Americans, Europeans, Asians, or Africans—have recognized the power of knowledge and intend to arm themsleves with it to the hilt.

It is not without significance at this moment that the eyes of the world are very largely fixed upon the United States. I say "largely" because in this Republic of ours we have pioneered in one of the great mass experiments in group education, or public education. In our demonstrated historical faith in that pursuit, through this keystone in the arch of our free society, we have held before the rest of the world a goal which they hope to attain in their own right.

Since the days of Horace Mann and his followers, who inspired the American Nation to the principle of free education, times have changed. What passed for a successful American school and what served as a successful American educational process in 1840 is no longer adequate today. If history teaches nothing else, it teaches the inevitability of change. We cannot address ourselves to the problems of today with yesterday's answers. We have to see that our institutions, our schools and our minds are attuned to the speed of the times, to the urgency of the times, to the harshness of reality, and to the answers of our times. This means it is no longer sufficient for us to dare to suggest that education is a teacher at one end of a log and a boy at the other. That would be ideal if there were not people in the world, if there were not forces let loose in the world beyond the control of even Republicans and Democrats. These forces of change exist in the shape of hopes and impatient aspirations which we have tried to meet and hope to channel and seek to direct, if at all possible.

These are the considerations that prompt us to take a new look, a changed appraisal of our whole educational endeavor.

I need not mention what has happened to our own geographical separation. Whereas we once had a little red schoolhouse, isolated in a small community, whose impact was limited to that little community, there is no longer any area of our country that can isolate itself even from its neighbors, let alone from the rest of the world.

This means that what happens in Spotted Horse and Coyote Springs makes a difference even to people in the far corners of our own country and in the world at large.

It is imperative that we try to build new standards and new goals in order to measure our own real capability in the realm of education.

What it comes down to is asking ourselves the central question: While we have given service to education, while we have taken credit for sponsoring this as an enterprise of our own Republic, are we willing to believe in it? Will we pursue the truth no matter where it may lead?

I say the time has come for us to ask ourselves that question, because of the attitude of our citizens in all parts of the country who seem fearful lest we get too much knowledge, lest we acquire too much education, lest we break through too many barriers. We must be ready to answer that question yes, that we believe in the principle of education. We must address our whole program of action, and our national effort to think in terms quite beyond the realm of learning and knowledge. If knowledge be power, as I firmly believe, then it is time for us to pursue in a national way our endeavor toward that conviction.

The time is at hand to act, because the problem requires a national effort even above and beyond the local effort in its urgency. This does not mean national or Federal control.

We found under our Articles of Confederation, when we had large dreams of the excessiveness of local control, when we had hoped that the individual alone could conduct himself in such a way as to defend his best interests, that the forces of change, through selfishness and through outside threats to the security in that colonial area, required us as colonists to address ourselves to the question of unity. We said, "United we stand, divided we fall." We found that by joining forces we could acquire a capability which alone we could not muster. The time has come to weigh the urgency and the scope of the task ahead.

No longer can the State of Wyoming or the State of Pennsylvania carry the burden of educating the people of the United States alone. It is not enough to say that students in Wyoming have the best possible form of education. Wyoming educated students cannot alone carry the burden of the high level of national educational needs.

If we could isolate my State, or the State of the distinguished Senator from Montana, who now occupies the Chair [Mr. METCALF] and who has been a leader in this great fight for the education bill, and if it were possible to surround a State with some kind of enforceable barricade, that would keep others out, and its own students in, it could be argued that it would be possible that we could conduct our educational system within State lines. Unfortunately, of the people that we educate in my State, at least half of them will end up in some other State of the Union It means that our population is made up in part by those who come from elsewhere.

This means that it is folly for anyone to talk about trying to isolate the question of paying for education within the boundaries of a State. We must look up. We must face the job. We must tackle the problem that faces us at the present time. Whether the state of our schools is urgently critical at the present moment seems not to be a matter of great division among us. The division among those who have been opposing the bill is over the question: how urgent is it, how serious it is? We are quarreling over facts, but no one denies that we are behind in classrooms. No one denies that we are behind in teachers. We quibble whether we are behind by 100,000 or 200,000 classrooms. The point is we are behind and we are not closing the gap. It is not sufficient for us to say at any time that we are almost there. We are not almost there if we still fall short of the goal.

We were almost there in the early space race, but we had not completely closed the gap. The gap is in danger of widening.

I have had personal occasion to experience, as I am sure some of my colleagues have, the pressure of congestion in classrooms. When we agree to address an individual classroom, we now find that we must give the same speech twice or three times, because the school is forced to go on two shifts or even three shifts, in order to get the children into the classroom and exposed to learning. This is more often the case than not across the length and breath of our land. Likewise, as one who can be permitted to reflect as a teacher, I think that it is well to remember that teachers are people. It has apparently been assumed during some of the debate on the bill that teachers do not live on money, that they live on inspiration.

Mr. President, I know of many teachers who are the most inspired and dedicated individuals this country will ever have, but I also know that the grocer will

not take their inspiration and dedication as payment of their bills at the end of the month. I also know that one cannot pay his rent with dedication; he must pay it with money.

To me, it is a curious thing that some Members of the Senate who are distinguished businessmen would never propose to run a successful business enterprise by saying to those whom they had hired, "I will not pay you very much because you will be dedicated and inspired." The whole guts of our enterprise system has been to measure and to reward the caliber of work with a suitable monetary return. Has great genius in American industry been commanded by inspiration? Not at all; it has been rewarded by handsome salaries, a cut in the proceeds or the profits of the firm, and a number of other similar economic inducements.

The teachers of America are no different from other persons, except that instead of the handling or balancing of books or the making of a dollar of profit, they are handling the minds and souls and character fiber of the children of the Nation. If we wish to equate in terms of importance of service rendered, we will have to concoct another standard in attempting to measure adequately the whole extent of that reward.

This is why I was moved to interrupt a series of commitments with the schools of Wyoming and fly back from my State to participate yesterday in the consideration of the question of teachers' salaries. The time has come when we must pay, and pay properly, for the kind of service and responsibility which we thrust upon the teachers of America.

Mr. SCOTT. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. Mr. President, in the Senator's absence, I received unanimous-consent agreement that I would not have to yield any further.

Mr. SCOTT. Mr. President, will the Senator yield to me before he completes his speech?

Mr. McGEE. Before I give up the floor.

Mr. SCOTT. I have an engagement to fill.

Mr. McGEE. I had a commitment to yield to the Senator before.

Mr. DODD. Mr. President, will the Senator from Wyoming extend the same courtesy to me?

Mr. McGEE. Yes; and also to the Senator from Ohio [Mr. LAUSCHE], since he also has made a request.

The question arises, likewise, beyond that of classrooms and schools. The magnitude of the burden is manifested in one other sense. I am a graduate of a teachers' college, and I am very proud of it. But I was trained and educated in what is called the small generation. There were not very many of us in the middle 1930's. Yet we are the ones—even though I have betrayed the profession and gone on to other employment—who are being asked to train and educate the big generations of the 1950's and 1960's. The question is not alone trying to attract only the dedicated individuals who find their way into the classrooms, but to attract a massive enough group, in large enough numbers, who meet high enough standards to represent the caliber of excellence we have a right to expect in this pursuit.

It is not without point, in my judgment, to suggest that beyond the scope of this particular bill, is that of our higher educational institutions in the land, because they are the ones upon which the impact of the masses coming up through the ranks will be felt first.

The colleges of America, if they are simply to put roofs over the heads of the students who will be on the campuses within the next 5 or 6 years will have to build more buildings in the next 4 or 5 years than all the campuses of America have built in the last 200 years. This, again, is talking facts. It is talking the harsh truth of trying to educate the teeming millions in our land, leaving out of the picture for the moment those who come from other lands.

All this brings to the center of our consideration the question of cost. Cost is the sobering thing for all of us. I happen to believe with those who say that we can afford the things we will, but we must set our priorities in order. We must put first things first.

I am not satisfied with those who would deal only with numbers and say we are not so far behind as we could be, that we are not so short as we might be, because what we must determine is how we can get where we have a right to be.

Instead of being told that it will cost $2,500,000, and probably more, for the next few years, let us ask ourselves, What must we do in order to meet our target? What must we give up? What must we achieve in this greatest potential that a free people ever had? If we ask that question first and are not afraid of the answer, we are more properly approaching the question of cost.

Who bothered to ask about cost when Mr. Hitler attacked us and when Mr. Togo and Mr. Mussolini later entered the picture? Urgency was conspicuous and obvious, in the sheer political and military sense. But now we seem reluctant to ask the same kind of question? What must we do? is the question we ought to be willing to face up to, and to which we should accept the answer and for which we should make the sacrifice.

In the matter of cost, I sometimes lose my patience with those who tell us we might save a little more here by taking a chance; that we might cut some off there because we just might not need it. We heard this morning on the floor that the chances are the situation may not be as bad as we are afraid it will be 10 years from now. Suppose those prophets are correct. Suppose we reach 1970 having too much education. What will have been the consequence of our tackling the question according to the size which we think it demands right now? The consequence will be that the people of the Nation will be more educated than they might have needed to be under whatever standards are set up. But suppose the prophets are wrong. If they are wrong, then we have had it. If we are wrong in prophesying that we will not need so much as we fear we will, then we will have forfeited that one strength, that one bastion of freedom to which we are dedicated—the freedom to pursue knowledge wherever it may lead us.

Education is the great backbone of a free people. This, it seems to me, is the gamble we must take. We must decide which gamble we can afford to take—the chance of being wrong by going too far with too much education, or the chance of being wrong because we had too little education.

I think, given those alternatives and measuring those risks, we have to use the kind of approach that the bill envisages and which the President of the United States has spelled out for the people of the Nation to accept.

The Department of Defense has had no great difficulty in getting adequate appropriations from time to time. The President asked us only this morning for large new appropriations in certain specialized areas of the Department of Defense. I intend to vote for them. I think it is desperately urgent that we do so. But I say that is the same kind of standard we must equate with our educational processes. We must ask what we must pay, and we must find ways to mobilize our resources in order to pay.

I think they are within our means. We must be determined to make the necessary sacrifices.

A question was asked on the floor this morning whether we had to choose between guns and butter; whether it should not be guns or butter. I say the choice is more central than that. It is a question of guns and brains. We can live without butter, with all due respect to the dairy States, but we cannot survive without brains. That is why it is imperative that we put first things first. As we launch ourselves into outer space, as we make our new targets of achievement toward the moon, with the great cost that will entail, it will require an ever-increasing level of educational capability to keep the pace with the times.

But while we seek to win the moon, we dare not lose the earth; and thus we must devote our immediate energies, our immediate determination, and our immediate drive to keeping America free.

Mr. BARTLETT. Mr. President, I am grateful to the Senator from Wyoming for having yielded to me, and I shall be relatively brief. I ask unanimous consent that my remarks may follow those that are to be made by the Senator from Wyoming.

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

Mr. BARTLETT. There is some expectation that a final vote will occur today on the pending bill. Whether that happens or whether the vote comes later, it is my intention to vote for the committee bill.

I am not one who from the outset was strongly in favor of Federal aid to education. On the contrary, I had substantial doubts about the wisdom of such

a course. I was won over to the contrary opinion only after much study. After my initial conversion, I endorsed the proposal of Federal financial assistance for schoolroom construction. But even so I did not believe that Federal aid should go for teachers' salaries. Finally, however, upon the weight of the evidence presented, it seemed clear to me that if we are to put our educational system in a position where it ought to be, such Federal aid was essential. Therefore, I propose to vote for the committee bill.

There was a time, and it was not too long ago, when all of us instinctively believed that everything we did in America was the very best. We are not so sure in these later, trying days. We thought, and certainly with some justification, that we had a splendid educational system.

However, I have here some figures compiled by the National Education Association, which reveal that as recently as 1950 10 States of the United States had 5 percent or more of their population altogether unable to read or to write. That situation needs correction, no matter from what source the money comes to correct it.

I could not close without a few words of commendation for the committee, particularly the members of the subcommittee. From my own knowledge I know how faithfully and how long and how usefully they worked upon this important and intricate legislation. Perhaps it would be appropriate for me especially to say that the senior Senator from Oregon has done a simply magnificent job in the floor leadership of this bill. I have never seen, during my comparatively brief time in the Senate, a finer example of good leadership in respect to a major piece of legislation.

My colleague, the junior Senator from Alaska [Mr. GRUENING] and I went before the subcommittee in reference to some special problems we had in Alaska. The members of the subcommittee were kind and courteous and helpful. In that connection I ask unanimous consent to have a statement I have prepared in connection with the Alaska situation printed in the RECORD as a part of my remarks.

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

STATEMENT BY SENATOR BARTLETT

The average cost of building a school classroom in Alaska is $89,000. On the average in the United States, two classrooms could be built at this cost and there would remain a balance of $2,000 with which two teachers might be given salary increases.

In Alaska there is a classroom deficit which would not be met at a cost less than $20 million. Furthermore, were construction of these needed facilities undertaken today, they would not, when completed, meet the needs of Alaska's children. For the Alaska population is growing very rapidly. During the last 10 years the census report shows that there has been an increase in Alaska population exceeding 75 percent. This may be compared with the national increase in population reported at approximately 18½ percent.

Equally significant in terms of new school requirements, the median age in Alaska is 23.3, or more than 6 years younger than the national median age, 29.5. Although census material is not available for such a comparison during the earlier years of Alaska history, information which is available indicates that during this short period the Alaska population has transformed from one with an unusually high median age to its present low age level.

This is not all that may be learned about the constantly growing need in Alaska for new school facilities. Alaska has a ratio of schoolchildren to adults which is approximately double that which exists on the average in other States. Each Alaska taxpayer must, therefore, individually pay the cost of educating twice as many children, per capita, than is the usual or average case in the other States.

Add to these peculiarities in population distribution and growth the unusual cost of education in Alaska and it becomes clear that few of the generalizations which may be made about administering schools in the other States are necessarily accurate when applied in Alaska.

For example, more than one-fourth of the children who attend elementary school in Alaska are educated in one-room school houses which accommodate fewer than 20 students each. Also, one-third of all Alaska secondary schools have an enrollment of fewer than 40 students.

The per-student cost of operating these small units would be unusually high even without the problems of weather encountered in many areas of Alaska. But with these problems, along with factors of isolation and high cost transportation, the Alaska per-student school costs sometimes reach extraordinarily high levels.

As a single example, I call to the attention of the Senate that last year the Alaska Department of Education paid more than $6,000 for fuel oil delivered to heat a single Alaska school. The per-student cost of the oil—which had a delivery price exceeding $1.40 per gallon—was $233. Unusual though this example may be, it is indicative of the variety and burden of costs which attend Alaska education and which probably have no parallel in other States.

Mr. President, I have by no means exhausted the list of expenses which Alaskans must underwrite to provide an adequate school system for their children. Alaska schoolteachers receive salaries which are far above average. And yet, in terms of the cost of living they remain underpaid.

The list could continue almost indefinitely but my point is made. I desire to present to the Senate only a few of the facts which were brought to the attention of the Subcommittee on Education and which provided the basis for the special high-cost area language in the reported bill.

The language which the committee included in S. 1021 to provide an arbitrary allotment ratio of 0.50 for States in which educational costs are double the national median would qualify Alaska for an annual payment of approximately $1.2 million.

Had the amendment not been adopted by the subcommittee, Alaska would have received about half this amount under the provisions of the otherwise amended bill. I am grateful to the members of the subcommittee, the representatives of the Secretary of Health, Education, and Welfare, and the members of the professional committee staff for the consideration which was extended me and others who testified about the particular problems in Alaska. The inclusion of this provision in the reported bill gives proof of the care and responsive attention with which every provision of S. 1021 was reviewed and, when found necessary, altered by the committee.

I support S. 1021 as it has been reported to the Senate by the Labor and Public Welfare Committee. I believe that the committee has acted wisely in its amendments to both title I which establishes a general program of school aid and to title II of the bill which provides a continuance of the existing program of aid to federally impacted school areas.

The title II amendments included by the committee will continue for 3 years payment to school districts for providing a free public education to children with whole or partial Federal connection.

The committee has handled this matter with fairness and wisdom. While retaining benefits at the level provided in existing law, the committee has recommended only a 3-year extension of the program. This will allow the Office of Education a period of time during which a study of the entire Federal impaction program might be undertaken to determine what changes, if any, should be made in the future. In this respect, as in every other, I am in agreement with the recommendations of the committee.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had further disagreed to the amendment of the Senate to the bill (H.R. 6518) 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; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. GARY, Mr. CANNON, Mr. TABER, and Mr. FORD were appointed managers on the part of the House at the conference.

GEORGE WHARTON PEPPER

Mr. SCOTT. Mr. President, I rise to call the attention of the Senate to the death, yesterday, of a very distinguished former Member of this body, the Honorable George Wharton Pepper, who, at age 94, has passed away after many, many years of great, distinguished, and sensitive service to his fellow men.

Senator Pepper served as a Member of this body from January 1922 to March 3, 1927. He was a most distinguished member of our bar association, founder of the American Law Institute, prominent for over half a century in public and professional activities, famous as a constitutional lawyer, and one who rendered important services to the Protestant Episcopal Church, of which he was a leading layman.

Senator Pepper completed the unexpired term of Senator Boies Penrose. Senator Pepper himself was generally regarded as a Republican conservative, whose conservatism, however, was tempered by his Victorian sense of liberalism and a willingness to adapt to the ever-changing scene in the 20th century.

He was ever a kindly man. Some among the Senate staff will recall that from his own pocket, Senator Pepper provided the means with which to furnish the Senate pages a baseball team with uniforms.

His entire life was filled with instances of kindness and generosity to others.

Mr. President, I ask unanimous consent to have printed at this point in the

RECORD an article, published in the Philadelphia Inquirer, on Senator Pepper's death.

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

GEORGE WHARTON PEPPER DIES—FORMER SENATOR, LEADER IN LAW

George Wharton Pepper, a former U.S. Senator and a leader of the Pennsylvania legal profession for more than half a century, died Wednesday in his home after a long illness.

He was 94 March 16 and lived on White Horse Road in Devon.

Mr. Pepper had been confined to his home since June 1958, when he suffered the first of a series of strokes. He died at 12:45 a.m.

His long and varied career included success in many fields—law, politics, education, the church, and civic affairs.

But he strayed from the legal profession only twice during his life—for World War I service and to take appointment in 1922 to the Senate. Elected later to fill the balance of a term left by the death of Senator Boies Penrose, he was defeated when he sought reelection.

He was senior partner in the firm of Pepper, Hamilton & Scheetz. Seldom did he miss a day at the office until 1955, when he broke his hip in an accident. After that he still worked, though confined to a wheel chair.

The erect, mustachioed attorney was equally at home before the U.S. Supreme Court (where he was still arguing cases at the age of 80) or building a log cabin at his Maine retreat (which he did, starting, as he quipped, "with an ax and a tree").

Mr. Pepper's public spirit made him a constant occupant of the Philadelphia and national limelights, both as a critic of the passing scene and as an elder statesman whose advice was sought by officials.

In 1944 he summed up his life and thoughts in a best-selling autobiography entitled "Philadelphia Lawyer." At least one critic commented that Mr. Pepper's political philosophy roughly paralleled that of Grover Cleveland.

Mr. Pepper first won acclaim as a legal scholar and teacher. A native Philadelphian who received his early schooling from the tutoring of his mother, he was graduated from the University of Pennsylvania and its law school with honors.

He combined a private practice with a teaching position at the law school until 1911. At the same time he and William Draper Lewis combined on a monumental, 23-volume "Digest of Decisions and Encyclopedia of Pennsylvania Law," covering court decisions and statutes from 1754. The "Pepper and Lewis Digest" was a must in the office of every Pennsylvania lawyer.

This scholarship Mr. Pepper combined with a love of sports and the outdoors that continued for many years. He played football and basketball and ran track at the university and later was a director of its athletic association.

At the time of his death Mr. Pepper was senior life trustee of the University of Pennsylvania and since 1960 had been emeritus life trustee.

FOR PREPAREDNESS

The early years of the First World War found him a champion of preparedness. He toured the country for Gen. Leonard Wood's efforts to build an army, then went into service at the age of 48 as a private. He rose to the rank of sergeant in the 9th Regiment before the United States entered the war.

The Commonwealth claimed his administrative abilities then. He was made chairman of the State public safety and defense committee, through which every governmental department functioned in Pennsylvania.

OPPOSED TO LEAGUE

The end of the war found him back on the rostrum again, this time in opposition to any entanglement with the League of Nations.

About the same time two matters more closely identified with his own interests cropped up to claim his attention. He set to work as a member of the commission appointed to revise the State constitution. And he also set about the cleansing of baseball as the leading U.S. sport.

ADVISED ON BASEBALL

Bribery of members of the Chicago White Sox during the 1919 World Series sent magnates scurrying to Mr. Pepper for advice. Together with U.S. District Judge Kenesaw Mountain Landis he devised reorganization plans for baseball—including establishment of the commissioner's office—that restored the sport to public favor.

He was offered the position—at a reported salary of $100,000 annually. But Mr. Pepper declined, concentrating on rebuilding his legal practice.

SENT TO CAPITAL

Upon the death of Senator Penrose, Gov. William C. Sproul picked Mr. Pepper to represent Pennsylvania in Washington. He won the subsequent election for the balance of the term which expired in 1924. His authoritative knowledge of law—both domestic and international—brought Mr. Pepper more committee seats than the average freshman Senator. He was also selected Republican National Committee man from Pennsylvania and a delegate-at-large to the 1924 national convention.

Thrown into a three-way race in the 1926 Republican primary, Mr. Pepper lost to the late William S. Vare, who later defeated the Democratic nominee, William B. Wilson. In an ensuing investigation on election finances, Mr. Vare was denied his seat.

Mr. Pepper never entered active politics again.

BATTLED FOR PUC

Once again he turned to private law practice and civic leadership. His clients included some of the Nation's biggest corporations and most powerful individuals. But Mr. Pepper never allowed self-interest to interfere with what he considered justice.

For example, he battled for the establishment of the State public utility commission, which was opposed by many powerful business interests.

On another occasion he braved opposition of religious groups and came out openly against the Sunday blue law.

"Why should men of affairs be free to play golf or tennis on Sunday, while the same privilege is denied others who would like to play baseball that day?" he questioned.

GIVEN MANY HONORS

Awards and honorary degrees—more than a dozen of them—showered upon Mr. Pepper throughout his life. In 1954 his long service to Philadelphia was recognized when he was named recipient of the Philadelphia Award, established under the will of the late Edward Bok. He gave the $10,000 cash grant that goes with the award to charity.

He was one of the organizers of the American Law Institute set up in 1923 as a permanent agency for the improvement of the law. He served as institute president from 1936 until 1947. He was among the first to be awarded the American Bar Association Medal, the highest honor the ABA can bestow.

In 1948 he was one of the leaders in the founding of the Greater Philadelphia movement as a means of developing and improving governmental, industrial and health conditions in the Philadelphia metropolitan area.

PROMINENT LAYMAN

One of the Episcopal Church's most prominent laymen, Mr. Pepper wrote religious books for both young and old, including "Analytical Index to the Book of Common Prayer."

Mr. Pepper served as vestryman of St. Mark's Church, 1625 Locust Street, for more than 60 years and he was a rector's warden from 1918 to 1953.

Mr. Pepper also had been a trustee of the Carnegie Institute, regent of the Smithsonian Institution, fellow of the American Academy of Arts and Sciences, and a member of the American Philosophical Society. His clubs included the Racquet, University, Merion Cricket, and the Cavendish and University Clubs in London.

Mr. Pepper's wife, the former Miss Charlotte Root Fisher, died in 1952. He is survived by a daughter, Mrs. F. E. Newbold, of Fox Creek Farm, Devon, and eight grandchildren.

Funeral services will be held at 2 p.m., Friday in St. Mark's Church. Burial will be in Old St. David's Churchyard in Wayne.

Mr. SCOTT. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD the biographical sketch of Senator Pepper which appears in the "Biographical Directory of the American Congress."

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

Pepper, George Wharton, a Senator from Pennsylvania; born in Philadelphia, Pa., March 16, 1867; prepared privately for college; was graduated from the literary department of the University of Pennsylvania at Philadelphia in 1887 and from the law department in 1889; was admitted to the bar in 1889 and commenced practice in Philadelphia, Pa.; Algernon Sydney Biddle professor of law in the University of Pennsylvania 1894–1910 and trustee of the university since 1911; participated in the movement for national preparedness in 1914; Lyman Beecher lecturer at Yale University in 1915; member of the Provisional Training Regiment at Plattsburg in 1915 and 1916 and chairman of the Pennsylvania Council of National Defense, 1917–19; member of the commission on constitutional revision in Pennsylvania in 1920 and 1921; appointed as a Republican and subsequently elected to the U.S. Senate to fill the vacancy caused by the death of Boies Penrose and served from January 9, 1922, to March 3, 1927; unsuccessful candidate for renomination in 1926; Republican national committeeman 1922–28; delegate to the Republican National Convention in 1924 at Cleveland, Ohio, which nominated the presidential ticket of Coolidge and Dawes; resumed the practice of law in Philadelphia, Pa., and was a resident of that city.

Mr. COTTON. Mr. President, I could not refrain from testifying to the greatness of the late Honorable George Wharton Pepper, who has passed on.

As a young man, it was my privilege to serve on the staff of a Senate committee when Senator George Wharton Pepper was a Member of this body. I wish to give personal testimony to his greatness and to his kindliness. No one realizes more keenly the real measure of men than do those who serve in subordinate capacities under them, because the attitude of a man toward his subordinates always reveals the real measure of his character, his kindness, and his gentlemanly qualities.

No finer gentleman ever served in this body than George Wharton Pepper; no greater lawyer ever served here. It was an inspiration to me, as a young man, to see him and to know him; and I join the distinguished Senator from Pennsylvania in expressing the great sense of loss this country may well feel in the passing of this gentleman, whose entire life was a monument to all that is best in the character and in the services of a great American statesman.

Mr. SCOTT. I thank the distinguished Senator from New Hampshire.

Mr. President, I have never known a kindlier man or more beloved man than the famous author of "A Philadelphia Lawyer," the late George Wharton Pepper.

MONTANA SINGERS SCORE HIT

Mr. MANSFIELD. Mr. President, three young Montana men have scored a big success in the entertainment world. The Three Young Men, as they are known professionally, have made the big time in the New York nightclub circuit in a relatively short time. All three are graduates of Montana State University, at Missoula, Mont. Dick Riddle comes from Libby, Pat Fox from Hardin, and Bob Ruby's home is in Billings.

The trio will be leaving New York soon on a tour of the country. I wish them every success. Montana is indeed proud of these young musicians from the Treasure State.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a feature article published in the Great Falls Tribune of May 7, 1961. I might also point out that the writer of the article is also a Montanan: Norma Beatty, of Helena, who has been doing public relations work and writing in New York City for the past several years.

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

[From the Great Falls (Mont.) Tribune, May 7, 1961]

MONTANA SINGERS SCORE HIT

(By Norma Beatty)

NEW YORK.—A vocal trio from Montana, "The Three Young Men," is singing to capacity crowds at Julius Monk's Downstairs at the Upstairs in New York City.

The trio, comprised of Dick Riddle, Libby; Pat Fox, Hardin, and Bob Ruby, Billings, made its successful debut last month at the popular Manhattan nightclub. They are scheduled to appear at the club for 4 more weeks.

The trio has broken many precedents in the entertainment field, the first one being the amazingly short time in which their big breaks have come.

The three Montanans arrived in New York last November and within 5 months had been signed to a 5-year contract by Career Management, Inc., an affiliate of Frank Music Corp., one of the top three show music publishers, and to a 4-week contract at the Downstairs at the Upstairs. Their option recently was picked up for 4 more weeks at the club. Their nightclub debut drew raves from music reviewers and columnists of the New York press, Variety and the New Yorker.

At the moment they are planning their first record and are sorting out numerous offers they have received to perform in other clubs, including the new Playboy Club in Miami and the Crystal Palace in St. Louis.

Before they received their contracts, the boys worked at temporary office jobs and Pat also made music commercials for radio. They appeared in guest spots at two Manhattan nightclubs and sang at numerous parties given by their friends. Every spare minute was spent practicing their musical arrangements. To relax, they played Monopoly in their small Greenwich Village apartment.

They have fond memories of their opening night when several of their Montana friends living in New York hired a Rolls Royce, complete with chauffeur, built-in bar and telephone, to drive them to the club. They were driven around Central Park for an hour before the show, a good tranquilizer to calm opening night jitters.

Their initial success in New York is a realization of a 5-year dream which the boys have had ever since they first made close harmony together as Sigma Nu fraternity brothers at Montana State University. Appearing under the name of Campus Capers, the boys performed for numerous university functions and entertained throughout Montana as well as in neighboring States.

Because they graduated 1 year apart, they made a pact while still in college that after each finished his tour of duty in the service, they would get together again and pursue their career as a vocal group. So that they would get out of the service at the same time, Pat Fox, who graduated in 1957, joined the Navy for 3 years; Dick Riddle, a 1958 graduate, joined the Army for 2 years and Bob Ruby, a 1959 graduate, joined the Air Force for 1 year.

In the fall of 1960, with their service behind them, the boys laid plans for coming to New York. For 2 months they worked on their repertoire of musical numbers. In November, after much rigid practice, they decided they were ready.

They admit now they were awed by the prospect of trying to start at the top but "after such a long time, we knew we could not wait any longer to try our luck in New York," Dick said.

"We were fully aware of what a tough place New York is to get a lucky break in," Pat continued. "We set for ourselves a 6-month deadline and if we didn't make it by then, we said we would pack up and go home."

Bob Ruby shudders at the thought of what they would have really done if things hadn't happened the way they did before their deadline. "It would have been hard to keep that agreement," he said. "We had so much at stake and it would have been a big disappointment to have left."

With their feet firmly planted in the open door of success, the boys admit that they have been incredibly lucky and above all have been in the right place at the right time which has helped them make the essential contacts so necessary in the upredictable entertainment field.

All three are good musicians, able to read music and play the piano. They make their own arrangements and offer a varied selection from show tunes to novelty numbers and folk songs. Dick is the baritone of the group and also plays the piano, which is their only accompaniment. Pat sings high tenor and Bob sings low tenor, although their arrangements call for interchanging the parts quite often.

One of the biggest dilemmas in becoming a vocal group was to find a name. Julius Monk, impresario of the Downstairs at the Upstairs, finally gave them the name under which they are now singing. Several years ago, Mr. Monk named another vocal group which made its debut at his club. They went on to win fame and fortune as "The Four Lads." With their own clean-cut fresh approach and entirely new singing style, "The Three Young Men" hope to do the same.

HARRY C. BURKE

Mr. BRIDGES. Mr. President, few employees of the Congress have served Members so long and so faithfully and well as Harry C. Burke, clerk of enrolled bills in the Senate. He has been one of our mainstays for many years, and I am sure that Members, veterans and newcomers alike, appreciate the service he has performed.

Attention was called to his long service in an article by Lawrence Fernsworth, Washington correspondent for the Concord Daily Monitor, Concord, N.H., in the issue of Friday, May 19, 1961. I ask unanimous consent that this article be printed in the RECORD.

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

BURKE ON HILL FOR 53 YEARS—NASHUAN COLLECTS "NAMES" TO CERTIFY LEGISLATION IS PASSED

(By Lawrence Fernsworth)

WASHINGTON, May 19.—New Hampshire's Harry Burke is a landmark figure on Capitol Hill and especially on the Senate side of the Capitol Building. Fifty-three years ago he came to Washington as a $30-a-month messenger with which sum plus another $30 a month received from his father, he balanced his budget.

Even if there had been a Model-T in those days he wouldn't have been able to finance the buying of one. But in that respect things have changed too. Although his work as Senate enrolling clerk keeps him right busy, he has time to keep abreast of the doings of the New Hampshire folk in the Capital City and as such to officiate as treasurer of the Washington New Hampshire Society.

A day or two ago, Burke's long and continuing tour of duty as a Senate functionary was featured in a news sheet issued regularly from the office of Senator "BOB" KERR of Oklahoma.

"Harry Burke," it said, "has been coming to work long before the T-bird (the kind of car he currently drives) or even the model-T—was all the rage. For 53 years Harry has been one of the backstagers who keeps the Senate flying on its unique course. And for the same period he has been one of America's outstanding pigeon racers.

"YOUNGEST" EVER

"Harry is the youngest man ever to work 53 years on the Hill. Mrs. Burke is still his 'bride' after rearing him four daughters and a son. They are postgraduate high school sweethearts.

"But Burke's job is collecting autographs. He has to seek down and get the signatures of the two men who can officially declare that the legislation has passed Congress. His main targets are the Vice President and the Speaker of the House, but sometimes he has to settle for the President pro tempore. If these key leaders are out of town it is his job to locate them and 'pen' them down.

"A measure that has passed both Houses is 'enrolled' before it is taken to the White House by Harry. He is one of the few men who makes darned certain that the enrolled bill is dotted and crossed as Congress meant it.

"The veteran Senatesider is a native of Nashua, N.H., and he has always re-

mained active in the affairs of the Granite State. A young Senate clerk he worked with in the 1920's is now Senator NORRIS COTTON.

"The pruning knife of time has hacked at Harry a little, but it hasn't begun to cut him down. Except for hair pigment and a slight stoop, he resembles the young Harry Burke pictured in a photograph of the Senate baseball team of 1910. The treasured photo is always nearby.

"Senators and staffers all aren't just wild about Harry, but he's one of the easiest fellows on the Hill to take."

Such is what Senator KERR's newssheet calls the Kerr-ent status of New Hampshire's and the Senate's Harry Burke.

SENATOR HRUSKA'S TIMELY ADVICE

Mr. BRIDGES. Mr. President, I was much pleased to note in a recent edition of the Manchester (N.H.) Union Leader a front-page editorial commending the senior Senator from Nebraska [Mr. HRUSKA] for his excellent statement before this body on May 4 dealing with the Communist campaign for the young minds of the world.

The Senator from Nebraska has demonstrated over the years his thorough understanding of the Communist menace, and his remarks of May 4 were in line with his consistently sound approach to this international conspiracy.

I am gratified that the Senator's statement received recognition in this outstanding editorial. I ask unanimous consent that the editorial, entitled "Senator HRUSKA's Timely Advice," be printed in the RECORD.

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

SENATOR HRUSKA'S TIMELY ADVICE

A timely reminder that we are now at war with Soviet Russia was sounded in the U.S. Senate on May 4 when Senator ROMAN L. HRUSKA, of Nebraska, warned that the Communist campaign to win the minds of the world's youth is now in full progress in educational institutions.

Calling specific attention to facts on Communist action in the world's schools as documented by the inspector general of the Central Intelligence Agency, Senator HRUSKA warned his colleagues that they should not harbor the illusion that Communist efforts in education are confined to countries within the Red bloc. He said:

"Throughout the world there is ample evidence that the Communists are determined to win the youth as the first step in winning the world. * * * Lenin wrote: 'Give us the child for 8 years, and it will be a Bolshevik forever.' (Lenin) also noted: 'He who has youth, has the future.' "

"There is no doubt," the Nebraska Republican emphasized, "that the United States is a major target of this Communist offensive in education." One need only consider the Communist-inspired riots of May 1960 in San Francisco and the subsequent supporting of the rioters by students and others to realize the seriousness of the problem Senator HRUSKA outlined when he recalled to mind the recent statement of Gus Hall, general secretary of the Communist Party of the United States, that there is a "mushrooming of Marxist—and Socialist—oriented groups on the campuses in all parts" of the United States.

President Clark Kerr, of the University of California, told newsmen recently that although he could not pinpoint Communists as the organizers of pro-Castro rallies, it was obvious to him that an apparatus was used to bring about "the very quick organization that took place." President Kerr was referring specifically to the pro-Castro demonstrations by students of several colleges in the San Francisco area following the invasion landings in Cuba by anti-Communist forces.

"This did not just happen," the UCLA president declared.

Edward Pauling, chairman of the California State Board of Regents, told newsmen that it appears UCLA has been selected by the Soviet Union for exploitation "because of UCLA's important contributions to national defense—notably in the field of nuclear physics." "The Soviet Union," Pauling said, "is trying to exploit the university's name in every possible way to give its subversive movement among students a national forum."

The San Francisco area demonstrations present an ugly picture of the kind of Communist activity in education to which Senator Hruska refers.

After describing the techniques by which the Communists force and induce teachers to toe the ideological line, Senator HRUSKA emphasized that one of the ways that the free world can meet the challenge of the Communist offensive in education is by giving American students "more education on the whole history of the Communist movement."

"We should not be afraid to teach the subject," HRUSKA said.

We sincerely hope that Senator HRUSKA's timely advice will be considered by our lawmakers in Concord when they give consideration to Senator Laurier Lamontagne's bill to require New Hampshire public high schools to teach a course on the dangers of communism.

SACRIFICES IN THE NATIONAL INTEREST

Mr. BRIDGES. Mr. President, an article, entitled "In the Name of Sacrifice," which appeared in the Wall Street Journal of May 18, is, in my judgment, an excellent reflection of the views of many American people toward the administration's plea for personal sacrifice and its subsequent actions along this line. I believe a very important point is contained in the concluding paragraph of this column, which states:

When sacrifices are plainly called for to protect the Nation, Americans will do their part as they always have. But when "sacrifices" merely amount to endless doles to various voting groups, Americans have every right to question and resist them.

I hope that the future will see less doles and more sacrifices in the name of strengthening America and the free world.

I ask unanimous consent, Mr. President, that this outstanding column from the Wall Street Journal be printed in the RECORD.

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

IN THE NAME OF SACRIFICE

President Kennedy, throughout his campaign and the first 4 months of his administration, has repeatedly called upon Americans to make sacrifices in the national interest. His pleas have almost always been stated in general terms, but he has now offered some specifics.

In a letter to a New York newspaper, Mr. Kennedy listed a series of particular sacrifices he has requested. Among them are: A leaner defense apparatus by closing down unneeded bases; more foreign aid; volunteers for the Peace Corps; a maintenance of present corporation and excise tax rates; a higher social security tax; a reduction in duty-free goods brought back from overseas; more farm controls; increased local efforts to improve schools and urban neighborhoods; and the support of the country for the President's decisions in foreign affairs.

Thus far, the President said, Americans have resisted his call for sacrifices and he seems puzzled about it. But an examination of those "sacrifice" requests shows they are something of a mixed bag.

Certainly, for instance, a leaner defense establishment is desirable if it saves money without reducing our military strength. If vote-conscious Congressmen refuse to go along with the closing of unneeded bases then the fault would seem to lie with the Government and not the people.

As for the Peace Corps, the President need have little fear there'll be a shortage of volunteers. A collegian almost isn't a collegian if he doesn't want to see the world. But the question remains of how much good a young American can do among the uncivilized tribes of the earth.

When it comes to the citizens backing the President in his difficult foreign policy decisions, there is also little problem. If anything, Americans seem to want stronger leadership in dealing with international cutthroats and fewer proclamations.

Beyond these things, Mr. Kennedy wants the people in the name of sacrifice to support vast new public spending of all sorts.

He wants more foreign aid, despite the fact that we have poured untold millions into southeast Asia to little avail. Cuba got plenty, too. Can we count on India in a showdown? We rebuilt Japan and then a U.S. President was advised—for his personal safety—not to visit Tokyo. Unstable Latin American countries not only demand American money, but they want it on their own terms. Does Moscow worry because the United States is helping to support the Communist dictatorships in Poland and Yugoslavia? We doubt it.

In connection with foreign aid also, the United States has a serious balance-of-payments problem. But is the administration correct in attacking it by restricting the amount of duty-free goods a tourist can bring back from abroad? This would seem like bailing out a boat with an eye dropper while continuing to fill the bilge with the firehose of foreign aid.

More farm controls and spending is the President's answer to the mess that has been created by the same kind of controls over many decades. Such controls clearly don't work while they hobble the farmer, raise the price of food, and cost the taxpayers a large fortune.

The White House is anxious for cities and towns to get to work and improve their schools and slum areas, even though more progress has been made in building new schools and cleaning up cities in the last decade than in any similar period in our history. Yet the Government wants to move in and take over. Is it any wonder localities may be hesitant about continuing to help themselves?

With all this new spending in the offing, it's no surprise the Chief Executive seeks to maintain the present rates of corporation taxes. In other words, he wants to continue to drain the investment capital without which the economy cannot grow. Yet economic growth has always been one of his big talking points.

Throughout all these vast spending and economy-drugging schemes, moreover, is the

danger of inflation. And inflation is especially hard on those who can afford to sacrifice no more.

Thus, when the Federal Government asks the people to make sacrifices, it should take note of the nature of the sacrifices and their likely result. Three times in the last 44 years Americans have sent sons, fathers, and husbands to the ends of the earth to battle strange enemies. Every stub of every paycheck is a reminder of how much they are sacrificing to finance the spending of the men in Washington.

When sacrifices are plainly called for to protect the Nation, Americans will do their part as they always have. But when "sacrifices" merely amount to endless doles to various voting groups, Americans have every right to question and resist them.

MAJ. GEN. EDWIN A. WALKER

Mr. BRIDGES. Mr. President, on Tuesday of this week I spoke in some detail about the ousting of Maj. Gen. Edwin A. Walker from his command in Germany.

At that time I inserted in the RECORD excellent editorials from the Manchester Union Leader and the Arkansas Democrat dealing with this subject. I have since read another fine commentary on this situation which I feel is worthy of widespread attention.

I refer to an editorial in the Richmond News Leader, which was recently reprinted in the Manchester (N.H.) Union Leader.

I ask unanimous consent, Mr. President, that this editorial, entitled "General Walker Called on Carpet," be printed in the RECORD.

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

TALKS TOUGH ABOUT COMMUNISM—GENERAL WALKER CALLED ON CARPET

He was born in Center Point, Tex., in 1909. He grew up tall and straight, a boy 6 feet 3, who loved horses and soldiering. He went to a military school in New Mexico, finished at West Point in 1931, and plunged at once into the disciplined routine of a professional soldier in peacetime.

He was at Schofield Barracks in Hawaii when the Germans went into Poland. Brought back to the States, he participated in the swift transformation of the old horse-drawn units into sleek mechanized divisions. But he had qualities too vital to be squandered in artillery logistics. Commando. That was his art. He became commanding officer of an outfit deceptively known as the First Special Service Force, a crack team of Canadian and American soldiers unafraid of hand-to-hand combat. He had to learn to use a parachute. "How do you put this thing on?" he asked a sergeant. And 5 minutes later he jumped.

He and his men fought their way up the Italian peninsula. Anzio. The Aleutians. Ski fighting in Norway, and a string of decorations to show for it: Silver Star, Legion of Merit, Croix de Guerre, Order of the British Empire.

Briefly, peacetime again: Two years at Fort Sill, then a tour of duty in Washington, a stint at Sam Houston. But he was a fighter, not a diplomat: They sent him to Benning as assistant commander of the Army's toughest fighters, the Rangers. Then came Korea, command of an infantry regiment, the exhausting, maddening business of fighting an enemy but never quite defeating him.

ADVISER TO CHIANG

Back to Fort Bragg, then again to the Far East as senior adviser to Chiang's Chinese National Army; back again to Schofield; and in a fateful, routine transfer, in August of 1957, to Little Rock, Ark. He was to command the Arkansas Military District. It should have been an easy post.

That was the last time Maj. Gen. Edwin Anderson Walker figured very prominently in the news—the last time, until recently. After Little Rock, he had been sent to Germany as commanding officer of the 24th Division. There he found the same softness, the same purposelessness, that hundreds of other professional soldiers have found in youngsters raised on the milktoast liberalism that passes for education these days.

TOUGH ON COMMUNISM

So he began to talk tough about communism, and what it is, and how the enemy conceals himself in an ambush of gauzy falsehood. He spoke to his troops of gullible, delicate men, safe at home in soft chairs, polishing their fingernails and coughing gently at strong language.

He spoke bluntly of these influential people, the anti-anti-Communists whose gentle creed is that we must never be beastly to the Reds, the shrill and mocking men who deride patriotism as superpatriotism and love of country as distasteful and embarrassing. His object was to give his troops a new and vital approach toward anti-communism * * * a positive approach toward the defeat of Communist subversion of the American way of life. He invited some hard, knowledgeable anti-Communists to speak: Edward C. Bundy and Willi Schlamm. He minced no words himself: Dean Acheson, he said, was "definitely pink."

All this appeared in a paper known as the Overseas Weekly, and how it appeared, with sneers, and contemptible little quotes out of context, and a self-righteous editorial along with it. And most disgraceful of all: General Walker had made use of some material from the John Birch Society.

General Walker then was called on the carpet by the commanding general of the 7th Army. He was asked for a full explanation. The New York Herald Tribune blasted him in a lead editorial, published also in foreign editions. Any military indoctrination program, said the supercilious Tribune, "is an extremely delicate operation, particularly when it is directed toward those who would be in the front lines if any Communist aggression developed in Europe. It is repugnant to both the American military and civil heritage to use Army authority in an attempt to shape the political thinking of enlisted men."

Maj. Gen. Edward Anderson Walker, soldier, was suspended from his command. He is not yet 52. He is at the peak of his career as a combat-hardened officer. And the little, soft, spineless parasites of the liberal left have got him. Thirty years as a first-class fighting man. And what price glory?

FEDERAL DICTATION OF BROADCASTING

Mr. BRIDGES. Mr. President, I am always distressed by reports of Government interference in the American free enterprise system and, of late, it seems that very few industries can escape the clutching hands of Federal bureaucracy.

One of the more recent threats of Federal control on private enterprise was directed at the television industry by Federal Communications Commission Chairman Newton N. Minow. According to newspaper reports, the FCC Chairman has implied that TV stations may lose their licenses unless they knuckle under to his programing formula.

Like any other television viewer, I enjoy some programs and I dislike others, but I certainly have no wish to see the shows I dislike banned from presentation by a directive from Washington. Obviously, somebody in America likes them or they would not be able to retain a sponsor.

Television is still a relatively new medium. It has made significant strides toward superior programing in recent years. There is still room for improvement, of course, but I am for letting the industry map these improvements with encouragement rather than interference from Federal officials.

In this connection, I wish to commend to my colleagues an excellent column written by David Lawrence dealing with this subject, which appeared in the May 18 edition of the Washington Evening Star. I ask unanimous consent that this provocative commentary be printed in the RECORD.

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

FEDERAL DICTATION OF BROADCASTING—UNITED STATES SCORED AS MOVING TOWARD CONTROL WHILE OTHER FREE NATIONS DISCARD IT

(By David Lawrence)

At a time when the entire world, with the exception of the Communist-bloc countries, is moving away from government control and state monopoly in television broadcasting, the United States under the Kennedy administration is moving toward Government dictation.

This may be due to the lack of business background among high officials inside the administration here, and particularly it may be due to the failure of the new chairman of the Federal Communications Commission, Newton N. Minow, to understand the private enterprise system as it relates to broadcasting.

For, when Mr. Minow says he wishes the broadcasting stations to alter their programs so as to cater more to the cultural and educational side, he fails to understand that radio and television are supported by the efforts of American businesses to get sales for their products. The sponsors of TV programs pay large sums not only to cover the expense of the mechanical facilities of a broadcasting company but also the entire cost of actors, writers, technicians, producers and other personnel.

The companies which spend their money to sponsor programs naturally want sales so as to pay their own costs of production and their employees. The whole national output of $500 billion a year is directly related to how many and what kind of products will be bought by the public.

Television and radio go to a large degree to what is termed a "mass audience." The sellers of products want as many potential purchasers as possible to listen to their messages. There are, of course, some companies whose sales messages are of interest to a limited group, and this includes what is known as goodwill or institutional or financial advertising. But, critics of television programs do not understand that for the most part, the companies that use television are interested in reaching the maximum number of listeners.

So, when a Government official comes along and says, in effect, that these companies should content themselves with smaller numbers of listeners, this is tantamount to saying that the advertisers should be content with a lack of effective results and should take the losses flowing from such a curtailed sales effort.

Unless, of course, private sponsors are willing to buy time for programs that will bring to them sales results to justify their expenditures, the television and radio stations will lose money and the Government will have to subsidize them. This means political control and Government interference with the operations of private business.

Interestingly enough, Great Britain, which started out with a government-owned and government-controlled television network, without any advertising now is confronted with the full-fledged competition of a privately esstablished network which not only takes advertising, but today have the bigger audiences.

These programs are very much like American TV—in fact, some of the most popular are reruns of American TV shows. The same thing is happening in Canada, in Japan, in Mexico, and in Latin America.

So it is surprising to see the head of the FCC in this country trying to turn the clock back. For it is inevitable that, if his threat is fulfilled—to take away station licenses unless they conform to his rules as to the programs that shall be broadcast—then television in America will be paralyzed.

Somehow many theorists who get into Government do not understand the workings of the free-enterprise system. Also, some people who have been applauding Mr. Minow's program do not realize that time cannot be paid for by the television companies themselves but only by the advertisers who are willing to buy time. And why should the latter spend their sales money to cater to a minority of listeners when they can alternatively use those same funds in newspapers, magazines, direct-by-mail, billboards, and other forms of advertising available to them and puff their wares as much as they please?

Mr. Minow has brought consternation to the whole television industry by his threat to use the Government's licensing power to discipline radio and television stations. For they themselves have no control over the money the advertisers want to spend for programs which can interest the maximum number of people.

Not everybody who watches a television show pays attention to sales messages any more than ads in newspapers or magazines are read by 100 percent of the readers. But, as the late Albert D. Lasker, the great genius of modern advertising, once jestingly said to this correspondent: "We don't pay for our ads in unopened magazines. We only pay for our ads in those magazines that are opened and read and get us results."

The Government cannot guarantee sales results to the advertisers if it starts to insist upon programs that will satisfy the few rather than the many. The answer to the demands for cultural and informative programs is to present some, of course, on the national networks as is already being done by those advertisers who sponsor them. But there cannot be an end on television to crime shows, westerns and stories of the ingenuity of detectives, any more than there can be a burning of books dealing with those same subjects.

The real answer to the cries of the eggheads and highbrows is to establish separate networks subsidized by the Government—if no other way can be found to finance them. But no advertiser will spend his money wastefully. He will spend it only to get results in sales.

PROBLEMS OF THE UNEMPLOYED

Mr. HARTKE. Mr. President, the Scripps Howard newspapers are carrying a series of articles on the problem of the unemployed in America. This series, written by their labor writer, Dickson Preston, traces the cause of the human suffering it so well describes and analyzes the causes and suggested solutions.

Mr. Preston, a native son of Indiana, has made a great contribution to the public knowledge of this situation by these articles. I ask unanimous consent to have the first of this four-part series inserted in the CONGRESSIONAL RECORD. I intend to insert the remaining articles and to comment at length on them and the problem with which they deal at some time in the future.

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

OUR JOBS HAVE VANISHED—THE HARD CORE UNEMPLOYED—THEY HAUNT YOUR DREAMS

(You see defeat in their faces. You hear their bitter griping, their woeful excuses. Americans out of a job—and there are 5 million of them—while our great industrial machine grows steadily more efficient and productive. Automation, or just human, individual reasons; or is a lot of their trouble the result of unemployment relief programs that don't face up realistically to the problem? Scripps-Howard's labor writer Dickson Preston has been talking to scores of the hard-core idle in big production centers, and tells their diverse stories in a series of four articles, "Our Jobs Have Vanished," starting today.)

(By Dickson Preston)

At a scarred desk in a Pittsburgh employment office, Lawrence A. Kannagiser stared at his strong, capable, and now unproductive hands.

"They closed the plant down for good," he said. "On my 51st birthday, last June 9. I'd been there 20 years. I've only found 1 day's work since."

In Detroit's mammoth Cobo Hall, where the United Auto Workers were holding a convention, it was the same story.

"Four years ago," said Leonard Hermon, "the company employed 138 cutters in the shop where I worked. Then they brought in a machine that replaced 125 of us.

"What's going to happen to me now? Nothing. I'm 59 years old, you know."

SUM-UP

Bill Maniaci, only 38 but also a member of the unhappy fraternity of the unemployed, summed up his problem this way:

"I've tried all over to get a job but my trouble is I can't pass a physical. I had a heart attack 3 years ago."

Then there was Welder Jim Chiodi of Coraopolis, Pa., who said: "I saw the handwriting on the wall when they started to bring in those automatic welding machines. So I spent $1,200 of my savings on a course in hotel management. Now I can't even get a hotel job if I work for free."

And Louisa Joba of Detroit, who worked for a glass company which moved out of town—and who hasn't worked since. "Like a dumbbell," she said, "I quit school in the 12th grade. I was in too big a hurry to get married."

THE PICTURE

There they are. Five out of 5 million Americans who have no jobs. Five out of nearly a million who have been unemployed 6 months or more. Five to stand for what Washington experts like to call the "hard core" or "structurally" unemployed—the men and women whose jobs have vanished and who may never find regular work again.

In nearly every city, their ranks are growing steadily.

There were, the records show, 1.7 million jobless at the peak of prosperity in 1953; 2.8 million in the boom of 1956; 3.6 million a year ago. When this recession ends, economists say we'll be lucky if the figure doesn't top 4 million.

Talk to these "hard core" unemployed, as I have been doing recently, and they will haunt your dreams. For they are not just people out of a job. They are the culls of the labor force—the old, the ill, the not-very-bright, the unskilled, unschooled, unwanted. In the bright new world of the 1960's, there's likely to be no place for them.

And many of them know it. It shows in their defeated faces, in the bitter things they say.

NIGHTMARISH

Hermon, for instance, told me of the "nightmare" of standing in line waiting to be processed for relief. He made clear it was the worst moment of his life. And he added bitterly that he had been "tossed on the scrap heap of automation."

(He probably has reason to feel that way. The UAW estimates there are 165,000 former auto workers whom the industry will never need again.)

Maniaci, angry at what he considers unjustified auto assembly line speedups, said: "The working man just isn't considered as good as a machine. If a machine breaks down they come running. If a man breaks down they just haul him out and don't even replace him. They make others absorb his work."

And Kannagiser thought social security should start at 50. "Sixty-two, that's no good," he said. "What am I supposed to do for the next 10 years?"

YEARS AND YEARS

Most of them worked steadily—and productively—for many years. Kannagiser, for instance, had 20 years' seniority at Crucible Steel's park works in Pittsburgh when the company closed it down as obsolete a year ago. Others told me proudly, "I worked 5 days a week all through the big depression," or "I've always had a job until now."

But no more. And today's jobs, as Labor Secretary Arthur Goldberg has said, are going to the young, the bright, the skilled, the educated.

Probably it has to be that way. An efficient industrial machine—which the country must have to compete in tomorrow's world—can only be operated with efficient workers.

But that doesn't solve the problem of what happens to the growing number of men and women who don't fit in.

DOLE ISN'T THE ANSWER

In gathering the material for his four article series, the first article of which appears here, Mr. Preston set out only to find how the so-called hard core of the jobless are living, what happened to their jobs and what they have to say about it. He doesn't suggest any answers, but the stories of these men suggest some of the things wrong with the general approach to the problem.

Unemployment compensation, even extended, is not an answer. Make-work jobs are no answer. Even retraining is an answer only in some instances.

These are the men whose jobs, in most cases, are gone forever. Their qualifications for work are obsolete. This is the price, perhaps, of great technological improvements, of new products. Automation is the popular

villain, but not necessarily the true cause of all this.

While there are 5 million unemployed there are jobs going begging.

Northwestern University has just finished a survey of firms planning to hire college graduates next month. While the survey showed a 6-percent increase in the demand for graduate engineers, it showed a drop of 3.2 percent in nontechnical jobs. There is the gist of the story.

Mr. Preston's articles dramatically illustrate the plight of the man out of work. This is a problem which threatens to stay with us for a long time to come. It deserves the thoughtful concern of industry, unions and all others. There obviously is no single panacea, but we can't go on always merely keeping these people on a dole.

U.S. SENATE GIVES RECOGNITION TO WEST VIRGINIA WEEK AND TO THE COMMEMORATION OF THE 98TH ANNIVERSARY OF THE CREATION OF THE STATE

Mr. EASTLAND. Mr. President, from the Committee on the Judiciary I report Senate Resolution 149, to commemorate the 98th anniversary of the creation of the State of West Virginia, which has been cleared by the leadership on both sides. My granddaddy and other relatives fought against what was done, but I am glad to report the resolution today. I ask unanimous consent for the immediate consideration of the resolution submitted by the West Virginia Senators [Mr. RANDOLPH and Mr. BYRD].

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the week of June 18–24 be set aside as West Virginia Week in commemoration of the State's ninety-eighth anniversary and in recognition of the continuing contributions of West Virginia to the strength of this National Union.

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

There being no objection, the Senate proceeded to consider the resolution.

Mr. DIRKSEN. Mr. President, that resolution came before a subcommittee consisting of myself, the Senator from Arkansas [Mr. McCLELLAN], and the Senator from New York [Mr. KEATING]. It has our full and unequivocal approval.

Mr. RANDOLPH. Mr. President, on behalf of West Virginians I am grateful to the distinguished chairman of the Committee on the Judiciary and his colleagues, to the very able majority and minority leaders, and to the genial and accommodating senior Senator from Wyoming [Mr. McGEE], who so generously yielded time for these remarks. They have been most cooperative and helpful in bringing Senate Resolution 149 before the Senate for consideration and adoption at this time.

In the presentation of this resolution, I have been joined by my colleague from West Virginia [Mr. BYRD].

We felt it particularly appropriate this year, during observances being held commemorating the centennial anniversary of the Civil War, to call attention to the fact that the State of West Virginia, born of the tragic conflict of the War Between the States, observes on June 20 of this year the 98th anniversary of its creation as a State by order of a proclamation by President Lincoln.

Then, too, West Virginia provides an actual and symbolic link between the North and South, and during the years of America's westward expansion was a main artery of trade and commerce between the eastern seaboard and the western frontiers.

Our State occupies a vital role in providing fuels and timber for American industry, and a vast modern industrial and chemical complex has been created within our Ohio and Kanawha Valleys. Also, West Virginia has maintained an important position in American glass, pottery, and ceramics industries.

It is appropriate to point out, also, that the citizens of West Virginia are now engaged in an ambitious cooperative program of revitalizing the economy of their State, and modernizing and beautifying their communities, farms, and highways to enhance the natural grandeur of the West Virginia scenery for the benefit of all.

During the week of June 18 through 24, West Virginians, under the leadership of my longtime esteemed friend, Phil Conley, and the Education Foundation, will make an active and intense effort through all media of communication to focus attention upon programs of revivifying the social, cultural, and economic conditions of our State.

Therefore, Mr. President, it is fitting that the Senate of the United States should resolve that the week of June 18 through 24 be set aside as "West Virginia Week" in commemoration of the State's 98th anniversary and in recognition of the continuing contributions of West Virginia to the strength of this National Union.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

The preamble was agreed to.

THE CONSTITUTION OF LIBERTY

Mr. BYRD of Virginia. Madam President, I ask unanimous consent to have printed in the body of the RECORD comments on and excerpts from "The Constitution of Liberty," the author being Dr. F. A. Hayek, a distinguished student of public affairs.

Recently it was my privilege to attend a meeting of the Yosemite Conversation Club at Yosemite National Park, and a most interesting discussion was led by Mr. H. Oehlmann, executive vice president of the Yosemite Park & Curr. Co.

I was so impressed that I asked Mr. Oehlmann to prepare a condensation of Dr. Hayek's philosophy for insertion in the RECORD.

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

COMMENTS ON AND EXCERPTS FROM "THE CONSTITUTION OF LIBERTY"

(By F. A. Hayek)

"The Constitution of Liberty" is divided into three parts. Part I is entitled "The Value of Freedom." Part II is "Freedom and the Law." Part III is "Freedom in the Welfare State." Part II is omitted from this summary for lack of space. Some readers justifiably may consider it the most important part of the book, but it is deleted here in favor of the philosophical discussion of individual liberty in part I and the timely consideration of specific aspects of the welfare state in part III. Moreover, the importance of rules of law is inherent in the author's entire presentation.

1. LIBERTY AND LIBERTIES

The author's definition of liberty or freedom is "that condition of men in which coercion of some by others is reduced as much as possible in society."

Freedom "presupposes the existence of a known sphere in which circumstances cannot be shaped by another person."

2. THE CREATIVE POWERS OF A FREE CIVILIZATION

"Civilization begins when the individual * * * can make use of more knowledge than he has himself acquired." Hayek warns against confusing conscious knowledge with the growth of civilization, as such growth actually is the result of previous adaptations and the elimination of inappropriate conduct.

"The case for individual freedom rests chiefly on the recognition of the inevitable ignorance of all of us concerning a great many of the factors on which the achievement of our ends and welfare depends." "Liberty is essential in order to leave room for the unforeseeable." "It is because freedom means the renunciation of direct control of individual efforts that a free society can make use of so much more knowledge than the wisest ruler could comprehend."

While the importance of freedom of thought is readily apparent (e.g., scientific research) there is insufficient recognition of the body of knowledge that has been acquired by freedom of action. "It is not only in his knowledge, but in his aims and values that man is the creature of civilization. These values are created and altered by the same evolutionary forces that have produced our intelligence."

The author discusses competition and organization. Organization is a powerful means of achieving progress. The exponent of liberty has a quarrel only with "all-exclusive, privileged, monopolistic organization, against the use of coercion to prevent others from trying to do better."

3. THE COMMONSENSE OF PROGRESS

After mentioning what he calls "the fashionable disillusionment about progress," Hayek proceeds to demonstrate its essential character.

He points out that "the history of civilization is the account of a progress which, in the short space of less than 8,000 years, has created nearly all that we regard as characteristic of human life." All this happened after more than half a million years of man's existence as a wandering hunter. It is absurd to consider this a result of insight into any laws of evolution.

Progress depends upon inequality. "The ambitions of the many will always be determined by what is as yet accessible only to the few." The rapid advance we have come to expect "cannot proceed on a uniform front but must take place in echelon fashion, with some far ahead of the rest." Hayek quotes the statement of the sociologist G. Tarde that "the luxuries of today are the necessities of tomorrow."

As a society grows wealthier through such progress the time lag is reduced. The inequalities are less than between the hungry and the well fed, or between the ill clad and the well dressed than between varying degrees of what would have been luxuries for anyone a few years earlier. And as this process continues there grows a greater

tendency to provide more goods and services for a constantly increasing mass market.

Deliberate attempts to redistribute wealth on egalitarian principles are detrimental to progress. Hayek contrasts the relative stagnation of formerly rich, but now welfare-oriented states like Britain and the Scandinavian countries with the dynamism, competitiveness and rapid progress of free enterprise states like West Germany, Belgium, and Italy.

Hayek warns that the so-called underdeveloped countries will not permit the West to stagnate in safety. He says that "the consequences of past progress; namely, worldwide extension of rapid and easy communication of knowledge and ambitions—have largely deprived us of the choice as to whether we want continued rapid progress." "At this moment, when the greater part of mankind has only just awakened to the possibility of abolishing starvation, filth, and disease and as a first reaction has begun to increase in number at a frightening rate, even a small decline in our rate of advance may be fatal to us."

4. FREEDOM, REASON, AND TRADITION

Hayek traces historically the British and French traditions of freedom and deplores the fact that the differences between them are less well understood today than a hundred years ago. In defining the contrast of the two traditions Hayek quotes the British historian, J. S. Talmon, as follows: "One finds the essence of freedom in spontaneity and the absence of coercion, the other believes it to be realized only in the pursuit of an absolute collective purpose;" and one stands for organic, slow, half-conscious growth, the other for doctrinaire deliberateness; one for trial and error procedure, the other for an enforced solely valid pattern." Hayek agrees with Talmon that the second view, i.e. the French tradition, has become the origin of totalitarian democracy.

"None of these conclusions are arguments against the use of reason, but only arguments against such uses as require any exclusive and coercive powers of government."

5. RESPONSIBILITY AND FREEDOM

"Liberty and responsibility are inseparable."

Acceptance of this belief has declined and "responsibility has become an unpopular concept." Liberty and responsibility are complementary because "the argument for liberty can apply only to those who can be held responsible."

Pursuit of the individual's aims, whether approved or disapproved by his fellows must be permissible so long as he does not encroach upon the "private spheres" of others.

"The burden of choice that freedom imposes" under the changed conditions of the modern world is a source of wide dissatisfaction. Hayek develops the theme that present day complexities make the disciplines more difficult, and that the size and mobility of urban populations have destroyed the familiar associations which lent a sense of security. These changed conditions encouraged further "the increased demand for protection and security from the impersonal power of the state."

6. EQUALITY, VALUE, AND MERIT

"I have no respect for the passion for equality, which seems to me merely idealizing envy."—Oliver Wendell Holmes, Jr.

"Equality of the general rules of law and conduct is the only kind of equality conducive to liberty and the only equality we can secure without destroying liberty." "* * * if the result of individual liberty did not demonstrate that some manners of living are more successful than others, much of the case for it would vanish."

Hayek stresses the fact of native inequality among individuals and deals effectively with the "hallowed phrase" that "all men are born equal." He says "We do not object to equality as such. It merely happens to be the case that a demand for equality is the professed motive of most of those who desire to impose upon society a preconceived pattern of distribution."

Criticism by reformers is directed mainly against the inequalities produced by family, inheritance, and education, and Hayek treats them in succession. As for the family, he points out the "curious contrast between the esteem most people profess for the institution and their dislike of the fact that being born into a particular family should confer upon a person certain advantages."

Secondly, there is no reason to limit this transmission to "morals, taste, and knowledge." There is, of course, neither greater merit nor any greater injustice involved in some people being born to wealthy parents than in others being born to kind and intelligent parents." Inheritance has now given way to education as the focus of "equalitarian agitation."

The author proceeds to attack the argument for applying standards of merit. He says "It would probably contribute more to human happiness if, instead of trying to make remuneration correspond to merit, we made clearer how uncertain is the connection between value and merit."

7. MAJORITY RULE

The theme of this chapter is the need for liberalism (in the classic, not the modern sense) to defend itself against the dangers of current majority opinions. "Liberalism is a doctrine about what the law ought to be, democracy a doctrine about the manner determining what will be the law." "The dogmatic Democrat feels, in particular, that any current majority ought to have the right to decide what powers it has and how to exercise them, while the liberal regards it as important that the power of any temporary majority be limited by long-term principles." "There is no reason why there should not be things which nobody has the power to do."

"Majority decisions tell us what people want at the moment, but not what it would be in their interest to want if they were better informed." "Advance consists in the few convincing the many. New views must appear somewhere before they become majority views."

"The resolutions of a majority are not the place to look for such superior wisdom which, in a certain sense, the products of spontaneous social growth may possess." "Majority decisions are peculiarly liable, if not guided by accepted common principles, to produce overall results that nobody wanted."

"Changes in political and social beliefs necessarily proceed at any one time at many different levels. We must conceive of the process * * * as filtering slowly from the top of a pyramid, where the higher levels represent greater generality and abstraction and not necessarily greater wisdom."

"If politics is the art of the possible, political philosophy is the art of making politically possible the seemingly impossible." The political philosopher "will often serve democracy best by opposing the will of the majority."

"Once it is generally accepted that majority decisions can merely indicate ends, and the pursuit of them is to be left to the discretion of the administrators, it will soon be believed also that almost any means to pursue those ends are legitimate."

"Significantly enough, we find * * * that most supporters of unlimited democracy soon become defenders of arbitrariness." "If it is to survive, democracy must learn that it is not the fountainhead of justice."

8. EMPLOYMENT AND INDEPENDENCE

The author points out that the ideals and principles discussed so far were developed in a society where formers of opinion were independents rather than employed persons, as is now the case. The aims, interests, and views of the presently employed majority are so different as to threaten freedom.

"When an employed majority determines legislation and policy, conditions will tend to be adapted to the standards of that group and become less favorable to the independent." "Taxation comes to be based on a conception of income which is essentially that of the employee. The paternalistic provisions of the social services are tailored almost exclusively to his requirements." "The fact that most people must earn their living does not make it less desirable that some should not have to, that a few be able to pursue aims which the rest do not appreciate."

The almost complete disappearance of the class of gentlemen scholars of earlier years, such as Darwin, Macauley, Grote, Lubbock, Motley, Henry Adams, Tocqueville, and Schliemann, "has produced a situation in which the propertied class, now almost exclusively a business group, lacks intellectual leadership and even a coherent and defensible philosophy of life."

17. THE DECLINE OF SOCIALISM AND THE RISE OF THE WELFARE STATE

This chapter is headed by a quotation from Associate Justice Louis Brandeis:

"Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning but without understanding."

In the last decade socialism as a method has collapsed. The ultimate aim of "social justice" remains the same, but the socialist parties are bankrupt of ideas and are seeking new means to hold their following.

Hayek proceeds to relate that while socialist methods are largely discredited, the aim of "social justice" by further redistribution of incomes remains unabated. We are perhaps in greater danger because "Unlike socialism, the conception of the welfare state has no precise meaning." "The kind of welfare state that aims at 'social justice' and becomes 'primarily a redistributor of goods' * * * is bound to lead back to socialism and its coercive and essentially arbitrary methods."

The welfare state inevitably leads to the expansion of administrative agencies and their dispensation of administrative law. "The same reasons that generally make the impatient reformer wish to organize such services in the form of government monopolies lead him to believe also that the authorities in charge should be given wide discretionary powers over the individual."

18. LABOR UNIONS AND EMPLOYMENT

As may be expected, Hayek considers the problems occasioned by the privileged position of labor unions as among the most damaging consequences of departure from the "rules of law" and among the most serious threats to a free society. "The present coercive powers of unions rest chiefly on the use of methods which would not be tolerated for any other purpose and which are opposed to the protection of the individual's private sphere." Hayek insists that this situation must be changed if society is to remain free and if the unions, in fact, are to escape complete domination and regulation by the state.

We need to return in this field "to the principles of the rule of law and to their consistent application by legisltaive and executive authorities."

19. SOCIAL SECURITY

Under the heading there is a quotation from the London "Economist":

"The doctrine of the safety net, to catch those who fall, has been made meaningless by the doctrine of fair shares for those of us who are able to stand."

Hayek recognizes the greater need and propriety in a complex and wealthy state "to provide for the extreme needs of old age, unemployment, sickness, etc.," even when individuals could and should have made such provision themselves. It is when there is compulsion to monopolize all these services in a unitary apparatus of the state that liberty suffers. He also raises serious questions whether the workers who are paying the taxes would do so voluntarily if the choice were put to them directly.

Hayek cites the "extreme complexity and consequent incomprehensibility of social security" as additional hazards to a free society.

Minimum provision invariably gives way to adequate provision. The author warns seriously that "the present system brings increasing benefits to ever larger numbers of recipients, all provided by the taxes of a diminishing proportion of workers." Unfortunately, the political appeal of increased social security is irresistible to the office-seekers.

20. TAXATION AND REDISTRIBUTION

Hayek considers it unfortunate that "redistribution by progressive taxation has come to be almost universally regarded as just."

The asssurance of early advocates of progressive taxation was that, of course, the whole proposal would be highly unfair if not kept within moderate limits. The author laments the effect of progressive taxation on incentive, but regrets it even more as a misdirection of resources. The so-called exhaustion of investment opportunities is due largely to a fiscal policy which eliminates a wide range of opportunities that private capital might profitably undertake.

The wage concept of the wage-earning majority is "meaningless for men whose task it is to administer resources at their own risk and responsibility and whose main aim is to increase the resources under their control out of their own earnings."

The author concludes the chapter without much optimism but with the suggestion that we need "a principle that will limit the maximum rate of direct taxation in some relation to the total burden of taxation."

21. THE MONETARY FRAMEWORK

At the head of the chapter is a quotation from John Maynard Keynes as follows:

"There is no subtler, no surer way of overturning the existing basis of society than to debauch the currency. The process engages all the hidden processes of economic law on the side of destruction, and does it in a manner which not one man in a million is able to diagnose."

Hayek's own opening sentence reads: "The experience of the last 50 years has taught most people the importance of a stable monetary system."

Since money has greater effect on the market than do commodities "it is important that the rate at which money is spent should not fluctuate unduly." "With government in control of monetary policy, the chief threat in this field has become inflation." Hayek points to the vicious fact that "it is even more true that it was the effects of inflation that strengthened the demand for welfare measures. Governments have successively extricated themselves from current political difficulties by debasing the value of money." Inflation "is particularly dangerous because the harmful aftereffects of even small doses of inflation can be staved off only by large doses of inflation."

Hayek suggests that it would be well to have "some mechanical rule which aims at what is desirable in the long run and ties the hands of authority in its short-term decisions."

The author concludes this chapter with the observation that: "It is no accident that inflationary policies are generally advocated by those who want more government control"—but they are not the only ones. "There is perhaps nothing more disheartening than the fact that there are still so many intelligent and informed people * * * who are induced by the immediate benefits of an expansionist policy to support what, in the long run, must destroy the foundations of a free society."

22. HOUSING AND TOWN PLANNING

"Civilization as we know it is inseparable from urban life." "Yet the advantages of city life * * * are bought at great cost." "Moreover, the costs involved in large numbers living in great density * * * do not necesarily or automatically fall on those who cause them but may have to be borne by all."

The author cites the paralyzing consequences of rent ceilings, which were first imposed as emergency measures in Europe in World War I. "Any fixing of rents below the market price inevitably perpetuates the housing shortage."

Now, in addition to rent control "public housing or building subsidies have come to be accepted as a permanent part of the welfare state. It is little understood that, unless very carefully limited in scope and method, such efforts are likely to produce results very similar to those of rent restriction."

In discussing slums Hayek states the problem clearly thus: "If we want to abolish the slums, we must choose one of two alternatives: we must either prevent these people (the tenants) from taking advantage of what to them is part of their opportunity, by removing the cheap but squalid dwellings from where their earning opportunities lie, and effectively squeeze them out of the cities by insisting on certain minimum standards for all town dwellings; or we must provide them with better facilities at a price which does not cover costs and thus subsidize both their staying in the city and the movement into the city of more people of the same kind."

23. AGRICULTURE AND NATURAL RESOURCES

This chapter begins with a characteristically lucid explanation of the farm problem, which is sufficiently familiar to us. If left alone it is a simple redistribution of land use and manpower, but everywhere government has interferred.

The author believes that "There are few developments which give one so much cause for doubt concerning the ability of democratic government to act rationally or to pursue any intelligent designs, once it throws principles to the wind and undertakes to assure the status of particular groups."

In commenting on resources, Hayek recognizes that different types present different problems, but he rejects the idea that "the community has a greater interest in and foreknowledge of the future than the individuals."

He concludes this chapter with the observation that it is quite appropriate for the Federal Government to provide for "recreation, or the preservation of natural beauty or of historical sites or places of scientific interest, etc." so long as "the taxpayer knows the full extent of the bill he will have to foot and has the last word in the decision."

24. EDUCATION AND RESEARCH

Hayek declares that compulsory education up to a certain minimum standard is desirable and that "democracy is not likely to work with a partly illiterate people." But the author promptly warns us that "The very magnitude of the power over men's minds that a highly centralized and government-dominated system of education places in the hands of the authorities ought to make one hesitate before accepting it too readily."

"The greatest dangers to freedom are likely to come from the development of psychological techniques which may soon give us far greater power than we ever had to shape men's minds deliberately."

A "difficult problem is how much education is to be provided at public expense and for whom such education is to be provided beyond the minimum assured to all." The author proceeds to demonstrate the difficulties. There is a strong case for concentrating "on the higher education of a small elite, which today would mean increasing that part of the population getting the most advanced type of education rather than prolonging education for large numbers. Yet, with Government education, this would not seem practicable in a democracy, nor would it be desirable that authority should determine who is to get such an education."

The author makes no pretense of offering ready solutions for the problems of selection. But he is keenly apprehensive of the results of widespread tendencies to apply egalitarian standards in the field of education.

Hayek reminds us again that "Nowhere is freedom more important than where our ignorance is greatest—at the boundaries of knowledge."

He concludes this chapter and the book by quoting the words of Wilhelm von Humboldt, which John Stuart Mill put in front of his essay "On Liberty": "The grand, the leading principle, toward which every argument in these pages directly converges, is the absolute and essential importance of human development in its richest diversity."

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. SCOTT. Mr. President, I have come to the conclusion that I must oppose the pending bill in its present form. I would like to make entirely clear that in so opposing I do not say that our school systems are doing all that they should for our children; that we should maintain the status quo, or that we should not attempt to offer greater opportunities for a better education, better facilities for all of our children. Indeed, quite obviously, the future leadership of our country will depend on the skill, intellect, and preparedness of all of our present and future student generations.

But, Mr. President, I do not feel that the end which the proponents of this legislation wish to reach justifies the means they have used in attempting to reach that end.

Some provisions of the bill and some of the omissions in the bill are entirely unacceptable to me.

I have always felt that the granting of Federal funds for school construction was acceptable and in the national interest. This bill has been so loaded with authorizations for many other purposes as to stray far beyond the original purpose for which it was proposed. For example, the bill would now permit payments for fuel and electricity, for the

services performed about the school grounds, such as chalking the marks on the football field and the purchase of school athletic uniforms and equipment, and no one knows how much more.

We have heard the hue and cry for more classrooms for our students, and I surely will not dispute that in some States there surely is such a need. But the testimony of Charles H. Boehm, superintendent of public instruction for Pennsylvania, before the Education Subcommittee, for example, indicates that the major portion of Pennsylvania's allocations would not be applied to school construction at all.

So, Mr. President, it is obvious that the main concern is not for the construction of students' classrooms but is politically motivated to relieve local governments of their obligations.

I would like to point out a further objection I have to the bill as it now is before the Senate for consideration.

For the life of me I cannot understand how we in the Senate can authorize the appropriation of Federal dollars for projects that are not for the use of all our children. Enough has been said on this subject already, but I cannot let this opportunity pass without stating my objections to this avoidance of congressional responsibility.

Every day we read in the papers what this administration is doing for all the people of this country. Every day we hear in the halls of Congress how the so-called "liberal" majority protects the welfare of all the people. And yet, here we have the administration and its spokesmen in Congress asking all of its citizens and their representatives to support a program that only part of them can enjoy.

I must add that I haven't heard of late, "What can I do for my country?"

Has the philosophy of the end justifies the means become the byword for congressional action? If it has in some areas, I hope that the majority of the Congress will uphold the principles which would benefit all the people rather than just some or most of the people.

As you know, Mr. President, I supported and helped draft the Bush amendment which, unfortunately was defeated by a vote of 61 to 25. This amendment would have authorized the Commissioner of Education to withhold Federal funds from States which were not proceeding in good faith to comply with the desegregation decisions of the Supreme Court. This proposal was faithfully promised by both political parties in their campaign platforms. I might add that 54 of these votes were cast by the majority party which played a different tune during the recent political campaign. As I said in the course of my remarks, it was not that the music was a little out of tune but, rather, the band has stopped playing. The promise of the majority party proved to be mere campaign oratory.

Mr. President, this was a moral issue which, in the present state of our times and in view of the continuing concern which we should feel as to the rights of human beings and the dignity of individuals, warranted favorable consideration by this body. For the life of me I could not understand what was wrong with stating that the Commissioner of Education, in allocating funds in any State, should comply with the law.

This was not a harsh amendment which States proceeding in good faith could not live with. This amendment simply directed that evidence of good faith and honorable intent be shown. Through the use of the word "proceeding" some evidence of forward action, some will to comply with the decisions of our courts, was all that would have been required.

The argument was used that, if the amendment as introduced and modified by the senior Senator of Connecticut, was adopted, a number of school districts which were doing their best to comply with the Supreme Court decision would be penalized. My senior colleague from Pennsylvania introduced in the RECORD a table taken from the December 1960 issue of the Southern School News. This table shows the number of school districts desegregated, among other details. A study of this chart reveals that 10 of the States that would receive the most dollars over and above their estimated tax payment have a total of 3,048 school districts. Only 168 of these districts have desegregated. Also, Mr. President, 130 of these districts are in 1 State which has 1,531 districts. Thus, in the other 9 States, we have only 38 of 1,517 districts desegregated.

What does this amount to when we count the children? Well, Mr. President, we find that in these 10 States we have a total of 2,461,198 Negro children enrolled in elementary and secondary school. Of this total, we have only 4,249 Negro children allowed to go to school with white children. If we exclude the State with the larger number of districts desegregated, we find that only 749 Negro children out of 2,203,263 enrolled Negro children enjoy the same privileges as all children enjoy in the Commonwealth of Pennsylvania. Mr. President, in view of these figures, the rights of millions of children are forfeited because of the argument that 0.034 percent of such children now enjoy equal privileges under the law.

Mr. President, another plank of the Democratic platform questionably titled "The Rights of Man" has been cast aside.

Another argument was used against this amendment along the line that if adopted it would defeat the Federal aid bill. Why would it defeat the bill? Was it because the amendment was unacceptable to the members of the Republican Party? I need only to point out, Mr. President, that the members of the party whose platform was titled "The Rights of Man" cast 54 of 61 votes against the amendment. It is clear, Mr. President, that the amendment was unacceptable to the Democratic National Party, not because it would defeat the school bill, but for other quite obvious reasons involving the compromise of human rights for pragmatic political considerations.

Mr. President, recently the National School Boards Association went on record opposing "further extension of Federal aid to education until the school boards of America express the need for such funds." This forthright action was taken by representatives of local school boards all over Pennsylvania and the Nation. Who is better qualified than our school directors at the local level to determine whether the intervention of the Federal Government, as here provided, is really needed?

Finally, as an elected official of the Commonwealth of Pennsylvania, I must do my best to represent the best interests of the people of Pennsylvania, as well as of the Nation as a whole.

It is for this reason that I carefully studied the report of the Senate Labor and Public Welfare Committee on this bill. At this point, Mr. President, I would like to call attention to page 3 of the committee report in which the majority states:

> It [the committee] recognizes the financial difficulties with which many of our States and communities are faced, and it has given heed to the legitimate fears of State and local governments that the sharply increased taxation at the local level needed to finance public education might result in industry outflow.

Now, Mr. President, this section of the report is most interesting in that the Commonwealth of Pennsylvania has lost considerable industry in recent years. This industry in the most part has moved to States with a lower tax rate based on lower assessments. Does the majority report wish to imply that if such States should have to raise their low tax rates they might suffer an outflow of industry? Where? To what States? Have not these States with a low tax rate attracted industry away from our Commonwealth for that very reason? If such States should raise their property taxes to provide education equal to that in Pennsylvania for their children, would Pennsylvania industry then find moving to such States so inviting?

I do not feel, Mr. President, that the taxpayers of Pennsylvania should be called upon to finance industry "tax havens" at a cost of causing further unemployment and loss of revenues.

Nor should Pennsylvania taxes be used to finance segregated school systems.

Mr. President, we recently passed a depressed area bill in this body. I supported this legislation after advocating action in this area for many years. My Commonwealth has seven areas classified as major depressed areas. It has 10 smaller areas which would qualify under the depressed area bill. I recently supported the extended unemployment compensation program so as to alleviate the hardships suffered by the unemployed in Pennsylvania, as well as elsewhere. I recently supported the minimum wage bill not only for the purpose of raising the wage scale but as well to equalize wages throughout the country so that our industry might not find moving from Pennsylvania as attractive as before, when lower wages were in existence in other parts of the country.

I was elected to represent the Commonwealth of Pennsylvania, not to rubberstamp programs that would take money from the citizens of Pennsylvania to help other States, which, in turn, because of this help, could maintain low taxes and entice Pennsylvania industry for that reason. I am by no means overlooking my responsibility to the Nation as a whole, but I am beginning to think that the day of the "free ride" by some of our States should at least be slowed down if not stopped.

We saw a move on this floor last week to put a provision in this bill that would have left no question on whether funds could be used for segregated schools. I feel that the theory of "having one's cake and eating it, too" is a fine idea but not with the taxpayers' money.

In endorsing the administration's program on Federal aid, the Pennsylvania superintendent of public instruction said, and I quote—page 942, hearings:

> Pennsylvania takes the position that even though it does not benefit by this provision that this is a National program and not one designed for States with special ability.

This, I could endorse if all the States were doing what they could under reasonable tax rates for the education of all of their children. Does Mr. Boehm say that Pennsylvania is a State of "special ability." A State with approximately 16 depressed areas; a State which my colleague, the senior Senator from Pennsylvania, estimated at the time of extended unemployment compensation hearings as having 544,000 unemployed. This is among the highest ratio of unemployed in the country.

Mr. President, under the committee bill, the hearings developed that the Commonwealth of Pennsylvania would receive a total of $132,079,251 for three years, or $16.56 per school age child. Only eight States and the District of Columbia receive less per school age child than would Pennsylvania; now we have doubled the amount for the District of Columbia.

In the meantime, Pennsylvania would be paying out approximately $180 million in taxes under this program. In checking the chart on page 346 of the hearings, I find under the column headed "Net aid received from other States," "Pennsylvania—None." Yet, Mr. President, 33 of the 50 States received such aid ranging from approximately $1.06 million to approximately $72 million, which would be the amount that North Carolina would benefit over and above its own estimated taxpayments. In checking the State of Georgia, I find that it would receive approximately $51 million over and above its estimated taxpayments. Mississippi was not to be denied, as we find that she would receive approximately $39 million. And Alabama, the site of so much recent unrest, would receive approximately $48 million over and above its estimated taxpayments. Under the proper circumstances I think the people of Pennsylvania, as hard pressed as they are, would be willing to lend a helping hand to her sister States, but then I find that the depressed State of Pennsylvania is called upon to help the "poor" State of Texas. A check reveals that this "poor" State, the home of natural gas and oil wells, would receive $49 million. This, Mr. President, was the final frosting on the cake, or sweetening of the bill.

Mr. President, under the column "Net aid paid to other States," not one of the above-mentioned States is credited with 1 cent of aid to their sister States.

Mr. President, the argument is used that many of these so-called poorer States are spending a higher percentage on education than some of their sister States with "special ability," whatever that term really means. But these percentages do not take into consideration that real property in many of the so-called poorer States enjoys a low tax rate. For example, in 1956—the last year for which the Bureau of the Census provided figures—it was estimated that one of these States had $4.2 billion in estimated market value taxable real property. Of this amount, only $302 million was taxed, an assessment rate of 7.2 percent of the real market value. The national average of the assessed value to real market value was 30.4 percent. Mr. President, Pennsylvania's percentage was 32.5 percent—higher in our cities—but a check reveals that, of the nine States that benefit most from this bill in dollar amount, only one is above the national average and five are below 20 percent of assessed value to real market value.

Mr. President, in my years in the House and the Senate, I have quite often voted for nationwide programs. I have not voted simply on a sectional basis or for sectional reasons, but I have tried to protect the interest of the people of Pennsylvania and, at the same time, where reasonably justified, to benefit all of the people of all of the country; but there are instances, such as this bill, which would deprive Pennsylvania of tax resources without the sort of national benefit its sponsors claim for it.

Thus, Mr. President, in representing Pennsylvania, I feel I would be doing a grave injustice to the people of my Commonwealth to call upon them to shoulder a greater tax burden at this time.

I wish the bill provided for building classrooms for all the students in our country on a basis of reasonable fair sharing of the burden by the several States.

It does not.

I shall, therefore, vote against the bill.

Mr. DODD. Mr. President, during the almost 7 years that I have been in the Congress, I have always supported Federal aid to education. I have favored Federal assistance in improving education in this country, and would be happy to vote for any bill which aided education effectively and equitably.

Therefore, it is with deep reluctance that I must vote against the pending bill, for reasons which I shall briefly describe.

First, the bill brutally discriminates against Connecticut by placing our State at the bottom of the list in aid received, though it is at the top of the list in taxes paid to pay for the aid. During the 3-year life of the law, the people of Connecticut will be taxed about $55 million to pay the costs. But our State will receive a mere $15 million in aid. Thus, for the taxpayers of Connecticut, the bill means only a $40 million subsidy to pay for education in other States.

Second, the proposed legislation in the long run will damage education in Connecticut and in some other States rather than help it. The aid our State receives, $5 million a year, will amount to about 3 percent of our total State educational effort. This insignificant amount will not build schools in Connecticut, nor will it raise teachers' salaries.

But the increase in Federal taxation which this bill will require will make Connecticut taxpayers less able and less willing to pay higher local and State taxes for education. They cannot do anything about the Federal taxation which takes almost $4 from them for every dollar of educational aid received. But they can and probably will express their frustration by voting against local school budgets and school bond referendums. This is the inevitable result of forcing the people of a few States to carry burdens that should be borne by all States.

Third, this bill offends justice by including private and parochial school children in the formula which determines the amount of aid going to public schools. Under this bill, the Federal Government is saying to the parents of several million children in private and parochial schools, "We are going to give your State so many dollars a year for every child in a private or parochial school. But we have made sure that not a penny of this aid can be used for education in these schools.

Mr. President, so long as these children are excluded from the bill, it is an offense against logic and justice to count them only for purposes of increasing the aid which goes to public schools.

Fourth, I oppose this bill because the Prouty amendment transformed it from an emergency measure designed to deal with a temporary shortage of classrooms and teachers into a permanent general aid to education bill under which the Federal Government will assume such purely local responsibilities as the lighting and heating of schools, the care of lawns, and the providing of chalk and erasers. Thus, Federal money will be used, not to remove educational deficiencies, but to pay for trivialities and routine expenses which are local obligations, if local government is to mean anything.

In summary, I oppose this bill because in my judgment it is not an aid to education bill at all. It is a tax redistribution bill. It will do little to improve education in America. Instead it will tend to transfer the burden of paying for education from local government to the Federal Government. And it will do so under an unjust formula which will force the few States which are already doing an adequate

job for their children to foot the bill for education in the rest of the country.

For these reasons I oppose the passage of this bill and will vote against it.

Mr. President, I ask unanimous consent to have inserted at this point in the RECORD a statement which I made on May 18 in support of the Javits-Cooper amendment, and remarks which I made on May 23 against the Prouty amendment. The defeat of the Javits-Cooper amendment, and the adoption of the Prouty amendment, led to my decision to oppose this legislation.

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

STATEMENT OF SENATOR THOMAS J. DODD IN SUPPORT OF JAVITS-COOPER AMENDMENT TO THE FEDERAL AID TO EDUCATION BILL MADE ON THE FLOOR OF THE SENATE THURSDAY, MAY 18, 1961

I am a supporter of the Javits-Cooper amendment. I support it because it provides a far more acceptable formula for distributing Federal aid for school construction and teachers' salaries than the committee bill.

I was led to this position, first, by the problem of my own State of Connecticut and, second, by my concern for the national picture.

The committee bill provides only $9.26 for each Connecticut school age child, the lowest amount granted to any State under the committee bill. At the present time, the average educational expenditure per child in Connecticut is around $420. Action pending before the State legislature will raise that figure to about $450 and local action in many of our 169 communities will raise that figure closer to the $500 mark.

Against these figures, the $9.26 per school age child provided by the committee bill is insignificant. It will scarcely make a dent in the educational problem of Connecticut. And to get this marginal aid, the taxpayers of Connecticut will be required to spend several dollars in Federal taxes for each dollar of aid they receive.

As a small sweetener, the committee bill permits private and parochial school children, which number about 18 percent of Connecticut's school population, to be counted for Federal aid purposes. The private and parochial schools, of course, will not receive this money. Their children will merely be used as justification for raising the total which goes to the public schools.

This violates basic equity, since it provides Federal money to States for financing education for which the States bear no expense. And it adds insult to injury to parents of private and parochial school children who not only receive no aid but also find their great effort and sacrifice recognized only as a basis for increased aid to public schools.

Under the committee bill, Connecticut is at the bottom of the list in aid received, and at the top of the list in taxes paid to finance this aid.

Connecticut, though it has many serious economic problems and around 80,000 unemployed, ranks as the most prosperous State in the Union. I am, of course, happy about this. Our relative prosperity does not arise because we have any unusual natural resources. We have practically no natural resources. The prosperity of Connecticut has been built over long decades by the thrift, ingenuity, know-how, and hard work of its people. And, frankly, our people are getting a little tired of having their achievement used as a basis for discrimination in a variety of Federal programs.

I have voted on occasion for programs which tax Connecticut citizens disproportionately for the benefit of other sections of the country. I have done it because this is one country, one people, with one common cause. I believe that when we help Americans anywhere, if the program is reasonable, we help Americans everywhere.

Because of Connecticut's high standing in personal income, the people of our State stand to be taxed more for Federal programs than any other State. There are many programs of vital interest to the Nation, such as conservation, agriculture, public power, reclamation, irrigation, and others which by their nature have little application to Connecticut. Yet we are willing to support these programs with our tax dollars because they are important to the Nation, and Connecticut is a part of the Nation.

But we have before us today a problem which does apply to Connecticut. Our State, like other States, needs help in the field of education and it is entitled to get that help on an equal basis with other States.

Even if the allowance per school child was the same in every State, Connecticut would still be giving more than it gets because of its high income position. But on top of this inherent disproportion, there has been added a discriminatory formula under which Connecticut receives the least though it pays the most. This is unfair.

The Javits-Cooper amendment provides a reasonable formula for dealing fairly with all States and dealing adequately at the same time with the national interest. It provides a basic payment of $20 per pupil to all States. It does not abuse commonsense by paying the public school system for the expenses borne by private and parochial schools. And for the several States which, because of their relative poverty, have special educational problems, the amendment provides extra money.

This is a formula that I can support. Under it, Connecticut would receive almost $8.4 million as opposed to the $5.2 million under the committee bill. And as a matter of principle, it would treat Connecticut on an equal basis with most other States, making special allowances for the grave problems of the States least able to help themselves.

I congratulate my colleagues for offering this amendment and I am privileged to join with them in its support.

STATEMENT OF SENATOR THOMAS J. DODD ON THE FLOOR OF THE SENATE MAY 23 OPPOSING THE PROUTY AMENDMENT

Mr. DODD. I find myself in very considerable agreement with the Senator from Pennsylvania, who has pretty well expressed my own views.

I am opposed to the pending amendment. It would transform the present aid to education bill from a program aimed at two particular emergencies, the shortage of classrooms and the shortage of teachers, into a general aid to education bill that would be used to finance everything from cutting grass in front of the school to replacing wornout light bulbs.

I oppose this amendment on practical and philosophic grounds. The bill reported out by the committee is a very modest bill in comparison to the total educational need. Its impact upon my State would be an addition of about 3 percent to the total amount spent for education, and there is no State where the impact would be greater than about 12 percent.

Thus, if the bill is to be at all effective, and if these modest amounts are not to be merely melted into the general education fund where their impact will be negligible, the Federal money provided must be aimed at certain limited objectives. This money can be effectively used to finance the building of schools that might otherwise not be built. It can be effectively used in raising the salaries of teachers in the poorer school districts to a higher level. But to attempt to do more with this limited Federal aid would only dilute the program and spread it so thin as to destroy its purpose.

My second objection is on the ground of public philosophy. The committee bill, however inequitable some of its provisions may be, does not violate the principle that education is primarily a local responsibility. Rather, it acknowledges that temporary emergency conditions exist and that Federal help is required to meet specific problems that are presently beyond the means of local governments.

The classroom shortage, for instance, was brought about by an abnormally low school building program during 15 years of depression and war from 1930 to 1945, followed by an unusually high birth rate from 1945 on. Federal aid for school construction is aimed at restoring the balance and when it is restored, it is my hope that this part of the program will come to an end. But the pending amendment would use Federal funds to finance routine maintenance costs, the heating and lighting of schools, the upkeep of school grounds, and all the other normal day-to-day expenses. These expenses are clearly the obligation of local and State authorities.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. DODD. I am happy to yield.

Mr. LAUSCHE. I would like to direct the question also to other Senators who have participated in the discussion. What would prevent a local school board from using its normal appropriation of moneys to hire teachers and then to substitute reduction through the use of funds which it would get from the Federal Government, ultimately putting itself in the identical position that it occupied before it received Federal aid? What is there in the bill in that regard?

Mr. CLARK. I would like to answer that question, if the Senator from Connecticut will permit me to do so.

Mr. DODD. Certainly.

Mr. CLARK. We would have to rely for control on the State educational authority, which in my State would be effective. It might not be as effective elsewhere. However, so far as the Federal Government is concerned, if the Prouty amendment is adopted, there will be no control at all. Without the Prouty amendment, there would be maintained the three purposes, with certification that the money is being used for those purposes.

Mr. LAUSCHE. However, the certification could be made that the money was being spent for one of those three purposes, without the establishment of the fact that the Federal money had been used to supplement the moneys that have been expended before the Federal money was granted. The local moneys could be diverted to such operations as are contemplated by the Prouty amendment.

Mr. CLARK. Of course, there is the maintenance of effort clause in the bill, which would still be in the law.

Mr. DODD. Mr. President, will the Senator from Nebraska yield me 2 additional minutes?

Mr. HRUSKA. I yield 2 additional minutes to the Senator.

Mr. DODD. I wish to complete my statement.

Somewhere we must draw the line as to what local and State governments must do for themselves and what they can legitimately expect the Federal Government to help them to do. The pending amendment would transform the most basic and fundamental of local responsibilities into an obligation of the Federal Government. I cannot support this concept, and I therefore oppose the amendment.

I have been informed by the able Senator from Vermont [Mr. PROUTY] that he has received a wire from Connecticut's Commissioner of Education William J. Sanders, expressing support of the Prouty amendment. Commissioner Sanders is an extremely able and knowledgeable educator and I can well understand the desire of any commissioner to use these Federal funds as he thinks they ought to be used, without any restrictions. But I do not believe the Federal Government should finance purely local obligations and I think the majority of the people of Connecticut share this view. I hope this amendment will be defeated.

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

Mr. DODD. I yield.

Mr. KEATING. I wish to commend the Senator from Connecticut for his remarks.

I find myself very much in the same position he occupies. I should like to have the Senate have before it a Federal-aid-to-education bill that I could support. I should like to support the principle of the pending bill; but I cannot support a bill which is so unfair to my State, as it is likewise unfair to the State of the Senator who just now has spoken.

ORDER OF BUSINESS

Mr. HOLLAND obtained the floor.

Mr. HOLLAND. Mr. President, I understand several Senators desire me to yield briefly.

I first yield to the Senator from Connecticut [Mr. DODD].

ADDRESS BY DR. JAMES B. CONANT

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an address by Dr. John B. Conant, president emeritus of Harvard University and former U.S. Ambassador to Germany, before the opening meeting yesterday of the National Committee on Children and Youth in Washington, D.C. His remarks on this subject are very enlightening, and I urge all of my colleagues in the Congress to read the article "Social Dynamite in Our Large Cities."

Dr. Conant's speech has eloquently reinforced the findings and conclusions of the Senate Subcommittee to Investigate Juvenile Delinquency over the past 7 years. We, too, have witnessed the deprived youth in the slum areas of our large cities with no hope of ever escaping the circumstances which, until now, prevented them from obtaining a minimum education, a decent job, and an equal status with other citizens of the United States. As we have observed, and as Dr. Conant has so correctly pointed out, it is a problem which demands immediate social planning on a broad basis if we are not to lose the minds of these young people to the promises of others who would subvert our way of life.

In our reports on youth employment and delinquency and education and delinquency, we have continuously alerted the Congress to the dangers involved when 19 million of our citizens are relegated to ghetto existences and subjected to the severest kinds of social pressures, prejudices, and policies.

Throughout the years, the committee has recognized the importance of combining a sound youth employment program with our educational system, and during the past year we have gathered a wealth of information in these areas which we will share with the administration in the development of its various antidelinquency programs. It is, indeed, heartening to me to see such high-level activity in the Federal Government, and, as described in our most recent hearing, the subcommittee has "long been a voice crying in the wilderness" in its attempts to alert the people and the Congress of the United States to what Dr. Conant refers to as this social dynamite that has been developing in our large urban areas for the past decade.

I ask unanimous consent to have Dr. Conant's address printed at this point in the RECORD, in connection with my remarks.

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

SOCIAL DYNAMITE IN OUR LARGE CITIES

(Speech by James B. Conant before the Conference on Unemployed, Out-of-School Youth in Urban Areas, sponsored by the National Committee for Children and Youth, Wednesday, May 24, 1961, in Washington, D.C.)

I appreciate the opportunity of serving as keynote speaker and chairman of this workshop Conference on Unemployed, Out-of-School Youth in Urban Areas sponsored by the National Committee for Children and Youth. It is a sobering responsibility. I make this statement principally because I am convinced that the problem you ladies and gentlemen are here to discuss poses a serious threat to our free society. I submit that the existence in the slums of our large cities of thousands of youth ages 16–21, who are both out of school and out of work is an explosive situation. It is social dynamite.

In preparation for this conference, a few special studies were conducted in slum areas of large cities to find out what the facts really were. In a slum section composed almost entirely of Negroes in one of our largest cities the following situation was found. A total of 59 percent of the male youth between the ages of 16 and 21 were out of school and unemployed. They were roaming the streets. Of the boys who graduated from high school, 48 percent were unemployed in contrast to 63 percent of the boys who had dropped out of school. In short, two-thirds of the male dropouts did not have jobs and about half of the high school graduates did not have jobs. In such a situation, a pupil may well ask, Why bother to stay in school when graduation for half the boys opens onto a dead-end street?

An even worse state of affairs was found in another special study in a different city. In a slum area of 125,000 people, mostly Negro, a sampling of the youth population shows that roughly 70 percent of the boys and girls ages 16 to 21 are out of school and unemployed. When one stops to consider that the total population in this district is equal to that of a good-sized independent city, the magnitude of the problem is appalling and the challenge of our society is clear.

I do not have to remind this audience of the fact that the fate of freedom in the world hangs very much in balance. Our success against the spread of communism in no small measure depends upon the successful operation of our own free society. To my mind, there is no question that a healthy body politic necessitates a sound economy and high employment. The history of communism shows that it feeds upon discontented, frustrated, unemployed people. The present unemployment rate nationwide is roughly 7 percent for all age brackets, but unemployment among youth under 20 years of age is 18 percent, or nearly three times greater than the nationwide rate of all workers. These young people are my chief concern, especially when they are pocketed together in large numbers within the confines of the big-city slums. What can words like "freedom," "liberty," and "equality of opportunity" mean to these young people? With what kind of zeal and dedication can we expect them to withstand the relentless pressures of communism? How well prepared are they to face the struggle that shows no signs of abating?

In a slum area where over half the male youth are unemployed and out of school we are allowing a grave danger to the stability of our society to develop. A youth who has dropped out of school and never has had a full-time job is not likely to become a constructive citizen of his community. Quite the contrary. As a frustrated individual he is likely to be antisocial and rebellious. Some of this group of youth will end as juvenile delinquents. No one would claim that providing full employment for youth in the large cities would automatically banish juvenile delinquency, for we all realize that the causes of this problem are complex and there is no one solution. However, I suggest that full employment would have a highly salutary effect. Moreover, I offer the following hypothesis for professional social workers and sociologists to demolish; namely, that the correlation between desirable social attitudes (including attitudes of youth) and job opportunities are far higher than between the former and housing conditions, as measured by plumbing facilities, heating, and space per family.

Leaving juvenile delinquency aside, the existence of gangs of unemployed out-of-school youth in some neighborhoods of our large cities creates social problems acute enough by themselves. The adverse influence of the "street" is largely a consequence of the existence of these gangs. I doubt if anyone familiar with a slum district would deny that, if all the male youth by some miracle were to find employment, the social climate would change dramatically for the better. Some juvenile delinquents would remain, gangs might not wholly disappear, but the whole attitude of the neighborhood would alter in such a way as to make more effective the teacher in every classroom.

Unemployment is bad anywhere. Adult unemployment is grievous because it usually involves the loss of support for an entire family. In rural areas, towns and small cities, one might say that solving the unemployment of adults has the top priority; unemployment of youth may be pushed aside by some people as relatively unimportant. But in the slums of the largest cities I would say the drastic reduction of unemployment of male youth under age 21 is a greater need.

Consider for a moment the longrun consequence of persistent failure of underprivileged youth to find work. Leaving aside the human tragedies involved in each individual instance and looking at the matter solely in terms of the welfare of our free society, one sees the special position of the large-city slums. The boys brought up in slum neighborhoods, even if they came to the big city from the country as children, are conditioned to street life with all that this life implies. Out of work and out of school since they turned 16, these youth behave in ways that may have serious political conse-

quences; similar behavior of youth in smaller cities would be far less serious. It is a matter of geography in the last analysis. Three factors are significant: First, the total size of the group of youth to whom I am referring—the larger the group, the more dangerous; second, the density of the population—the number of frustrated youth per block; third, the isolation of the inhabitants from other kinds of people and other sorts of streets and houses.

If one compares the slum areas in the largest cities with similar districts in small cities, the difference as regards those three factors is clearly evident. The youth in the big-city slums dwells in the midst of a mammoth social complex. The surrounding city extends for blocks and blocks. The business and industrial areas hem in the impoverished youth. In the case of the Negro, added to all the negative influences of a slum is the absence of any evidence that there is a pathway out. In spite of the high mobility of the family unit or perhaps because of it, a tone is set by constant talk and the prevailing attitude of the older people. And the tone is not one to encourage education or stimulate ambition. The unemployed floaters on the street are walking evidence to all the youth that nothing can be accomplished through education, that the door of the neighborhood schoolhouse indeed opens on a dead end street.

Let me emphasize that, in my opinion, there is no reason why this should be the case. I know there are those who maintain that, on the average, Negro children are inferior to white children in academic ability. I have seen no evidence to support any such contention. In considering the relative abilities of whites and Negroes, let us examine the situation in an all-white slum in a city of considerable size. A careful study of a group of children in grade 4 of one such school showed that their average achievement level was a full year below their grade placement—a typical situation in any slum area.

What the teachers in this school have to contend with is shown by a report from the principal. Perhaps the greatest handicap to good schoolwork is the high mobility of the white population in the area. In this school mobility is very high; it is not uncommon in similar schools to have a turnover of the entire enrollment in 1 school year.

The principal writes, "When a residential area composed of large, old homes formerly occupied by owners and single family groups changes, economically and socially conditions of general deterioration begin. Absentee owners rent the property by single rooms or small so-called apartments of two or three rooms to large families. * * * Such conditions attract transients (who either cannot or will not qualify for supervised low income housing), the unemployed, the unskilled and unschooled, and the distressed families whose breadwinners have either just been committed to prisons or mental institutions or who have but recently been released from such. The only possession most of these families have is children. * * * In such an environment all forms of evil flourish—the peddling of dope, drunkenness, disease, accidents, truancies, physical, mental and moral handicaps, sex perversions involving children. * * *

"The parents of at least one-third of the children are either in penal institutions, are on probation, or have prison records. At least 100 children are on probation to the juvenile court. There has not been a day since I've been at the school that there has not been one or more children in detention at the juvenile court * * *.

"Less than 10 percent of the children have private doctors or dentists. A dental examination of 900 children in the fall of 1959 reveals only 44 free of cavities. The eyes of every child in the school were examined and about 300 showed some vision defects, and 30 had such serious vision loss that they were referred for partial seeing teaching. At least one-third of the children are on welfare rolls or are recipients of very small social security and/or veteran benefits checks. In many cases, however, the neediest children * * * are those who cannot qualify for any dependency grant.

"Unless a school is able to educate its children so they may become competent and responsible citizens its work is a temporary stop-gap that relieves immediate suffering only. Although the school is the only organization that has instruction as its primary responsibility, when a noble hearted teacher faces a barefoot, hungry, sick, distressed child, the result is an endless chain of efforts to relieve such a child.

"We realize that little or nothing can be done for or with the parents of the children who face such serious problems in their homes. These problems directly affect the child's health, attendance, emotional and personal adjustment, his learning and his progress (or lack of it) in every respect. In all probability at least one-half of our children will be school dropouts. In our opinion the children need, desperately—for desirable development, in addition to good schools—good homes, churches, and communities."

I am quoting from an official report which, in acknowledging the generally low achievement of the white children in this school, makes the interesting statement that "There is no reason to believe that these students as a group are inherently or genetically less capable than average students, but apparently because of some types of experiences in their lives they have been unable to develop their intellectual skills." The belief expressed in the first part of this sentence can hardly be based on anything firmer than an assumption as to the genetic uniformity of white children whose ancestors have for several generations lived in the United States. Such an assumption, of course, leaves out of account the possibility of a selective process occurring over the generations as some tended to move to one type of occupation and settle in one type of community. However, since I see no way of investigating the role of selective migration, I would be inclined to let the assumption stand unchallenged. Only I should argue strongly that to date we have no evidence to indicate that the assumption should not be broadened to include both white and Negro students.

For all the contrary evidence, namely, the poor work in school and low scores on tests made by Negroes, is based to a large degree on the performance of children in what are essentially slum conditions. Consequently, I start with the belief that, given a satisfactory socioeconomic background and educational opportunity, Negro children can be just as successful in academic work as any other group. You are all aware of the dramatic success that has been achieved in more than one instance in raising the aspirations and achievement levels of slum children.

The difference between the Negro slum of today and the slums of the northern seaport cities of 60 years ago is a difference that deserves attention. The worries I have expressed about the continuation of present conditions may appear to be neutralized by contemplating the record of the past. Big cities have always had slums. In the United States it has been possible for people to raise themselves by their own bootstraps in the course of a generation. Why be alarmed about the present situation. Such a complacent projection of the past into the obscure future is fallacious for several reasons. First and foremost is the fact that in the past most of the inhabitants of slums were recently arrived white foreign immigrants. They knew that their predecessors for generations had worked their way out of poverty in the cities. They were convinced that they could do likewise. The almost complete lack of such conviction—a consequence of the tragic story of the Negro in the United States—is the outstanding characteristic of youth in the Negro slum. Secondly, a foreign immigrant came from an impoverished but stable society, for the most part a peasant society with its own ancient mores. The pride of family and often strong church connections were social cement that kept the slums from being complete social jungles in spite of the fact that the dwelling conditions were often far worse than they are today.

Lastly, for most of the period of our history, labor shortages rather than labor surpluses were characteristic. Particularly, unskilled laborers were in demand. When this was not so, namely, in the depression years, organized society had to step in on a large scale to bolster up the tottering social structure. Today, automation has affected the whole employment scene; there is much less demand for unskilled labor. Racial discrimination makes unemployment chronic for the Negro male North and South. In short, neither in terms of the kinds of people involved nor in terms of the economic and social setting is there much resemblance between the slum districts of 1900 and those which are the sore spots of our modern cities.

What was especially shocking to me in my visits to the large cities in the last school year was the discovery that the employment of youth is literally nobody's affair. To be sure, there are groups concerned with various aspects of the problem, but no single agency in any of the cities has the data as to the unemployment picture in that city. There is little up-to-date information about youth unemployment even citywide and only the estimate of school people about the slum neighborhoods. Seldom are figures available to distinguish between the unemployed who are high school graduates and those who have dropped out of school before completing the 12th grade. Most important, it is not possible to say with any accuracy how the unemployed youth are distributed among various neighborhoods. There is much to be done in the gathering of reliable statistics. The problem of unemployed youth in the large cities is in no small part a Negro problem. We do not facilitate its solution by trying to find phrases to hide this fact. And it is largely a Negro problem in the North because of the discrimination practiced quietly but extensively by employers and labor unions. In an effort to overcome this unjust and nationally dangerous discrimination, people must not shrink from publishing statistics, unpleasant as they may be. How can we improve a situation if we are deprived of knowledge of what the situation really is? And it is my hope that in this conference this problem of setting forth the facts will be thoroughly explored in a spirit of good will.

At this point I imagine many of you who are well aware of the nature of the appalling problems in the big cities are wondering just how I became concerned about the social problems of the big city. Therefore, I thought I might take a few moments to explain my interest and to describe briefly the situations I found which have caused my great concern.

The subject of my first report, "The American High School Today," was the widely comprehensive high school found in independent cities that were not part of a large metropolitan complex. Aside from some short comments, I ignored both suburban

schools and big-city schools, both of which by my definition tend not to be widely comprehensive because they often do not include a wide variety of elective programs. In the college-oriented suburb there is not likely to be interest in vocational programs, and in the big cities the existence of separate vocational schools also means a restriction of the elective program in the general high school. However, in conjunction with my study last year of junior high school education, I decided to take a more detailed look at schools in metropolitan areas—at schools in slums and suburbs, if you will. In the large metropolitan areas of New York, Philadelphia, Detroit, Chicago, St. Louis, one has no difficulty in locating examples of both. In some cases 20 minutes' drive will enable a person to go from one to the other. A visit to the high school serving each community will open the eyes of a visitor to the complexities of American public education. Their basic problems are quite unalike, and these differences spring from the differences in the nature of the families being served. One lesson to be drawn from visiting a well-to-do suburb and a slum is all important for understanding American public education. That lesson is that to a large degree what a school should do and can do is determined by the status and ambitions of the majority of the families within the community. I drew this conclusion after either my staff or I had visited metropolitan schools in and around many of the largest cities in the Nation—New York, Los Angeles, Chicago, Detroit, Philadelphia, Baltimore, St. Louis.

In the suburban high school from which 80 percent or more of the graduates enter some sort of college the problems are the mirror image of those in the city slums, where as many as half the students drop out of school prior to graduation. The task with which the school people must struggle in the city slum is, on the one hand, how to prepare the youth for getting and keeping a job as soon as he or she leaves school and, on the other hand, to encourage those who have academic talent to aim at a profession through higher education. The task thus stated seems simple. In fact, as you all know, the difficulties are enormous. The improvement of conditions in the slums is only in part a school problem, but the role of the schools is of the utmost importance. I am not nearly so concerned about the plight of the suburban parents whose offspring are at present having difficulty finding places in prestige colleges as I am about the plight of parents in the slums whose children drop out of school or graduate without prospects of employment. The latter is a much more serious social phenomenon, and too little attention has been paid to it.

Visits to a wealthy surburb and impoverished slums only a few minutes away jolt one's notions of the meaning of equality of opportunity. On the one hand, there is likely to be a spacious, modern school staffed by as many as 70 professionals for 1,000 pupils; on the other hand, one finds a crowded, often dilapidated and unattractive school staffed by 40 professionals for 1,000 pupils. Expenditure per pupil in the wealthy suburban school is likely to be over $1,000; often it is less than half that in the slum school. To my mind, in view of the problems one finds, conditions in the slum school necessitate more staff and more money than in the suburban school.

Leaving aside the suburban communities, I would like now to point up some of my observations in the large cities, especially in the slums, where my staff and I made special efforts to visit schools. In each of the cities we visited, one can find neighborhoods composed of various minority groups. Many of these are areas now designated as "culturally deprived," or "culturally different" but which in my youth would have been more simply designated as "slums." The schools serving such neighborhoods have to be visited in order for one to understand the nature of the tasks which the teachers face.

The slum areas of certain big northern cities are today largely inhabited by Negroes who have recently moved from the South hoping to improve their lot. The economic changes in the South which have forced this migration are too well known to require elaboration. The Negro is being displaced as a farm laborer, and, being unable because of discrimination to obtain other employment in the section where he was born, he becomes a migrant headed north. Between 1950 and 1960 the proportion of Negroes living in the South dropped from 60 percent to 52 percent. St. Louis is said to be the first stopping point for many who make the journey, though the school people in Chicago, Detroit, Philadelphia, Baltimore, Washington, or New York indicate that their problems with the recently arrived Negroes from the South are quite as great as those which confront their colleagues in St. Louis. New York State now has the largest Negro population of any State in the Union.

The growth of Negro slums in big cities is alarming. I wish that I could do more than direct attention. For without being an alarmist, I must say that when one considers the total situation that has been developing in the Negro slums since World War II, one has reason to worry about the future. The building up of a mass of unemployed and frustrated Negro youth in congested areas of a city is a social phenomenon that may be compared to the piling up of inflammable material in an empty building in a city block. Potentialities for trouble—indeed, possibilities of disaster—are surely there.

Let me start by describing a slum that might be in any one of several of the large cities I have visited. The inhabitants are all Negroes and with few exceptions have entered the city from a State in the Deep South anywhere from the last month to the last 3 years. Even the elementary schools serving this neighborhood are plagued by the mobility of the families. Often the composition of a grade will alter so rapidly that a teacher will find at the end of a school year that she is teaching but few pupils who started with her in the fall. In one school, I recall the principal stating that a teacher absent more than one week will have difficulty recognizing her class when she returns. The mothers move with their offspring from room to room from month to month and in so doing often go from one elementary school district to another; I am told that resident tenements look more like transient hotels. I write mothers advisedly, since in one neighborhood, by no means the worst I have seen, a questionnaire sent out by the school authorities indicated that about a third of the pupils come from family units (one hesitates to use the word home) which had no father, stepfather, or male guardian. Less than 1 percent of the parents graduated from college; 10 percent of the parents graduated from high school; only 33 percent completed the elementary school; and another 32 percent did not go that far. Contrast the situation in which a third of the parents have not completed elementary school with that in a high-income suburb where as many as 90 percent of the parents have bachelor's degrees, if not graduate degrees.

These Negro slums seem to vary considerably as regards the social mores. In some there are very bad gangs with gang warfare among the boys. There are also vicious fights outside of school between girls. The condition in one such neighborhood was summed up to one of my staff by a principal of a junior high school who said even he was shocked by the answers to a questionnaire to the girls which asked what was their biggest problem. The majority replied to the effect that their biggest problem was getting from the street into their apartment without being molested in the hallway of the tenement. He went on to say that the area had a set of social customs of its own. The streets are full of unemployed men who hang around and prey on the girls. The women are the centers of the family and as a rule are extremely loyal to the children. The men, on the other hand, are floaters. Similar reports from principals and teachers can be heard by the attentive and sympathetic visitor to the Negro slums of any one of several cities.

I have so far referred only to white and Negro slums. In addition, a few words are necessary to point out that in some cities, New York in particular, there are slum areas inhabited by recent arrivals from Puerto Rico. In these sections, the problems are similar to those I have described but complicated by the difference in language. Unlike the American Negro from the South, these recent arrivals bring with them a set of social mores closely associated with their own methods of communication. At the same time, they often, if not always, come with children whose schooling has been bad. Clearly the problem of teaching these Puerto Rican children involves both a reading problem and a problem of teaching a foreign language. These problems are so special I shall not attempt to discuss them here. One hardly needs to point out that the existence of these problems adds one more complication to the tasks confronting the administrators and teachers in New York City schools. Add to these tasks the possibilities of interracial hostility and gang warfare between Negroes and Puerto Ricans and the resentment of both toward the whites and one has a veritable witches' brew which comes to boil with unsavory vehemence in certain schools in certain areas—particularly in the junior high school years. The amazing feature of the whole situation is that pupils make any progress in schools in certain areas of the city.

One only needs to visit the type of school I am now describing to be convinced that the nature of the community largely determines what goes on in the school. Therefore, to attempt to divorce the school from the community is to engage in unrealistic thinking, which might lead to policies that could wreak havoc with the school and the lives of children. The community and the school are inseparable. For example, I have walked through school corridors in slum areas and, looking into classrooms, have seen children asleep with their heads on their hands. Is this situation the result of poor teachers without either disciplinary control or teaching ability? No, the children asleep at their desks have been up all night with no place to sleep or else subject to unbelievable family fights and horrors through the night. Checking into one case, a principal told one of my staff that after climbing six flights of a tenement he found the boy's home—one filthy room with a bed, a light bulb, and a sink. In the room lived the boy's mother and her four children. I might add that it is not unusual for teachers in these schools to take home with them children with little or no place to go at night. I would ask suburban parents to ponder the contrast between the lives and the education of their children and the lives and education of the boys and girls in the schools I have been describing. It is after visits to schools like these that I grow impatient with both critics and defenders of public education who ignore the realities of school situations to engage in fruitless debate about educational philosophy, purposes, and the like.

I use the phrase "social attitudes," including attitudes of youth, to try and sum up my impressions of what I have heard so often from the teachers in grades 1 to 8 in slum neighborhoods. As one teacher said to me, "We do quite well with these children in the lower grades. Each of us is, for the few hours of the school day, an acceptable substitute for the mother. But when they reach about 10, 11, or 12 years of age, we lose them. At that time the 'street' takes over. In terms of schoolwork, progress ceases; indeed, many pupils begin to go backward in their studies." What can be done to offset the demoralizing attitude of "the street" in the worst of the slums? Not much that lies within the province of the school authorities alone. Here is where the social agency people, the juvenile court people, the churches—all the various groups represented at this conference come into the picture.

This last thought leads me to say that thus far I have spoken in negative terms for the most part, describing my own sense of shock at the slum conditions in our large cities, especially as these conditions relate to education and employment. So important are these problems that in putting together a final report for the Carnegie Corp. I decided to publish a small book that will contrast the wealthy suburban schools and the slum schools. In this small volume I shall try to create a set of anxious thoughts in the minds of conscientious citizens who while living in the suburbs may work in the cities. I wish that I had many more constructive proposals to make than I now have, and I am hoping that this conference, composed of people thoroughly familiar with slum problems, will come up with positive, constructive ideas that will lead to solutions.

There are clearly many areas of concern. Among the more important are racial discrimination; employment practices of labor and management; Federal-State laws including insurance rates and wage scales; lack of jobs, as well as changing types of employment because of automation and the necessity for more highly skilled workers; the role of the schools in preparing youth for employment, especially average and below-average youth, and in helping them make the transition from school to work; the coordination of the efforts of the schools, the employers and labor unions, and the various community agencies that have a hand in promoting youth welfare; the role of the public sector of the economy at the local, State, and Federal level in providing employment if the private sector of the economy is unable to do so. All of these questions are complex and controversial but will, I sincerely hope, be thoroughly aired at the various workshop meetings in this conference.

In closing, I should like to express my own views on a very few of the subjects just mentioned about which I feel strongly. In the first place, there are those who would say that what goes on in the schools should not have any direct connection with the community or the employment situation. I completely reject this idea. The school, the community, and the employment picture are and should be closely tied together. I am not impressed by the holding power of a school as a criterion of its quality, but neither am I impressed by the argument that a boy who fails to get along in school ought to drop out. It all depends. The situation in which a boy drops out of school only to roam the streets is quite different from the situation in which a boy drops out and finds satisfactory employment. Full-time schooling for certain youths through grade 12 may be good or bad depending upon the employment picture. What goes on in the school ought to be conditioned in large measure by the nature of the families being served, the vocational plans and aspirations of the students, and employment opportunities.

To sum up, I submit that in a heavily urbanized and industrialized free society the educational experience of youths should fit their subsequent employment. This should be so whether a boy drops out of school in grade 10, after graduation from high school, or after graduation from college or university. In any case, there should be a smooth transition from full-time schooling to a full-time job.

This is an ideal situation admittedly and one which is at present approached only in the learned professions and in a few instances the occupations for which undergraduate college courses provide the necessary training. In the case of the learned professions, those in charge of the last stage in the educational journey—the professors of law, of medicine, and those who direct the research of candidates for the Ph. D.—have usually a sense of responsibility for their students based on their own passionate interest in promoting the best interests of their profession. Graduates of some undergraduate professional courses in some institutions are also often assisted in finding employment. Engineering is perhaps the best example. With the present shortage of teachers, professors of education have no difficulty in finding jobs for their students. While the universities or colleges do not accept responsibility for the placement of their graduates, many, if not all, spend time and money in helping the young man or woman to find a job. In many cases the subsequent career is followed with interest and assistance is provided in reemployment. Sixty years ago the situation was very different. Concern with placement of college and university graduates was a product of the depression years. The change, I believe, has been important and in the best interests of both the individual and society. For the college graduate who has received a general or liberal education without majority in a professional or semiprofessional field, many difficulties of finding a suitable job will remain. Still, by and large, one can say at the college and university level a considerable fraction of the youth involved make a smooth transition from education to a job.

When we examine the situation at the high school level, we find quite a different state of affairs. Although in many high schools a half or more of the graduates seek employment immediately on graduation, only in a few cities does one find an effective placement service. And I make this statement without intending any reproach to either social agencies or to guidance counselors. The obligations of the school should not end when the student either drops out of school or graduates. At that point the cumulative record folder concerning a student's educational career is usually brought to an end. It should not be. To my mind, guidance officers, especially in the large cities, ought to be given the responsibility for following the post-high school careers of youth from the time they leave school until they are 21 years of age. Since compulsory attendance usually ends at age 16, this means responsibility for the guidance of youth ages 16 to 21 who are out of school and either employed or unemployed. It is with the unemployed out-of-school youth that I am especially concerned—especially the boys, for whom the unemployment problem is more severe than for girls. This expansion of the school's function will cost money and will mean additional staff—at least a doubling of the guidance staff in most of the large cities; but the expense is necessary, for vocational and educational guidance must be a continuing process to help assure a smooth transition from school to the world of work. The present abrupt break between the two is unfortunate. What I have in mind suggests, of course, a much closer relationship than now exists between school, employers, and labor unions, as well as social agencies and employment offices.

There is no question that the school people in the large cities face a gigantic task in their efforts to prepare youth from impoverished homes for useful lives as responsible citizens and productive workers. I have the heartiest respect for the dedicated men and women who with limited means and facilities are doing the best job they can to overcome the adverse influence of the home and street in the big-city slum. As one of my associates who had spent the best years of his life as principal of a suburban public high school put it, "I visited junior high schools in New York City in some of the worst areas. I expected to find blackboard jungles; instead I found schools with high moral, tight discipline, imaginative principals and teachers." My own visits were largely confined to similar schools in Chicago, Detroit, and St. Louis, and my admiration for what is being done in those cities is equal to that of my colleague for what he saw in New York City.

Not that all problems have been solved. Far from it, as you all know. Reading is the essential tool for success in school and on the job, and although in this area much has been done, much remains to be done, particularly with respect to gaining the interest of the parents in the success of their children, reducing class size, and providing for more remedial reading teachers. Decentralized administration in the big cities is surely a step in the right direction by bringing the schools closer to the people. A new look is needed at vocational programs, especially for the below-average students who are rejected by the vocational people and academic people alike. Much remains to be done for the future dropout to ease the break between school and job. It appears that the only jobs available for unskilled workers in the decade ahead will be in service occupations, a fact of considerable importance in educational planning.

As you all know better than I, many of the large cities have made attempts to prepare these youths for work. Adult education courses, work-study programs of various sorts—these are all evidence of a continuing interest of the schools in furthering educational opportunities for out-of-school youth and ought to be expanded. Finally, I have been told many times that an important obstacle in improving the education of slum children is the fact that the teachers who may have taught in schools for a number of years with a certain kind of student body suddenly find themselves engulfed by slum children whom they do not understand and for whom they fail to recognize the need for changes in the curriculum. In many cases, a reeducation of the teachers becomes necessary.

In short, there is much that schools are doing but much more that they should do. Money in many instances is the key—remedial reading teachers, smaller classes, guidance counselors cost money. I have already noted the vast disproportion between the amount spent per pupil in the wealthy suburbs and that spent in the slums of the big city.

But even if the schools were to improve their services drastically, there would still remain what seems to me the crux of the situation—the presence or absence of employment opportunity. Whereas I have indicated my conviction that the problems of Negro education are no different from those of all underprivileged socioeconomic groups, the problems of Negro employment are distinctly different. The enforcement of antidiscrimination laws has proved a most difficult undertaking. I have heard it said that only those projects which are supported by

public funds can really be operated on a truly nondiscriminatory basis. Therefore, it seems to me that unless local management and labor take up the challenge, it may be necessary for Congress to appropriate funds for public work programs to alleviate the problem of unemployment among youth 16 to 21 in the large cities.

In view of the past discriminatory employment practices by both management and labor, action at the Federal level may become a necessity. Even if there were no discrimination, it might become a necessity if the private sector of the economy is unable to provide sufficient jobs.

In conclusion, let me repeat my sense of shock as I contemplate conditions in our big cities with respect to youth in slum neighborhoods. The problems are the result of a social situation the roots of which run back to the days of slavery and the result of an economic problem which is in part a reflection of the total unemployment situation and in part a result of racial discrimination among labor unions and employers. To improve the work of the slum schools requires an improvement in the lives of the families who inhabit these slums, but without a drastic change in the employment prospects for urban Negro youth, relatively little can be accomplished. I close by urging that our large city problems be analyzed in far more detail than in the past and with a far greater degree of frankness. Neighborhood by neighborhood we need to know the facts, and when these facts indicate a dangerous social situation the American people should be prepared to take drastic measures before it is too late. I wish this conference all success as it tackles this extremely urgent and perplexing problem of unemployed, out-of-school youth in our large cities.

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. HOLLAND. Mr. President, I yield now to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, the President of the United States today delivered a message to a joint session of this Congress. I can subscribe substantially to all that he recommended, and do so with great enthusiasm. Moreover, I believe I shall find no difficulty in implementing, by my action, his recommendations. I do have some doubt about the great need, within 10 years, to put a man on the moon and bring him back. I am not sure that objective has the vitality which has been ascribed to it.

The President, however, among other things, said:

> It will be necessary to hold tightly to prudent fiscal standards; and I must request the cooperation of the Congress in this regard—to refrain from adding funds to programs, desirable as they may be, to the budget.

I merely want to point out that, in the consideration of the bill now pending before this body, we have added the cost of $250 million over the expenditure recommended by the President when he sent his message to Congress on the type of bill he wanted passed in order to aid education.

If by deed we want to carry out what the President recommended by word, we can save $250 million by doing what the President suggested in his message 3 months ago.

I recognize that the Senator from Oregon claims the President changed his mind between the time he made his recommendation and submitted the bill and the time the committee acted on it. I think perhaps the President was persuaded and begged to change his judgment to conform to that of the committee.

We can save $250 million by following what the President said:

> I must request the cooperation of the Congress in this regard—to refrain from adding funds to programs, desirable as they may be.

My final hope is that, if the additional $250 million is in the bill when it comes out of both Houses and goes to the President, he will veto it, under the declaration that it does not conform with what he recommended in his message and in his bill, and that the Congress added funds to the program in excess of what he recommended.

Finally, I remind the Senate what the Senator from Kentucky [Mr. COOPER] said the other day—it was only in the last few hours of the assembly of the committee that the thought was evolved that the $250 million would be added and that children in the parochial schools would be counted together with those in the public schools, using that count as the basis for making the allocation, even though not 1 penny will go to the parochial school pupils.

Finally, I say to the parochial school students, understand that this Congress has counted you—16 percent of the school population between the ages of 5 and 17—to fix the amount that will be paid to the States. Parochial school pupils, you may think that, because you are counted, you are going to get a part of this money. Do not be beguiled. You have been used as the basis to increase the allocation, without your getting 1 penny of it.

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

Mr. HOLLAND. I yield.

Mr. MORSE. I desire to take only half a minute to say to my dear friend from Ohio that something tells me he is not going to vote for the bill.

Mr. LAUSCHE. I am not.

Mr. MORSE. As an old teacher, whenever any student flunked my course, I thought it was my failure more than his. I am so sorry we have not been able to be better teachers so the Senator from Ohio would get a passing grade in the seminar which has been in progress here.

With respect to what the Senator from Ohio has said, I merely wish to say that the President is a keen student. It did not take him long, after he looked at the facts, to recognize how right we were in our recommendations with regard to changing the bill. I am pleased to tell the Senator we have the enthusiastic support of this bill by that honor student in this seminar. I want to relieve the Senator from Ohio of any hope, if he has any hope, that the bill is going to be vetoed if the Congress has the good judgment to pass it.

Mr. LAUSCHE. Mr. President, may I reply?

Mr. MORSE. I always give my students an opportunity to reply.

Mr. LAUSCHE. I have great regard for the Senator from Oregon. He was the dean of a law school and a teacher of pupils, and my understanding has always been——

Mr. MORSE. I feel it coming——

Mr. LAUSCHE. That a person occupying that lofty position would be receptive to arguments that are logical and sound; but I cannot convince the Senator from Oregon that the Senator from Oregon is wrong and the Senator from Ohio is right.

I finally conclude—peculiarly, perhaps—by saying that, inasmuch as the dean has not been able to accept logic, I wonder if he was a dean.

Mr. HOLLAND. Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. There is no question about the Senator being my student. [Laughter.]

Mr. President, I wish to yield now to the Senator from Wyoming [Mr. HICKEY], who has a few questions to ask in a colloquy with me for the purpose of establishing the legislative history in the RECORD.

Mr. HICKEY. Mr. President, I wish to propound a few questions to the Senator from Oregon so that, as he has indicated, some legislative history can exist.

Am I correct in understanding that the bill would authorize a program of outright grants of Federal funds to all the States for the support of their public elementary and secondary schools?

Mr. MORSE. The Senator is correct.

Mr. HICKEY. Then, so I may understand it correctly, does this bill require any matching or other contribution of funds by the States as a condition precedent to their receipt of Federal funds providing for aid for their public schools under the bill?

Mr. MORSE. The answer is "No." This bill provides for the payment to States of Federal funds for the support of public elementary and secondary schools. It contains no provision requiring States to match the funds to which they are entitled in their allotment. The bill does contain provisions relating to the maintenance and improvement of support for public school financing in section 106. However, these are not what we consider State matching requirements. All payments to the States provided for in the bill would be outright grants, with no matching State fund requirements attaching thereto.

Mr. HICKEY. I thank the Senator.

Mr. MORSE. I thank the Senator from Florida.

Mr. HOLLAND. The Senators are very welcome.

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

Mr. HOLLAND. Mr. President, with the same understanding I yield to the distinguished senior Senator from New York.

Mr. JAVITS. I thank my colleague.

Mr. President, I wish to conclude my argument with respect to Federal aid

to public schools, the bill upon which we shall vote today. I expect to vote for the bill. I have discussed it at great length in the days we have been debating the bill and amendments to the bill.

I sum up my argument as follows:

First, it is in the overall interest to help meet a demonstrated need. In that regard, Madam President, I ask unanimous consent to have printed in the RECORD an analysis and figures of need, from Social Life for January 1961, based on official figures of the United States.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Is there objection to the request of the Senator from New York?

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

[From School Life, January 1961]

ENROLLMENT, TEACHERS, AND SCHOOLHOUSING [1]

Every year the Office of Education publishes data gathered from State departments of education on selected basic items of information about the public elementary and secondary schools in the United States. This year's report, which summarizes the fall 1960 survey, is being issued in February. National totals in the report are for the 50 States and the District of Columbia. The Office believes that the reporting this year is on a sounder basis than ever before: in most instances, the figures supplied by the States were based on answers to questionnaires completed by local school systems, rather than on State estimates, as they more often were in the past.

Some of the facts reported by the States for the fall of 1960 are these:

Pupil enrollments: 36.3 million pupils were enrolled—24.5 million in elementary schools and 11.8 million in secondary schools. Altogether this was an increase of 1.1 million, or 3.2 percent, over the fall of 1959.

Classroom teachers: 1,410,000 classroom teachers (counting both full-time and part-time teachers) were employed, 861,000 in the elementary schools and 549,000 in the secondary. This was an overall gain of 55,500, or 4 percent, over the 1959 total.

Substandard credentials: 91,500 teachers had substandard credentials—a decrease of 5,500, or 5.6 percent, from the year before. The percentage of all teachers with such credentials also fell, from 7.2 percent in 1959 to 6.5 percent in 1960. Most of these teachers were in the elementary schools—67,200, compared to 24,300 in the secondary.

Instruction rooms completed: 69,400 classrooms were completed during 1959–60; this figure, which includes both new construction and rooms converted from other uses, is approximately the same as the number for 1958–59, but below the peak of 72,000 completed in 1957–58.

Instruction rooms under construction: 69,600 classrooms are scheduled for completion in 1960–61. This is somewhat better than the 69,400 rooms completed in 1959–60, but something less than the average of 70,000 for the 5-year period ending with 1960–61.

Instruction rooms abandoned: 17,800 classrooms were abandoned during 1959–60, partly because districts were reorganized and consolidated, partly because buildings became obsolete. In the year before the figure was 16,400.

Pupils in excess of capacity: 1,868,000 pupils were in excess of normal capacity, an increase of 122,000 over the number in the fall of 1959. In 36 States and the District of Columbia 685,000 pupils were on curtailed or half-day sessions. About half of the 685,000 are included among the pupils reported as being in excess of normal capacity.

Classroom shortage: 142,100 additional instruction rooms were needed in the fall of 1960—6,900 more than the 135,200 needed the year before (the total shortage of 132,400 reported in the fall of 1959 was revised to 135,200 after 5 States sent in revised figures). The shortage for the fall of 1960 consisted of 66,100 classrooms needed to accommodate pupils in excess of normal capacity and 76,000 to replace unsatisfactory facilities.

[1] Figures given here are from Office of Education Circular No. 634, "Fall 1960 Statistics on Enrollment, Teachers, and Schoolhousing," by Samuel Schloss and Carol Joy Hobson. It will be available from the Office of Education in February.

Mr. JAVITS. Second, Madam President, there would be no Federal control over local educational systems under the terms of the bill. We fought that issue out thoroughly. I believe there will not be control. I shall certainly reserve the right to fight against it if any evidence of it appears.

Third, I do not agree with the opinion of the Secretary of Health, Education, and Welfare as to the use of any of this money for school districts which are in direct defiance of the constitutional mandate for desegregation of schools involving also court orders which may be outstanding against those districts. I feel perfectly free to fight against that. I am confident I am correct as to the law, and that the Attorney General will take that view of the law, and therefore I do not consider this to be a reason to vote against the bill.

Fourth, I think we have a good faith obligation to the parochial and private schools, to the parents and teachers involved, to enact legislation tailored to their needs based on the National Defense Education Act. As one member of the Subcommittee on Education and of the Committee on Labor and Public Welfare I shall devote every talent I have to bringing about that result very promptly upon the heels of enactment of the bill before the Senate for Federal aid to education.

I think the national interest is such that we have all had to weigh many points of view and many ideas, as I have said a number of times before, in order to keep our eyes on the main point, which is, at long last, crowning with success the effort for Federal aid to education, so essential to the national interest.

ORDER OF BUSINESS

Mr. MAGNUSON. Madam President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator.

Mr. MAGNUSON. The Senator from Alaska [Mr. BARTLETT] and I have completed a report on 2 years' work on the Alaska International Highway and Rail Commission. The Commission is scheduled to expire today. We wish to submit our official report to the Vice President, to the Speaker, and to the Congress. This will be one of the few Federal commissions to expire on time. I am sure the Senator from Louisiana [Mr. ELLENDER] will applaud that accomplishment.

Mr. HOLLAND. Madam President, I am in sympathy with the objectives of the distinguished Senator, but I have already declined to yield to the junior Senator from New York [Mr. KEATING] when he requested 10 minutes, on the ground that I am forced to decline to yield freely to many Senators unless they would be very brief. Unless the Senator from New York will relieve me from that situation, I am without authority to proceed in this regard.

Mr. KEATING. Madam President, I appreciate the courtesy of my friend from Florida. I should like to have 5 minutes, if the Senator could afford to yield that much time to me. I would not wish to have any commitment the Senator might make to me interfere with such an urgent request as the one my friend from Washington has, and I leave it to the Senator's discretion whether he feels he can yield to me for 5 minutes.

Mr. HOLLAND. Madam President, I see that I am losing again, so I yield to the Senator from Washington to present his important report.

Mr. MAGNUSON. I thank the Senator from Florida.

REPORT OF ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

Mr. MAGNUSON. Madam President, we shall not take more time than is necessary, but this matter is urgent.

Today, as Chairman of the Alaska International Rail and Highway Commission, I am submitting to the Vice President and to the Speaker of the House the final report on this very important matter concerning the transportation requirements for the growth of Northwest North America.

I am glad the distinguished Senator from Oregon [Mrs. NEUBERGER] is the Presiding Officer at this time, because I know of no one who was more helpful or more concerned about the problems of the economy, the natural resources, and transportation development of the great north country than our friend Dick Neuberger, who helped us considerably.

I wish to read the letter of transmittal of the report, so that it will be clear in the RECORD:

DEAR MR. VICE PRESIDENT: There is transmitted herewith the final report of the Alaska International Rail and Highway Commission. This report is submitted to the Congress in accordance with the provisions of Public Law 884 of the 84th Congress, as amended.

The Commission was directed to make a thorough and complete study of additional rail and highway transport facilities connecting the United States with Central Alaska to determine, first, economic and military advantages; second, the most feasible and direct routes relating to the economic benefits; to the 48 continental United States, Canada, and the new State of Alaska; and, third, the most feasible feeder rail and highway routes connecting coastal ports with these facilities. The Commission was directed to give particular attention to the feasibility of rail and highway facilities between the northwest region of the 48 States and Alaska, and to report to the Congress the results of its studies no later than June 1, 1961. The report includes recommendations of routes and facilities determined most feasible and beneficial, with estimates

of construction costs and economic benefits to the United States, Canada, and Alaska, as provided in the act.

Detailed economic studies conducted by direction of the Commission analyze location, availability, and extent of natural resources. The report forecasts resource and industrial development which may reasonably be expected during the next two decades, including a review of world markets and competitive sources of these products.

Since the study involved substantial areas within Canada, the Commission is fully aware of the need for consultation with officials of the Government of Canada. Recommendations include suggestions to the Congress that the Secretary of State be directed to initiate negotiations with the Government of Canada and the Secretary of Commerce be directed to establish a technical staff in the office of the Under Secretary for Transportation, leading to the achievement of the objectives set forth in this report. Specific projects for consideration during negotiations should include exploration of methods to insure growth of the merchant marine of both countries; the construction of a coordinated hard-surfaced highway system to serve Alaska, British Columbia, and the Yukon and provide a second and shorter highway between the Pacific Northwest region of Alaska; and, the extension of the Alaska Railroad to the Yukon border to connect with a Canadian railway at the border and provide a link to the continental rail network.

This report was submitted by me as Chairman, to the Speaker and to the Vice President. Distinguished Members of the House of Representatives, other members of the Commission, are presenting this report in the House today.

As its final act, the Commission decided to submit a resolution, which, in effect, would not continue the life of the Commission but would provide that the Secretary of Commerce, the Secretary of the Interior, and the heads of other appropriate agencies take such actions as may be necessary to achieve the objectives set forth in the Commission's report, to establish a technical staff in the office of the Under Secretary of Commerce for Transportation and to implement the results by negotiations with the Government of Canada, recommending to the Congress such proposed legislation as may be necessary to bring the countries together on this vital program.

Therefore, on behalf of myself, the Senator from Colorado [Mr. ALLOTT], and the Senator from Alaska [Mr. BARTLETT], I submit, for appropriate reference, a resolution to express the sense of the Senate on recommendations of the Alaska International Rail and Highway Commission.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 151) was referred to the Committee on Foreign Relations, as follows:

Resolved, That it is the sense of the Senate that in order to carry out the recommendations of the Alaska International Rail and Highway Commission, established by Public Law 884, Eighty-fourth Congress, in its report dated May 15, 1961, the President should (1) direct the Secretary of State to negotiate with the Government of Canada for the purpose of establishing a coordinated water, rail, and highway development program in northwest North America to provide economic, civil defense, and military benefits to both the United States and Canada, as recommended by such Commission, and (2) direct the Secretary of Commerce, the Secretary of the Interior and the heads of other appropriate agencies to take such action as may be necessary to achieve the objectives set forth in the Commission report, including establishment of a technical staff in the office of the Under Secretary of Commerce for transportation, implementation of the results of negotiations with the Government of Canada, and recommending to Congress necessary legislation.

Mr. MAGNUSON. Madam President, the report was unanimous with two exceptions. My distinguished friend and colleague, THOMAS M. PELLY, Representative from the State of Washington, also a member of the Commission, registered a dissent as to the recommendation of a portion of the Commission's report. In recommending a rail link by the Commission, he said:

I must register dissent from the recommendations of the Commission adopted at the meeting of May 3, 1961.

In this connection, I wish to record my views strongly opposing the expenditure of public funds to construct an extension of the Government-owned Alaska Railroad to the Alaska-Canada border.

Rather, I support the conclusions of the Battelle Memorial Institute, arrived at after careful lengthy study for the Commission, in favor of a system of highways in Alaska connection with tidewater.

The recommending of a rail link by the Commission was arrived at without due and proper study of the adverse effect of Government-owned railroad competition on other forms of privately owned transportation.

Also, and of even greater concern to me, would be the adverse effect of a rail extension on Alaska's coastal communities and areas outside of the so-called rail belt, which stand to suffer diminished or complete loss of scheduled steamship service.

In my opinion the nature and extent of this adverse effect should be analyzed before making a recommendation favoring an extension of the Government railroad which the Battelle Report has said was not economically feasible.

Therefore, pending such further study, I am compelled to disagree with the recommendation for negotiation with Canada and likewise setting up a technical staff to implement this report.

As Chairman, I made the following statement, which in effect is a statement of individual views on the question of the rail connection:

I am inclined to give weight to Congressman PELLY's individual views relating to the extension of the Government-owned Alaska Railroad to the Canadian border. I feel that a railway connection between the Alaska Railroad and the continental rail network will be accomplished ultimately and that a rail link is essential for the comprehensive development of Pacific-North American transportation.

However, I do agree with Mr. PELLY to the extent that the recommendations in the Battelle report which favor an integrated system of highways connecting with tidewater should have priority in our efforts to reach our ultimate goal.

A series of recommendations was made to the Congress. As I have said, this report was the result of approximately 2 years of study. We established the services of the Battelle Memorial Institute, which went into the economic requirements, priorities, and feasibilities of this great new pioneer area. I believe that anyone will find it excellent reading. I think the conclusions are even a little bit conservative as to what can be done in this so-called new frontier.

Since we began the report, Alaska has become a State, which makes it all the more important that both the United States and Canada pay attention to this important subject.

I had the privilege of being Chairman of a similar Commission in the 1930's prior to World War II. A counterpart Commission was appointed in Canada. We had many meetings and did a great deal of work on this subject with the U.S. Army Engineers, the Canadian engineers, and others, and we recommended a highway to Alaska. There was some dispute as to the route at the time, but World War II broke out, and the International Joint Commission decided to build a highway to Alaska, which is now the highway system that is well known to most of us in both countries.

This report is a supplemental report to integrate that entire area and to provide a sketch of the much needed transportation for the tidewater of Alaska, or what we call the Panhandle in our country, the southeastern portion. The report goes into great detail regarding the possibility of development of this vast reservoir of natural resources that exist in what is the only real frontier, resourcewise, known to us on the whole North American Continent.

Madam President, I submit this report with great pleasure. The distinguished Senator from Colorado [Mr. ALLOTT], the distinguished Senator from Alaska [Mr. BARTLETT], and three representatives in the House of Representatives are also members of the Commission. There are other interested individuals, including representatives from the State Department, the Army Engineers, and the Department of Commerce, all of whom perform yeoman work.

The PRESIDING OFFICER. The report will be received and referred to the Committee on Foreign Relations.

Mr. MAGNUSON. Before I take my seat, I wish to pay tribute to our fine executive secretary, Carl L. Junge, who did most of the work for us. The amount of time he spent and the work he did were of inestimable value to the whole Commission. I compliment all members of the Commission. This is one Commission that has concluded its work on time.

Mr. BARTLETT. Madam President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from Alaska for a brief statement.

Mr. BARTLETT. The Senator is most gracious, and my statement will be brief. I am glad to be able to be present in the Chamber, as I know the Senator from Colorado [Mr. ALLOTT] is also, as the chairman submits the final report of the Alaska International Rail and Highway Commission.

Madam President, I wish to say three things. First, the senior Senator from

Washington has been entirely too modest in referring to his past activities in connection with a transportation system to Alaska. His efforts have been continuous and effective for more than a quarter of a century, and much of what we have by way of transportation today is the result of his effort. On behalf of Alaskans I desire to pay him tribute.

Second, I recall ever so well a day in November 1942, when, in company with Richard S. Neuberger of the Northwest Service Command, I was at Kluane Lake, north of Whitehorse, when the Alaska Railroad was dedicated. I am particularly happy that on this occasion, when the final report of the Commission is presented, his successor in office, bearing his name, occupies the chair.

Third, and finally, I have a profound conviction that if the recommendations can be carried through, the empire of the Northwest, to which the senior Senator from Washington has referred, will be truly opened for economic development, and for settlement, and its riches can be exploited under proper conditions.

In connection with this report it must be emphasized that all these routes are international in character. They will come into being only through agreement between the United States and Canada. We are not trying to impose anything on Canada. We wish to negotiate.

I thank the Senator from Florida for yielding to me.

Mr. ALLOTT. Madam President, will the Senator from Florida yield?

Mr. HOLLAND. I understand that the Senator from Colorado is also a member of the Commission now making a report?

Mr. ALLOTT. The Senator is correct.

Mr. HOLLAND. I yield to him for a brief statement.

Mr. ALLOTT. I thank the distinguished Senator from Florida.

Madam President, I have one or two points to make concerning the report. First, I think the Chairman of the Commission deserves a great deal of credit for many things—for the way he has carried on this project, for the fact that the work has been concluded within the prescribed time, and for the fact that the work is outstanding.

With respect to the report as a whole, from time to time there will be disagreement as to some phases of the report. Economic conditions, perhaps military conditions, and geographical conditions may change. But I believe the report contains what the Commission has set out to find. Findings of fact are set out upon which future action concerning railroads and highway transportation can be planned for this great area.

That objective is what we set out to reach. I am sure the Secretary of Commerce, the Secretary of Interior, and such other agencies as may have to act in this field will find in the report every reasonable fact and assumption to begin to transpose the report into action. We all hope for such action.

I thank the Senator from Florida for yielding to me.

Mr. HOLLAND. The Senator is welcome.

Mr. MAGNUSON. I thank the Senator from Florida.

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. HOLLAND. Madam President, not long ago I heard a Senator say that he regretted that he could not support the proposed legislation. I am not in that position. I cannot support the proposed legislation and would not support it. I do not feel that it is at all necessary to make any apology for being against the proposed legislation and all other measures of this type.

Madam President, there are appealing features in the bill for which I would have been glad to vote if they had been separately presented. One of them is the defense-impacted school program, which I shall mention later. That is a part of the bait that has been added by the sponsors of the bill. The trouble is that they are added to a principal program which would provide that the common public schools and the public secondary schools of the Nation would be given very large Federal grants by way of increasing their revenue for school building and for school operation, including teachers' salaries and for school operation under an amendment which has been adopted on the floor, which includes other things, from athletic coaches up and down the line, to cover every conceivable sort of expense in the operation in the public school system.

I am out of sympathy with the idea of the Federal Government authorizing such an expenditure of about $2.5 billion, and I am against the Federal Government taking over responsibility for the operation of our public school system. I see the handwriting on the wall in this program, which certainly will lead, in my judgment, to Federal control, as much Federal control as any Federal Government may want to exercise over the public school system of every State in the Nation and over every detail of the operation of every public school at the common school and secondary school level.

I believe very strongly that since the beginning of this country the matter of education of our children when they are young so far as the public is concerned, has been primarily a matter to be determined in the homes from which the children come, in the communities where they are raised, and at the highest level in the States of which they are citizens.

The Federal Constitution is silent on the question. Up to this time the Federal Constitution has not been interpreted so as to bring the Federal Government properly into the common school effort. I for one do not want to see this entering wedge on a very large basis of some $2.5 billion of Federal money contributed for the operation of the public schools throughout the Nation.

The schools were never intended to be under Federal control. In their very nature they are close to the home and community and State, and should be kept so. I believe that was the contemplation of the Founding Fathers, and it has certainly been the contemplation of the fathers and mothers from that time until now. I do not want to see that philosophy changed by the passage of the pending bill. I do not want to see the Federal Government placed in control of our public school system.

Senators say no control is provided for in the bill. However, certain controls are mentioned in the bill. Beyond that, my point is that control down to any level that may be desired at any time by any Federal Government will be exercised. My experience in government, which has lasted over a good many years, has conclusively indicated that the government that pays the bill can, if it so desires, control the operations, and in most respects it soon wants to control the operations and soon does so. I remember that when I was chairman of my local school board in my hometown, schools were supported in the main by local school districts and by the counties. Then there came a demand that the State make a contribution. That contribution by the State has now become by all means the larger part of the operating cost of the schools. As I expected at the beginning, control of the school systems has largely gone to Tallahassee, the State capital. It is not possible to build a school building without getting the approval of the architect in Tallahassee. We cannot have a program of any sort without having approval at the State level. The fact remains that the supervisors who come from Tallahassee are much more in control of the structure of the public schools in my State than is anyone else on the local level or on the county level. The reason for it is just as clear as can be. It is that the State is supplying most of the money now for the schools.

I have noted, likewise, that whereas citizens once liked to go to the polls to vote onto themselves the highest millage possible for local support of the schools, they have forgotten how to do it. They try to get by with the smallest millage possible, because they have found that the system at the State level and the State appropriations at the State level will take care of them. Therefore, they try to minimize the contribution out of their own pockets. That is only human.

No one can make me believe that the citizens of this Nation or those who are in Government on the Federal official level will ever care to let the present authorization and eventual appropriation of $2.5 billion, much less the larger amount which will follow, go without control by the Federal Government of the expenditure of that fund. The Federal Government is invited to come in and take over. I have not seen any level of government willing to resist

temptation very long to come over and control it. That is what we are asking for when we pass this kind of legislation. Financing means control, and Federal financing will mean Federal control. Public servants on the Federal level who would appropriate large sums of Federal money without seeing to it that the expenditures of those funds is safeguarded and supervised, would not be true to their oath or faithful to their trust.

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

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Florida yield to the Senator from Mississippi?

Mr. HOLLAND. I yield.

Mr. EASTLAND. Does not the distinguished Senator from Florida believe that it will not be long before a limitation will be placed on appropriation bills, and these funds will only go to integrated schools?

Mr. HOLLAND. That is likely true. However, under the thinking of the authors of the bill, such express provision would not be necessary to bring about integration, because of the construction of the law which the U.S. Supreme Court has already made. I shall read into the RECORD statements by the senior Senator from Oregon [Mr. MORSE] and the senior Senator from New York [Mr. JAVITS] on that point.

Mr. EASTLAND. I agree. I believe this is a school integration bill. Fundamentally it will lead to that. Nevertheless, does not the Senator think that shortly a limitation will be placed on the appropriations which must be made each year, which will limit the funds to integrated schools?

Mr. HOLLAND. I certainly agree with the Senator that a strong effort will be made in that direction. To go further than the Senator has gone, I fear that under the present construction of the law and the Constitution by the Supreme Court of the United States, regardless of the contents of the law, the very result which the Senator states will follow.

Mr. EASTLAND. Then when the school system of a State is dependent on Federal funds, and the funds are cut off unless the schools are integrated, that State will be in mighty bad shape.

Mr. HOLLAND. Of course that will be the case. Whenever revenue upon which a school or any other public agency is dependent for its operating costs is cut off, particularly if it is cut off without notice, without legislative hearing, but instead as a result of court action or of executive action—and there well might be such action in this case—the result is very hurtful to the agency.

Mr. EASTLAND. Does not the Senator from Florida believe it will mean that unless a school integrates the races, Federal funds will be cut off?

Mr. HOLLAND. I think that is within the minds of those who are the sponsors of the bill. Let me read into the RECORD now the statements made during the debate by the Senator from New York [Mr. JAVITS] and the Senator from Oregon [Mr. MORSE]. The Senator from New York [Mr. JAVITS] was in a colloquy with the Senator from New Hampshire [Mr. COTTON], who asked:

> Is it the Senator's opinion that if the bill is passed in its present form without amendment, it would be impossible for the Federal Government to withhold aid from States regardless of the situation in such States regarding segregation?

To that question the Senator from New York made this reply:

> It is not my belief that it would be impossible to withhold. I do not believe that the bill carries that kind of mandate.

Later the Senator from New York said:

> I do not introduce the school desegregation question into this argument, even by my present assertion of legislative history. I merely wish to say that in my judgment, as a lawyer, the bill does not make the President of the United States distribute the money to every school district without regard to any law or fundamental Executive authority of the President.

A little further the Senator from New York said:

> I wish to make it clear in the legislative history—and the Senator who is in charge of the bill is on the floor—that there is nothing in the bill which is in derogation of the fundamental authority of the President of the United States to enforce all the laws of the United States. I stand on that.

The Senator from New York was making it very clear that, in his opinion, whether the bill was passed or not and regardless of whether it had in it the amendment which was then pending, the present decisions of the Supreme Court of the United States make it possible for the President to withhold funds and for funds otherwise to be withheld under court decisions.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. HOLLAND. I yield.

Mr. EASTLAND. I can tell the Senator from Florida that throughout this debate the State of Mississippi has been cited as an example of the need for Federal aid to education. On behalf of the State of Mississippi, I will state that we pay our own school bills. We have a fine school system, and we will not accept Federal aid.

Mr. HOLLAND. I am certain the Senator is stating what is the sentiment in his own State. I think it is a very sound sentiment, based upon the desire of its people to have local self-government and to retain the control of their local schools. I approve and appreciate that philosophy.

Mr. EASTLAND. Does not the distinguished Senator realize that when the Federal Government controls the school system of this country, there will follow an indoctrination course, and that the form of our Government will be changed?

Mr. HOLLAND. I am not certain of that; but certainly a road would be open for exactly that kind of experience to be sustained.

Mr. EASTLAND. That is what the Senator from Mississippi believes. That is why I oppose the bill.

Mr. HOLLAND. I oppose the bill for the reasons mentioned by the Senator from Mississippi and for other reasons which I think are equally powerful. I am trying now to state them for the RECORD. I thank the Senator from Mississippi for advancing his opinions.

Further in the statement from which I was quoting appears a statement by the principal sponsor of the bill, the Senator from Oregon [Mr. MORSE]. There are several statements, but I shall quote only two of them. The first reads:

> Certainly it is evident that the absence of a general Federal aid to education program has not stayed the hand of the Department of Justice in expressing its interest in segregation matters within the States. If no school bill is passed, the Department of Justice will still continue to intervene where it believes the Constitution calls for intervention.
>
> The enactment of the bill without the Thurmond amendment or the Powell amendment will not change the obligation of the Department of Justice or of the Federal courts to continue their present policy with respect to school desegregation.

Then the Senator in charge of the bill, the distinguished Senator from Oregon [Mr. MORSE], made this statement:

> In my judgment, one facet of the Thurmond amendment—

The amendment which was pending at the time—

> really is an attempt to direct the President of the United States or the executive branch of the Government in the execution of their constitutional duties. That cannot be done by legislation. That constitutional duty rests upon the executive branch of the Government. Whether we pass school legislation or do not pass school legislation, that constitutional obligation will not be changed one iota.

Mr. President, many things have been said by both the Senator from New York [Mr. JAVITS] and the Senator from Oregon [Mr. MORSE] in the course of the debate with which I do not agree. However, I certainly agree with the statement—which I believe is a correct one—that the present legislation is subject in all respects to Executive action or to court action, based upon the present opinion and decision of the Supreme Court of the United States, concerning certain aspects of segregated education. In my judgment, there is no doubt at all that a citizen can go to court or a State could go to court, or the President, acting upon his own authority, and being later upheld by court action, could withhold an appropriation from any State or any school which was designated to receive the payment, by reason of the fact that segregation was involved. However, that has not been, by any means, the whole or even the principal part of my objection.

I object to the Federal Government having the say about education in the common-school system. It is too far from the communities where the children live. It is too far from the homes where the ambitions for those children exist. It is too far from the type of life which is sought to be served by those children when they are educated.

Aside from that, the Federal Government is already too overloaded and too much bogged down in all its obligations, both domestic and foreign, to wish upon

it the responsibility for the handling of the public school affairs of the Nation which I think would devolve upon it, beyond any question at all, if the philosophy of the bill were followed. If the bill is passed and placed into effect, I suspect the philosophy of the bill will be followed in greater measure in the future than it is through the bill.

The population of the United States is now greater than 180 million. The scope of the Nation's geography runs from Maine to Hawaii and from Alaska to Florida. The country is vastly greater and vastly more diverse in its type of citizenship and its community problems and home problems than was the case in the beginning. Besides that, it is vastly bigger, so as to make the job of supervising, controlling, and managing the school system of the Nation a Herculean effort, one which I certainly do not wish to place upon Congress and the Federal Government, and one which, if so placed, will result in a great disservice to the school systems of the Nation.

My second point is that Federal financing such as is provided in the bill is not necessary. As a matter of fact, the States are in a much stronger position than is the Federal Government to operate the schools or to operate any other local enterprise of this kind. The Federal indebtedness is now around $290 billion. Many States do not have any State indebtedness. My State is one of those States; there are many others. I simply call attention to the fact that not only are the States in a stronger position to handle their own school problems, but they are in a better position to do so if the borrowing of money is involved—and it certainly is involved on the Federal level—by reason of the fact that State bonds and local bonds are not subject to income tax. The bonds are issued only by strong taxing authorities, such as the States are, and they can be sold at highly advantageous rates which are not now available in many instances, to the Federal Government.

So, Mr. President, anyone who thinks that Federal financing is necessary, simply has not looked at the picture, but has, indeed, been one of the ardent disciples of Federal control, of more centralized government, seeming to believe that merely by dumping these problems or any other problems of government on the Federal Government, it will be possible to find solutions which will be likely to be better than the solutions which otherwise would be found.

Mr. President, to the contrary, we shall have, instead, worse solutions; and I know that the distinguished Senator now presiding over this body, the senior Senator from Michigan [Mr. McNamara], has already learned that his own people and, for that matter, the people of every other State and every other community, feel less responsible or less careful about the handling, the management, and the expenditure of money which comes from a higher level of government, and which, somehow or other, they think did not come out of their own pockets—although it happens that it did come out of their pockets.

So far as Florida is concerned, Florida would pay about as much as it would receive under this program. I think that money, if raised from our State locally—if it were needed—would be expended much more carefully and much more frugally if it came directly out of the pockets of the citizens of Florida and then were expended directly by those who have to go to the people every 2 years or every 4 years, for election or defeat, depending on the kind of job they have done. I believe that locally raised moneys are regarded, and always will be regarded, as funds which will be more carefully safeguarded than moneys which come from some extraneous source, even though all citizens have contributed to the raising of that money.

Florida will receive approximately $21 million, under this law. That represents substantially 5 percent of the school budget of Florida, not including the budget for the universities, the colleges, and the junior colleges of Florida, but including only the Florida primary schools and secondary schools. The total school bill of the State of Florida at this time is almost exactly $400 million—that is to say, from State sources and from local sources; and the $21 million is just a hair over 5 percent of that total. Anyone who thinks there would be any great difficulty in raising $21 million from a State which has no indebtedness, and has not probed many sources of revenue, if the State found it was necessary to do so in order to continue to operate its schools, has simply had an experience much different from the experience I have had in State government and in local government. I believe it would be a very simple matter to raise that additional fund through local taxation; and I believe that the real question is what is needed. As to that question, I am perfectly willing to have the school authorities in my own State and in my own county and in my own district and the legislature and the Governor of my State have primary responsibility for determining what is needed for the proper operation of the schools in my State.

Mr. President, it so happens that here in the Senate we find a peculiar complex which makes us think we know better what our constituents need—or, at least, very many of us have this complex. I call it a Messianic complex. It becomes rather funny when we dissect it and analyze it. My home is approximately 1,000 miles from Washington, and the home of the Senator from Montana [Mr. Metcalf], who now occupies the chair, is perhaps 2,000 miles away from the Nation's Capital. Is it possible that a man who is sent to Washington, from his distant home can become better educated and better trained in analyzing the educational needs of his constituents than he was before he reached Washington, D.C.? I think the State legislators, who live among the people of their State and who spend much more of their time with them than I am able to do, and whose children attend school there, and who are in constant contact with that problem, have a considerably better understanding of what is needed than I could have, while I am here in the Nation's Capital.

When I was chairman of my school trustees, at home, I thought I knew fairly well what was needed in that school—inasmuch as I had taught school for several years and have always been a kind of teacher, as I am told often here in the Senate. It seems to me that at that time I was fairly close to the problem and was able to understand it. In those days my understanding was reflected almost entirely in the millage which was voted locally in the district and in the county and in the small amount of aid which we received from the State. I do not think I was a better school official than the school officials who now serve there; and I give them credit for knowing a great deal about what the needs of those schools are and for knowing much more than I know or much more than my able associates in the Senate know about the needs of those schools.

Furthermore, Mr. President, I know that my State is an aggressive State and is a progressive State, and I know it is very ambitious as regards the field of education, and I know that the Florida school officials and the people of Florida are trying very hard to give the children who live in Florida the benefit of the best possible education which can be had anywhere, and I am willing to let those schools be compared with any schools to be found anywhere else.

Mr. President, I do not believe I can adopt the philosophy that it is proper for me to acquire the Messianic complex to which I referred a moment ago, and to say to the people of Florida, "I believe I know more about your schools than you do, and I believe Members of Congress who come from distant States know more about your schools than you do," because if our form of government means anything, it can still be properly described in the words used long ago by Thomas Jefferson:

> That government is best which is closest to the people, and that government is best which governs least.

I believe that at the national level that is particularly true, inasmuch as today we are saddled with such enormous problems, worldwide in scope, which are making many of us even more gray haired than we were when we first came here.

Mr. President, I was among the group of Senators who earlier today went to the Hall of the House of Representatives and heard the message delivered by our President, who told us what he thought we needed to do today, in the perilous times in which we are living. I wish to call the attention of the Senators who now are with me in the Senate Chamber that I thought anyone who listened to that message from the President heard enough to keep him scratching his head for at least a year or two in an effort to determine what should be done in defense of our country and for the security of our country and for the doing on behalf of our country those things which need to be done.

Yet here it is proposed to enlarge our Federal responsibility in ways which were not even dreamed of in the days when our country was relatively small in size and our population not great, and to impose upon the Central Government the responsibility—and it will be that, soon, if this bill is passed—of operating, in large part, the public school system of this Nation.

Mr. President, I have been in government for a long time—perhaps 40 years. I have never yet seen one departure from the rule that when one gives money for a local enterprise, very soon he is going to control it. When I became Governor of my State, the Federal Government had just taken over the financing of the welfare department and other departments of our State government, insofar as paying the salaries, in major part, was concerned. I found very soon that, along with that Federal money, which we accepted, we accepted the responsibility to operate what they called the merit system in connection with the personnel in those offices. I found out very soon that that particular merit system put a premium on mediocrity, instead of permitting me to operate those branches of our Government by picking people whom I knew to be good people to run them. My hands were tied by supervision and control from far away Washington, by people who had not the faintest idea of the personalities and qualities of those who had to perform the important duties of operating those agencies of government.

I have seen no exception made to the rule that control of activities goes to the place where the financing is.

Mr. President, this is just the beginning. The admission of the Senator from Oregon [Mr. MORSE] and the Senator from New York [Mr. JAVITS] that, in the very first instance, regardless of what we put in this bill, the operations of the Federal laws will be such as to cover the question of segregation, along with other questions which were not mentioned, shows rather clearly that Federal control is one of the things which will follow, and which I believe to be one of the objectives of those ardent disciples of centralized government who are asking that our Central Government take over the control of our school systems.

The third point which I make is this: This program will, in my humble opinion, create the deepest kind of bitterness between groups of good citizens in our country, and establish that bitterness as a way of life among them, at the very time when the unity of our people is of the greatest consequence it has ever been in time of peace in all the history of our Nation.

Why is that? It is because there is implicit in this legislation a discrimination against millions of children who are American children, with exactly the same heritage that every other child has. That discrimination is implicit in this bill, and then is augmented and increased by the mode of distribution provided in the bill.

Why do I say it is implicit? It is implicit because, under our Constitution, as I believe it provides, we cannot make the benefits of this bill apply to the children who attend the religious and private schools of our Nation, but must, instead, confine our beneficence and our grants to those children who go to the public schools.

This is no time to argue the reasons for that, but I think there is no Member of the Senate who does not believe that there is implicit in this question the necessity of making the grants go only to the children who attend the public schools.

There are some who seem to think that it is only those who go to Catholic schools who are involved in this problem—and they are the major group; but there are so many private schools that are also affected that I thought it might be interesting to comment that a considerable number of private schools exist within my own knowledge that are maintained by other denominations which are not Catholic.

Right here in the city of Washington, and in the adjoining city of Alexandria, there is an Episcopal high school maintained by that denomination. In the city of Jacksonville, one of our great cities in Florida, which I know pretty well, I know of two schools, and there may be others, which are maintained by churches for the education of their children. I do not mean their religious education; I mean the all-around education of their children. One is the Riverside Presbyterian Church of Jacksonville, Fla., and the second is the Berea Baptist Church of that city.

Right here in Washington we have one example, of many that exist throughout the Nation, of a school maintained by the Society of Friends for the education of children of that religion and of other children who may be sent there. I am thinking of the Sidwell Friends School. There are numerous other illustrations of such church-sponsored schools I could give.

I have mentioned these because I do not want my remarks at this stage to be regarded as referring solely to those millions of people who belong to the Catholic Church, which is a great church, and who in many instances send their children, by their own preference, to the so-called parochial schools.

Every church has the right to maintain such schools, and many churches do maintain them. Since the decision of 1954 and since the different U.S. Supreme Court opinions on the segregation question, the number of such schools has multiplied greatly, and I predict it will multiply even more.

So what we are talking about now is discrimination against people who belong to various churches, who, for reasons sufficient to themselves, and which they think have to do with the ultimate best welfare of their children, send their children to schools maintained by their churches.

In my judgment, Mr. President, that discrimination is unavoidable under the bill, because the Constitution so provides. Why should it so provide? I doubt if the framers of that particular part of the Constitution which is in question here were even thinking about schools, but at any rate, they felt that the division between the State and religious institutions was sound, and they made it, and I think it applies in this case.

So, in the first instance, that discrimination is unavoidable and would have to exist in many cases and as to millions of children. This bill would multiply that discrimination, and would add insult to injury, if I can use those words, and I think they are proper words, by providing another detail in the distribution of the funds which is particularly discriminatory against the children who attend that kind of school.

What is that provision? It is the provision in the bill, adopted within the last few hours of its consideration by a majority of the committee, and over the opposition of other members of the committee, which, for the purpose of distributing Federal funds to the States, counts and includes the children who go to parochial and other religious and private schools—in short, counts all children—with full knowledge of the fact that, in spite of the fact that the amount to be assigned or the total going to the State is going to be increased by the presence of those children in those schools, but that nevertheless those very children are to be precluded and prohibited from receiving benefits under grants to the States.

Mr. President, on the floor yesterday, I tried to make this a simple matter by commenting it looked to me to be this kind of a situation: That when the Federal pie was being cut up a slice was provided for every child, regardless of whether he went to a public school, a private school, a parochial or religious school, with full knowledge of the fact that all the slices cut for the children not in public schools would go as largess and a bonus to the children who were in the public schools.

Mr. President, that is adding insult to injury. That is piling discrimination on discrimination. There is no way to avoid that conclusion.

I have been impressed with the fact that in order to justify the inclusion of all the children it was thought necessary to add about $200 million to the total amount, which represents the pieces of pie which were cut from Federal finance for the children who had not been in the computation under the bill the way the President sent it to Congress but who were added to the computation by the majority of the committee at the time and in the way I have mentioned.

Mr. President, it is not for me to comment on the objectives and motives of Senators who made that decision and who reported the bill in that form, but I wish to comment upon what the result will be.

I have heard a great deal of very pious protestations before the Senate to the effect that the bill is primarily designed to help schools in the States with small income which are not able to run good schools, and with particular reference to the Southern States, which seem to be particularly, in the minds of some, the beneficiaries of this proposed system. Mr. President, instead of being beneficiaries of the system, the Southern

States will be hurt very badly by the inclusion of all the children from the religious, parochial, and private schools in all the States in the Nation, for the simple reason that most children in the South go to public schools and most children in the South belong to the religious faiths which send children to public schools.

Mr. President, I have taken some percentage figures from a Catholic publication, to show the percentage of Catholic people in various States. This does not state the number of children, but states the percentage of Catholic citizens in every State in the Union. The figures are taken from the 1960 National Catholic Almanac. I first ask unanimous consent that the compilation be printed in the RECORD at this point.

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

Percentage of Catholics in each State (as of Jan. 1, 1959)

	Percent
New England States	48.15
Maine	27.39
New Hampshire	38.14
Vermont	32.32
Massachusetts	52.80
Rhode Island	61.27
Connecticut	47.23
Middle Atlantic States	35.01
New York	35.30
New Jersey	42.88
Pennsylvania	30.85
South Atlantic States	6.11
Delaware	11.68
Maryland	23.85
District of Columbia	18.66
Virginia	3.99
West Virginia	4.47
North Carolina	.87
South Carolina	1.31
Georgia	1.54
Florida	8.63
East North Central States	25.45
Ohio	21.39
Indiana	14.84
Illinois	33.48
Michigan	23.77
Wisconsin	32.01
East South Central States	4.44
Kentucky	9.81
Tennessee	2.06
Alabama	3.17
Mississippi	2.85
West North Central States	19.12
Minnesota	27.72
Iowa	16.19
Nebraska	17.74
Missouri	17.72
North Dakota	23.16
South Dakota	19.31
Kansas	12.77
West South Central States	17.56
Arkansas	2.44
Louisiana	35.21
Oklahoma	4.27
Texas	18.06
Mountain States	19.05
Montana	22.79
Idaho	6.00
Wyoming	16.13
Colorado	18.39
New Mexico	45.49
Arizona	20.96
Utah	4.35
Nevada	18.86
Pacific States	18.83
Washington	12.31
Oregon	8.77
California	21.22
Alaska	15.78
Hawaii (Honolulu diocese only)	31.53

Source: 1960 National Catholic Almanac.

Mr. HOLLAND. Mr. President, I invite attention to the fact that instead of being particularly kindly to the States in the South, States which have been recited as those so badly needing the program—which will get it whether they wish to have it or not, under this same messianic complex I have mentioned—these are the States which will be worst hurt by the following of this philosophy, which I think piles discrimination on discrimination.

First, the percentage of Catholic population in the six New England States is 48.15 percent, according to the National Catholic Almanac. The figures vary from 27.39 percent for the State of Maine to 61.27 percent for the State of Rhode Island.

The Middle Atlantic States are New York, New Jersey, and Pennsylvania. The Catholic population in these States is 35.01 percent, ranging from a minimum of 30.85 percent in Pennsylvania to a maximum of 42.88 percent in New Jersey.

The South Atlantic States include most of the South, and the Catholic population in this region is 6.11 percent. I remind Senators that this 6.11 percent contrasts with 35.01 percent in the Middle Atlantic States, 48.15 percent in the New England States, and 61.27 percent in the State of Rhode Island. The State in this region with the largest Catholic population in the South is Maryland, which has 23.85 percent. The State with the smallest Catholic population is North Carolina, with 0.87 percent. The other States have varying percentages.

Some of the States are the same States which the sponsors of the bill have repeatedly, in the course of the argument, said they were seeking to especially help under the terms of the bill.

For instance, only 1.31 percent of the people of the great State of South Carolina are Catholic people.

The great State of Georgia has only 1.54 percent of the people of the Catholic faith.

Mr. President, I could go on through the list of the States, which show the situation as I have described it.

The next grouping is for the East North Central States, the old States of the Northwest Territory. Those five States have a Catholic population of 25.45 percent.

The East South Central States are Kentucky, Tennessee, Alabama, and Mississippi. Two of those are States which the sponsors of the bill have said will be particularly helped by passage of the bill. The Catholic population in the East South Central States is 4.44 percent. In the State of Alabama 3.17 percent of the citizens are Catholic, and in Mississippi only 2.85 percent of the citizens are Catholic.

Mr. President, there has been a whole lot of real "guff" in the debate, with statements and announcements made with messianic importance, "Yes; the bill is set up to help those States which need it most particularly." At times the speakers even name the States. I well remember that the States of Alabama, Mississippi, and South Carolina have been among the States named.

Yet, Mr. President, when we consider a State like Connecticut, which is at the very top of the totem pole, with the finest schools in the Nation, which would get the least help under the President's proposal, that State has 47.23 percent Catholic citizens.

Mr. President, I shall not burden the RECORD by going much further in this regard. I simply recite the information for the RECORD for the great State of Arkansas, another State which has been named. I think it is rather unkind for people to name great States which are doing the best job they can for their people, and in most instances taxing their people much more heavily, on a percentage basis, than the richer States. We were going to do a great job for these States. In Arkansas the percentage of Catholic people is only 2.44 percent.

This argument will not stand up. It has been referred to as hogwash. There has been a great sales program based on the argument that the bill is designed to help those who need help badly. In the last few hours of the meeting of the able committee, for some reason which I am sure was considered right, it was decided best to change the formula that the President had recommended, under which not only the children in the public schools would be counted, but the count would be made in such a way as to include all the children in all the schools.

There is no basis on which we could call the bill fair or righteous. I am very sure those who designed it thought that it was fair and righteous. I am not talking about individuals; I am talking about the proposed law. As I see it, the proposed law is a monstrosity, because instead of being fair among the people of our Nation, it would greatly discriminate against millions of children and their parents. Whether any of us thinks so now or not, the proposed legislation would be a pregnant source of the greatest bitterness. It would be the greatest divisive force between groups of people in our Nation that we have ever seen. We could not avoid the problem if we tried, because we propose to tax all the people for the benefit of the children in the public schools only, which is bad enough, but it would be required by law. Then to make a bad matter infinitely worse, we propose in the law to count all the children for the purpose of the allotment to States, and then divide that allotment only among the public school children.

Not only will children who go to private and religious schools not receive their slice of the pie, but also those who sponsored the bill on the floor have actually gone so far as to add insult to injury. They have said they will come along in a few days with another bill which will provide a slice of pie, after all, for the children in the parochial and other private schools. The bill would provide, however, that the private schools could only borrow the money, and that it must be repaid, principal and interest.

How many different kinds of discrimination is it necessary to set up in a bill of this kind without people knowing that

it will cause bitterness of the worst sort—and very properly so—because great groups of children will be left out, and because great groups of good people who are taxpayers, will be left out.

Discussion has freely taken place in this Chamber that the bill has been drawn so as to take the best care of those States that are least able to take care of their own problems. The addition of all children in the count, without allowing for any participation in the fund by the parochial schools, would badly hurt the very States that are in a worse situation and have found it most difficult to maintain the school system that they need.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield to the Senator from Ohio.

Mr. LAUSCHE. The implication has been given the Senate that the only way equity could be achieved in developing a formula would be to count the parochial school children as well as the public school children. I would like to have the Senator from Florida express his view about the legitimacy of the argument that the only way equity could be achieved would be to count the parochial school students together with the public school enrollment for the formula in the distribution of the money. On its face, what does such argument look like?

Mr. HOLLAND. On its face, that kind of argument would not hold up a minute.

When the argument is measured against the fact, its ridiculousness is revealed. Instead of being necessary, it is most unfair and discriminatory in its operation. If the Senator from Ohio had been present in the Chamber when I asked to have printed in the RECORD a list of States showing, for example, the percentage of Catholic people in each of the States, he would have found that some of the States that have the highest level of support for their own schools, and need the least help from elsewhere, are the ones that have the largest percentage of Catholic people and Catholic children. Therefore, my answer would be that the argument is more of the hogwash that has been so frequently heard in the entire debate. The real meaning of the debate is that there is a certain number of dedicated people who conscientiously believe—and I do not see how they could so believe but they do—that the best solution of every public problem is to throw it over to Washington and put it in the care of the Central Government. Then the problem will be best handled.

We have never had a more glaring example of the inappropriateness, inadequacy, and falsity of such an argument than we have at present.

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

Mr. HOLLAND. I yield further to the Senator from Ohio.

Mr. LAUSCHE. It seems to me that when we hear the argument that the only way equity could be achieved would be to include in the count the parochial school students, it is an affront to intelligence. It would be like saying "2 and 2 is 5," and then proceeding to try to prove it. Tragically, the ratio has been proved to be 60 as against 30, I believe, in dealing with the propriety of counting the parochial school children in the program.

I cannot understand the argument that to achieve equity the students of parochial schools must be counted. To me it seems to have no relationship to the problem. Countless other methods could have been devised under which there would have been equity.

Mr. HOLLAND. The Senator is correct. The way to have provided equity would have been to count the children who would be included in the distribution.

Mr. LAUSCHE. Surely. When aid is given to public schools, it is given to public school children. But the committee has the audacity to say, "We will count the students of Lutheran, Catholic, Episcopalian, and Presbyterian schools, together with the children in the public schools, to determine the number of students that will be placed in the formula."

Mr. HOLLAND. Yes. We would be saying that we cut a slice of pie for every child, but we warn the children who attend a parochial school and other religious and private schools, "You are going to have to sit and see someone else eat your slice of pie."

To carry the problem further, we say, "A little later we will allow you a slice of pie by lending you enough money from Federal sources, provided you agree to repay the loan, principal and interest, so that you can buy your slice of pie."

If such a process is right, if it is fairplay and decent, then my education has been hopelessly neglected.

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

Mr. HOLLAND. I yield.

Mr. LAUSCHE. The problem goes a step beyond what the Senator has pointed out. The parochial school pupils are counted in the total count. We would give them nothing. But we would make their parents pay additional amounts because their pupils have been included in the count. Salt is thereby rubbed into the wound. Impliedly we would tell them, "We are giving you something." We are not giving them anything. We are making them pay more under a fraudulent formula that would be adopted.

Mr. HOLLAND. We would lend back a part of their money to them, with the understanding that they would repay it, principal and interest, and be allowed in the meantime to buy a little bit of pie and consume it. The whole thing is wrong, and completely unfair. This is only my own opinion and I do not reflect upon any other Senator. I would feel that I was misrepresenting every man, woman, and child in the State of Florida if I were to allow myself to vote for a proposal which is so shot through with discrimination on discrimination on discrimination, and which has been accompanied by statements on the floor that we are trying to help some of the States neighboring to Florida, which does not happen to be in need of help. However, we have an interest in our neighboring States, and in every other State of the Union.

I see present in the Chamber the senior Senator from New York [Mr. JAVITS]. I take this occasion to thank him, and the Senator from Kentucky [Mr. COOPER], for having done their level best to devise a more decent formula, and to eliminate from the computation children who are to be deprived of any participation. The RECORD will show that I voted for both of those provisions with the Senator from New York and the Senator from Kentucky. My hat is off to them. We are greatly indebted to the Senator from New York for relating in the RECORD, where all can read and see just as long as this Nation lasts, that this change in base from the President's bill to the committee bill was made following a little caucus that was held beforehand by a majority of the committee in the closing hours of the discussion, which resulted not only in adding all the children who are not to participate in the distribution but also adding some $200 million to the pot.

The two Senators made a real contribution. I believe the Senator from New York spoke of the fact that this provision was put in to sweeten the bill for somebody. I do not know for whom it was sweetened. I certainly would not say that it was sweetened for large areas of the country where only a few children go to parochial schools, to religious schools, or to private schools. It would be much more likely to have been intended to sweeten the attitude of Senators coming from States having from 40 to 60 percent Catholic children within their States.

So far as I am concerned, this is not a religious argument. One of my reasons for opposing the bill is that under the Constitution one cannot help discriminate if a general aid to education bill is passed, because under the Constitution, as I view it, and as I interpret and understand it, we cannot give money from the public purse to go to all children, even those who attend religious and private schools. That is one of the reasons I must oppose the bill.

When we add to that the other discrimination, it becomes intolerable. The odor of the bill will go out all over the Nation when it is passed. Mark my prediction, there will be more bitterness between groups of our people resulting from the bill than has been this case in connection with any legislation which has been passed by Congress in modern times, or even at any time in our Nation. On the very face of it, the bill grossly discriminates, and then piles discrimination on discrimination.

The Senator from New York said that certain provisions were put in the bill to sweeten it. I appreciate his mentioning that point. The Senator from New York and I do not often agree, but when we do, we really agree. I am with him on this issue. I also agreed to a great extent with the Senator from Kentucky

[Mr. COOPER] when he said that the form in which the bill had come from the committee made a grab bag of it, whereby certain States would grab more out than was allowed to others. I thought that was a real contribution to the debate. That will not help the people of this Nation to come to any conclusion other than that this is discriminatory legislation. It certainly is. It is unfair as between States and between people and their children.

Another sweetening went into the bill which I do not believe was mentioned by my distinguished friend from New York. I think it is worth referring to. Senators will remember that as the bill came from the President it would have seriously reduced assistance for the so-called defense-impacted schools. There are many areas in this Nation, some in my State where the children who were brought in by the defense forces and by the contractors who are working for the defense forces have become the major part of the school load in the school districts. It is only decent and fair for Uncle Sam to meet that part of the load in large part and certainly in the main; and it has been regarded as good philosophy in Congress ever since the situation was created during the war.

The President's bill provided a number of severe reductions in the programs for defense-impacted schools. Many Senators, including the Senator from Florida, made it plain that they felt that was a fair charge that Uncle Sam was declining to pay. Provisions extending these programs without change were put in evidently with the idea of inducing Senators to vote for the main purpose of the bill, regardless of how much they disliked it, merely because there is impact money in it for their own States and their own people.

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

Mr. HOLLAND. I yield.

Mr. BENNETT. Is it not fair to say that this particular action was the opposite of sweetening, and that it was a club to be used over the heads of Senators like the Senator from Florida and the Senator from Utah, who have more or less the same problem, to force us into line?

Mr. HOLLAND. In its origin it was, I will agree. The committee found that certain Senators felt that Uncle Sam should continue to do his duty in this field by taking care of at least a large part of the expense of the local school systems, particularly when he took land from the tax rolls, as was the case in some of the counties in my State. The committee then decided, in order to make the bill a little more appealing to Senators in whose States there were large defense installations, to change the President's recommendation. They did change it, not only to restore it, but to continue it for 3 years.

Let us put some specifics into the arguments on this point. With reference to Public Law 815, which is one of the two public laws having to do with the defense-impacted areas, section 5(a)(2) is the one that authorizes construction assistance at the rate of 50 percent, computed by a certain formula, of the number of children whose parents are employed on Federal property but live off such property.

The President's program would have reduced that percentage from 50 percent to 25 percent, meaning that the local governments would have had to put up 75 percent, computed under the formula, and the Federal Government 25 percent, instead of the 50-50 division which had been in effect for so many years.

One of the sweetening processes in the course of the determinations of the committee was to restore the previous level of 50 percent, and to extend it for 3 years without change.

I do not know what the Senator from New York meant when he used the word "sweetening." But we in Florida, who raise a good deal of sugarcane and have other products which are sweet, would be inclined to say—and I do now say—that that was one of the sweetening processes in connection with reporting the bill. I resent it.

Section 5(a)(3) of Public Law 815 provides for Federal construction assistance for school districts on account of increases in the number of children whose parents move into the school districts to work for Federal contractors. That applies in areas around Washington and in some other areas in the Nation.

The President's proposal would have eliminated that section entirely. However, in the process of sweetening the bill the committee proceeded not only to reinstate that section, but to extend it for 3 years.

Again basing my statement upon my limited experience with sweetening materials, I should say this was a very distinct sweetening of the bill. I resent it.

Public Law 874, which is the other law of this kind, has section 4(a), which authorizes Federal operation and maintenance assistance for school districts on account of increases in the number of children whose parents move into school districts to work for Federal contractors.

The President's program would have eliminated that section. The committee in its wisdom, and in connection with what I think was a sweetening process, proceeded to restore that section to the bill and to extend it for 3 years without change. I think these are almost callous actions. I think they show on their face what they are. They are efforts to make Senators vote for the very thing which they do not like, and which they resent with all their might.

In general, the Federal aid to public schools bill is merely an effort to provide assistance for the States. I will tell the Senate how the Senator from Florida reacts. He would like to vote for the "federally impacted" sections of the bill. He voted for them before, and would like to vote them again. But he will not vote for the bill merely by reason of their inclusion.

There is still ample time for the reenactment of those two measures as separate legislation. Separate bills have been in the Senate and the House since shortly after the convening of this session early in January to do just that. So it is very evident that what has been done has been an effort to force Senators whose States have many defense installations to support the bill, or else be held not to have done the things which their school authorities back home were asking them to do.

Mr. BENNETT. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. In a moment.

I have enough confidence in both the intelligence and the patriotism of the school officials back home to believe that they will not only understand my vote against the bill in the way it has been placed before us, but will warmly approve my action and will agree with me that the proper course would have been to report the proposed legislation separately, as it has always been considered before, and to pass it on its own merits.

I now yield to the Senator from Utah.

Mr. BENNETT. I appreciate the careful explanation the Senator from Florida has given of the dilemma in which many Senators are being placed by reason of the inclusion of certain features in the bill. I introduced a bill to continue Public Law 815 and Public Law 874 independently of any action on the pending bill. Having taken that action, I shall be very happy to stand with the Senator from Florida and vote against the bill, in spite of the fact that I may be charged with having assisted in the scuttling of Public Law 815 and Public Law 874, or rather charged with having turned my back on the proposed legislation which I introduced.

I think this bill is a combination of the stick and the sweetening. I am very sorry these particular provisions were included in the bill before us.

Mr. HOLLAND. I appreciate the statement made by the Senator from Utah. I should have called his name, because I knew he had introduced such proposed legislation, but I was fearful that I might omit the names of other Senators—and there are a number of them—who have introduced separate bills of the type mentioned by the Senator from Utah. Probably every one of those Senators could stand in his home State upon the fact that he has done his best to renew that legislation by itself, as should be done, and not to encumber it with a proposal which in his heart and conscience he believes to be hurtful to his people and to all the country.

Mr. President, it seems to me there has not been so mischievous a proposal introduced in the Senate this year or, for that matter, in all the 15 years I have served in the Senate. The Senate has frequently considered measures for public school support at Federal expense, but I do not believe there has ever been introduced a bill in which as many carrots on a stick have been held out to try to get support; in which as much sweetening has existed and has had to be admitted, because the record shows it; and in connection with which there has been such apparent resort to grab-bag tactics, as was described by the able Senator from Kentucky [Mr. COOPER].

While the Senator from Kentucky was necessarily absent from the Chamber a few moments ago, I paid tribute to him for suggesting the other day what I believe is so true, namely, that the bill contains all the aspects of a grab-bag, considering the treatment it has received from the committee which reported the bill.

I have done everything I could in the course of the debate by voting for corrective amendments or amendments which I thought provided more nearly fair treatment. This is the first time I have spoken on the bill. But I was not content to have the bill pass without stating my opinion that it is a monstrous thing and violates every principle of fair-play. I think it was created by minds who seem to think that pouring our problems into Washington and putting them in the Central Government is the ultimate solution of all problems.

Whether we wish to believe it or not, the country is in critical times. There is not time enough for any conscientious Senator to give to his committee duties all the attention they require. There is not sufficient time for Senators to obtain the information they should have concerning important bills upon which they must vote.

We are in the midst of critical problems at home, in the Western Hemisphere, and throughout the world. As I said a while ago, we heard the President, for whom I know every Senator would wish to give everything he has in the way of support, so far as his conscience and convictions permit, outline a large number of problems which he says press so heavily upon our Nation.

Here it is proposed to create an establishment which not only has taken much of the valuable time of Congress and will take more, but which, if it is passed, will place upon us annual duties in connection with trying as best we can to supervise—and we will have to do that with the amount of money which is involved—the appropriations which we make to the school systems of the States. We put upon our people something which will divide them as surely and as bitterly as it is possible for them to be divided at a time when it is so necessary that all Americans be thinking together and working together for the salvation of this great country, which means much not only to our own families and our children, but to everyone who loves the cause of freedom throughout the world.

We are severely handicapping ourselves by the consideration and, more particularly, by the passage, of such legislation as this. I wish I could believe that the Senate in its wisdom would reject it by a tremendous vote.

I shall, of course, vote against the bill.

Mr. BENNETT obtained the floor.

Mr. RANDOLPH. Mr. President, will the Senator from Utah be so kind as to yield briefly to me?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from Utah yield to the Senator from West Virginia?

Mr. BENNETT. I yield.

PRESIDENT KENNEDY PRESENTS VIGOROUS AND VITAL MESSAGE—LETTER ON NEED FOR LEGISLATIVE ACTION INDICATES SCOPE OF PROGRAMS IN PENDING PROPOSALS

Mr. RANDOLPH. Mr. President, the Congress and the Nation—indeed, the nations of the world—today received from the President of the United States a most courageous, forthright, and inspiring message. It was a thoroughly commendable and timely sequel to President Kennedy's widely acclaimed inaugural address. I have no doubt but that the Congress and the citizens of the United States will be appropriately and affirmatively responsive.

I wish especially to applaud the President's declaration that, on behalf of this country, at the forthcoming meeting in Vienna with Premier Khrushchev—

> We will make clear that America's enduring concern is for both freedom and peace—that we are anxious to live in harmony with the Russian people—that we seek no conquests, no satellites, no riches—and that we seek only the day when "nation shall not lift up sword against nation, neither shall they learn war any more."

On this occasion, however, I desire to direct attention primarily to the President's cogent discussion of economic and social progress at home.

I concur fully with his pertinent assertion that—

> The ultimate source of our national strength is the quality and vitality of our own society. To sustain new efforts in world affairs and space—to demonstrate to all the success of freedom's way—and to meet the needs of our own citizens when we are assisting others—we need a growing, prosperous nation. We must make full use of our resources—human, scientific, and material—giving priority to our most urgent national needs.

It was heartening to have Presidential assurance that "the recession has been halted—recovery is underway." It was sobering, however, to have heard him state so properly:

> But the task of abating unemployment and achieving a full use of our resources remains a serious challenge. Large-scale unemployment during a recession is bad enough—large-scale unemployment during recovery is intolerable to a free economy. It is a major social evil; it is a source of national weakness. It will persist even as the Nation's output surpasses previous achievements, as I believe will be seen in the coming months.
>
> The Government must consider additional long-range measures to curb this unemployment and increase our economic growth, if we are to sustain our full role as world leaders.

As a Senator from West Virginia, as a member of the Committee on Labor and Public Welfare and its Subcommittee on Employment and Manpower, and as a legislator who has persistently and devotedly proposed and supported measures for the acceleration of employment through programs of public works at the State and local levels, measures for useful employment of our youth in conservation practices and on conservation projects, and measures for the training and retraining of the Nation's manpower—especially the unemployed segment of our labor force—I was especially encouraged by these passages from the President's message:

> Measures to aid the unemployed, and to employ our jobless youth usefully, will be submitted shortly. I would stress one measure in particular today—a measure of special importance in meeting the occupational demands of new American leadership in space, aid, trade, and defense.
>
> I am transmitting to the Congress a new manpower development and training program, to train or retrain several hundred thousand workers in new occupational skills over a 4-year period, in order to replace those skills made obsolete by automation and industrial change with the new skills which new processes demand. Supplementing current public and private training and education programs, such a measure, including subsistence and relocation allowances for the long-term unemployed, is a positive answer to the challenge of technology.

In this connection, I make note of the fact that I forwarded to President Kennedy on May 22, 1961, a letter in which I urged his favorable consideration of certain pending legislation in the fields of governmental activity referred to in the passages of his message quoted above. I am pleased that our Chief Executive embraced in his message much the same thinking which was the basis of my May 22 communication to him.

Mr. President, I ask unanimous consent to have printed in the RECORD, at this point in my remarks, the text of that letter to President Kennedy.

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

U.S. SENATE,
May 22, 1961.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: I am confident that the area redevelopment program will ultimately prove to be a means by which improvement will develop with respect to the economic status of many chronic labor surplus sections of our country. In some instances this effort can have an early salutary effect, but we are aware that the redevelopment program is designed principally as a means through which a long-range attack may be made upon the problems of communities and areas in which conditions of technological change have brought about debilitating economic and sociological consequences.

But, as you and many others in public life have cautioned, the area redevelopment program is only one means to the end result which must be attained as rapidly as possible; namely, a general stimulation of the economy and reduction of unemployment to a more tolerable level.

Consistent with these objectives, and in order to accelerate their attainment, I urge that, in your forthcoming message to the Congress on the state of the economy, you especially recommend three programs along lines set forth in legislative proposals pending in the 87th Congress:

(1) A measure for emergency employment acceleration through Federal grant participation in a program of public works by State and local governments, with the Federal Government share to be 45 percent of the construction costs of approved projects and

with project priority to be given to those which can be initiated in 90 days and completed within a year. Senator CLARK of Pennsylvania has introduced and is presently holding hearings on such a measure which Senator PELL of Rhode Island and I cosponor.

(2) A comprehensive measure for retraining of the unemployed to supplement present inadequate programs and to augment the vocational training aspects of the Area Redevelopment Act. Senator CLARK likewise has introduced appropriate legislation in this field and I am privileged to be a cosponsor. Significant hearings already have been held and others are planned for the near future.

(3) A program for the establishment of a Youth Conservation Corps under a plan generally paralleling the highly useful and thoroughly successful Civilian Conservation Corps of the 1930's. You will recall, of course, that the Senate passed legislation in August 1960, with your valuable assistance, which would have created a Youth Conservation Corps. The chief sponsor of the YCC legislation in the 86th Congress was Senator HUMPHREY, of Minnesota, and that able legislator and advocate of worthwhile programs has again introduced a similar bill in the Senate this year. Again, I am privileged to be a cosponsor, with other Senators.

Faithfully yours,

JENNINGS RANDOLPH.

Mr. RANDOLPH. I thank the Senator from Utah for his courtesy in yielding to me.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 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, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. MACK, Mr. DINGELL, Mr. HEMPHILL, Mr. BENNETT of Michigan, Mr. GLENN, and Mr. CURTIN were appointed managers on the part of the House at the conference.

The message also announced that the House receded from its disagreement to the amendment of the Senate to the bill (H.R. 6518) 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, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

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. BENNETT. Mr. President, I believe that the education of American youth is one of our chief sources of strength for the future and is our chief source of protection against the inroads of communism. It does not follow from this basic philosophy, however, that we need a program of Federal aid to education. If Federal aid can be justified at all, the best premise is that there is involved an essential need which cannot be supplied by the State or local community. This test should be carefully weighed with respect to education, since our traditional pattern is to handle education at the local level. Nothing in the Constitution grants this function to the Federal Government. It rightfully belongs to the State and local governments. I think the record is clear that totalitarian governments seek first to control the education of their citizens. Let us not let that happen here.

Are we failing to meet our education needs at the local level? After making a detailed study of the statistics, I am convinced that we are not failing. For example, over the past decade 1950–60, the number of pupils has increased 44 percent, but our instructional staff increased by 52 percent, and therefore the number of children compared to teachers has declined from 27.8 to 26.4. Over the same period, total expenditures for public elementary and secondary schools rose by more than 150 percent. Over the past two decades, enrollment in education institutions of all kinds increased 57 percent, while total educational expenditures increased 642 percent. After adjustments for price increases, the real increase in school expenditures is still 257 percent, or five times as great as the increase in pupil enrollment.

We hear a great deal about the "classroom shortage." Just how serious is this shortage?

First, I should like to observe that we should be wary of statistics on classroom shortages. Estimates are usually based on annual reports tabulated by State school offices or on questionnaires mailed to each State department of education. Often the replies will reflect ambitions, rather than the demonstrated needs of the States for school facilities. Also, problems often arise with respect to classification of facilities. Often general use rooms are used as instructional rooms, but these are not included with official reports. And there are other problems.

The gathering of school statistics is much easier in Utah than in most other States, because of relatively close-knit school units and because of excellent reporting and statistical facilities. But even for Utah, the data shown have often been completely invalid.

For example, Circular No. 490, issued by the U.S. Office of Education, indicated that Utah was constructing only 124 new classrooms during the 1956–57 school year. Data published shortly thereafter by the Utah State school office reported that 345 new classrooms were completed for use during the 1956–57 school year.

The U.S. Office of Education data were later extensively used in congressional debate of the proposal for Federal aid for school building construction. Utah was cited as one of the States in the Nation failing to meet the school-construction needs, whereas the fact of the matter was, and is, that Utah is one of the top States in terms of effort and progress to meet school-construction requirements. The U.S. Office of Education figure for Utah classroom construction for 1956–57 was less than one-third the actual figure, and the error was compounded by using that figure as the basis for a 5-year projection of the school building outlook in Utah.

But if we assume that the figures on which we are making our policy decisions are completely accurate, just how serious is the schoolroom shortage shown to be?

A comparison of an inventory of school facilities made by the U.S. Office of Education in 1954, when compared with a 1959 survey made by the same source, shows that in those 5 years, enrollment increased 20 percent while the number of classrooms increased 30 percent. The number of pupils per classroom was thus reduced by 2½ points from 30.6 to 28.1.

President Kennedy, in his education message on February 20, 1961, stated that classrooms needs for the coming 10-year period between 1960 and 1970 will be 600,000. This averages 60,000 classrooms a year. However, figures released by the Office of Education disclose that between 1956 and 1961, a total of 349,300 classrooms were built, or an annual average of 69,860. This is 10,000 a year more than the yearly average asked for by the President, and without the benefit of Federal aid.

It seems strange to me that the thunder for Federal aid has been stepped up at the same time that the gap between our needs and our available classrooms is narrowed.

The clamor for Federal aid to education implies that the State and local governments cannot meet their needs themselves. This is not true. Let me observe in general, first, that the local governments could better meet their needs if we would reduce the flow of tax funds to the Federal Government, and would leave local governments greater freedom to adjust their own tax structures to meet their own needs. This would call for restraint at the Federal level; but I fear that too many have developed the notion that there is something magic about Federal taxing powers, as opposed to State and local taxing powers. The argument is made that the graduated income tax imposed by the Federal Government is more fair and equitable than the sales and property and other taxes imposed by State and local governments. Many State governments also have graduated income taxes. But the impression given—that most of the Federal revenues come from graduated rates on rich people—is a myth. More than five-sixths of the individual income tax is derived from the basic 20 percent rate; and much or most of the corporation tax is shifted to consumers through higher prices.

In a country in which well-being is so widely distributed and income is concentrated in the middle, and where taxes

take about one-third of the people's income, the bulk of taxation—no matter how it is levied—must rest on persons in the medium brackets.

Federal graduated income tax rates are now so high—at a 91 percent marginal rate—that additional funds of substantial size cannot come from the higher brackets, but can come only from the center or lower brackets.

It seems to me that far too many statistical devices have been used to indicate the relative ability or inability of the States to meet the public responsibility for education. The advocates of centralization have done much to establish the popular notion that the States—or certain States—cannot, of and by themselves, without Federal assistance, provide for the education of their citizens.

Those who push for Federal intervention seem determined to give the State and local governments an "inferiority complex" with regard to their fiscal abilities.

In December 1959 the Department of Health, Education, and Welfare conducted a survey of State school officers, to determine the ability to finance their needs through bonding or other means. Forty-five States replied. Fifteen reported having districts which, although needing additional classrooms, had reached their borrowing limits, and had no access to other funds. The total number of districts in all the country so involved was 237, most of them small. But when related to the national total of over 40,000 school districts, these represent only one-half of 1 percent of all the school districts in the Nation. Despite the heavy burden of Federal taxation, the States and local communities have done an excellent job in meeting their own school needs.

It seems strange to me that we would ask for Federal support of education when, as a matter of fact, our State and local governments are in much better condition fiscally than is the Federal Government.

We have nearly a $300 billion national debt, and have been adding to that debt at the average rate of $3 billion a year during the peacetime years, and, of course, much more than that during the war years. Presently, our total Government debt at all levels averages $2,000 a person. Of this amount, the Federal debt totals over $1,600 for every man, woman, and child. The average state debt is $96 a person; and the average local debt, including all school districts and special local government agencies of all types, is $268 per person, based on the latest available data as of the fiscal year 1959.

In any event, as a general rule the taxes with which to pay for education come out of the same pockets; but in the case of the Federal aid they would flow to Washington, and, after paying a bureaucratic toll, would come back to us considerably diminished. Under our traditional pattern, they flow to the State and local governments, and stay there.

I should like to call to the attention of the Congress the efforts of my own State of Utah in meeting its school needs.

Senators are undoubtedly aware that Utah is near the top among the States in its public school load. Using National Education Association figures, Utah had 26.5 percent of its total population enrolled in the public schools in 1959–1960, compared with 20.1 percent for the Nation as a whole. However, Utah's ability to support the schools, for which the standard measure is income per schoolchild, is markedly below the national average—$6,892 per schoolchild in Utah, compared with $10,614 in the United States.

Despite these facts, Utah has made an impressive record in providing funds for its public schools. Again using N.E.A. figures, Utah expenditures for current operations for 1959–60 amounted to $72,886,000, or 4.8 percent of total personal income for that year, compared with national education expenditures of 3.12 percent of total personal income. Expenditures for capital outlay and interest in Utah totaled $26,898,000, or 1.65 percent of personal income, compared with 0.87 percent of the income of the Nation devoted to education that year.

This means that if all of the States of the Nation had made an effort comparable to that made by Utah last year, an additional $5,206,792,000 would have been provided for current operations, and an additional $2,982,852,000 would have been provided for capital outlay, above that actually spent by the schools in the school year 1958–59. Total additional funds would thus have amounted to $8,189,644,000.

If this calculation is based upon State and local revenues for the public schools, the amount of additional funds that would have been provided by a national effort matching Utah's would have been $8,347,083,000. This amounts to almost 10 times the $850 million proposed in S. 1021 to be spent each year for the next 3 years.

I ask consent to insert at this point in the RECORD a table showing these figures.

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

School expenditures as percent of personal income, 1959–60 school year, Utah and United States

[Dollar amounts in thousands]

	Utah		U.S. total [1]	
	Amount	Percent	Amount	Percent
1959–60 data:				
Personal income	$1,626,000		$382,510,000	
Current expense	72,886	4.48	11,939,219	3.12
Capital outlay and interest	26,898	1.65	3,344,628	.87
Total	99,784	6.14	15,283,847	4.00
If United States had matched Utah effort—				
Current expense			17,146,011	
Capital outlay			6,327,480	
Total			23,473,491	
Increase if Nation were to meet Utah's effort:				
Current expense			5,206,792	
Capital outlay			2,982,852	
Total			8,189,644	

[1] Includes Alaska and Hawaii.

Based on revenue for public schools from State and local sources

[Dollar amounts in thousands]

	Utah	U.S. total [1]
Personal income	$1,626,000	$382,510,000
State and local effort:		
State revenue for schools	40,555	5,424,635
Local revenue for schools	51,095	7,788,458
Total State and local	91,650	13,213,093
Percent of individual income payments	5.6365	3.4543
If United States had made same taxing effort as Utah		$21,560,176
Additional funds from State and local sources, based on Utah effort		$8,347,083

[1] Includes Alaska and Hawaii.

Source of basic data: "Estimates of School Statistics, December 1960," Research Division, National Education Association. Prepared by the Utah Foundation, May 17, 1961.

Mr. BENNETT. Mr. President, despite Utah's recent efforts, she is not standing still. These figures were arrived at prior to actions by the Utah Legislature this year. The total State-supported school finance program was increased for the next biennium by 4.3 percent; and the legislature enacted a one-half percent increase in the sales tax, and provided that 13½ percent of that increase would be earmarked for the uniform school fund.

I was not able readily to determine whether Utah would rank first by using the measure I have just shown. These are aggregate figures for the Nation as

a whole. But a related measure—school revenues as a percentage of personal income—shows that Utah ranks first in the Nation. I assume this would be closely tied to the expenditure measure.

Because of Utah's large school-age population, compared to total population, Utah is ranked well down in the list of States, in terms of expenditure per pupil. But in terms of total school effort, compared to Utah's total income, no State is doing more.

We can, therefore, solve our school needs by asking each State to put forth an effort equivalent to that of the State of Utah.

Once I was a school teacher, and I know the struggles and problems involved in giving adequate education to our children. But I fear that in reality, we are running away from our problem, by running to Washington. As I indicated, the Constitution makes no mention of education. Since education is not among the powers expressly delegated to the United States, it follows under the 10th amendment that education belongs to the States.

What really concerns me is that the proposal for Federal aid may actually retard our educational program. The pattern in the recent past has been for State legislatures and Governors to hold back in their school spending programs, with an eye on Washington, awaiting the enactment of a general Federal-aid-to-education bill. If this bill becomes law, the pattern for the future will be for the States each year to continue to drag their feet, waiting to see what Federal funds will become available that year, before enacting their State and local taxing and expenditure programs. It is quite obvious that the States and the local governments will tend to reduce their efforts in proportion to the flow of Federal funds.

Thus, by means of this bill and other bills, we are not really stimulating education. We are merely causing the States to hold back, in the hope of substituting Federal money for State or local money. Nothing is gained. There is merely a transfer of functions to Washington.

In conclusion, I oppose this bill for four basic reasons:

First. There is no demonstrated need for Federal funds if the States would even approach the rate of contribution of my own State of Utah. As I have indicated, such a rate would bring forth 10 times the amounts proposed to be spent under this bill, and without the risk of centralization.

Second. This bill is part of an overall program which appears to have as its objective the nationalization of our society. Other recent examples in this program are: (a) The recently enacted temporary unemployment insurance program, whereby Washington will direct the flow of funds, rather than the States themselves; (b) the depressed areas bill, whereby the Federal Government is now in the business of locating industry, contrary to our traditional pattern of private decisions in industry locations; (c) the proposed change in medical care for the aged, decreasing the power of the States and increasing the power of the Federal Government in setting health care policy; (d) increased centralization and regimentation of agriculture; (e) new precedents in the forthcoming housing bill, giving the Federal Government increased control over the housing industry. And there are other examples.

Third. Though the authors of this bill have attempted to play down the possibility of Federal control over education, the history of Federal loan programs reveals that this is merely a smokescreen and that Federal controls will inevitably follow. There is a saying that "Who pays the piper calls the tune." This will be true of Federal aid to education. If anyone has doubts that this will be the case, I commend to them the remarks by the Senator from Virginia [Mr. ROBERTSON] of last Wednesday in which he pointed up provisions of S. 1021 where the Federal Government would assert its control over certain phases right from the beginning. For example, the bill places all construction projects under the restrictive measures of the Davis-Bacon Act. This means that the Secretary of Labor will determine the prevailing wage in an area and force the school districts to pay that wage to each worker on all federally aided school construction. The districts will, therefore, be prevented from attempting to complete building at minimum cost to taxpayers. Building costs will be inflated. It is a short step from this to Federal regulation of the salaries of teachers who teach in those federally aided schools.

Another section of the bill specified "that the construction will be undertaken in an economical manner and that it will not be of elaborate or extravagant design or materials." Although this may seem perfectly innocent, and even laudable, it gives the Federal Government a significant control over the architecture of our schools. The final arbiter of what is "elaborate or extravagant" would be the Federal Government, and this phrase is capable of broad interpretation. This firmly establishes Federal control of all school buildings.

Another example is the requirement that each State which receives Federal aid must set aside 10 percent of its receipts for experimental projects. These experiments may be desirable, but this is precisely the kind of Federal compulsion and control which the bill piously professes to prohibit.

Fourth. My fourth objection to this bill is that the expenditures to pay for this new Federal program, and the others outlined earlier, are to be financed primarily from increasing deficits, rather than from increased taxes. The result will be inflation with all of its attendant evils. A final tally cannot be made yet, but we can expect a deficit of more than $6 billion in the 1961 and 1962 fiscal years, and the figure will go up from there in the future years. A $1 billion Federal unemployment insurance bill has already been enacted. The education bill under consideration totals $2.6 billion. The Senate Banking Committee reported this weekend a $9 billion housing bill, including $3 billion for public housing. An $11½ billion highway bill will be up for consideration soon. Other miscellaneous bills—depressed areas, medical care for the aged, feed grains, social security benefits, and others—totaling over $5 billion, have either already been passed, or are waiting in the wings. Most of these bills represent new programs, adding to the existing spending pace for current programs.

These proposed expenditures worry me, but what worries me even more is the threat to completely change our society from its traditional pattern of State and local control of many of our basic functions to a system controlled at the Federal level. I urge Congress to reject this proposal to add education to the list.

Mr. President, Dr. Ernest L. Wilkinson, who is administrator of the unified school system of the Church of Jesus Christ of Latter-day Saints, and president of Brigham Young University, developed a rather complete statement analysis of the figures involved in the problem of Federal aid to education.

I ask unanimous consent that the statement of Dr. Wilkinson may be included in the RECORD at this point in my remarks.

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

STATEMENT OF DR. ERNEST L. WILKINSON, ADMINISTRATOR OF THE UNIFIED SCHOOL SYSTEM OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AND PRESIDENT OF BRIGHAM YOUNG UNIVERSITY ON THE QUESTION OF FEDERAL AID TO EDUCATION, MAY 23, 1961

My name is Ernest L. Wilkinson. Scholastically I am a graduate of Brigham Young University, have a law degree from George Washington University, and received the degree of doctor of juridical science from Harvard. While I spent most of my adult life in the practice of the law, I have spent the last 10 years in the field of education. I am now the administrator of the unified school system of the Church of Jesus Christ of Latter-day Saints. I am also president of Brigham Young University. In these two positions I am the responsible administrative officer for the following units: Brigham Young University located at Provo, Utah, which, in terms of full-time students, is the largest church-related institution of higher learning in the United States with an enrollment of around 13,000 students; Ricks College, located at Rexburg, Idaho, which is the largest church-related junior college in the country, with an enrollment of around 1,000 students; 75 religious institutes operating in connection with 75 universities and colleges located all the way from California to Florida, in which approximately 10,000 college students receive religious education and training; 141 released-time and 821 nonreleased-time religious seminaries which operate in connection with 962 high schools located all the way from California to Maryland, in which high school students receive religious education and training; and 83 religious seminaries for American Indian students maintained in connection with Indian agencies.

Summarily stated, the educational institutions which are operated by the Church of Jesus Christ of Latter-day Saints, and of

which I am the administrative officer, provide college training (in whole or part) to approximately 24,000 students and religious high school training to approximately 62,000 students. Our forecast indicates that within the next 10 years the enrollment in these institutions of higher and secondary learning will at least double.

The opinions stated herein will be strictly nonpartisan in nature, for while I was a delegate to the last two national conventions of the Republican Party and am therefore presently classified as a Republican, I at one time ran for a local political office as a Democrat. Even now, I call myself a Jeffersonian Republican because I am still faithful in my political beliefs to the philosophy of Thomas Jefferson.

I make this frank statement at the outset lest anyone attempt to read a political connotation into what I say, for none is intended. You will note as I proceed, for instance, that I will quote more often from leaders of the Democratic Party than from leaders of the Republican Party. My appeal is to all Members of Congress to consider the present question of Federal aid to education on the basis of the distilled wisdom of the past, and in the light of our present problems, without regard to party. The education of our children should always transcend party lines and never be the subject of partisan debate.

The board of education of the unified church school system and the board of trustees of Brigham Young University, whom I represent, oppose, as a matter of principle, any plan of general Federal aid to education, irrespective of whether that legislation permits or does not permit parochial schools to share in any Federal grants thereunder. I state this also at the outset to make it plain that our position is not dependent in any way upon whether we in our church school system would benefit by Federal legislation. We think a program of general Federal aid or support to education is unwise whether or not we would benefit therefrom.

There are at least five reasons why we are opposed to the pending proposals for Federal aid:

1. Federal aid to education is inconsistent with the traditions of our country and the spirit of our Constitution.

Our first objection is that such aid is inconsistent with the time-honored tradition of our country and the spirit of our Constitution. No one could seriously claim that our Founding Fathers ever conceived of education as being a function of the Federal Government. That activity was something clearly understood to be reserved to the several States. Jefferson, writing in 1806 on education, stated these views when he said, "I suppose an amendment to the Constitution, by consent of the States, necessary, because the objects now recommended are not among those enumerated in the Constitution, and to which it permits the public moneys to be applied" ("The Works of Thomas Jefferson," vol. 10, Paul L. Ford, editor, G. P. Putnam Sons, New York, 1905).

Admitting, however, that today the Constitution, in legal parlance, is what the members of the Supreme Court "say it is" rather than what is contained in the Constitution, or even what our constitutional fathers intended, the fact remains, in our view, that the Constitution of this country was drafted by "wise men" whom the Lord "raised up" for that very purpose. We believe in the words of Gladstone that politically speaking this Constitution is "the noblest work ever struck off by the hands of men" and that its principles should be defended and protected at all cost, not only that we as a people shall remain free, but that our example shall be followed by other nations.

Under that Constitution it cannot be denied that local support and control of education has been and is about the most cherished of governmental functions, which up to the present the States and local communities have preserved. In view of this reverence which we and all patriotic Americans have for our Constitution and the traditions which have sprung therefrom, we submit that except for some grave national emergency, which can be met in no other way, we ought not to depart from its spirit or traditional interpretation. As hereinafter stated, we do not believe that any educational emergency exists which cannot be adequately solved as it has been in the past by our traditional methods of community and State aid.

2. The kind of Federal aid proposed is unnecessary and will be of little help, while at the same time it will slow down progress now being made, and will ultimately mean a tremendous Federal appropriation.

Our second reason for being opposed to general Federal aid is that it is not necessary; further, that the kind of aid now proposed to the Congress will be of little help, while at the same time it will slow down the remarkable progress now being made by the States and local communities, and in all probability, once it gets started will mean a tremendous Federal appropriation of many, many billions of dollars.

(a) Shortage of classrooms: We understand that for at least 85 years there have been recurring efforts in the Congress to have the Federal Government adopt a general Federal aid program for the maintenance of our schools. These efforts have all failed. The present drive for such a general program gained its momentum during the 1950's in part from the unusual demand for school construction during that period, which was occasioned in turn by the very large crop of "war babies" born during the war years, but in larger part from incorrect reports of Government officials as to existing shortages of classrooms and even more incorrect estimates as to future classroom shortages. That these reports and estimates were flagrantly wrong has been demonstrated by Mr. Roger A. Freeman, who directed the research of the Education Committee of the U.S. Commission on Intergovernmental Relations in 1954–55, in his testimony before the subcommittee on Education of the Committee on Labor and Public Welfare, U.S. Senate, on March 13, 1961. We shall not repeat those facts here, but refer any person seeking the truth to the facts there adduced, which will show that the present drive for Federal aid based on classroom shortages has a completely false and misleading basis. Summarily stated, as shown by Mr. Freeman, the "incontestable fact is that over the past decade more than 600,000 classrooms were completed while the increased attendence required the addition of only 400,000. This means that over 200,000 new classrooms were made available to replace old ones and to reduce class sizes. That it was possible to accomplish this in the decade of the most rapid enrollment growth demonstrates more dramatically than words could the faith of the American people in education. This record is the result of thousands of communities voting bond issues and higher taxes year after year. It may be well to note that the new public schools, built in the postwar period, now house close to 20 million American children—compared with schools for 9 million children which—according to their own claims—the Russians built in the same span of time" (documented testimony of Roger A. Freeman as above identified).

With respect to the future, President Kennedy in his message to Congress on February 20, 1961, based on estimates of the Federal Office of Education, stated that "if every child is to have the opportunity of a full day's education in an adequate classroom, a total of 600,000 classrooms must be constructed in the next 10 years," or 60,000 classrooms per year. The fact of the matter is, however, that States and local communities have been building 70,000 classrooms each year for the last 5 years. If, therefore, the present rate of construction is continued we will build more than the number of classrooms which, according to the President's own estimate, are needed.

And the fact of the matter is that that is what is happening. The Investment Bankers of America have reported that the amount of school bonds approved in school elections in 1960 reached a new high of $1,800 million. Furthermore, January of 1960 was again eclipsed by January of 1961. The Department of Commerce has estimated that public educational construction would increase 8 percent in 1961 over 1960.

This has been made possible by the fact that very few local school districts have exhausted their bonding capacity. A survey made by the Federal Department of Health, Education, and Welfare about 1½ years ago revealed that only 237 out of 40,000 school districts had exhausted their legal capacity to borrow, or slightly over one-half of 1 percent. Instead of proving that these 40,000 school districts cannot continue to assume their traditional responsibility, this survey shows that they can, and the rate at which building is going on shows that they will.

Admittedly, out of 40,000 school districts, there will be some who are lagging, particularly those who have been waiting to pass their responsibilities to the Federal Government to do their job for them. But on the whole the record has been a glorious one, and shows the fictitious and mythical basis for the present drive for general Federal aid for schoolhouse construction. To the extent there was an emergency, that emergency is past, for there will only be one-half the increase in school attendance over the next 10 years there has been in the past 10 years. If, therefore, we keep building as many classrooms as we have built over the last 10 years, we will build double the number we need for new students.

(b) Alleged shortage of teachers; ability of States to meet challenge: Having failed to make a current case for Federal aid because of classroom shortages, many professional educators and others who think they stand to gain by Federal aid, next urge that this aid is necessary in order to increase teachers salaries and avoid a teacher shortage. Our information, however, is that this is just as specious as the argument based on failure of States and communities to construct necessary classrooms.

(1) Over the last 30 years (from 1929 to 1959) the increase in salaries of school teachers was 106 percent in constant dollars. Other State and local employees had an increase of only 58 percent and Federal civilian employees of only 73 percent. ("Taxes for Schools," Roger A. Freeman, Institute for Social Science Research, Washington, D.C., 1960.) Had teachers salaries been tied to the Federal payroll they would not have fared as well in increases as they have; there is therefore no assurance that Federal aid would be of benefit to them in the future.

(2) The average annual salary of schoolteachers rose from $3,126 in 1950–51 to $5,389 in 1960–61, or 72.4 percent. The number of teachers with salaries below $3,500 decreased from 62 percent in 1952–53 to 9.6 percent in 1960–61, and the number with salaries of $4,500 or more rose from 13 percent to 63 percent during this same period. The significant aspect of the matter is that the teachers salaries rose sharpest in the States where they have been lowest. Between 1938 and 1954, for instance, teachers salaries rose 101 percent in dollars of constant value in the 12 lowest income States as compared with 28 percent in the 12 top income States. The differences in salaries in different parts of the country are narrowing each year.

(National Education Association, "Estimate of School Statistics," 1960–61.)

(3) School expenditures by the respective States, estimated at $16.4 billion this year, is up $1.2 billion over the previous year and $9.9 billion over 1950–51—an amazing increase of 153 percent in one decade, whereas enrollment increased only 44 percent. In addition, capital outlays for elementary and secondary school buildings, sites, and equipment are increasing at about $3 billion annually. ("Taxes for the Schools," by Roger A. Freeman, Institute for Social Science Research, Washington, D.C., 1960.)

(4) Over the past 20 years school enrollment grew 43 percent, but school funds increased 185 percent (in price-adjusted dollars). ("Taxes for the Schools," Roger A. Freeman, Institute for Social Science Research, Washington, D.C., 1960.) Looking ahead to 1970, enrollment will climb approximately 20 percent while school outlays are likely to double if current trends continue.

On the basis of the above figures the evidence is conclusive that the States have realized the need for further expenditures and have met the challenge. And because of this the alleged danger of a shortage of teachers in our elementary and secondary schools is a political myth. The percentage of all college graduates who prepare for teaching has risen from 21 percent in 1948 to 32 percent in 1959, and the number of college graduates is projected to double between 1958 and 1970. So, if the percentage of students choosing a teaching career is only maintained, we shall double the supply of new teacher graduates.

On the other hand, the annual pupil enrollment increases will shrink to half during the 1960's as compared to the previous decades. This means, then, that the demand to meet higher enrollments will be cut in half, while the supply of new teachers will double. On these facts, I submit that there is no need for any great alarm because of a teacher shortage. The percentage supply of teachers will increase, not decrease.

Facing the whole question of whether community and State governments will be able to finance our educational system in the future, the facts are that during the past years there has been a growth of gross national product of 38 percent, whereas our schools have expanded only 43 percent. During the next 10 years school enrollment is estimated to expand only 20 percent, whereas the gross national product is expected to at least equal the rate of growth witnessed the past 10 years. If, as happened during the last 10 years, under community and State support school revenues were up 152 percent in current and 98 percent in constant dollars, there is every reason to believe that they will be able to support their schools the next 10 years, when enrollment will grow only 20 percent.

(c) Alleged need for equalizing income and educational opportunity among the various States: The original plea for Federal aid was that it was needed to equalize the educational opportunities among the various States because of differences in per capita income in the States. But to the extent the present proposals return to the States the same amount of money for each pupil, Federal aid does not remedy this situation.

In the next place, it should be noted that the need for attempting to equalize the economic income of the various States is fast diminishing. Granted that at one time there was a great difference in the per capita wealth and in the economic productivity of our various States, our modern industrial development and the increasing mobility of our population is fast doing away with these differences. The fact is that the variations in capacity to pay among the States is being constantly narrowed. Between 1940 and 1953 the per capita income in the 12 top income States rose 37 percent in dollars of constant value; in the lowest income States it increased 96 percent. (In 1940 the per capita income in the highest income States was 4¾ times what it was in the lowest income States. As of 1954 there were still some States in which the per capita income was 2¾ times what it was in other States, but the margin is being constantly reduced.) (See Roger A. Freeman, "Taxes for the Schools," Institute for Social Science Research, Washington, D.C., 1960, pp. 126–142.)

Between 1940 and 1953, two-thirds of the 3.3 million increase in school-age children were concentrated in the 12 top income States; half of the lowest income States had decreases in the number of children, while the other half had only slight increases. This was due to two facts:

(1) There has been a vast migration from the poorer regions to the wealthier sections of the country.

(2) The birthrate rose almost three times faster in the high-income States than in the low-income States.

School conditions also improved much faster in low-income States.

Current school expenditures in the 12 top income States in 1953 equaled 3.4 percent of the total income after taxes; in the 12 lowest States the comparable figure was only 4.2 percent of the total income after taxes, a difference of only eight-tenths of 1 percent. Considering the fact that in the wealthier States a large percentage of students were educated in private schools, the overall educational effect was just as great in the wealthier States.

The total State and local tax burden is about the same in the high-income and the low-income States. In 1953 State and local taxes in the 12 top-income States equaled 9.4 percent of their disposable income (income after taxes), and in the 12 lowest income States 9.6 percent of their disposable income—a difference of two-tenths of 1 percent.

Further, it is quite evident that the educational dollar buys more in the low-income States, that school construction costs are lower there and that in relation to the prevailing family income level teachers in many situations are at least as well off as in the higher income States.

(d) Proposed Federal aid will be of little help: Moreover, the aid proposed in the present bills before the Congress, considering the total amount spent on education in our country, would not be of substantial help. On this subject we quote again from Mr. Freeman, considered by some to be the most eminent unbiased authority on school financing in the country today. In his testimony before the Subcommittee on Education of the Committee on Labor and Public Welfare, he said:

"Most of the school aid bills before the 87th Congress would allocate between $250 million and $1 billion in Federal funds annually to the States, with the typical amounts around $700 million.

"The public school budget now totals over $16 billion and is projected to rise to at least $24 billion, and possibly as much as $31 billion, by the end of the 1960's. It is apparent that the bills now under consideration would make only a minor contribution—barely more than a token—to the overall requirements of the schools and leave most of the problem of augmenting, within 10 years, school funds by between 75 and 100 percent with the States. These proposals either assume that the States have the capacity to raise, for example, $23 billion or $30 billion a year for the schools but cannot raise the 1 additional billion or they are intended as the start of a Federal program which, within a few years, will climb to between $5 and $8 billion annually."

The Federal contribution would not, therefore, go far. Again in the words of Mr. Freeman:

"If, for example, it were assumed that the funds under the President's program (S. 1021 and H.R. 4970) were divided equally between construction and teachers' salaries, the picture might be as follows: $333 million could build approximately 7,500 classrooms, or slightly more than 10 percent of the 70,000 now annually built by States and communities. If about one project in five were eligible for Federal matching many boards of education would tend to defer their building plans for 1 or several years until they too became eligible. School bond issues—now at a record high both in amount and in approval percentage—might fail more often, as many communities would be reluctant to approve proposals which carry no Federal funds.

"If the other half of the Federal appropriation were applied to teachers' salaries (thus not augmenting the number of teachers but raising their salaries) it would finance a salary increase of about $200 in the first year of the program and of another $30 in each of the 2 succeeding years. States and communities have increased teachers' salaries by an average of $230 in each of the past 8 years. Would State legislatures and communities be as willing as they have been to vote for higher taxes for raising teachers' salaries if Federal aid for that purpose were made available?"

(e) Federal appropriations will slow down State aid and support:—Out of this situation there arise two serious dangers to a general Federal-aid program for our schools. The first is that if the Federal Congress starts to appropriate money for Federal aid the States and local communities will not continue with their present sturdy effort. This danger was perceived as early as 1886 by Woodrow Wilson when Federal aid was being debated in Congress as vigorously as it is today. Of those efforts, in language especially pertinent to the situation today, he wrote:

"It was evident that no increase in the State appropriation for public education would be voted as long as there was the least prospect of aid from Washington * * * (there was) deliberate determination to enjoy the easy position of a beneficiary of the National Government to the fullest possible extent, rather than to be independent and support a good school system by its own unaided efforts."

That Wilson was a true prophet is evident from a recent news report stating that the Governor of Pennsylvania "holds off proposing any substantial increase in State aid for schools in the new budget; he looks instead to Congress to authorize Federal educational grants for States." Other Governors have made similar proposals.

The fact that Federal aid would have a demoralizing effect on State aid was recognized also by the study committee on "Federal Responsibilities in the Field of Education" in its report in 1955 to the Commission on Governmental Relations. That committee reported that Federal appropriations "may delay rather than advance school construction. Districts not eligible in 1 year may hold off their building plans on the chance of being able to buy their school houses at 50 cents on the dollar a year to two later."

The president of the National School Boards Association, Carl B. Munck, warned the members of his association against the same danger in April 1959. Said he: "The narcotic of Federal aid will become a habit for whose indulgence the victims will soon surrender that which they now so highly prize." (Carl B. Munck, "Some Thoughts on Federal Aid," School Boards, April 1959.)

(f) Once a Federal program is adopted, it will skyrocket: The second danger arising out of the present bills is that while they would do little to carry the overall cost of financing of our schools, the adoption of a Federal-aid program would be but the beginning for a continuously increased Federal-aid program for the Government. For nowhere is Shakespeare's statement as true as in Government spending that "an appetite grows by what it feeds on." This is evident from other Federal-aid programs. This annual Federal aid to States, localities, and individuals, which amounted to less than $150 million in 1930, when we really began our Federal subsidies to these entities, has now soared to over $9 billion—an increase of 60 times or 200 percent each year. It is now more than the total budget of the Federal Government in any one year prior to World War II, and to a large extent has undermined the sovereignty of the States. With our State and local communities doing as well as they are in maintaining our educational program, there is no need for a further grant-in-aid program which will further undermine the sovereignty of the States.

If experience in other fields of Federal aid to States is any criterion, the passage of a Federal-aid bill of a few billion dollars at the present time will skyrocket so that eventually the amount will run into tens of billions of dollars. In the words of one writer: "once this dam is breached, there will be no holding back the floods, * * * the Federal Government will assume an ever-growing role in education and in other State and local activities * * * in a few decades with the further growth of Central Government financing of State and local activities, nothing may be left of our Federal system of government, with its union of strong and self-propelled States except a few empty symbols and rituals and a nostalgic memory, that we shall have but one all-powerful Central Government with regional offices, which may or may not be called States." (Roger A. Freeman, "Federal Aid to Education—Boon or Bane?" American Enterprise Association, Washington, D.C., 1955, p. 3.)

3. The State governments can more easily finance our education than the Federal Government.

Our third reason for opposing the proposed Federal-aid programs is that even if they were necessary, the plain fact of the matter is that the Federal Government cannot afford to finance our educational programs nearly as easily as can the States. While the Federal indebtedness of our country is generally thought of as being in the neighborhood of $300 billion, the plain fact of the matter is that the Federal indebtedness for present and accrued liabilities totals $750 billion, which is the equivalent of $4,100 for every man, woman, and child in the United States. (Address of Hon. Maurice Stans, Director of the U.S. Bureau of the Budget, before the Executive Club of Chicago, January 29, 1960.) The Federal budget for 1962, which we are now facing, will probably have a deficit of over $5 billion. Indeed at the present time the interest alone on our national debt is twice the size of the entire Federal budget when Franklin Delano Roosevelt became President.

As opposed to this enormous debt and the rising crescendo of Federal obligations, the total State and local governmental indebtedness is only $62 billion and some States have no indebtedness of any kind. Further, as stated previously, even on the basis of a canvass of State superintendents of education made by the U.S. Office of Education, only one-half of 1 percent of all the school districts in the United States have reached the limit of their available bonded indebtedness for school construction. Finally, no State, acting through its legislature and authorized by its Governor's signature had ever applied to the Federal Government for such aid.

In the light of Lenin's challenge that he would cause the United States to spend itself into bankruptcy, we believe it is the height of economic folly and financial irresponsibility for our Government to now assist in fulfilling Lenin's prophecy by undertaking a program of Federal aid to education which, if it follows other Government expenditures, is certain to become a program of enormous proportions. The most startling fact that we have noted in the debate over Federal aid is that no one has come forward with any plan for financing a federally paid program without increasing the already burdensome and in some cases confiscatory taxes already levied upon the American people. In this respect governmental revenues, including income from governmental enterprises, which is rather insignificant compared with taxes, climbed from 29 percent of the national income in 1950 to 35 percent in 1959. And there are economists who state that no nation which extracts 30 percent of the national income from its people over a long period of peacetime can ever hope to survive as a free nation. In this situation and without disrespect, we think it reckless improvidence to have the Federal Government undertake the burden of financing our schools when it is now demonstrated that the States themselves are beginning to do a superlative job in meeting the educational challenge of our times.

We are aware of the argument made by some educators and others that increased school expenses if financed at the local level will force taxes up, whereas this increase in expenditures can easily be consumed in the large Federal budget. In short, that it is easier to obtain money from Washington. The theory, of course, that it will cost more tax-wise if it is paid locally than if it is paid through the Federal Government is a pure myth. The opposite is generally true. This illusion was properly characterized by President Hoover when he wrote, "Our people, under the illusion that money from Washington is pure manna, are selling right and left their birthright as freemen."

4. Federal aid would wrest control from local communities and State governments and ultimately place it in the Federal Government.

Our fourth objection to Federal aid is that it will ultimately mean Federal control. We realize that proposed legislation as drafted provides that the Federal contribution is not to do away with local control. This statement, however, is almost meaningless.

In the first place the proposed legislation contemplates that Federal aid will be administered by the Federal and the State departments of education. This administration in itself will shift the control from local school districts and State legislatures to professional departments of education of the Federal and State governments. And just as we believe in this country that "war is too dangerous to be decided upon by generals," so we believe that education is too important to be taken out of the hands of parents and local school boards and left solely in the hands of professional educators. Indispensable as are our professional educators (and God bless them for what they are doing), nevertheless, the final voice for determination of broad educational policies should still reside in the people and their chosen representatives.

In the second place, provisions in present legislation to the effect that there will be no Federal control are not binding on subsequent legislatures. Legislators and U.S. Commissioners of Education alike who have had experience with Federal aid to education have testified that you cannot have any substantial Federal grants without substantial Federal control. In 1957 the chairman of the House Education and Labor Committee, Representative Graham Barden, declared: "You will hear it said there has not been any Federal control or interference through Public Law 815, the Federal-impacted area bill. I tell you there has been some of the most horrible illustrations of interference and wrongdoing under that bill that you can imagine, and I challenge anyone to deny that statement." (CONGRESSIONAL RECORD, vol. 103, pt. 9, p. 12483.)

Mr. Barden's predecessor as chairman of the House Education and Labor Committee, the late Representative John Lesinski, Sr., also stated:

"It is impossible to draft a general Federal aid bill which will not contain a great deal of Federal control over local school systems. * * * I am convinced, after the hard study we have put to the question, that no acceptable bill preventing Federal domination of local schools can be drawn. I reluctantly came to the conclusion, but I had to face the facts" (CONGRESSIONAL RECORD, vol. 103, pt. 5, p. 6348.)

In 1934 a former U.S. Commissioner of Education, Dr. John Tigert wrote:

"My experience in handling Federal subsidies for education under the limited acts which are now in existence has taught me that you must have misappropriation of funds and waste * * *. Reason and experience both indicate that Federal money cannot be expended wisely and efficiently except by exercising Federal control and supervision; even then there is considerable waste * * *. If we embark upon a program of turning over Federal money to schools without any strings attached, it is only a question of time until the waste, extravagance and misuse of these funds will result in a reaction or a change. The alternative is Federal control (John J. Tigert, "The Real Peril of Federal Subsidies," Nation's Schools, July 1934).

This conclusion was reaffirmed by Dr. Samuel M. Brownell, in 1939, long before he became Commissioner of Education:

"If there is to be little or no Federal control accompanying Federal aid, what right have we to expect a major improvement of the education within States under the same leadership that they now have? Thus, if Federal aid is to bring about better schools, it seems apparent that there must be some Federal control (Samuel M. Brownell, "Shall It Be 'Yes' or 'No' on Federal Aid?" School and Society, vol. 49, May 27, 1939, p. 669).

In 1959, Dr. James B. Conant, former president of Harvard University, stated his belief in the likely results of Federal aid:

"To imagine that recurring appropriations of this magnitude can be made without careful budgeting on the part of the administration seems to me to be the equivalent of imagining completely irresponsible government. Careful budgeting will mean, in turn, a strong executive agency which must have access to a mass factual information about the educational situation in every State. * * * The educational committees of the House and Senate will have every reason to examine into details of curriculums and school organization, much as committees of the State legislatures now do from time to time. Certainly, a new chapter in American public education will have opened" (James Bryant Conant, "The Child, the Parent and the State," Harvard University Press, 1959, p. 56).

Admittedly, Federal control will come gradually, but we are concerned because it has been the experience of all Federal programs that it will eventually come, and if the first inch of governmental control is not worth fighting off, then the last mile will be indefensible.

5. Large Federal-aid programs will destroy local initiative and creativeness.

Finally, we object to a Federal program for schools because once the Federal Government interjects itself into a program and thereafter successively assumes more and more of the financial burden, local resourcefulness, local creativeness and local support and genius are inevitably demoralized. On this score we need to do no more than quote from former President Nicholas Murray Butler of Columbia University, in his day one of the great educators of our country:

"It is now proposed to bureaucratize and to bring into uniformity the educational system of the whole United States, while making the most solemn assurance that nothing of the kind is intended. The glory and the successes of education in the United States are due to its freedom, to its unevennesses, to its reflection of the needs and ambitions and capacities of local communities, and to its being kept in close and constant touch with the people themselves. There is not money enough in the United States, even if every dollar of it were expended on education, to produce by Federal authority or through what is naively called cooperation between the Federal Government and the several States, educational results that would be at all comparable with those that have already been reached under the free and natural system that has grown up among us. * * * It is universally acknowledged that the unhappy decline in Germany university freedom and effectiveness, and the equally unhappy subjection of the educated classes to the dictates of the political and military ruling groups, were the direct result of the highly centralized and efficient control from Berlin of the nation's schools and universities.

"For Americans now to accept oversight and direction of their tax-supported schools and colleges from Washington would mean that they had failed to learn one of the plainest and most weighty lessons of the war. It is true that education is a national problem and a national responsibility; it is also true that it has been characteristic of the American people to solve their most difficult national problems and to bear their heaviest national responsibilities through their own action in the field of liberty, rather than through the agency of organized government. Once more to tap the Federal Treasury under the guise of aiding the States, and once more to establish an army of bureaucrats in Washington and another army of inspectors roaming at large throughout the land, will not only fail to accomplish any permanent improvement in the education of our people, but it will assist in effecting so great a revolution in our American form of government as one day to endanger its perpetuity. The true path of advance in education is to be found in the direction of keeping the people's schools closely in touch with the people themselves. * * * Unless the school is both the work and the pride of the community which it serves, it is nothing."

In conclusion we appeal to the Members of Congress, in these days of national catastrophe when communism is just 90 miles off our coast, to give prime attention to our international affairs and not attempt to upset the pattern of exclusive support and control by communities and States of our educational system, a pattern that has prevailed for almost two centuries. The tyranny of socialism (creeping or galloping) and totalitarian dictatorship is all too obvious in our world of today. These ever-present forces try to sap the vitality and the independence of our local, close-to-home institutions. American education has been long predicated on the foundation of local liberty and initiative. But now we face the possible threat of further Federal involvement and control over our schools. We sincerely urge all Members of Congress to reject this threat and defeat any measure which attacks the local autonomy of our outstanding American school system, and which also may encroach further upon the spirit of our inspired Constitution.

Mr. MANSFIELD. Mr. President, will the Senator yield, with the understanding that he will not lose the floor?

Mr. BENNETT. I yield.

Mr. MANSFIELD. After consultation with the distinguished minority leader and other interested Senators, I wish to propound a unanimous-consent request that the debate on the bill under discussion be limited to 3 hours at the conclusion of the remarks of the Senator from Utah [Mr. BENNETT], 1 hour to be under the control of the minority leader and 2 hours to be allocated to the Senator from South Carolina [Mr. THURMOND].

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, again, after consultation with the minority leader, I announce for the information of Senators, when consideration of the proposal now before us is concluded, it is our purpose to take up the conference report on the inter-American aid bill, which I understand has been acted upon by the House.

ADMINISTRATION VIEWS ON THE ECONOMY

Mr. BENNETT. Mr. President, I was interested to read in the news reports recently of Treasury Under Secretary Fowler's address before the Women's National Democratic Club in which he cited recovery in the economy and gave credit to the administration for this pickup. It is interesting to observe Mr. Fowler's statement that the pickup has been the result of "both the psychological weapons of confidence and the physical aids of money and credit to turn recession into recovery."

I detect a note of hypocrisy in this statement. We are all aware of the preachments of gloom and doom which flowed from the administration since they took office and from President-elect Kennedy and his lieutenants before they took office. I trust the American public will see through this two-faced attitude. I am sure that American businessmen are aware that President Kennedy's crying towel techniques early this year impaired business confidence. We are all aware of his state of the Union statements that "the present state of our economy is disturbing," and, further, after selecting some of the more unfavorable statistics, that "in short, the American economy is in trouble." Then he said, "forecasts of continued slack and only slightly reduced unemployment throughout 1961 and 1962 have been made with alarming unanimity." It is obvious that these gloom-and-doom statements were intended to scare up acceptance of the administration's spending proposals. As recently as his news conference on March 1 this year, President Kennedy was asked if he saw evidence that the current business depression was over. He replied:

> I think it would be premature to make a judgment that our economy is on the rise and, therefore, that there is no necessity for action. I don't take that view at all. I think all of these (Government spending) programs are needed.
>
> I am hopeful that it will be possible—I am hopeful that we will see the economy move up in the spring and summer, but we can make no predictions about it. There is not sufficient evidence at hand yet by any Government department to indicate an upturn has taken place as of today.

Now we have the administration coming forth and claiming credit for a recovery which was predicted by economists, business leaders, and labor leaders at the first of the year. For instance, J. A. Livingston, whose column appears in the Washington Post, reported last January the results of his yearend questionnaire to 62 high-ranking economists in business, labor, Government, universities, and research organizations. According to Mr. Livingston, though optimism was not unanimous, the consensus was that 1961 will be "the best year in U.S. history." Most opinions were that the upturn would come by midyear.

The National Association of Manufacturers Annual Congress of American Industry in January brought forth the consensus by the businessmen represented that 1960 was admittedly a disappointment, but 1961 will be better, with the upturn beginning as early as the first quarter for some firms. The U.S. Chamber of Commerce as early as last December predicted that, although there would be a mild downturn during the first half of 1961, the chamber was optimistic concerning the second half of the year, and predicted that the gross national product would rise to the figure of $515 billion to $520 billion by the end of the year, a higher score than the 1960's.

One administration spokesman, Secretary of Commerce Hodges, said last March in a national television interview, "I think we have reached the bottom, and I think we can start from here and move up."

It should be observed that Mr. Hodges' comment was, except for the unemployment-insurance program, made prior to any hope of the enactment of the major legislative program suggested by President Kennedy to stimulate the economy. In other words, Secretary Hodges and the economists and businessmen who at the first of the year predicted an upturn based their predictions primarily on the inherent strength of the private economy rather than on any massive Federal programs. It appears that we will have a repeat of the situation in 1958, when the Democrats were urging massive tax cuts and huge spending programs, but President Eisenhower held his ground, and the economy made its own recovery. The Democrats made the wrong diagnosis of that recession, and they have done the same this time. My only fear is that the

Kennedy program will go forward despite the upturn, and the evil of inflation will take over where the evil of unemployment leaves off.

I am pleased to see signs of optimism throughout the economy. The stock market has certainly reflected in advance the upturn which is now underway. I resent, however, the administration taking credit for this upturn. I do think that the easement of money and credit begun under the Eisenhower administration and continued by the Kennedy administration, and the stepup in Government contracts under existing defense, highway, and other programs were proper and commendable, but I cannot swallow the hypocritical statement that "the psychological weapon of confidence" was a basic tool of the administration to stimulate the economy. I am sure all of us realize that the exact opposite kind of attitude and predictions came forth from the administration during our latest mild downturn.

I would like to further observe that our economy and our system of free enterprise has its own natural adjusting qualities if untampered with by Federal intervention and if confidence, rather than gloom, can be the watchword from Washington. I again remind Mr. Kennedy of President Roosevelt's famous statement: "We have nothing to fear but fear itself."

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.

The PRESIDING OFFICER. The time on the bill is now under control. The Chair recognizes the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I am not unmindful that many consider it passé for Members of Congress to subject legislative proposals to a rigid constitutional test as a prerequisite to even a consideration of the desirability or feasibility of the particular legislative proposal. Any other course, however, inevitably leads to a larcenous breach of trust by the National Legislature. My powers of rationalization are not broad enough to attribute to a legislative violation of constitutional limitations a lesser degree of moral violation than that which would attend any other breach of trust or, for that matter, any lesser degree of criminality in an evasion of the Constitution than in an evasion of the tax laws. Accordingly, I consider it no less than a sacred obligation to subject legislation to a constitutional test; and I am convinced that S. 1021 fails to square with either the letter or the spirit of the Constitution.

Even in our contemporary age, when respect for an adherence to the Constitution are at an alltime low, it would be difficult to find anyone who would controvert the fact that the National Government, as established by the Constitution, is one of specifically delegated powers; nor have I discovered any serious assertions that the National Government was specifically delegated a power in the Constitution to engage in any activity in the field of education. The limitations on the powers of Congress are inherent in the wording of the specific delegations of power to the Congress which appear in article I, section 8, of the Constitution. Such a conclusion was not left to implication, however, for the 10th amendment specifically states that not only is the National Government limited to the powers specifically delegated, but, indeed, it reaffirmed specifically the exact entities that retained all powers not delegated. Since no power was delegated to the Congress or to the National Government, that is even remotely associated with the field of education, it is therefore incontrovertible that the power to engage in educational activities was and is vested in the States respectively, or the people.

This, for me, is sufficient to resolve all questions on Federal aid to education, for it establishes conclusively that National Government participation in the field of education violates both the word and the spirit of the Constitution.

Unfortunately, from almost the beginning of our Republic there has been a sustained effort by legal gymnasts and mental contortionists to riddle the spirit and intention of the Constitution to suit their particular immediate purposes by ignoring the spirit and intention of the whole document through the process of misconstruing words, phrases, and clauses and considering them out of the context of the entire document. By such a process have we arrived at the point where many can rationalize the existence of power by the National Government to undertake education activities by virtue of a perversion of a group of words commonly referred to as the "general welfare clause" of the Constitution.

The words which comprise the so-called general welfare clause are contained in article 1, section 8, clause 1, of the Constitution, and I quote in part:

> The Congress shall have Power to lay and Collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

Obviously, the so-called general welfare clause is not only not a clause, but indeed constitutes a removal and combination of selection but not contiguous words from this particular provision of the Constitution.

No one will be shocked when I say that the prevailing construction of these selected words studiously avoids any attempt or pretext at arriving at a final understanding of their derivation, their arrangement, and the events—and thereby the intentions—which occasioned their inclusion in the Constitution. Nevertheless, it is well, at least occasionally, to review the circumstances of the framing and selection of this wording, if for no reason other than to demonstrate the devious departure from the Constitution to which our national rationalization has led us.

Under the rules of the Constitutional Convention in 1787, all of the proposals presented to the Convention were in the form of resolutions. The Convention centered its deliberation around the adoption, rejection, or amendment of the various resolutions until a time when agreement had been reached on practically all matters of substance in the latter stages of the Convention. The Convention used a committee system to expedite its work. After reaching a compromise as to the basis of representation of the State in the National Legislature, the Convention referred the resolutions so far approved, all of which were in very general language, to a committee on detail composed of five members. At about the same time, the Convention referred the matters not yet in agreement to a committee composed of one delegate from each State. Subsequently, in the last few days of the Convention, the approved resolutions were referred to a committee on style which transformed the resolutions into the basic document which we know today as the Constitution.

As a result of the work of the Committee on Detail in the Constitutional Convention, the Convention adopted a recommendation of the committee that "the Legislature of the United States shall have the power to lay and collect taxes, duties, imposts and excises." Subsequent to the adoption of this proposal, a serious controversy developed in the Convention concerning the power of Congress to pay the debts of the Revolutionary War, and the advisability of the General Government assuming and paying the existing debts of the several States. These questions were submitted to a special committee composed of one member from each State, who subsequently recommended the adoption of this language:

> The Legislature of the United States shall have the power to fulfill the engagements which have been entered into by Congress and to discharge as well the debts of the United States as the debts incurred by the several States during the late war, for the common defense and the general welfare.

The obvious intention of this language was to limit the assumption by the United States of the debts of the several States to those which had been incurred during the then recent Revolutionary War "for the common defense and the general welfare." It appears, however, that many of the delegates were dubious as to whether even this language would require the United States to pay the Revolutionary War debts and, therefore, adopted in lieu of the proposal by the special committee the following language:

> The Legislature shall discharge the debts and fulfill the engagements of the United States.

The records of the Convention show that this new resolution was thereafter placed in the context of the Constitution, as it then stood, prior to the taxing power clause, so that the full clause read:

> The Legislature shall fulfill the engagements and discharge the debts of the United States and shall have the power to lay and collect taxes, duties, imposts, and excises.

Even this language, however, was not satisfactory to the delegates, for there was objection to making it mandatory that Congress pay all of the debts of the Revolution regardless of the circumstances under which they arose or the existing status of the debts at the time Congress undertook to pay them. For that reason, a new resolution was adopted which was subsequently placed as the first clause in article VI of the Constitution, and which states:

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation.

This effectively removed the question of payment of Revolutionary War obligations from the language previously incorporated with the taxing power delegated to Congress. As is obvious from the final draft of the Constitution, however, the Committee on Style retained in the taxing clause the phraseology earlier incorporated for the purpose of dealing with this troublesome subject.

It is quite obvious that it was the intention of the Convention, in utilizing this phraseology, to accomplish a purpose that was subsequently taken care of in another portion of the Constitution; and the troublesome language was left in the clause delegating to Congress the general power of taxation for no specific purpose. Regrettably, however, many who have sought over the years since the adoption of the Constitution to find authority for the National Government to enter new fields of endeavor have seized on this extraneous phraseology as a source of authority.

Shortly after the Constitution was adopted, the efforts to pervert this accidental phraseology became apparent. The differences as to the construction which should be placed on this language were crystallized in the writings and pronouncements of two of the delegates to the Constitutional Convention, James Madison and Alexander Hamilton. Of the two opinions as to the actual intention of the Convention, Madison's view commends itself more to objective analysis; although, admittedly, Hamilton proved to be the master rationalizer of the two. It is interesting to recall that at the Convention Madison labored throughout, and was, of all the delegates, most deserving of the appellation, "Chief Architect of the Constitution." Hamilton, on the other hand, had long since departed the Convention, and Philadelphia, when the clauses in question were adopted and the Constitution was put in its final form. Madison's construction was probably the most simply stated by another, who was no mean authority on the Constitution himself. Thomas Jefferson, who thoroughly concurred in Madison's construction, stated in his "Opinion on the Bank":

The laying of taxes is the power, and the general welfare is the purpose for which the power is to be exercised. They (Congress) are not to lay taxes ad libitum for any purpose they please; but only to pay the debts to provide for the welfare of the Union. In like manner, they are not to do anything they please to provide for the general welfare, but only to lay taxes for that purpose.

Hamilton, to the contrary, advanced the theory that the general-welfare language gave the National Government a power to tax and spend without being limited by other granted powers. Even Hamilton expressly concurred, however, in the opinion that the Government was not given any power to make use of such spending so as to exercise any control over the people, or over anything, except in those limited areas of activity in which there were specific delegations of power to the National Government.

After avoiding the issue during all the intervening years, the Supreme Court, in 1936, in the case of U.S. against Butler, in an opinion by Justice Roberts, finally succumbed to the Hamiltonian construction as refined in the "Commentaries" of Justice Story. This, in the words of the Court, is the construction adopted:

Since the foundation of the Nation sharp differences of opinion have persisted as to the true interpretation of the phrase. Madison asserted it amounted to no more than a reference to the other powers enumerated in the subsequent clauses of the same section; that, as the United States is a Government of limited and enumerated powers, the grant of power to tax and spend for the general national welfare must be confined to the enumerated legislative fields committed to the Congress. In this view the phrase is mere tautology, for taxation and appropriation are or may be necessary incidents of the exercise of any of the enumerated legislative powers. Hamilton, on the other hand, maintained the clause confers a power separate and distinct from those later enumerated, is not restricted in meaning by the grant of them, and Congress consequently has a substantive power to tax and to appropriate, limited only by the requirement that it shall be exercised to provide for the general welfare of the United States. Each contention has had the support of those whose views are entitled to weight. This Court had noticed the question, but has never found it necessary to decide which is the true construction. Justice Story, in his "Commentaries," espouses the Hamiltonian position. We shall not review the writings of public men and commentators or discuss the legislative practice. Study of all these leads us to conclude that the reading advocated by Justice Story is the correct one. While, therefore, the power to tax is not unlimited, its confines are set in the clause which confers it, and not in those of section 8, which bestow and define the legislative powers of the Congress. It results that the power of Congress to authorize expenditure of public moneys for public purposes is not limited by the direct grants of legislative power found in the Constitution.

What has subsequently been ignored in practice, not only by the Congress, by the Executive, and indeed by the Court itself, is that the Court in the Butler case, although holding that the spending power is not limited by the specific grants of power contained in article 1, section 8, found nevertheless that the spending power was qualified by the 10th amendment, and on this ground ruled that Congress could not use moneys raised by taxation, to purchase compliance with regulations "of matters of State concern with respect to which Congress has no authority to interfere."

The Court has never attempted to impugn the rationale laid down in the Butler case, but, admittedly, in many subsequent decisions, the Court has seemingly ignored its existence insofar as the limitation on the authority of the Congress to "purchase compliance" of the States is concerned. Only Congress itself has succeeded in surpassing on the irrational side the Court's violation of this view.

Tested even under the Hamiltonian construction of the so-called general welfare clause, Federal aid to education fails miserably to come within a power authorized to be exercised by the Congress. Conceivably, there are many grants which the National Government can make, and possibly has made, in which the donation is unaccompanied by a purchased compliance of the States and the people thereof with respect to matters on which jurisdiction was reserved to the States respectively, or to the people, under the Constitution. By the nature of the limitation, however, such a grant would almost of necessity have to be a one-time donation; and conversely, it is difficult to conceive of any program of continuing grants as a condition to which Congress does not exercise regulation on the one hand, or fail in this public trust to insure the wise application of public funds on the other.

While one might well quarrel with the wisdom of the judgment of the Congress as to what is wise for the application of public funds, there is no ground for a charge that Congress, or individual Members thereof, lack diligence in attempting to insure that public funds are spent in strict accordance with their determination of what is best for the country and the people.

Proposals for Federal aid to education are almost invariably, by their very nature, regulatory and conditional. Those best designed to fit within the Hamiltonian construction of the general welfare language of the Constitution find small support in these legislative bodies. Two of the latter type proposals have been considered by both the committee and the Senate. One would operate as an income tax credit for taxes paid to State and local communities for educational purposes within limitations of amount, and by its very nature such a proposal excludes the possibility of control and regulation by National Government.

Another proposal would direct the payment by each District Director of Internal Revenue of a percentage of revenue collected within a State to that State to be used for educational purposes. Again, there is a minimum opportunity in such a proposal for the National Government to purchase compliance. Significantly, both of these proposals were rejected out of hand by the committee, and on several occasions, by the Senate when offered as amendments.

Federal aid to education is, of course, no latecomer to congressional consideration. In one form or the other, it has been before the Congress for 30 years, and many a wise legislator, as well as many less endowed, has wrestled in an attempt to resolve the conflict between

the unconstitutionality of regulation and control, and the responsibility to prevent the misuse and misapplication of public funds.

The late Congressman John Lesinski, Sr., while the chairman of the Education and Labor Committee in the House of Representatives, stated:

> It is impossible to draft a general Federal aid bill which will not contain a great deal of Federal control over local school systems. I am convinced after the hard study we have put to the question, that no acceptable bill preventing Federal domination of local schools can be drawn. I reluctantly come to the conclusion, but I had to face the facts.

S. 1021 is proof positive of the accuracy of Mr. Lesinski's conclusion. Congress has no constitutional authority to enact such a proposal.

Mr. President, I am not unaware of the diminishing realization of the necessity for a rigid Constitution and the conduct of government in conformity to its absolute terms. The type of constitution in vogue today is one which grows with the change in technology and, indeed, is so flexible as to be no constitution at all.

Our Constitution was not designed as a document of convenience, nor yet as a mere guideline for government. It was conceived as a shackle on the ambitions of officeholders and a system of fetters for those who view with lust the broad plains of expediency.

Our system of government is novel, and under close scrutiny bears little resemblance to other governments which preceded it, or for that matter, those which ostensibly embraced its mechanics but not its total safeguards in the fond hope that they might dance to the tune of individual liberty without paying the full price to the piper.

Only once in the recorded history of mankind have events conspired to bestow upon a society both an attitude of public opinion conducive to acceptance of an original philosophy of government, unimpaired by the design of a predecessor government, and also the leadership of men learned in the truths proven by the ageless but unsuccessful struggle of man to maintain his liberty against the various forms of government formerly designed. Fortunately for those who have enjoyed the fruits of the labors of these great men from the formation of our United States until the present day, those to whom we refer as our Founding Fathers not only were cognizant of the lessons of history, but also possessed the capabilities of translating their knowledge into a plan for a structure of government in which the deposit of power was on balance with the individual's ability to control it in the interest of his own protection.

Two basic and transcending facts underlay the consideration of those American patriots faced with the awesome task of devising the new government. First, they were conscious of the essentiality of some form of government possessed of a sufficient degree of power to maintain peace and tranquillity. These men were fresh in the memory of a too-weak government which they had so recently experienced in the form of a Continental Congress, which existed under the Articles of Confederation. In other words, they were conscious of the necessity of removing the government from a position of close proximity to a state of anarchism.

Secondly, they were equally impressed with the fact that "government," or the "state," was invariably the tool of tyranny and the greatest enemy of the individual's liberty. This lesson, learned from an academic consideration of history, has been indelibly impressed on their minds and hearts by despotic occupants of the British throne.

Those Americans charged in the late 1780's with the invention of a form of government were faced with the difficult and previously unaccomplished task of devising a method of balancing the surrender to the State of sufficient powers to accomplish its intended purpose, on the one hand, against the imperative need to provide protection against its transformation into a tool of tyranny to suppress individual liberty on the other.

Obviously, no single device was or is capable of providing the necessary balance. More important, but less often acknowledged by our sophisticated society of today, no combination of previously used devices was sufficient to adequately accomplish the purpose. As a consequence, the form of government they conceived was comprised of a combination of previously proven and useful safeguards and supplemental innovations specifically designed and weighted to bring the conflicting objectives into balance. Among the proven safeguards utilized was the process of subjecting those who were to exercise the power of the "state" to election at the hands of the people for a continuation of the right to wield that power; another was the utilization of a written Constitution, although they improved on this device by elevating it above the status of other laws, principally by conditioning its amendment to the most widespread approval.

These, and other tried and proven devices, contributed much to the successful accomplishment of their awesome task. It was the innovations, however, which transformed their efforts from the realm of attempts to the realm of achievement.

Foremost among the innovations were the numerous devices which can be characterized within the concept of split sovereignty. Departing from the precedent in previous governments of concentrating the necessary powers of state in a resultant all powerful sovereign, these wise benefactors of succeeding generations chose to repose varying, but lesser, degrees of power in a number of sovereigns. The division of powers was accomplished by geographic and jurisdictional circumscription.

To several sovereigns they reserved broad jurisdictional powers circumscribed by smaller geographical limitations. These were the States, in whom all sovereignty rested previously within their boundaries. To the sovereign created without geographical limitations they accomplished a delegation of jurisdictionally narrow powers, specifically enumerated. Following the concept of split sovereignty to its practical and logical conclusion, they went further and split the powers of the geographically unlimited sovereign by a division of them among the three branches which comprised that sovereign. In effect, they accomplished a division of the powers derived from the people among what were 14 sovereigns at that time. Being designed as an implementation of sound principles, rather than an expedient, the structure they erected is now comprised of 51 sovereigns—50 States and a National Government.

Anyone who pictures this structure, as originally conceived and intended, in a pyramidical design has a basic misconception of the safeguards which have provided the essence of novelty, and more importantly, the safeguards of liberty in our government. The relationship between the National Government and each of the 50 States includes no conduit of authority. There was an act of delegation of sovereign powers initially via the Constitution, and only by amendment of the Constitution—a distinct action within itself rather than a conduit—can a further exchange of power between sovereigns be accomplished consistent with the original design.

Tyrannical and despotic action can be avoided only so long as the balance between the inherent dangers in the powers reposed and the safeguards of individual liberty established is maintained. The diminution of any safeguard imperils the balance. The dissolution of any safeguard insures the lack of balance and the deprivation of individual liberty.

The process of erosion stemming from the impatience and lack of wisdom of many of those in subsequent generations has dealt harshly with the safeguards instilled in the noble institutions inaugurated by the Founding Fathers. Many of the safeguards have been reduced in weight, thereby imperiling the balance. It speaks well for the governmental system originally instituted that the form has remained fundamentally unaltered despite the pressures created by the ambitions, impatience, and stupidity of some of those who have gained positions of power in the interim. It is the substance, rather than the form, that has suffered from a continual series of unsurpations, occurring almost invariably at the national level.

The fundamental concepts which the Founding Fathers incorporated into our Constitution are as valid today as when originally set down, and there can be no question but that there is a far more pressing need for their application to our contemporary society than that of theirs; for they were men who appreciated the preciousness of liberty, and men of that generation carried the safeguards against oppression in each of their hearts. If we continue to delude ourselves, deprecating the applicability of the constitutional concept in absolute terms, it is we

who will destroy our own liberty and suffer from a fate well deserved.

I would be less than candid if I did not admit that I am aware that many differ with my conclusion as to the constitutionality of Federal aid proposals. Indeed, many who differ base their difference in interpretation on the supposition that the National Government already participates greatly in educational activities. The National and State Constitutions and the record of school support since the inception of the Republic prove that education has always been regarded as a responsibility of the States and of private groups. In spite of this, some claim that Federal aid to education is older than the Constitution. They point to the land grants first authorized by the Ordinance of 1785 as proof that the principle has long been settled; however, a review of the record shows that neither any separate action, nor the entire collection of them together, was motivated by a primary concern with public education as such. There were always other objectives for the realization of which education was utilized as a medium. It is true that the National Government over the years deeded 77 million acres to the States as an endowment for the schools. This was part of the disposition of more than 1 billion acres of the national domain to homesteaders, railroads, and other groups whom the Government encouraged to develop the West.

The Ordinance of 1785 established the rectangular survey and set aside one section in each township for the support of common schools. During the first hundred years after 1785, land was the Nation's most abundant resource, and the promotion of Western settlement was a high priority objective. The school land grants were made as an inducement to settlers who would be more willing to go west and take up land if educational facilities were in prospect to the extent that such were assured by the grants.

No grants or other benefits were provided to the 12 States where at the time more than 98 percent of all American children lived. It is inconceivable that Congress would have channeled all grants to areas where almost no American children lived, and none to sections where the children actually were, had National Government promotion and support of education been the purpose.

The land-grant colleges established by the Morrill Act of 1862 were required to provide certain subjects as a condition of the grants, chief among which was instruction and training in agriculture. In this instance, the principal objective was the improvement of farming as the main source of livelihood for western settlers. Indeed, a larger area of western lands was given to transcontinental railroads than to schools and colleges, and in this case, also, the purpose was the promotion of western settlement and national unity.

Since the first bill was introduced in 1870, hundreds of proposals to provide national support for local schools have been before the Congress. None was enacted. During the same time grants for about 1 million other State and local activities were approved by the Congress which altogether will total some $8 billion in fiscal 1962. Some of them unquestionably affect the schools, but they can by no means be called aid to education. The school lunch program, for example, is a measure to dispose of agricultural surpluses and is administered by the Department of Agriculture. Some areas get payments in lieu of taxes for communities where expanded National Government activities imposed a special burden.

Only two current programs really involve aid to education, and these are the Smith-Hughes Act for vocational training passed in 1917 and the National Defense Education Act of 1958. Both of these programs were enacted ostensibly for defense purposes, and both ostensibly aim to promote certain specified subjects on the curriculum.

The reason why Congress has never enacted a general Federal aid to education bill is because the Members of the Senate and the House of Representatives in the past have realized that our schools are bulwarks of local self-government and community enterprise and that they should so remain. There is no precedent constitutionally or otherwise for the enactment of a general Federal aid to education bill such as that proposed here.

Mr. President, there are many who try to spread the responsibility of the National Government to provide a national defense into an umbrella which would justify the entry of the National Government into the field of education. No one would dispute the fact that the better the citizens of the country are educated, the stronger will be all facets of our society, including the ability to defend ourselves. Attempts to stretch the defense power of the National Government to such extremes, however, are absurd. If the power of the National Government were that all-inclusive, the General Government would be a government of general, rather than limited, jurisdiction, even if it had no other powers at all.

Consider the application of such a conception of the defense power in other fields, and the absurdity is obvious. Production is essential to national defense, so it could be controlled absolutely. Transportation is essential to defense, so it could be controlled. The physical health of the people is a matter that is vital to national defense, for sick and undernourished people are not able to contribute to national defense, so the diet of Americans could be controlled. Obviously, manpower is vital to national defense, so the National Government could prohibit and regulate measures of birth control.

If the defense power of the National Government went that far, there would be nothing worth defending, for slavery would prevail and there is nothing worse to defend against. We must be vigilant and prepared to defend our country, but it is just as imperative that in so doing, we do not ourselves destroy the very things we are preparing to defend. The worth in our society is the individual, not the state; and it is the state that should be the servant of the individual, for the individual has value in and of himself, regardless of his contribution to the state.

We must not lose sight of the fact that our educational system, unlike that of communism and socialism, is to provide the opportunity for the individual to achieve his own full and complete development to the extent his talents and disposition permit, and not to increase his potential for service to the state.

Again, I am convinced that there are many who, although troubled with the effort to square proposals for Federal aid to education with their knowledge of the constitutional limitations, are inclined to view the perversion of the Constitution as a necessity in order to meet what has been propagandized as a severe crisis in education in the United States. Even were there a crisis, it would not justify stretching and ignoring the existing constitutional limitations. If, indeed, there were a serious crisis and on the further supposition that were Federal aid to education to be the only solution to that crisis, the proper course would be to amend the Constitution to grant a specific authority to the National Government, within prescribed limitations, to deal with such crisis. These are remote suppositions, and, fortunately, there is not any need to think in terms of an amendment to the Constitution, for there is no crisis in education in the United States, although there are problems. The problems, as would be the case with a crisis, would be exaggerated and inflamed rather than solved by Federal action.

The purported crisis in education is most often pictured by the proponents of Federal aid to education as a result of financial neglect of the public schools. The argument has been heard so often that one might be inclined to give it credence, but only if one were unfamiliar with the facts. Between the school year 1939–40 and that of 1960–61, total educational expenditures for schools at all levels in the United States increased from slightly less than $3.2 billion to $26 billion, an increase of 713 percent. During the same period, enrollment increased only 64 percent. Even making allowance for the fact that the dollar depreciated by one-half, the rise in expenditures was more than 300 percent compared to an enrollment expansion of only 64 percent.

This tremendous increase in expenditure per pupil cannot be attributed solely to overall increase in national income by any stretch of the imagination, for expenditures for education as a percentage of national income have increased from 3.7 percent in 1930 to 4 percent in 1950 and 6.1 percent in 1961. The American people have loyally and faithfully supported their schools. The record of steeply increasing school revenues is nothing short of spectacular and makes no case for a general financial neglect of the schools. Other statistics invariably show the same picture. Between 1929–30 and 1960–61, public school expenditures increased 611 percent, personal consumption increased

315 percent, and corporate profits increased 177 percent. This occurred during a period when public school enrollment expanded at a slightly lower rate than the total population of the country.

These facts completely refute such propaganda as the statement of Dr. William G. Carr, executive secretary of the National Education Association, printed in "Teachers for Tomorrow," who said:

To put it succinctly, in terms of every need, American schools are not holding their own. Indeed, they are repeatedly losing ground and have been doing so since about 1930.

Fallacious and misleading statements such as that of Dr. Carr are absurd and ridiculous when tested against the facts.

Proponents of Federal aid to education allege that the financial crisis they conceive to exist in the education field is most apparent in the specific areas of school construction and that through the medium of teachers' salaries is reflected a shortage of teachers. An examination of these specific aspects of financial school support completely repudiates such allegations.

Past performance, when properly interpreted, provides the best, and indeed the only, accurate gage to school needs in the future period for which Federal aid to education is proposed. In examining the performance of our school system without any general Federal aid to education, it is essential that we understand any special factors which would or might vary between the past period under examination and the future period for which we propose to plan.

The decade of the 1950's saw the most spectacular expansion of school-age population: the number of young people between 5 and 17 years of age jumped by 46 percent. The average annual increase of enrollment between the years 1955 and 1959 was 1.2 million, but the estimated average increase, based on the population census for 1960–64 shows a decline to 1.1 million, and estimates for the average annual increase during the period 1965–69 is 600,000. It is not that the entering classes will be smaller, but the difference between the entering and leaving classes will decline sharply as the war and postwar babies start to be graduated. As of now, the tidal wave has all but passed, for although the school-age population increased 46 percent in the last decade, it will increase by only 20 percent between 1960 and 1970.

When viewed in the light of the tremendous increase in enrollment which occurred during the past decade, the performance of State and local authorities without the assistance of the National Government in the construction of classrooms has been astounding and graphically illustrates, not only the ability, but also the willingness of State and local communities generally to meet the demands for new classrooms, even when the demands are at a crucial rate. The situation with respect to the accomplishments in the field of classroom construction in the past decade was succinctly and accurately summarized by Mr. Roger A. Freeman in his testimony before the Subcommittee on Education of the Committee on Labor and Public Welfare of the Senate in March of this year. I quote from Mr. Freeman's testimony:

The Office of Education reported a classroom shortage as of the fall of 1960 of 142,100 classrooms. The report—as its predecessor a year earlier—was sharply criticized by examiners of the Bureau of the Budget, held up for some time, but finally released by the former Secretary of Health, Education, and Welfare on his last day in office, January 19, 1961. It can be better evaluated in a historical perspective.

Congress in 1950, ordered a national school facilities survey. It was undertaken at a cost of more than $5 million and reported a shortage of 312,000 classrooms. Then, in the fall of 1954 the U.S. Commissioner of Education testified that the shortage has grown to 370,000 and the other responsible officials predicted that it would, within 3 years, rise to 600,000.

When the White House Conference on Education soon after polled the States, it arrived at a shortage of 198,625. Finding itself under a barrage of criticism, the Office of Education revised its estimates, and its annual canvass of classroom shortages started coming down until it hit a low of 132,400 in the fall of 1959. A year later it reported a shortage of 142,100 classrooms. This was 230,000 less than had been reported 6 years earlier, and 360,000 fewer than had been predicted.

But the new figure does not seem to be any more reliable than the earlier ones. Statistics for the years 1956 and 1960 taken from the reports of the Office of Education show this 4-year comparison: Enrollment had grown 4.8 million children who required the addition of 171,000 classrooms. The number of classrooms in use—after deducting those which had been abandoned—has increased by 252,000 which left 81,000 classrooms for the reduction of shortages which existed in the fall of 1956. But the shortage reported by the Office of Education had been reduced by only 17,000. This means—and a detailed analysis confirms it—that several States had meanwhile upped their shortages by 64,000 classrooms by either raising their standards or reevaluating their needs. Actually in those 4 years enrollment had increased 15 percent, the number of classrooms in use 23 percent, and the number of pupils per classroom had declined from 29.0 to 27.1.

These figures may appear dry but they are significant. They prove that the various shortage reports are not at all internally consistent nor using standards which would permit valid comparisons from year to year and add up to a meaningful national total. They largely express the opinion of hundreds of individuals all over the country, which fluctuate from year to year, from State to State, from school district to school district.

With several reevaluations taking place each year in a number of States, the reported shortages could go up at a very rapid rate or continue to run erratically, as they have for the past decade. The Budget Bureau examiners commented correctly that these are not reports upon which valid conclusions in regard to national policies could be formed. The race between shortage reports and construction is like greyhounds chasing a mechanical hare. The hare always wins.

The incontestable fact is that over the past decade more than 600,000 classrooms were completed while the increased attendance required the addition of only 400,000. This means that over 200,000 new classrooms were made available to replace old ones and to reduce class sizes. That it was possible to accomplish this in the decade of the most rapid enrollment growth demonstrates, more dramatically than words could, the faith of the American people in education. This record is the result of thousands of communities voting bond issues and higher taxes year after year. It may be well to note that the new public schools, built in the postwar period, now house close to 20 million American children—compared with schools for 9 million children which—according to their own claims—the Russians built in the same span of time.

The statistics of the Office of Education about "children in excess of normal enrollment" are even less reliable than classroom reports, as a comparative analysis proves and as the Budget Bureau examiners found on a field inspection trip to nine States in 1960.

But to judge the outlook in the classroom situation we do not need to spend more time with these statistics—although the more closely they are analyzed, the more misleading they turn out to be.

In his education message on February 20, 1961, President Kennedy said: "In order to meet current needs and accommodate increasing enrollments, if every child is to have the opportunity of a full-day education in an adequate classroom, a total of 600,000 classrooms must be constructed during the next 10 years."

The figure of 600,000 over the next 10 years—an average of 60,000 a year—is based on estimates which the Office of Education prepared during 1960, and which accept all shortage claims at face value, regardless of their validity.

Now 60,000 classrooms a year may appear to be a big order until it is recalled that States and communities have been building 70,000 classrooms each year for the past 5 years. This means that the volume of school construction can materially decline during the 1960's and still produce all the classrooms the public schools reasonably require. The reason for this reduced need is apparent from the earlier cited enrollment projections: While in recent years 40,000 classrooms a year were needed just to house the additional enrollment, we shall need only 20,000 classrooms a year for that purpose when enrollment increases drop to half their present size in the later 1960's.

There were complaints last year from the then Secretary of Health, Education, and Welfare and others that school construction was declining and that action was urgently called for to meet this emergency. We know now, from more recent reports of the Department of Health, Education, and Welfare, that school construction did not decline at all. We know also that in the school year 1959–60 the public schools had 360,000 fewer pupils but 7,000 more classrooms and 10,000 more teachers than Congress and the public were told early in 1960. The figures were quietly adjusted after the 86th Congress had adjourned.

At the present time there is no indication of a proximate decline in school building activity; quite the contrary. The Investment Bankers Association of America just reported that the amount of school bonds approved at elections and the approval percentage reached new record highs of $1.8 billion and 81 percent respectively in 1960. January 1961 again established a new record.

Because of the considerable interval between bond approval and completion of work, a high volume of school construction appears to be assured for some time to come. The Department of Commerce estimated that public educational construction would increase 8 percent in 1961 over 1960.

The so-called taxpayers' revolt belongs in the realm of fiction, as does the exhausted fiscal capacity of thousands of communities needing classrooms. The Department of

HEW conducted a telegraphic survey among chief State school officers slightly over a year ago and found that only 237 school districts were reported as having exhausted their legal capacity, needing classrooms, and having no access to funds. No attempt was made to verify the reports from the 237 districts, most of which were small. But even at that, the survey does not suggest a critical situation among the country's 40,000 school districts.

In summary, Mr. President, it is undeniable that since the end of World War II between 600,000 and 700,000 classrooms have been built. The number constructed in the last 5 years between 1956 and 1960 was 336,800. The generally accepted projection of classroom needs throughout the 1960's is 600,000 or an annual average of 60,000 new classrooms. The average annual construction for the past 5 years without Federal aid was 67,360. There are absolutely no grounds for assuming that the rate of construction by State and local authorities will decline, for the very latest figures indicated that classsroom construction is not only proceeding without decline but that the rate is increasing.

At this moment in many localities there is a classroom shortage, and indeed in many communities students are using classrooms on a double-shift basis. This problem will continue to exist to an appreciable extent, for the migration of population from central cities to suburbs with the development of new urban communities adjacent to large industrial plants and the continual shift of people from one State to another and from one community to another will continuously create shortages in some areas and surpluses in others, not only of school classrooms but all public facilities.

The attempts to show a crisis in education in terms of classroom shortage fail miserably when viewed under the illumination provided by the facts. At most, the demand for classrooms is decreasing and is already well below a rate of construction for which the States and local communities have proven their adequacy to meet and surpass.

The other area to which the proponents of Federal aid to education point for a demonstration of crisis is that of teacher supply. The facts refute a teacher shortage as emphatically as they do the allegation that there is a classroom shortage which the States cannot meet. In 1953 the U.S. Office of Education placed the teacher shortage in the public schools at 72,000 and gradually raised the estimate until it reached 190,000 in 1959. The figures released in 1959 by the Office of Education were so severely criticized that the Office of Education in its 1960 report omitted all reference to teacher shortage. The figures which were released, however, on teacher supply indicate substantial improvement over 1959 in both supply and quality. The report of the Office of Education for the fall of 1960 states in part:

The Office of Education survey showed 1,410,000 full-time and part-time classroom teachers this fall in the Nation's public schools, 861,000 at the elementary level, and 549,000 at the secondary level. This is a gain of 55,000 or 4 percent over the 1959 total.

State departments of education reported in the survey that 67,200 elementary and 24,300 secondary full-time teachers have not met full certification standards for teaching. The total of 91,500 such teachers represents a decrease of 5,500 or 5.6 percent from the number in the fall of 1959.

The proportion of teachers with less than standard certificates was reduced from 7.2 percent of the Nation's total teaching staff a year ago to 6.5 percent currently.

These figures are consistent with a long-time trend as shown by Department of Commerce statistics which show that over the past 30 years, while the population and enrollment in public education rose at the same rate of 45 percent, the number of employees in public education increased 140 percent. In addition, according to figures released by the National Education Association, the number of pupils in public schools increased 29 percent while the number of certified teachers increased 40 percent. In the same period the number of pupils per certified teacher declined 2.4 percent.

The teacher shortage figures arrived at by the U.S. Office of Education were derived largely by preimposing an aimed-for more rapid cut in class size, and by omitting from the calculations a large measure of the teacher supply consisting of those who returned to the schools as instructors after engaging in occupations in other fields.

The optimum pupil-teacher ratio is quite difficult to ascertain, but judging from the shifting goals published by the U.S. Office of Education and the publications of the National Education Association, both are apparently convinced that the ratio should be reduced, despite the fact that numerous research studies have been unable to show that children learn more in small classes than in large; and, in fact, some of the results of the studies seem to point in the opposite direction. Whatever the answer may be as to the pupil-teacher ratio, it is doubtful that there will ever be complete concurrence on the answer; but in the meantime the schools have been successful in cutting class sizes and will continue to do so.

The other major fallacy which underlies the figures on teacher shortage which the Office of Education produced is apparent from their own research statistics. In projecting the teacher shortage for any given year, the Office of Education based their estimates on the assumption that the new supply of teachers for the particular school year consisted of teachers who graduated from college in the preceding academic year, about 70 percent of whom, they estimated, would enter the teaching profession, and apparently ignored those returning to the profession who had graduated in earlier years. This resulted in a discrepancy which consistently appeared in the Office of Education's figures on teacher supply estimates and subsequent actual tabulations. For instance, in the year 1955–56, the advanced estimate of supply of teachers was 1,115,700, while the actual number subsequently tabulated was 1,188,400 leaving a discrepancy of 72,700 which the Office of Education had not anticipated would be available. Similarly, the discrepancy between the estimate and actual count in 1956–57, was 57,300; in 1957–58, the discrepancy was 58,400; and in 1958–59, the difference was 65,900.

The same discrepancy in Office of Education estimates can be shown in another way. During the 4 school years, 1955–56 through 1958–59, the Office of Education estimated the supply of new teachers at 365,400. These figures would indicate that there could be only a total increase in number of teachers of 35,800; yet, an actual tally of qualified teachers in the schools shows the increase of teachers in that period to be, not 35,800, but 390,100. Obviously, an average of about 65,000 teachers were returning to the teaching profession each year, after an absence from teaching or after having graduated in a year earlier than the preceding academic year. During this entire period, the number of teachers who did not meet minimum standards continued to decrease, which proves that the gap left between Office of Education estimates and actual counts was not filled by the employment of unqualified teachers.

Actually, the outlook for teacher supply is most encouraging, particularly in terms of the number of college students who are preparing to teach and the percentage of graduating classes preparing to teach. The number of bachelor and professional college degrees are projected to rise from 387,000 in 1958–59 to 703,000 in 1968–69. The trend in the past has been for the percentage of total college students preparing to teach to remain stable, following a rise from 21 percent, in 1958, to 31 percent, in 1955. The enormous increase in enrollment in primary and secondary schools which we have experienced during the 1950's will now begin to pay dividends in teacher supply during the 1960's. The enrollment increase in primary and secondary public schools was 46 percent between 1950 and 1960, requiring an annual increase in instructional staff in the public schools which averaged 60,000; but between 1960 and 1970, the increase in enrollment is projected at only 20 percent, which will require an annual increase in instructional staff in the public schools of only 25,000 between 1965 and 1969. During this period the output of college graduates will jump from an average of 336,000 over the last 5 years to 594,000 in the last half of the 1960's.

In 1956, the National Education Association predicted an end to teacher shortage by the early 1960's; and all factual information available indicates that this prediction will be proven accurate. Within a few years, there is a strong likelihood that we shall be faced with the problem of finding jobs for all who graduate from college and are prepared to teach.

It is quite widely alleged that teachers as a group are underpaid, and that their salaries should be substantially raised. The Department of Health, Education, and Welfare has suggested that an increase of 50 percent in teachers' salaries between 1959 and 1964 would be in order. Such an assumption is not borne out, as a general proposition, by

figures compiled and released by the National Education Association, which can hardly be accused of attempting to undermine the teachers' efforts for higher salaries and better recognition. These figures show that during the past 30 years, teachers' salaries on the average have increased 106 percent, while the earnings of all wage and salary workers increased 91 percent; and the earnings of civilian employees of the Federal Government, 73 percent. Studies demonstrate that generally men teachers earn less than men engaged as engineers, lawyers, judges, physicians, surgeons, dentists, architects, and in similar professional capacities. The same studies show that women teachers average higher earnings than other women college graduates or professional workers. The continuation of this circumstance may be attributable to the reluctance of local school authorities to grant salary increases on a percentage basis to all teachers to the extent that the school boards appreciate the work of the good teachers. At the same time, there is widespread opposition to payment of teachers on an individual merit system, in which opposition teacher organizations strongly concur.

Mr. President, there is no crisis in our educational system. The severest test of our ability to meet a peak demand occurred in the decade between 1950 and 1960, and was adequately dealt with by the State and local communities, without general Federal aid to education. As the figures released by the U.S. Office of Education and the National Education Association clearly show, the rate of classroom construction for the 1950's will more than adequately meet the demand if continued through the 1960's; and there is no reason whatever to presume that the States and local communities cannot at least continue the present rate, if required. Similarly, as the National Education Association predicted in 1956, the scarcity of teachers which was brought about by the fluctuation in school-age population during the war years and immediately thereafter is coming to an end; and the prospect for teacher supply in the next decade is most encouraging. Generally, teachers' salaries have during the past 30 years more than kept pace with the economy.

No one denies that there are localized classroom shortages, or that in specific instances and areas there are shortages of teachers, and that the shortages are attributable to an appreciable extent to inadequate salaries. These localized deficiencies make no case for the enactment of Federal aid to education. In some instances, they are due to an overemphasis on one phase of school needs, rather than a balanced approach. Another contributing factor is the constantly shifting population. In some few areas the deficiencies are due to financial inability of the local communities or States, or their unwillingness to sacrifice to the extent necessary to provide the desirable educational opportunities.

The number of such deficiencies are constantly decreasing, and the prospect for their elimination without general Federal aid to education is favorable. The job which has been accomplished in meeting the problems of increased enrollment during the last decade attests to the ample ability of the present system of school finance to overcome the remaining deficiencies in the 1960's, when the influx of students will be at a much smaller rate of acceleration.

Undoubtedly, the next decade will require substantially increased sums for education. Recently, the President indicated in his message that $26 billion annually is now being spent on education, and most estimates concur that $12 billion additional annually will be necessary by the end of the 1960's. Certainly, if the States and local communities are expected to finance the increase to as much as $37 billion by the end of the 1960's, it would not be too much to expect them to raise an additional $1 billion, which the proponents of Federal aid to education now propose that the National Government contribute annually to the effort. If this relatively small amount is spread across the general field of public education, it will do little to help communities which find themselves in extreme circumstances from a revenue-raising standpoint. Nor would Federal aid be justified on the basis of providing incentive for additional expenditures insofar as these areas of financial incapability are concerned, for it will take additional economic resources, through industrial development or similar means, rather than incentive, to alleviate these localized problems. As the statistics conclusively prove, our educational system generally is doing surprisingly well; and it exhibits the capacity and willingness to do better in the years of relatively less stress which lie ahead.

Despite the quite reliable statistics of past performance which prove to the contrary, there are those who persist in expounding the allegation that the States cannot raise enough money to meet their educational problems in the 1960's. For instance, former NEA President W. W. Eshelman testified in 1959:

> The inadequate fiscal capacity of State and local government, the unequal capacities of the States, and the urgent requirements of national defense are among the reasons for Federal support of schools.

That States and communities lack adequate fiscal capacity and cannot expand their revenues as effectively as the Federal Government has long been asserted. A comparison of current government finances with those 20, 30, or 50 years ago shows that Federal revenues have risen at a more rapid rate than State and local income. Federal receipts expanded faster than State and local ones during time of war. In the intervening peace periods State and local tax collections invariably grew more steeply. During and after World War II it was said that State and local governments would not be able to increase their sources of income very much. We know now that in the postwar period State and local taxes tripled while Federal revenues barely doubled. So it is now being asserted that States and local communities have made such an effort that they have physically exhausted their local resources. Of course, if State and local revenues had not risen so steeply, it would have been accepted as evidence that those governments just could not do it.

Sometimes a transfer of fiscal responsibility to the Federal Government is being advocated because State and local tax systems are antiquated and inflexible, and because their receipts have not risen fast enough and cannot rise fast enough. At other times we are being told that States and communities have expanded their revenues so steeply in recent years that they are virtually at the end of their financial ropes. So Federal aid may be recommended because State and local taxes have been (a) rising too slowly, (b) rising too rapidly. This seems to be a "heads I win, tails you lose," proposition.

The conclusion is inevitable that States and communities are not incapable of materially expanding their revenues, but that the advocates of governmental centralization regard it as undesirable that they do so. The real issue is not whether the States can do the job, but whether it is desirable that they retain the major financial responsibility for domestic public services instead of shifting it to Washington.

Even evidence of inadequate State and local fiscal capacity would not justify Federal aid to specific State and local activities. It could be used to make a case for channeling to the States a share of Federal tax collections—nonearmarked and unconditionally. But how can the proposition of a superior Federal taxing power be upheld in view of the fact that Federal revenues fell short of expenditures 80 percent of the time in the past 30 years? Inequality of resources among the States might conceivably have justified Federal assistance to some of the low-income States several decades ago. But developments in the past 20 to 30 years, and particularly the narrowing of the range of economic capacity, make such proposals doubtful in the setting of the 1960's.

There are others who suffer from the illusion that for some reason Federal taxes are good taxes, and State and local taxes are bad taxes, although they rarely provide a standard for their qualitative differentiations. In his book, "Taxes for the Schools," Mr. Roger A. Freeman discusses the problem of goodness or badness of taxes based on the level of the government at which they are levied. Mr. Freeman states:

> A frequently levied charge against State and local taxes, and particularly against property taxes, is that they do not expand fast enough. Senator WAYNE MORSE stated: "The income to a community from the general property tax has not reflected the rising national wealth which has boosted costs and accompanied a growing school-age population." The NEA testified: "Indeed, the financial plight of our schools is compounded by its present firm anchorage to the property taxes." Senator THOMAS J. DODD declared: "Whereas the yield from Federal income taxes and corporation taxes climbs steadily as our economy grows, the yield from property taxes is more stable." Representative Stewart L. Udall wrote: "Indeed, most of the monetary troubles of public

schools today can be traced to the fact that revenue has been tied to the property tax." Edgar Fuller said: "There is an increasingly broad gap between national income on the one hand and the tax productivity of local real estate on the other."

Such statements sound as plausible as they are contrary to fact. Property taxes tripled in the postwar period while national income and the yield of nonproperty taxes (income, sales, et cetera), merely doubled. Property tax collections lagged during the depression of the 1930's—when income tax yields dropped even more sharply—and in wartime. But they displayed an amazing growth capacity outside of wars and depressions, and school revenues have been climbing even more rapidly than property-tax collections. Such statements as "We simply cannot get much more blood out of the property tax turnip" disregard that during the 1960's over $400 billion worth of new private construction will be completed and vast areas of low-value land converted to high-value use.

When it is pointed out that property taxes, and State and local tax receipts in general, have risen faster than Federal revenues, except during wartime, it is sometimes retorted that State and local taxes are of an undesirable type. They are alleged to rest upon the poor people while Federal taxes are paid by the wealthy. To many, of course, "soaking the rich" exerts an irresistible attraction. But against this may be held that 87 percent of the Federal personal income tax is derived from the basic 20 percent rate, and only 13 percent from the progressive rates, that much or most of the corporation tax is probably shifted to consumers in the form of higher prices, and that State and local taxes are largely proportional.

In a country such as the United States where most of the income does not go to a small group at the top but to the great majority "in the middle," the bulk of the tax burden inevitably falls on this center group. It is likely that only the small groups at the extreme ends of the income scale are materially affected by a shift in the type of taxation that is used. The proposition that a major share of the taxes can be loaded unto the well-to-do is a snare and a delusion. The broad middle class bears most of the tax burden no matter how it is levied.

The assumption of broader fiscal responsibility by the Federal Government has resulted in larger budget deficits and resulting inflation—which has been called the most cruel tax because it bears more heavily on those in the low than in the high brackets. The sober and widely disliked truth is that the burden of most taxpayers can be lightened only by adjustments on the expenditure side.

Mr. President, many other approaches through propaganda are utilized in an attempt to show a crisis in our educational system. An often-used device involves a comparison of the educational product of our own system with that of our Communist enemy, the Soviet Union.

For instance, I have seen in a number of publications the assertion that Russia, with approximately the same total number of students as the United States, is now training 40 times as many students in physics as the United States; 18 times as many students in chemistry as the United States; 15 times as many students in trigonometry as the United States; 8 times as many students in foreign languages as the United States; and 4 times as many students in mathematics as the United States. The assertion is almost always so phrased as to convey the impression that the Russian system is therefore superior, and further, that the reasons for the superiority lies in a greater financial effort being exerted by the Soviet Union in the field of education. In actuality, such is not the case. If indeed the Soviet Union is training such proportionately larger percentages of those students in the fields enumerated and to an equal degree of proficiency, their success lies in some other quarter than surpassing the United States in financial effort. Available information indicates that the United States is spending three times as much per capita on education as the Soviet Union. The UNESCO report, "The Financing of Education," indicates that the Soviet Union expenditures for education equals $34.17 per capita, compared with a $103.94 per capita expenditure in the United States in 1956. Even in percentages of gross national product devoted to the education process, the United States makes a greater effort in the field of education by spending 4.3 percent of the gross national product—and this is computed for the fiscal year 1955–56—as compared to 4.1 percent of the gross national product so employed in the Soviet Union. Even these figures are favorable to the Soviet Union, as is readily evident from a consideration of the activities which are included in the expenditures to which I have referred from the Soviet Union. The "educational-cultural activities" of the Soviet Union include subsidies to finance deficits of state-controlled political rallies and rural clubs; deficits of radio, press, and television systems of the country; state-owned theaters and national symphony orchestras, public libraries, orphanages, lecture series to popularize scientific and engineering knowledge and establishments, including money which directly supports military development programs; all of which are in addition to what we normally consider the activities included in the educational field. Whatever advantage which may exist, if any, in the Soviet educational system, clearly does not stem from a superior financial investment.

I do not mean to imply that our educational system in the United States is beyond improvement, particularly from a qualitative standpoint. As a matter of fact, a study of the current educational system in the United States reveals certain deficiencies which bear no relation whatever to lack of funds. The testimony before the Senate Labor and Public Welfare Committee suggests the conclusion that leadership in ideas, rather than money, would best serve to improve the system for national defense needs. One of the deficiencies to which I refer is the use of so-called "progressive" education practices and concepts.

The most insidious of these concepts is that which assumes that since all men are created equal, they, therefore, have equal and identical ability. We must first recognize that we can—and at the State and local level—provide equality of opportunity for formal education. We cannot, however, provide or guarantee an equality of ability or knowledge through education; for the Creator, in His great wisdom, made no two men alike, either physically or mentally. We must, therefore, return to a recognition of individuality in the application of the educational process, rather than continue to attempt to use a common mold for all students.

Another fallacious and destructive practice identified with progressive education is that of stressing methodology at the expense of substance. This, and not the lack of funds, is, in my opinion, primarily responsible for the lack of capable teachers and professional educators. I do not believe it is possible for any person, regardless of how well versed in methods of teaching, to ignite in a student the spark of interest which is vital to true education, unless that person has an intimate knowledge of, and interest in, the substantive subject matter he seeks to teach.

Progressive education ignores the fact that it is primarily the obligation of the family, the church, and the community to teach, by example and advocacy, the art of human relations. It is the duty of the educator to train the minds of the students in order that they may reason to a sound and logical conclusion by the recognition and assimilation of factual knowledge.

Discipline is the castoff of progressive education. No amount of money can make up for the failure to teach discipline, which must be applied from without in formative years in order that it may be applied from within in mature years.

Progressive education cannot be eliminated by funds, whether from the Federal, State, or local level. National leadership, not with money but in ideas, by stressing the parental, local, and State shortcomings and responsibilities, could do much toward the solution of this problem, which is national in scope, but which is capable of solution at the local level only.

In the long run, we as legislators, must share with other national leaders the blame for a major part of our educational inadequacies. Rather than having encouraged ambition, initiative, and inventiveness, we have, by the enactment of welfare legislation and programs, encouraged indolence among the citizens of this country. So long as free enterprise was nurtured and encouraged and not unduly limited by a monstrous Federal Government, our country, including the educational system, remained strong and competitive. Free enterprise and free competition insure that one may gain in return for industry and initiative, both the respect of his fellowman and financial independence. Attempts to make the Federal Government be all things to all men, on the other hand, insure the complete mental inertia which inevitably results from the destruction of the natural rewards of industry and initiative.

Mr. President, quite obviously deficiencies as exist in our educational system are not primarily attributable to lack of financial support. Admittedly, educational efforts in the country will require substantially greater amounts of money in the coming decade; but it is significant to me that, even were the general

Federal aid to education proposals before us enacted, they would be a far cry from a solution to the financial needs of the school. At best, the proposed program would provide 3 or 4 percent of the expenditures for education which will be required during the 1960's. When this relatively small participation is viewed in terms of its potential cost, the Federal aid to education proposals are utterly foolhardy; and by cost I do not mean in terms of dollars or debt, but in cost of the local and community control of the public school programs.

The potential for shifting control from local communities which lies in Federal aid to education proposals is really dual in character. The first is less direct, and is characterized by a gradual loss of interest and initiative at the local level as financing of a particular activity is shifted to government further and further away from the individual citizen. It is the invariable consequence of every further centralization of government.

Woodrow Wilson, while still a professor, summarized this situation in the following words:

There can, I suppose, be little doubt that it is due to the moral influences of this policy that the States are now turning to the common Government for aid in such things as education. Expecting to be helped, they will not help themselves. Certain it is that there is more than one State which, though abundantly able to pay for an educational system of the greatest efficiency, fails to do so, and contents itself with imperfect temporary makeshifts because there are immense surpluses every year in the national Treasury which, rumor and unauthorized promises say, may be distributed among the States in aid of education. If the Federal Government were more careful to keep apart from every strictly local scheme of improvement, this culpable and demoralizing policy could scarcely live. States would cease to wish, because they would cease to hope, to be stipendiaries of the Union, and would address themselves with diligence to their proper duties, with much more benefit to themselves and to the Federal system.

Gov. Arthur B. Langlie, of Washington stated in 1955 that—

Instead of squarely facing our responsibility of paying for the things we want, we seem to be getting into a free-for-all scramble to evade the painful duty, in the hope that the squeeze may be put on somebody else. Too many still believe that we can eat our cake and have it too. This unhealthy trend is being fanned by shrewd promoters who claim that they have found the secret for which the alchemists had been seeking in vain, that they can get for us something for nothing—not by making gold but by the device of so-called Federal grants-in-aid. To the uncritical onlooker they seemed to prove their point that we can hitch on to a rainbow and ride to the sky. The most dangerous trend—harmful not only to the States but to our whole system of free government—has been this tendency to evade individual and collective responsibility. It corrupts the civic morale, and erodes the feeling of personal accountability among public officials.

The demonstration of how to get the things we want in life—but which we are unwilling to pay for—by putting pressure upon our public officials, has had a poisonous influence upon the minds of many millions who became used to the idea that it was better to look for a gimmick than to labor in the sweat of one's brow. The insidious effect of a policy of always trying to get something for nothing, of searching for a way of letting somebody else get stuck for the check or for loading the cost on to a distant future may be hard to eradicate.

In the field of education, there is already in process a struggle for control of the educational system between the professional educators and the local citizens. The local citizens have maintained control primarily through the pursestrings in the hands of school boards and legislatures. If the purse-string is removed from the hands of the school boards, the lay public will thereby lose control of the schools. The matter is well summed up by Mr. Roger Freeman in his testimony before the committee:

After all, professional administrators in the U.S. Office of Education, in State departments of education, and in local school systems belong to one close-knit, battle-hardened, national fraternity whose members have stood shoulder to shoulder in upholding each other against the "barbarians," and in defending the educational theories which have dominated the scene for over a generation. Thus, the U.S. Office of Education might find ready acceptance for its directives (labeled "guidelines") and policies among local school administrators.

Some of these policies would not necessarily be in keeping with the beliefs or wishes of the lay public of what the schools should be doing and how. That is where the reinforced cooperation among the professionals at all levels would show its effectiveness in overcoming "backwoods" resistance. The influence of parents, communities, and legislatures is likely to wane if an increasing share of the funds does not depend upon their approval and is derived through "Federal aid without Federal control." Boards of education for many years have tended to concern themselves mostly with approving tax rates and bond issues and selling them to the public than with the setting of educational policies. They largely turned into ratifiers of professional proposals. Boards which tried to assert themselves against their superintendents in regard to educational policy sometimes found themselves at the receiving end of a nationally organized investigation.

An editorial in "The Nation's Schools" (June 1960) referred to "the indefinable sense of uneasiness" with which some school administrators view the growing strength of school board organizations and questioned whether "the school board is to be secretly appraised as a group to be controlled or stymied." Among the fears of school administrators: "The possibility that school boards as organized groups may embark upon programs to influence school legislation in direct conflict with the goals of professional groups." Another report stated that "the deepening concern board members show for their responsibilities gives rise to a major problem. One aspect of this is the alarm with which professional educators view 'amateur' direction of school policy." A keen observer of the educational scene threatened that "local boards are in danger of voting themselves out of power, if they refuse to accept guidance from those who will increasingly map out national goals and standards."

The purse strings have been the main instrument by which communities and boards of education have tried to make their influence upon school policies felt. Federal aid would make it less necessary for educational administrators to bow so low to legislators, boards, and to the lay public; it would give them more of the independence they have so long sought.

The fight over Federal aid to education has been commonly viewed as a battle over money for the schools. It is conceivable that the real issue is not just money. The crucial issue may well be a power struggle over the control of the schools between the organized profession and the lay public. Federal funds would strengthen the hand of the educational bureaucracy and weaken the veto power of the communities.

Mr. Freeman makes his case well. Just as war is too vital to be left to the generals, education is too vital to be left to the professional educators.

The more direct control of education will come at the hands of National Government officials and—as is inevitably the case—will be direct and heavy-handed. In this control, lies the seed of dictatorship.

It is impossible to escape the established truth that he who pays the fiddler calls the tune. Even in programs in which the question of control by the National Government has not been raised, we find most impressive examples. The interstate highway program was undoubtedly drafted to accomplish the exclusion of control from the grantor of funds. A recent press report, however, indicated that the State of Oregon was compelled to change the color of the centerlines of its highways from yellow to white in order to be in compliance with this no-control program. The color of a highway centerline may be considered by many as a small matter, but viewed from another light, it is indicative of the extensiveness of the control which inevitably accompanies or follows any grant by the Federal Government.

Even the most superficial perception must acknowledge that control of the purse necessarily includes power over all dependent on the contents of the purse. Reliance on benevolence is no substitute for autonomy. The indivisible power of control which accompanies any subsidy was recognized and clearly enunciated by the Supreme Court in 1942 in the case of *Wickard* v. *Filburn* (317 U.S. 111), in which the Court stated:

It is hardly lack of due process for government to regulate that which it subsidizes.

Indeed, the conscientious performance of duty by an officeholder requires no less than to insure to the best of his ability that the taxpayers' funds, once appropriated, are wisely utilized.

It has long been recognized that control would accompany grants in the field of education to as great if not greater degree than in other fields. In 1934, John W. Tigert, a former Commissioner of Education wrote—

Reason and experience both indicate that Federal money cannot be expended wisely and efficiently except by exercising Federal control and supervision; even then there is considerable waste * * *. If we embark upon a program of turning over Federal money to schools without any strings attached, it is only a question of time until the waste, extravagance, and misuse of these funds will result in a reaction or a change. The alternative is Federal control.

In the Elementary School Journal in May 1939 Robert Murray Haig, of Columbia University, wrote:

The demand for increased Federal participation in the support of education is accompanied by the specification that there shall be no Federal control of educational policy. At once the interesting question arises: Can any jurisdiction take responsibility for levying the taxes for any particular purpose without sooner or later being forced to take the responsibility for defending that expenditure and without being asked to answer taxpayers that the money is being spent in a proper manner * * *. No mere audit will satisfy the demand. Sooner or later the jurisdiction which imposes the taxes will exercise real control.

In 1959, James Bryant Conant, in his book, "The Child, the Parent, and the State," gave this warning on the control that would accompany Federal aid to education:

To imagine that recurring appropriations of this magnitude can be made without careful budgeting on the part of the administration seems to me to be the equivalent of imagining completely irresponsible government. Careful budgeting will mean, in turn, a strong executive agency which must have access to a mass of factual information about the educational situation in every State * * *. The Educational Committees of the House and Senate will have every reason to examine into details of curricula and school organization, much as committees of the State legislatures now do from time to time. Certainly, a new chapter in American public education will have opened.

As I mentioned earlier, the National Government has twice enacted aid to education bills ostensibly for the purpose of improving the national defense. These two bills are specific proof that there can be no grants-in-aid to education without control by the National Government.

In 1917, the Congress passed the Smith-Hughes Act. Although it did not involve a program of grants to general education, it did authorize appropriations for grants to the specific field of vocational education. It is worthy of note that much of the impetus enabling the passage of the bill stemmed from the national peril created by the First World War. Even with regard to this program of grants to a limited area in the field of education, the question of Federal usurpation of the exclusive responsibility and obligation reserved to the States in the field of education was raised in the debate. Then, as now, the proponents of the program sincerely disclaimed any intention or purpose to inject Federal regulation or control into the operation of vocational educational programs which they sought to assist.

For instance, Senator Page, on July 24, 1916, denied such intention, and I quote from volume 53 of the CONGRESSIONAL RECORD, at page 11465:

The bill does not seek to take from the States the great burden of the maintenance of schools. It does not seek to deprive the States of the privilege of proceeding in matters of education in their own way. Nothing has been more carefully safeguarded in this bill than the autonomy of the States in the matter of schools.

Mr. President, those were unquestionably sincere words, well phrased and aptly sufficient as words can be to allay the fears of those who divined the specter of Federal control lurking behind the Smith-Hughes Act. Subsequent events have refuted the words of Senator Page and confirmed the worst fears of those who saw in the well-meaning but illusory language of the Smith-Hughes Act the strong arm of centralized authority. There is now in existence a 108-page booklet of regulations propounded by the National Government with regard to the program established by the Smith-Hughes Act. That regulation is synonymous with control is attested to by no less authority on the use of verbiage than Mr. Webster himself. This precedent alone is more cogent than the assurances to the contrary of the proponents of the bill being considered. Their words bear a familiar ring of similarity to those successfully spoken by Senator Page in 1916.

The method by which control of the National Government was implemented in connection with this program was pinpointed by President Roosevelt's Advisory Committee on Education in 1938. The Committee said:

Much of the very unwise existing Federal control over vocational education results from the fact that Federal officials have assumed the duty of determining in detail what types of education shall be considered vocational.

In this instance, under the guise of determining what should be considered "vocational," the administering officials of the National Government bureaucracy manage to completely control the curriculum content.

The staff of the Advisory Committee of 1938 described the growth of control very aptly, in these words:

Tentative suggestions have ultimately become rules, and rules have been given the effect of the organic act itself. The specificity of details required in State plans has increased. The staff of Federal supervisors has expanded. There has been developed in the States the habit of looking more and more to the Federal officials for guidance and direction in the development of State programs.

I would remind the Senate that the program established under the Smith-Hughes Act was limited in scope to vocational subjects and involved the relatively small financial effort of about $40 million. If bureaucrats in Washington could not resist the temptation to exercise rigid control over this program, how can they be expected to resist the temptation to control such a broad and general program involving billions of dollars as that now proposed for passage.

Mr. President, just as assurances in debate from proponents of Federal aid to education that no control will be exercised by the National Government when the bill is passed are proved naive and meaningless by the example of the Smith-Hughes Act, the inclusion of language to prohibit control in the bill itself is proved just as useless and ineffective by the example of the National Defense Education Act of 1958. With regard to that measure, there were both assurances in the committee report and prohibitions of control written into the bill itself. This appeared in the report at page 5:

The committee recognizes that the primary responsibility for a sound American educational system in the future as in the past rests with the States, the local communities, the parents, and the colleges and universities. To this end, the reported bill specifically and categorically provides that no Federal officer shall "exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution."

Mr. President, the specific provision prohibiting control which was included in the National Defense Education Act of 1958 might just as well have been left out for all the effect it had. By the very terms of the act, it was contradictory and merely served as an attempt to camouflage the very real and detailed control of education inherent in the act. Whether or not control by the National Government operates through this program is no longer a matter about which we have to rely on opinion, for the act has been in operation and we have the evidence in the form of descriptions of practices and specific events which occurred in its implementation. One of the schools which chose to participate in the programs established by the National Defense Education Act was George Peabody College for Teachers in Nashville, Tenn. Dr. Claude J. Bartlett, assistant professor of psychology at Peabody College, had this to say about the operation of the act:

In 1958 the Congress of this country passed the National Defense Education Act. This was an emergency act designed to build up our educational system in this country. This act has been an outstanding example of what Federal aid to education can lead to. I was directly involved in two guidance and counseling institutes (one as director) supported under title V of this act and my experiences provide some facts which offer evidence to answer the crucial question to Federal aid and control. The following incidents should help point out the consequences that can result from Federal aid to education.

(a) Lowering of academic standards: In our institute last year the standards for admission of students were lowered as a result of pressure from the Federal Government. We could not find as many qualified students who were free to attend the institute as we had agreed to train in our contract with the U.S. Office of Education. The result was the acceptance of many persons into the area of guidance who were of questionable ability. This created many administrative and instructional problems with the institute, leading to less adequate training for the qualified students.

(b) Stagnation of curriculum and administration: The rigidity of the Federal Government policies would not allow us the freedom to make changes in the curriculum and administration in order to improve the quality of the institute. Since the plan of operation for our second institute had to be submitted before the completion of our first institute, recommendations for change as a result of our experience were not included in our plan of operation. The U.S. Office of Education refused to permit changes in the plan of operation even though the changes did not affect the cost of the institute as

specified in the contract. Thus, the Federal Government dictated curriculum and administration of the institute as well as financial arrangements.

(c) Interference in administration of college: The policies of the Federal Government interfered with freedom of the college to appoint personnel to the staff of the institute which were in the best interests of the total operation of the college. I was appointed to direct the institute in order to permit last year's director adequate time to perform his duties as director of the child study center, a special operation of the college for many years. This person was appointed as acting director when the contract was signed, but it never was the college's intention that he would direct this year's institute, since this would have created a less efficient operation of a well-established agency of the college and community. The Federal Government refused to allow the change in directorship under the terms of the contract; thus interfering with the operation of the college.

(d) Inconsistency of the bureaucratic mind: The U.S. Office of Education stipulated that all of our students for our second institute be recruited before authorization to hold the institute had even been completed. This appears to be an outstanding example of the inconsistencies that can occur under a Federal bureaucracy.

(e) Fear of Federal power: As a result of the difficulties encountered, the college chose to cancel the contract for the institute rather than submit to the whims of a Federal bureau. The possibility of initiating action which might lead to a reduction of Federal intervention in academic matters was discussed. Although the consensus was that the action of the U.S. Office of Education was not wise, there was a great deal of reservation about taking action which might lead to less intervention by the Federal Government in academic matters. The reason for the reservation was a fear of reprisal by the Federal Government, if in the future additional funds were sought. Although all of the above incidents are examples of how Federal aid leads to Federal control of education, this last incident appears to be the key in answering the question of aid leading to control. Federal power leads to fear of that power which leads to more power. Is this a never-ending chain of events, or is there still time to stop it?

Mr. President, I would remind the Senate that Dr. Bartlett is referring to an act which contains a section entitled "Federal Control of Education Prohibited." This is section 102 of the National Defense Education Act of 1958 and reads as follows:

> Nothing contained in this act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

With this pertinent example before us, how can anyone put any faith in such a patently ineffective prohibition against control, even when written into the bill? It is noteworthy that the corresponding section of S. 1021 does not purport to prohibit control by the Federal Government, for it is entitled "Assurances Against Federal Interference in Schools." I refer to section 103 of the bill, which reads as follows:

> In the administration of this title, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

This language is just as meaningless, if not more so, than section 102 of the National Defense Education Act has proved. The only insurance—and it is insurance, not assurance, that provides safety from despicable Federal control—the only insurance against Federal control is to reject categorically all proposals for Federal aid to education.

Mr. President, just as was the case with the National Defense Education Act, the so-called "no control" sections are contradictory to other provisions which set forth the programs established by the bill. S. 1021 actually contains a penalty provision for those States which do not comply with what the Congress determines to be the proper level of financial expenditures which the States and local communities should maintain in the educational field in the coming years. There is on page 5 of the committee report a paragraph in which the committee explains how the operation of the bill will require the States to increase their expenditures for education to meet minimums established in the bill on penalty of the funds authorized by this act being withheld. The report reads as follows:

> The bill is designed to assure that support for public school financing from State and local sources be maintained and, if below average, improved. Provision is made for the reduction, in the second and third fiscal years, of the allotment of any State (1) whose effort in such year is below its effort in the 3 preceding years or (2) whose effort in such year fails to improve, i.e., whose effort is below its effort in the 3 preceding years plus the average rate increase in the national effort from 1956 through 1961. Such reductions may not exceed one-third of the State's allotment; and no reduction is provided on account of failure to improve effort in any year for any State whose effort exceeds the national effort for such year or whose expenditure per public school pupil for such year was 110 percent or more of the national expenditure per pupil for such year.

Mr. President, in the absence of this Federal-aid-to-education program, the people of each State have the power to determine the level of financial expenditures for education in the public schools. The proposal before us would establish a penalty of withheld funds which are collected from the people of the States through taxes, unless the people surrender their power to determine the level of expenditures by the States and local communities raised by taxes and spent by State and local officials. This, Mr. President, is control.

By no means, however, is it the only type of control written specifically into this bill. Section 112 of S. 1021 subjects any construction of school facilities utilizing any proportion of funds under this act to the provisions of the Davis-Bacon Act, and gives to the Secretary of Labor the power to set wages on such construction projects. Not only is this control, but it is control which, as proven by previous experience under the Davis-Bacon Act, will tremendously increase the costs of construction of school facilities to the extent that increased costs incurred thereby may well equal or surpass the Federal funds which are authorized to be disbursed under this act for such construction.

These projects are but samples of the inherent control features written into the bill. Other forms of control, such as the specification of curriculum content, the approval of textbooks, and the qualifications of teachers, will inevitably follow through the regulatory powers granted the Commissioner of Education.

Let us make no mistake about the ultimate purpose of this proposal, for it is well designed to provide the tool of implementation of a longstanding advocacy and lobbying for the establishment of Florida standards for education.

The ultimate goal of proponents of Federal aid to education was stated unequivocally in an editorial in the school administrators' journal, "Overview," in November 1960:

> The United States is inexorably moving toward a national system of education * * * the long held views that education is largely a personal concern and that educational policy should be made by local units of government will have to go * * * the national welfare demands a national system of education.

This sentiment for a national system of education, rather than that now practiced, which is controlled by local communities and the States, is far more widely held than is generally recognized. For instance, the Hovde Committee on Education expressed this purpose in a more oblique manner; but the words of the committee reveal an identical purpose. The Hovde committee said:

> The task force committee concludes that first priority should be given to a vigorous program to lift the schools to a new level of excellence.

While we all desire excellence in our educational system, such excellence cannot be acquired from the National Government; and even were the National Government to have the power to obtain a higher degree of achievement in an educational system, centralized control is too dangerous and too high a price to pay for such improvement.

Mr. President, the ultimate result of a course based on Federal aid to education is the conversion of free men and free minds to robots which serve the State rather than individuals. In a publication entitled "Education in the U.S.S.R." released in 1957 by the U.S. Department of Health, Education, and Welfare, there appears a very concise and accurate statement of the condition to which our educational system will be reduced if we follow the path of Federal aid to education:

> Soviet policy precisely enumerates the function of education in the U.S.S.R.: to serve the needs of the state. The state is preeminent. To its full development every person is expected to contribute his best efforts as his primary obligation. The growth and development of his own individuality are of secondary importance.

Mr. President, the enactment of Federal aid to education will authorize the

paving of a four-lane expressway to slavery for the American people.

There can be no question but that control will accompany any grants from the National Government to public education. Considering the overall effects of the bill, one cannot escape the conclusion that the bill provides for a minimum of additional school facilities—and, indeed, possibly a decrease in school facilities—while insuring a maximum damage through Federal control. A good illustration lies in the field of classroom construction.

The Office of Education reports classroom shortages by State, and this year reports a shortage of 142,100 classrooms throughout the country. According to the proponents of this measure, one of the principal purposes, if not the principal purpose, of this bill is to alleviate this classroom shortage. However, there is serious doubt how much, if anything, the Federal funds proposed to be authorized by S. 1021 will contribute to the elimination of whatever classroom shortage actually exists. There are different types of classrooms, and across the broad expanse of the United States the cost of a classroom varies substantially.

New York City reports that its recently completed elementary school buildings were constructed at an average cost of $1,966 per pupil. The present average size classroom in New York City is 30 pupils per room, which makes the cost of a classroom in New York City $58,980.

In Los Angeles, Calif., the average cost of elementary schools is $978.16 per pupil, and at the Los Angeles average classroom size of 35 pupils, this averages $34,236 per classroom.

In Georgia the State school building authority, which is engaged in one of the largest school-construction programs in the country, reports the average classroom cost at $13,000.

It is impossible to determine, therefore, Mr. President, what 142,100 classrooms will cost, for under the public school system now administered and financed by the States and local communities, costs vary tremendously, as is shown by the spread between the $58,980 for a classroom in New York and the $13,000 for a classroom in Georgia. There is a difference of 450 percent.

Mr. President, some of the cost differences are attributable to higher labor costs. It is reported that wage scales of the major building trade unions are 10 to 34 percent higher in New York City than in Atlanta, Ga. It is significant that almost invariably the costs of classroom construction are proportionate, at least to a major extent, to per capita income.

Upon the passage of this bill, Mr. President, a wage rate for the construction of schools which utilizes any portion of Federal funds appropriated under this bill will be set by the Secretary of Labor, by virtue of the fact that the bill is subject to the provisions of the Davis-Bacon Act. Experience with the wage levels established by the Secretary of Labor under the Davis-Bacon and Walsh-Healey Acts leaves no room for doubt that the differentials in labor costs will be substantially narrowed, for the wage scales will be raised most in those States which now have the lowest classroom costs. No State will be immune from increased costs because of this provision, however, for experience has proved that under the Davis-Bacon Act maximum wages, rather than average wages, are adopted.

Neither labor costs, nor material costs, nor even climatical differences, account in whole for the tremendous variation in classroom costs across the country. The major factors are the extent to which specialized facilities and auxiliary classrooms are used, how spacious and elaborate they are, how well they are equipped, how economically they are designed, and what materials are used. These differences, Mr. President, upon the passage of this bill, are doomed to extinction. Under the provisions of the bill as it is now written, the States would have to submit to the Commissioner of Education a plan for approval. While there is an appeal to the courts from the disapproval of the Commissioner of Education of such plans, only the most naive could fail to recognize the fact that acquiescence in the preference of the Commissioner of Education on classroom design will be an easier course—and, in fact, the most often adopted course. This would be a more expedient course than the alternative of litigating the differences of classroom design, with all the attendant costs and delay.

The result will be that from Maine to Florida, and from Maryland to California, there will be a classroom design so that the conformity of appearance which marked the once familiar little red schoolhouse will once more be replaced by a school which conforms in design to all others. At least a child whose family moves from one coast to the other will feel at home in the new school, because it will be identical to the one he left.

The tragedy is that fewer classrooms by far can be built under such a system, even with tremendous Federal grants, than could be built with State and local financing and State and local control, as under the present system.

Anyone familiar with school construction, or, for that matter, with any type of public building construction, knows from experience that the higher the level of the Government exercising control of the construction, the higher will be the costs.

In the April 1956 issue of "Woman's Day," there appeared an article entitled "The Schoolhouse Fight," which described a circumstance similar to incidents which have occurred time and time again across the length and breadth of the country. The article describes how the school officials of Darien, Conn., rejected the plans for an elementary school prepared by the State which would have cost $1,615 per pupil, slightly more than the Connecticut average of $1,519 per pupil. The school was redesigned by the local school officials and constructed at a cost of $986 per pupil. According to the article, school officials, teachers, the community, and the children love the new school.

There can be no question but that the Federal-aid-to-education proposal before us, if passed, will result in control by the National Government of school design and thereby, with the assistance of the Secretary of Labor acting under the authority of the Davis-Bacon Act, school classroom costs will also be controlled; and, as with everything else with National Government controls, the costs will be controlled upward. Whatever funds trickle down from the passage of the act to the local level for school construction will in all probability be more than offset by the loss of purchasing power for classrooms of State and local money.

Mr. President, I realize that some may deny that the Federal Government will specify the classroom and school building design all across the country.

Even conceding, however, to such naive presumptions, that this control will not be immediately evident, can anyone seriously believe that after defects appear in the construction of school buildings in which Federal funds were used and complaints are raised about the quality of the resulting schools and special feature magazine articles play up those cases in which lower cost construction provides less area per pupil in the classroom—and a few cases of leaky roofs—that the National Government will refrain from stepping in and "protecting" tax funds and taxpayers by setting minimum standards of construction for all schools in which Federal funds play a part in financing? It will take only one juicy scandal to provide the pretext for the most sanctimonious Federal official to justify the immediate and forceful Federal control to prevent such future occurrences. As was stated by one able Member of this body concerning the National Defense Education Act in his minority report on the bill:

> If the camel once gets his nose in the tent, his body will soon follow.

The type of control which takes the form of dictating classroom and school design, and the damage therefrom in the form of decreased purchasing power for tax dollars appropriated for school construction—as bad as they are—are the least dangerous of the types of control which will accompany Federal aid to education, for this damage will but retard material facilities. Unfortunately, the other facets of the control to be exercised by the National Government upon passage of this act will damage a far more priceless heritage of America—the minds and patterns of thought of the youth of the country.

Mr. President, S. 1021 is so designed as to reflect some purpose other than the assistance of educational efforts, for it is by no means based on need of financial support. This can be amply illustrated by the amount of funds which would be allocated to the various States under the formula incorporated in the bill. For instance, the Office of Education reports that New York State has a net classroom need of about 10,200, and under the formula incorporated in the bill New York would receive in the first year of the bill's operation

$40,652,380. Texas is reported as needing a net of 809 classrooms, but during the first year's operation of the bill would receive $58,630,833. Thus, Texas would receive $21.84 per pupil while New York would receive $10.90 per pupil, although New York is reported as having the much greater need. Indiana, which has kept abreast of classroom construction and which now has scheduled for construction with State and local funds all the classrooms it will need, will receive $22,781,255 in the first year despite the fact that not only does Indiana not have a need for funds for additional classrooms, but also the average teacher's salary is $370 above the national average. It is obvious from a study of the formula for the allocation of funds incorporated in the bill that those States which are having the most difficulty in meeting the needs which arise from rapidly increasing enrollments are those very popular States which will pay the most and receive the least under this program. As mentioned before, the formula in no way considers either the widely varying costs of construction of classrooms or the index of cost of living, which has a material bearing on the sufficiency of teachers' salaries.

Mr. President, it should be quite clear that the program embodied in S. 1021 is not designed to meet the criterion of need; on the contrary, it proposes an arbitrary allotment of Federal funds among the States which could well encumber the efforts of States and localities to provide educational opportunity for their citizens. It seems incomprehensible that we in the Congress would knowingly ignore the spirit and the words of the Constitution and endanger the local control of schools to obtain what, at most, will be a very dubious addition to financial support of public education.

The real issue has been revealed during the debate and votes on amendments here in the Senate. We have repeatedly heard the argument that the States and local communities lacked the financial ability to provide adequate educational opportunities, but that the National Government does have the financial means to do the job. This argument ignores the fact that tax revenue of all levels of government comes from the same source—the taxpayer—and what the National Government gives it must first take. The ability of local communities and States to finance public services, including educational services, cannot be enhanced by spending of the National Government, for the funds spent must be collected from those local communities and States. The one largest encumbrance on the revenue raising ability of the local levels of government is the drain of funds from the community by taxes of the National Government. The Senate has had the opportunity to decrease the weight of that encumbrance, and indeed, to assist the States and local school districts in securing new revenues, by giving credits for local educational tax payments or by returning to the States a percentage of revenue extracted by the National Government, but it has rejected such opportunities. What can underlie the preference for Federal spending which will further curtail the revenue raising capabilities of those who now finance our educational system? The answer lies in the fact that the bill will render States and localities more dependent on the Central Government, and additional power will be centralized in Washington thereby.

Mr. President, passage of a program of general Federal aid to education would be tantamount to a vote of no confidence, both in the individuals in American society and in the concept of government under which we have progressed so magnificently in a few short centuries.

Mr. President, my vote on the question of final passage of this Federal aid to education bill shall be affirmative—for local self-government and individual liberty—and against the bill.

SPACE BONDS

Mr. KEATING. Mr. President, I yield myself 20 minutes.

The PRESIDING OFFICER (Mr. METCALF in the chair). The Senator from New York is recognized for 20 minutes.

Mr. KEATING. Before proceeding, I wish to comment on the President's message today.

The President's message rings like an alarm clock to awaken the Nation to urgent national needs in every field; from manpower deployment to civil defense; from disarmament to radio programs for southeast Asia; from undercover intelligence activities to outer space.

Some of these programs are clearly more urgent than others. Nearly all of them call for spending more money for every project under the sun. I certainly do not agree with the implication that the Congress should refrain from exercising its own independent judgment of the Nation's needs where changes in the budget, whether increases or decreases, may be involved. For example, both Committees on the Armed Services and both Houses of Congress have approved an additional $525 million for long-range bombers for SAC. I think this increase was well justified. Congress would be abrogating its responsibility if it did not study all these budgetary requests, old and new, with great care.

The President has also decided that within this decade America should attempt to land a man on the moon and bring him back. It is an exciting project that all Americans will have to support. The cost will be high, more than $1 billion a year for the next 5 years, more than $200 per man, woman, and child in the United States, but I am sure the country is ready to make the sacrifices that will be necessary.

Several weeks ago I proposed that the Secretary of the Treasury look into the possibility of issuing space bonds to help finance the exceedingly great cost of our country's ambitious space exploration program. Since I made the proposal I have received a great deal of support and encouragement from many different quarters. Only yesterday, Harold A. Timken, Jr., president of the National Rocket Club, launched a similar program, independently conceived, but coordinated with my proposals for series S savings bonds. These bonds could be offered on terms very similar to the present series E bonds at a nominal rate of interest. The National Rocket Club has suggested that savings stamps bearing the picture of astronaut Alan Shepard could also be made available to stimulate interest and support for scientific space research throughout the country.

Mr. President, I believe that this type of bond offering for the specific purpose of space exploration could play a very important role at this crucial stage in our Nation's space efforts.

What better way to assist in the financing of this program than through space bonds? They would represent the voluntary contribution of patriotic men, women, and children who are ready and willing to sacrifice for their country but who have not yet had an opportunity to do so directly.

I would not, of course, expect that space bonds would in any way replace the traditional appropriation procedures whereby the congressional committees study the NASA and Defense Department budgets before appropriating the necessary funds. The executive agencies involved would still work out their spending programs in coordination with the Congress, but a part, if not all, of the necessary funds could come directly from the sale of series S space bonds.

Mr. President, I have already taken up this question with the Secretary of the Treasury. This week I received a response from Mr. Joseph W. Barr, assistant to the Secretary, which was frankly very disappointing to me. Mr. Barr said in effect that space bonds were impractical because of the tremendous amount of accounting which would be required in their sale. Mr. President, I cannot believe that if the United States of America is capable of sending a man to the moon, it is not capable of devising a simple and reasonable accounting system to cover this project. It is just this kind of redtape and bureaucracy that has slowed up our space program in the past. Rarely have I received such an unimaginative response to a seriously advanced and widely supported proposal.

It is because of my firm conviction in the value and effectiveness of a U.S. space bond program that I seriously urge the Secretary of the Treasury to give personal consideration to this project. I believe it would have strong nationwide support and spur our scientists and astronauts to even greater achievement.

I hope we will not let accounting procedures keep us from reaching the moon. Some red ink may have to be used, but let it be American red ink, not Communist red, that first writes on the moon.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement made by Harold A. Timken, Jr., president of the National Rocket Club, and the letter sent by Mr. Barr,

assistant to the Secretary of the Treasury.

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

STATEMENT BY HAROLD A. TIMKEN, JR., PRESIDENT, THE NATIONAL ROCKET CLUB, WASHINGTON, D.C., MAY 24, 1961

The United States has made its first significant step into the manned exploration of space. As magnificent an accomplishment as it was, it stands only as a small stride when compared to the efforts which must lie ahead. A race to send the first man to the moon—although not yet designated as a "race"—is beginning. It would perhaps be advisable to state that it is underway, for certainly the Soviet has already started. We enter that race a sizable step behind.

President Kennedy has asked for more money for space programs, singling out manned space flight, ultimately leading to lunar exporation. Top space experts, including Maj. Gen. John B. Medaris, U.S. Army (retired), under whose guidance America launched its first satellite, have said that we still have a chance to be first on the moon. Dr. James A. Van Allen, of the University of Iowa, calls the idea perfectly feasible technically.

The advantages to the first nation to safely place a manned space vehicle on the lunar surface are obvious. We most certainly should try and try to be first. The dollar cost of such an effort is estimated to $40 billion. This represents an outlay of $225 apiece from each man, woman, and child in this country. This, in contrast to the estimated expenditure of $2.25 each on a national per capita basis for Alan B. Shepard's 15-minute ballistic, suborbital space flight.

In his inaugural address, President Kennedy called on the citizens of this Nation to ask what they, as individuals, could do for their country. We believe that we have one answer. We propose individual support of the U.S. space program by the men, women, and children of the United States. This support can range from the pennies of children to thousands of dollars.

As president of the National Rocket Club, I have suggested in a letter to the Honorable C. Douglas Dillon, Secretary of the Treasury, that a new series of savings bonds, similar to the E series, be issued as series S bonds for space. The interest, enthusiasm, and concern of the American public for our standing in the space race is clearly evident. Such a plan would enable everyone to indicate in a tangible way, his or her desire for America to gain leadership in rocketry and astronautics.

Through the use of savings stamps bearing Astronaut Alan Shepard's picture, schoolchildren could also participate. The idea could perhaps even spur some students toward a career of science and engineering, an area of education in which the Russians are making gigantic strides. Such an investment by Americans would further the economic stability and at the same time, investors would receive a fair return on their dollars. Benefits of such an idea could be manifold.

The Honorable KENNETH B. KEATING, Senator from New York, has proposed just such a plan, stating that the idea would carry tremendous appeal. Learning of the Senator's action, we have coordinated our plans with his office. Counsel which we have received from other sources indicates that the idea of a series S space bond is entirely feasible.

I am asking that you join in support of this idea. The National Rocket Club is the appropriate organization to foster such an idea and by so doing has again demonstrated its dedication to U.S. leadership in rocketry and astronautics.

I urge that you write to the Secretary of the Treasury, to Senator KEATING or to me, at the National Rocket Club, indicating your support of the space bonds program. The result could be one of the most important steps ever taken in our space venture.

The big question which we face in the few years ahead is who will be the first man to reach the moon—an American or a Russian? The answer can be predicted by the support which we, both as a nation and as individuals, are willing to invest in the space effort.

OFFICE OF THE SECRETARY
OF THE TREASURY,
Washington, May 19, 1961.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: On behalf of Secretary Dillon, I am replying to your letter of May 12, in which you suggest the possible desirability of offering to the public a special issue of savings bonds to be known as space bonds, the proceeds from which would be used to finance an expanded and accelerated space program.

Under present Government accounting procedures, of course, money received from the sale of savings bonds, like money received from any other Government borrowing operation, is placed in the general fund of the Treasury. There it is mingled with the Government's current revenue receipts (primarily from taxes) and is available for any expenditure of the Government authorized by the Congress. Thus, since all Government funds are commingled in the general fund it is not possible to break down any particular Government expenditure and say how much of it was financed by any particular tax receipt or any particular borrowing operation.

While a plan for permitting people to designate the particular project or projects they would like their savings bonds investments to help finance would, no doubt, have promotional value, it would also require a tremendous amount of accounting. This would be true not only for the Government but for the thousands of banks and other financial institutions who sell savings bonds for the Government without compensation, as well as for the corporations and businesses throughout the country who administer the payroll savings bonds plans as a public service at no cost to the Government. I am sure you can appreciate the importance of holding down issuing and bookkeeping costs in a nationwide voluntary program of this nature currently involving the issuance of over 85 million new bonds per year. However, in our promotional program we have been and will continue to stress in every possible way the importance of U.S. savings bonds purchases in helping to keep America militarily and economically strong.

We appreciate having the benefit of your views on this matter.

Sincerely yours,

JOSEPH W. BARR,
Assistant to the Secretary.

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. KEATING. Mr. President, I would have liked very much to be able to support this bill. I am not opposed to the principle of Federal aid to education so long as strong provisions are made to prevent Federal control. I find those provisions adequate in this bill to insure that State and local education officials will not be interfered with.

I realize that with the Federal Government preempting an ever larger share of our tax dollars, some States and communities are not able to meet the educational demands put upon them. The rapid increase in our school-age population, and the extreme mobility of American families today put a severe strain on the State and local tax base in many areas. Federal funds can and should be used to supplement the resources of these less prosperous localities, because all America—every town and every State—should have an educational system that will prepare its children adequately to meet the challenges of the 20th century.

There are two principal reasons why I cannot support the bill as it now stands. First, the formula as devised by the committee is grossly unfair not only to my own State of New York but also to the Nation as a whole.

Frankly, I would have liked to see a Federal aid-to-education bill which did not give any funds to New York but did help only the poorest States. New Yorkers can take care of education in New York, and to date they have done a fine job in most of the tax-supported public elementary and secondary schools, as well as in a great number of private, independently supported institutions. A bill analogous to the depressed areas bill, a bill which concentrated on the neediest areas, the depressed areas of education, would to my mind have been a far better approach. Ideally, that is what we should have had.

But politically speaking, I recognize that such a bill was not possible. Unless every State got something, it would have been too difficult to gain support. So under S. 1021 all the States share a part of the Federal jackpot. What then does this mean for New York?

New Yorkers pay nearly one-fifth of the Nation's Federal taxes. New York has the highest State income tax in the country and one of the highest property tax levels in the country. New York has the highest State debt of any State in the Union—$2½ billion. New York also spends more money per pupil than any other State except New Jersey. As a result, New Yorkers are more heavily taxed than the people of any other State in the Union.

We therefore have a right to ask how our efforts are recognized and assisted in this bill. Under the present terms of the Federal-aid-to-education bill, New York State will receive $40,652,380 annually for the next 3 years. Yet New York already for 1960 pays, from local and State funds, $1.6 billion annually for current public school expenditures. In the next 3 years, the cost will rise to over $2 billion annually. In other words, this much publicized Federal assistance to education will only amount to about 2½ percent of what the people of New York are already spending. And that figure does not include even the debt funding charges which are not considered a part of current expenditures. Moreover, to get even $40 million in Federal assistance, New Yorkers will have

to pay nearly $120 million in Federal taxes. That means New York is paying about $3 to the Federal Government for every $1 it receives back.

Yet, even despite New York's position, I could still support a bill for Federal aid to education if it did provide maximum benefits to those poor States which are making a great effort in education yet simply do not have the per capita income and tax base that New York has. But who are the principal beneficiaries? Under the allotment formula devised by the Senate Committee on Labor and Public Welfare, the State of Texas has the highest annual allotment—$58 million. This was referred to by the Senator from South Carolina [Mr. THURMOND]. Yet, according to the Office of Education's 1960 survey, Texas has a net deficit of classrooms of only 809. New York had a deficit of 10,200 classrooms. That is, New York's classroom needs are 12 times as great as those of Texas. Nevertheless, under the committee bill, New York State, although altogether paying 19 percent of the overall cost, will receive $18 million less than Texas, which pays only 3 percent of the cost. In other words, inconceivable as it may be, Texas gets $18 million more for 2 million children than New York gets for 3½ million children, because Texas is allotted $21.84 per child as against New York's $10.90 per child. Moreover, Texas has no State income tax and no State sales tax. According to statistics prepared by the National Education Association, Texas ranks 29th in the Nation in per capita expenditure of State and local funds for schools and 32d in the average pay of public school teachers. Texas also receives $14 million annually from the Federal Government for schools in federally impacted areas. I do not think Texas needs any more help from New York.

After Texas, the next beneficiary is California which would be entitled to $46 million annually. This would also be in addition to the Federal funds granted for schools in federally impacted areas, which, in fiscal year 1960 amounted to $40 million. Moreover, Mr. President, as I have mentioned more than once in this body, California already gets nearly one-quarter of the Nation's defense contracts and has a sizable number of very active military installations where Federal funds are dispensed. As of 1959, the State of California had the fifth highest per capita income of any State. I do not think California needs any more help from New York.

Mr. President, I could go down the list of other prime beneficiaries from the committee formula in S. 1021. I could point out that the top eight States benefiting are, with the exception of Texas and North Carolina, among the 15 States with the highest per capita income in the country. I do not believe that States such as these—and I include New York among the eight—really need Federal aid to education as provided by this bill.

Mr. President, I have had many letters from constituents urging my support for President Kennedy's program for Federal aid to education. But this bill, S. 1021, does not represent the President's program. It is merely the program of the Democratic majority of the Senate Labor and Public Welfare Committee. The formula of aid under the bill was solidly opposed by the Republican members of the committee. And we Republicans made three valiant efforts to change the formula on the floor, but we were steamrollered by the huge Democratic majority. By coincidence the formula appears to benefit the States with Democratic members on the committee at the expense of some of the lowest income States in the country.

Slightly more than one-third of the increase over the amount recommended by the President for the first year—$62.2 million of $184 million—went to the 10 States with Democrats on the committee. Among the 22 States whose share was increased by the committee formula are Alaska, Rhode Island, Wisconsin, Pennsylvania, Texas, Illinois, and Virginia. Among the 26 States whose shares were trimmed are Massachusetts, Colorado, Maine, Arkansas, West Virginia, Tennessee, New Jersey, Connecticut, and New York. The new formula cut the funds for the District of Columbia, which, of course, has no Senators at all, so sharply, that an amendment was introduced and passed to correct this particularly flagrant situation.

The formula arrived at by the committee after virtually no study or consultation also counts the total number of school children in a State even though many of these children may attend private schools. Yet the private schools are denied any assistance. If private schoolchildren are not to share in this aid, they should at least not be counted in for the benefit of someone else.

I supported the Javits-Cooper substitute formula because it provided an equitable and effective approach to Federal aid to education. If it had been adopted, I would have supported this bill. As it is, I cannot support the bill because it does not meet fair standards.

Secondly, Mr. President, by the defeat of my amendment to permit a court test of the constitutionality of giving aid to States which defy the law of the land, coupled with the adamant stand taken by the Secretary of Health, Education, and Welfare that he will not withhold funds from any State, and the apparent unwillingness of the President to issue an Executive order to insure compliance with the mandate of the Supreme Court, the funds herein authorized will be used in some States deliberately to perpetuate a policy of racial segregation. The spokesmen for the majority party have insisted that under this bill no funds can be withheld from States merely because they operate segregated school systems. The Secretary of Health, Education, and Welfare has indicated that neither he nor the Commissioner of Education has the authority to withhold funds from segregated schools or school systems. I disagree with the Secretary of Health, Education, and Welfare and with the judgment of the majority leadership on this point. I believe that the Secretary can withhold funds from State education agencies which operate in defiance of the Constitution. I have no doubt whatsoever that, even if the Secretary will not act, the President does have the power, by Executive order, to keep funds from schools segregated by law. I sincerely hope that he will exercise that power with vigor and determination.

But in any case, Mr. President, I recognize that a final decision on the use of Federal funds to support segregated schools can only be made in the courts of the United States.

That was the reason why I sponsored an amendment which would have permitted a taxpayer to bring a suit to enjoin the Commissioner of Education from using these funds in any way which might constitute a violation of the Constitution. This amendment was rejected. In fact, the Secretary of Health, Education, and Welfare indicated his belief that the question of the constitutionality of the proposed legislation was one of what he termed "collateral issues." As the bill now stands, there is no way in which a taxpayer, a parent, or a State can prevent the use of Federal funds to build and support segregated schools. This is true even though the Supreme Court held in Bolling against Sharpe that the Federal Government could not maintain a school system segregated by race.

In the long run, this lack of any provision for judicial review—in fact, I should say this flagrant disregard for the ruling of the Supreme Court—may do great harm not only to the cause of racial equality under the law but also to the cause of education. Schools which may be built with the funds authorized under this act and which may be earmarked for Negro students will not easily be desegregated to educate children of both races. Once a segregated pattern is established in a school constructed with these funds it will be difficult to alter that pattern. My position has been this: I do not think funds should be withheld from a State because all of the schools within that State are not thoroughly integrated, but I do believe that an incentive should have been provided for those States which are actually moving, however slowly, in the direction of compliance with the Supreme Court decision. In the absence of such a provision it is even more important to provide for some kind of judicial review.

Finally, Mr. President, just today, in a special message to Congress, the President requested the cooperation of Congress in refraining from adding more funds to programs, desirable as they may be. The present committee bill adds $252 million, or more than a quarter of a billion dollars, to the sum requested by the President. In other words, it does not follow, but violates the President's recommendations as to the amount of Federal aid needed for our educational system.

For these reasons, Mr. President, I oppose the committee bill, S. 1021. It is not the President's proposal; it does not provide for an equitable distribution of funds; and the Senate has deliberately

voted to prohibit any judicial review of its constitutionality. Frankly, the bill is very disappointing to me, and I oppose it.

Mr. President, I yield 5 minutes to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, we have seen some interesting disregard of principle during the progress of the bill and the action taken on amendments thereto. The very Members of this body who profess so heatedly and so often their concern for giving equal opportunity to all of the people, with particular reference to minority groups, have made a remarkable record during this debate. They have deserted time and again the principles which they would have us believe are the very basis of their dedication. Principles are things we fight for, and we fight for them all the time, not merely on some occasions to the exclusion of others; that is, if they really are basic principles upon which is based a desire to aid human progress.

Let me mention a few of the instances in which the liberals have had an opportunity to fight for their principles in connection with the aid to education bill which really would have produced some results.

First. The Senator from Connecticut [Mr. BUSH] proposed an amendment which would have authorized the withholding of Federal funds from schools which are in violation of the Supreme Court mandate to proceed in good faith to integrate their schools. This amendment was decisively defeated by the very Senators who are the most energetic leaders in all efforts to encourage integration.

Second. Then Senator from New York [Mr. KEATING] offered an amendment which would have provided an opportunity for anyone whose right to an equal education was being thwarted by use of Federal funds to appeal to the courts. This amendment, too, was decisively defeated by those who repeatedly declare their dedication to equal opportunity.

Third. I myself offered an amendment which would have assured that no schoolchild would be denied benefits by reason of his religion. Without this amendment, one-third of all the schoolchildren in our major cities and 16 percent of all the schoolchildren in the Nation are deprived of benefits under the bill. However, this amendment also was defeated overwhelmingly, and again by those who profess not only a strong belief in equal opportunity but who claim that an educational crisis exists throughout the Nation.

Mr. President, I repeat, what confuses me about these actions is the principles which were involved and which were deserted. When I hear people talk about principles, it is always my understanding that they are talking about something they feel deeply enough about to fight for. These are principles which people take unto themselves for various reasons—reasons not necessarily related to their oathbound obligation to uphold the Constitution day in and day out. But in this debate little or no consideration was accorded the fact that the Constitution gives the Federal Government no authority to interfere with the States in educational matters. The fact that the bill seriously challenges the constitutional rights of the States and local governments was passed over almost as though it did not exist. This is a principle that we are all obliged to consider.

I suggest that the only rationale that fits the manner in which the bill was handled is the desire for Federal control of the public school system. In all the hours of debate, the great need set forth by the bill's proponents was not demonstrated to exist. It was only repeated and repeated and repeated, as if the mere saying that there was a need would make it true. And now we find—as the bill is being readied for passage—that the measure bears little relationship to the need we heard so much about. For example, the Cooper-Javits amendment would have put the Federal funds in the places where the proponents said the greatest need existed, and this was promptly rejected. Instead, a formula was adopted which would authorize the expenditure of $2.5 billion in a helter-skelter, catch-as-catch-can manner.

Mr. President, I repeat that about the only thing the bill does is to establish Federal control over education, an action that does violence to the Constitution and to the traditional prerogatives of the States and local communities.

Mr. President, before the discussion on the bill is ended, I wish, in good conscience—in fact, in duty to my conscience—to pay my respects to the minority staff members of the Committee on Labor and Public Welfare who have contributed so much throughout these long days to our ability to present the facts as we understand them. Those men and women are: Michael J. Bernstein, Raymond D. Hurley, John D. Stringer, George Wray, Thelma Blankenship, and Carmel Giancola.

One more comment before the debate ends. I believe something happened today which has never before happened in this body, to my knowledge. I know the proponents of the bill exude confidence. I know it is, as we say in my part of the country, a lead-pipe cinch that the bill will pass. But I have never seen proponents act so quickly to have the act printed before the bill is passed. I have the act before me. It reads, at the very end:

> Passed the Senate May 25, 1961. Attest: Secretary.
>
> S. 1021, an act to authorize a program of Federal financial assistance for education.

Mr. President, I have been on frontiers all my life. I know about phony frontiers, and new frontiers, and old frontiers. I can spot a frontiersman 10 miles off. But I have never in my life known one to be so quick that he could have the act printed before the bill was passed.

I can imagine a frontiersman of old picking up the money off the crap table before the dice had even been thrown; but he would have been shot if he tried it.

Perhaps this is something new about the New Frontier. Perhaps President Kennedy has a crystal ball we do not know about. Perhaps he has looked into the crystal ball and can see all the acts Congress will pass.

If we were to visit the Government Printing Office, perhaps we might find a complete stack of the acts which will pass the Senate. If that be true, I suggest that we need not stay here any longer. We need merely find out what the Government Printing Office has printed for the New Frontier as legislation which has already passed without any action by this body.

This is indeed a strange approach. For example, I should like to know how much of the money which was asked for this morning by the President has already been appropriated. Perhaps we are wasting our time; perhaps we should go home. I often think it would do the country much more good if we did go home. But now we obviously do not need the Senate and the House, because the Government Printing Office has printed an act to authorize a program of Federal financial assistance to the States for education, and has dated it May 25, even though we have not yet passed it. But evidently we are going to.

Mr. DIRKSEN. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I yield.

Mr. DIRKSEN. Would the Senator call it, perhaps, a profile in confident anticipation? [Laughter.]

Mr. GOLDWATER. I would call it a profile in overconfidence.

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

Mr. GOLDWATER. I am happy to yield to the man who probably set the type. [Laughter.]

Mr. MORSE. I want the Senator from Arizona to know my position in connection with this matter. Certainly one of the interesting things about living is the fact that one has surprises; and the information which my friend, the Senator from Arizona, has just now announced on the floor of the Senate comes as a complete surprise to the floor leader of the bill. As soon as I can reach the telephone, I shall find out about this matter.

But I will say that if what the Senator from Arizona referred to is being done, it is being done without any knowledge on the part of the floor leader of the bill and without authorization by the floor leader of the bill. So far as I am concerned, it is still in the rumor stage, although I have great confidence, of course, in the reliability of any statement made by the Senator from Arizona. However, I must confess that I know nothing about the procedure referred to.

Mr. DIRKSEN. Oh, Mr. President, let us send him a hand-embroidered copy.

Mr. GOLDWATER. Mr. President, I know that the Senator from Oregon, being so highly esteemed a legislator and a lawyer, would never do that. But I suggest that my friend look into this New Frontier. It seems that somewhere in the Government Printing Office there is a scout at work.

I would be happy to know what will come up next on the agenda, that has already been passed. I have some bills;

but if they have already been passed, obviously I can stay at home next week rather than come here and champion those bills here on the floor.

Mr. MORSE. Again let me say that I do not know just how all this came about; but I surmise that after the third reading of the bill last night some member of the very efficient staff of the committee or the Senate—and all of us know that the staffs are very efficient—some member of these very efficient staffs evidently realized that upon the third reading of the bill, there would be no further opportunity to amend the bill. It was undoubtedly concluded that, in view of the remarkable support which so large a number of Senators have displayed in favor of passage of the bill, throughout the procedure here in connection with it, it would do no harm to have the bill printed.

Mr. GOLDWATER. Mr. President, I am happy to have the first copy of the bill, as thus printed, given to the one who has made its printing in this form possible. If I had the right of authorship, I would gladly autograph a copy of it for him. Perhaps he is the man who is responsible for this. Certainly the one responsible for it was not a minority member of the committee, because we on the minority side would not have had the bill printed in this way, I can assure the Senator from Oregon. We have some good bills in mind; but, as my friend well knows, ours would not provide for Federal aid to education.

Mr. MORSE. I cannot conceive of a more important bill in the interest of the welfare of the future of our country, in the entire field of education, than this one. But I shall find out what happened in connection with the printing.

Mr. DIRKSEN. Mr. President, will the Senator from Arizona yield further?

Mr. GOLDWATER. I yield.

Mr. DIRKSEN. In view of the fact that the bill has already been passed by the Senate, this day—for that is what the printed copy of the bill shows—probably we could proceed to take steps to vacate the order for the yeas and nays, which already has been entered, and let it go at that.

Mr. GOLDWATER. That raises an interesting point. We might move to reconsider—in view of the fact that we now have in our hands the printed copy of the bill which is marked as having been passed this day by the Senate. Obviously the New Frontier has finally accomplished something that is really new. [Laughter.] Everything else the New Frontier has proposed was tried back in the 1930's, and did not work. I remember when Mr. Wallace wrote a book entitled "The New Frontier"; and in the first few chapters he said it was necessary to change the rules of the Senate. However, he was unable to accomplish that; and later, when President Roosevelt tried to have the rules of the Senate changed, he, too, was unsuccessful.

But now it is obvious that the rules of the Senate have been changed, for we have before our own eyes very definite evidence of such an accomplishment, in view of the fact that we now have received advance copies of what the new law is to be.

The PRESIDING OFFICER. The time yielded to the Senator from Arizona has expired.

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

Mr. DIRKSEN. I yield.

Mr. MORSE. I point out that this practice is not an uncommon one. We have a very efficient enrolling clerk; and it is not uncommon, after the third reading of a bill, to send the bill to the Government Printing Office to be printed. Usually the bill does not lie over for 1 day but is acted on immediately after the third reading. Therefore, it is sent to the Government Printing Office, for printing in final form, following the third reading.

So all that our efficient clerk has done is to follow the bewhiskered practice of sending the bill to the Government Printing Office to be printed, following the third reading of the bill.

Mr. GOLDWATER. Mr. President——

The PRESIDING OFFICER. The time yielded to the Senator from Arizona has expired.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield to me 5 minutes from the time under his control?

Mr. DIRKSEN. Yes.

The PRESIDING OFFICER. The Senator from Arizona is now recognized for 5 minutes.

Mr. GOLDWATER. Mr. President, I wish to conclude by stating that, efficient though the clerk is, I do not think he was justified in being certain that the bill would be passed by the Senate this very day, May 25. I believe it would have been better if he had not had that date included when he had the bill printed at that time.

PRIVATE COMMITTEE TO COLLECT FUNDS TO PURCHASE TRACTORS TO BE EXCHANGED FOR CUBAN PRISONERS

Mr. GOLDWATER. Mr. President, this morning my office was deluged with telegrams protesting the President's action in lending the prestige of his Office to the efforts of a committee of private citizens to collect funds to meet a blackmail demand from a foreign Communist dictator. I believe the unanimous tenor of these communications accurately portrays the indignation of the American people over any yielding to the infamous "tractor" demands of Fidel Castro.

Typical of these telegrams was one from Mr. Joseph Patrick, news director of radio station KRUX, in Phoenix, Ariz. The text of this telegram, which I should like to read, was in the form of an editorial broadcast by this station. I now read it:

Five bells ring on a UPI wire service teleprinter. Bulletin is double spaced between letters, a common occurrence in any newsroom—usually several times a day. The letters take form; words take on meaning, not just printed meaning but an impact that makes you wait for the upcoming words.

President Kennedy has called on the American people to contribute to the Castro tractor blackmail deal. An answer to a pressure move by a dirty, cutthroat Communist dictator is answered in the affirmative by the President of the United States. Before nuclear warfare, before aircraft were available, warbirds that so far have held even the Russian bear in check chained with fear of retaliation, another insufficient government had the gall to ask tribute from a very young United States.

An American sloop of war pulled into Tripoli Harbor, and tribute from a baby United States of America was easily viewable from shore. Open gunports in the side of the wooden vessel—the American hostages were freed.

Now, Castro's tractor blackmail is being honored with an endorsement by the President of the United States. It also became known today the President himself appointed Mrs. Roosevelt, Labor Leader Reuther, and Dr. Milton Eisenhower to the team.

Mr. President, why don't we simply offer foreign aid to Castro the way we have done to other countries who bare a few discolored, weak fangs at the United States? Why not offer civil service rights to Fidel? Why not even make a Government pension available to him if the U.S. Government would condone blackmail in the first place?

If we are going to buy the lives and the futures of Cuban nationals, why haven't we purchased the freedom of Catholic American priests? Why don't we free all those American troops still in Red Chinese prisons? Why don't we make an offer to Khrushchev—use some piece of America to barter the freedom of Americans, possibly B-29 airmen still held in parts of the Soviet Union from World War II.

Mr. President, why don't we stop backing up? Even if we don't prove anything to the rest of the world, at least prove to ourselves again we are Americans, afraid of no man or the face of God's green earth. KRUX hopes Arizonians at least will not be blackmailed by Fidel Castro.

JOE PATRICK,
News Director, KRUX.

I ask unanimous consent that there be printed at this point in the RECORD an editorial of Monday, May 22, from the Arizona Daily Star, entitled "Billions for Freedom; Not One Cent for Ransoms"; also a column of Tuesday, May 23, by the noted columnist, Hy Gardner.

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

[From the Arizona Daily Star, May 22, 1961]

BILLIONS FOR FREEDOM; NOT ONE CENT FOR RANSOMS

The offer of the Castro government of Cuba that the United States, either by its Government or people, trade 500 bulldozers for the release of a number of rebel prisoners, is one of the most insulting ever made in the historic dealings with hostages.

What it means is that supposedly we buy the release of a few prisoners for mechanical instruments or tools that would strengthen the Castro regime. That some of our do-gooder liberals have fallen for the offer is not surprising, but it is time that the people understood the seriousness of this offer.

It is brazen blackmail. It would set a precedent that would humiliate our country in the eyes of the world, if not our own people. Once established, it would soon be used more and more on some other kind of a pretext. Rich old Uncle Sam will always come across with money, or its equivalent, to buy off trouble temporarily. What a reputation to establish.

Let us remember the occasion more than 160 years ago when France was in trouble,

and asked us to keep our treaty that bound us to come to her help, in return for the help she had given us in winning our independence. We renounced the treaty. France threatened, we answered, "Millions for defense, not one cent for tribute."

Our answer in this instance should be the same. Billions for freedom, but not one cent for ransoms. Once we show to the world that we can be blackmailed, others will try it. Eventually we will have to stop it. The best way is to stop it right now.

If President Kennedy refuses to stop this incident, he will go to his conference with Khrushchev in Vienna with a greatly weakened prestige. A man like Khrushchev will scorn such a surrender as a sign of weakness, and possibly encourage him to show such contempt when he talks with our President.

This is no time for the Kennedy administration to show anything that can be interpreted as weakness.

[Hy Gardner Calling, Tuesday, May 23, 1961]

TOUCHING ALL BASES

It's an ironic coincidence that, of all things, Castro designated bulldozers as the form of ransom to free rebel prisoners. For the very name came from an old expression, predating the invention of the motorized machine, meaning bullying. You still hear it used in TV movies where the hero says to the bully, "Don't try to bulldoze me."

I suppose Mrs. Franklin D. Roosevelt, Dr. Milton Eisenhower, and Walter Reuther know what they're doing in supporting a public fund to subsidize the purchase of the 500 bulldozers. But if you want a private opinion we'd rather chip in our few dollars to help erect a permanent memorial on the prostrate hulk of the battleship Arizona in Pearl Harbor. I sympathize with the plight of the Cuban prisoners, but that is one of the misfortunes of war. I don't go along with blackmail; you never finish paying it and the best way to avoid it is not to start.

THE DANGER OF HOLDING CONFERENCES WITH KHRUSHCHEV

Mr. GOLDWATER. Mr. President, on a different subject, but one which is also related to our foreign policy, I ask unanimous consent to have printed in the RECORD an editorial, from the May 21 Arizona Republic, entitled "Retreat or Victory."

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

RETREAT OR VICTORY?

President Kennedy is climbing to the summit. Unless he intends to change radically present American foreign policy before this conference, we predict that Jack will fall down and break his crown and we'll come tumbling after. There is no reason to believe the President will not repeat the exact same experiences of Presidents Roosevelt, Truman, and Eisenhower at their various summits with Stalin and Khrushchev.

We don't know whether Khrushchev will offer the President the carrot of sweet reasonableness or the stick of threat and bluff. There may be another spirit of Vienna to replace the previous spirits of Geneva and Camp David. Or there may be another session of insults and vulgarities such as President Eisenhower suffered in silence at Paris. But it will be one or the other—unless the President intends to take the offensive to the enemy. Khrushchev is a thorough student of the Pavlovian theory of conditioned responses by giving and withholding goodies.

If the President, Adlai Stevenson (a summit fan) and Dean Rusk really believe that another test of Soviet intentions to help clear up major outstanding East-West problems will produce benefits to the United States, they are in for a disillusioning experience. If they really think that a new summit will produce any lasting agreement on any subject from disarmament to Vietnam, they have blinded themselves to the lessons of past experience. Khrushchev will, one way or the other, score another victory for communism.

After all, the President will be going to this conference after just suffering two major defeats—in Cuba and Laos. Twice he has talked tough and done nothing. Talking tough again—without making it perfectly clear that he intends to do something to back it up—will only make Khrushchev merry. What counts in dealing with Communists is action, not talk. In the past it has been they who have acted and we who have talked—and they have won and we have lost.

But suppose the President should decide to change the rules for the summit this time. Suppose he should suddenly take the diplomatic offensive against the Communist enemy.

Suppose he were to leave Stevenson, Rusk, and Bowles home and take with him to Vienna the Chairman of the Joint Chiefs, General Lemnitzer, Admiral Burke of the Navy, General Decker of the Army, General White of the Air Force, and General Shoup of the U.S. Marines.

Then suppose the President presented Khrushchev with the following proposition: The United States will discuss outstanding differences with the Soviet Union when the Soviet Union honors its past agreements with the United States. First they must fulfill their agreement made at the first Eisenhower summit to unify Germany by free elections. Next they must honor their agreement to permit free elections in all Balkan countries and Poland. Next they must adhere to the charter of the United Nations and suspend all aid to aggressive forces seeking to overthrow established governments in Asia, the Middle East, and Europe. Next they must recognize the time-honored Monroe Doctrine and end all aid and pressure on Cuba. Next they must live up to the treaty of recognition signed by President Roosevelt and stop all aid and support of the Communist Party in the United States.

Of course, Khrushchev will not agree. But that makes no difference. He will now know our intentions. He will know we do not intend any more surrenders but do intend to force him into retreat. He will suddenly be on the diplomatic defensive for the first time since American troops landed in Lebanon.

If Khrushchev talks tough at hearing these demands, the President should treat him as Vice President Nixon treated him in Moscow—with icy politeness and uncompromising firmness. He should tell the Soviet dictator that instead of seeing communism bury us, we intend to see all captive nations free from Communist masters. He should also add that he expects to see Khrushchev's grandchildren live in freedom.

If the President of the United States, flanked by his military commanders, were to take such a position, it would electrify the world. It would light again the torch of liberty that has been smoldering in the dust since the Korean war. The hearts of the American people would be lifted in pride and courage and honor.

But this is, we expect, too much to ask of the New Frontier.

HOW NOT TO GIVE FOREIGN AID

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article from the May 16 issue of the Arizona Republic. The article is entitled "Chacon Tells How Not To Give Aid."

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

CHACON TELLS HOW NOT TO GIVE AID

TUCSON.—The United States was told how not to disperse foreign aid yesterday.

The advice was given by Eugenio Maciel Chacon, newspaperman, printer, and farmer of Pesquerira, Brazil. He visited Tucson as a participant in the foreign leader program of the U.S. State Department.

The wrong kind of aid, he said, "Can be compared to a drunken Texas cowboy who bangs his fist on the bar and shouts 'drinks for everybody in the house—on me.'

"Some patrons who are perhaps sober, laugh and say, 'Why not; he'll never miss it. He's a fool, but it is free.'

"When foreign aid takes that turn, it winds up making enemies, not friends, for the United States.

"It is like when the drunken cowboy runs out of funds, and the patrons of his generosity turn on him, and he gets thrown out of the saloon.

"In Brazil we want a lot from the United States, but first let me tell you what we do not want.

"We don't want free spending of funds foolishly.

"We don't want charity.

"We want to be investigated just as your banker investigates you when you ask for a loan.

"We want Americans to invest wisely with us, in plants, dams, and agricultural development. We want them to make a fair profit, to get their money back, and to deal with us in a businesslike manner.

"But please, don't send us the 'drinks for everybody' types."

JACQUELINE COCHRAN

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a lecture delivered at Harvard by one of America's most famous women, Jacqueline Cochran, noted first for her ability in the air, and also noted for her ability in business.

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

JACQUELINE COCHRAN

You here at Harvard and I are the products of different systems of education. My school was more like Oxford. I understand at Oxford, at least for the Rhodes scholars, classrooms are pretty well dispensed with. The students are on their own absorbing knowledge from a varying array of available lecturers and then on examination day pass or fail according to their merits. Of course this may be only rumor or hearsay because I have never been to Oxford.

My school is affectionately referred to by the highbrows as collegio ictiuum durorum. My alma mater dispenses with cap and gown and books and never gives a sheepskin diploma. The motto of my school should be recited every night and sometimes more often. It is "Illegitimus Non Carborundum." We have many graduates but the number in recent years has decreased due to certain of our State laws dealing with compulsory education.

The seal of our school varied from campus to campus but always had the same three essentials: the black eye, the bloody nose and the flexed muscles.

I can tell from the look on the faces of some of you that you have forgotten your Latin. So I will tell you that collegio ictiuum durorum translates as the school of hard knocks and that illegitimus non carborundum translates as Don't let the ——— get you down.

The fact is that beyond the third grade I never attended any school except collegio ictiuum durorum. The hard way to accomplish anything seems to be somewhat in disgrace today in favor of the lush easy life. Therefore it may be presumption for me to address you. But my very old and esteemed wartime friend, General Doriot, asked for it so I am going to call the shots as I see them.

You have probably been considering such things as margin of profit. That's all very well and truly capitalistic. But if the margin disappears there is no profit to consider. At that point the spawn of Karl Marx and Lenin can shout hurrah and Khrushchev can say I told you so.

Because we must compete in international markets for the sale of a part of our manufactured goods, profits will disappear unless we keep our costs below the costs of our Communist competitors.

And it's about some of these things that I will speak today.

Back about the time President Kennedy and most of his associates in this administration were graduating from college, my husband, Floyd Odlum, delivered the commencement address at a college in Michigan. World War II was being waged and I was in England at the time flying for the British. Among other things he said, and I quote:

"The peace treaty will usher in a period of adjustment and reconstruction that will be difficult in the extreme. There will be new political philosophies. The old economic foundations upon which we relied before the war will be gone. New superstructures of society, trade, and finance will have to be built. The task will be to see that they are not built on quicksand."

I think my husband said a mouthful by the way of accurate forecast. It is evident that the population of the earth is in a state of ferment and turmoil almost to the point of explosion. Berlin, Laos, the Congo and Cuba are only current examples. We have the ferment also right here at home. Perhaps people while searching for new horizons have lost their bearings with respect to the old horizons like, for example, the Constitution of the United States. I think that Constitution embraced the right to strike out on one's own, to take a risk and to profit by such risk if the venture proves successful.

We like to glory in the fact that we are the richest Nation on earth with the highest standard of living. How did this come about and what are we doing to hold our championship? One of my fellow Alumni, a respected Democrat in his day, the late Al Smith, used to say "Let's look at the record." And that's what I propose to do right now.

This Nation of ours became the wealthiest nation with the highest standard of living because of a combination of a few things. We had immense areas of idle fertile land from which to get timber and crops and that land was available to practically any individual with initiative and enterprise enough to settle on it. Under the surface of that land we had an abundance of gold, silver, copper, iron, oil and other minerals. These resources were also available to the individual for the asking if he followed it up energetically. Along with these natural resources, we had, and above all, the energy of rugged and bold men, feeling the invigorating air of freedom and individualism in a New World. The industrial age was born when we were just moving into our prime in wide open free and individualistic America. With the natural resources at hand and the application of human energy, we formed the machines and tools and factories and we took the lead among all nations of the earth in industrial production.

You will find that the amount of mechanical energy used per capita is the true measure of each nation's standard of living. We far outstrip other nations in this respect.

But I'm very sorry to say times are changing. Our natural resources have been depleted to a great extent. Other countries now hold the lead over us as to reserves of oil, gold and some other metals, including uranium. Some other nations are increasing the use of mechanical energy per capita faster than we are. And this may become so even to a greater degree in the fairly near future because a very small amount of uranium packs a very great punch in terms of energy. Uranium is therefore cheap to transport and before very long it will be cheap to use for fuel any place on earth. The coming of the nuclear age will mean that we have lost the edge we had by way of lots of useable waterpower and an abundance of cheap coal, gas and oil to burn under the boilers.

What's more—and what is even more important—the energy drive of the American worker that made us stand out as a Nation seems to have let down. Productivity per unit of wages has decreased. That means costs of product are too high and in many instances to the point where we have priced ourselves out of the international markets, even forgetting a margin of profit.

I live in California and I recently saw on the sports page of a local paper a picture of a steel crane. The caption read: "In order to construct Dodgers' new ball park it was necessary to import a giant crane from Germany." Why was such an import necessary? We have good steel mills right here at home. Can West Germany build bigger or better cranes? The answer is "No." Can West Germany build cheaper cranes than we can. The answer is "Yes." They can do so partly because their plants are new since the war. New up-to-date plants are more efficient than old ones. Ours to a large extent are prewar vintage. They have not been replaced because under the short-sighted depreciation policy in our Federal tax law they are being depreciated over their physical life as distinct from their efficient economical life. But the answer "yes" to the question whether Germany, and for that matter Japan and some other countries, can produce cheaper rests even more so on the fact that the workman in Germany, Japan and these other countries turns out more product during his work hours. He has greater productivity.

A belief seems to have taken hold during recent years that there is merit or advantage in getting paid more for doing less. I am still not too old to fly supersonic planes and I well remember the days when I worked a 12-hour night shift in a cotton mill, 6 nights a week for $4.50. Mind you I am not arguing in favor of 12 hours or low wages. I'm only calling attention to the true meaning of the Anglo-Saxon word spelled "w-o-r-k." Whatever pay one gets in industry comes from production. Pay must in the very nature of things be related to production. Otherwise the increased pay becomes merely another temporary redistribution of wealth program. In what I have just said I must repeat that I am not suggesting the worker's hours of production or creative effort in a day or week should be lengthened or that present rates of compensation should be reduced. I am, however, arguing most strongly that, while a person is on the job he should give his best productive efforts. If he does, and all his neighbors do likewise, there will be greater production, more things to consume, and more pay to buy them with. If such increased productivity does not occur our foreign markets for surplus goods will dry up, profits will be reduced or disappear, the Government's take by way of taxes will shrink and inflation will result. Such a combination can only end in a deep readjusting depression and general catastrophe.

About 2 years ago my husband took occasion to check hourly wages and hourly output back to the turn of the century. Such a check showed clearly that whenever productivity per man-hour does not keep pace with wages there is a loss in purchasing value of the dollar almost precisely equal to the gap between hourly wages and productivity per man hour. In other words, there is inflation. No one has obtained something for nothing.

What I want to see is even higher wages combined however with greater output. Let us have more pay for more productivity.

This permanent or seemingly permanent slowdown by the American producer is multiplied in its evil effect many times over by reason of the fact most of our manufacturing is the result of factory, machines and tools. These tools, machines and buildings don't hanker after or need a 7 or 8 hour day or a 5 day week. Each time a man behind a machine idles while on the job he also causes the machine to idle and the factory to idle.

Practically all of our goods are both produced and consumed by people in the lower income brackets. This will be the case whether we have democracy or communism or any other form of government.

This brings me to the subject of government. I have regrettably noticed a definite trend in America toward a federally controlled economy and a socialized welfare state.

However, let's not get confused by words or terms.

All of us often use the words republic, democracy, socialism and communism and when we do we each have in mind a certain form of government. But most of these words are used in different senses by different peoples of the earth. We salute the flag of our "Republic" but also we refer to it as a democracy. The philosopher, Plato, some 400 years before Christ, outlined what he called a "Republic" to take the place of the democracy of Athens which he thought a complete failure. His republic to be controlled as might be assumed principally by philosophers like Plato was in fact a socialistic state with much basically in common with Russia's and China's present day communism. Karl Marx, considered the father of the current communistic ideology, used the word democracy in his writings to describe his suggested form of government. It was, he said, a democracy of the proletariat which in fact means a democracy of less than all the people. And Khrushchev today calls the Russian system democratic and our system of government imperialistic.

So we must go to the real meaning behind these terms. Socialism is nothing new. It goes back at least as far as recorded history. Plans to share the wealth, divide the property and for a few of the whole to control the rest of the people for their own good are as old as the writings of man. It has been said by experts in the field, and I believe them, that every nation of the past has had, and every present nation has, socialism interwoven in its government to a greater or lesser degree. This is certainly true in America where our Government by constitution looks after the defense, the interstate commerce and the general welfare of the people.

So what is the essential difference between American democracy and Russian communism if both are socialistic?

Well, as I understand it, the Communists eliminate private ownership of production

and distribution. They seek their ends by forcible overthrow of all existing social orders and the destruction of the economic force known as capital. Instead they form a new controlling class and organize a government not of the previous ruling class but of a new class called proletariat. This they say is a democracy formed in the image of and responsible to the working man—like Lenin, Stalin and Khrushchev for instance. Instruments of production and distribution are in the hands of the State which of necessity is run by a few of the whole. According to Marxism a profit is robbery. Workers, production and government must be handled collectively. The government, which is supposed to obey the wishes of the proletariat is also supposed to act as a holding company for all means of production and distribution. However, inasmuch as the members of the Communist Party number only less than 5 percent of the Russian population, it can hardly be said that the Kremlin is responsible to the working class as a whole. Kremlin members selected by a few of the whole tell the population what is good for them and they take it and like it or else.

I say we in America are moving more and more toward a socialized State of the type extolled by Karl Marx, even though it is not coming about as the result of violent revolution. This transition is marked by lessening of State controls, by lessening of freedom of action by the people, and by the building of centralized authority in Washington represented by commissions, bureaus and agencies. These bureaucrats take control of the functions and products of industry and commerce even though perhaps not title to the plant and tools themselves. The cow is left with the owner but the milk to the extent called for by regulations is taken away. All this centralization of authority and control is supported by a high and progressive income tax which was one of the important planks in the platform of Karl Marx to bring about socialism and then communism in capitalistic countries. Remember that when your home area gets Federal funds for any purpose, the people themselves have put up that money through payment of taxes. The local areas are only getting their own money back but usually not all of it because a good rake-off on the deal is sliced off in the process of getting the taxes to Washington and then back to the crossroads of America. This rake-off is used in part to support our Government bureaucracy. That income tax is a powerful socialistic tool concerning which the people—and I mean all the people including the wage earner—should give more serious attention. The highest tax brackets provide practically no income to the Government but have immense social impacts.

Compare now with 1914 the year in which the first full year Federal income tax was paid. Suppose in that year, 1914, your father earned a gross before taxes of $12,000 a year. Such a sum at that time was adequate to house and clothe the family well, to send the children to college, and also to set aside security for old age. Today, to get the same buying power after taxes you—the son or perhaps the grandson—would have to earn $55,000 per year. That equation takes both taxes and inflation into account. The tycoon who earned $100,000 in 1914 would require the presently unheard of pay of $2,400,000 a year to have the same buying power as in 1914. No wonder we start thinking in terms of take-home pay and social security, pension plans, socialized medicine and other like things built into the fabric of a socialized welfare state. I don't see where this wage earner is benefiting from all this. Costs are going up on him as fast as his wages increase. It's like a dog chasing his own tail around a tree.

You have heard of Communists and Socialists. But have you ever heard of the Fabians? You should study about them because they are among us in plenty, even though they don't carry badges. Back about 70 or 80 years ago the Fabian Society was started in England. The Fabians basically agreed with Karl Marx. They differed from the Marxists principally in the matter of violent revolution to obtain the desired results. The Fabians believed that property owners would not realize what was happening to them if the means of production and distribution were gradually usurped through the voting process. Thus in the end the government would become the holder of production and distribution facilities and thus in theory at least would become responsive to the working classes. But things wouldn't work that way. A group of ruling politicians would take over. The Fabians were willing to accept and bore into any form of government in existence at the time and by peaceful agitation, subversion, and penetration at the polls, and with the legislators, bring about changes in the purposes of the government to make it the effective tool of the Socialists.

The Fabians made progress in America. They infiltrated both the Democratic and the Republican Parties with their ideas. Norman Thomas, for years the head of our American Socialist Party, quit running for the Presidency with the announcement that the major aims of his Socialist Party had already been achieved by the larger, older political parties.

The Fabians or the descendants of the Fabians are still at work.

Our Government is growing bigger and bigger, collecting more and more taxes, enacting more and more regulations, and intervening more and more in the economy and in people's own day-to-day activities. Let me give a nonpartisan example.

The Democratic Truman administration spent more than had been spent previously during the entire history of the United States. Then the Republican Eisenhower administration, during its two terms in office, spent more than had been spent during the previous history of the United States, including the Truman era. And so, apparently irrespective of political party the trend of taxing and spending goes on, and apparently ever upward. Our national debt is close to $300 billion. We are currently spending more than we are taking in. Inflation has been the result in the past. Inflation will continue if this trend of spending continues.

I'm not much of a political historian but I understand that when Benjamin Franklin emerged from the Constitutional Convention back in 1787 he was asked what kind of government had been drafted. His reply was "Sir, we have given the people a republic—if the people can make it work."

I'm afraid the people are not making it work. With their own money they are being bribed at the voting polls in the form of give-away programs. Democracy as a representative government is being worn away in favor of a socialistic state by a process of slow attrition.

The essence of our American system as it was conceived by our Founding Fathers was the freedom to initiate, venture, develop, and produce without interference or restraint except for safeguards to protect similar rights of others, as well as the right to enjoy the fruits of one's own labor.

A form of communism had been tried both at Jamestown, Va., by the early settlers and by the Pilgrim Fathers. Both failed because the members were more concerned with equal shares than in contributing equally.

Practically every President right down to the time of the so-called New Deal warned against giving too much power to government. George Washington said that government is not reason but force and a fearful master.

Thomas Jefferson placed economy among the highest of virtues for government and heavy public debt as contrary to independence. He said, "If we can prevent the Government from wasting the labors of the people, under the pretense of caring for them, they (the people) will be happy."

Woodrow Wilson warned that "The history of liberty is the history of limitation of governmental power, not the increase of it."

Herbert Hoover said, "Freedom conceives that the mind and spirit of man can be free only if he be free to pattern his own life, to develop his own talents, free to earn, to spend, to save, to acquire property as the security of his old age and his family."

Even Franklin Roosevelt, before he succumbed politically to the luster and trappings of the New Deal, while still Governor of New York, said, "Washington must never be permitted to interfere in those avenues of our affairs, naming specifically among other such avenues as conduct of business, of agriculture, of education, and social welfare."

And more recently President Eisenhower said, "Every step we take toward making the state the caretaker of our lives, by that much we move toward making the state our master."

Eleven years ago, John F. Kennedy, while Senator from Massachusetts, said, "Every time that we try and lift a problem to the Government, to the same extent we are sacrificing the liberties of the people."

What I want to see is a stoppage of the sacrificing of liberties of the people by return to the people of their rights to wrestle with their own problems.

The historians also tell me that James Madison, fourth President of the United States, incidentally a Princeton man, once said, "There are more instances of the abridgment of the freedom of the people by gradual and silent encroachment, than by violent and sudden usurpation."

You people probably know me best as an airplane pilot. But I have had my own cosmetics business for more than 20 years. I started it from scratch. Therefore I have learned some of the problems of business the hard way. Also my husband and I operate a large date and citrus ranch in California. I might add that it is pretty hard to make a dime either in cosmetics or farming even before taxes.

But, in addition to all this I have been in politics. I declined the Democratic Party nomination for Congress in our preponderantly Democratic district in California only to run 2 years later on the Republican ticket. I was defeated by a very narrow margin. It was rather frustrating to try and get the real issues discussed. Many votes turned on pure personalities or on things of small consequence to the Nation as a whole or even to the people of my own district. The people who have studied the consequences of any given action must get into harness to explain things to many less enlightened but honest citizens.

There was a wisecrack making the circuit 2 or 3 months ago that the best way to get to Washington is to go to Harvard and turn left.

I wish more of our people would find their way to Washington by going to Harvard and turning right.

Education is the most potent way to preserve our way of life. If control of our destiny is at the level of the voting booth then the voters must be made to realize what they are doing when they mark the ballot. And the people of this country have a right

to look upon a Harvard graduate as a citizen with superior knowledge and with power to guide and lead. That's why I am having my say to you today. I would walk across the United States on my hands and knees if it would help my country. But if I can get a few of you here to preach the brand of democracy I have talked about it beats walking on hands and knees. I'm not trying to single Harvard out. I just happen to be here.

There are many schools where the political gospel of our Founding Fathers might be reviewed and perhaps preached to the multitudes. If we have such a thing as an egghead let's have it hard boiled rather than scrambled.

I see where one of your Harvard graduates has recently recommended to Congress that in Federal tax returns the so-called three cocktail luncheons, hunting lodge, and the yacht parties be disallowed as a tax deduction. This is designed to bring in more revenue to the Treasury and in various ways to be good for the economy. I hope this charming and important graduate did not learn at Harvard the economic facts of life behind this proposal which contains some catchwords designed to sell it to his political customers. I wonder in which one of his four houses he thought out this plan, or maybe he did so while flying in his private airplane between various points of residence and work. Certainly the mathematics are wrong, the economics are wrong, and the implication that the great white father knows best about the details of business is rather apparent. It seems to overlook the mechanics that make business tick.

I think the idea in this graduate's recommendation was to limit expenses to $24 per day.

Now if the Government can tell a company that it can allow an executive or employee only up to $24 a day to spend on a business trip it can also tell that company that the allowance will only be $1 or any other figure.

I maintain that a company in business for a profit should have the right to use its own business judgment as to whether its representative will travel by bus or plane and live in flophouses, motels, or first-class hotels. I have many people on the road for me all the time. I'm the one who must meet the payroll. The business is mine. I'm the one to judge whether my traveling representatives of a first class and exclusive business will live second class and entertain second class. The few cases of abuse are trivial compared with the jolt that such a socialistic procedure would do to our Republic.

The Fuller brush man or the door-to-door cosmetics salesgirl has one reasonable standard of expenses and the man who is trying to sell a dozen $5 million airplanes or to open up a new foreign market for our domestic industry quite properly has another necessary scale. Imagine how effective I would be under the following circumstances. I go to a city to try and open a new cosmetics account. I have a well-known aviation background but I leave my plane at home in the hangar and go by train. On arrival I register into a single room in a second-class hotel. I then ask those to whom I wish to sell my products to come up to my room and have a cola with me followed by dinner at a drive-in.

What's sauce for the goose is also sauce for the gander. Why the cocktails and champagne at the White House? Why the very expensive planes kept available for the President as well as the Presidential yachts and Camp Davids. The answer is that they pay off in results. We don't want our Nation's Chief Executive or our other important national representatives to be second class any more than American industry wants its representatives to be second class. And we don't want—at least I don't want—the income tax law to be used as a lever to substitute the judgment of nonbusiness trained governmental employees or tax agents for the judgment of business management.

Also I think the mathematics of the proposal are wrong. Let's start with the executive who is living for the time being away from home in a two-room suite at a first-class hotel in New York. He chooses to give a lunch at the Twenty-One Club preceded by as many cocktails as the guests care to consume up to three and followed that night by a theater party for which a chauffeur-driven limousine will be necessary. Half that cost on the first go around comes out of the company after taxes and half out of the Government in loss of tax on what the regulation would consider plush or surplus cost. But now let's get to the cocktails. I myself don't believe in cocktails before lunch but that's beside the point. The point is that practically all the cost of the drinks is made up of revenue stamps that represent payment to the Government. Grain alcohol that I buy for use in cosmetics costs about $1 a gallon. Alcohol in beverages costs many times this and the difference is mostly in taxes.

But now let's get to the restaurant. It makes a profit on that lunch and pays half that profit over to the Government. The automobile company makes a profit on the car hire and pays half to the Government and the theater also pays over half its profits. And so does the hotel on its rental of the suite. When we get through with the count a lot of people have been employed in the operation and after such costs have been taken out and each has paid his tax the Government has lost very little. What little it has lost has more than been made up in the continuation with attached employment of going businesses known as hotels, restaurants, theaters and car rentals. We hear a lot about a lot of businesses living off of expense accounts. That's true and there is nothing wrong with it. Most of the people who travel and live in hotels and dine in restaurants are moving about on business and as a part of the cost of doing business. That's why we have railroads, airlines, hotels and restaurants. One might as well proclaim by tax-law that any phone call over 3 minutes or any telegram over 10 words is nondeductible because plush and unreasonable.

These are some of the ways that individual rights and freedoms are being taken away, I haven't tried to make an inventory of all such ways. Such an inventory would have to be contained in a looseleaf booklet so pages could be added and changed from week to week. Edgar Eisenhower—brother of Ike * * * inventoried a few in a speech he made almost exactly a year ago entitled "Termites in Government."

All these things move us along the controlled economy road to make for a socialistic welfare state.

The more I think about it the more I fear that unless something is done about it fairly promptly automation is likely to lead us right down the road to an extreme socialistic state.

At present when a mechanical computer goes into a single organization to take the place of dozens of clerks and accountants they find jobs elsewhere. Their ex-employer has no obligation to them beyond the usual termination pay. The Government perhaps then takes over for a short period of unemployment pay. But by this process of automation it can be foreseen that the group of employable but unemployed will keep growing. It is possible to foresee that before too long only a very few million or even only hundreds of thousands will be needed in our industrial plants. What then? Who supports these permanently unemployed? Do they get jobs driving more automatic controls? If so, the output will be tremendous assuming the availability of raw materials in the form of natural resources. Do these unemployed get paid by industrial companies who no longer use them? If so, what company pays whom. It's certain that their support must come from production. Therefore failing some workable plan industry as a whole will be taxed and the Government out of such taxes will support the employable but unemployed. I would like to see all these people capitalists in a capitalistic society rather than remittance men dependent on a dole from the politicians.

We are in an age of great scientific advance. Automation is only one of the results. The decade we are now in will probably be known as the scientific sixties. Operation Plowshare is a project for peaceful application of nuclear energy. Nuclear energy it seems can level a mountain or create a deep water port or dig another Panama Canal with just a few explosions. Men will be needed for these operations only to a small extent. The scientists who are thinking out ways to do away with the need for manpower might also think out what political and economic system will follow. This would indeed be a great present day project for Harvard.

I'm not talking about what man will do with his idle hours. That's a great study project in itself. I am talking about how man with most of his hours available for leisure is going to be supported and who is going to own the tools of production at that time.

A woman from the school of hard knocks probably should not be talking to you this way. I have posed questions I have no answers for. I only know that the machine age brought the same problems and a higher standard of living resulted. Every one of you can outdo me in logic and in an array of material bearing on the problems.

So I had better stop now and disappear quickly out one of the side doors. But I choose to stay on and listen while General Doriot completes the last class session of the present school year.

From my background of aviation I would like to make one closing remark. Since the day the Wright brothers made the first powered flight the conquest of the air has gone forward with a great rush. I have been a part of this forward rush for the last half of the period. I knew Orville Wright personally. I knew several of the men who were in that first group to fly. Now we have left the atmosphere behind and gone into space. It's very exciting. I was in the control center watching Commander Shepard 10 days ago when he became the first American into space. We can very properly glorify these astronauts who will become the Wright brothers of the new space era. We can very properly follow with intense interest the proposed exploration of the universe to solve its mysteries that are billions of years old. But the people of the earth are still pretty well earthbound. And some of these people—notably the Russians and Chinese—don't like us. I say therefore that we should not gaze into space so intently that we leave ourselves open to a knife in the back from some armed and evil prowler who has crept in our back door along the ground while we have been viewing the stars.

In the matter of conquest of the universe and the near-at-hand danger I am reminded of the drunk who was standing at the crowded bar. He first claimed he could lick anyone in the room. Receiving no response he broadened the challenge to the town, the State, and then to the world. With that a fellow standing right next to him knocked him down and roughed him up. The drunk when he recovered his speech remarked sadly

that he reckoned he had taken in too much territory in the last challenge. The moral of this is let's also be prepared to take on the fellow right next to us on earth while we are challenging the universe.

GEORGE W. MALONE

Mr. GOLDWATER. Mr. President, the reeds that grow along the banks of our streams wave back and forth with every breeze. They never grow very high, nor do they grow very strong, just yielding to the winds. They never contribute much either to man or to beast, for they offer no shade to the tired or inspiration to those who seek it. Some men are like the reed; they wave back and forth with every breeze, never growing high or strong nor do they ever contribute much to man. They cannot, because in their waving in every direction they have never remained still for a long enough time to be able to know what man is like and what his needs are. They offer no inspiration, for, not knowing really what they offer, there is not the strength or firmness to inspire.

However, Mr. President, the oak is very different, for this tree weathers the storms, never bending to the will of the wind, but growing strong with the strength it must have to withstand those forces. It spreads its branches, to break up the heat of the sun, so that the tired may rest under them and, in the resting, find inspiration in the firm strength of a creation of God that knew all its life its purpose, and never yielded to the forces which could have destroyed it and its usefulness.

Some men are like the oak. They grow strong through life, by resisting the temptations to be something to everyone. They grow strong by knowing where they are going and what they must do in the going. They spread the cooling shade of understanding, understanding gained by the experience gained from countless encounters with people and their problems.

A man of that sort passed away last Friday, May 19. He had been one of us during a long period of his life; and the firmness of his stands on the issues about which he felt deeply received the praise and the admiration of all, even of those who disagreed with him. When he spoke, he spoke from studied wisdom; and today and tomorrow and for all the tomorrows this wisdom will come back to us, and it will remind us—even those who disagreed—that his words were right.

One could look at him and see the physical strength developed by an active athletic life during youth, a body toughened by bodily contact, by the strain of serving his country in World War I, by the constant battle that went on daily as one tried to make progress in the early West. But while this outside manifestation of strength was being built into him, his mind was developing its ability to understand and to perceive and to place in logical written and spoken words the conclusions this mind would come to. But those indications are ever obvious in those who possess them. What is sometimes not so readily seen are the indications of inner or spiritual strength, and as this man grew, so did these most valuable traits grow. These, as we who knew him best knew, were reflected in his constant kindness, his devotion to his family and his friends. The shade of his friendship was as the shade of the oak—a spreading and cooling experience one will never forget. They were evident in his patriotic devotion to his country and for the freedoms the Republic has always stood for.

Mr. President, it is not easy to lose a man like the one I am speaking of, for there are not a great many of them living in this age of weakness and compromise. God in His wisdom had a reason for taking him, as he does for all of us when our time comes. I like to think that it was to make heaven a more pleasant place for those who are there and for those who will come later. If this be true, and I must believe it as this truth repeats itself whenever a good friend passes, then having to wait my time to see George Malone again will remove the dull nothingness of that hour and replace it with the happy thought that George and all the others will be there.

THE JOINT CHIEFS OF STAFF

Mr. BRIDGES. Mr. President, one of the most disturbing developments in recent years is the criticism of the distinguished officers who are members of the Joint Chiefs of Staff. I have previously stated my confidence in our top military leadership and I reiterate it at this time.

I have, together with other Members of the Senate and Congress, as well as thoughtful citizens everywhere, believed that the unjustified criticism of our Joint Chiefs of Staff members is not of a constructive nature. Rather this criticism is the type that undermines confidence in our top military leadership and this undesirable result is compounded by the fact that such criticism also lowers our national prestige in the eyes of an apprehensive and watchful world.

In view of the grave concern which must be felt over these attacks on our Joint Chiefs of Staff, I invite the attention of all Members of the Senate to what I consider to be one of the most pertinent and perceptive statements yet forthcoming on this serious matter. I refer to the statement issued to the press on May 19, 1961, by the distinguished national commander in chief of the Veterans of Foreign Wars of the United States, Mr. Ted C. Connell, of Killeen, Tex. Commander Connell points out that he has just returned from an extensive trip to Europe in which he visited European officials and top-ranking U.S. military and diplomatic leaders. So deep was Commander Connell's concern that he issued this powerful statement in which he points out the severe damage being done to American prestige, and calls for a halt to this criticism of our Joint Chiefs of Staff.

In his statement Commander Connell pointedly asks two very profound questions which are being increasingly voiced by those who view this attack on the JCS in its full meaning. Mr. Connell asks if this criticism is a deliberate effort to undermine confidence in the JCS system in order to create a single Chief of Staff, and also if such criticism is an improper effort to invade the responsibility of the Joint Chiefs of Staff.

The Veterans of Foreign Wars of the United States have long taken a deep interest in national security matters. This statement by Commander Connell is another example of how the VFW with a membership of 1,300,000 overseas combat veterans, speaks with a constructive voice in matters relating to national security.

I completely concur with Commander Connell's belief that President Kennedy and Secretary of Defense McNamara should publicly state their confidence in the Joint Chiefs of Staff. Such action on the part of the President and the Secretary of Defense would have a salutary effect in preventing further erosion of confidence in our defense leadership and further damage abroad to our national prestige.

The Nation is indebted to the V.F.W. and its commander in chief for this timely statement. I strongly recommend it to the attention of every Member of the Senate.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the statement by Commander Connell.

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

STATEMENT OF TED C. CONNELL, NATIONAL COMMANDER IN CHIEF, VETERANS OF FOREIGN WARS OF THE UNITED STATES

MAY 19.—Ted C. Connell, Killeen, Tex., commander in chief of the Veterans of Foreign Wars of the United States, charged Friday that criticism and innuendo of the Joint Chiefs of Staff by certain faceless Government officials with influence, but without responsibility, is having damaging effect on U.S. military leadership and prestige both at home and abroad.

In releasing his statement through VFW national headquarters here the national veterans' leader who has just returned from a 12-day swing through Europe, went on to say: "There is little doubt that this constantly implied criticism has lessened the effectiveness of the Joint Chiefs of Staff. The situation becomes more acute each day because the Joint Chiefs are unable to answer the criticism due to the confidential and responsible nature of their duties. I believe the time has come for President Kennedy to either put a stop to such talk or give the Joint Chiefs an opportunity to publicly state their case. Failure to do this can only be harmful to our Nation as a whole."

Commander Connell went on to ask: "I wonder if this criticism is part of a plan by certain people to attempt a breakdown in the confidence of the Joint Chiefs' system in the hope that this will ultimately lead to a single Chief of Staff: I wonder also if this criticism by faceless officials is an attempt to infringe on the responsibility of the JCS and the military leadership?"

Concluding Connell said, "I urge both President Kennedy and Secretary of Defense McNamara at this time to publicly state

their confidence in the Joint Chiefs of Staff. They are all dedicated and qualifed military leaders, but the support of the President and Secretary of Defense is imperative if they are to be effective."

COMMENTARY ON THE PRESIDENT'S ADDRESS TO CONGRESS

Mr. CANNON. Mr. President, in addition to the comment which has already been made concerning the message of President John F. Kennedy to Congress today, I am particularly delighted to note that the President has decided to restore $30 million which had previously been deleted by the Bureau of the Budget from the Rover nuclear propulsion program.

In the special message, the President disclosed his intention to accelerate the development of the atomic rocket. I heartily agree with this position. In fact, I felt compelled last April 19 to write to the President asking that we leave no stone unturned in grasping the opportunity afforded by Rover to leapfrog the Russians in this unique development. This program—while it has shown excellent progress in the past 5 years—had received only skimpy support from the previous administration.

Yet, this Nation pioneered atomic science and is in a position now to lead the way and be the indisputable leader of atomic space travel. The President's recommendation is an important step in this direction. I applaud him for his stand, and I am most hopeful that his appeal will be favorably received by the Congress.

Furthermore, President Kennedy, in my judgment, made a necessary and frank disclosure of America's standing in the cold war. His message concerning the dedication of our Nation to liberty and freedom cannot be repeated too often, nor can we overstress the sacrifices which each of us must be willing to take for the security of the country.

The modernization of our Armed Forces and the buildup of conventional military power to contain communism is a vital step toward achieving real security in this country. I am happy to see that the President has taken vigorous action to institute these reforms in our military posture.

All Americans, I believe, can draw inspiration from the intelligent and concise statement by the President of the goals that motivate this country and what is needed and should be expected of us all if liberty is to prevail in this world. It is my hope that Congress will see fit to assist the program of the President by appropriate legislative action.

DOLLAR GAPSMANSHIP

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed into the RECORD a report which was prepared for me on the possible adverse effect of the administration's proposal to cut from $500 to $100 the amount of goods returning to the United States which tourists can bring in duty free.

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

U.S. "dollar gapsmanship" could backfire on both our balance of trade and our Latin American relations in several key areas.

Back in February, President Kennedy proposed to cut from $500 to $100 the amount of goods returning U.S. tourists can bring in duty-free. The $500 limit was originally set to help European economies back onto their feet. That was in the days when U.S. attention was focused on European recovery. Now administration leaders feel that Europe no longer needs help—and we need the tourists' dollars here.

But Mr. Kennedy's proposal—now formalized into H.R. 6611 just passed by the House—has poked a stick into the hornet's nest of Latin American and Caribbean economies. For the $500 tourist exemption has been a boon to south-of-the-border nations hungry to earn American tourist dollars.

Thus, amid general satisfaction with the $500 million Alliance for Progress Latin American aid bill, a discordant note was slipped into the May 15 session of the Economic Commission for Latin America. The ECLA pointed out "foreign exchange income from tourism is of vital importance for the economy of some countries of the Latin American region." They called on member states "to avoid measures which may jeopardize" the flow of tourists. The finger was pointed squarely at Uncle Sam.

To see why our hemispheric neighbors are so concerned, focus on Curacao, largest of the Netherlands Antilles. Curacao—just off the coast of Venezuela—long depended on oil refining to give it the highest standard of living in the Caribbean. With free world oil markets shrinking, Curacaoans have been counting on tourist-generated dollars to finance a new Economic Development Plan. This plan will free the island of a one-industry economy. More important is the fact that tourism is Curacao's second largest industry right now. Increasing numbers of Americans have been going to the capital city and free port of Willemstad for bargains offered by Curacao's globe-circling merchants. Several thousand Curacaoans are dependent on a tourist industry built by attracting these bargain hunters.

Despite the growing number of American tourists coming to Curacao, islanders point out the United States gets the better end of the trade. For every dollar laid out by American tourists, six dollars are spent in the United States by Curacaoans, about $250 for every man, woman, and child.

In addition to the all-important oil shipments, each year Curacao brings in $29 million of such staple American goods as Detroit cars, Louisville refrigerators, Kansas grain, and Philadelphia air conditioners. The Dutch Antilles together import about $70 million of U.S. goods each year.

These imports from the States dwarf the $5 million American tourists paid out in 1959 during their shopping tours through Curacao—generally regarded as the favorite shopping center of the tax-free Caribbean.

Curacao is thus most susceptible to the Kennedy measure. The island's Director of Economic Affairs and Development, Dr. F. P. Jansen, points out that local tourism is not "residual". Eighty-seven percent of tourist dollars are spent for goods—not hotels and services.

The proposed 80 percent cut in the tourist allowance means many of the Curacaoans now directly employed in the tourist industry may find themselves out of work. Spritzer & Fuhrmann, largest jewelry and silver merchant there, says large scale layoffs will be inevitable among their 600 employees.

With the island's second largest industry threatened and with the underpinnings of their Economic Development Plan weakened, Curacaoans are joining others in Latin America in regarding the Kennedy measure as an unreasoned or unfriendly act. They wonder if this is the United States' answer to years of friendship and heavy purchases from the North American giant.

As one leading Curacao figure exclaimed, "It makes little sense for the United States to adopt tourist policies that may bankrupt us, and then proceed to put us on American relief."

THE DRIVE TO RANSOM CASTRO CAPTIVES NEEDS HELP

Mr. PELL. Mr. President, on the floor of the Senate last evening I made a brief statement in support of the effort by our fellow Americans to raise funds in an attempt to secure the freedom of 1,200 Castro prisoners. My statement yesterday contained my reasons for taking this position. However, at this time I would like to ask unanimous consent that there be printed in the body of the RECORD an editorial from the May 23 edition of the Providence Journal, "The Drive To Ransom Castro Captives Needs Help." It is my belief that this editorial states eloquently the reasons why the citizens of this, the world's greatest democracy, have an obligation to help liberate the unfortuante Cuban freedom fighters imprisoned by Premier Castro.

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

[From the Providence Journal, May 23, 1961]

THE DRIVE TO RANSOM CASTRO CAPTIVES NEEDS HELP

The voluntary campaign to raise $2 million dollars to buy the 500 tractors demanded by Premier Castro as the ransom price for the release of nearly 1,200 imprisoned Cuban rebels calls for the unstinting support of Americans.

Despite the raw cynicism of Castro's proposal, despite the distaste for a payoff to a blackmailer, the fate of the 1,200 captured anti-Castro invaders takes precedence over pride or protocol.

For many reasons, the American Government cannot participate officially in Castro's cruel game of pawns. The lives of human beings, whom Castro has condemned to what would be slave labor unless they are ransomed, cannot be equated with any number of tractors. People are not commodities to be traded, so many irreplaceable individuals for so many replaceable things—whether dollars, tractors, or trucks, the commodity that Hitler demanded to spare the lives of a million Hungarian Jews.

Although the Government has paid ransom in the past to win freedom for American citizens unjustly jailed behind the Iron Curtain, Castro's proffered deal is different in many respects. The 1,200 hostages are not American citizens. Nor are they mercenaries, as Cuban propagandists claim. They were not "bought" in the first instance to undertake to overthrow Castro, but rather were patriots, many former comrades in revolutionary arms with Castro, seeking to save their Nation from Fidelista dictatorship of the Left just as they sought before to end the military dictatorship of Batista. By the same token, this Government is precluded from taking any active role in a "trade" that would suggest Washington regards the rebel survivors now as mercenaries salvageable for a price.

But these philosophical and official considerations do not have to inhibit Americans as individuals. By their response to the fundraising appeal of Mrs. Eleanor Roosevelt, Walter Reuther and Dr. Milton Eisenhower for Cuba's freedom fighters, private American citizens can demonstrate to the world that this country's vaunted concern for humanity, for individual human beings, is more than an empty phrase, more than a demagogic lure.

Indeed, there is an obligation of sorts on Americans to render what assistance they can as individuals to the imprisoned anti-Castro force. The American Government, which acts in the name of the people, has acknowledged a responsibility extending over both the present and past administrations for the failure of the Cuban rebel invasion.

The American people can make amends to the anti-Castro volunteers for whatever mistakes Washington made in its covert support of the invasion by helping to redeem at least the lives of the survivors. As distasteful as political blackmail is, the fundraising effort also gives the American people an occasion to demonstrate their friendship for the Cuban people, as distinct from the regime.

The need for funds will not stop, however, with the ransom price of 500 tractors. The men who risked their lives in the ill-starred anti-Castro invasion cannot simply be left back on the beach at Florida. As soldiers sharing this country's concern with keeping the New World free, they like the Hungarian freedom fighters have earned the help of Americans—and that means all of us—in finding jobs and accommodations until they can return to Cuba as freemen. Any money over the $2 million required for the tractors could be applied very usefully to that end.

TRIBUTE TO MINORITY STAFF MEMBERS OF COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Today a compliment was paid to the staff of the Labor and Public Welfare Committee, and I think particularly to the majority members of the staff. I certainly concur in that compliment, because they have been kind, they have been courteous, they have been attentive, and they have been cooperative on every occasion. But I wish to pay an extraordinary compliment to the minority members of the staff, Michael Bernstein, Ray Hurley, George Wray, John Stringer, Thelma Blankenship, and Carmel Giancola.

Never have I seen more devoted staff members. Never have they put in such long hours, to make sure that the minority members of the Labor and Public Welfare Committee had all the information properly digested. So today I salute them as a great staff, who have been extremely helpful on every occasion, in preparing the minority views and in exploring every other view with respect not only to the instant legislation but to all the legislation which comes before that committee.

Mr. MORSE. Mr. President, I join the distinguished minority leader in his compliments to the minority staff. When the vote is concluded, I shall take 2 or 3 minutes to express my appreciation to many others.

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. DIRKSEN. Mr. President, I yield 10 minutes to the distinguished Senator from Iowa [Mr. MILLER].

The PRESIDING OFFICER. The Senator from Iowa is recognized for 10 minutes.

Mr. MILLER. Mr. President, the last sentence in the "Declaration of purpose" of this bill reads:

> It is the intent of Congress that with this assistance the quality of public elementary and secondary education will be substantially improved in all States and that inequalities of educational opportunities within and between States will be substantially reduced.

In line with this policy, proponents of the bill have repeated that the real purpose of the bill is to provide equality of educational opportunity.

As is the case with so much legislation that is being proposed, one must look beyond the nice-sounding labels and lofty objectives set forth, and carefully examine the words of the particular bill under consideration to see whether in fact there has been some mislabeling; to see whether the lofty objectives will really be achieved.

Here we have a bill that is supposed to attain equality of educational opportunity for boys and girls attending public primary and secondary schools throughout the United States. How is this to be done? The answer provided by the bill is, in a nutshell, to spend $850 million a year. Nothing is said about how it is to be spent. In fact, the proponents of this bill have repeated time and again the policy set forth in section 103 of the bill; namely:

> In the administration of [the act] no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

I respectfully submit that this policy kills the purpose of the bill. Anyone in the education field will tell us that spending money is not enough; that to achieve even minimal quality of education there must be standards.

There are considerable differences in the standards established in the laws of the 50 States; and within each State there are vast differences in standards among the hundreds and thousands of school districts. Just spending more money will not assure equality of educational opportunity. Sooner or later, the standards will have to be changed. Three years from now, if the Secretary of Health, Education, and Welfare means what he says, the Congress will be asked for a continuing annual Federal appropriation. We will not have attained equality of educational opportunity in the meantime, and if the proponents of this legislation are consistent, they will say that we must appropriate even more money than this bill calls for. Their only answer to the problem will be to spend more Federal money, and as long as this philosophy prevails, we will never achieve equality of educational opportunity. The answer to the problem of providing equality of educational opportunity in fact lies in the provision of minimal Federal standards—not in the spending of more Federal money. I think the proponents of this legislation know this, but they are afraid to include standards in this bill because they know that the people do not want the Federal Government telling them how to run their schools. They know that once Federal money comes into the States and local school districts, it will be more difficult for the people to resist imposition of Federal standards and controls.

As I have said on this floor before, I think the Senate should make up its mind what it wants to do. Either it should decide to spend millions of dollars of Federal money in a program which can never achieve equality of educational opportunity; or it should decide to include in the bill the standards that will achieve this equality. It has already decided against amendments, which I supported, to return to the States some of the revenue raised within their own borders from their own citizens to enable them to have the wherewithal to spend more money in accordance with their own standards. To me, the choice is now quite clear. A vote for this bill will be a vote to spend millions of dollars for a lofty purpose which, under this bill, will never be achieved. A vote against the bill will result in a new bill being introduced which will either actually achieve equality of educational opportunity in fact or will return to the States the revenue needed for them to fulfill their responsibilities of education in accordance with standards which their people believe to be adequate.

Another aspect of this bill which troubles me greatly is that it will result in thousands of local school budgets being drawn up on the assumption that future appropriations by Congress will be forthcoming. The Secretary of Health, Education, and Welfare has made it clear that this is what he has in mind. Some of the proponents of this legislation may feel the same way, but they are strangely silent on this point. I view with alarm such a fatalistic assumption that the State and local governments can nevermore be relied upon to fulfill their traditional role in the education of their citizens.

I am equally alarmed over the tenuousness of such an assumption. It is entirely possible, if not probable, that future appropriations will not be forthcoming. And when that situation arises, the budgets of thousands of local school districts will literally be wrecked. Such would not be true if this legislation were limited to assistance for construction. But the bill has now been

amended to cover all kinds of operating costs as well.

The logical result of this type of legislation is that under the general welfare clause of the Constitution, which the proponents of this bill rely upon as the basis therefor, it will only be a matter of time before the Federal Government will come up with Federal aid for operating costs of our mental hospitals—because, it can be argued, the Federal Government has an interest in the mental health of the Nation; and then Federal aid for operating expenses of our State colleges and universities—because, it can be argued, the Federal Government has an interest in the higher education of our young people; and then Federal aid for State prisons—because, it can be argued, the Federal Government has an interest in rehabilitation of prisoners so that they will become useful citizens; and so on. Not that these objectives are unsound. Not that the Federal Government should not be "interested" or "concerned." But this is the way toward the usurpation of all governmental functions by one, centralized, Federal Government and the destruction of our Republic.

Finally, Mr. President, our President has just called upon the Congress for action to appropriate more money—billions of dollars of it—for national defense and space activities. In the course of his speech I detected this significant warning:

> If the budget deficit now increased by the needs of our security—

And I might add also by the nondefense spending measures already proposed or passed by the Congress—

> is to be held within manageable proportions—if we are to preserve our fiscal integrity and world confidence in the dollar—it will be necessary to hold tightly to prudent fiscal standards; and I must request the cooperation of the Congress in this regard—to refrain from adding funds to programs, desirable as they may be, to the budget.

Of course, it would be helpful if the President himself, in light of the requirements outlined in his address, would request that this bill be passed over, desirable as some might consider it, in favor of fiscal integrity. It would, of course, be desirable for the proponents of this bill to themselves put it aside in favor of fiscal integrity. It would have been desirable for them to have acquiesced in the Cooper-Javits amendment to reduce the amount to that which the administration originally requested. However, I fear that the American people will instead find that the Congress will persist in doing everything all at once, talking for fiscal integrity one day and voting against fiscal integrity the next. The proponents of this proposed legislation will say that it is indispensable and that we should cut foreign aid. The proponents of foreign aid will say that the President himself has said that foreign aid is—

> the single most important program available for building the frontiers of freedom—

To quote again from the President's speech.

What will happen? We shall end up with both. We shall end up with many other so called "must" bills, and the fiscal integrity our President has called for will become only an empty platitude which our grandchildren will read about someday and say:

> Was the failure of Congress to heed the President's words the reason why we have lost our freedom?

And we, in our declining years, will have to nod our heads in agreement.

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. Mr. President, I wish to make a legislative history with reference to a letter which I have received from the National Catholic Welfare Conference, signed by William R. Consedine, director, with reference to the Prouty amendment.

Mr. President, I ask unanimous consent that the entire letter be printed in the RECORD.

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

NATIONAL CATHOLIC
WELFARE CONFERENCE,
Washington, D.C., May 24, 1961.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: On May 23, as you know, the Senate adopted the Prouty amendment to S. 1021. During debate the amendment, as submitted, was changed specifically to limit Federal funds to public elementary and secondary schools. As adopted with that amendment it has a potential threat to existing programs adopted by several States in the interests of protecting the health and welfare of children attending either public or parochial schools, programs of unquestioned constitutional validity. (Everson, Cochran, and several other cases on which I need not elaborate.)

The limitation on the use of Federal funds is cause for alarm, and we respectfully address this letter to you in explanation of our apprehensions and in the hope there may be opportunity for clarification.

The debate discloses a concern that under the Prouty amendment, as submitted, some money appropriated pursuant to the proposal could be used in State programs providing transportation of children to all schools, including children attending parochial schools. You stated on the floor that—

"Some of the representatives of educational associations have come to me and to other Senators and said that they are very much concerned that it be made perfectly certain that moneys shall be used for public elementary and secondary schools only."

Accordingly, the original Prouty amendment was amended specifically to limit Federal moneys exclusively to public school use, despite existing legislation in several States authorizing transportation and other welfare services to all children. In any of these States whether Federal and State funds may be commingled to accomplish the publicly approved purposes of providing welfare services to all children may be subject to question.

Additionally, the amendment, as adopted, provides strong Federal control. The Federal Government would be saying to the States that they may not use any money appropriated for transportation systems and other auxiliary programs which included service to students of nonpublic schools. This is not consistent with the States rights concept which characterized the Taft legislation on which the original Prouty amendment is allegedly predicated. But, on the contrary, it appears to be quite similar to the Donnell amendment to the Taft measure.

An examination of the CONGRESSIONAL RECORD for May 5, 1949, indicates that Senator Donnell, of Missouri, proposed an amendment to S. 246 which would specifically limit the use of moneys to be appropriated under S. 246 to public schools, even though they had programs involving the transportation of parochial schoolchildren. The amendment was defeated by a vote of 71 to 3. A similar amendment introduced by Congressman Jacobs, on the House side in the same Congress, was decisively defeated.

This is the first time in over 20 years that an amendment of this nature has been seriously considered. Knowing your outstanding record in behalf of nondiscriminatory legislation, we do not feel that you wished to place such proscriptions on moneys to be appropriated under S. 1021.

We respectfully submit that the amendment may cause substantial confusion in the States which now provide transportation or other health and welfare services to children in private schools and might require the establishment of separate funds, one limited exclusively to State funds, in order to implement the desire of the people of that State to protect the welfare of all the children of the State whether in public or private schools.

We are certain you will accept these comments in the spirit in which submitted and appreciate fully both the basis of our concern and our doubts that either you or Senator PROUTY intended the results we fear may be possible.

With our continuing gratitude for your cosideration of our points of view, and respects, I am,

Cordially,

WILLIAM R. CONSEDINE.

Mr. MORSE. Mr. President, the letter raises a question with regard to the effect of the Prouty amendment with respect to Federal and State funds. The writer says:

> The debate discloses a concern that under the Prouty amendment, as submitted, some money appropriated pursuant to the proposal could be used in State programs providing transportation of children to all schools including children attending parochial schools. You stated on the floor that—
>
> "Some of the representatives of educational associations have come to me and to other Senators and said that they are very much concerned that it be made perfectly certain that moneys shall be used for public elementary and secondary schools only."
>
> Accordingly, the original Prouty amendment was amended specifically to limit Federal moneys exclusively to public school use, despite existing legislation in several States authorizing transportation and other welfare services to all children. In any of these States whether Federal and State funds may be commingled to accomplish the publicly approved purposes of providing welfare services to all children may be subject to question.
>
> * * * * *
>
> We respectfully submit that the amendment may cause substantial confusion in

the States which now provide transportation or other health and welfare services to children in private schools and might require the establishment of separate funds, one limited exclusively to State funds, in order to implement the desire of the people of that State to protect the welfare of all the children of the State whether in public or private schools.

The National Catholic Welfare Conference wishes to know whether the adoption of the Prouty amendment will in any way prevent the States from spending money in the States in which by State law money now can be spent for assistance to private schools.

I wish to make it crystal clear from the standpoint of the legislative history and the legislative intent that the Prouty amendment affects only the expenditure of Federal funds and exercises no jurisdiction whatsoever over State funds. The Federal money goes to the States to be spent by the State educational authorities for public schools, but any State using State funds, for example, for transportation purposes for parochial school students can continue to use State money to transport students going to parochial schools. If any State is using any money now for textbooks for the benefit of children in parochial schools, the Prouty amendment would in no way affect the continued right of the State to do that with State money.

All the Prouty amendment will do is to make it crystal clear—this is the intent of the amendment, this is the intent of the floor leader of the bill, and this is the intent of the sponsors of the bill, based upon the legislative history I am now making—that none of the Federal money provided for in this bill can be used in any way in connection with parochial or private schools. The Prouty amendment could not possibly exercise any jurisdiction over the States with respect to the expenditure of State money.

My reply to the National Catholic Welfare Conference is to make it crystal clear that the Prouty amendment limits itself to Federal money and in no way interferes at all with the right of the States to continue to use their own money as they use it at the present time under their own State laws with respect to whatever they now spend for private schools.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

Mr. MORSE. I wish to have that made crystal clear, as to the legislative intent of the manager of the bill and the legislative intent of the administration and sponsors offering the bill.

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

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

Mr. MORSE. Will the Senator yield?

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

Mr. MORSE. Mr. President, during Tuesday's debate Senator HRUSKA and later Senator GOLDWATER both asserted that Federal aid to education as proposed in the bill will lead to Federal control. By way of documentation of this assertion Senator GOLDWATER, at page 8671 of the CONGRESSIONAL RECORD of May 23, as he had in his testimony before my subcommittee—at page 548 of the hearings—cited the alleged experience of one Professor Bartlett regarding guidance and counseling institutes held under title V of the National Defense Education Act at George Peabody College for Teachers, Nashville, Tenn.

Senator HRUSKA also spoke of Professor Bartlett—at page 8611 of Tuesday's RECORD and again yesterday at page 8804—though he misinterpreted the record of our hearings at page 548 as Professor Bartlett's testimony rather than Senator GOLDWATER's which referred to Professor Bartlett.

The Senators' citation of Professor Bartlett's alleged experience with these guidance and counseling institutes, as illustrations of Federal control, is unfortunate both as to facts and as to the context of the facts.

First, with respect to Professor Bartlett's allegation regarding lowered admission standards: I have here a copy of a letter to the Office of Education from President Henry H. Hill, of George Peabody College for Teachers, where the institutes in question were held, which states:

> Peabody did not lower her academic standards in order to admit students to attend the institute supported by Federal funds.

President Hill says that Professor Bartlett's contention—and I quote—"does not reflect the attitude of George Peabody College for Teachers nor of the Peabody administration. Our relations with the U.S. Office of Education and with the other departments of the Federal Government have been entirely satisfactory."

I respectfully request that this letter from which I have quoted be inserted in the RECORD at this point in my remarks.

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

GEORGE PEABODY COLLEGE FOR TEACHERS,
Nashville, Tenn., April 4, 1961.

Mr. PETER P. MUIRHEAD,
Director, Financial Aid Branch, Division of Higher Education, Department of Health, Education, and Welfare, Office of Education, Washington, D.C.

DEAR MR. MUIRHEAD: The article by Claude J. Bartlett does not reflect the attitude of George Peabody College for Teachers nor of the Peabody administration. Our relations with the U.S. Office of Education and with other departments of the Federal Government have been entirely satisfactory.

We have had no more than the usual divergencies of opinion and minor difficulties such as those which would attend a cooperative effort between Vanderbilt University and Peabody, for example, or between Peabody and the Tennessee State Department of Education or any other reputable organization. Peabody did not lower her academic standards in order to admit students to attend the institute supported by Federal funds. All of the 38 students admitted met our admission requirements. Not all were well suited to the purposes of the institute but Peabody and not the Federal Government was responsible for recruitment, admission, and instruction.

Any criticism I have of the activities of the Federal Government will be made orally or by letter directly to the responsible authorities. As a member of the title IV selection committee I expressed myself freely to members of our committee and to staff members of the Office of Education. The chairman of this committee, Dean Henry Bent, of the University of Missouri, invited a considerable number of our critics to spend most of a day in Washington airing their criticism. This is how it ought to be done.

The institute we held was only reasonably successful and that is why we called off the second one. The fault is in the practical difficulties of staffing the institute and securing the teachers and counseling officers as students for one semester of an academic year.

Mr. Bartlett is entitled to his opinions. He is an excellent researcher but unsatisfactory in his relationships with faculty and students and neither a good recruiter nor administrator.

Sincerely yours,

HENRY H. HILL,
President.

Mr. MORSE. Mr. President, the Office of Education has no record that this Professor Bartlett was, as stated by the Senators from Nevada and Arizona, a director of one of the federally sponsored institutes mentioned. Hence, the authority for the charges he makes is at best subject to question.

However, I cannot resist pointing out to the Senators that to attack even categorical aid on the ground that the Federal officer administering the taxpayers' money might do his proper duty is no different in principle from attacking public services of many kinds that require proper administration.

When a Federal agency contracts with an enterprise, whether nonprofit or commercial, to provide certain services to the public or to anyone else, the Government, as the customer may properly determine, under mandate from the Congress, the terms of the purchase. The institution is not obliged to accept a student except under a contract it has freely entered into. The institution cited by the Senators entered voluntarily into a contract with the Federal Government to do certain things, and the so-called control complained of by the individual concerned, as far as any evidence given is concerned, was simply the Federal Government's seeing to it that these things were done.

I believe that the Senator from Arizona understands and agrees to this. At least this is how I construe the following statement which he made yesterday regarding the so-called controls in the National Defense Education Act.

> I agree that many, if not all, of these controls are necessary. After all, the Federal Government, when it spends huge sums of the taxpayers' money, must attach conditions and controls to see that the money is spent both properly and in accordance with the requirements of the law.

I should also like to make available to our colleagues through the RECORD a document prepared by the Office of Education which explains how a State's al-

location under the proposed bill will be affected by a change in the method of determining the number of schoolchildren credited to each State. As you know, two principal bases for counting children or pupils have been proposed: First, the school-age population of the State, as specified in the committee bill; and second, the average daily public school attendance, as proposed in the administration's original bill, and again proposed as an amendment on the floor by the Senator from Ohio.

Many Senators have been understandably concerned about how and why their own State's allocations would be affected by the choice as between these two modes of enumeration.

Though it is evident that the key factor is the ratio between the State's average daily public school attendance and its total school-age population, the relationship is not readily apparent from the allocation formula itself. The Office of Education has prepared for us, therefore, a brief statement giving a simple approximating formula for making this comparison. I request unanimous consent to insert this document in the RECORD at this point in my remarks. I wish also in this connection to acknowledge the fine services of Drs. Louis H. Conger, Jr., Kenneth A. Simon, and their colleagues on the estimates and projections staff of the Office of Education, who have been most helpful throughout the committee deliberations and Senate debate on this legislation.

I ask unanimous consent to have this statement printed at this point in the RECORD.

In addition, I ask unanimous consent to have printed a table showing the allotments to the States under the bill in its present form.

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

EFFECT OF SUBSTITUTING AVERAGE DAILY ATTENDANCE IN PUBLIC SCHOOLS FOR SCHOOL-AGE POPULATION IN S. 1021 AS REPORTED OUT BY COMMITTEE

AN APPROXIMATE FORMULA

A relatively simple relationship is approximately true for a total allotment of $850 million and the statistics being used now to compute State allotments under S. 1021:

$$\frac{\text{allotment}_{p} - \text{allotment}_{ADA}}{\text{school-age population}} = \$37.06 - \$49.92 \left[\frac{\text{average daily attendance}}{\text{school-age population}}\right]$$

where allotment "p" and allotment "ADA" represent the State's allotment under S. 1021 using State population aged 5–17 and average daily attendance in public schools, respectively, in determining the number of children or students credited to a State.

The formula may be read thus:

The difference between allotments per school-age child to States under school-age population and under public school attendance (ADA) is $37.06 less $49.92 times the ratio of average daily attendance to school-age population. The result is positive if the allotment is larger under school-age population.

This formula is approximately true but not exact. Furthermore, it does not apply to States which have fixed allotment ratios, or allotment ratios affected by the limits of 0.25 and 0.75.

Estimated allotments to States under S. 1021, title I, as amended by the Senate, fiscal year 1962 [1]

State (1)	Amount (2)	Amount per school age (5 to 17, inclusive) child (3)
50 States, District of Columbia, American Samoa, Guam, Puerto Rico, and Virgin Islands	$850,000,000	$18.54
Alabama	23,961,023	26.65
Alaska	1,109,617	18.49
Arizona	7,391,326	21.80
Arkansas	12,843,811	27.74
California	46,145,364	12.43
Colorado	8,880,002	19.06
Connecticut	5,205,951	9.25
Delawere	1,237,222	10.57
Florida	21,882,711	19.26
Georgia	27,994,294	25.57
Hawaii	3,732,454	21.70
Idaho	4,400,517	23.79
Illinois	31,458,923	13.09
Indiana	22,739,372	18.72
Iowa	14,360,065	20.37
Kansas	11,090,987	20.17
Kentucky	21,370,491	25.81
Louisiana	22,162,149	24.30
Maine	5,165,783	21.80
Maryland	13,656,051	17.20
Massachusetts	14,762,500	13.36
Michigan	37,858,970	17.62
Minnesota	18,362,008	20.63
Mississippi	17,448,720	27.74
Missouri	18,486,729	18.05
Montana	3,881,587	20.76
Nebraska	7,343,701	20.01
Nevada	1,038,379	13.66
New Hampshire	2,721,150	19.44
New Jersey	16,561,767	11.96
New Mexico	6,358,953	24.18
New York	40,577,641	10.88
North Carolina	33,689,105	26.36
North Dakota	4,527,235	25.15
Ohio	39,445,240	16.13
Oklahoma	12,578,909	22.46
Oregon	9,025,547	19.45
Pennsylvania	43,945,475	16.53
Rhode Island	3,427,273	17.05
South Carolina	20,361,463	27.74
South Dakota	4,451,597	23.55
Tennessee	23,483,592	25.25
Texas	57,957,084	21.80
Utah	6,309,502	23.63
Vermont	2,079,458	22.12
Virginia	23,759,516	22.61
Washington	12,952,517	17.69
West Virginia	12,889,861	24.55
Wisconsin	19,984,675	19.57
Wyoming	1,790,255	19.89
District of Columbia	3,125,420	18.49
American Samoa	194,183	27.74
Guam	499,327	27.74
Puerto Rico	21,054,974	27.74
Virgin Islands	277,404	27.74

[1] Allotments are based upon school age (5 to 17, inclusive) population with no minimum allotment per pupil; allotment ratios with limits of 0.25 and 0.75; allotment ratios of 0.75 for American Samoa, Guam, Puerto Rico, and the Virgin Islands; and allotment ratios of 0.50 for Alaska and the District of Columbia.

Mr. MORSE. Mr. President, an editorial in today's New York Times entitled "Softening the School Bill" seeks to establish that the Senate weakened S. 1021 by adopting the amendment of the Senator from Vermont. I ask unanimous consent that the editorial be printed in the RECORD.

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

SOFTENING THE SCHOOL BILL

The Senate's so-called broadening of the public school aid bill has seriously weakened the measure. Instead of limiting funds to public school construction and teachers' salaries, the bill now permits the States to apply the money also to local costs of school operation.

This amendment, sponsored by Senator PROUTY, of Vermont, is said to have been a concession to pressure by school administrators. If true, the pressure is thoroughly misguided.

Such catchall aid would make Federal funds available to help finance school transportation, custodial services, teaching materials, and school bond retirement. It could and probably would fritter away Federal funds. Instead of pushing public education toward greater excellence, as is the primary aim of the President's proposals, the money could be spent piecemeal to keep things running as usual or slightly better—and this is not good enough.

Funds for such services as bus transportation are relatively easier to raise locally. The Federal aid bill must not become an invitation to local school boards and administrators to relax their efforts. The grant of aid for operational expenses is a dangerous temptation to sit back and let Federal aid become a substitute rather than a much-needed additional source of money.

We continue to believe that the Senate ought to pass Federal aid legislation without delay, even in this new, weakened form. It must then be up to the House to shape a more straightforward bill, for construction and teachers' salaries only, so that a measure of maximum promise for better education will finally be passed in this session.

Mr. MORSE. Mr. President, if the Senator from Vermont were present, I feel certain he would answer the editorial himself.

The amendment was adopted because it expands the options available to the States for using Federal funds. It strengthens our affirmation that the States are best able to determine the needs of their educational systems. In making application to the Federal Government, each State must designate the use to which the funds will be put. The same standards of maintenance of State effort will continue to apply to the maintenance and operating costs as apply to construction and to teachers' salaries; that is, State effort as a whole for the public schools must be maintained.

To the extent that the Prouty amendment expands the choices open to the States for use of Federal funds, I believe the amendment strengthens the bill.

ACTION OF OREGON LEGISLATURE

Before adjourning a few days ago, the Oregon Legislature completed action on a memorial to Congress urging the adoption of a program of Federal grants to the States to support public education.

I regret very much that I have not yet received the official text of this memorial. However, it was adopted by the State house of representatives by a vote of 31 to 29, and by the Oregon State Senate by a vote of 21 to 8.

Oregon is a middle-income State, but it is among the foremost in the extent to which it supports education out of State and local sources. We have a fine education system, yet the Oregon Legislature recognizes that it should be better and that Federal tax sources are better able to raise the necessary funds than are State and local services.

Finally, Mr. President, as we come to the end of this long road, I am sure we are all more than a little fatigued. Despite magnificent cooperation on both sides of the aisle, despite diligent attention to their homework by many

Senators, and despite excellent staff preparation all around including that of the Department of HEW, our work has been long and arduous. Sincerely held differences of opinion, deeply held beliefs, have often clashed on this floor, so that we have wisely taken ample time to have every view fairly and fully considered.

Yet, despite our fatigue, as we come to the final decision on this bill, I know too that many of us are exhilarated at the prospect of enacting this measure. The principle that we establish here today—that the Senate recognizes a Federal responsibility to see that every American boy and girl is helped to receive a decent public school education is a principle which will enable the United States to maintain its threatened freedom in the trying times that lie ahead.

By recognizing that the unformed intellects of our young people are the Nation's primary natural and national resource, by taking the modest measures encompassed in S. 1021 to protect and promote that precious resource, we are reaffirming the wisdom of our Founding Fathers who farsightedly provided public school systems in the earliest colonial days.

There surely is nothing more to be said about this measure on either side that will change the outcome of the vote on its final passage here in the Senate.

But that we have come this far with the bill still intact, after 8 days of Senate debate and after 16 rollcall votes on various amendments, indicates to me that its supporters are now going to adopt it by a large margin.

That we have come this far is a great tribute to my colleagues who have consistently supported this bill, and I want to express to them my deep appreciation. No fancy leadership could bring about this result; it has only been possible because a large body of opinion in this Chamber—a majority opinion—was determined that this aid-to-education bill would go on the books. A majority was determined that the bill shall pass, and no diversions were allowed to deflect the bill from that goal.

Thus, the leadership of the Congress, yes and in the executive branch, too, simply had to put itself at the head of this majority and stay there.

So I want to thank all in this Chamber who never lost sight of the purpose as expressed in the title of S. 1021, "a program of Federal financial assistance for education."

Some of the diversions offered were tempting. I hope and expect that soon we will explore some of these diversionary paths to their ends. Certainly the senior Senator from Oregon is just as much interested as any Member in this Chamber in the subjects of enforcing the 14th amendment, and in doing justice to our private school system.

But we recognized that we could not deal with all these problems in one measure and hope to make progress on any one of them.

I want to add that by strengthening America's public school system in this bill, we are making a great advance for the entire Nation. Let me remind my colleagues whose thoughts in the last 8 days have strayed to the school integration issue, and to the private school issue, that it is our whole Nation which will profit from this legislation in its present form.

Let us remember that no one race of Americans is going to win the contest with communism while the other race fails.

Neither is one religious faith in America going to win that contest while other religious faiths fail.

We will all together maintain freedom and leadership in the world, or we will all together come in second.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from Idaho [Mr. DWORSHAK].

The PRESIDING OFFICER. The Senator from Idaho is recognized for 3 minutes.

Mr. DWORSHAK. Mr. President, it will not be long before an overwhelming majority of Americans will vigorously condemn the proposed legislation to authorize Federal aid for education.

During the past 10 days we have witnessed a humiliating spectacle which involves cowardly surrender to intimidation and coercion of the pressure groups and this administration.

Proponents have expressed concern for our schoolchildren and for their future welfare. I have a higher regard for the intelligence of young Americans than do the proponents of the bill, who believe that young Americans today are demanding handouts and subsidies which will destroy the safeguards they enjoy under the Constitution.

In the State of Idaho, with the exception of a few pressure groups, there is overwhelming opposition to the proposed legislation, as is indicated by a telegram I have received from Mrs. H. T. Plumb, president, Third District Idaho School Trustees Association, which represents approximately one-fourth of the population of our State.

I read the telegram, addressed to me, dated May 16, 1961:

Perhaps you would like to use the following during floor discussion on the Federal-aid-to-educaiton bill. The third district, Idaho school trustees, comprising 11 southwestern counties adopted the following resolution May 10:

"Whereas the encroachment of the Federal Government into local matters has grown into a huge bureaucracy; and

"Whereas Federal appropriations eventually carries with it Federal control; and

"Whereas States have been making rapid progress toward providing adequate building and curriculums and will be able to handle the situation adequately: Now, therefore, be it

"*Resolved*, That the third district Idaho school trustees go on record as being opposed to further expansion of Federal aid until called for by the majority of school boards of the National School Boards Association."

Most of the newspapers in the State of Idaho have condemned this drastic proposal to permit the Federal Government to interfere with and ultimately to control education. Typical of many of the editorials which have appeared in the newspapers in Idaho is one entitled "The Federal Aid Issue," which appeared in the Idaho Daily Statesman of Boise, Idaho, Saturday, May 20. I ask unanimous consent to have the editorial printed in the RECORD as part of my remarks.

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

THE FEDERAL AID ISSUE

Argument in support of the administration's Federal aid to education bills center upon two main contentions.

One is that there is urgent need for additional school buildings and equipment that can't be met by States and communities.

The other is that because we need more teachers, who shall receive still better pay than they do today, there is no alternative to Federal intervention.

These are contentions that have been promoted so assiduously that a private polling organization employed by an eastern Congressman has reported its findings that three out of four people in that State want to see the program passed because, in their opinion, "the whole educational system should be improved in order to help the Nation keep its place in the world and stay ahead of or keep up with Russia." That, perhaps, as the pollster suggests, is a pretty fair sampling of uncritical public opinion on the subject prevailing rather generally over the country.

It deals entirely with generalities.

What's presented in this program is specific. It ought to be dealt with specifically—and not with dreamy-eyed sentimentality or profligate irresponsibility.

What it proposes is to improve the quality of the educational fare, and to make the educational opportunity available in equal portions to pupils everywhere in the land.

It's not a new concept—except that it's now applied to the country as a whole, and that's a distinct innovation.

It's a concept that's beset with difficulties, foremost among which is formula trouble that's inherent in the problem of how to parcel out this aid money to make the equalization program work.

It's a problem that so far has been skipped over lightly in the pending Federal aid to education bills, but it can't be hurdled or circumambulated, and unless it's properly solved we're in worse trouble than we would be without any outside aid money at all.

The original proposal provides for estimated grants for elementary and secondary schools totaling $2,298 million the coming 3 years. Of this amount all of Idaho would be allotted $12,800,000, which, incidentally, isn't enough money to run Boise's schools alone for 2 years.

The amount would more likely be greater than less when Congress gets through juggling the figures, but without any particular regard for local requirements that amount would be spread over the country to "improve" its educational system.

There is suggested, then, the possibility that a State with no construction needs could provide more help for its teachers than a State with serious need for classrooms, though the latter State might have equal need to pay its teachers more. So question may well be raised whether the Federal program may not, in fact, increase rather than diminish discrepancies in teacher salaries.

It's a proposal that gives rise to serious questions. Let New Jersey's Congressman PETER FRELINGHUYSEN for one ask them: If our children deserve the best—and we're

quite sure they do—does this mean that Federal responsibility is concerned? Is the best obtainable simply by the expenditure of more money? May this not necessitate better teachers? And perhaps different curriculums?

Concerning one thing about this Federal aid to education program, though there's no question at all. It leads directly—though this bill may be only a foot in the door—to Federal Government regimentation of the country's educational establishment.

The Federal Government is not going to put dollars into the construction of a schoolhouse without having a good deal to say how that schoolhouse is to be built. The Federal Government isn't about to make any substantial contribution to any teacher's salary without having a good deal to say about what teacher is to get the job, and what the teacher is to teach.

If it were to abstain from such dictation and controls it would depart radically from its established pattern in such affairs, and it might be justly charged with irresponsibility.

It's on that account that the recent district meeting of the Idaho School Trustees Association, following the lead of the national organization, has gone on record in direct opposition to any further expansion of Federal aid to education.

And it's on that account, primarily, that these Federal aid bills are encountering snags and hard sledding in the Congress.

This Federal-aid-to-education program is to be recognized for what it really is. It's not the product of any grassroots movement. It is essentially a foot-in-the-door proposal, taking advantage of everybody's concern for the best possible educational opportunity for every youngster, to advance and magnify the tricky concept that Government always knows best what to do, and so it should be given all responsibility and whatever of resources it may require to carry out its plans.

It's on that basis that this program is properly to be taken—or left alone.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. President, probably no other issue pending before the current Congress will generate as much emotional fervor as Federal aid to education.

The quality of our educational curriculums, the physical capabilities of our school plants and classrooms and the professional standards of our teachers all have a direct influence on the quality of the finished product—our children.

I have always felt with a sincerity of deep conviction that Federal assistance could be helpful in improving the caliber of American education, providing certain standards were met.

In view of the many programs currently in effect and historically, the principle of Federal aid to education is well established in our society. Such programs as the school lunchroom program, aid to federally impacted areas, college facilities loan programs and the GI bill have served constructively and useful purposes.

The substantive question of broad Federal aid is, What form shall it take, how general shall it be and to whom shall it go?

The legislation before the Senate has several commendable provisions, many of which I could support apart from the principal package. However, there are other aspects of the bill which, as a general omnibus school aid bill, contain such disturbing implications for our American educational system that I can not support it.

I believe that a minimum of Federal intervention is essential to the preservation of our educational system. S. 1021 goes far beyond what I consider to be appropriate limits for Federal aid, and so I shall vote against it.

The crux of the Senate debate focused on these major points:

Does Federal aid to education, as proposed in S. 1021, mean Federal control of education?

Is there now a need for the massive Federal assistance proposed by the bill for such purposes as school construction, teachers' salaries, and "special" projects?

Local autonomy in educating our children constitutes one of the last remaining areas of individual initiative in the United States. Only local people, who are familiar with their own community educational needs and capabilities, can best prescribe what is best for their children.

The National School Boards Association in opposing Federal aid said:

It would be naive to think that it will not mean Government control.

The local communities should not be forced to abdicate their traditional responsibility in favor of centralized control by a professional Federal bureaucracy.

Federal air proponents claim there will be "no strings" attached to Federal grants. This may be true at the outset, but those who make the laws can change them, and I am fearful that once the door is edged open the ultimate fate of our educational system will be complete Federal domination.

The legislation proposes a 3-year "temporary" program. Anyone familiar with Federal bureaucracy knows that "temporary" programs eventually become permanent, and as they become permanent their operational scope gradually becomes all powerful and all inclusive.

Ours is a good and expanding educational system. Phenomenal progress has been made since the end of World War II by local and State authorities during a period of tremendous expansion of the school age population. Although Federal assistance, especially in the area of school construction, could have been extremely helpful during these crucial years, it was not forthcoming.

Local school boards, without massive Federal assistance, tackled the problem with characteristic American vigor, ingenuity and success. They have literally moved mountains to provide an educational environment conducive to maximum development of their children's educational talents. In so doing, they found that the job could be done faster, cheaper, better, and tailored to local requirements than if they had waited for the Federal dollar.

Classrooms have been constructed at a faster rate than recommended by the President, the teacher shortage is being resolved, school expenditures have been increasing in recent years at an annual rate of 15 percent, teacher salaries have been increased, and the influx of new school age children is peaking rapidly.

Problems still remain, to be sure, but they are neither as severe or widespread as in past years. Capable teachers still are not being paid what their services merit, but State and local authorities are moving ahead rapidly in this area.

One of the inherent dangers of gigantic Federal aid is the encouragement of apathy by the lure of "free money," that to pass the buck is to receive a buck. I certainly would not like to see responsible local authorities succumb to this bait by diminishing their desire to pay adequate teacher salaries, by diluting their initiative to construct adequate facilities, or in any way affecting their traditional obligation to educate their children.

Such a deterioration in local initiative could have disastrous consequences.

As we—and the Nation—listened to President Kennedy's address before a joint session of Congress earlier this afternoon, it was made crystal clear that the Federal Government will undertake future expenses of tremendous magnitude in connection with outer space programs.

I feel that, viewed in context with the additional burdens which we can expect to be assumed by the Federal Government in the future, the interests of our total national security and welfare can best be served by retaining responsibility for most health, education and welfare matters in local and State fields.

I am not often impressed by those who come from the other side of the aisle, but President Kennedy really convinced me this afternoon that the Federal Government has its hands full without assuming further responsibility in the fields of public primary and secondary education. I shall be obliged to vote against the bill.

Mr. DIRKSEN. Mr. President, I yield 8 minutes to the distinguished Senator from Hawaii [Mr. FONG].

Mr. FONG. Mr. President, if ever an issue has been thoroughly debated in the Senate, the issue of Federal aid to schools has been. Every conceivable consequence and every possible ramification has been raised both during the extensive committee hearings on school-aid proposals through the years and during the exhaustive debates on this subject.

Over the many years this issue has been before the Congress, numerous objections have been overcome as bills have been revised and refined until last year the prospects for enactment looked brighter than ever. On February 4, 1960, the Senate approved a bill providing 2 years of Federal grants to States for school construction and for teachers' salaries.

I was pleased with, and proud of, the opportunity to cast my vote for this badly needed and especially meritorious program.

As the bill was approved by the Senate and sent to the House last year, it was

a moderate bill at modest cost aimed at alleviating two pressing problems: shortage of school classrooms and facilities and shortage of qualified teachers. We were very hopeful the measure would also be endorsed by the House. But weeks and months went by without action. Then our two major political parties met in their separate national conventions and each strongly endorsed improved educational opportunities for American children.

Later, when the Congress resumed its session in August, with control of both Houses and control of all committees in the hands of the Democratic Party, which just a few days earlier had adopted a strong Federal-aid-to-education plank in its platform, it was fully expected that the House would complete action on a Federal-aid-to-education bill.

Instead, although the Democratic majority outnumbered the Republican minority by 2 to 1 in the Rules Committee, that group refused to permit the bill to come to a vote in the full House. The total membership of the House was denied its voice—and the aid-to-education bill died.

Meantime, another year of delay has ensued. And we in the Senate of the new Congress once again are considering the issue of Federal aid to schools in the 50 States.

I am confident that today the Senate will approve the pending bill. I intend to support this bill, and I would hope the Senate would enact it by a resounding vote indicating to the leadership of the House that the overwhelming sentiment of the Senate is that this bill should be passed by the Congress and enacted into law.

Senate bill 1021 as reported from the Senate Labor and Public Welfare Committee consists of two principal parts. Title I calls for a 3-year, $850 million program of Federal grants to States for school construction, teachers' salaries, and special educational projects. The Prouty amendment, which the Senate approved last Tuesday, expanded the purposes for which these funds may be used to include school operating and maintenance costs.

Title II as reported proposes a 3-year continuation at present levels of aid to federally impacted areas under Public Law 815 and Public Law 874. The Administration had planned a sharp curtailment in such aid beginning next year.

Before discussing title I, I should like to make a few brief comments on title II. In Hawaii, more than 28 percent of our school population is attributable to the impact of Federal activities.

The administration proposal to reduce aid would mean a loss of $646,000 for operation and maintenance under Public Law 874 and a loss of $1,058,000 for construction under Public Law 815, for a total cut of $1,705,000.

In effect, this would mean a reduction of more than 28.5 percent from the current year Federal contribution to Hawaii for schoolchildren in areas of Federal activities. To reduce these funds by more than one-fourth is a severe reduction to impose in 1 year.

I commend members of the Senate committee for perceiving the drastic nature of the administration's plan to reduce school aid to States which are obliged to provide classrooms and schooling for children of Federal employees on Federal projects. What the committee recommends instead is continued Federal financial assistance pending thorough study by the Department of Health, Education, and Welfare of the operation of the Federal aid to impacted areas programs and recommendations regarding future Federal action.

I most earnestly urge the Senate to sustain the Labor Committee's action on title II.

It has been argued by some that title I of S. 1021 departs radically from our basic concept of our Federal-State form of government.

I am not persuaded by arguments that Federal grants are harmful and inevitably lead to Federal domination and control, with a corresponding loss of control by State and local governments and their citizenry.

The substantial aid heretofore extended over the years by the Federal Government to schools and to students throughout the country has, without question, proved extremely beneficial. I believe our Union of States has been strengthened by these measures, rather than weakened.

A brief review of congressional acts providing assistance to States for educational purposes reveals a long history of such assistance. Even prior to the adoption of the U.S. Constitution, Congress provided by law that one section of each township shall be used for public schools. The Northwest Ordinance stated the policy of Congress that "schools and the means of education shall forever be encouraged."

In 1862, Congress enacted the Morrill Land-Grant Act, which gave to each State for agricultural and mechanic arts schools 30,000 acres of land for every seat in Congress to which that State was entitled. The University of Hawaii, which I am proud to say I attended, is a land-grant school.

As a student at the University of Hawaii, therefore, I was a beneficiary of the Morrill Act passed by the Congress of the United States. This, therefore, makes me a product of Federal aid to education. Without such Federal assistance, perhaps I might not be here today.

In another move to aid education in the States, Congress authorized Federal moneys for States to use for practical research under the Hatch Act of 1887.

Federal grants for vocational training in public schools were approved by Congress in the well-known Smith-Hughes Act of 1917.

In 1941, Congress voted financial aid to areas throughout the Nation which experienced an influx of servicemen. This act, the Lanham Act, also provided training benefits for veterans of World War II.

Congress approved schooling for hundreds of thousands of World War II veterans throughout the entire Nation under the GI bill of rights enacted in 1944. By making training available at technical schools and colleges and universities this act enabled veterans to prepare themselves for vocations and careers. The benefit our Nation derived from this mass development of our country's brainpower is incalculable.

Unquestionably, this accounts in great measure for the tremendous economic progress of our country since World War II.

Since 1946, the Federal Government has furnished funds for school lunches for children in the States.

Since 1950, the Federal Government has underwritten loans for colleges and universities to build dormitories.

Since 1950, under Public Law 815 and Public Law 874, the Federal Government has furnished financial assistance for construction and for operation and maintenance of schools in impacted areas.

Under Public Law 815, the Federal Government has contributed almost $1 billion—$962½ million—to local school districts in federally impacted areas to be used for school construction.

Under Public Law 874, the Federal Government has, in effect, been contributing to salaries of teachers through its payments to federally impacted areas for operation and maintenance costs. Funds have been provided for 3,821 school districts under this program, in which are located some 10,200,000 schoolchildren, about one-third of all public-school children in the United States.

Just 3 years ago, the Congress passed the National Defense Education Act providing scholarships and fellowships for study in science, mathematics, engineering, and modern languages. Congress also authorized in this act Federal funds for public school facilities needed for instruction in these subjects; $70 million were authorized for each of 4 fiscal years beginning with 1960 for State education agencies to buy equipment needed in connection with these subjects.

This brief listing of Federal measures extending financial assistance on a nationwide basis offers ample precedent for the pending bill. The trail has already been blazed for us. By enacting the pending bill, Congress will be following the salutary example set for us by earlier Congresses.

I would like to point out that enactment of S. 1021 does not imply criticism of State and local governments. They have performed a very commendable job of meeting post-World War II needs for schools and educational facilities. Even as we debate this bill, we pay full credit to them and to the private institutions as well which also expanded their school plants at all levels of education.

But, as a nation, we must do more.

Both opponents and proponents of Federal financial aid to schools recognize a shortage of classrooms exists.

Both opponents and proponents of Federal aid acknowledge that some school districts are too poor to provide necessary educational facilities and opportunities for their children.

Both opponents and proponents of Federal financial aid to teachers' salaries recognize that, if America is to elevate intellectual attainment to its rightful statute in our society, teachers' salaries must be sufficiently high to attract and retain capable, qualified persons.

Today it is apparent that, if America is to compete successfully with other lands who respect and encourage educational attainment, we must increase the opportunities for our young people to acquire knowledge and skills to the utmost of their ability. And we must pay our teachers salaries commensurate with their duties and with their valuable contribution to our communities.

In a world of 3 billion people, America numbers only 180 million, 6 percent of the world's population. What we lack in numbers we must make up in quality, and that quality can only come with the best educational facilities we can afford our people. This we must always do.

The need for improving our educational facilities is perhaps more urgent now than ever before.

Our society has grown more and more complex, more and more specialized and, at the same time, more and more interdependent. Studies indicate that the extent of education has a direct relationship to the earning capacity of men and women today. It also has a direct bearing on our technological achievements and economic progress as a nation. Indeed, our national security and defense in this missile and space age depend on skilled and trained men and women. Even everyday citizenship demands greater education and training.

If freedom and liberty are to endure, the utmost effort of an informed citizenry is required. An ignorant people cannot hope to make a success of self-government and representative government.

There is no doubt in my mind, Mr. President, that this Nation can afford the proposed modest program of grants. Out of an $83 billion Federal budget, we spend $44 billion a year for our Military Establishment and $4 billion more for our allies in mutual security programs. We spend $2 billion to develop our natural resources.

Surely then, this Nation can afford to spend $850 million each year for 3 years to improve our greatest resource: the youth of America.

A people that spent $18 billion in 1959 on recreation, $9½ billion on alcohol, and $7 billion on tobacco are not going to begrudge Federal spending of less than $1 billion a year for so necessary and worthy a purpose as education.

Daniel Webster once said:

> If we work upon marble, it will perish.
> If we work upon brass, time will efface it.
> If we rear temples, they will crumble to dust.
> But if we work upon men's immortal minds, if we imbue them with high principles, with the just fear of God and love of their fellow men, we engrave on those tablets something which no time can efface, and which will brighten and brighten to all eternity.

Mr. President, I wholeheartedly support enactment of the pending bill.

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

Mr. FONG. I yield.

Mr. JAVITS. I have rarely heard a more eloquent, sincere and moving document than the Senator from Hawaii has just read. As the representative of our newest State, he has my congratulations, and I congratulate his State for having him in the Senate.

Mr. FONG. I thank the Senator from New York for his very complimentary remarks.

Mr. MANSFIELD. Mr. President, I yield the remaining time on this side to the Senators from Virginia [Mr. BYRD], Texas [Mr. YARBOROUGH], Hawaii [Mr. LONG], and Maine [Mr. MUSKIE].

Mr. BYRD of Virginia. Mr. President, I am opposed to this Federal-aid-to-education bill, and I shall vote against it for four reasons:

First, it would result in Federal domination and control of public school systems throughout the United States.

The second reason is that it would result in no improvement in the quality of education to be provided in public schools.

Third, the money would be spent from so-called Federal grants, which people in the States have been led mistakenly to believe comes from some source other than their own pockets.

The fourth reason is that Federal deficits—past, present, and in the foreseeable future—have already reduced the value of our money at home, and impaired confidence in the dollar abroad.

The Federal debt now stands at $289 billion, virtually at the shooting-war peak. This is $4 billion over the permanent statutory ceiling.

A temporary $293 billion debt limit expires June 30. The Congress may expect an administration request within 30 days for an extension of the $293 billion limit.

The budget director has officially estimated that the Federal deficit this fiscal year, ending next month, will be $2.2 billion. It probably will be higher.

The Secretary of the Treasury has estimated that the Federal deficit next year will be about $4 billion. It may go closer to $5 billion.

This year's Federal deficit will be the 24th in 30 years. We have been in shooting war in only 7 of these 30 years. Big spending increases since the Korean War have been in domestic-civilian programs.

Indifference to ordinary fiscal prudence in the Federal Government has been a major factor in inflation at home and loss of confidence in the dollar overseas.

Compared with the 1939 index, the purchasing power of the dollar at home is now 46½ cents. Foreign creditors, preferring gold to American dollars, have reduced our gold supply to little more than $17 billion.

Gold has been used to back our money, but we have reached a point where serious proposals to repeal the gold backing are now under consideration by Congress.

The pending bill proposes the expenditure of $850 million a year through so-called Federal grants for public school education in States and localities.

The Federal Government gets money from the pockets of taxpayers in the States and localities and by borrowing from the public. These are the same sources used by States and localities.

Need for 60,000 additional classrooms a year is being emphasized in justification for the bill. The bill provides that when Federal money is used for this construction, Davis-Bacon wage rates shall be paid.

Davis-Bacon rates are usually metropolitan rates. To apply them elsewhere means spending more money for fewer classrooms. It makes nonessential expenditures mandatory in many areas.

A survey of representative towns and small cities across the country last month showed Davis-Bacon rates averaging more than 40 percent higher than local rates in the towns surveyed.

The bill provides further than an amount equal to 10 cents per school child may be used by State education agencies for defraying costs of administration.

Another 10 percent of the total amount authorized may be used for so-called specialized projects. Specialized projects are defined loosely enough to include boondoggle.

None of these provisions will improve the quality of education. When you analyze the purposes for which money will be spent under this bill, you necessarily conclude that the $850 million a year will be wasted insofar as educational improvement is concerned.

Not only will the money be wasted, but fundamental danger is inherent in public school subsidies. The Federal Government will usurp control of every public school system in the country.

Once enacted, these Federal school subsidies would never expire; State and local taxes to replace them could never be raised high enough to finance schools in the manner of Federal profligacy which would be established; the pressure would be for more and more Federal money.

If we submit to the Federal subsidy and control of public education established in this bill alone, the surrender to domination by the Central Government at Washington is certain to be permanent.

I know the bill says there shall be no Federal control over the schools which are to be subsidized. I know that it says the 3-year appropriations shall be provided in a manner consistent with the purposes of the bill.

I completely disagree with those who think it will prevent Federal domination in vital areas of public education. Those relying on these provisions as safeguards against Federal school control will be boobytrapped.

Language in an authorization bill such as this can not preclude limiting language in subsequent appropriation bills. This Congress can not bind another. A member of the present Cabinet cannot speak for his successors.

In fact, provisions in the bill enumerate the areas of subsidy; they authorize appropriations for the purpose; they specify initial controls. I have already noted application of Davis-Bacon wage rates as the first example.

The subsidy payments would be based on a federally prescribed formula which would emphasize so-called State effort. Before a State could receive its subsidy money it would be forced to submit a formal application to Washington for Federal approval.

A Federal bureaucrat could deny the application of any State, or if he found a State was not complying substantially with Federal demands he could reduce the subsidy payment, or require the State to repay funds already received.

The bill's formula for measuring so-called State effort is keyed to the level of State and local expenditures. As the bill was drafted no consideration of value received would be required. Probably States and localities spending the most would fare the best.

Appropriation bill provisions of a limiting nature are acceptable under parliamentary rules. Restrictive amendments to appropriation bills are common. Sooner or later restrictive amendments are certain to be offered to appropriation bills for public school subsidies.

By amendment to an appropriation bill the Federal subsidy money might be limited to those States with teacher merit systems, or vice versa or to those States with a single pay scale for members of the teaching profession, or vice versa.

By the same process, amendments to appropriation bills might limit Federal subsidy money for use in States emphasizing science courses over those in humanities, or vice versa—or in States using certain textbooks, or vice versa.

The limitation might be on a combination of such requirements. Integration is only one of numerous public school areas which pressure groups are seeking to control; but it is certain that appropriation bill amendments will be offered to withhold funds from areas where segregated schools are maintained.

Efforts have been made to force integration through Federal-aid-to-education bills for years, even in the midst of World War II. The Senate actually adopted an integration amendment to such a bill on October 20, 1943, by a vote of 40 to 37.

The amendment was offered by Senator William Langer, of North Dakota. It resulted in a successful motion to kill the bill by sending it back to the committee. The Langer amendment, as it was adopted, follows:

Provided, That there shall be no discrimination in the administration of the benefits and appropriations made under the respective provisions of this Act, or in the State funds supplemented thereby on account of race, creed, or color.

This, of course, was an amendment to an authorization bill. I cite it as a reminder that there are many who have always regarded Federal-aid-to-education legislation as a vehicle for Federal intervention in State and local school affairs.

When grants of Federal funds are involved, Federal control is inherent. It is exercised in greater degree for some programs than it is in others; and where there is an authorization bill such as this, control can be exercised just as forcefully through riders on appropriation bills as through provision in the basic bill itself.

In conclusion, I shall make six short statements.

The right to educate our children in our own way in our own communities has been among the deepest fundamentals of this Nation since its founding. I am certain that the effects of this bill ultimately will destroy this right.

If and when the quality of our education needs improvement, the parents in the communities of the States know it first and better than the centralized Federal Government can discern it.

If more money is needed to improve public education, the States and localities can raise it better and spend it more wisely than can be expected of the Federal Government. The taxes come from the people of States and localities whose children are to be educated.

Nationalization of public schools through a system of Federal subsidies is not justified by any conditions existing today in the field of American education. Nothing could be more deadening to our public school system which, to most people, is a source of pride.

I have always opposed legislation leading to the establishment of Federal control over our public school systems. Likewise, in all areas of public endeavor, I have always opposed excessive and nonessential Federal expenditures.

I oppose this bill because it is offensive in both respects. I have faith in our system of public education, as I do in our system of government, and I want both to be preserved. This bill would destroy fundamentals on which both depend.

Mr. YARBOROUGH. Mr. President, I am very pleased that we are approaching the final vote by which the Senate will once again affirm its belief that a program of Federal aid to public primary and secondary education is necessary. As a member of the Education Subcommittee, I am particularly pleased that the bill will be passed substantially in the form as reported, and as passed in the Senate last year. Of course, it is not a perfect bill, but experience has shown that this is the most practical vehicle for bringing Federal aid to the hard-pressed States in their efforts to increase the quality of education in this country.

Earlier today, we heard the President's inspiring message with its challenge to us to increase our space program and place a man on the moon by 1970. Let us remember that our space traveler of 1970, and the scientists and engineers who make his trip possible, may well be young people who are now in high school and junior high school. The funds we vote today will have a direct bearing on our scientific future, as progress in science will depend on the educational base of our primary and secondary schools. The sums called for by this bill are relatively modest compared to the direct expenditures required for a space program, but no less necessary to the success of a 10-year-or-longer scientific program.

Mr. President, we can pass no more worthy bill in the Congress than this, improving the educational opportunity of our Nation's children so that each may develop the full potential of his gifts. I urge its passage by a majority large enough to show the value we as a nation place on children and their education.

Mr. LONG of Hawaii. Mr. President, I wish to record my support of S. 1021. My views on the urgent need for an effective program of Federal aid to education are well known. Last year it was my privilege to join with the senior Senator from Pennsylvania [Mr. CLARK] in sponsoring his amendment to S. 8 which failed of passage by a tie vote, 44 to 44.

Since last year there has developed an even greater awareness of the need for action. This is due in large part to President Kennedy's vigorous presentation of the issue. The challenge before us here today is one of the greatest we shall face in this Congress.

Title I of S. 1021 would be a meaningful step toward an effective program of Federal aid to school construction and teachers' salaries. I hope this bill will ultimately supersede the present program of aid to federally impacted school districts.

Much of the strength of S. 1021 is due to its recognition that the impacted school aid program must be continued at present levels until the States and localities can make the adjustments necessary for gradually including this in the new program under title I of this bill.

I wish particularly to express appreciation to Chairman MORSE for supporting my request that the schools of American Samoa be brought under the provisions of S. 1021. The people of Samoa look to America for assistance in their efforts to build their society and to improve their economy. Better schools is basic in this effort. This bill will be conclusive evidence that we recognize this and that we desire to aid them in meeting their responsibilities to provide better schools for the youth of the community.

I therefore urge the passage of S. 1021 as another important milestone in the education of American youth—our most precious national asset.

Mr. MUSKIE. Mr. President, shortly the Senate will vote on one of the most important measures to come before it during this session of Congress. In fact, the institution with which the proposed legislation is concerned is the most fundamental in our democracy, the foundation of our national life.

The factor which has made Federal support for education so critical is education's role in the power struggle for survival of our free world.

I can best express the role in the form of a syllogism:

First. Education is an instrument for democracy.

Second. Education is also an instrument for communism.

Third. Education, then, is indispensable to both systems.

Fourth. Since they are competing systems, contending for supremacy, education is an instrument for power.

Our survival as a society will depend on our collective capability to meet the challenge of this power struggle; and the capability of the individual citizen to meet these demands will depend on the kind of education he or she receives.

We have reached the point where crippling amendments to the bill have been defeated. Some of these amendments raised questions which should be decided as separate issues, as, for example, loans to private schools. Others, such as the elimination of the use of Federal funds for teachers' salaries, would have seriously damaged attempts to meet a most critical need.

The present bill retains and emphasizes local control and local decision on how the money will be used.

The bill should also go a long way toward equalizing the resources of States and inevitably raise minimum standards of education to a much higher level than would otherwise be the case. It extends the principle which already applies at the State level, in Maine, where we provide general purpose State aid for schools in local communities.

Because I am most familiar with the educational problems in Maine, I am acutely aware of its need for an adequate program of Federal aid.

According to Warren G. Hill, commissioner of education for the State of Maine, the State needs 576 elementary classrooms and 317 secondary classrooms.

This does not include 240 substandard elementary classrooms and 110 substandard secondary classrooms. The cost of providing the needed additional classrooms would be $15,579,217. Replacing the 350 substandard classrooms would require expenditures of one-third more.

Maine has serious problems in attracting qualified teachers. This year the salaries of teachers are $1,100 below the national average. A total of 53.3 percent of our teachers do not have at least a bachelor's degree from an institution of higher learning. Also, more than 60 percent of our teachers are 45 years of age. This means that in the coming years we will have a serious replacement problem.

This is the situation, even though during the past 10 years Maine has ranked third among the 50 States in percentage increase in teacher's salaries.

The people of Maine are doing the best they can, even making serious sacrifices, to provide funds for education.

The per capita income of Maine residents compared with the other States is 38th, but the percentage of income being spent by our people for State and local taxes ranks them 17th. We are well above the national average.

With adverse economic conditions in Maine and with the State having other pressing governmental needs beyond education, it is impossible for Maine citizens to make a substantially greater contribution in funds for schools. State and local tax sources are stretched to the breaking point.

If the Senate votes to approve the bill before us today, Maine will receive $21.84 per school-age pupil, or a total of $5,175,297. This will be just enough, during the 3-year life of the bill, to cover the cost of the classroom needs of Maine.

Education is too basic a need for all the people of the country to be dependent upon what each State can do individually, particularly when we realize the differences in wealth from State to State.

Our goal in this society is to give each man the opportunity to develop his own capabilities, serve the state, and remain free.

We are pledged to equality of opportunity. This does not mean that each individual is entitled to, or needs, a university education. It does mean that each child is entitled to the chance to develop his skills and realize his potential as an individual.

Equal opportunity implies the elimination of geographic location or economic circumstances as barriers to education. So long as we depend on the unequal resources of the States and communities to bear the brunt of the cost of financing education, educational opportunity will be unequal.

Because a State is financially distressed is no reason to penalize its children from becoming educated. In fact, the inability to educate its youth may put a State in the position of perpetuating its economic problems.

I believe it my duty to do all in my power to help to provide the opportunity to the people of the Nation for self-development to the limits of their capabilities and for the strengthening of our society. Therefore, I support the bill. I regard it as the most important and vital single piece of proposed legislation confronting us at this session of Congress.

Mr. DIRKSEN. Mr. President, I yield the remainder of the time on this side to the Senator from Kansas.

Mr. SCHOEPPEL. Mr. President, I have listened intently to the arguments which have been advanced both for and against Federal aid to education. I have paid particular attention to those Senators who are members of the committee delegated by this body to study this legislation. I have talked to constituents from my State of Kansas—parents, educators, school board members and businessmen. After carefully weighing all the evidence I cannot in good conscience support this measure.

Certainly, every Member of this body recognizes the fact that there are certain districts which are in need of assistance. I believe that most of us will agree that in many cases there are schoolteachers who are not adequately compensated for their services. I am sure there are those who will agree that the Federal Government has usurped from the States practically every available source from which new revenue might be secured to carry on State operations. That is why I have supported amendments to return a certain percentage of the Federal income tax collected back to the States for educational purposes.

For almost a century, we have had various proposals submitted urging Federal assistance for education in one form or another. We have made grants to promote vocational education. But the objective of this program was to strengthen a phase of the curriculum which Congress in its wisdom deemed advisable. We have granted funds to assist federally impacted school districts. But these payments were in the nature of payments in lieu of taxes.

In 1955, President Eisenhower recommended a Federal credit assistance program to assist those districts in need to meet their school construction problems. Later that measure was enlarged but the Congress did not act. Not until the Russians launched sputnik did the real drive for Federal aid for education gather momentum. And, I am fearful that if this bill is passed and we from year to year move down the road to more and more Federal control, we shall look back to the day when sputnik made "mutniks" of us all.

Mr. President, the education of our youth has always been recognized as a duty and responsibility of States and local communities. This is as it should be for so long as the training of our youth remains under the supervision and control of the States and the people on the local level—we need not fear for the future of America. But let the grasping hands of Federal bureaucracy take control, then will the foundation of the American way of life begin to crumble. It may not happen today, or tomorrow or next year, but as surely as the night follows the day it will come. For whenever Federal money has been granted—Federal control follows. In fact, I am not alone in this belief. The school administrators' journal Overview editorialized in November 1960:

> The United States is inexorably moving toward a national system of education * * * the long-held view that education is largely a personal concern and that educational policy should be made by local units of government will have to go * * * the national welfare demands a national system of education.

Mr. President, as I have listened to the arguments advanced by the proponents of this legislation, one is led to believe that either the States have been negligent in meeting their responsibilities or are not financially able to do so. For example, one of my colleagues in support of this bill said:

> But of the more than 36 million children in the public schools, there were 1,868,000 of them taught in overcrowded classrooms. Almost 2 million of our children are being housed in schools and classrooms in excess of the school plant.

He continued by saying:

We needed last fall 142,160 more classrooms.

The children who should be in these missing 140,000-plus classrooms are among the 1,868,000 children who are being cheated out of an education to which I believe they are entitled.

We might gather from these statements that our classrooms are splitting at the seams and that many children are being denied an education. What are the facts? Taking the statistics placed in the RECORD by the proponents of this bill, we find that last fall there were 1,338,560 classrooms available.

As a matter of simple arithmetic if we divide the total number of children in our grade and secondary schools by the total number of classrooms we find that last year there was available 1 classroom for 26-plus students. If we had constructed the 142,160 classrooms which my colleague indicated was needed last year it would have brought the average down to around 1 classroom for 25 students.

The record also shows that last year there were 1,409,995 teachers in our elementary and secondary schools. Again as a matter of simple arithmetic—I find that the States provided 1 teacher for every 26 students.

The facts are that during the past 10 years the States and local communities without Federal assistance have constructed more than 600,000 classrooms while the increased attendance required only 400,000 additional rooms.

President Kennedy, in his message to Congress in support of Federal aid to education stated that we would need an additional 600,000 classrooms over the next 10 years. This averages 60,000 new classrooms per year.

Yet, the National Education Association in its publication of March 1961, The Case for Federal Support of Education, states:

For the past 5 years we have been building classrooms at the average rate of slightly less than 70,000 per year.

I submit that the States without Federal aid have been doing an adequate job.

When we come to the question of the future supply of teachers the outlook is favorable. If we can accept the statistics which have been compiled by the U.S. Office of Education in its report "Projection of Earned Degrees to 1969–70":

If the percentage of college students who seek college degrees in teaching remains at its present level during the next 10 years, the number of graduate teachers will almost double whereas enrollment will be on the decline.

The facts are, that based on present studies we are likely to have more teachers than we can find jobs for.

Throughout this debate, it has been argued that teachers as a group are vastly underpaid—and I would be the first to admit that in some areas this may be true. But the facts are that teachers have succeeded in improving their earnings at a faster rate than other workers during the 1950's. For example:

	1950	1960	Percent increase
Teachers' salary	$3,010.00	$5,159.00	+71
Industrial workers' weekly wage	59.33	90.91	+53
Per capita personal income	1,491.00	2,249.00	+51

The dollar, meanwhile, lost 20 percent of its value but this still leaves the teachers with an improvement in their purchasing power of 40 percent during the past 10 years.

Eight years ago, two-thirds of the teachers earned less than $3,500; now two-thirds make $4,500 or more; fewer than 10 percent are paid less than $3,500.

Will the teachers be willing to permit this program if enacted into law to expire? No matter what is said, I am firmly convinced that it will become a political issue. If we establish the precedent of subsidizing teachers' salaries, where do we draw the line? Will we be asked to subsidize the salaries of municipal policemen, firemen, city and county officials?

The Treasury Department today lists 60 programs under which States and local governments get Federal grants-in-aid. In 1933 when Mr. Roosevelt became President there were five such programs costing about $100 million annually. The cost today runs between $6 and $7 billion.

We are about to add another. Who pays for it? There is no money tree in Washington. The Government has no money to give except that which it takes in taxes from the people. The simple truth is that the people of Kansas somehow will have to raise sufficient money to pay for its share of this grant. Unfortunately, the taxpayer never gets back all he pays in because administrative costs must be paid. If we are honest with ourselves we must admit that all Federal aid does in effect is to force citizens to pay more than they now are paying for education.

We are told there is no Federal control and yet under this bill a State is required to spend more each year on the State level if it is to get its share of the Federal handout.

May I again say that I understand the teachers' problems in critical areas and I am deeply sympathetic; but I also believe that education must remain the responsibility of the States.

The PRESIDING OFFICER. All time for debate having expired, and the bill having been read the third time, the question is, Shall it pass?

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

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

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

The question is, Shall the bill pass? The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

Mr. COTTON (when his name was called). On this vote I have a pair with the junior Senator from Kansas [Mr. CARLSON]. If he were present, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. FULBRIGHT (when his name was called). On this vote I have a pair with the senior Senator from Arkansas. If he were present, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mrs. NEUBERGER (when her name was called). On this vote I have a pair with the junior Senator from Texas [Mr. BLAKLEY]. If he were present, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. ROBERTSON (when his name was called). On this vote I have a pair with the junior Senator from Alabama [Mr. SPARKMAN]. If he were present, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. TALMADGE (when his name was called). On this vote I have a pair with the junior Senator from Alaska [Mr. GRUENING]. If he were present, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. KERR], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Alabama [Mr. SPARKMAN] 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], the Senator from Oklahoma [Mr. KERR], and the Senator from Minnesota [Mr. MCCARTHY] would each vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Iowa [Mr. HICKENLOOPER]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Iowa would vote "nay."

Mr. KUCHEL. I announce that the Senator from Connecticut [Mr. BUSH] is necessarily absent and is paired with the Senator from Vermont [Mr. PROUTY] who is absent on official business. If present and voting, the Senator from Connecticut would vote "nay," and the Senator from Vermont would vote "yea."

The Senator from Kansas [Mr. CARLSON] is necessarily absent and his pair has been previously announced by the

Senator from New Hampshire [Mr. COTTON].

The Senator from Iowa [Mr. HICKENLOOPER] is absent on official business and is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Iowa would vote "nay," and the Senator from New Mexico would vote "yea."

The result was announced—yeas 49, nays 34, as follows:

[No. 56]

YEAS—49

Aiken	Hartke	Morse
Bartlett	Hayden	Moss
Bible	Hill	Muskie
Burdick	Humphrey	Pastore
Byrd, W.Va.	Jackson	Pell
Cannon	Javits	Proxmire
Carroll	Jordan	Randolph
Case, N.J.	Kefauver	Smathers
Church	Kuchel	Smith, Mass.
Clark	Long, Mo.	Smith, Maine
Cooper	Long, Hawaii	Symington
Douglas	Magnuson	Wiley
Engle	Mansfield	Williams, N.J.
Ervin	McGee	Yarborough
Fong	McNamara	Young, Ohio
Gore	Metcalf	
Hart	Monroney	

NAYS—34

Allott	Dworshak	Morton
Beall	Eastland	Mundt
Bennett	Ellender	Russell
Boggs	Goldwater	Saltonstall
Bridges	Hickey	Schoeppel
Butler	Holland	Scott
Byrd, Va.	Hruska	Stennis
Capehart	Johnston	Thurmond
Case, S.Dak.	Keating	Williams, Del.
Curtis	Lausche	Young, N.Dak.
Dirksen	Long, La.	
Dodd	Miller	

NOT VOTING—17

Anderson	Fulbright	Neuberger
Blakley	Gruening	Prouty
Bush	Hickenlooper	Robertson
Carlson	Kerr	Sparkman
Chavez	McCarthy	Talmadge
Cotton	McClellan	

So the bill (S. 1021) was passed, as follows:

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

TITLE I—SCHOOL ASSISTANCE ACT OF 1961

SEC. 101. This title may be cited as the "School Assistance Act of 1961."

Declaration of purpose

SEC. 102. It is the purpose of this title to authorize a three-year program of Federal grants to States to assist their local education agencies to construct urgently needed public elementary and secondary school facilities, to employ needed additional public school teachers and pay them adequate salaries, to undertake special projects directed to special or unique educational problems or opportunities, and in paying other costs of providing public elementary and secondary education. It is the intent of Congress that with this assistance the quality of public elementary and secondary education will be substantially improved in all States and that inequalities of educational opportunities within and between States will be substantially reduced.

Assurance against Federal interference in schools

SEC. 103. In the administration of this title, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system.

Authorization of appropriations

SEC. 104. There is hereby authorized to be appropriated, without any limitation of such appropriation or condition inconsistent with or contrary to the terms or purposes of this title, for the fiscal year beginning July 1, 1961, and for each of the two succeeding fiscal years, $850,000,000, for the purpose of making payments to State education agencies as provided in this title.

Allotment to States

SEC. 105. (a) The sums appropriated pursuant to section 104 shall be allotted among the States on the basis of the income per child of school age, the number of children of school age, and the effort for public school purposes of the respective States. A State allotment under this section for any fiscal year shall be available for obligation by the State, in accordance with the provisions of this title, during such year and the next fiscal year (and for those two years only). Except as provided by section 106, such allotments shall be made as follows: The Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the sums appropriated pursuant to section 104 for such year as the product of—

(1) the number of children of school age in the State in the preceding fiscal year, and

(2) The State's allotment ratio (as determined under subsection (b)).

bears to the sum of corresponding products for all the States.

(b) for purposes of this title—

(1) The "allotment ratio" for any State shall be 1.00 less the product of (A) .50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for all the States (exclusive of Puerto Rico, Guam, American Samoa, the District of Columbia, and the Virgin Islands), except that (i) the allotment ratio shall in no case be less than .25 or more than .75 and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be .75, (iii) the allotment ratio for the District of Columbia shall be .50, and (iv) the allotment ratio of any State shall be .50 for any fiscal year if the Commissioner finds that the cost of education in such State exceeds the median of such costs in all the States by a factor of 2 or more as determined by him on the basis of an index of the average per pupil cost of constructing minimum school facilities in the States as determined for such fiscal year under section 15(6) of the Act of September 23, 1950, as amended (20 U.S.C. 645), or, in the Commissioner's discretion, on the basis of such index and such other statistics and data as the Commissioner shall deem adequate and appropriate.

(2) The allotment ratios shall be promulgated by the Commissioner for each fiscal year, between July 1 and August 31 of such fiscal year, except that for the fiscal year beginning July 1, 1961, such allotment ratios shall be promulgated as soon as possible after the enactment of this title. Allotment ratios for each fiscal year shall be computed on the basis of the average of the incomes per child of school age for the States and for all the States (exclusive of Puerto Rico, Guam, American Samoa, the District of Columbia, and the Virgin Islands) for the three most recent consecutive fiscal years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for the purposes of this title, except that the Commissioner may estimate and subsequently revise such allotment ratios, and, as so revised and promulgated, such promulgation shall be equally conclusive.

(3) The term "income per child of school age" for any fiscal year for a State or for all the States means the total personal income for the State or for all the States in the calendar year ending in such fiscal year (exclusive of Puerto Rico, Guam, American Samoa, the District of Columbia, and the Virgin Islands), respectively, divided by the number of children of school age in the State or in all such States, respectively, in such fiscal year.

(4) The term "child of school age" means a member of the population between the ages of five and seventeen, both inclusive.

Maintenance and improvement of State and local support for public school financing

SEC. 106. (a) The sum otherwise allocable to any State under section 105 for any fiscal year after the fiscal year beginning July 1, 1961, shall be reduced if such State's effort for such fiscal year is not at least equal to such State's base effort for such year. The amount of such reduction shall be the difference between the State's public school expenditures in such year and the public school expenditures it would have made in such year had it exerted the State's base effort for such year.

(b) The sum otherwise allocable to any State under section 105 for any fiscal year after the fiscal year beginning July 1, 1961, shall also be reduced if such State's effort for such year is not at least equal to the State's base effort for such year plus the average annual rate of increase in the national effort over the five fiscal year period beginning July 1, 1956, and ending June 30, 1961. The amount of the reduction under this subsection (which shall be in addition to the reduction, if any, under subsection (a)) shall bear the same relation to the sum otherwise allocable to the State under section 105, (1) as the difference between the State's effort and the national effort for such year bears to the national effort for such year, or (2), if it would result in a smaller reduction, as the difference between the State's expenditure per public school pupil and 110 per centum of the national expenditure per public school pupil for such year, bears to 110 per centum of the national expenditure per public school pupil for such year. This subsection shall not apply to any State for any year for which the State's effort equaled or exceeded the national effort for such year or the State's expenditure per public school pupil equaled or exceeded 110 per centum of the national expenditure per public school pupil for such year.

(c) The total reductions which may be made under subsections (a) and (b) from the sum otherwise allocable to a State for any fiscal year shall not exceed one-third of such sum.

(d) The sum of the reductions under this section for each fiscal year shall be reallotted by proportionately increasing the allotments under section 105 for such year of those remaining States (other than the District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands) whose allotments for such year have not been reduced under this section.

(e) For purposes of this section—

(1) (A) A "State's effort" for any State for a fiscal year is the quotient obtained by dividing (i) the State's expenditure per public school pupil by (ii) the income per such pupil for the State; except that the State's effort shall be deemed to be equal to the State's base effort and to the national effort in the case of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

(B) A State's "base effort" for a fiscal year means the average State effort over the three immediately preceding fiscal years.

(C) The "income per public school pupil" for a State or for all the States for any fiscal year means the total personal income for the State or for all the States in the calendar

year ending in such fiscal year (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands), respectively, divided by the number of public school pupils in the State or in all such States, respectively, in such fiscal year.

(2) (A) The "national effort" for any fiscal year is the quotient obtained by dividing (i) the expenditure per public school pupil for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia) by (ii) the income per such pupil for all such States.

(B) The average annual rate of increase in the national effort over the five fiscal year period beginning July 1, 1956, and ending June 30, 1961, shall be determined by dividing the difference between the national effort for the fiscal year beginning July 1, 1956, and for the fiscal year beginning July 1, 1960, by four.

(3) (A) The "public school expenditures" of any State in any fiscal year means the total expenditures by the State and subdivisions thereof in such year for public elementary and secondary education made from funds derived from State and local sources in the State (including payments in the nature of payments in lieu of taxes from any sources).

(B) The "expenditure per public school pupil" for any State for any fiscal year means the quotient obtained by dividing the State's public school expenditures in such year by the number of its public school pupils for such year.

(C) The "national expenditure per public school pupil" for any fiscal year means the quotient obtained by dividing (i) the public school expenditures of all the States in such year (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia) by (ii) the number of public school pupils in all such States for such year.

(4) The Commissioner's determinations of the State effort, base effort, income, public school expenditures, and expenditure per public school pupil, for any State, and his determinations of the national effort, average rate of increase, and expenditure per public school pupil, shall be conclusive for purposes of this title, except that the Commissioner may estimate and subsequently revise any such determination, and as so revised, such determination shall be equally conclusive.

Payment of allotments to States

SEC. 107. Payments to States which have submitted and had approved their applications under this title of Federal funds allotted to them pursuant to section 105 (as adjusted by the application of the provisions of section 106 and as adjusted on account of overpayments or underpayments previously made) shall be made by the Commissioner on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditure by the States of the funds so allotted.

State agency administrative costs

SEC. 108. From the sums allotted to it under section 105, as adjusted by section 106, for each fiscal year, a State education agency may use such amount as it deems necessary for any supervision, services, and other costs of administering its activities under this title in that year, except that such amount shall not be more than whichever is the lesser of (1) ten cents multiplied by the number of public school pupils in the State during the prior fiscal year, and (2) $150,000, except that if, for any State, such lesser amount is less than $25,000, such amount shall be increased to $25,000.

Special educational projects

SEC. 109. Each State education agency may set aside, from the sums allotted to it under section 105, as adjusted by section 106 for any fiscal year, an amount equal to 10 per centum of the sums so allotted to it for the fiscal year beginning July 1, 1961, for paying part of the costs of pilot, demonstration, or experimental projects of local education agencies, and other public agencies or institutions operating a public school, which, in the determination of the State agency, are designed to meet public school problems or to develop or evaluate public school programs of a special or unique nature, including but not limited to—

(1) remedial or special instructional programs or services for pupils having special language or adjustment problems;

(2) programs or services for adapting curriculums to the needs of deprived or disadvantaged pupils;

(3) programs or services for pupils from in-migrant or unusually mobile families;

(4) programs for coordinating the school system planning and programs in the area served by the local education agency, with the planning and programs of other public or private nonprofit agencies dealing with problems related to the alleviation of the same deteriorated or depressed areas and of the families and children residing therein;

(5) programs for developing new types of elementary or secondary instruction or programing;

(6) programs for developing multipurpose uses of elementary and secondary school facilities;

(7) programs to stimulate improvements in construction, design or location of elementary and secondary school facilities;

(8) programs to encourage and stimulate educational excellence, including programs for exceptionally gifted children;

(9) programs for the improvement of instruction through the acquisition and utilization of audiovisual and other instructional materials and equipment.

State applications

SEC. 110. (a) A State which desires to receive its allotments under this title shall submit through its State education agency an application to the Commissioner which—

(1) provides assurance that the State education agency shall be the sole agency for administering the funds received under this title;

(2) provides for specifying at the beginning of each fiscal year the proportion of its allotment for such year that will be expended for (A) public school teachers' salaries, (B) the construction of public school facilities, and (C) other costs of providing public elementary and secondary education; and provides that such allotment, except for sums used in accordance with sections 108 and 109, shall be used exclusively for such purposes;

(3) sets forth criteria and procedures to insure that in allocating funds received under this title (exclusive of amounts to be used for projects under section 109 and amounts to be used under section 108) to local education agencies (A) the amounts to be used for school facilities construction will be allocated within the State so that priority is given to local education agencies which, in the judgment of the State education agency, have the greatest need for additional school facilities and which are least able to finance the cost of needed school facilities, (B) the amounts to be used for teachers' salaries 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 additional teachers or increases in their teachers' salaries and which are least able to finance such costs, 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;

(4) sets forth the criteria and procedures, consistent with the purposes of section 109, on the basis of which local education agency projects under such section will be approved by the State education agency;

(5) provides assurance that every local education agency whose application for funds under this title is denied will be given an opportunity for a hearing before the State education agency;

(6) sets forth procedures for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, funds paid to the State and by the State to the local education agencies under this title, which procedures shall include provision for repayment to the United States of any sums received by the State from its allotment for any fiscal year under this title which are not obligated by it in accordance with the provisions of this title by the end of the fiscal year following that for which such allotment was made, or which are not expended in accordance therewith by the end of the second fiscal year following that in which they were obligated (unless such sums have been deducted from subsequent payments pursuant to section 107);

(7) provides assurance that the requirements of section 112 will be complied with on all construction projects in the State assisted under this title; and

(8) provides for making such reports in such form and containing such information as the Commissioner may from time to time reasonably require and for access by the Commissioner, upon request, to the records upon which such information is based.

(b) With respect to any public school operated by a public agency or institution other than a State or local education agency, and in the case of any State in which a State education agency has exclusive responsibility for financing the construction of school facilities or for the payment of teachers' salaries within the entire State, within a given geographical area with the State, or with respect to particular categories of public schools, the Commissioner may modify or make inapplicable any of the provisions of subsection (a) 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.

Review of State applications

SEC. 111. (a) (1) The Commissioner shall approve an application of a State which fulfills the conditions specified in section 110 (a), and shall not finally disapprove a State application except after reasonable notice and opportunity for hearing to the State education agency.

(2) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State education agency, finds that such agency is not complying substantially with the provisions required to be included in its application under section 110(a), or that any funds have been diverted from the purposes for which they have been paid, the Commissioner shall forthwith notify the State education agency, and he shall thereafter withhold further payments to the State under this title until there is no longer any such failure to comply, or, if compliance is impossible, there is a repayment, or an arrangement for repayment, of Federal moneys which have been diverted or improperly expended.

(b) (1) A State education agency dissatisfied with a final action of the Commissioner under subsection (a) of this section may

appeal to the United States court of appeals for the circuit in which such State or agency is located by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

Labor standards

SEC. 112. All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed in whole or in part under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality to be determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276c-5) for construction projects under this title, and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any workday or forty hours in the workweek, as the case may be. The State education agency of each State shall take such steps as shall be necessary to assure that the wage standards required above shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project. The Secretary of Labor shall have with respect to the labor standards specified in this provision the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

SEC. 113. The State education agency may waive the application of section 112 in cases or classes of cases where laborers or mechanics, not otherwise employed at any time in the construction of the project, voluntarily donate their services for the purpose of lowering the costs of construction and the State education agency determines that any amounts saved thereby are fully credited to the education agency undertaking the construction.

Definitions

SEC. 114. For the purposes of this title—

(1) The term "Commissioner" means the United States Commissioner of Education.

(2) The term "local education agency" means a board of education or other legally constituted local school authority having administrative control and direction of public schools in a city, county, township, school district, or political subdivision.

(3) The term "State" includes the District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands.

(4) The term "State education agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public schools.

(5) The term "public school pupils" means pupils in average daily attendance at public schools within a State, or within all of the States, as determined by the Commissioner in accordance with criteria developed by him to assure uniform determinations for all the States.

(6) The term "public schools" means schools providing free education at public expense, under public supervision and direction and without tuition charge to resident pupils, and which is provided as elementary or secondary school education—

(a) by a State or local education agency, or

(b) if the State application approved under this title so provides, by another State or local public agency or institution.

(7) The term "elementary and secondary education" shall not include any education provided below the kindergarten level or beyond grade 12.

(8) The terms "school facilities" and "public school facilities" mean classrooms and related facilities (including furniture, instructional materials other than textbooks, equipment, machinery, and utilities necessary or appropriate for school purposes) for public schools, and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such terms shall include gymnasiums and similar facilities, except those intended primarily for exhibitions for which admission is to be charged to the general public.

(9) The terms "construct", "constructing", and "construction" include the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

(10) The term "teacher" means any member of the instructional staff of a public school as defined by the State education agency of each State.

(11) The term "teachers' salaries" means the monetary compensation paid to teachers for services rendered in connection with their employment.

(12) The term "other costs of providing public elementary and secondary education" means any maintenance and operating cost of public elementary or secondary school education.

TITLE II—AMENDMENTS TO PUBLIC LAWS 815 AND 874

Extension of temporary provisions of Public Law 815

SEC. 201. (a) The first sentence of section 3 of the Act of September 23, 1950, as amended (20 U.S.C. 633), is amended by striking out "1961" and inserting in lieu thereof "1964".

(b) Subsection (b) of section 14 of such Act is amended (1) by striking out "1961" each time it appears therein and inserting in lieu thereof "1964", and (2) by striking out "$40,000,000" and inserting in lieu thereof "$60,000,000".

(c) Paragraph (15) of section 15 of such Act is amended by striking out "1958-1959" and inserting in lieu thereof "1961-1962".

Extension of temporary provisions of Public Law 874

SEC. 202. The Act of September 30, 1950, as amended (20 U.S.C. 236-244), is amended by striking out "1961" each time it appears in sections 2(a), 3(b), and 4(a) and inserting "1964" in lieu thereof.

Extension of laws to American Samoa

SEC. 203. (a) The Act of September 30, 1950, as amended (20 U.S.C. 236-244), is amended by inserting "American Samoa," after "Guam," each time it appears in sections 3(d), 6(c), and 9(8).

(b) The Act of September 23, 1950, as amended (20 U.S.C. 631-645), is amended by inserting "American Samoa," after "Guam," in section 15(13).

Report of operations under these laws

SEC. 204. The Commissioner shall submit to the Secretary of Health, Education, and Welfare for transmission to the Congress on or before January 1, 1963, a full report of the operation of Public Laws 815 and 874, as extended by this Act, including an analysis of the relation between Federal payments under these laws and Federal payments under title I of this Act, and his recommendations as to what the future relation between these laws and that title should be if they are further extended.

Mr. MORSE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. McNAMARA. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent that the bill as passed be printed.

The PRESIDING OFFICER. Without objection——

Mr. FULBRIGHT. Mr. President, reserving the right to object, I take this opportunity to express my appreciation on the wonderful way in which the Senator from Oregon [Mr. MORSE] has managed this bill, which has now been passed. This bill and similar bills have been considered by this body over a period of approximately 13 or 14 years. I believe that the excellent job the Senator from Oregon has done in managing this bill on this occasion entitles him to the gratitude of all Members of the Senate; and I wish to commend him and his associates on the Committee on Labor and Public Welfare for the extremely fine work they have done in connection with the passage of what I believe to be the most important bill the Senate will handle at this session.

Mr. MORSE. Mr. President, I understand that the Senate is ready to take up a conference report. Thereafter, I shall speak for several minutes in reference to those who, in my judgment, are really responsible for the passage of this bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that the bill as passed be printed?

Mr. SYMINGTON. Mr. President, reserving the right to object, I should like to associate myself with the remarks of the distinguished Senator from Arkansas [Mr. FULBRIGHT], who has extended his congratulations to the senior Senator from Oregon [Mr. MORSE] upon the magnificent job he has done in steering the bill through the Senate to its most successful conclusion.

Mr. KEFAUVER. Mr. President, reserving the right to object, I do not believe that any other bill handled by the Senate over a period of many years has

received the diligent attention and the splendid guidance which this bill has received from the senior Senator from Oregon [Mr. MORSE], who has constantly been in the Chamber, to give information and to discuss all points which might be raised in connection with the bill. I think the final passage by the Senate of this aid-to-education bill is largely due to his direction and to that of his associates on the committee.

Mr. CARROLL. Mr. President, reserving the right to object, I should like to associate myself with the position taken by the various Senators who have spoken in commendation of the excellent floor leadership displayed by the able senior Senator from Oregon [Mr. MORSE] in connection with the handling and passage of this aid-to-education bill. For the first time in the history of our country the Congress now has an opportunity to enact a bill which will provide Federal aid to education; and no small part of the credit for that is due to the outstanding and very able leadership by the senior Senator from Oregon [Mr. MORSE] and also by those who have been associated with him. So I desire to join in the commendations of him for his dedication to this most important task.

Mr. CLARK. Mr. President, reserving the right to object, as one who worked closely in the vineyard with the senior Senator from Oregon, both in the subcommittee and in the full committee and on the floor of the Senate, in support of the bill, I pay my tribute to a great Senator who for the first time, I believe, in his almost 18 years of service in this body, has had charge of a major piece of legislation. No one could have handled it with greater understanding or greater calm appreciation of the passions which sometimes rock this body, or with greater understanding of how well such things can be accomplished by remaining calm. Certainly the Senator from Oregon deserves the commendation of every other Member of the Senate.

Mrs. NEUBERGER. Reserving the right to object, Mr. President, let me say, as one who has presided over the Senate during many of the hours of the debate on the aid-to-education bill which the Senate has just now passed, that I believe I can speak, from personal observation and experience, of the skill with which the bill has been handled.

So, Mr. President, on the basis of that personal observation, I join in the encomiums which have been expressed by so many Senators in commenting on the great skill displayed by the senior Senator from Oregon [Mr. MORSE].

Mr. MANSFIELD. Mr. President, reserving the right to object, let me say that earlier today I expressed my thoughts in regard to the bill the Senate has just now passed—the so-called Federal-aid-to-education bill. I do not wish to repeat those statements; to do so would amount to gilding the lily.

But I desire to take this occasion to express to the entire Senate my appreciation of the excellent cooperation shown during the past 7 or 8 days in the course of our consideration of this measure.

Again I pay special tribute to the leadership and the floor managerial ability displayed by the senior Senator from Oregon [Mr. MORSE], who has performed magnificently in getting through the Senate this aid-to-education bill, a measure which truly deserves the name "The Morse Bill."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that the bill as passed be printed? Without objection, it is so ordered.

THE ALLOTMENT RATIO EQUATION USED IN S. 1021

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, immediately following the recording of the vote on S. 1021, an analysis of the allotment ratio equation used in S. 1021, and a table comparing the allotment ratios and estimated State allotments of the bill with those produced by using a true inverse proportion of each State's income per child.

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

STATEMENT BY SENATOR COOPER

Senator JAVITS and I offered, during consideration by the Senate of S. 1021, a different method of determining the amount of Federal assistance to be extended to the public school systems of each State. I think the method Senator JAVITS and I proposed was logical, because it is based on need—and consists of adding the needs of the States rather than dividing among the States an arbitrary national appropriation.

Our proposal, using essentially the Taft formula, would have defined the Federal responsibility, limited the Federal role, set a goal for increased efforts by the States, held up a standard for basic education, and actually moved toward equality of opportunity. The administration formula does none of these things; it merely arranges the division of whatever sum is appropriated by fixing each State's percentage share of the total.

So I think there is a basic philosophical difference—a fundamental difference in approach—which reflects our attitude toward Federal grants-in-aid.

Our amendment was defeated. Therefore, it remains appropriate to examine on its own merits the allocation formula in S. 1021 as it has been passed by the Senate, for it is the heart of this bill. It is the heart of the bill not only because this bill will initiate a new Federal grant program, but also because there are very few restrictions on the use of the Federal grants by State school systems, so that the national effect of the bill will be largely determined by its allocation of funds.

For this reason, I would like to discuss briefly the bill's allocation formula—and more specifically its computation of allotment ratios for each State. I do so completely apart from the amendment Senator JAVITS and I have offered, as a matter of information and perhaps of interest.

II

The central element of the allocation formula, by which the authorization in this bill is divided among States, is the allotment ratio. The allotment ratio is an index, computed to determine the relationship between the States in sharing the total sum appropriated.

For each State, the allotment ratio is multiplied by the State's number of school-age children. The result, or product, is totaled for all the States. The percentage of that total represented by the product for each State is its share of the appropriation.

I will limit my comments at this time to the computation of the allotment ratio itself. For, aside from the number of children, the allotment ratio determines each State's allocation.

I doubt very much that the mathematical device specified by the bill, and used to produce these allotment ratios, is generally understood. In the past, it has been taken for granted. Yet, it is not simple, has not been clearly explained, and ought to be better justified.

For example, I think it is assumed, by those who have looked at it, that the allotment ratio is proportional—that is, inversely proportional—to State income per child. The distinguished chairman of the subcommittee [Mr. MORSE] has said in his explanations that the allotment ratio in the bill is inversely proportional to State income per child. But while it is related to income, it is not truly proportional to the differences in income between States.

Furthermore, the variation from a true proportion is not constant—that is, producing an evenly expanded or compressed gradation—as some may think. On the contrary, at one end of the scale, among low-income States, relative differences are diminished, while at the other end, among high-income States, they are augmented.

I have examined the formula. Its effect is this: For low-income States, the differences in income are not fully reflected, so their allotments are smaller than they would be if truly proportional to relative income. For the high-income States, on the other hand, the differences from average or national income per child are exaggerated, with the result that the allotments for these States, also, are reduced.

Curiously enough, the income range of the States is such that this mathematical exercise does not change proportionately the spread between the richest and poorest States, which is maintained at, say, 3:1. This occurs because the figures for both the low- and high-income States are held down. That 3:1 contrast between the top and bottom figures, which appears to be the only measure many look at, of course fails to describe the pattern of distribution of funds.

III

I know that the point I have raised may seem elusive—for algebra is remote to most of us now. So I will explain the allotment ratio equation, give a few examples, provide a table of hypothetical figures, and a comparison of allotment ratios.

The allotment ratio in the bill is computed in this way: State income per child is divided by national income per child, producing a percentage which indicates the State's relative income. This percentage is multiplied by 0.50, and the result subtracted from 1.

An inverse proportion, on the other hand, would be computed by simply dividing the national income per child by the State's income per child.

The introduction of the constant, from which the direct proportion is subtracted under the bill's equation, changes from a proportional relationship the pattern, if not necessarily the range, of the allotments.

For example: Indiana and Michigan have approximately the national average income per child. South Carolina and Mississippi have only half that income per child. Connecticut and New York have 1½ times the national average income per child—the precise amounts, of course, depending on the base years and definitions chosen. Therefore, (1) under a proportional formula, a State like South Carolina would receive $2 compared to $1 paid to a State like Indiana having twice the income per child of South Carolina. But under the formula in this bill, such a State would receive

only $1.50, although its income is only half the national average; and (2) a State like Delaware or New York, on a proportional basis would have an allotment ratio two-thirds that of States at the national average, which have two-thirds the income per child of Delaware and New York. But under the formula in this bill, such a State receives only 50 cents, compared to $1 for an average State.

Using these examples, I point out again that the range between 50 cents for the highest-income States and $1.50 for the lowest, under the bill's allotment ratio equation, is coincidentally 1:3—just as it is between 67 cents and $2 under a proportional equation. But both the high- and low-income States have nevertheless been disadvantaged by this mathematical device, if one views the true relationship of their incomes—for the allotment ratios of the middle-income States have become a larger share of the total.

IV

I insert at this point a table of hypothetical figures, assuming $10,000 as the national average income per child. The table compares the results obtained under the bill's equation, in the first column, with a true proportion, in the second column. For convenience, neither formula was halved. Of course, no State has income more than 1½ times, or less than one-half, the national average; but this example was extended to make the effect of the mathematical device clear.

A study of this small table will, I think, make clear the operation of the bill's equation, and its difference from an inverse proportion. It also illustrates how the income relationship between all the States—including the true relationship between States within the high-income or low-income groups—can be maintained by a proportional formula.

	Bill equation relationships [1]						Proportional relationships				
	State income per child		National income per child			"Allotment ratio"	National income per child		State income per child		Inverse proportion
	2.00 [1]	minus	$20,000	divided by	$10,000	equals	0	$10,000	divided by	$20,000	equals	0.50
	2.00	"	17,500	"	10,000	"	.25	10,000	"	17,500	"	.57
New York	2.00	"	15,000	"	10,000	"	.50	10,000	"	15,000	"	.67
	2.00	"	12,500	"	10,000	"	.75	10,000	"	12,500	"	.80
Indiana	2.00	"	10,000	"	10,000	"	1.00	10,000	"	10,000	"	1.00
	2.00	"	7,500	"	10,000	"	1.25	10,000	"	7,500	"	1.33
Mississippi	2.00	"	5,000	"	10,000	"	1.50	10,000	"	5,000	"	2.00
	2.00	"	2,500	"	10,000	"	1.75	10,000	"	2,500	"	4.00

[1] 2.00 minus the quotient of "State income per child" divided by "National income per child" is equivalent to 1.00 minus half the quotient of "State income per child" divided by "National income per child," as expressed in S. 1021. It sets the U.S. national average at 1.00, for convenient comparison with the inverse ratio.

V

If my colleagues inquire about the formula in this bill, at the Department of Health, Education, and Welfare or the National Education Association, I am sure they will be told about "pivot points" and "spreader factors," and perhaps about other statistical mysteries (p. 204–205, hearings). However, I believe there is no particular mystery about the equation 1 minus 0.50 times the fraction representing relative State income. In casting up indexes, it is identical to 2 minus the whole fraction. This is the form I have used, because it is easier to understand.

I do not know why the figures 1 minus 0.50 are used—for this is not the way to find a reciprocal, as some assume—unless it is to make appear simple what is in fact arbitrary. Perhaps if the easier form, 2 minus the relative income, were used, questions would have arisen as to why 2, rather than 3 or 1.75, is employed.

Any such figure substituted in the bill's equation, however, not only changes the "spread," but also changes rather sharply the pattern of the distribution. Only by using the inverse proportion can the true relationship of each State, not only to the national average but to every other State, be maintained.

VI

The limitations and perhaps distortions of this mathematical device embodied in the bill's formula become apparent on examination. Subtracting the State's income ratio from a constant (in this case a constant double the value placed before the fraction) has a twofold result:

1. No State, however poor, can have an allotment ratio more than double that of States at the national average. The effect is to minimize the differences between the low-income States—so that the allotment for a very low-income State is not very different from that for a State moderately below average. In terms of educational needs, I should think this a limiting approach.

2. As fortunate States approach double the national average income, their allotment ratios rapidly go to zero. Therefore, an increase in the income of the States will disproportionately reduce their allotments. (In the event a State or the District of Columbia should have more than double the national income per child in any year, it would have a negative allotment ratio.) Of course in the bill, a floor of 0.25 is put under these allotment ratios to protect the highest income States.

VII

I am well aware that this mathematical device has been incorporated in bills for years. It has been in bills I have sponsored. Apparently, however, it has never been fully satisfactory. In the Hill-Burton formula, for example, it is squared in order to increase its weighting. At other times, as in S. 8 as reported last year, the allotment ratio was used both to compute the Federal allocation to each State, and also to fix the proportion of State matching required. Most of these manipulations are complicated, and somewhat arbitrary.

If a general gradation between all the States, such as S. 1021 now provides, is to be used for Federal grant programs which are not matched, it seems to me that the simple inverse ratio of income would be justifiable, fair, and could be more widely understood.

For anyone interested in a simpler formula, making each State's allotment truly proportional to (a) school age population, and (b) relative income per child, I include a table showing such allotment ratios, compared to the allotment ratios under S. 1021 for each State. I have also had the State dollar allotments estimated, and ask unanimous consent that the table be printed in the RECORD.

This formula could be provided by using the following language in section 105(b) of Senate bill 1021:

"(1) The allotment ratio for my State shall be the quotient obtained by dividing the income per child of school age for all the States (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands) by the income per child of school age for the State, except that (i) the allotment ratio for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 1.50 and (ii) the allotment ratio of any State shall be 1.00 for any fiscal year if the Commissioner finds * * *" etc.

VIII

I have taken some pains to analyze the mathematical equation embodied in what is now the administration's allocation formula, because I know its effects are not widely understood. I have done so because I think it worth while, when acting on a bill as important as this one—which initiates a new program, and which incorporates a formula by which billions will be distributed—to make its central points plain to all.

Talk of formulas may appear a dull or technical subject. Nevertheless, it is obvious that many who are vitally interested in how much each State receives, and in the method of allocating funds, have not understood this formula. Perhaps for that reason it has been helpful to raise questions about its logic, its principles, and its effects.

Comparison—State allotments under (1) S. 1021 as reported and (2) using the inverse proportion of income-per-child as the "allotment ratio"

	S. 1021 as reported		Proportional formula		Percent of authorization		
	"Allotment [1] ratio"	State allotment	Inverse proportion	State allotment	S. 1021 as introduced	S. 1021 as reported	Proportional formula
Connecticut	0.5000	$5,215,540	0.662	$6,273,000	0.99	0.61	0.738
Alaska	1.0000	1,111,660	1.000	1,003,000	.08	.13	.118
Delaware	.5718	1,239,504	.700	1,377,000	.17	.15	.162
New York	.5884	40,652,380	.708	44,455,000	5.66	4.79	5.230
New Jersey	.6466	16,592,271	.739	17,229,500	2.16	1.95	2.027
California	.6722	46,230,357	.753	47,064,500	7.92	5.44	5.537
Illinois	.7076	31,516,867	.774	31,331,000	3.50	3.71	3.686

See footnote at end of table.

Comparison—State allotments under (1) S. 1021 as reported and (2) using the inverse proportion of income-per-child as the "allotment ratio"—Continued

	S. 1021 as reported		Proportional formula		Percent of authorization		
	"Allotment[1] ratio"	State allotment	Inverse proportion	State allotment	S. 1021 as introduced	S. 1021 as reported	Proportional formula
Massachusetts	.7224	$14,789,750	.783	$14,569,000	1.77	1.74	1.714
Nevada	.7388	1,040,292	.793	1,011,500	.14	.12	.119
Ohio	.8720	39,517,893	.887	36,533,000	4.31	4.65	4.298
Pennsylvania	.8940	44,026,417	.904	40,460,000	4.04	5.18	4.760
Rhode Island	.9320	3,433,585	.928	3,136,500	.27	.40	.389
Maryland	.9300	13,681,203	.935	12,503,500	1.35	1.61	1.471
Michigan	.9536	37,928,701	.955	34,552,500	4.06	4.47	4.065
Washington	.9568	12,976,374	.959	11,815,000	1.71	1.53	1.390
Missouri	.9762	18,520,779	.977	16,847,000	1.84	2.18	1.982
Indiana	1.0120	22,781,255	1.012	20,706,000	2.55	2.68	2.436
Colorado	1.0304	8,896,358	1.031	8,092,000	1.07	1.05	.952
Florida	1.0416	21,923,016	1.043	19,949,500	2.87	2.58	2.347
New Hampshire	1.0510	2,726,162	1.054	2,482,000	.26	.32	.292
Oregon	1.0518	9,042,171	1.055	8,245,000	1.07	1.06	.970
Wisconsin	1.0584	20,021,484	1.062	18,258,000	1.74	2.36	2.148
Wyoming	1.0756	1,793,553	1.082	1,640,500	.23	.21	.193
Nebraska	1.0520	7,357,227	1.089	6,732,000	.80	.87	.792
Kansas	1.0904	11,111,415	1.099	10,174,500	1.42	1.31	1.197
Iowa	1.1014	14,386,515	1.113	13,209,000	1.69	1.69	1.554
Minnesota	1.1156	18,395,829	1.131	16,949,000	1.96	2.16	1.994
Montana	1.1234	3,888,736	1.139	3,587,000	.44	.46	.422
Hawaii	1.1734	3,739,329	1.210	3,502,000	.47	.44	.412
Texas	1.1786	58,063,833	1.218	54,527,500	6.05	6.84	6.415
Maine	1.1786	5,175,297	1.218	4,862,000	.62	.61	.572
Arizona	1.1790	7,405,140	1.218	6,953,000	.94	.87	.818
Vermont	1.1972	2,083,288	1.244	1,972,000	.22	.25	.232
Oklahoma	1.2146	12,602,078	1.273	12,002,000	1.79	1.48	1.412
Virginia	1.2224	23,803,278	1.286	22,754,000	2.68	2.80	2.677
South Dakota	1.2736	4,459,796	1.377	4,386,000	.49	.52	.516
Utah	1.2778	6,321,123	1.385	6,222,000	.87	.74	.732
Idaho	1.2862	4,408,622	1.401	4,360,500	.56	.51	.513
New Mexico	1.3074	6,370,666	1.444	6,392,000	.79	.75	.752
Louisiana	1.3140	22,202,969	1.458	22,389,000	2.26	2.61	2.634
West Virginia	1.3276	12,913,602	1.487	13,141,000	1.60	1.52	1.546
North Dakota	1.3600	4,535,574	1.562	4,734,500	.47	.53	.557
Tennessee	1.3654	23,526,845	1.576	24,675,500	2.93	2.77	2.903
Georgia	1.3834	28,045,856	1.619	29,852,000	3.31	3.30	3.512
Kentucky	1.3956	21,409,762	1.654	23,060,500	2.19	2.52	2.713
North Carolina	1.4254	33,751,156	1.740	37,442,500	4.19	3.97	4.405
Alabama	1.4412	24,005,156	1.790	27,098,000	2.96	2.82	3.188
Arkansas	1.5000	12,867,468	2.002	15,606,000	1.58	1.51	1.836
South Carolina	1.5000	20,398,967	2.089	25,814,500	2.29	2.40	3.037
Mississippi	1.5000	17,480,858	2.507	26,554,000	2.21	2.06	3.124
District of Columbia	1.5000	1,565,588	.608	1,734,000	.24	.18	.204
Guam	1.5000	500,247	1.500	204,000	.05	.06	.024
Puerto Rico	1.5000	21,093,754	1.500	19,167,500	2.14	2.48	2.255
American Samoa	1.5000	194,541	1.500	178,500	----------	.02	.021
Virgin Islands	1.5000	277,915	1.500	255,000	.03	.03	.030
Total	----------	850,000,000	----------	850,000,000	100.00	100.00	100.000

States ranked by income per school-age child (U.S. equals $8,681.28).

[1] S. 1021 "allotment ratio" doubled—for direct comparison with the inverse proportion. Doubling does not change the State allotments.

S. 1021 "allotment ratio": 1.00 minus 0.50 times $\frac{\text{State income per child}}{\text{national income per child}}$

Proportional formula substitutes for above: $\frac{\text{national income per child}}{\text{State income per child}}$

INTER-AMERICAN APPROPRIATION BILL—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6518) 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. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report? Without objection, the report is considered and agreed to.

Mr. WILLIAMS of Delaware. Mr. President, the request of the Senator from Arizona was for the present consideration of the report. I think the Chair was a little too hasty in anticipating that a motion that the Senate agree to the report would be made.

The PRESIDING OFFICER. The request by the Senator from Arizona was for the present consideration of the report.

Mr. WILLIAMS of Delaware. That is correct.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on a certain amendment of the Senate to House bill 6518, which was read, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate 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," and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert: ": *Provided*, That the funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank or higher than the legal rate of interest of the country in which the loan is made."

The PRESIDING OFFICER. The Senator from Arizona.

Mr. HAYDEN. Mr. President, before I move the adoption of the conference report, I want to make a brief statement.

The PRESIDING OFFICER. The question is on agreeing to the conference report. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Arizona is speaking on agreeing to the conference report, as I understand.

The PRESIDING OFFICER. It is necessary to get the conference report agreed to. Then the question will be on the amendment.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. WILLIAMS of Delaware. Mr. President, has the conference report been agreed to?

Mr. CASE of South Dakota. Mr. President, was the conference report agreed to earlier, with the exception of the provision which is in controversy?

Mr. HAYDEN. Nothing has been done. I have not moved to do anything yet.

The PRESIDING OFFICER. The conference report does not include the amendment that the Senator from Delaware had in the original bill.

Mr. CASE of South Dakota. Mr. President, I do not want us to move too fast so that we lose the step the Senator from Delaware wants to take.

Mr. HAYDEN. The Senator from Delaware will have an opportunity after I make a statement.

Mr. CASE of South Dakota. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. Has a motion been made to adopt the conference report?

Mr. HAYDEN. It has not. I am going to make it.

The PRESIDING OFFICER. It is automatic. The question is on agreeing to the conference report.

Mr. CASE of South Dakota. But the Chair has stated the conference report does not include the amendment in controversy.

The PRESIDING OFFICER. The Senator from South Dakota is correct. The question is on agreeing to the conference report. [Putting the question.]

Mr. HOLLAND. Mr. President, it is customary to have the leader of the conference report heard, and I hope the Chair is not going to rule he cannot be heard.

The PRESIDING OFFICER. The Senator is correct.

Mr. HAYDEN. Mr. President, I was recognized, and I would like to make a statement in regard to the conference report.

The conferees met on the Williams amendment, relating to interest rates, this afternoon. Every effort was made by the managers on the part of the Senate to influence the conference to stipulate that loans, or a large percentage of the loans, were not to be made at an interest rate in excess of 8 percent per annum.

The managers on the part of the House were adamant on this matter, maintaining that it would hamstring the program at a crucial time in that area of the world.

The Senate conferees were aware of the desire on the part of the President to sign this bill into law prior to his trip abroad, which takes place in the immediate future. The House conferees stated that they would never agree to the Senate amendment. In view of this fact, the Senate conferees agreed, in order to secure passage of the bill, that the compromise language should be adopted. That compromise language is:

Provided, That the funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank or higher than the legal rate of interest of the country in which the loan is made.

Then this language was placed in the statement on the part of the managers of the House:

The conferees direct that quarterly reports be made to the Foreign Relations and Appropriations Committees of the Senate and the Foreign Affairs and Appropriations Committees of the House by the President or such officer as he may designate showing loans made and rates of interest charged thereon.

Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arizona to agree to the conference report.

Mr. WILLIAMS of Delaware. Mr. President, it is my understanding that after we agree to the conference report the Senator's motion will be to recede on the Senate amendment and to accept the House amendment. Is that correct?

The PRESIDING OFFICER. The Chair does not know what the next motion will be, but the next step will be laying the amendment before the Senate.

The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER. The House amendment is before the Senate.

Mr. WILLIAMS of Delaware. Mr. President, as I understand it, the question now is on agreeing to the House amendment, which in effect takes out the Williams amendment. Is that correct?

Mr. HOLLAND. Mr. President, a parliamentary inquiry. Is it not true that the conference report cannot be adopted in an effective way until after the report is first adopted without the disagreed-to amendment, and then after the Senate's position has been taken on the amendment?

The PRESIDING OFFICER. The Senator is correct. The amendment is in disagreement. The report is in disagreement as of now, before the Senate acts on the amendment.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 1.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

Mr. WILLIAMS of Delaware. Mr. President, I ask that the clerk read the amendment which the conferees recommend.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Provided, That the funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank or higher than the legal rate of interest of the country in which the loan is made.

Mr. WILLIAMS of Delaware. Mr. President, as I understand the situation this amendment is in two sections. The first section provides: That the funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank.

The next clause is: or higher than the legal rate of interest of the country in which the loan is made.

My parliamentary inquiry is this: As I interpret this amendment, the bank can elect to operate under either of these provisos, if it so desires. Is that correct?

The PRESIDING OFFICER. The amendment is in the alternative.

Mr. WILLIAMS of Delaware. If the amendment is in the alternative then the bank can elect to lend the money at rates not in excess of the legal rate of interest in the country, or if it wants to go higher than the legal rate of interest in the country, as I understand the other proviso, it can lend the money at any rate of interest which the Inter-American Development Bank considers not to be excessive, even though it may be 20 or 30 percent. Is that correct?

The PRESIDING OFFICER. The Chair will have to leave it to the Senate to interpret the amendment. The Chair cannot interpret the meaning of it.

Mr. WILLIAMS of Delaware. Mr. President, I think it can be so interpreted. It reads "either/or." I discussed this matter with the Parliamentarian earlier. We want this legislative record clear whether it does or does not provide that the legal rate of interest of the country would necessarily be the ceiling. If not, then the sky is the limit. But even if it does so provide, it still raises the ceiling to the legal rates of the countries involved, which in this instance run as high as 15 percent. That is nearly double the original ceiling established in the original Senate amendment.

As I interpret the amendment, after discussing it with the Parliamentarian, the bank could lend money to these building and loan associations and then they in turn could reloan the money at rates from 12 to 15 percent, or even higher if the bank decided the rates were not excessive.

The PRESIDING OFFICER. The Chair cannot make any better interpretation than can any other Member of the Senate.

Mr. WILLIAMS of Delaware. That merely shows the confusion of the conference report. I will say, for the benefit of the Senate, that I discussed this question with the present Parliamentarian. I discussed it with the gentleman who was acting as Parliamentarian a couple of hours ago, and both were in complete agreement that under this amendment, there will be no effective ceiling on which the money can be loaned or reloaned. It is solely at the discretion of the Inter-American Development Bank. As the Bank lends the money, it can make the rate the legal rate of interest in the country in which the money is being loaned, or if the Bank thinks the interest rate is too low it can lend it at any rate which is not considered to be excessive by the Inter-American Bank.

I recognize that there can be different interpretations, but no interpretation can be given which would prevent them from going as high as 15 percent.

I think we should understand that if we agree to the House amendment, we will in effect be rejecting the 8-percent ceiling which the Senate adopted last week. Without the Williams amendment there is no limitation.

Even if the loans were restricted to the legal interest ceiling of the country

the interest charged still could be as high as 15 percent in these Latin American countries.

As I said before, the U.S. Government is not even going to get 15 percent interest. We will loan the money at 4½ or 5 percent interest to a group operating within these countries, and under the terms of the conference report we would say, "It is all right for you to take the money which you borrow from the U.S. Government at 5 percent interest and reloan it at 12 percent or 15 percent, or, if you see fit, at 30 percent interest. There is no effective ceiling. They can loan it at any interest rate they wish, do it in the name of the U.S. Government" and then pocket the profit.

We would be damned as Shylocks for trying to exploit the people in the South American countries.

I shall be glad to yield to any member of the conference committee if he wishes at this time to put a different interpretation on the House amendment.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. CARROLL. I should like to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARROLL. What is the parliamentary situation? I have listened to the able Senator from Arizona. The Senator is asking for approval of a conference report; is that correct?

The PRESIDING OFFICER. The question is on agreeing to the motion made by the Senator from Arizona, which was to concur in the House amendment.

Mr. CARROLL. The secondary situation is that we have the amendment of the Senator from Delaware before us; is that correct?

The PRESIDING OFFICER. The House amendment is an amendment to the original amendment of the Senator from Delaware, which was incorporated in the bill.

Mr. CARROLL. If the Senator from Delaware will yield, I should like to ask the Senator from Arizona, in view of the statements of the Senator from Delaware, about the conference report. How did the conferees meet the arguments of the Senator from Delaware?

Mr. HAYDEN. The amendment is:

> *Provided,* That the funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank or higher than the legal rate of interest of the country in which the loan is made.

It is a double negative. Both those conditions must be met. It does not refer to one or the other, but refers to both of them.

Mr. CARROLL. It is late in the evening. We have had a hard day. We are trying to reach an understanding. We would like to support the Senator from Arizona. We wish to understand the statement and position of the Senator from Delaware.

What is the position of the able Senator from Arizona as to meeting the argument of the Senator from Delaware?

Mr. HAYDEN. I understood the Senator from Delaware to say that this language could be taken either one way or the other. My interpretation, and the idea the conferees had—I am sure this will be confirmed by other Senators—is that this is what we might call a double negative:

> The funds * * * shall not be * * * loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank or higher than the legal rate of interest of the country * * *.

It cannot be either one. It is not an "either/or" provision.

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

Mr. CARROLL. If the Senator from Delaware will yield further, the Senator from Arizona is an able Senator, with many years of service in the Senate. The Senator knows the Senate wishes to vote on the question.

Mr. HAYDEN. Yes.

Mr. CARROLL. Is the Senator from Arizona satisfied that the language meets the spirit and the intent of the compromise between the House and the Senate?

Mr. HAYDEN. If that had been the case, the House would have adopted the Senate provision. They would not do so before. They would not take anything for a long time. Finally we compromised on this language.

Mr. CARROLL. Why would not the House conferees take anything, I ask the Senator from Arizona?

Mr. HAYDEN. There were various arguments. One was that if we mentioned a rate of interest that would be the rate of interest, in the South American countries, there would not be any interest rate lower. It might be possible in some countries, it was said, to loan money at 3 or 4 or 5 or 6 or 7 percent interest, but if we said "8 percent," that would be it.

Another argument was that the Soviet Union is supplying money in those countries at 2 or 3 percent interest. If a rate of interest were mentioned the argument would be made, among the Soviet lovers, at least, "Get your money from the Soviet Union. You can get it cheaper there than from the United States."

Mr. CARROLL. Does the Senator from Arizona believe that by his recommendation we can protect ourselves from investors who are speculators and profiteers as to interest rates?

Mr. HAYDEN. Of course, because I believe the management of the Bank will not permit anything of that kind.

Several Senators addressed the Chair.

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

Mr. WILLIAMS of Delaware. Mr. President, I will yield to Senators in a moment. I yielded to the Senator from Colorado.

First, I point out in answer to the remarks of the Senator from Colorado that the conferees completely eliminated, for all effective purposes, the so-called Williams amendment, which was approved by the Senate by a vote of 95 to 0. The amendment is out. Accepting the interpretation of the Senator from Arizona as to the House action, then any interest up to the legal rate of interest in these countries can be charged.

I will read to Senators some of those legal interest rates: 10 percent in Argentina; 12 percent in Brazil; 15 percent in Chile; 8 percent in Colombia; 10 percent in Ecuador; 12 percent in Paraguay; 13½ percent in Peru; and 9½ percent in Uruguay.

Those are the rates under the chairman's interpretation of the conferees' action. Those rates are outrageous.

I read the first part of the amendment:

> *Provided,* That the funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank * * *.

Frankly, under that language I doubt that there is any limitation.

Mr. CARROLL and Mr. JACKSON addressed the Chair.

Mr. WILLIAMS of Delaware. I yield to the Senator from Colorado.

Mr. CARROLL. The Senator from Delaware is certainly aware of what we passed, because he was the sponsor of the amendment giving the Senate's viewpoint. Specifically, in a few words, what is the disagreement of the Senator from Delaware with the recommendation of the Senator from Arizona?

Mr. WILLIAMS of Delaware. If the motion of the Senator from Arizona is agreed to the original amendment of the Senator from Delaware which placed an 8-percent ceiling on interest rates, will be completely eliminated from the bill. In place of that we shall be incorporating in the bill a provision that the funds may be loaned or reloaned at interest rates running as high as 15 percent.

The Williams amendment approved by the Senate said the interest rate should not exceed 8 percent either on the original loan or on the secondary loan. We would be better to defeat the bill than to approve such usurious rates. We will make enemies, not friends, of the people being exploited by these exorbitant rates. Remember, these loans presumably are for the little borrowers.

We were told, before the Williams amendment was adopted, in discussions with the Treasury Department, that the amendment would work. Later some questions were raised.

Yesterday, at the request of the majority leader [Mr. MANSFIELD], a meeting was arranged with the Treasury Department representatives in his office. I believe that was at 4 o'clock yesterday afternoon. I attended that meeting. The Senator from Vermont was present. They pointed out why some in the State Department felt the amendment ought to be modified. I explained how I thought it would work and why I felt it was necessary.

Mr. CARROLL. Mr. President, will the Senator yield? Who thought the amendment ought to be changed?

Mr. WILLIAMS of Delaware. The representatives of the Treasury Department said that while the State Department thought the amendment ought to be changed, they recognized the merits of my arguments and would confer with

them again and call back. They appeared to be impressed with and sympathetic to my arguments.

Mr. CARROLL. In what degree was it asked that the amendment be changed?

Mr. WILLIAMS of Delaware. The State Department wanted the amendment changed so that there would be no ceiling on the interest rates. I objected. I made the point that the interest rate ceiling would work in those countries because all we had to do was to adopt the same principle we have in the Farmers Home Administration, which makes certain types of loans. In Peru, where there is a 12- or 15-percent interest rate, we could set up a special investment company to finance the small homes or home mortgages. This is American money. We could say, "The money may be loaned or reloaned at rates of interest not exceeding the 8-percent ceiling. Remember, we are not going to get any of this money back, and if we furnish it the very least we can do is to control its use.

At least, if we loaned the money at a low rate of interest we would create some good will.

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

Mr. WILLIAMS of Delaware. I will yield in just a moment. One of the representatives of the Treasury Department who was present at the meeting said:

> I think you have an excellent point. Such provision would make sure the money would go to the people. We are going back and present this case to them and see if they will not agree, then we will call you.

I have not heard from him since.

Mr. CARROLL. Do the Senate conferees, including the Senator from Arizona [Mr. HAYDEN], feel that there ought to be a change from the position which the Senate took a few days ago?

Mr. WILLIAMS of Delaware. No, I do not want to recede from our position.

Mr. CARROLL. I understood that was what the Senator from Delaware said.

Mr. WILLIAMS of Delaware. No, I did not. After the objections arose in the House we had a meeting, but when I left that meeting with the representatives of the Treasury Department I left with a clear understanding that they would call back after taking my proposal up with the Department.

Mr. CARROLL. The Senator said "they." Does he mean the House or the Treasury?

Mr. WILLIAMS of Delaware. The Treasury Department.

So far as I am concerned, as the author of the amendment, no representative of the Treasury Department or the State Department has come to me and said, "Your amendment will not work." They have had the one conference, which I have just described. They left the conference yesterday afternoon and in effect said, "We think you have raised some excellent points. We think it will work."

A few moments ago one of the arguments against my position made on the floor of the Senate was that Russia is building up a great deal of good will in Latin American countries because Russia is lending money at rates of 2 to 3 percent to those people.

I ask the question: How are we going to offset that influence by going into the same country and charging the people 12 and 15 percent in interest rates? If we are going to put the dollars of American taxpayers into those countries, why do we not make sure that the money will go to the people in the countries at reasonable rates and not to some group in a particular country who will take our American dollars at 5 percent and use them to exploit their own people by charging rates of 12 to 15 percent?

Mr. CARROLL. I voted for the amendment of the Senator from Delaware because it appealed to me. I liked it; I liked the principle. Was the Senator from Delaware one of the conferees on the part of the Senate?

Mr. WILLIAMS of Delaware. No; I was not. I did not know the conferees were even meeting this afternoon. The last report I had was that the departments thought that they would be able to work it out. The next thing I knew the amendment had been eliminated from the bill on the flimsy excuse that the President wants to rush the bill through in order that he can sign it before he leaves for Europe.

Mr. CARROLL. I thank the Senator for yielding to me.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. JACKSON. I should like to propound a question to the chairman of the Appropriations Committee, the Senator from Arizona [Mr. HAYDEN], for the purpose of determining the legislative history and the legislative intent. Is it his understanding that we would not be bound by the legal limit of interest in a given country in case a determination were made that the legal limit was excessive?

Mr. HAYDEN. Of course, it would depend upon the judgment of the Bank. It does not have to go to the legal rate.

Mr. JACKSON. In other words, we could determine that, from our point of view, the maximum legal rate of interest was excessive. Therefore, a determination could be made to charge a rate lower than the legal rate on the grounds that it is excessive. Is that the interpretation of the Senator from Arizona?

Mr. HAYDEN. There is no question on that point.

Mr. JACKSON. Is that the intent of the conferees?

Mr. HAYDEN. Exactly.

Mr. WILLIAMS of Delaware. Then the Senator is correct. I agree with that interpretation. There is nothing in the House amendment that provides that the rate could not go lower. By the same token, there was nothing in the Senate amendment which provided that 8 percent must be charged. A lower rate could be charged under either. The difference is that my amendment placed a much lower ceiling on these rates.

I promised to yield to the Senator from South Dakota [Mr. CASE]. I yield to him now.

Mr. CASE of South Dakota. Mr. President, when the bill was originally before the Senate, the Senator from Delaware very properly, I think, raised the question of excessive interest rates, but he stated, and others stated that since the bill was an appropriation bill, it would not be possible to legislate on it by an amendment.

I ventured to suggest at the time the bill was before the Senate that language could be offered that would be in order if it were not legislative, that is, if it were an amendment which was written in terms of a firm limitation that would not require legislation. So I drafted an amendment and handed it to the Senator from Delaware, and he subsequently offered it. It had an absolutely flat limitation that the interest rate should not exceed 8 percent. Had the conferees agreed upon the amendment in the form in which the Senate agreed to it, or had they agreed with a change of the 8 percent to 10 percent or 12 percent or to some other fixed absolute amount so that it would not require any discretion on the part of anyone, or would not add duties to any officers of the Government, it could have been in the conference report. But under the rules of the House, very particularly, and also the rules of the Senate, legislation may not be agreed to by conferees on an appropriation bill. If it were not legislation, it could have been in the conference report.

The amendment as it came back is really legislation, because it provides some discretion on the part of the Inter-American Development Bank. So very properly, then, with the amendment in disagreement, the conferees on the part of the House went back to the House with the amendment in disagreement. It was legislative on the face of it. The record shows it was brought up for a separate vote in the House, and the House concurred by receding from its disagreement to the amendment of the Senate.

That amendment has two phases. The first phase provides:

> The funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank, * * *.

A period could have been placed at the end of that sentence, and that would have been the only ceiling. But drafters of the House amendment did not propose to stop at that particular point. A provision was added that there may be another ceiling.

The following clause was added:

> Or higher than the legal rate of interest of the country to which the loan is made.

I submit that any fair reading and analysis of the amendment will show that there are in effect two ceilings, and that the money made available herein may not be loaned or reloaned at rates higher than either ceiling. It may not be loaned at a ceiling higher than what the Inter-American Development Bank considers to be excessive, and that might be some percentage below the legal rate of interest in a given country. If the

Inter-American Bank said that the rate was excessive, that ceiling would operate. If that ceiling did not operate, and if the Bank did not regard the legal rate as excessive, then—

> The funds herein appropriated shall not be available to be loaned or reloaned at interest rates * * * higher than the legal rate of interest of the country to which the loan is made.

I submit that the only meaning of the language as agreed to by the House is that a loan may not be made at a rate higher than the legal rate of interest of the country to which it is loaned, and if the legal rate of interest is higher than the Inter-American Development Bank thinks would be excessive, the lower ceiling placed by the Inter-American Development Bank would be the one that would operate.

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

Mr. WILLIAMS of Delaware. I will yield in a moment. I would like to make a brief comment in connection with this question.

First, in order that Senators may know that there will be a yea-and-nay vote, I ask for the yeas and nays on the pending motion.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from South Dakota, very properly, has placed his interpretation upon the amendment. When I read the amendment as it came back, I saw that it could be interpreted in either of two ways. Such confusion should not exist on any legislative proposal. Our intent should be clear. I discussed this subject with both Parliamentarians and was advised that it could be interpreted as an alternative method.

My first point is that if the amendment can be interpreted as an alternative method by two of the best Parliamentarians in Congress, certainly the State Department, which from the beginning has not wanted a ceiling, would interpret the amendment in the most liberal manner.

My second point is this: If the conferees did not intend this method to be an alternative method, why did they not use clearer language?

The Senate amendment was clear enough. That was the trouble—it was too clear for comfort. The State Department could not find a way around the clear intent of the Senate.

I believe that even 8 percent was high. I do not understand how the State Department feels that it can make friends in Latin America by taking American taxpayer dollars and turning them over to a local group in those countries, and then allowing the group to charge 12, 15, or 20 percent in interest, pocketing the difference between these rates and the 5 percent they will pay.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. I do not believe this is a parliamentary question at all. I believe it is a question of semantics. I think it is a question of interpretation of words. Senators are entitled to have an understanding in their own minds based on their own experience as to what words mean.

I completely agree with the interpretation of the words made by the distinguished Senator from South Dakota [Mr. CASE]. It seems to me very clear that this is in the reduplicative and that it provides as follows: No loan shall be made, certainly, if the rate is more than the legal rate in the country where the loan is to be made; and beyond that, if the Board of the Bank feels that the rate is excessive, notwithstanding that legal rate in the country of the loan, even if the proposed rate is below the legal rate, it may turn it down if it thinks it is excessive.

I see no other possible interpretation of the wording. I agree completely with the junior Senator from South Dakota. I do not think this is at all a parliamentary question. The Senator from Florida understands the wording to mean that if the rate proposed is greater than the legal rate in the country of the loan, then of course it is bad, and even if it is less, if the Board of the Bank thinks it is excessive, it has a right to reject it.

I see no possible interpretation other than that. I hope that having found, as the conferees have found, that there is objection to the 8-percent rate—and, after all, we cannot expect all the countries on this continent to do business on the same basis that we do—and having found that the President is exceedingly anxious to have this question disposed of before he takes the very critical trip that is ahead of him, and having found from the report of the conferees that this is the insistence of the House—and I believe they have yielded a great deal of ground in agreeing to this wording—I hope that the conference report will be approved, and I shall so vote.

Mr. WILLIAMS of Delaware. Let me say to the Senator from Florida that even accepting the interpretation which he placed upon the language, we would be approving a 12- to 15-percent interest rate. I call attention again to the fact that the 12-percent interest rate to which I was referring is not 12 percent annually, but 1 percent a month.

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

Mr. WILLIAMS of Delaware. That would be the legal rate. I yield.

Mr. HOLLAND. I believe the basic mistake that the distinguished Senator from Delaware is making is in assuming that business is transacted in all the countries in this hemisphere as we transact it in the United States, and that the price of money is the same in all the countries of this hemisphere. That assumption is not correct.

We are hopeful of being helpful and desirous of making a helpful contribution in this field, where we will be operating jointly with other countries, in an attempt to be helpful in each of the countries; and therefore, it seems to me that the reduplicative wording which is contained in the proposed amendment is a very great improvement over the wording which the Senator from Delaware was trying to correct. I voted with him, on the basis of the information we had at the time. However, I believe that from the conference report, from what the conferees have learned since to be the method of doing business in those countries, and with respect to the local rate of interest in some of these countries, this is as far as we should go. The conferees ought to be commended.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. I wish to cast my lot with the distinguished Senator from Delaware. I believe that his language offers a ceiling, and that the language of the conferees does not offer a ceiling. The Williams amendment was proposed because the law and the custom to the south of us called for a higher rate of interest than the Senate felt ought to be paid. We brought in language to say, "We will not do this if the rate is higher than the legal rate down there. But the legal rate is high, so we will have another check on it. We will let the Board of Directors decide it."

There are seven Directors on the Board. I give them all credit for being men of integrity and good intentions. The fact remains that there are seven Directors. One of the Directors is from the United States. Six are from countries with respect to which the Senate has found that their legal rates are too high, and that there ought not to be a profit on the taxpayers' dollars.

How about the officers? The President is from Chile. The Chief of the Loan Division is from Brazil. The head of the Technical Assistance Division is from Guatemala. The Chief of the Economics Division is from Ecuador. The Acting Chief of the Engineering Division is from Chile. The Chief of the Division of Administration is from Costa Rica. In other words, the Williams amendment was necessary because the legal rates and the practices to the south of us are exorbitant.

Mr. WILLIAMS of Delaware. I thank the Senator for his contribution, and he has clearly stated the reason why my amendment was so necessary.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. ALLOTT. Mr. President, I should like to point out one fact to the Senator from Delaware. In the situation in which we now find ourselves, we would have been in a better position had the bill been left with the language that was in the report. That language forbade the use of any interest rate which the bank considered to be usurious. Moreover, the Bank would have been charged with the specific responsibility of shutting off all business with any group which loaned at a rate in excess of that amount.

I voted for the Senator's motion. However, I point out to him that in his case the language also had this great defect, that at 8 percent no money would have been loaned.

With respect to the remarks of the distinguished Senator from Florida [Mr. HOLLAND], I interpret them to mean that if the Inter-American Development

Bank does set a rate of interest, that rate of interest will be binding, but if the bank fails to set a rate of interest, the legal rate of the interest in the country in which the loan is made will be binding, and that is the limit on the interest rate on the loan.

This presents to me personally a very tough question. I raised this question in the Committee on Appropriations. The language in the report is my language. I feel very strongly about this subject. If the Inter-American Development Bank should fail to set an interest rate, the local rate of interest in the country in which the loan was made would become binding. I certainly hope that the Inter-American Development Bank would never fail to set a limit upon the interest rate.

The distinguished Senator from Arizona [Mr. HAYDEN], the great chairman of the Committee on Appropriations, has provided further for quarterly reports to the Foreign Affairs Committee of the House and the Foreign Relations Committee of the Senate, and to the Appropriations Committee of the House and the Senate, in order that we may obviate the troubles that we encountered in this situation. He has told me of his difficulties with the House. I really cannot see that we can do anything but accept the report, although I think we may have to choke off someone's funds a little later.

Mr. WILLIAMS of Delaware. I do not see why the Senate must yield on this point and give these moneylenders the authority to charge up to 15 percent on money we shall be furnishing them at 5 percent. Remember, these high interest loans will be made to these people in the name of the United States of America. I simply do not understand it. Certainly the Senate rejected that idea.

Mr. President, I now yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I was one of the conferees. The Senate conferees made a very strong fight in defense of the amendment of the Senator from Delaware. The House was adamant. As did the other conferees, I signed the conference report because it was better than nothing at all. It was a considerable improvement over the House bill. However, I shall vote against adopting the conference report because I think we would be better off having no loan program at all in South America.

If we are to permit interest rates of as high as 18 percent, which was the information given the conferees, when the Russians and the Chinese are making loans at rates of from nothing to 2 or 3 percent, the United States would be far better off not to make loans at all and not get ourselves into the ridiculous position of charging these exorbitant rates or subscribing to this kind of program.

Mr. WILLIAMS of Delaware. I appreciate the comments of the Senator. Those are the same arguments which I made yesterday in a conference with the representatives of the Treasury Department in the office of the majority leader. They concurred in that argument. They said they thought we had a valid point. They asked to be permitted to return and talk the situation over with their superiors. We left the meeting—at least, I left it—with the full understanding that we were very close to an agreement. They said, "You will be hearing from us after we have conferred with the State Department." Not one word have we heard from them since.

If the conference report is accepted, and if it is interpreted in the most strict terms, as outlined by the Senator from South Dakota, it will still be possible to lend our money to a building association at around 5 percent, and they in turn can lend it at 1 percent a month or 15 percent, on first mortgages in Latin American countries.

The Senator from Nebraska read the list of the Directors of the Bank. Two of the Directors come from Chile, a country where 15 percent is the interest rate ceiling. One comes from Ecuador, which has a 10 percent ceiling.

The other day I called attention to the fact that the United States has already arranged to lend money to one building and loan association at about 5 percent if the bill is passed. In turn, that building and loan association is planning to finance a housing development in Peru—the amount of the loans being from $3,000 to $5,000—at an interest charge of 12 percent.

Why should the United States lend its money to groups in those countries at 5 percent and then let them lend it at 12 percent to the people. The man who then borrows at these usurious rates will look upon the United States as a country which is out to exploit him. We will be looked upon as Yankee imperialists when, in fact, we will be lending the money at 5 percent and allowing someone else to put 7 percent in his pocket.

Mr. KEATING. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from New York.

Mr. KEATING. Mr. President, it seems to me that the Senator from Delaware received considerable support for his position in the remarks made by the President today, when the President referred to economic and social progress abroad. He stressed the fact that our help alone cannot stabilize governments which are unable or unwilling to achieve social reform and economic development themselves. He said:

> Military pacts cannot help nations whose social injustice and economic chaos invite insurgency and penetration and subversion.

The report of the Senate Appropriations Committee on the bill states:

> This imbalance in the development process has created a breeding ground for unrest as major segments of the population in Latin American countries see the benefits that economic development bring but fail to participate in those benefits. It is this unrest upon which communism is seeking to feed in order to strengthen its influence.

I have marched up the hill on this amendment with the Senator from Delaware. The amendment provides a ceiling which might somewhat shock the people of this country. However, I do not propose to march down the hill again and give up the position which we have taken.

In my conception, the proposal made by the committee does not amount to any ceiling at all. There is no limit upon the ceiling, and any amount of interest could be charged. After we have allowed the borrower to have the money, he could relend it and charge any interest he wanted to, so long as it was legal under the law of the country in which it was to be used.

Mr. WILLIAMS of Delaware. The Senator from New York is correct. Even if the interest were held at the legal rate registered in a country, it could still run as high as 15 percent. I say that we will not create any good will by charging 15 percent to these people who need this assistance. Let us not lose sight of that fact.

Mr. CANNON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CANNON. It seems to me the Senate has already expressed its sense that the interest rate should have a ceiling by adopting overwhelmingly the amendment of the Senator from Delaware. Now we are told by the conferees that we must either agree to the amendment as proposed or else have no bill.

I agree with a number of Senators who have said there is confusion about the amendment. I agree with the Senator from Nebraska, who believes there is no ceiling at all under the amendment. The Senator from Arizona says he believes a ceiling was intended and that both of these conditions must apply. Therefore, I believe we have possibly three alternatives:

First, we can vote against the amendment and have no bill, as the House has said.

Second, we can adopt the amendment as is and leave confusion in the minds of many Senators.

The third alternative is an amendment which I shall propose, and I ask the Senator from Arizona if he will accept it; namely, to strike the word "or" after the word "Bank" and insert in lieu thereof the words "but in no event." That would then make the intent clear, and the amendment would read:

> *Provided*, That the funds herein appropriated shall not be available to be loaned or reloaned at interest rates considered to be excessive by the Inter-American Development Bank but in no event higher than the legal rate of interest of the country in which the loan is made.

Would the Senator from Arizona be willing to accept that amendment, which would eliminate any confusion as to whether any limit at all is imposed in the amendment? If so, we would have a clear-cut proposal. We could then either vote for an amendment which would limit the interest rate at the highest base of the legal interest rate of the country concerned, or, as an alternative, we could vote against the amendment,

which would mean that there would be no bill.

Mr. HAYDEN. Such a procedure would delay the bill at least until next week. The other body has adjourned until Monday. But in my mind, there is no question that two ceilings are involved. The Senator's interpretation does not add anything to the amendment.

Mr. CASE of South Dakota. Whichever ceiling one bumped his head on would stop him.

Mr. HAYDEN. Yes; either one would stop him.

Mr. WILLIAMS of Delaware. In either event the Senator is arguing whether we want to charge 20 percent or hold the rate down to 15 percent. Let us be realistic. Both methods are wrong. Neither of these usurious rates will create friends in any country. How can a 15-percent rate be justified?

Personally, I should prefer to have the Senate either keep the proper limitation on these rates or defeat the bill. Otherwise, we shall be saying that the United States of America will lend the money at 5 percent or 4 percent, and the borrower in South America can, in turn, lend it at rates from 12 to 15 percent.

We will end up severely condemned by these people who must borrow this money. If that is done, the little borrower will be exploited, and the exploitation will be done in the name of the United States of America. The Senate has rejected that idea. Let us stand by our position.

The people who will get the large loans in those Latin American countries are already protected. It is the little people, those who will get the small loans, who will be charged the high rates of interest.

For example, I call attention to one loan which has been made through the Development Loan Bank. The individual who secured it was big enough not to have to go to an investment company. He was able to deal directly with the U.S. Government and push the loan through one of the international banks. He was able to get $2.6 million at 5¼ percent to finance his farming operation. How small a farmer is he? He owns 2.4 million acres of land in that country; 860,568 acres are fenced for pasture land. He has a large herd of cattle—65,000 head of cattle; he is one of the largest operators in South America. He gets money at 5¼ percent.

But if the conference report is enacted and if a man in the same country who has a small farm wishes to obtain a $3,000 or $5,000 mortgage on his home or if he wishes to borrow money in order to purchase a tractor, he would pay 12 percent or more under the provisions of this conference report. Can this be defended? Is there anyone who thinks that our country can gain friends in this manner?

If Senators can justify such an arrangement, let them vote for the conference report as the Senator from Arizona has submitted it to the Senate, but I will not support such usurious rates.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. I think the representatives of the United States on the board will be highly complimented when they read this debate, because this is the first time I ever heard any Member of the Senate accuse them of seeking to charge high interest rates. On the contrary, the charge which always has been made has been that they wished to give away the money of the United States at interest rates lower than reasonable rates.

The wording of the conference report means that the ceiling will be the legal rate in that country, and that the Board can charge any lesser rate that it may wish to charge, if the American representatives on the Board insist that the legal rate in that country is excessive.

So I hope every Senator will listen carefully as I read to the Senate a part of the report of the Senate Committee on Appropriations, as follows:

> The committee also noted that loans under the trust agreement will require a two-thirds vote and that for this purpose the U.S. representative votes over 40 percent.

So that situation is now before us.

The interest rate in the country concerned is certainly to be the ceiling; and any interest rate lower than that, which the Bank may wish to charge if it thinks the ceiling rate is excessive, will become the rate to be charged; and any such interest rate must be approved by two-thirds of the Bank. There are enough American votes in the Bank to be able to prevent the charging of a rate which the United States believes to be higher than a fair rate.

Mr. President, what do we expect when we try to be helpful in connection with a joint project? This Bank—not the Fund, but the Bank—is a joint project, with directors from all these countries. So what do we expect? Do we want to be fair, or do we wish to tell the representatives of the other countries that they must comply with our way of doing business, or else they will get no good from these funds. I think the question answers itself.

I believe the conferees have done all that they can; and I hope the report will be adopted.

I believe the fact that the U.S. representatives can control the Bank loans—as is called attention to in the report of the Senate committee—answers the question beyond any caviling; and I am sure that the U.S. representatives on the Board will not feel that the Senator from Delaware and other Senators who take a similar position are congratulating them on wishing to charge more than the traffic will bear, more than a reasonable rate, more than a proper rate, when I know and all others know that that will not be the case and that the Senator from Delaware does not mean that at all.

Mr. WILLIAMS of Delaware. I wish to say to the Senator from Florida that I have never argued that the Bank was charging interest rates that were too low. What I am complaining about is that after we loan the money at 4½ or 5 percent we shall let the groups in those countries that get the money charge 15 or 20 percent and thus profiteer on it, but in our name.

Mr. COOPER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. I would not wish to attempt to substitute my opinion for that of the members of the conference committee; but today I talked to the Senator from Arizona, and he said they had made great efforts to bring the conference report into line with the opinion expressed by the Senator from Delaware, but that they were unable to do so.

Nevertheless, I believe a very important principle of the foreign aid program is involved in this case. Surely if the United States provides this money, it can say to these countries that it does not expect them to charge, when they lend the money, interest rates higher than the rates we would charge. Certainly we must take that position.

But tonight I am speaking primarily in terms of the importance of the foreign aid program. The President of the United States has said that he proposes that in the future our foreign aid program be reorganized, so that it will have certain goals. A few minutes ago the Senator from New York very well said that when the President of the United States addressed the Congress today, he emphasized those goals, and stated that our foreign aid program should be reorganized and administered by means of controls, and, as he said, that the program should be used in order to promote social justice. Certainly usury does not promote social justice.

If we are going to have a foreign aid program which will mean anything, it must promote social justice; and I have stuck with the Senator from Delaware, and I shall continue to vote with him, on the proposition he has emphasized; and I shall do that with, at the same time, of course, the greatest respect for the Senator from Arizona [Mr. HAYDEN].

I believe that our foreign aid program will quickly go down the drain and become worthless unless we do something to protect it in this way.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. First, let me say that in my opinion the language recommended for adoption can well cause doubt as regards its true meaning. I assume for the moment that it means that if the interest rate is higher than what is considered just by the Inter-American Economic and Development Fund or if it is in excess of the legal rate of interest in the country where the loan is made, the loan shall not be made. In the conference report that is stated twice in the disjunctive—and that if either one of the disjunctives is in existence, the loan cannot be made. That is the basis on which I shall approach the meaning of this measure.

Let us assume that it means that if either A or B exists, the loan cannot be made. In conformity with what the

President said today—namely, that in our foreign aid program our objective will be to aid those who show an inclination to aid themselves—if there is a country which permits the charging of 12 percent or 15 percent interest, and if the desire in that country is really to aid those who are compelled to borrow, I agree with what the Senator from Kentucky said—that when one is willing to pay 12 percent or 15 percent interest, he is willing to pay it because his back is against the wall.

Are we to gain friends in South America by letting the people there know that we have entered into a loan arrangement, with a building and loan association, which allows it to borrow our money at 5 percent, but then to charge the borrowers from 12 to 15 percent? I do not think we are: I do not think this proposal is at all in conformity with what the President says. We would be far better off—as was stated a moment ago by the Senator from North Dakota—if we did not make such a loan at all, rather than to have so large a number of persons in South America charged exorbitant rates of interest.

I believe that if we remain firm, the Latin American nations will do something about reforming their interest rates to bring them into conformity with what is reasonable and what will enable them to borrow the money that we are willing to lend.

Mr. WILLIAMS of Delaware. I thank the Senator from Ohio. I make this point again. As we appropriate this money it is loaned to building and loan associations, which in turn will pay us, presumably, at 5 percent and in turn lend the money out at 15 percent. But we do not get either the 5 percent, or the 15 percent. We do not collect the principal as it is paid. As the interest is paid, and as the principal is repaid the money goes into a special revolving fund to be used in those same countries over and over again until the fund is gone. So far as we are concerned when we pass the bill the $500 million is gone. It is gone so far as the taxpayers are concerned. It will be a perpetual revolving fund.

I do not understand why anyone in any of those countries would try to insist that we should lend them money at cheap rates and then let them exploit their own people by charging 12 or 15 percent interest. Why do they object to their people borrowing money at reasonable rates of interest? We are losing out today in Latin America because Russia is coming in and starting building and loan associations and lending money to people at 2 or 3 percent interest. Yet we are trying to combat that by sending money to Latin America through the building and loan associations and letting them charge 12 to 15 percent.

The Mutual Savings & Loan Association in Peru expects to borrow this money at 5 or 5¼ percent and is planning to make loans to home borrowers at 10 to 12 percent. Why should we endorse a program under which the borrower could be charged 1 percent a month, or 12 percent a year, when we are furnishing the money to the same building and loan association in that country at 3 to 5 percent?

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

Mr. WILLIAMS of Delaware. I yield.

Mr. KUCHEL. I want to be sure I understand the Senator. Let me say, parenthetically, I voted with the Senator on the original proposal. Is it the statement of the Senator from Delaware that the Soviet Union is going into the savings and loan associations and is making available to the people of those countries where the Soviet Union is operating, money at 2 to 3 percent?

Mr. WILLIAMS of Delaware. We were told that here tonight. I have no personal information on it.

Mr. KUCHEL. Who made that statement?

Mr. WILLIAMS of Delaware. I do not recall, but I yield to the Senator from North Dakota [Mr. YOUNG]; perhaps he has the information.

Mr. YOUNG of North Dakota. The information came to the conferees that such loans were made at 2 to 3 percent.

Mr. KUCHEL. Was it Soviet Union money?

Mr. YOUNG of North Dakota. Soviet Union and Chinese Communist money.

Mr. KUCHEL. That money is now available in South American countries, on which the interest rate is 2 to 3 percent.

Mr. YOUNG of North Dakota. Yes; and less.

Mr. WILLIAMS of Delaware. That was also my understanding. They are doing that by forming their own lending agencies and making sure the money goes to the people.

I do not see why we cannot do the same. We have the Farmers Home Administration in this country which furnishes loans to farmers at 4 to 5 percent. We have the REA which furnishes loans at 2½ percent. We know these are not regular banking rates. The rates are established arbitrarily to help the farmers.

By the same token, if we are going to put up money in South and Central America, why do we not make sure our money in turn goes for the benefit of the people? If we are going to charge 3 percent or 5 percent, as we have on most of the money, why not make sure that the people who need help get the benefits.

We are not collecting the extra 12 percent, but we are charged with the responsibility of collecting it, because the man who borrows the money for his home from the Peru Savings & Loan Association at 1 percent per month in turn blames us for charging exorbitant interest rates. Instead of making friends, we are making enemies.

As I have stated before, we make low interest loans in those countries to large borrowers. One loan was made to one group who had 2.4 million acres of farmland. He borrows $2.1 million at 5¼ percent. The conferees would not bother that. He can keep on borrowing the money at low interest rates, but the little fellow in that same country, if he wants to build a home and receive the benefits of a loan on his farm, financed by the United States of America, must pay 1 percent a month, or 15 percent annually.

The Senate should reject the conference report. Let us be sure that the benefits will go to the people of the country and not to some group in that country that is going to exploit small borrowers in our name.

Mr. AIKEN. Mr. President, I am afraid that if ex-President Eisenhower is listening here tonight, he may be very sorry he suggested cooperating with our Latin American neighbors. But I doubt it. There were quite a few things said here tonight that perhaps could stand correction. Before we vote on the conference report, I should like to ask the chairman of the Senate conferees two questions. One has been asked and answered several times tonight. It was answered very adequately by the Senator from South Dakota. The question is: Is it the intent of the conference committee that any of the money provided in the bill shall not be loaned or reloaned at a rate exceeding the legal rate of the country where it is loaned, or if the Bank considers that legal rate to be excessive, may reduce it to a rate it considers to be a proper rate?

Mr. HAYDEN. That is my understanding.

Mr. AIKEN. The other question is this—

Mr. CASE of South Dakota. Mr. President, I rise to offer an amendment—

Mr. AIKEN. Just a minute. May I finish a sentence before I am interrupted?

Mr. CASE of South Dakota. I beg the Senator's pardon.

Mr. AIKEN. I have another question. These loans on which excessive charges are paid in South America are not in most cases illegal rate loans. The interest rate may be 10 percent. The borrower may pay 30 percent, but that other 20 percent may be in legal service charges.

The question which I want to ask the chairman of the conferees is this: In determining whether interest rates are excessive, is the Bank expected to take service charges into consideration?

Mr. HAYDEN. Yes. It seems to me any reasonable banker would.

Mr. AIKEN. Forty-percent charges could be paid in some South American countries without breaking the law, if they pay 10 percent in interest and 30 percent on service charges. Is it not the intention of the conferees that the Bank take that into consideration in determining whether an interest charge is excessive?

Mr. HAYDEN. Yes. It is the intention of the conferees that excessive interest shall not be charged.

Mr. AIKEN. These people have taken North American customs and improved upon them—or not—depending upon one's viewpoint.

Mr. HAYDEN. Yes.

Mr. AIKEN. I wish to make it clear that in determining what is an excessive

rate of interest, the service charges must be taken into consideration. Otherwise, under the proposal of the House, a legal rate of interest could be charged, and the borrower could still pay three times the legal rate of interest.

Mr. HAYDEN. I am sure no one has that in mind.

Mr. AIKEN. I think that should be made clear.

Mr. ALLOTT. Mr. President, will the Senator from Vermont yield for a comment?

Mr. AIKEN. I yield to the Senator.

Mr. ALLOTT. I think the record before the Appropriations Committee shows that the primary attention, in questioning State Department representatives, was not with reference to the total amount of interest to be charged but instead with reference to the amount to be charged the ultimate borrower, in excess of what the lender was charged for his funds. This was the great defect in the original amendment of the Senator from Delaware. There is no question as to what is the ultimate charge, but instead a question as to how much we allow people to overcharge the ultimate borrower.

Mr. AIKEN. That is correct.

Mr. ALLOTT. In my opinion, the Senator from Vermont has hit upon a vital point.

Mr. HAYDEN. The Senator is correct.

Mr. ALLOTT. That is the thing which concerned us. The question is not as to the ultimate rate, but as to how much we shall permit the lender to charge, by way of service charges and interest to be paid by the ultimate borrower. This is the reason for the language in the original report, to the effect that the lenders would not be able to reloan the money for sums which in the opinion of the Inter-American Development Bank could be considered usurious. That is the real question, instead of a question of the ultimate rate: What is the amount to be permitted to be charged by the original borrowing institution in reloaning to the ultimate borrower?

Mr. AIKEN. Yes.

Mr. ALLOTT. I appreciate the Senator's courtesy in yielding to me. The Senator has touched upon what I think is the most important element.

Mr. AIKEN. Mr. President, without the understanding that service charges shall be taken into consideration in determining a fair rate of interest, the action which we shall take, if we approve the amendment, will be rather meaningless.

I thank the Senator from Coloardo for participating in the colloquy. With the reply of the chairman of the conferees, the Senator from Arizona, it seems to me the intent of the Senate is made perfectly clear.

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

Mr. AIKEN. I yield.

Mr. MANSFIELD. I think the Senator is to be commended for bringing out the various facets of the question. I wish to point out that under the agreement entered into in the conference, already approved by the House, reports will have to be presented four times a year to the Senate Foreign Relations Committee, the House Foreign Affairs Committee, and the Appropriations Committees of both Houses.

I am quite sure that because of the perspicacity and determination of the Senator from Delaware the intent of the Congress is known beyond dispute. I am sure that because of the activities of the Senator from Delaware, if the proposal is agreed to by the Senate, the Senator will have performed a great service in behalf of the whole hemisphere and that one of the results will be a gradual lowering of some of the usurious interest rates in Latin America.

Mr. AIKEN. I concur in the remarks of the Senator from Montana. I agree that if it had not been for the determination of the Senator from Delaware we probably would not be in as good a position with respect to the loans to Latin-American people as we shall be.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona. On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I shall take only 1 minute.

I thank the Senator from Montana and the Senator from Vermont. I hope some good will come from this debate because I fear that unless we place an effective ceiling on these interest rates we will not only waste the money but also lose many friends.

As I said before, interest rates will run as high as 15 percent if we adopt the conference report here tonight. We will not make any friends at such high interest rates.

Mr. President, I ask unanimous consent that there may be printed in the RECORD immediately preceding the vote a list of the ceiling rates in the respective countries which will be approved by the Senate if it supports the conference report here tonight.

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

Prime loan—Commercial bank interest rates

(As reported by First National City Bank of New York to Eximbank of Washington)

	Percent
Argentina	10
Brazil	12
Chile	15
Colombia	8
Ecuador	10
Paraguay	12
Peru	13–13½
Uruguay	9½

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SCHOEPPEL (when his name was called). On this vote I have a pair with the distinguished Senator from Washington [Mr. MAGNUSON]. If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. CANNON (after having voted in the negative). Mr. President, I have a live pair with the Senator from Wyoming [Mr. MCGEE]. If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Virginia [Mr. ROBERTSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], the Senator from Missouri [Mr. SYMINGTON], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] 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.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Indiana would vote "nay."

On this vote, the Senator from Georgia [Mr. RUSSELL] is paired with the Senator from Oregon [Mrs. NEUBERGER]. If present and voting, the Senator from Georgia would vote "nay," and the Senator from Oregon would vote "yea."

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tenessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Connecticut [Mr. BUSH] and the Senator from Kansas [Mr. CARLSON] are necessarily absent.

The Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Vermont [Mr. PROUTY] are absent on official business.

The Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Indiana [Mr. CAPEHART] are detained on official business.

On this vote the Senator from Massachusetts [Mr. SALTONSTALL] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay," and the Senator from Mississippi [Mr. EASTLAND] would vote "yea."

The result was announced—yeas 41, nays 26, as follows:

[No. 57]

YEAS—41

Aiken	Fulbright	Metcalf
Allott	Hart	Monroney
Bartlett	Hartke	Morse
Bible	Hayden	Morton
Bridges	Hickey	Moss
Burdick	Hill	Muskie
Byrd, W. Va.	Holland	Pastore
Carroll	Jackson	Pell
Case, N.J.	Javits	Randolph
Case, S. Dak.	Jordan	Smith, Mass.
Church	Long, Mo.	Stennis
Clark	Long, Hawaii	Wiley
Engle	Mansfield	Williams, N.J.
Ervin	McNamara	

NAYS—26

Beall	Dworshak	Mundt
Bennett	Fong	Proxmire
Boggs	Goldwater	Scott
Butler	Hruska	Smith, Maine
Cooper	Johnston	Thurmond
Cotton	Keating	Williams, Del.
Curtis	Kuchel	Young, N. Dak.
Dirksen	Lausche	Young, Ohio
Douglas	Miller	

NOT VOTING—33

Anderson	Gore	Neuberger
Blakley	Gruening	Prouty
Bush	Hickenlooper	Robertson
Byrd, Va.	Humphrey	Russell
Cannon	Kefauver	Saltonstall
Capehart	Kerr	Schoeppel
Carlson	Long, La.	Smathers
Chavez	Magnuson	Sparkman
Dodd	McCarthy	Symington
Eastland	McClellan	Talmadge
Ellender	McGee	Yarborough

So the motion was agreed to.

Mr. HAYDEN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, earlier in the day the majority leader indicated that there would be a session tomorrow, at which time we would consider the calendar of measures to which there is no objection. I should like to know whether that is still what he proposes to do, and whether or not after the conclusion of business tomorrow he intends to have the Senate adjourn for the remainder of the week.

Mr. MANSFIELD. The Senate has ordered that tomorrow there shall be a call of the calendar to consider items on the calendar to which there is no objection. The rest of the day will be taken up with speeches by various Members. Then it is our intention to go over from Friday until Monday, at which time no action that I know of will be taken; if it is, certainly it will be noncontroversial. It is planned to adjourn from Monday until Thursday. I suggest that Members return by Thursday, because the Senate may have legislation before it at that time which will demand close attention.

Mr. DIRKSEN. I thank the majority leader.

EXPRESSION OF APPRECIATION BY SENATOR MORSE

Mr. MORSE. Mr. President, I would not want the RECORD to close without taking some time to express my appreciation for the wonderful assistance I received throughout the consideration of the Federal-aid-to-education bill, starting from the day the bill was referred to my Subcommittee on Education until the historic hour this evening when the bill was passed by such a fine majority of 49 to 34. Mr. Baker advises me that if all Senators had been present, the bill would have been passed by a vote of 59 to 41.

Many of my colleagues have been kind enough to express very flattering words about my work on the bill. Every Senator knows that no one person carries a bill through the Senate. The bill was carried through the Senate not by any leadership alone, but by the efforts of all who have cooperated with me and worked so hard with me from the time we first considered the bill in my subcommittee.

It is always dangerous to start thanking some persons for services rendered far beyond the line of duty, without running the risk of forgetting someone else. However, I will run that risk in order to make certain that the RECORD will show that credit is given to some to whom I shall always be indebted for their wonderful cooperation.

There would have been no chance for the passage of the bill if we had not received at all times the complete cooperation of the majority leader, the Senator from Montana [Mr. MANSFIELD]. I am sure that few Members of the Senate fully appreciate the great help the Senator from Montana was to the boys and girls of this country in connection with the magnificent work he did in helping to clear the way for the final consideration of the bill today. In behalf of my subcommittee I say to the Senator from Montana that we thank him very much.

I also wish to express my sincere thanks to the chairman of the Committee on Labor and Public Welfare, the incomparable Senator from Alabama [Mr. HILL]. We all know that no matter how hard a subcommittee may work on a piece of legislation, if the subcommittee cannot receive the complete cooperation of the chairman of the full committee, any bill the subcommittee seeks to bring out is headed for rough travel through the parliamentary procedures of the Senate. The Senator from Alabama has been one of the great friends of Federal aid to education ever since I first came to the Senate, starting back in 1947, when the Senate first considered the bill that year, followed by the bill of 1949, and again last year, by S. 8. The Senator from Alabama has long been of great help in the area of Federal aid to education just as he has been one of the great proponents of Federal aid to various health and hospital projects. One of the great pieces of legislation on the statute books, known as the Hill-Burton Act, has caused us frequently to refer to LISTER HILL as probably the greatest friend the people of the country have in the Senate in connection with health legislation.

I express my sincere thanks, too, to all the members of the subcommittee. The senior member of the subcommittee is the very wonderful Senator from Michigan, PAT MCNAMARA. Never at any time during the consideration of the bill, either in committee or on the floor of the Senate, did I ask any help from Senator MCNAMARA and not get it in overflowing measure. I want him to know that I deeply appreciate his help, as I appreciate also the help of the Senator from Pennsylvania [Mr. CLARK], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Texas [Mr. YARBOROUGH], the other Democratic members of the subcommittee.

Moreover, there would have been no chance of voting on the bill tonight if we had not had the understanding assistance—although they did not agree with us in some particulars on some parts of the bill—of every Republican member of the committee. I express my appreciation to the Senator from New York [Mr. JAVITS] and the Senator from New Jersey [Mr. CASE], who voted in the subcommittee and in the full committee to report the bill.

Although he is not a member of the committee, I want to voice my thanks, also, to the Senator from Montana, LEE METCALF, who is now presiding over the Senate. As a Member of the House of Representatives, he was coauthor of the Murray-Metcalf bill, an important forerunner of the measure we have just passed.

The Senator from Montana attended our conferences with administration representatives and was of great help to us with his wise counsel. I shall always appreciate his outstanding contribution.

Even though they did not vote with us, I wish to thank the Senator from Arizona [Mr. GOLDWATER] and the Senator from Illinois [Mr. DIRKSEN]. All of us know that in committee work if there is an opposition that wishes to exercise all the parliamentary weapons it can keep in its parliamentary arsenal, it is sometimes very difficult to get a bill out of subcommittee to the full committee and from the full committee to the floor of the Senate.

So I appreciate the fine, sportsmanlike cooperation we received from the Senator from Arizona [Mr. GOLDWATER] and the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], because they threw no parliamen-

tary roadblocks, so to speak, in our way. They roughed us up from time to time in expressing opposition to our point of view, but that is to be expected and is a part of the parliamentary process. Not only is it their right, but I believe it is their duty to express themselves in opposition to a bill with which they do not agree.

I only regret that I was not more persuasive with them. I only regret that I was not a better teacher, because they are good students. Something was wrong with my teaching process, because they were not won over to my point of view. In addition, I thank them as individual members of the full committee.

Senators alone do not carry bills through committees or through the Senate. We would not be successful in the passage of any bill if it were not for the dedicated service which we receive from the very loyal staff members. I would not want the RECORD to close with my expression of thanks and gratitude to Senators only. I express very deep appreciation to the wonderful staff members on both sides of the table—both the majority and the minority staff members—who did such wonderful research and preparation work for the committee. They made it possible for us to meet the questions which were presented to us in the course of the debate on the basis of the facts as shown by the record of our hearings and deliberations.

So to John Forsythe, known to all of us as Jack, and who is general counsel of the committee, and really the right-hand assistant to the chairman of the committee, the Senator from Alabama [Mr. HILL], I express in behalf of the full committee and the subcommittee my sincere thanks.

One of the ablest research men whom I observed working in the Senate in my years of service, a keen student, a thorough preparer of material for the committee who lets no stone remain unturned in his search for answers, is Charles Lee.

To him, again in behalf of the committee, I express my appreciation. I am proud of the fact that Charles Lee holds a masters degree in political science from the University of Minnesota. He has a long record of outstanding service in my State and also has a great war record, something about which we never hear him talk. But it is a war record which is deeply moving when it is fully known. He is a resident of Portland, Oreg., and I am proud to call him a fellow Oregonian and a constituent of mine.

On the Republican side of the staff, I express my appreciation again to Mike Bernstein and Ray Hurley, who were most capable assistants, not only to the Senator from Arizona [Mr. GOLDWATER], the Senator from Illinois [Mr. DIRKSEN], and the other Republican members of the subcommittee; but who, when we sometimes needed help from them even on our side of the aisle, to check up on the material which was put into the RECORD by the Senator from Arizona, for example, always gave us whatever facts we needed in relation to the material which was being used by the Republicans. They recognized that that, too, was their duty, just as it was the duty of the representatives of the majority side of the committee.

The Department of Health, Education, and Welfare made available to us at all times one of their experts, Mr. Dave Martin. I express the committee's appreciation for his excellent work.

Other members of the staff of the full committee assisted us. I desire to thank especially Mr. Stewart McClure, the chief clerk.

I wish to thank another research assistant, from my office, Miss Phyllis Rock.

Then we come to the floor of the Senate. We have seen these wonderful staff members assisting the members of the committee from the very beginning of the debate. I desire that the RECORD show our appreciation to Mr. Baker, Mr. McDonald, Mr. Gibbons, Mr. McPherson, and all their associates on the Senate floor staff.

Nor could we have produced the bill, which I think time will prove to be a sound bill, if we had not had the cooperation of the White House staff and the Department of Health, Education, and Welfare. I express my thanks particularly to Secretary of Health, Education, and Welfare Abraham Ribicoff and to his keen and scholarly assistant, Mr. Wilbur J. Cohen.

In my judgment, the bill never would have come to us in the acceptable form in which it was passed tonight if the White House staff, the Secretary of Health, Education, and Welfare, and his assistants had not been willing to meet with us frequently, sometimes at the White House, sometimes at the office of the Secretary of Health, Education, and Welfare, sometimes in the office of the majority leader, and sometimes in the committee room itself. On those occasions, we hammered out a bill on the basis of conscionable adjustment of those differences of opinion which develop in the consideration of a bill as complex as this bill.

One of the things of which I shall always be proud, and of which I think the committee can be proud, is that we could come to the floor of the Senate and say to the Senate, "We are presenting a bill which has the approval not only of its sponsors and those who voted to report it from committee, but also the approval of the officials of the administration."

That cannot be done frequently in the Senate. If Senators want my opinion as to one of the major reasons why it was possible to pass the bill, defeating every amendment which was offered which we wanted defeated, accepting only two amendments with which we were in complete agreement, and which we decided we wanted adopted after the bill had been reported from the committee, it was that we had the administration behind us, both at the White House level and at the level of the Department of Health, Education, and Welfare.

The RECORD should show this, because if it did not show it, I do not know how my very deep and appreciative feelings and really sentimental reaction could be made a part of this historic record.

Only part of all the nice things that have been said about the work we have done are deserved. In that connection I wish to say that a very great deal of the credit is due the chief sponsor of the bill in the House of Representatives, Representative THOMPSON of New Jersey. Today I received a call from the White House and also a call from the Department of Health, Education, and Welfare, and was told that the administration refers to this bill as the Morse-Thompson bill—Representative Thompson, of New Jersey, having had the responsibility of the leadership on the House side, in connection with the bill.

I wish to thank the administration for what I consider to be its exceedingly generous expression. It is really a tribute due all the members of the two committees, the one in the Senate and the other in the House of Representatives.

Probably I have failed to express my appreciation to some I have overlooked; but, if so, it is certainly unintentional.

To all who have helped, I am deeply grateful; and I may say I am particularly grateful to the 48 Senators who joined me on the rollcall vote and to those who joined me on live pairs.

Mr. President, my good friend, the Senator from Arizona [Mr. GOLDWATER] has now left the Chamber. However, earlier today he obtained a print of this bill which was made after the enrolling clerk of the Senate sent the bill to the Government Printing Office last night, after the third reading of the bill. My friend, the Senator from Arizona [Mr. GOLDWATER], and my friend, the Senator from Illinois [Mr. DIRKSEN], had a little sport with me tonight, in the course of the debate; they ribbed me a little. They said that apparently a new procedure had been adopted, and indicated that perhaps I had become subject to overconfidence and had engaged in some irregularity, because today there arrived on Capitol Hill a print of Senate bill 1021 which bears the notation—"Passed the Senate May 25, 1961." They pointed out that that notation had been printed on the bill even before the bill had actually been put to a record vote in the Senate.

I did not know anything about the printing procedures; so, as the RECORD will show, I said I did not know about it; but that I would find out, and that it was not done on any orders or authorization of mine. I said I was sure it was not a substantive matter, but no doubt was one of common procedure.

Now I have ascertained the facts, and the RECORD should show them, so that those who read the RECORD will not be left in doubt, and so there wil be no question about the propriety of the course of action which was followed.

The enrolling clerk of the Senate, who has been employed by the Senate for 30 years, advises me that the procedure which was followed last night, after the third reading, in sending the bill to the Government Printing Office for printing, is a practice of 30 years' standing. I am sure that my friend, the Senator from Arizona [Mr. GOLDWATER], and my friend, the Senator from Illinois [Mr. DIRKSEN], will be glad

to have that enlightening information, just as I am glad to have it. They will be pleased to know that no irregularity at all was followed. The enrolling clerk of the Senate informs me that the practice is to send the bill to the Government Printing Office immediately after the third reading of the bill, so that a so-called "clean copy" of the bill can be printed. Then it can at once be placed in the hands of the legislative counsel, so that he can do his work on the bill before it goes to the House of Representatives. The enrolling clerk points out that the moment such a print of the bill is available, it is available for signature by the Secretary of the Senate. But it is signed by him only after the bill is passed by the Senate, and this printed copy is actually effective only after it has been signed by the Secretary of the Senate. Of course, the copy which the Senator from Arizona and the Senator from Illinois had obtained bore no signature at all; but I imagine that the bill has now been signed and is on its way to the House of Representatives, because, after all, the bill has now been passed.

Although I imagine that much of what my two friends said was said in humor and in the process of indulging in good fun, nevertheless they made a serious point about the matter, and I wanted the RECORD to show the facts in regard to it.

OLD MISTAKE REPEATED IN CUBA

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "An Old Mistake Repeated in Cuba." The article was published today in the Washington Post. The editorial note in connection with the article reads as follows:

The following analysis was prepared by an administrator in the Government who prefers to remain anonymous.

Mr. President, this is a very keen analysis. It is one with which I completely agree.

As chairman of the Senate Subcommittee on Latin-American Affairs, I wish to say that I believe the writer of this analysis hit the nail right on the head, so to speak. There could not be a more perceptive or more sound analysis of the mistakes we have been making in Cuba. In short, I do not believe that the analysis which was published today in the Washington Post could be improved upon.

I hope that everyone in the administration who has anything to do with Cuban affairs will read the analysis and will take it to heart.

The PRESIDING OFFICER. Is there objection to the request to print the article in the RECORD?

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

[From the Washington Post, May 25, 1961]

AN OLD MISTAKE REPEATED IN CUBA

The invasion of Cuba failed because of a misreading of the nature of revolutions, and especially of contemporary revolutions. A genuine revolution, as distinct from the military coup so common in Latin American politics, involves far-reaching social and economic change. Such change means dispossession of the former ruling class, which naturally protests loudly and violently.

But these protests represent a minority viewpoint if the revolution has effected land distribution, social services, educational opportunities, and the like. Consequently, to accept the opposition of the dispossessed as representative of the views of an entire people, or the predominant proportion of a people, is to seriously underestimate the strength and backing of a revolution.

This may seem obvious and platitudinous, and yet this underestimation has been made of every significant revolution of modern times. For example, at the Paris Peace Conference following World War I, Lloyd George opposed Allied intervention against the Bolshevik regime in Russia on the following grounds: "The peasants accepted bolshevism for the same reason that peasants accepted it in the French Revolution, namely, that it gave them land. Is any one of the Western Allies prepared to send a million men into Russia? The mere idea of crushing bolshevism by a military force is pure madness."

Yet, this madness was pursued because of the credence given to reports of emigres and diplomats that the Soviet regime had little popular support.

The invasion of Cuba failed for the same basic reason that intervention failed against the French and Russian revolutions, that is, underestimation of the popular support for a revolutionary regime.

In recent years, some French military and political leaders have studied Mao Tse-tung's military tactics and have tried unsuccessfully to apply them in Algeria. In our own country, there are reports that Che Guevara's handbook on guerrilla warfare is being used as a possible guide for U.S. forces.

One must never forget, however, that the basic strength of the guerrilla is his revolutionary program. He is identified in the mind of the peasant as one who offers relief from a despised usurer or landlord. Without such identification at the grass roots, the guerrilla is simply a saboteur able to blow up a few installations or kill a few people, but powerless to generate widespread popular backing.

In other words, to read Che Guevara or Mao Tse-tung on guerrilla tactics and not on political and social change is to mistake technique for the underlying and determining substance.

The conclusions that may be drawn from the above are—

1. Further invasions by Cuban emigres are likely to be as futile as their first attempt. Arms from the Communist block would be part of the explanation, but by no means entirely; witness the collapse of Batista despite abundant American arms.

2. Direct American intervention will be regarded and interpreted in most of the underdeveloped and uncommitted world as corresponding to the policies of the Holy Alliance in the early 19th century. Indeed, the antagonism will be much more widespread and intense because of modern mass communication media.

3. Even if direct American intervention did not lead to international complications, it is highly probable, if not certain, that winning the battle for Cuba in this manner would mean losing the battle for Latin America. Cuba could become as serious a thorn in our side as Algeria has been for France.

Is it possible that we should talk to Castro either directly or through a third country? Is it necessary that we refrain from diplomatic trade and travel contact with Cuba?

For one reason or another, an understanding with Castro may well prove impractical. In that case we must expect the rapid development of Cuba into a Communist showplace in the Western Hemisphere. That in turn will create a situation in the Americas similar to that in Asia. Just as we now must give massive aid to India so that she will not be hopelessly surpassed by Communist China, so we will then need to give massive aid to at least certain selected Latin American countries so that they will not be surpassed by Cuba. This aid will need to be on a much larger scale than any contemplated thus far.

The basic danger in the future probably will come not from Soviet bases or Cuban agents, but from the appeal of a prosperous and growing Communist Cuban economy for the impoverished and dissatisfied Latin American peasant.

Mr. MORSE. Mr. President, I yield the floor.

THE OLD SUBWAY TO THE SENATE OFFICE BUILDING

Mr. MANSFIELD. Mr. President, for the information of the Senate, I announce that one of the old trolleys in the old tunnel will continue in operation until at least the end of the present session.

DEATH OF DAVID LYNN

Mr. MANSFIELD. Mr. President, David Lynn, who served as Architect of the Capitol from 1923 to 1954, died today, after a short illness. Prior to his service as Architect, Mr. Lynn served for 22 years under the previous Architects, Edward Clark and Elliott Woods.

Mr. Lynn was appointed Architect of the Capitol by President Coolidge on August 22, 1923. He came from an old family, of Frederick and Allegany Counties, Md., who for many generations had been distinguished in the judicial, military, business, and social life of the State. His great-great-grandfather, Judge David Lynn, was one of the three Commissioners appointed in 1751 to lay out the town of Georgetown.

Mr. Lynn was born in Wheeling, W. Va., November 10, 1873; educated in public schools of Cumberland and the Allegany County Academy. He entered the Office of the Architect of the Capitol on July 1, 1901, during the tenure of Edward Clark as Architect. He was appointed the seventh Architect of the Capitol, following the death of Elliott Woods.

During his tenure as Architect, there were constructed and added to the buildings in the legislative and judicial groups, the New House Office Building, the First Street wing of the Senate Office Building, the U.S. Supreme Court Building, the central refrigeration plant, and other additions to the Capitol powerplant, the annex and addition to the Main Library of Congress Building, and the legislative garage.

During his tenure, the 62 acres of land lying immediately north of Constitution Avenue were acquired and developed as part of the Capitol Grounds park area; the Capitol, Senate, and House Office Buildings were completely air conditioned; the roofs over the Senate and House wings of the Capitol were reconstructed, and the interiors of the House and Senate Chambers were remodeled; the terraces of the Capitol Building were reconstructed.

The U.S. Botanic Garden was relocated to its present site, and the new conservatory was constructed and the grounds developed under his direction.

In connection with construction projects, Mr. Lynn served as a member of the Commission for Enlarging the Capitol Grounds; the United States Supreme Court Building Commission; the Joint Commission to acquire a site and additional buildings for the Library of Congress; and was a member of the Zoning Commission of the District of Columbia and the Alley Dwelling Authority.

He served as Acting Director of the U.S. Botanic Garden, from 1934 to 1954.

Mr. Lynn retired as Architect of the Capitol on September 30, 1954. Until his death, he continued to reside at his residence, 3700 Quebec Street NW., Washington, D.C.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the executive nomination on the calendar under the heading "New Report."

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

The PRESIDING OFFICER. The nomination will be stated.

DEPARTMENT OF THE AIR FORCE

The Chief Clerk read the nomination of Brockway McMillan, of New Jersey, to be Assistant Secretary of the Air Force.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

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

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

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn, to meet on tomorrow at 12 o'clock, noon.

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

CALIFORNIA'S STAKE IN THE MARITIME INDUSTRY—ADDRESS BY SENATOR KUCHEL

Mr. KUCHEL. Mr. President, last Monday, in the city of San Francisco, I spoke at a Maritime Day luncheon. I ask unanimous consent that the comments I made on that occasion be printed in the body of the RECORD.

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

CALIFORNIA'S STAKE IN THE MARITIME INDUSTRY

(Address by Hon. THOMAS H. KUCHEL, U.S. Senator, at the National Maritime Day luncheon of the Propeller Club of the United States, San Francisco, Calif., Monday, May 22, 1961)

As our closest neighbor, the sea has traditionally been important to California both as a source of income and as a natural route of commerce and communication.

But, it took a war fought from two shores to open still undreamed-of maritime opportunities for us. It brought new nations into focus off our western shores. And it demonstrated to the eastern seaboard the growing industrial capability of the Pacific coast.

What has this meant for California?

It has meant the growth of a shipbuilding industry. Today, we are, indeed, a maritime State. Once content to handle repairs and conversions, we now boast 22 of the principal shipbuilding and repair yards in the country. Currently, in these yards, we are building 15 new merchcant ships—one-fifth of the nationwide total under construction.

It has meant progress for our ports. Amounts of cargo handled through our harbors are increasing. During 1960, $1¼ billion worth of goods entered our ports, $½ billion through San Francisco Bay alone—a 33-percent increase over the previous years, I might add.

And proudly, we are keeping pace with the swelling demand. Our entire coast is bustling with new facilities.

In San Diego, we have a multimillion-dollar covered pier; in the East Bay, new containerization facilities—fully automated and the most modern of its type; in Los Angeles, new passenger facilities and a container terminal; in Sacramento, an entirely new $35 million port; in Stockton, new bulk ore and bulk grain facilities; in San Francisco, a $50 million bond issue, to put into motion a multitude of improvements.

And pointing the way to still greater progress, plans are now underway for many improvements along our coast.

We hardly realize the wealth brought to California by the maritime industries. The ramifications are, in fact, staggering.

Building and loading ships mean employment opportunities for a highly skilled labor force. Longshore industry workers alone number some 25,000 in the State. Last year, they worked 20 million man-hours. They earned in the neighborhood of $75 million, and about $42 million of that here in San Francisco. Some 12,500 Californians are on the payrolls at private shipyards in the State; and, in 1960, they earned more than $40 million. These are labor dollars that pump energy into our economy. These are dollars that purchase food and clothing, finance homes and cars, and pay taxes.

The effect on our State economy certainly does not stop here. Ships are good customers. There are a thousand and one products whose end use is found aboard American tankers, freighters and luxury liners.

Take the simple matter of light bulbs. A large freighter uses about 800 light bulbs each trip.

Or, take soap. One American line recently reported that one of its ships uses, each trip, 2,400 bars of face soap, 200 bars of lava soap, 1,200 bars of laundry soap, and 210 packages of soap powder.

Multiply this by the 1,400 American vessel arrivals in our ports. The consumption of light bulbs and soap alone is significant.

And so long as the ships continue to consume, we shall continue to supply. This goes, too, for the taxi that makes repeated trips to the docks; the retail shops that sell to the tourist and the embarking vacationer; the doctor and the lawyer who lend their talents to the maritime industry; and the banks that finance the cargo. The amount invested in ships, shoreside facilities, ship and repair yards, reaches high in the millions. Shipping is, indeed, a benefactor to the economy of our State.

This is the nuclear era, the age of outer space. We are spending, as we should be, billions of dollars to reach out to the moon and to the stars. But I suggest to the American people, and to the Government, that we do not shunt the sealanes into obscurity. That great mariner of another day, Sir Walter Raleigh, was eternally correct when he said: "Whosoever commands the sea, commands the trade; whosoever commands the trade of the world, commands the riches of the world, and consequently, the world itself."

Our country, as well as our State, is dependent on the sea, for trade and commerce, for food, and for the security of our people. The seas are our road of communications with our allies and with the newly emerging states—many of which are not far away from our own shores. Across the oceans, we move 99 percent of our foreign commerce, exclusive of our contiguous neighbors, Canada and Mexico. Our foreign commerce represents 10 percent of our gross national product, now in the proximity of $500 billion a year. And the portent for tomorrow is one of expansion. Trade will irresistibly continue and will inevitably grow.

The importance of exports cannot be overestimated. They are outlets for our industrial output. Consequently, they are an important factor in our national income. And just as significantly, they are a means of sharing our democratic way of living with new and impressionable nations.

In speaking of the importance of exports, I am delighted, at this point, to report the passage of a bill by the Senate (S. 1289), which I coauthored with Senator MAGNUSON. It eliminates the archaic and statutory oath requirement on shippers' export declarations. Though just one of the little things we so frequently overlook, it will save exporters thousands of unnecessary man-hours annually. It will also pare thousands of unnecessary dollars off our mounting export costs, which, unfortunately, overprice our goods in highly competitive world markets.

The sea road of commerce is two way. Over it comes the raw materials of the free world which we require for our own economic existence. Without vast imports of magnesium, bauxite, tin, rubber, nitrates, and iron ores, we could not produce steel nor aluminum. Without them, we could not fully fertilize our fields nor have a myriad of products upon which we have come to depend.

Let's not forget, either, that by buying the products of other nations we mutually strengthen the free world. A nation wthout outlets, particularly the single-commodity nation, is economically weak. And a nation economically weak is politically vulnerable.

In essence, our exports and imports are major tools with which we wage our defense in the cold war of economics and ideas.

American merchant ships successfully operating in peacetime trade are one of the greatest assets this Nation can possess. And because they are ready and able to serve the country at a moment's notice should the need arise, they are rightly and admirably called our fourth arm of defense. We are now living in the most dangerous world in history. Despite our fervent hopes and efforts through collective security systems to

maintain a just peace, situations may suddenly develop which will demand instant response from our shipping industry. Suez and Lebanon are two recent examples.

In the Korean war, we feverishly took 600 vessels out of mothballs to supply the United Nations' needs in that conflict. But they were old and they were slow. Meanwhile, the tempo of the times was dramatically quickened. There is, I think it fair to say, an increasingly high premium on an active merchant marine, swift and sure, to play its part in peace or in emergency.

And now Russia has recognized the truth of that maxim. In 1956, the Russians stopped producing naval surface vessels in their yards and began to build merchant ships. Russia now operates about 800 merchant ships—against our 990. And, by 1965, the Russians plan to double that figure. Their dry cargo accommodations will increase 120 percent and their tanker capacity, 80 percent. In all, they will have about 13 million tons of shipping, or about 8 percent of the world total. Last year, ship construction orders around the world declined 25 percent, but the Soviet increased its demand for new tonnage by 88 percent. And, I think the importance which international communism attaches to the sealanes of the globe is devastatingly clear in her submarine fleet of more than 500—more than Hitler had in 1939.

We need only look around us to verify Soviet ambitions to penetrate all the commercial areas of the world. Ninety miles from our shore, Russian ships are arriving in Cuba every day. One hundred percent of all petroleum products are entering Cuba in Russian tankers. Russian ships call regularly at African ports. Russian ships arrive in the ports of the Persian Gulf, in the Mediterranean Sea, and in the seas of southeast Asia. It can be clearly seen that Russia, with leaping strides in merchant shipping—not to mention her undersea craft—is emphasizing the role of seapower.

It is against the background of maritime development in the Soviet bloc that we must appraise our own situation. We face a challenge. How we meet it will determine both our commercial and naval military strength in the years to come. But we also face an opportunity, an opportunity to expand and modernize our merchant fleet, an opportunity to demonstrate a growing efficiency of that fleet to transship the wares of nations.

We must, most important, expand an adequately paced shipbuilding program. It will take the most effective teamwork between free competitive enterprise and Government to insure this Nation its needed maritime strength.

Difficulties face the fulfillment of that resolve, and some come from our own people. There are many in other parts of our land who are envious of the progress we have made on the west coast. With increasing frequency, cries of despair arise under the Capitol dome at our participation in the defense procurement program.

And in January, some of my Senate and House colleagues began to open up the sorties, which are sure to grow, in their attempt to repeal the 6-percent differential for shipbuilding on the Pacific coast.

Last week, this thin differential of necessity, which must be maintained if our Nation is to preserve its two-ocean ship construction capacity, again came under attack before the House Committee on Merchant Marine and Fisheries. You will recall, in 1960, this committee asked the General Accounting Office to examine material and labor costs submitted by representatives of the Atlantic, Gulf, Great Lakes, and Pacific coast shipyards during the last Congress.

Despite the complexity of comparing ships under construction on these diverse coasts and the problems of accounting involved, some useful insights emerged from this unbiased study. So useful, indeed, are they from our standpoint that the representative of a large east coast yard denounced the GAO opinion. He sought to undermine those aspects of its study which favored the historic quarter-century statutory differential for the west coast.

The basis for the GAO study was the actual costs over a 3-year period for 18 shipyards throughout the country (3 eastern shipyards, I might add, refused to let the accountants examine their books).

It costs more to build ships on the west coast for a variety of reasons. The GAO found that the "cost of steel plates and shapes averaged approximately 13 percent more to Pacific coast yards than to yards in other regions and the costs of most other major material components were higher in varying degrees to the Pacific coast yards than to the Atlantic coast yards." The GAO also noted that Pacific coast shipyards procure a majority of their material requirements other than steel in the eastern section of the country. And it wasn't just steel that was higher, but also cargo booms and masts by over 10 percent, hatch covers and cargo ports by almost 5 percent, and even paint by more than 5 percent. In only one category could items be purchased for less on the Pacific coast, and that was the interior communication equipment.

On labor costs, the Comptroller General added that the comparisons of average straight-time hourly wage rates for a 3-month period in 1960 "showed that the combined average rate of the Pacific coast yards was approximately 6 percent higher than the combined average rate of the Atlantic coast yards."

But even more basic is the fact that the history of awards from October 1957 through November 1960 showed that of 14 contracts for 52 ships awarded on the basis of the lowest responsible bid, only 1 contract for 4 ships was awarded to a Pacific coast yard.

Members of the Congress from the West will stand together to defend this law which is grounded on the needs of America for a proper and dispersed capacity to construct vessels to ply the seas.

We have also tried, through our construction-differential and our operating-differential subsidies, to put American ships on a parity basis with foreign vessels. American merchant trade today faces strenuous competition. On our ships are the same high standards as for all American industry, with the pay of our seamen based on an American standard of living.

In other industries, steel is an example, quotas or imposts exist, fulfilling the same purpose which the Merchant Marine Act is designed to accomplish. Its intent is to maintain a strong merchant fleet. The unpalatable and unacceptable alternative is to rely on vessels flying other flags.

In view of the fact that the American merchant marine is quantitatively and qualitatively significant for a mobilization potential, that commerce is the economic catalyst of a maritime federation of free nations, the Government has a growing responsibility to equip the American merchant marine to meet the challenges of the 1960's.

Already, our industry consists of many companies which have the traditions, know-how, skill, knowledge of foreign and domestic markets and all the essential elements to render as fine a service to importers and exporters as can be found under any flag in the world. We cannot allow this priceless asset to be outmoded through failure to keep fully abreast of foreign competition. Nor can we afford to allow the fleets of the Communist bloc to outstrip us or to outperform us on the economic battlefield that now stretches worldwide.

Since the Second World War, there have been 13 studies on maritime transportation—the most recent compiled last year by the Senate at a cost of $600,000. Now, Secretary of Commerce Hodges, fearing mediocrity in the industry, has ordered not one, but two additional studies—one on subsidies and the other on transportation. What is to be gained by the constant duplication of effort, and cost, when problems are already well studied, obvious and still unsolved—how to make trade via American ships more attractive—how to encourage American lines to build and replace their ships at home—how to encourage them to operate under the American flag?

As an American citizen and as an American Senator, I urge the executive branch of our Government to face up to the basic problems of the American maritime industry. The Congress is ready to respond to the industry's needs and to sound legislative recommendations. This is no partisan or political question. It concerns American defense and the American economy. In brief, let's cut out the words and the studies, and get down to action.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

JOINT RESOLUTION OF LEGISLATURE OF OREGON

Mr. MORSE. Mr. President, I have just received from the secretary of state of Oregon, Mr. Howell Appling, Jr., House Joint Memorial 11 adopted by the Legislative Assembly of Oregon.

On behalf of my colleague the Senator from Oregon [Mrs. NEUBERGER] and myself, I ask that the text of this memorial, which relates to the development of the domestic mining and minerals industry, be set forth at this point in my remarks, and that it be considered very carefully by the appropriate committee of the Senate.

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

HOUSE JOINT MEMORIAL 11

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the 51st Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent that:

Whereas the development and utilization of Oregon's abundant mineral resources have always been and must continue to be bulwarks of this State's economy, providing not only a source of employment and income but also a sound base for revenue and a substantial market outlet for agricultural and manufactured products in mining areas; and

Whereas this basic and essential mining industry has for several years been confronted with adverse economic conditions so severe that many major mining enterprises in this State have been forced out of

business and many others are being reduced to the status of marginal operations; and

Whereas the cause of this serious predicament of our mining industry can be traced to governmental policy that stimulates the development and exploitation of foreign mineral resources and permits relatively free access to this low-cost foreign production by U.S. markets; and

Whereas this policy, if continued, will not only threaten the economic survival of Oregon's mineral industries but will also impose a serious handicap on our Nation's capacity for providing from domestic sources the basic requirements for national defense; and

Whereas the executive department of the Federal Government and both major political parties, as well as the Conference of Western Governors, have officially recognized the necessity for maintaining a domestic mining industry that is sufficiently progressive and vigorous to assure a minerals mobilization base adequate for national preparedness and security; and

Whereas past efforts by the Federal Government to alleviate the depressed conditions that prevail in various segments of the domestic mining industry by means of short-range programs and temporary expedients, such as stockpiling and quota limitations, have proved ineffective and inadequate: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring):

1. The 51st Legislative Assembly of the State of Oregon respectfully urges that the Federal Government in the national interest foster and encourage:

(a) The development of an economically sound and stable domestic mining and minerals industry.

(b) The orderly development of domestic mineral resources and reserves necessary to assure satisfaction of industrial and security needs.

(c) Mining, mineral and metallurgical research to promote the wise and efficient use of our mineral resources.

2. The 51st Legislative Assembly of the State of Oregon recommends that this policy be implemented by:

(a) More effective enforcement of the antidumping laws.

(b) The imposition of adequate duties on metals and mineral imports, to be applied only if the price of such metals and minerals falls below the level that is required to maintain a sound and healthy domestic mining industry.

3. The secretary of state shall send copies of this memorial to the President of the United States, the Presiding Officer of the U.S. Senate, the Speaker of the House of Representatives of the United States and to each member of the Oregon congressional delegation.

ADDITIONAL BILLS AND JOINT RESOLUTION INTRODUCED

Additional bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SMATHERS:

S. 1973. A bill for the relief of Evaggelos Nickoletseas; to the Committee on the Judiciary.

By Mr. SMITH of Massachusetts:

S. 1974. A bill for the relief of Stefan Copilu; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 1975. A bill for the relief of You Lee; to the Committee on the Judiciary.

By Mr. RANDOLPH (by request):

S. 1976. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; to the Committee on Public Works.

By Mr. KUCHEL (for himself, Mr. WILEY, Mr. SCHOEPPEL, Mr. RANDOLPH, Mr. GRUENING, Mr. CARLSON, and Mr. LAUSCHE):

S.J. Res. 95. Joint resolution authorizing the President of the United States of America to proclaim September 17 of each year General Von Steuben Memorial Day for the observance and commemoration of the birth of General Friedrich Wilhelm von Steuben; to the Committee on the Judiciary.

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

ADDITIONAL RESOLUTIONS

EXPRESSION OF SENSE OF THE SENATE ON APPLICATION OF LOGAN ACT TO PRIVATE CORRESPONDENCE WITH FOREIGN GOVERNMENTS

Mr. CAPEHART submitted the following resolution (S. Res. 152); which was referred to the Committee on the Judiciary:

Resolved, That it is the sense of the Senate that the provisions of section 953 of title 18, United States Code (popularly known as the Logan Act), relating to private correspondence with foreign governments, is applicable to citizens of the United States who may negotiate, without the express authority of the United States Government, with representatives of the Government of Cuba for the release of persons held in custody by that foreign government.

EXPRESSION OF SENSE OF THE SENATE ON TAX EXEMPT CONTRIBUTIONS TO SECURE RELEASE OF PERSONS HELD IN CUSTODY BY GOVERNMENT OF CUBA

Mr. CAPEHART submitted the following resolution (S. Res. 153); which was referred to the Committee on Finance:

Resolved, That it is the sense of the Senate that contributions or gifts made by any taxpayer to any organization to be used in securing the release of persons held in custody by the Government of Cuba do not qualify as "charitable contributions" as that term is defined in section 170(c) of the Internal Revenue Code of 1954, and that therefore any such contribution or gift is not deductible in computing the taxable income of any taxpayer.

DESIGNATION OF SEPTEMBER 17 OF EACH YEAR AS GENERAL VON STEUBEN MEMORIAL DAY

Mr. KUCHEL. Mr. President, in every generation, some men stand out solely because of their singular merit. So outstanding was one of our earliest citizens that the American Revolution, our War of Independence, well might not have been won without him. So outstanding was this patriot that George Washington, Father of our Country, in his final act as General of our Revolutionary Army wrote, "I wish to make use of this last moment of my public life to signify, in the strongest terms, my entire approbation of your conduct, and to express my sense of the obligations the public is under to you, for your faithful and meritorious services."

The man to whom Washington wrote was Gen. Friedrich Wilhelm von Steuben.

An accomplished graduate of the military school of Frederick the Great, Baron von Steuben left his native Prussia to assist the American colonists in their struggle for freedom. So sincere was his effort that Baron von Steuben waived all claim to pay, proposing that only if his services should contribute to the eventual success of the American cause, he would then accept what compensation the Congress might grant him.

Baron von Steuben, by personally drilling a model company of 100 men who in turn drilled other companies, accomplished what is perhaps the most remarkable achievement in rapid military training in the history of the world, and, throughout the war, the Continental Army, battalion for battalion, equaled in discipline and in skill the best Army Regulars.

Through his influence in converting the American Army into an effective and highly disciplined military force, Von Steuben was an indispensable figure in the achievement of American independence. Here he performed an essential service that none of his contemporaries in America was qualified to perform.

Mr. President, I therefore introduce, for appropriate reference, Senate Joint Resolution 95 on behalf of myself and Senators WILEY, SCHOEPPEL, RANDOLPH, and CARLSON.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 95) authorizing the President of the United States of America to proclaim September 17 of each year General von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; to the Committee on the Judiciary.

MIGRATORY WORKERS — EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. MANSFIELD. Mr. President, on behalf of the junior Senator from Minnesota [Mr. McCARTHY], I ask unanimous consent that the bill which he introduced on May 23, Senate bill 1945, relating to migratory workers, be permitted to lie on the desk 1 more day, through May 26, for additional sponsors.

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

NOTICE OF HEARINGS ON PROPOSED CONSTITUTIONAL AMENDMENTS CONCERNING FEDERAL ELECTIONS

Mr. KEFAUVER. Mr. President, on Friday, May 26, 1961, which is tomorrow

morning, the Judiciary Subcommittee on Constitutional Amendments will continue the hearings which began on May 23. It is considering proposed amendments to the Constitution concerning our system of Federal elections, including the nomination and election of the President and qualifications for voting. At this meeting, we will continue to hear Senators who are sponsors or cosponsors of the resolutions under consideration. The subcommittee will meet in room 457 of the Old Senate Office Building at 9:30 a.m.

I have previously announced that further hearings will be held on June 20, 21, and 22, 1961, when other Senators and witnesses will be invited to testify. These hearings have been rescheduled for June 27, 28, and 29, 1961.

ADJOURNMENT

Mr. MORSE. Mr. President, under the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 10 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Friday, May 26, 1961, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 25, 1961:

U.S. ATTORNEY

Joseph S. Ammerman, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania for the term of 4 years, vice Hubert I. Teitelbaum, resigned.

FISH AND WILDLIFE COMMISSION

Clarence F. Pautzke, of Washington, to be Commissioner of Fish and Wildlife, Department of the Interior.

CONFIRMATION

Executive nomination confirmed by the Senate May 25, 1961:

DEPARTMENT OF THE AIR FORCE

Brockway McMillan, of New Jersey, to be Assistant Secretary of the Air Force.

EXTENSIONS OF REMARKS

Provision for Voluntary Retirement at Age 62 Vitally Needed

EXTENSION OF REMARKS

OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 25, 1961

Mr. BYRD of West Virginia. Mr. President, this morning I was afforded the privilege of appearing before the Senate Finance Committee, of which our esteemed Senator HARRY F. BYRD is chairman. I testified on behalf of the age 62 voluntary retirement provision in H.R. 6027. Because this legislation will likely be presented to the Senate for consideration within the very near future, I ask unanimous consent to have my remarks before the Senate Finance Committee printed in the RECORD.

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

STATEMENT OF SENATOR ROBERT C. BYRD, OF WEST VIRGINIA, BEFORE THE SENATE FINANCE COMMITTEE IN SUPPORT OF H.R. 6027

Mr. Chairman, I am grateful for this opportunity to appear before your committee in behalf of H.R. 6027. I am specifically interested in the provision, beginning on page 2 of the bill, to allow men to receive reduced benefits at age 62.

When I first came to Congress in 1953, I introduced a bill in February of that year to permit men and women to retire, on a voluntary basis, at age 60. I reintroduced this proposal in subsequent years during my service in the House of Representatives. I came to realize, however, that the time has not yet arrived when we might expect to see voluntary retirement permitted at age 60. Consequently, last year I decided to modify my proposal believing that a half loaf is better than no loaf at all. Accordingly, when H.R. 12580, the omnibus social security bill, reached the Senate last year, I submitted an amendment to allow voluntary retirement for men at age 62 with reduced benefits. I succeeded in getting 18 other Senators to cosponsor my amendment, and I appeared before your distinguished committee in behalf of the amendment. Senator KERR and Senator HARTKE and others on your committee were as interested as I in the amendment, and the Senate Finance Committee adopted it. The Senate later approved the measure, but, regrettably, the amendment was deleted in the joint Senate-House conference action.

I reintroduced my proposal to permit men to retire at age 62 shortly after we convened in January of this year, and I might say, parenthetically, that I was responsible for inclusion in the Douglas committee report to the President of the recommendation that legislation be enacted to permit such retirement at age 62. The President later announced his support, and we now have the opportunity to favorably act upon the proposal and make it become a reality.

An estimated 560,000 people can be expected to get benefits under the amendment during the first 12 months of operation. Taking into account the increase in the minimum benefit also recommended at this time, the additional benefits that would be paid out during the first 12 months to men claiming benefits before age 65 would be $440 million. There would be no level-premium cost for this proposal.

Under this proposal, a man who decides to apply on his 62d birthday can draw social security benefits equal to 80 percent of the amount he would receive were he to wait until he reached his 65th birthday. He would have the option of receiving a proportionate increase—five-ninths of 1 percent—for each month he delays retirement after age 62. For example a man entitled to a benefit of $100 per month at age 65 would receive $80 a month if he chose to retire at age 62, under my amendment. If he decides to wait until he is 63 to apply, the benefit he would receive for life would be increased to $86.67 monthly. If he applied at age 64, his monthly benefit would be $93.34.

It is my understanding, Mr. Chairman, that the provisions which were adopted into law with respect to reduced benefits for women have occasioned no administrative difficulties. In the light of the experience gained from the years in which the lowered eligibility age for women has been in effect, I think one could be confident that the adoption of the proposal would prove to be similarly beneficial and advisable. In other words, the 1956 amendment has worked out all right in the case of women, and it should prove to be the same for men. At the time the 1956 amendment was adopted, there was some skepticism about how well it would work. It was charged that the lower retirement age would encourage employers to lower the compulsory retirement age for women employees. Opponents maintained that it would discourage the continued employment of older women workers whose potential work life would thus be shortened. Experience, however, has failed to bear out these skeptical fears and the average age of retirement for women has not been lowered by the reduced annuity.

I realize that there is some question as to whether it is desirable policy for the Government to encourage early retirement when the science of geriatrics is lengthening the lifespan of men. Yet, it is my understanding that only about half of the women eligible for retirement at age 62 elected to retire when the 1956 amendment was adopted. I think we can properly assume that not so great a percentage of men would elect to retire at 62. Many of the women who took benefits in 1956 had been working during the war years and had not been working immediately before the adoption of Senator KERR's amendment. Most men will continue to work until age 65 or somewhat thereafter as long as they are physically able or as long as there is employment. Moreover, Mr. Chairman, automation is here to stay and it constitutes a growing problem with which our society is going to have to deal more and more in terms of unemployment. A recent study of automation prepared by the National Planning Association points out that, according to Census Bureau estimates, the average annual increase in the labor force is presently 700,000 to 800,000 and that, by the year 1965, it will reach the figure of 1 million or more. It is necessary then that we find new job opportunities for these younger workers who are annually entering the work force.

Additionally, the problem of changing markets poses itself in the question of whether or not the needed job opportunities will appear at the right place and at the right time. The rate of increase in employment in some of the industries now being automatized does not begin to match the increase in productivity made possible by new processes. For instance, in the chemical industry, productivity rose 53 percent between 1947 and 1954, but employment rose only 11 percent. In oil refining, output increased 22 percent since 1947, but total employment fell by 10,000. Automation has made itself felt in the mining areas of my State. Whereas only a few years ago, 135,000 miners were employed in West Virginia, today less than 40,000 are employed. A continuous mining machine operated by 6 workers will load the coal originally requiring the time and labor of 40 men. The problem is not peculiar to West Virginia. The textile and shoe work-