

placed on the retired list in the grade of general, under the provisions of section 8962, title 10, of the United States Code.

Gen. Curtis E. LeMay (XXXXX) (major general, Regular Air Force), U.S. Air Force, to be Chief of Staff, U.S. Air Force, for a period of 2 years, under the provisions of section 8034, title 10, of the United States Code.

U.S. ARMY

1. The following-named officers for appointment in the Regular Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3294, 3306, and 3307:

To be major generals

Maj. Gen. Hugh Pate Harris (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Van Hugo Bond (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Floyd Allan Hansen (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Henry Sterling Wright (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Frank Ruggles (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Earle Gilmore Wheeler (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Dwight Edward Beach (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Louis Watson Truman (XXXXXX) Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Teddy Hollis Sanford (XXXXXX) Army of the United States (brigadier general, U.S. Army).

To be brigadier general

Col. Nathan Jay Roberts (XXXXXX) Judge Advocate General's Corps, U.S. Army.

2. The following-named officers for temporary appointment in the Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Maj. Gen. Robert John Fleming, Jr. (XXXXXX) U.S. Army.

Brig. Gen. Floyd Lawrence Wergeland (XXXXXX) Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. John Thomas Honeycutt (XXXXXX) U.S. Army.

Brig. Gen. William Alexander Cunningham 3d, (XXXXXX) U.S. Army.

Brig. Gen. Francis Joseph McMorrow, (XXXXXX) U.S. Army.

Brig. Gen. Stuart Sheets Hoff, (XXXXXX) Army of the United States (colonel, U.S. Army).

Brig. Gen. Alden Kingsland Sibley, (XXXXXX) U.S. Army.

Brig. Gen. Alvin Charles Welling, (XXXXXX) U.S. Army.

To be brigadier generals

Col. William Donald Graham, (XXXXXX) Medical Corps, U.S. Army.

Col. Leonidas George Gavalas, (XXXXXX) Army of the United States (lieutenant colonel, U.S. Army).

Col. Frank Joseph Caufield, (XXXXXX) U.S. Army.

Col. George Vernon Underwood, Jr., (XXXXXX) Army of the United States (lieutenant colonel, U.S. Army).

Col. John Dudley Cole, (XXXXXX) U.S. Army.

Col. Delk McCorkle Oden, (XXXXXX) Army of the United States (lieutenant colonel, U.S. Army).

Col. Harold McDonald Brown, (XXXXXX) Army of the United States (lieutenant colonel, U.S. Army).

Col. Merlin Louis DeGuire, (XXXXXX) U.S. Army.

Col. Cornelius DeWitt Willcox Lang, (XXXXXX) U.S. Army.

Col. Nathan Jay Roberts, (XXXXXX) Judge Advocate General's Corps, U.S. Army.

Col. Benjamin Franklin Evans, Jr., (XXXXXX) Army of the United States (lieutenant colonel, U.S. Army).

Col. Howard Pinkney Persons, Jr., (XXXXXX) Army of the United States (lieutenant colonel, U.S. Army).

Col. Kenneth Gregory Wickham (XXXXXX) Army of the United States (lieutenant colonel, U.S. Army).

Col. Floyd Elmer Fellenz (XXXXXX) U.S. Army.

IN THE ARMY

The nominations beginning Robert R. Carper, to be first lieutenant in the Army, and ending John G. Zerby, Jr., to be second lieutenant in the Army, which nominations were received by the Senate on May 23, 1961.

IN THE AIR FORCE

The nominations beginning Julian R. Abernathy, Jr., to be lieutenant colonel in the Air Force, and ending Minot K. Schuman, to be first lieutenant in the Air Force, which nominations were received by the Senate on May 22, 1961.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 12, 1961

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

I Samuel 12: 24: *Only fear the Lord, and serve Him in truth with all your heart; for consider what great things He hath done for you.*

Our Heavenly Father, always and everywhere we need Thee; in our perplexities to counsel us, in our sorrows to comfort us, in our strength to discipline us, and in our weakness to sustain us.

Emancipate our souls from the errors and faults that blind and the doubts and fears which assail us as we endeavor to gain a clear vision of those ideals which call and challenge us to a life of honor and service.

Grant that our beloved Speaker and the Members of Congress may be inspired to discharge the duties of each new day with vigor, accepting them with faith and the assurance that there is a divine purpose which we can help to fulfill by committing our abilities and capabilities to the utmost.

Evoke within us a greater devotion to the moral and spiritual values and may we translate them into nobility of character, social justice, national righteousness, and world peace.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 8, 1961, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 77]

Bass, N.H.	Hays	Passman
Becker	Holtzman	Powell
Boland	Hosmer	Rabaut
Bolling	Ikard, Tex.	Reece
Boykin	Jennings	Rivers, S.C.
Buckley	Johnson, Md.	Roberts
Cahill	Keogh	Rooney
Carey	Kilburn	Roosevelt
Cederberg	Kilgore	St. George
Celler	Landrum	St. Germain
Chelf	Lankford	Scherer
Clancy	Lennon	Sibal
Coad	Lesinski	Smith, Calif.
Cook	McSweeney	Stafford
Cooley	Macdonald	Staggers
Corbett	Madden	Steed
Dawson	Martin, Mass.	Thompson, La.
Delaney	Mason	Utt
Derwinski	Michel	Vanik
Farbstein	Miller, N.Y.	Van Pelt
Fino	Moorehead,	Walshauer
Flynt	Ohio	Walter
Frelinghuysen	Moorhead, Pa.	Watts
Gialmo	Morse	Weis
Gilbert	Moulder	Whitener
Glenn	Murray	Williams
Grant	O'Brien, N.Y.	Willis
Green, Oreg.	O'Konski	Wilson, Calif.
Hall	O'Neill	
Halpern	Osmers	

The SPEAKER. On this rollcall 345 Members have answered to their names, a quorum.

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

HON. SAM RAYBURN

The SPEAKER. Will the gentleman from Indiana [Mr. HALLECK] kindly take the chair?

(Mr. HALLECK assumed the chair as Speaker pro tempore.)

The SPEAKER pro tempore (Mr. HALLECK). The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. With great personal satisfaction and pleasure I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 333

Resolved, That the House of Representatives hereby extends its heartiest congratulation to its beloved Speaker, the Honorable SAM RAYBURN, who, today, has served in the high office of Speaker of the House of Representatives for 16 years, 273 days—more than twice as long as any other Speaker in the history of the United States; and be it further

Resolved, That the House of Representatives hereby expresses its deep appreciation to the Honorable SAM RAYBURN for his impartiality, integrity, and outstanding parliamentary skill in presiding over this House; for enhancing the dignity and traditions of the Speakership; and for his continuing devotion to legislative duty in this House for more than 48 years.

Mr. McCORMACK. Mr. Speaker, the resolution I have just offered speaks for itself, but to stop with the provisions of

the resolution would be inadequate in relation to SAM RAYBURN the man, SAM RAYBURN the great American, and SAM RAYBURN one of America's foremost legislators and public officials of all time, for today another great event in the history of our country takes place.

I wish to read a letter from the President of the United States and a letter from the Vice President of the United States:

THE WHITE HOUSE,
Washington, June 12, 1961.

HON. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: It gives me great pleasure to offer my congratulations today when the length of your service as Speaker has doubled that of an earlier Member, Henry Clay.

Attention will be called today to other records which you have equaled and exceeded, to other measurable accomplishments. Immeasurable, however, is your devotion to cause and country; and immeasurable is the respect, esteem, and affection which all of us who have served with you hold for you today.

With warmest regards and best wishes,
Sincerely,

JOHN F. KENNEDY.

JUNE 12, 1961.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: This day represents an anniversary that moves me deeply both as an individual and as an American citizen. Since you have touched my life in both respects, it is a great pleasure to present my personal congratulations.

I will never forget the days that I spent as a pupil at the Sam Rayburn Board of Education. The extent to which I have been successful in life can be measured by the extent to which I mastered the lessons that I learned in that institution.

There is nothing that I can do or say that will embellish your record. You yourself, by words and deeds, have already placed that record on a level far too high for mere words to add any further gloss.

But I do want you to know of my deep affection and my high esteem and that I am looking forward to the day when I can congratulate you for having served three times as long as any other Speaker in the history of our country.

Warm regards.

Sincerely yours,

LYNDON B. JOHNSON.

Mr. Speaker, on this day SAM RAYBURN will have served 16 years, 273 days in the high office of Speaker of the House of Representatives, more than twice as long as any other Speaker in the entire history of our country.

During his period of service in this body, which he so intensely loves, SAM RAYBURN has seen World War I, World War II, and the Korean conflict come and go. He has seen and served while Nazi Germany came across the horizon with its evil intent and purposes, with its inhuman disregard for life. He has seen and witnessed the free peoples of the world defeat this evil movement.

He serves now while atheistic communism is on the horizon with its evil intent and purposes and wanton disregard for life. As in the case of the threat of nazism, he played a most prominent part. So in the defeat for the free peoples of the world of atheistic communism

will Speaker RAYBURN play an equally living part.

Speaker RAYBURN has a number of firsts in our history.

First. He has served continuously the longest in the House of Representatives of any Member in our history. I think it is a little more than 2 years longer service to date than any other Member who has served throughout the constitutional history of our country.

He was first sworn in as a new Member of this body on March 4, 1913. He now is in his 49th year of continuous service.

As of June 12, 1961, he has served continuously for 48 years, 3 months, and 8 days. While over 48 years older than he was when he took his first oath as a Member of this body in 1913, he is just as young in his vision, in his progressive outlook, in his outstanding ability, in his dedication to our beloved country. And with his still youthful mind he gives to our country and our Members the benefit of his experience, his judgment, and his nobility of character. For SAM RAYBURN symbolizes the old but ever sound saying:

There is no substitute for experience.

Second. Some years ago he established the record of serving as Speaker the longest of any Speaker in our country's history. This record was established over 8 years ago.

Third. Speaker RAYBURN has now served twice as long as any other Speaker in the entire history of our country.

It was on September 16, 1940, that he first took the oath as Speaker of this, the greatest deliberative body in the world.

He has served continuously since then as Speaker, with the exception of the 80th and 83d Congresses, which were controlled by our Republican friends.

The nearest to Speaker RAYBURN's record is that of Henry Clay of Kentucky who served 8 years and 136½ days.

As a legislator, as majority and minority leader, and as Speaker, SAM RAYBURN has made a record, he has rendered outstanding service, second to none in the history of our country.

One could talk about SAM RAYBURN for hours. During practically all of his service as Speaker, it has been my official and personal pleasure to serve with him as majority leader. Our relationship has always been so close that I might properly term the same as inseparable.

One of the treasures of my life is that I have met and served with SAM RAYBURN, and the close friendship that exists between us.

We pause on this historic occasion, outstanding in the life of our Nation, to congratulate, to honor, and to show our deep respect, esteem, and friendship for this man "with the heart of gold" who has added dignity, strength, and glory to the House of Representatives, this man whose record in all probability will never be surpassed—the House of Representatives outstanding contribution to not only American but to world history, Speaker SAM RAYBURN.

Mr. Speaker, with pleasure I now yield to the distinguished minority

leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, in an age when the liberties of freemen are challenged by the forces of dictator governments, it is a proud and comforting occasion when we can pay tribute to a man who has served his country in public office for a half century because the people he represents really wanted him to serve them.

There is no true honor in holding office year after year in a country where there is no ballot box, or where the word "election" is a mockery of the democratic process.

But there is every reason why we should today honor a man who has put his record of trusteeship on the line every 2 years with the free citizens who first sent him to the Congress back in 1913, and who has been returned with acclaim by succeeding generations, 25 consecutive times.

Then, add to this achievement the distinction of having been chosen by party colleagues in the Congress for the highest office it is their privilege to bestow—that of Speaker of the House—for a period now twice as long as any other man in American history.

In both cases—with his constituents and with his colleagues—our beloved Speaker has won this high position by the grace of his many talents, not by the edict of a presidium.

Institutions, it has been said, are the shadows of men. In the history of this great institution that is known as the U.S. House of Representatives are the long shadows of many great patriots who, by their dedication and devotion to the cause of freemen, have helped to insure the effective continuity of the best system of government yet devised by the mind of man.

Only because of such dedication and devotion by others who have served in past years is it possible for any of us to enjoy the privilege of membership in this 87th Congress.

Mindful of this heritage, and knowing SAM RAYBURN as such a patriot of our times, I am grateful to be here today as a fellow Representative so that I might add my voice to others in recognizing the contributions this magnificent American has made to his country.

With deep affection and esteem I salute my friend, Speaker SAM RAYBURN, for a record of service to this body unparalleled in the history of our Republic.

Mr. McCORMACK. Mr. Speaker, I yield to the distinguished gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Speaker, today we commemorate another honor for the incomparable Speaker of the House of Representatives, the Honorable SAM RAYBURN, of Texas, for, at this very moment he is establishing another new record, something he has been doing quite successfully for many years.

Today he not only establishes a new record, but undoubtedly he is also setting a goal for future Speakers which will be unattainable.

This great American enters into a new period, in his stewardship of the House of Representatives, for at this very mo-

ment we celebrate his having served as Speaker of the House of Representatives twice as long as any previous Speaker.

It is becoming increasingly difficult to describe the very distinguished Speaker of the House of Representatives.

But I think of him as being indestructible, imperishable, and indomitable. To these characteristics must also be added the qualities of integrity, wisdom, loyalty, friendliness, fairness, and leadership.

No man can serve as Speaker in the House of Representatives for twice as long as the very great and illustrious Henry Clay, who served for 8 years and 136½ days, without having the pre-eminent qualities that endear him to all who have the good fortune of knowing him.

I cherish as my fondest memory the knowledge that I have been privileged to serve in the House with this great and good man for a period of 47 years.

I can truly say that my life has been enriched by my association with this distinguished man, who has become an outstanding symbol of representative government to the free peoples of all the world.

And I consider it a signal honor to be numbered among those who can say with pride, that we have served under this incomparable man as our Speaker and leader for 16 years, 273 days, and now a few minutes beyond that.

I hope, for the sake of the Nation and the free world, that many among you today will be able to stand in the well of the House, 8 years and 136½ days from this very moment, and congratulate this very great and distinguished American patriot for having served three times as long as any former Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, this is an historic occasion. Today we pay tribute to Speaker RAYBURN who has served as Speaker of the House longer than any other Speaker in the 172 years of the Republic and in all probability longer than any Speaker will ever serve in the next 500 years.

And today marks the high tide of the influence of the speakership in the legislative branch of the Government and throughout the Nation.

The beginning of the speakership was inauspicious. In the early days of the British Parliament, on which our Government was patterned, the King did not permit the representatives of the people to meet unless he was present. But the red deer in the King's forests were calling—and the courtiers of the palace were more interesting than the droning speeches on the floor and the King finally solved the problem by sending down his mace to indicate his sponsorship of the session. And as long as it lay on the table in the well of the House of Commons he was considered to be present. Hence our formality today with the mace there beside the Speaker's chair.

The King also had another ace in the hole. He saw to it that a subservient and servile speaker was elected who

would at the end of every session report promptly to the crown and put the finger on any malcontent who might attempt to start anything. The House met this situation by devising the committee of the whole under which they got rid of the prying, prattling speaker for the time being and under a chairman of their own choosing had an opportunity to express themselves without being reported to the King. Again the U.S. House of Representatives retains this bit of medieval formality when we lower the mace from its pedestal.

From such inconspicuous beginnings have come the present overshadowing power of the speakership. And especially in these pregnant 16 years under Speaker RAYBURN we have witnessed one of the most remarkable developments in the parliamentary annals of any nation in history.

The power and influence of the Speakers of the House has varied with the incumbent. Some have been mere presiding officers and others have completely dominated the American Government.

The foundations of the growing power of the speakership were laid under Speaker Reed, flowered under Speaker Cannon, and have culminated under Speaker Rayburn.

The power of the speakership in the halcyon days of Reed and Cannon lay principally in three rules, the appointment of the committees of the House, chairmanship and control of the Committee on Rules, and the arbitrary powers of recognition.

Speaker Cannon appointed all committees and if a Member's course was not in keeping with his direction the offending Member was removed from the committee. He was chairman of the Committee on Rules which met on call in the Speaker's room and regularly adopted rules without consideration of the minority position and invariably, with ample cause, James Richardson, of Tennessee, the minority leader, would on the floor denounce the entire proceedings as a parliamentary outrage. Eventually when a rule was needed Speaker Cannon would signal to John Dalzell, of Pennsylvania, to come to the rostrum and say "John, tell Jim to come to my room. The Committee on Rules is about to commit another outrage."

From the arbitrary power of recognition there was no appeal. No Member could be recognized and no measure could be taken up on the floor without the consent and approval of the Speaker. When the President of the United States himself desired consideration of a bill he had to come hat in hand to the all-powerful Speaker of the House.

In the bitter battles waged by Champ Clark, minority leader, in the 61st Congress lasting day and night, Members slept on the floors of the smoking rooms and the lobbies. The constant calling of the roll in dilatory tactics left every clerk at the desk voiceless and policemen had to be drafted to call the roll. Speaker Cannon, calm and benign, continued to rule with an iron hand.

Inevitably, the power of the Speaker was the dominant issue in the campaign

of 1910 to elect the 62d Congress. In that campaign the country returned a Democratic majority and for the first time in 16 years elected a Democratic Speaker pledged to reform the rules.

The revision of 1911 was the most drastic since the promulgation of Jefferson's Manual. The power to appoint committees was taken from the Speaker, he was made ineligible for membership on the Committee on Rules and the power of recognition was circumscribed by the Calendar Wednesday rule, the Consent Calendar, the Discharge Calendar, and restoration to the minority of the right to move to recommit.

You get the full measure of the man when you consider that under these rules Speaker RAYBURN, by the sheer power of his personality has not only held that great office for 16 years but today exercises a greater power than has ever been exercised by any former Speaker.

If you desire to serve on any particular committee you go to the Speaker. He can put you on the Committee on Ways and Means or on the Subcommittee on Disposition of Useless Executive Papers. If you want a rule you do not go to Chairman SMITH but to the Speaker of the House. If you desire recognition you consult the Speaker.

In all the long and stately procession of illustrious men who have occupied that exalted position he is the greatest and the most powerful. We salute him. In the critical days ahead his strong hand at the helm is needed as never before.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield now to the distinguished majority whip, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, it is with a deep sense of humility that I rise on this occasion. We have just heard some of the most eminent men who have ever served in this House pay tribute to the most eminent man who ever served in this House. We have met here to pay tribute to one of the great Americans of all time. History is being made here today by a man with whom history making is habitual.

Speaker RAYBURN has broken more legislative records than any man in the annals of our country. His fingerprints are on every important bill passed by this House for nearly half a century. He was the principal architect of the great legislative program of the Roosevelt era, having steered through the House the Truth in Securities Act, the Securities and Exchange Act, the Federal Communications Act, the Railroad Holding Company Act, the Public Utilities Holding Company Act, and the Rural Electrification Act. He was an indispensable force behind the farm-to-market road program, the soil conservation and flood control acts, and the GI bill of rights, to mention only a few. He has served in the legislative vanguard in war and peace, in depression and prosperity. He is the most experienced legislator in this or any other era in the history of this Republic.

Behind this illustrious legislative record, behind this preeminent public figure, known throughout the world as

"Mr. Speaker," stands that plain but incomparable human being known also as Mr. SAM.

I have heard the Speaker say that when he left his home as a youth his father said to him: "Be a man." If a paternal admonition ever paid off, Mr. Speaker, it was that one.

SAM RAYBURN is a man. He is a great man. He is the most experienced man in high places in any department of the Government of the United States. More important even than his vast experience however are the innate qualities of this great and good man.

One of these qualities is integrity. I have served with the leadership of Speaker RAYBURN and Majority Leader MCCORMACK for several years. In all that time—and this can also be said with regard to our distinguished Republican leadership—no matter how tough the decision, how frustrating the job, there has never been a thought, to say nothing of a suggestion, that any situation could ever warrant even the slightest compromise of moral principles. As an eye witness, Mr. Speaker, I can testify that your leadership in this House rests foursquare and firmly upon rock-bound ethical foundations.

Public morality is indispensable to successful government, but in this dangerous age even more than that is required. They tell us, Mr. Speaker, that "the road to Hell is paved with good intentions." We have all heard the Speaker say, "It does not make any difference how much sense a man has unless he also has judgment to go with it." SAM RAYBURN has better judgment than any man I ever knew. I have never known him to go off on a tangent; I have never seen him do a foolish thing. He is the balance wheel in the Government of the United States today.

Mr. Speaker, I join all colleagues in congratulating you on the unparalleled record you have made in this House, but I am more interested in your future than in your past, glorious though it has been. In this age when the world trembles, when miscalculation is more feared even than evil design, we need your experience; we need your calm judgment as we never needed it before.

With your 79 years, you are younger than some of the most important living statesmen in the world today. Your health is better than that of most men half your age. With all the magnificent accomplishments of your long and productive life, it is my sincere belief that your biggest job lies still before you. You have an indispensable mission of leadership in the dangerous years which lie ahead and, under the guiding hand of a kind Providence, a still nobler purpose to accomplish on behalf of your fellow man.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include an article from the New York Times of June 4, and an article of June 11 in the Washington Post, the latter by Robert C. Albright.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The newspaper articles referred to are as follows:

"MR. SAM," STOREKEEPER, IS A GREAT RIDER, Too

(By Robert C. Albright)

President Kennedy tells the story of a call received at the White House switchboard one day when he was in Canada, Vice President JOHNSON was in Asia and Secretary of State Rusk was in Geneva.

"Who's keeping the store?" demanded the frustrated caller after trying to reach each of them.

"The same man who's always kept it, SAM RAYBURN," retorted the operator.

Salty "Mr. SAM"—"Mr. Congress" to many—has been Speaker of the House longer than any other man. He's been keeping the store off and on for four Presidents of the United States. All told, he's served along with eight, starting with one of his heroes, Woodrow Wilson, since he first came to Congress on March 4, 1913.

But never say that he served "under" any man.

"Don't use that word 'under,'" he once told an interviewer, "I've never served 'under' anybody. I've served with them."

The House of Representatives is his greatest love and the Speakership, sometimes described as the second most powerful office in the land, his summit. He never aspired much beyond it, although the Presidency distantly beckoned before he turned 60. (He's now 79.) In 1946, Congress passed a law making the Speaker third in line of succession to the Presidency.

That's close enough for "the squire of Bonham."

DOUBLE MEASURE

RAYBURN's firm but benevolent rule of the House, probably the most complete any House leader has known since the vast powers of "Uncle Joe" Cannon were clipped by a bipartisan liberal revolt in 1910, is about to pass a new milestone.

At noon Monday he will have been Speaker exactly 16 years and 273 days, allowing time out for two interregnums—the Republican 80th and 83d Congresses.

That's exactly double the previous record of 8 years and 136½ days. The earlier mark was set by another of the heroes of RAYBURN's history-worshipping youth—Henry Clay, the brilliant Whig from Kentucky who left the House to shine still brighter in the Senate.

RAYBURN equaled Clay's service in the Speaker's office on January 30, 1951. He has smashed many another tenure record. He's seen about 3,000 Congressmen come and go. No Member of the House has served more years in Congress, although CARL HAYDEN, Democrat of Arizona, President pro tempore of the Senate, who first went to the House in 1911, has served longer in both Houses. The only House Member remotely approaching RAYBURN's service record is 77-year-old CARL VINSON, Democrat, of Georgia, who first came to the House some 21 months after RAYBURN.

Yet the word retirement isn't in RAYBURN's vocabulary, say those who know him best. Physically, he appears as sound at 79 as he was at 60. On a recent trip home to his ranch in Bonham, Tex., he was given a thorough checkup by his personal physician. "You'll live to be 106," was the verdict.

"I'll settle for 104," chuckled RAYBURN. "It's because I've been having my way," he told a friend who complimented him on his good health.

RAYBURN never used a more apt phrase.

He's been having his way in the House, where he usually manages to stay on top of a House majority despite occasional forays from the right and the left. And he's been having his way pretty much in national politics.

For one thing, his candidate for President, LYNDON JOHNSON of Texas, came up with the costarring role on the Democrats' John F. Kennedy ticket. For RAYBURN, it was reliving history. Back in 1932, he had floor-managed the presidential campaign of John Nance Garner in the Democratic convention that nominated Roosevelt and Garner.

Occasionally, he's been having his way at the White House, too, with Presidents he serves "with" and not "under."

His advice is sought in top places. When it isn't, he sometimes volunteers it.

For example, he told his good friend Harry Truman after he was sworn into the Nation's highest office in 1945: "I have seen people in the White House try to build a fence around the White House and keep the very people away from the President that he should see * * * That is one of your hazards."

"I gave him the same advice that I gave Mr. Eisenhower and that I have given Mr. Kennedy," he later elaborated.

RAYBURN's formula for running the House is typically Texan: "I try to ride the horse." But the Speaker attributes his longevity in Congress to another infallible rule: "Be reasonable, be fair."

He has a few other homespun guidelines. One of RAYBURN's homilies: "It doesn't make any difference how much sense you've got if you haven't got any judgment."

During the nearly 17 years he's been Speaker, RAYBURN usually has managed to gage the House "mood," as indefinable sometimes as a balky Texas bronc.

Three years ago, the Chamber's growing group of House Democratic liberals came to him for aid in breaking Democratic bills out of Chairman HOWARD W. SMITH's (Democrat of Virginia) coalition-controlled House Rules Committee.

RAYBURN agreed that the key bills must come out, but asked time to act through normal leadership channels. SMITH and his coalition refused to budge.

When the 87th Congress convened, the liberals again were waiting at the Speaker's door. This time there was another interested party, President John F. Kennedy, who had a program to move. Rayburn tried once more, unsuccessfully, to reason SMITH into making a commitment. When that failed, he got out his spurs.

The Speaker threw his backing behind a resolution enlarging the Rules Committee from 12 to 15. The contest was a cliff-hanger, with the bulk of House Republicans voting with Southern Democratic holdouts. But RAYBURN rode the horse and won the count, 217 to 212.

"It was a fight I had to win," said the Speaker.

RAYBURN remembers other donnybrooks he could not afford to lose, but none more dramatic than a roll call taken on a hot August day in 1941. President Roosevelt was pressing for extension of the draft and the House opposition was intense.

RAYBURN made one of his rare speeches from the House well and undoubtedly influenced the outcome. The vote was 203 to 202—for extension. Dissipation of our military manpower had been averted just 4 months before Japan struck at Pearl Harbor.

Tie votes are fairly common in the Senate. But in all the years he has been Speaker, RAYBURN recalls only one actual tie in the House that he was called on to break. That was back in 1957 when he cast the deciding ballot in favor of a measure sponsored by the House Interstate Commerce Committee.

On another close count, RAYBURN voted to make a tie in order to kill an unwanted amendment.

Born in Roane County, Tenn., one of 11 children, "Mr. Sam" is the son of a Confederate soldier who rode with Lee through Appomattox. He was only 5 when his father

moved the family to Texas and settled on 40 acres near Bonham.

It was a lonely life, he recalls. When he wasn't farming he read voraciously. "By the time I was 9 or 10, I had read every history book I could find * * * everything I could get hold of about Washington, Hamilton, Jefferson, the Adamases, Monroe, Madison and all I could about the men then in public life."

It was while he was picking cotton, down near Flag Spring, Tex., that he decided he wanted to be Speaker: "There is a lot of time to contemplate when you are picking cotton."

He was educated in a two-teacher school and then at East Texas Normal School, working his way through, teaching school a year to pay for another year of college.

When he was 24 he was elected to the Texas Legislature. At Austin, the State capital, he also studied law at the University of Texas. When he was 29 he was elected speaker of the Texas House, the youngest man ever chosen until then. The next year he was elected to Congress, and has held his Fourth District seat ever since.

It was while he served in the Texas Legislature that RAYBURN met and became friends with the father of LYNDON JOHNSON, then a member of the State legislature. That friendship was to affect the lives of both. When LYNDON was elected to Congress in 1937, RAYBURN offered him fatherly guidance in the legislative jungle which then was the House.

In later years, when JOHNSON went on to the Senate, to a leadership post of his own and renowned as a legislative craftsman, RAYBURN, outshone, was still JOHNSON's most enthusiastic rooter.

Inevitably it was RAYBURN who captained his campaign and who was the man JOHNSON asked John F. Kennedy to clear with when he proffered him the vice-presidential nomination in Los Angeles.

Rayburn says today that he was never "against Kennedy"—he was "just for Johnson." Today he appears equally enthusiastic for Mr. Kennedy.

"He's one of the easiest men to talk to I have ever known," says the Speaker. "He understands everything you say and he damned well knows what he's saying."

He thinks the country will be surprised how much of Mr. Kennedy's program Congress puts through in the first year.

The late Champ Clark was Speaker when RAYBURN first took his House oath. He doesn't rank Clark with the great Speakers. He's inclined to go back to another strong House presiding officer, Thomas B. Reed, of Maine, who wielded a firm gavel in the nineties.

He doesn't consider his friend, John Nance Garner, in the running because he presided as Speaker for less than one term before running for Vice President.

Of the late Nicholas Longworth, of Ohio, who succeeded Garner as Speaker, Rayburn says: "He was a very fine man and very able—a real good Speaker."

In his estimate of the Presidents he's served with, he never downgrades the office but does make some fine distinctions. In an outspoken interview for the CBS television network last February 26, he spelled out his recollections of the last eight Chief Executives.

For example, he said that history "is going to be mighty kind to Mr. Truman. I think it is going to put him way up among our great Presidents."

He said that Mr. Eisenhower is a "good man" and was "a great general." He says: "I still think Mr. Eisenhower is a great patriot; I think he wanted to serve his day and generation well, and I—well—I think history will be just to him."

Of Wilson: "He was a great scholar * * * a great historian and I think he was a great statesman."

Of Harding: "He was a very gracious man * * * I never thought Mr. Harding was a dishonest man—I don't think there has ever been a President who was a dishonest man * * * I think Mr. Harding trusted too many men."

Of Coolidge: "They say he was a great silent man but he talked aplenty * * * Coolidge said one of the smartest things that was ever said: 'I found out early in life you didn't have to explain something you hadn't said.'"

Of Hoover: "Hoover was a good man * * * and I like him today. I always thought Mr. Hoover was a better man to be on the team than to be captain."

Of Roosevelt: "He was a highly pleasant man who had programs and could explain them. He had a program and he had the courage to stand by it * * *"

RAYBURN first came into national prominence as chairman of the House Interstate Commerce Committee, when Franklin Roosevelt came in with his New Deal at the depth of the great depression.

RAYBURN looks back on four acts he sponsored as the very cornerstone of the New Deal: the Securities and Exchange Commission Act, the Federal Communications Act, the Rayburn-Wheeler Holding Company Act and the Rural Electrification Act.

When in 1948, he received the Colliers magazine Congressional Award for distinguished service, a plaque and a check for \$10,000 to be used for a public purpose went with it. RAYBURN used it to start building a fund for the SAM RAYBURN Memorial Library in Bonham. Ground was broken in 1955 and the library was dedicated in 1957.

RAYBURN described it as a "dream of a lifetime" come true. In it are filed all his papers and the volumes of history he loves. You can tell those he's read. At the bottom of page 99 of each one he's inscribed his initials, "S.R." It's RAYBURN's personal bookmark.

A complete set of the records of every Congress is here. Fiction, as such, is strictly relegated to second place.

"You can write a history of the United States without leaving the reading room," RAYBURN says proudly.

THE SPEAKER SPEAKS OF PRESIDENTS—RAYBURN OF TEXAS REMINISCES ABOUT THE CHIEF EXECUTIVES HE HAS SERVED WITH, NOT UNDER

(By SAM RAYBURN)

(A Member of Congress since 1913, Democratic Representative SAM RAYBURN of Texas is now in the 80th year of his life and in 17 of those years has been Speaker of the House, the third-ranking officer of the U.S. Government. Recently "Mr. SAM" was asked whether, in that time, he had not served under eight Presidents, more than any other Congressman in our history. Mindful that Congress is a coequal branch of the Government, he replied: "No, I haven't served under any. I have served with eight Presidents.")

Of the eight, Speaker RAYBURN has known seven with some degree of intimacy—all save President Harding. Here, as recorded in an interview with John D. Morris of the Times Washington staff, are his recollections and impressions of the Presidents he has known.)

WOODROW WILSON

I think Wilson was one of the great intellects who sat in the White House. He was a great historian and a great teacher. I studied in college his book called "The State"—wonderful. And then after I was elected to the House and he was elected President in 1912, I bought his history of the American people in four volumes and read that before I came here, and those volumes are in my library at Bonham, Tex., now.

Wilson's first term before World War I was really pointing toward what he called a New Freedom. During those first four years we

passed a Federal Trade Commission Act, Federal Reserve Act, Clayton antitrust law, and Underwood Tariff Act. I was a member of the subcommittee that wrote the Federal Trade Commission Act.

Of course, Wilson gave the impression of being a very cold man, austere. I always thought he had the Presbyterian fervor to do a great job for humanity en masse, but he gave me the impression he wasn't too much interested in individuals, and I think that is what caused a great many people not to warm up to him. But they tell me that with his family he was a very warm individual.

I think he made a mistake in not taking some Republican to Paris with him to help draft the League of Nations covenant. Here was William Howard Taft, who was supporting the League of Nations strongly, an ex-President. And there was Elihu Root, a great lawyer and a great statesman who was supporting the League of Nations. If one of these men or a Republican of that type had been in the group he took over to Paris, he probably would have gotten his League of Nations ratified by the Senate.

Mr. Lodge [Senator Henry Cabot Lodge, of Massachusetts, grandfather of the 1960 Republican Vice Presidential nominee] was the leader, you know in the fight against the League of Nations. I have always thought that he rather resented Wilson because, until Wilson came in, he was the scholar in the Government. And he fought viciously.

And Woodrow Wilson cried out and said that if the United States of America didn't join the other democracies of the world in bringing about a league of peace, that the world would be shocked and torn by another and more destructive war in 25 years. Well, it came earlier than 25 years, World War II did.

CALVIN COOLIDGE

In 1923 and 1924 they were trying to build Coolidge up for President in 1924, and they built him up as the great silent man; he was supposed to be so busy studying these great questions that he couldn't look up and talk. I visited with him in his office a few times, and then I had breakfast at the White House with him twice, and he talked enough.

One thing he said should be read by every politician over and over again. Somebody was kidding him about his silence, and he said, "Well, I found out early in life that you didn't have to explain something you hadn't said." Now I think that is the smartest thing that I have ever seen outside of the Bible. You know nearly everything that is smart is said somewhere in the Bible, or part of it is there.

Coolidge talked a great deal. I remember we went into the breakfast table, and the fellow on his right knew where to sit, and the fellow on his left knew where to sit, and the fellow immediately across from him knew where to sit, but they were all standing around in confusion. So he said, "Sit down anyplace, gentlemen. Eating is just as good one place as another." And he fed the dog at the breakfast table—had a nice-looking dog sitting behind his chair, and reached back and gave him something every now and then.

Coolidge came into a situation where the country was pretty prosperous, and when he left the presidency he left a pretty prosperous country, and I rather liked the man. He talked plenty at breakfast.

HERBERT HOOVER

Mr. Hoover is a very efficient man and always was. Back there when Harding and Coolidge was President and they appointed a Cabinet study group. Hoover always went on it. As Secretary of Commerce, Mr. Hoover appeared before my Committee on Interstate and Foreign Commerce for 8 years. He could explain his position. But I always thought

he was a better man on the team than captain.

He did his best. He is a good man, a hard-working man, and a patriotic man—is and was. But I doubt if anybody who might have been President could have prevented the debacle of 1929, which took him down with it.

He is a good citizen today. Mr. Truman appointed him as the head of the Hoover Commission, where he did a wonderful job. He made a great many recommendations that I never was for, that we never put into effect, but all in all Hoover was a good man and wanted to do a good job.

FRANKLIN D. ROOSEVELT

In 1932, of course, Roosevelt defeated Hoover and we had a big Democratic majority in the Senate and House, and Roosevelt came here with a program and he had faith and confidence in the American people. And they had great confidence that he was trying to do something for them. They would stop their work and listen to his fire-side chats. And that first hundred days was unparalleled.

We had 14 million unemployed then. Factories were closed; 5,700 banks and trust companies had closed their doors.

Roosevelt closed all of the banks and had them examined. There wasn't much kicking about it. I know one lady who lived on a farm down in my county who came in to get money out of the bank. They said, "You can't get any money out. Mr. Roosevelt has closed the banks." She said, "I guess Mr. Roosevelt knows best. He is trying to do something for us." The people knew he was trying to do something about it.

When the banks opened, after being examined, everybody had confidence. Instead of having a run on the banks, instead of taking money out, they took hundreds of millions of dollars the first week and put it into the banks.

And then we started to try and find employment for people. We had WPA—the Works Progress Administration—which did a lot of mighty good work. When we were down at the White House one morning, President Roosevelt said, "Now you folks have got what you want. I want a Civilian Conservation Corps." And out of that grew the CCC, which was very helpful in many ways to the youth of the country. It took them off the streets and gave them a useful life.

All in all, people went back to work, people became able to buy automobiles and gasoline and oil and groceries, farm implements, and our entire economy began moving up and up.

I think I know people pretty well when I sit and look at them. I sat across the desk from Roosevelt from 1937 until he died, every Monday morning for an hour. The leaders of the Senate and House met there with him. (I became majority leader of the House in 1937.) When he heard of the underprivileged, or he heard of some people who were in bad shape, his eyes would just reach up, they would almost sparkle. Roosevelt was really for the underdog. And the people knew it, and that is why they loved and revered Roosevelt.

Now, of course, there were a lot of people who hated him, and it is a funny thing to me that people who were broke when he came into power in 1933, the same people who recovered the fastest and got the richest, are the ones who hated the Democrats the worst. But he had a program and he had every bit of courage that a man should have, and then he was about the greatest politician—greater even, I should say, than Theodore Roosevelt. And I think he has the right to be classified as one of the greatest leaders of the United States or the world.

HARRY TRUMAN

Truman and I had been good friends for 10 of the 11 years he was in the Senate, and we visited a lot. After he became Vice President I wanted to keep up that association, and one afternoon I phoned him and I said, "Harry, come over and let's have a visit." He said, "Be right over."

I went down to the little room, my hide-away from there on the first floor of the Capitol. I think Bill White [William S. White, then of the New York Times staff] was there, and Lew Deschler [Lewis Deschler, Parliamentarian of the House] and one or two more, and the telephone rang.

"Is the Vice President there?"

"No," I said, "but he is momentarily expected."

"Tell him to call Mr. Early [Stephen T. Early, Roosevelt's press secretary] as soon as he can."

Well, he came in and sat down on the lounge, and I told him about the call. So he called and said, "This is the V.P." Of course, they never called anyone "Veep" but Barkley, you know.

"I understand Mr. Early wants to talk to me," he said. And Mr. Early came on the line. Truman said, "Uh-huh, uh-huh," and hung up, then said, "Steve Early told me to come to the White House as quickly as possible and as quietly as possible." And Truman left immediately. In a few minutes, we had the flash that President Roosevelt was dead.

I went down to the White House with the other congressional leaders for the swearing in that afternoon. Truman walked over to us, and I said, "Now, Harry—Mr. President, we are going to stand by you." "I think you will," he said. Then we dispersed and he was in the White House.

One of the greatest accomplishments of the Truman administration was the Marshall plan. It saved Western Europe from the clutches of communism years ago. And the Truman doctrine in Greece and Turkey—one of the greatest things. Greece and Turkey were flat, were a prey to anyone coming along, just as Western Europe had been. Take people such as those of France, with transportation gone, bridges gone, factories in ashes, nothing for them to do. Men seeing their wives emaciated, their children hungry and cold. Such men will vote for any kind of a change because they can't make it worse than starving or freezing to death.

But the Marshall plan went in there and helped them rebuild, made something for the people on which to work, and it is just a marvel. And the beauty about Truman was that he called it the Marshall plan. It could have been the Truman plan had he wished, but he gave it to George Marshall.

I think history is going to be very, very kind to Harry Truman. Of course, I am always kidding him about shooting from the hip and getting a lot of criticism, but the historian is going to forget those little things.

He is going to remember the great things Truman did, the far-reaching, world-shaking decisions that he made. And he made them with knowledge and with courage and stood by them. So I think Harry Truman is going down in history as one of our outstanding Presidents.

DWIGHT D. EISENHOWER

I had met Mr. Eisenhower a few times before he became President. He was born in Denison, Tex., in my congressional district, about 26 miles from where I live. I will say he didn't stay there long. His father was a railroad man and moved on to Kansas. One of the boys, however, was born in Denison, and it turned out to be this one, President Eisenhower.

When he returned from Europe after World War II, the folks in Denison wanted him to come down. I had breakfast with him, a nice, big ham-and-egg breakfast, in the little house where he was born, right near the railroad tracks. And the people of Denison are preserving that, in very good shape.

Then I saw him a few times while he was Army Chief of Staff. He is a very likable man, and I always liked him. Mr. Eisenhower is the only man in history who was President of the United States 8 years with the opposition party in control of both Houses 6 of the 8 years. So if we had been trying to make a failure out of him, he couldn't have done anything. But when he advocated something that we thought to be in the interest of the country, we supported him, just as if there had been a Democrat in there.

Mr. Eisenhower was past 60 when he was elected. He had had little or nothing to do with government. He had been an Army man all his life. He must have impressed the people who were in charge, because he was a major in Roosevelt's administration, and Roosevelt and Truman built him up to the highest general we had.

When he came into the White House, he couldn't have known too much about politics or law, anything like that. And it took him a long time to straighten out on it. But I think history will be just to Mr. Eisenhower because he is a good man, a delightful personality, never offended many people, and I think history is going to treat him pretty well.

JOHN F. KENNEDY

When Kennedy came to the House, by the election of 1946, he had a swarthy, dark-yellow complexion. It looked as if he had had that Pacific fever. And he looked so spare. I had no idea how tall he is. He is a pretty tall man; I looked upon him as a little fellow.

He went to the Senate in 1952, and someone asked me a while back if at that time I felt that Kennedy would ever be President. I said, "No," thinking about him as I had seen him in the House.

Kennedy said, in 1958 and 1959, that he was going to run for President and he really went at it. All his organization, you know. He had Bobby (Robert F. Kennedy, his brother) and he had others—able young men who just spread out over the country—and when Kennedy would arrive somewhere there was an organization. And when he left there was a bigger organization, people working for him.

I was supporting LYNDON JOHNSON but he was majority leader and he had to keep store in the Senate. He couldn't go out and spend a lot of time getting votes for the nomination. And Kennedy worked up to where he was nominated on the first ballot. Then, as you know, Kennedy went to Lyndon's room at 8:30 the next morning and asked him to run as Vice President. I advised that he accept it, and I think they make a fine team. I think JOHNSON and Kennedy would have made a great team, and I think Kennedy and JOHNSON make a great team.

President Kennedy is an easy man to talk with, very easy. We have breakfast with him, the leaders in the Senate and House, every Tuesday morning and talk things over very frankly. He doesn't take up all the time. He asks other people what they think. He knows what he is talking about when he raises any issue, and he has some wonderful researchers around him who bring him the facts. Then he makes his judgment. I really think that Kennedy is going to make an outstanding President. That is what I think about him.

ON PRESIDENTS

You have got to assume that a President is a good man and a patriotic man who wants to serve the country without regard to impediments that may be placed in his way. As Woodrow Wilson said, "It matters not what my personal fortune may be. I am willing to play for the verdict of mankind."

He has got to be a man of ability. He has got to be a man of knowledge, especially of history and government. I am sad to say I think we have too few historians in the United States.

He has got to know not only the history of this country and the history of the world, but he has got to know the Government of the United States and how it was formed—what the men of the Constitutional Convention in 1787 had in their minds, for they went there to set up a new idea in government. Never before had there been a representative government. Greece, far back there, tried a pure democracy and found they could not effectively apply it. But 1787 expressed a new concept. And the great Presidents of this country have understood it and nourished it.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished minority whip, the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, my congratulations to you upon having served twice as long as any other man in the high office you hold as Speaker. This is but one of your many accomplishments that attest to your greatness. With 16 years and 273 days as Speaker of this House, you have doubled the previous record of the immortal Henry Clay.

In the South, our Speaker is known as "Mr. SAM." In the North, he is known as "Mr. Democrat." To us, and to the country generally, he is "Mr. Congress."

When I first came to Congress in 1935, this Democrat SAM of ours was chairman of the Committee on Interstate and Foreign Commerce. He had been in Congress since 1913. It didn't take me long to recognize his innate shrewdness, his parliamentary skill and power of persuasion—on the floor and off the floor. As committee chairman, and subsequently as the Speaker, he deftly, sometimes forcibly but never belligerently, secured passage of highly controversial measures desired by the administration for whom he spoke.

Whatever the legislative issue, Speaker RAYBURN always recognized and defended the rights of the minority. He does not arbitrarily use the power that is his as Speaker. He uses, and has used on me, his power of personal persuasion.

The term "greatness" is applied in different ways by different people, dependent upon one's particular code of values. What is important to one person may be relatively unimportant to another. But whatever one's definition of greatness, as a Speaker, SAM RAYBURN, is truly one of the greatest of the great as a leader of men and moulder of history.

Mr. Speaker, again my personal congratulations. I wish for you every joy that life can offer. I wish for you continued good health. I hope you serve for many years in the Congress. I wish for

you everything, Mr. Speaker, except one thing to which you may understandably aspire; that is, another term as Speaker.

You have always understood why in all these successive Congresses in which I have served, I have never voted for you to be Speaker. It has had nothing to do with my affection and respect for you. It has been because of the compelling political exigencies of the moment that I have cast my vote for some other outstanding candidate. As Speaker, you have served well and honorably.

You will, I hope, continue to serve in this body as long as you desire.

They always say big things come from Texas and happened in Texas, and anything in connection with Texas is big. For Texas and this country you have indeed given an outstanding service.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, it is indeed a great honor and privilege to stand here in the House of Representatives and say to our Speaker the things I have in my heart. If I could have the time to express my deep thoughts of our great Speaker, it would take hours upon hours. I join in all the things that have been said on behalf of the Honorable SAM RAYBURN, of Texas.

I shall never forget one of the first years I served in this body. A housing bill was before the House of Representatives for consideration. The bill was debated, the time came for the offering of amendments, and having been in the lumber business for 24 years before I came to Congress, I saw in that bill a mistake which I felt should be corrected. So I offered an amendment to the bill. I stood on the very spot where I now stand and offered that amendment.

A point of order was raised against the amendment on the ground it was not germane to the bill. Our Speaker, Mr. SAM RAYBURN, a Democrat, I, a Republican, vacated his Speaker's chair, put another Member in his place, and came to my side while I was standing here, red faced. I did not know what to say or what to do because I had not anticipated that a point of order would be raised against my amendment. Mr. SAM said then, "Ask unanimous consent to withdraw your amendment to this section of the bill and offer it to section 9. It will be germane to section 9. You have a good amendment, and I want to see it passed."

And he resumed the chair.

I asked unanimous consent that my amendment be withdrawn to that particular section and at the proper time I again offered my amendment and it was agreed to by the House of Representatives.

You can imagine how I appreciated that help.

I know SAM RAYBURN to be fair, reasonable, courteous, and helpful to new Members. For that we love him. Among the many other attributes that Mr. RAYBURN has is his great ability.

I read in the paper the other day that his physician had given Mr. SAM a thorough physical examination. After

the examination his physician said "Mr. SAM, you are going to live to be 106 years old."

Mr. SAM RAYBURN said, "I will settle for 104."

So, Mr. Speaker, I wish you many, many happy days as a Member of this House. Of course I know there are an awful lot of people in America who would like to see you take a good long rest, you deserve that long rest, but while you are Speaker we know that we have one of the great men of all time at the head of this, the greatest legislative body in the world.

I congratulate you, Mr. Speaker, and I shall always cherish my acquaintance with you, one of God's noblemen.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, we examine, evaluate and honor today one of the greatest careers in the history of American Government.

From the day on March 4, 1913, when SAM RAYBURN took his seat in the Congress of the United States, to this hour, we have a massive accumulation of achievement on the very highest levels of decision and policy.

No legislative solution of the greatest crises in these years can be discussed with any integrity without the mention of the name of SAM RAYBURN.

I think of SAM RAYBURN's contribution to man's forward march in history not so much in terms of time and seniority. Of course there is an inherent and a profound significance in so arresting a statistic that today his length of service in the Speakership exceeds by twice that of Henry Clay, the Speaker who held the record before him.

The essence of the career of SAM RAYBURN is not in terms of time but in terms of what he did with the time and the position that was his.

It is this overwhelming and formidable record which makes it possible for me to say—objectively—almost like an IBM machine arriving at a total, that here indeed is one of the greatest careers in the history of American Government.

Yet, as I look at this friend, this mentor, this leader today, I must conclude that even after a half century of extraordinary service, his work is not yet done. His work is not yet done because the years of fulfillment that belong to the past, and the years of counsel and leadership that lie ahead, will, to generations yet unborn, serve as a symbol and a guide and a model of the noblest qualities in the long biographical catalogue of American leadership.

It is this that makes me wish today I were a professional historian and a skilled and learned biographer.

But I am only a public official.

It happens however that a biographer of SAM RAYBURN would come to me for some basic and original source material.

For who can escape my boast through the years that our political paths crossed back in the dim past when I was in the Texas legislature and one of the members of that great body just a few years

before was SAM RAYBURN. We served in the Texas House—he 6 years and I 4—and even in Texas he was “Mr. Speaker” for 2 years of the 6.

To the Nation and to the world, his leadership has been so versatile, so pronounced, so unself-seeking and, so far as it is possible for a man in his exposed position, so self-effacing, that grateful neighbors, a grateful political party, and a host of admirers have awarded him titles that are the more human satisfactions of the good life.

Thus he has been known in and out of print as: Mr. Texas, Mr. Speaker, Mr. Democrat, and Mr. United States.

When I say that I think they all fit, I like to believe that I am speaking not just emotionally. Given the opportunity of time, and had I the eloquence, I could give you the soundest documentation on just why each of these titles belongs specifically and eminently to him. For more than a half century I have been a legislative ally and colleague, and a participant, with SAM RAYBURN in his great adventures on behalf of the people of this country. What I sometimes fear a biographer—coming from the outer and detached literary world of scholarship—may miss, is the essential warmth and humaneness, the great capacity for friendship, that may go underemphasized.

For SAM RAYBURN can be stern.

And SAM RAYBURN can be forbidding. And SAM RAYBURN's deep and abiding humanity can be swallowed up in the scope and sweep of the massive problems and the weight of decisions that invest his command position in the affairs of our country and the world.

In all my time I never saw so much strong leadership and so little arrogance in a personality of such force in a position of such power.

Some of this that I am saying may be embarrassing to this great man, but I want it in the record, for I have been in politics since 1920, close to the turn of the century—and, after all, how much time is there?

This humanity, this sheer goodness and kindness in the man, did not extend only to those of us who were at his side and knew him by name.

It was rather a kind of liaison of the heart that went out from him to the people and was returned from the people to him.

There, if you were to ask me, is the true secret of his leadership.

Ask the people of Bonham. Ask the people of Texas. Ask the men—not only myself—whose friendship with him has endured for 50 years, and ask a whole host of Congressmen—on either side of the aisle—Members who serve today and who served yesterday. Ask the living former-presidents and the present incumbent of the White House. Ask some of the most notable figures in the embassies and chancelleries and the capitals of the world.

When I say leadership without arrogance and without vanity and with a strong touch of humility, what do I mean? For my answer in its simplest

form I go to SAM RAYBURN's own words. He once said—I quote:

You cannot be a leader, and ask other people to follow you, unless you know how to follow, too.

These, I repeat, are words not only of wisdom and judgment and experience, but words also of a profound humility.

And when I say “liaison-of-the-heart” and SAM RAYBURN's identification with the people, what do I mean?

What I mean is that SAM RAYBURN who was not and never could be a doctrinaire “new dealer” nevertheless helped to give to the “new deal” its reputation for sound compassion and sound legislation by helping to put on the statute books the inner soul of the best legislative features of “new deal” philosophy.

Leadership means judgment. It means not being swept up by wild notions in a violent atmosphere of change and crusading, nor of being blind to the elements of sound relief and improvement for a distressed people in the midst of national tragedy.

RAYBURN had known as a boy the back-breaking toil of the farm, as later experience taught him the needs of the urban toiler.

And so his heart and his effort went with the people.

If you ask what that means I answer: It means, first of all from my standpoint, the Rural Electrification Act.

It means the Railroad Holding Company Act.

It means the Securities and Exchange Act.

It means the Federal Communications Act.

It means far and deep in RAYBURN's leadership the rightness of the Federal Government helping the farmer with farm-to-market roads.

I was in SAM RAYBURN's office in the Capitol in 1944.

Bill Robinson, of Utah, chairman of the House committee dealing with roads and highways, came in and asked Mr. RAYBURN to let him take up the highways bill.

RAYBURN asked:

What have they got in there for country roads?

Bill Robinson said:

We don't have anything that's designated but we expect to have part of the authorized funds spent on secondary roads.

RAYBURN said:

Have your committee agree to an amendment that will earmark 30 percent of the funds for farm-to-market roads.

Robinson seemed to agree on the figure and RAYBURN said:

We will then take it up and pass it.

That day in 1944 that bill was agreed upon and shortly thereafter passed and its advantages have continued and are observable throughout the farm country down to this day.

There is, as you can see, little rhetoric involved in this kind of leadership, and less self-glorification.

But it was done.

I may point out here that the Federal-aid Highway Act of 1944 authorized the

first specific funds for Federal-aid highways in urban area—not just farm-to-market. Small amounts of Federal funds for secondary or farm-to-market roads had been authorized periodically since 1933. But it was not until this act that SAM RAYBURN advanced so forcefully, that provision was made for the selection, cooperatively by the States, local governments, and the Bureau of Public Roads, of a Federal-aid secondary system to which Federal assistance for secondary road was restricted. It widened the horizons of the small farmer. It improved the farm economy. It tightened contacts between produce and markets.

It eased the burden of the people who produce our food for us.

Out of a vast literature of achievement as broad and as deep as the legislation the Congress has passed in the last half century I selected, almost at random, this particular highway bill because it so dramatically illustrates my point and because I was there.

Another instance of what—perhaps too poetically for the taste of our guest of honor—I have been calling a liaison-of-the-heart with the people, there is the Rural Electrification Act which he—SAM RAYBURN wrote—and which he engineered through the Congress.

Here was a bill to help to light the homes and furnish electrical energy to rural America.

The story of this bill is a classic in legislation for the people.

It is a classic in sound financing.

It is a classic in service and the up-building of the farm economy.

It is a classic in pulling a distraught Nation out of the depression.

It is a classic insight into the character and the philosophy of Mr. SAM RAYBURN.

What has it done?

Since the inception of the electrification program in 1935, I learn from the 1961 hearings before the Subcommittee of the Committee on Appropriations in the House, loans have totaled over \$4.1 billion. And—quoting from the hearings:

During this period [1935 to the present] the percentage of farms with central station electric service has increased from about 10 percent to approximately 97 percent.

The data is technical and statistical. But what they add up to is soundness, wisdom, and an immense service for the people. It is simply impossible to estimate what all this means in terms of sweat and blood and toil that has been lifted from the people, to say nothing of what it has done to advance the economy, provide resources for taxation, and produce economic sinews for the strengthening of a free America.

I ask: Is there 1 voter in 50—in a hundred—who knows SAM RAYBURN authored and engineered this bill through the Congress? It is the work of a kind man and a statesman who has never tried to be popular.

This “progressive conservative” or “conservative progressive” has been asked to evaluate the eight Presidents he has known. It is said: “Judge not that

ye be not judged." Well today I am going to judge SAM RAYBURN with his own judgments.

Today what I have to say about SAM RAYBURN, SAM RAYBURN has said about others.

I find these judgments superbly fitting to Mr. SAM himself.

Of President Woodrow Wilson he said Wilson was a "great statesman."

That is true of SAM RAYBURN.

Of President Coolidge what could be more appropriate, more right, than the Coolidge philosophy of silence and its application to Mr. RAYBURN. Coolidge said of his tendency to keep his mouth shut: "I found out early in life you did not have to explain something you had not said." Commenting on this Mr. RAYBURN said:

Now, I do not know anything in the world that's better for a politician to know than that.

Of F.D.R. he said "he had courage." Harry Truman, SAM RAYBURN said, belongs "up among our great." He spoke of Eisenhower as—I quote "a great patriot." And of President Kennedy he says he is—I quote "a man of destiny."

All of this, I hold, is the perfect description of "Mr. Speaker" SAM RAYBURN.

Mr. Speaker, I ask unanimous consent that the other members of the Texas delegation be allowed to extend their remarks at this point in the RECORD and that I may be allowed the same privilege and to include extraneous matter.

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

There was no objection.

Mr. DOWDY. Mr. Speaker, it is a pleasure and privilege to join our colleagues in this program in honor of Mr. RAYBURN's long service as Speaker of the House. May he have many more years in the service of our country.

Mr. BURLESON. Mr. Speaker, I join my colleagues who, on this occasion take cognizance of the fact that our beloved Speaker, SAM RAYBURN, has at this time served in this exalted position twice as long as any other in the history of our Nation.

Mr. Speaker, the imprint of SAM RAYBURN will forever be on America as well as the great influence he has had on other nations and other peoples.

When history is chronologically recorded in the period this great man has served in Congress and as Speaker of the House of Representatives his stature will loom larger and his shadow will reach across the length and breadth of our land.

Congratulations, Mr. SAM, and may you continue to excel records established by early and able predecessors.

Mr. THOMPSON of Texas. Mr. Speaker, this is a day that Texans in the Congress would like to monopolize. We regard SAM RAYBURN as our own private property. We concede to our other colleagues the privilege of saying nice things about him on an occasion of this nature. We feel that we ourselves more than any others in the Congress really know and truly appreciate this

Great American; this great statesman; this great Texan. However, because we must grant that he is yours as well as ours, we yield to you other Members of the Congress your full share of time and we appreciate all of the fine things which you are saying of our beloved Speaker.

I suppose that there has never been a man in the history of public service, in this or any other country, who has influenced more other public servants than has SAM RAYBURN. If you will watch the conduct of some young Members, and some who are no longer young, either in years or service, you will see an indefinable something that will tell you that this man has learned his lessons from SAM RAYBURN, and that he is consciously or unconsciously trying to pattern his service after Mr. RAYBURN'S.

Perhaps it is manifested in the dignified demeanor of the younger member should he occupy the chair. Perhaps it is in his manner of speech—sincere, objective, forceable, and without any flamboyant tricks or trimmings. Perhaps it is in his invariable habit of being always on the job and always available. Perhaps it is in the manner in which he tries to help his fellow members. Any representative in Congress profits if he does consciously or unconsciously pattern himself after any of these outstanding traits which exemplify the Speaker. God truly blessed the United States when he brought SAM RAYBURN into the world, and God has blessed us all as he has guided the Speaker's footsteps along the rough road of public service. We trust that God will continue to bless us all with many years of life, health, and service for SAM RAYBURN.

Mr. YOUNG. Mr. Speaker, it is with great pleasure that I join my colleagues in the Congress in paying tribute today to a distinguished Texan, a great American, an outstanding legislator, and probably the most accomplished Speaker the parliamentary system of government has ever seen.

The heart of our representative government is the Congress in which the will of the people is expressed and implemented. The life's blood of this parliamentary system is the distinguished statesmen who have the knowledge, the discretion, the discernment, and the longevity to supply continuity to the Congress and to the Government itself. The identity of individual legislators is frequently highly transitory, and it can truly be said that the success of the parliamentary system depends, in a real sense, on the individual whose merits are recognized by his constituents at home who keep him in a position to exercise those qualities of statesmanship and greatness that are reflected in and become a part of the success of our Government.

As we pay tribute today to the man who has served twice as long as any other Speaker in the history of our Nation, we honor a man who has been a real representative to the people of his congressional district whom he has represented for nearly half a century, and we honor a man whose mark in history is the rich legacy of wisdom, statesman-

ship, honor, and courage which he has imparted to the Government of the United States of America.

Mr. POAGE. Mr. Speaker, many find that as they remain in office they acquire new friends. There is nothing unusual about this. Were it not true, very few of the Members of this House could hope to serve more than one term. Speaker RAYBURN has, of course, acquired new friends and admirers each year he has served as more people have come to know his sterling qualities.

It is, however, altogether too common for holders of public office to build up enemies and critics as their service lengthens. I fear that most of us have from time to time realized that that was what we were doing. I think it is in this field that SAM RAYBURN has proven himself such an exception to the general rule of office holding. Not only does he each year convince more and more people of his ability, sincerity, and dependability, but he retains the active respect, friendship, and loyalty of 99 percent of those with whom he has worked. And well he should, for he but exemplifies his own philosophy.

So many times I have heard Mr. RAYBURN say, "We don't hate people." And he does not. Certainly, he disagrees with people, and they disagree with him. Certainly, he fights for his principles and for his candidates—for his party. But he does not indulge in personal hatreds and in return reasonable men do not hate SAM RAYBURN. On the contrary, those of us who have worked with him for many years all admire and love him. I would suggest, Mr. Speaker, that that is the reason SAM RAYBURN is going to continue to "keep the store" regardless of what changes may take place in other governmental positions.

Mr. BROOKS of Texas. Mr. Speaker, it is with a deep sense of humility that I attempt to express my own personal feelings and the appreciation of the people of the Second District of Texas for a man who has selflessly dedicated his life to serving the people of our Nation for 54 years.

Speaker SAM RAYBURN has said throughout his public life that "the people have been uniformly kind and fine to me." It is this Democratic philosophy—based on a firm belief and trust in the goodness of mankind—that Speaker RAYBURN represents in the eyes of all people. It is this Democratic philosophy—which he has maintained in good times and bad—that has kept our country able to renew its strength from generation to generation.

Speaker RAYBURN has received the highest honor the people of his own Fourth Congressional District could bestow upon him; they have chosen him to represent them in the Congress 25 consecutive times. Ten times the members of the Democratic Party sitting in the U.S. House of Representatives have elected Speaker SAM RAYBURN to the second most powerful office in the land.

These honors were not given lightly and they have been accepted with a profound sense of duty and responsibility. None of the thousands of Members of

the House of Representatives who have served with SAM RAYBURN have been untouched by his personal example of dedication to freedom and his love for our democracy. None of the millions of Americans now living are without some benefit from SAM RAYBURN'S devotion to the well-being of each of us.

Yes, the people have been kind to SAM RAYBURN. They have been kind because he trusts them, he loves them, and he has worked and fought for them for more than 50 years. SAM RAYBURN believes in the fundamental goodness of people as Jefferson believed and the life and times of SAM RAYBURN are living testimony that our country can grow and prosper on trust and gratitude rather than with suspicion and hate.

In the years to come all Americans can continue to look to Speaker SAM RAYBURN as a singular example of love for our country and respect for his fellow man. And the people will continue to honor this man who has never forgotten them.

Mr. KILDAY. Mr. Speaker, but few men have been honored by selection as Speaker of the House of Representatives. The record of service of Henry Clay was established in 1820 and stood until exceeded by the service of Hon. SAM RAYBURN.

Now, 141 years later, Mr. RAYBURN has doubled the record set so many scores of years ago. Today, Mr. RAYBURN presides over the House as the personal friend of every Member of this body. It is no accident that Mr. RAYBURN is the individual who has achieved this distinction. He is endowed with a perfect sense of fairness and no Member has had cause to complain because of the rulings of the Chair. He is possessed of a knowledge and appreciation of history not excelled by any man in public life. He is always accessible to every Member of the House, whether of the majority or minority party.

It is with pride that we mark this occasion. I join in extending greetings to the Speaker and in the wish that the House of Representatives may have him continue in the chair for many years to come.

Mr. MAHON. Mr. Speaker, I have sat in this Chamber and listened with great pride to my colleagues in the Democratic and Republican ranks extol the character and the record of public service of Speaker SAM RAYBURN. This is an historic day in the history of Speaker RAYBURN and in the history of the House of Representatives. Indeed this is an historic day in the history of our country.

It would hardly be appropriate to undertake to add much to what has already been said. The leaders on both sides of the aisle have spoken, and the gentleman from Texas [Mr. PATMAN], who ranks next to the Speaker in seniority in our delegation, has spoken for his Texas colleagues.

Mr. RAYBURN, I wish to join with Congressman PATMAN and with the leaders of the House and Senate in paying tribute to you at this dramatic and memorable moment in your life and in the life of the House of Representatives.

No man can now add to or subtract from the accomplishments of Mr. RAY-

BURN. He has written a record which, in my judgment, will stand for all time. No other man, in my judgment, will ever serve half as long in future years as Mr. RAYBURN has served as Speaker of the House.

Mr. Speaker, I congratulate you upon this grand occasion and express the hope that your great career in behalf of our country and all humanity may continue for many years. All Texans owe you a debt of gratitude for the honor which you have brought to the Lone Star State.

Mr. THORNBERRY. Mr. Speaker, I join my colleagues of the House in paying deserved tribute to that great American, the Honorable SAM RAYBURN, who today has served as Speaker of the U.S. House of Representatives more than twice as long as any other person in the history of our Nation.

Not only is he to be congratulated on this historic accomplishment, but he is due our thanks for his unequalled contribution as a legislator to the development of strength and growth of freedom of our beloved country.

All of us who have had the opportunity to serve in the House with Mr. RAYBURN have enjoyed a great privilege, indeed. To me this privilege has been one of the great experiences of my life. My family joins me in wishing for him a continued happy and good life.

Mr. CASEY. My Speaker, I have listened with a great deal of pride to the remarks by the many distinguished senior Members of the House in paying tribute to Speaker SAM RAYBURN on this great day.

The Speaker has the great honor to become a legend in his own time, for today marks the occasion that he has served in this capacity twice as long as any man.

As the newest member of the Texas delegation in the House, it would be presumptuous of me to try and tell the Members of this body of Speaker RAYBURN'S great contributions during his service here. All know that for some 54 years, he has ably represented the people of his district, not only in Congress, but for 6 years in the Texas Legislature. And the people of the Fourth District have never failed to express their confidence in his ability, his judgment, and his integrity.

But I can tell the Members of this House that I am proud to serve under so distinguished a Speaker, and if it is possible, I am even more proud to serve with him as a member of the Texas delegation. For Speaker RAYBURN'S leadership, his integrity, and his character have made the Texas delegation one of the most effective and efficient delegations in Congress, truly representing the broad spectrum of our citizens' desires in matters of legislation.

To me, as a mark of greatness in this man, and as testimony to his character and his integrity, stands the fact that many members of the Texas delegation vote contrary to the Speaker's wishes in matters of legislation.

Lesser men—armed with the awesome power that a Speaker can wield—would bend and crush those to his own desires.

But such facts as these are well known to those who have the honor of serving with the Speaker here—as much so as his ability to wield the gavel and control the House when the hour is late and tempers are short.

But there are other sides to this great Texan and statesman that I like and respect equally as much.

I like SAM RAYBURN, the warm, genial friend when the day's work is done. I like SAM RAYBURN, the fisherman, spending a few hours together where 6-pound bass are alleged to hang out. I like SAM RAYBURN, the citizen, whose concern for future generations led to creation of the great Sam Rayburn Library in Bonham. I like SAM RAYBURN, Texan, fiercely loyal to the great heritage of our State.

These are, to me, but a few of the many facets of the personality of this great American, of whom we Texans are justifiably proud. It is a great honor to join with the Speaker's many friends in this body in expressing congratulations and best wishes on this great day.

Mr. TEAGUE of Texas. Mr. Speaker, today marks an anniversary or record of sorts as today our honored Speaker, Mr. RAYBURN, has served as Speaker of the House longer than any other man in the history of our country. It has been both a privilege and an honor to have served with him in this body, and under leave to extend my remarks in the RECORD, I wish to include the article which appeared in the Sunday, June 11, edition of the Washington Post. The article follows:

"MR. SAM," STOREKEEPER, IS A GREAT RIDER,
Too

(By Robert C. Albright)

President Kennedy tells the story of a call received at the White House switchboard one day when he was in Canada, Vice President JOHNSON was in Asia and Secretary of State Rusk was in Geneva.

"Who's keeping the store?" demanded the frustrated caller after trying to reach each of them.

"The same man who's always kept it, SAM RAYBURN," retorted the operator.

Salty "Mr. SAM"—"Mr. Congress" to many—has been Speaker of the House longer than any other man. He's been keeping the store off and on for four Presidents of the United States. All told, he's served along with eight, starting with one of his heroes, Woodrow Wilson, since he first came to Congress on March 4, 1913.

But never say that he served under any man.

"Don't use that word 'under,'" he once told an interviewer. "I've never served under anybody. I've served with them."

The House of Representatives is his greatest love and the Speakership, sometimes described as the second most powerful office in the land, his summit. He never aspired much beyond it, although the Presidency distantly beckoned before he turned 60. (He's now 79.) In 1946, Congress passed a law making the Speaker third in line of succession to the Presidency.

That's close enough for "The Squire of Bonham."

DOUBLE MEASURE

RAYBURN'S firm but benevolent rule of the House, probably the most complete any House leader has known since the vast powers of "Uncle Joe" Cannon were clipped by a bipartisan liberal revolt in 1910, is about to pass a new milestone.

At noon Monday he will have been Speaker exactly 16 years and 273 days, al-

lowing time out for two interregnums—the Republican 80th and 83d Congresses.

That's exactly double the previous record of 8 years and 136½ days. The earlier mark was set by another of the heroes of RAYBURN'S history-worshipping youth—Henry Clay, the brilliant Whig from Kentucky who left the House to shine still brighter in the Senate.

RAYBURN equaled Clay's service in the Speaker's office on Jan. 30, 1951. He has smashed many another tenure record. He's seen about 3,000 Congressmen come and go. No Member of the House has served more years in Congress, although CARL HAYDEN, Democrat of Arizona, President pro tempore of the Senate, who first went to the House in 1911, has served longer in both Houses. The only House Member remotely approaching RAYBURN'S service record is 77-year-old CARL VINSON, Democrat, of Georgia, who first came to the House some 21 months after RAYBURN.

Yet the word "retirement" isn't in RAYBURN'S vocabulary, say those who know him best. Physically, he appears as sound at 79 as he was at 60. On a recent trip home to his ranch in Bonham, Tex., he was given a thorough checkup by his personal physician.

"You'll live to be 106," was the verdict. "I'll settle for 104," chuckled RAYBURN. "It's because I've been having my way," he told a friend who complimented him on his good health.

RAYBURN never used a more apt phrase. He's been having his way in the House, where he usually manages to stay on top of a House majority despite occasional forays from the right and the left. And he's been having his way pretty much in national politics.

For one thing, his candidate for President, LYNDON JOHNSON of Texas, came up with the costarring role on the Democrats' John F. Kennedy ticket. For RAYBURN, it was relieving history. Back in 1932, he had floor managed the presidential campaign of John Nance Garner in the Democratic Convention that nominated Roosevelt and Garner.

Occasionally, he's been having his way at the White House, too, with Presidents he serves with and not under.

His advice is sought in top places. When it isn't, he sometimes volunteers it.

For example, he told his good friend Harry Truman after he was sworn into the Nation's highest office in 1945: "I have seen people in the White House try to build a fence around the White House and keep the very people away from the President that he should see. That is one of your hazards."

"I gave him the same advice that I gave Mr. Eisenhower and that I have given Mr. Kennedy," he later elaborated.

RAYBURN'S formula for running the House is typically Texan: "I try to ride the horse." But the Speaker attributes his longevity in Congress to another infallible rule: "Be reasonable, be fair."

He has a few other homespun guidelines. One of RAYBURN'S homilies: "It doesn't make any difference how much sense you've got if you haven't got any judgment."

During the nearly 17 years he's been Speaker, RAYBURN usually has managed to gauge the House mood, as indefinable sometimes as a balky Texas bronc.

Three years ago, the Chamber's growing group of House Democratic liberals came to him for aid in breaking Democratic bills out of Chairman HOWARD W. SMITH'S coalition-controlled House Rules Committee.

RAYBURN agreed that the key bills must come out, but asked time to act through normal leadership channels. SMITH and his coalition refused to budge.

When the 87th Congress convened, the liberals again were waiting at the Speaker's door. This time there was another interested party, President John F. Kennedy, who

had a program to move. RAYBURN tried once more, unsuccessfully, to reason SMITH into making a commitment. When that failed, he got out his spurs.

The Speaker threw his backing behind a resolution enlarging the Rules Committee from 12 to 15. The contest was a cliffhanger, with the bulk of House Republicans voting with southern Democratic holdouts. But RAYBURN rode the horse and won the count, 217 to 212.

"It was a fight I had to win," said the Speaker.

RAYBURN remembers other donnybrooks he could not afford to lose, but none more dramatic than a rollcall taken on a hot August day in 1941. President Roosevelt was pressing for extension of the draft and the House opposition was intense.

RAYBURN made one of his rare speeches from the House well and undoubtedly influenced the outcome. The vote was 203 to 202—for extension. Dissipation of our military manpower had been averted just 4 months before Japan struck at Pearl Harbor.

Tie votes are fairly common in the Senate. But in all the years he has been Speaker, RAYBURN recalls only one actual tie in the House that he was called to break. That was back in 1957 when he cast the deciding ballot in favor of a measure sponsored by the House Interstate Commerce Committee.

On another close count, RAYBURN voted to "make a tie" in order to kill an unwanted amendment.

Born in Roane County, Tenn., one of 11 children, "Mr. SAM" is the son of a Confederate soldier who rode with Lee through Appomattox. He was only 5 when his father moved the family to Texas and settled on 40 acres near Bonham.

It was a lonely life, he recalls. When he wasn't farming he read voraciously. "By the time I was 9 or 10, I had read every history book I could find * * * everything I could get hold of about Washington, Hamilton, Jefferson, the Adamses, Monroe, Madison, and all I could about the men then in public life."

It was while he was picking cotton, down near Flag Spring, Tex., that he decided he wanted to be Speaker. "There is a lot of time to contemplate when you are picking cotton."

He was educated in a two-teacher school and then at East Texas Normal School, working his way through, teaching school a year to pay for another year of college.

When he was 24 he was elected to the Texas Legislature. At Austin, the State capital, he also studied law at the University of Texas. When he was 29 he was elected Speaker of the Texas House, the youngest man ever chosen until then. The next year he was elected to Congress, and has held his Fourth District seat ever since.

It was while he served in the Texas Legislature that RAYBURN met and became friends with the father of LYNDON JOHNSON, then a member of the State legislature. That friendship was to affect the lives of both. When LYNDON was elected to Congress in 1937, RAYBURN offered him fatherly guidance in the legislative jungle which then was the House.

In later years, when JOHNSON went on to the Senate, to a leadership post of his own and renowned as a legislative craftsman, RAYBURN, outshone, was still JOHNSON'S most enthusiastic rooter.

Inevitably it was RAYBURN who captained his campaign and who was the man JOHN-SON asked John F. Kennedy to clear with when he proffered him the vice presidential nomination in Los Angeles.

RAYBURN says today that he was never "against Kennedy"—he was "just for JOHN-SON." Today he appears equally enthusiastic for Mr. Kennedy.

"He's one of the easiest men to talk to I have ever known," says the Speaker. "He

understands everything you say and he damned well knows what he's saying."

He thinks the country will be surprised how much of Mr. Kennedy's program Congress puts through in the first year.

The late Champ Clark was Speaker when RAYBURN first took his House oath. He doesn't rank Clark with the great Speakers. He's inclined to go back to another strong House Presiding Officer, Thomas B. Reed of Maine, who wielded a firm gavel in the nineties.

He doesn't consider his friend, John Nance Garner, in the running because he presided as Speaker for less than one term before running for Vice President.

Of the late Nicholas Longworth of Ohio, who succeeded Garner as Speaker, RAYBURN says: "He was a very fine man and very able—a real good Speaker."

In his estimate of the Presidents he's served "with," he never downgrades the office but does make some fine distinctions. In an outspoken interview for the CBS television network last February 26, he spelled out his recollections of the last eight Chief Executives.

For example, he said that history "is going to be mighty kind to Mr. Truman. I think it is going to put him way up among our great Presidents."

He said that Mr. Eisenhower is a good man and was a great general. He says: "I still think Mr. Eisenhower is a great patriot; I think he wanted to serve his day and generation well, and I—well—I think history will be just to him."

Of Wilson: "He was a great scholar * * * a great historian and I think he was a great statesman."

Of Harding: "He was a very gracious man. I never thought Mr. Harding was a dishonest man—I don't think there has ever been a President who was a dishonest man * * * I think Mr. Harding trusted too many men."

Of Coolidge: "They say he was a great silent man but he talked aplenty. Coolidge said one of the smartest things that was ever said: 'I found out early in life you didn't have to explain something you hadn't said.'"

Of Hoover: "Hoover was a good man * * * and I like him today. I always thought Mr. Hoover was a better man to be on the team than to be captain."

Of Roosevelt: "He was a highly pleasant man who had programs and could explain them. He had a program and he had the courage to stand by it."

RAYBURN first came into national prominence as chairman of the House Interstate Commerce Committee, when Franklin Roosevelt came in with his New Deal at the depth of the great depression.

RAYBURN looks back on four acts he sponsored as the very cornerstones of the New Deal: the Securities and Exchange Commission Act, the Federal Communications Act, the Rayburn-Wheeler Holding Company Act, and the Rural Electrification Act.

When, in 1948, he received the *Colliers Magazine* Congressional Award for distinguished service, a plaque and a check for \$10,000 to be used for a public purpose went with it. RAYBURN used it to start building a fund for the SAM RAYBURN Memorial Library in Bonham. Ground was broken in 1955 and the library was dedicated in 1957.

RAYBURN described it as a "dream" of a lifetime come true. In it are filed all his papers and the volumes of history he loves. You can tell those he's read. At the bottom of page 99 of each one he's inscribed his initials, "S. R." It's RAYBURN'S personal bookmark.

A complete set of the records of every Congress is here. Fiction, as such, is strictly relegated to second place.

"You can write a history of the United States without leaving the reading room," RAYBURN says proudly.

Mr. IKARD of Texas. Mr. Speaker, I rise to pay tribute today, along with my colleagues, to one of the greatest statesmen of all time, the Honorable SAM RAYBURN, of Texas. Much emphasis has been placed today on the fact that Mr. RAYBURN has served as Speaker of the House of Representatives exactly twice as long as Henry Clay, who held the previous record for longevity of service as Speaker of the House.

This longevity of service of our Speaker is a fine and wonderful achievement, but I would like to call attention to another dimension, namely, the depth as well as the length of his leadership in the House of Representatives. The length of time a man serves in a position of national leadership is after all not so important as the depth and effectiveness of his leadership.

Speaker RAYBURN, not only as presiding officer in the House of Representatives, but as adviser, mentor, and friend, has set his stamp upon the history of our times. From Woodrow Wilson to John Kennedy, he has guided the affairs of the Nation through the storms of great events and the shoals of relatively minor skirmishes with a firm and fair hand. It has been his inspiration and his spiritual integrity which has illumined and enlightened the problems and controversies confronting Congress in the past years, and he, more than any other man in our time, has placed the imprint of his implacable honesty, his unswerving loyalty to his country, and his unbounded love for his fellow man upon the history and events of the 20th century.

Mr. RAYBURN is a great statesman, and a capable and effective Speaker of the House of Representatives; but, above and beyond his splendid record of public service, he is a wonderful and faithful friend. To those of us who have been so deeply privileged to serve with him and to call him friend, he has shown the bigness of his spirit; the greatness of his heart; and an abiding devotion to his friends.

I am proud that my State of Texas has seen fit to send this great leader to Congress and keep him here through all these years. I am proud to serve with this most distinguished statesman in the House of Representatives. But most of all, I am proud, and humble, too, to be able to say, "Mr. SAM is my friend."

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the ranking Republican member of the Committee on Appropriations, the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, some 38½ years ago I became a Member of this body. At that time the gentleman from Texas [Mr. RAYBURN] was well along in a ranking position on the Committee on Interstate and Foreign Commerce. He went on from there to majority leader, and thence to the Speakership. During all of that time he has been blessed with good health and vigor, as he is today. He told me the other day that he had not had to go to a doctor in years. That indicates an exceptionally good condition by taking remarkably good care of himself. You know, that is one of the things that a person must do if he

is going to be of real service to his people. I would think that would be one of the real important things, and I do not think that a person can do what he really ought to do in any position unless he has fortified himself in that way.

I have enjoyed tremendously my association with the Speaker. He has extended to me very many courtesies, and I have tried to reciprocate the best way I could. Frankly, he and I have different ideas on a lot of things in politics, and that we must expect in a democracy, since he stands for what he thinks is right and I stand for what I think is the right thing to do.

He has been, I think, the ablest Speaker during my service in the House. He has accomplished a tremendous lot in those things he has advocated and put through the Congress. I am sure he is going to do a great deal in the days to come.

The burdens that are going to land upon all of us are going to be very heavy. We can none of us view the situation of our tremendous debt and the tremendous pressures that that lands upon all of us without great concern. We none of us can fail to realize the danger that the foreign situation presents. It means that we have many difficult years ahead of us. We have got to face those problems with the greatest vigor we can provide. I am sure that in facing those problems SAM RAYBURN will have a very considerable and important part, and I wish him the very best of good luck in the days to come.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Speaker, it is with genuine pleasure and a sense of very high honor that I join with my colleagues in the House in paying tribute to a man who stands out above all the others in a long line of illustrious men who have preceded him as Speaker of this body—the gentleman from Texas [Mr. RAYBURN].

There are those who have already spoken or will speak of his lengthy service as a Member of this body and as our leader. There are none who are now Members, or who have been members, who have displayed more faithful devotion to duty than has Speaker RAYBURN. His rugged patriotism and loyalty are matters of record, and we know him to be a fierce protector of the powers and integrity of the House of Representatives. But the deeper qualities of mind and heart, in the long run, stand out as significant to those of us who have had the high privilege of serving under him. I know that I speak the sentiments of all the Members when I say that the friendship of Speaker RAYBURN has enriched the life of every man who has served with him.

Mr. Speaker, we reiterate our confidence in your leadership; we know you will continue to stand as a tower of strength in these troubled times; and we know that all Americans can repose their trust and confidence in you and that you will continue to lead us in the paths of honor, integrity, and justice for all men.

Mr. Speaker, no one can surpass your devotion to our great Nation, and no one can surpass your desire to uphold the principles which have made this Nation great. We have often heard it said that one hallmark of a great man is his ability to retain the common touch and simple dignity. It is a matter of record that these characteristics are found in Speaker RAYBURN in full degree. Mr. RAYBURN's courage, foresight, fairness, and, above all, sound judgment, have contributed to the strength of the House of Representatives as a coordinate branch of the American Government and hence have contributed to the strength of the Nation as a whole.

Mr. Speaker, I congratulate you on this occasion in your service which marks a time when you have served more than twice as long as Speaker than any man in the history of our Nation. I hope that we will in a few years congratulate you on three times as much service as anyone else has had in this exalted position in our Government.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Ohio [Mr. BROWN].

Mr. BROWN. Mr. Speaker, I consider it a great honor, as well as a real pleasure, to be permitted to join in the eulogies being paid to our distinguished Speaker today. I have had the privilege of serving in this House throughout the entire period of his stewardship as Speaker of the House. We are of opposite political affiliation and yet, throughout the years, that difference has not counted when it came to his recognizing the rights of a minority Member of this body, or in discussing various matters affecting this House.

Speaker RAYBURN will always live in the history of a grateful Republic as one of the greatest public servants we have ever had. He is a man of true integrity and of great ability. He has always protected the best interests of this House in every way possible. He has the happy faculty, when he disagrees with an individual, not to be disagreeable, but instead to leave that individual an even greater admirer and friend than ever before, despite the fact that he could not agree with him.

I predict when Speaker RAYBURN's services on this earth have ended, and just before his book of life is closed, his Maker will make the last judgment, and inscribe the last entry—it will be "Well done, my good and faithful servant."

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Speaker, we are here today to pay our respects not only to a great American but to one of the great citizens of the world, SAM RAYBURN, one of the greatest men who was ever elected to the Congress of the United States. When historians tell the story of his life and tell of the record that he has made it will not be to pay the respect which we bear for him today—no, historians will not dwell on the honor and respect that we are paying him today, but they will tell in one simple word that it was a miracle. Any man who has ever been elected to the Congress knows that anyone who is ever

elected 25 times to this body has performed a miracle. That miracle alone will mark him as one of the greatest Members ever elected to the House of Representatives.

But let me tell you something that you may have overlooked, to show you what a miracle it was in former times. I happened to be working in the last year under Grover Cleveland's administration. I know what America was back in the nineties. When you hear some fellow talk about the olden days nowadays he is generally thinking about the thirties. I am thinking of the days of Grover Cleveland and William McKinley, and the days when we became a first-class Nation. Up until the Spanish-American War we were not a first-class Nation and we were not in the Big Four. When SAM RAYBURN came to the Congress of the United States—to show you what a struggling Nation we were, and how little we were—the budget at that time was only \$1 billion. Today it is \$84 billion. That shows how this Nation has grown and prospered.

The problems we have faced during this period have been by far the most difficult and complicated of our history. And it has been the great leadership of SAM RAYBURN down through the years as Speaker of this House that has been so vital to the survival and growth of our great Nation.

We have heard a lot of the great things that he did here, and they were great, but the greatest thing that SAM RAYBURN ever did in his life was when he led the attack to eliminate child labor. I was working when I was 9 years old. I was one of the oldest of the group that was working—the youngest was 7 years old. If anybody thinks that they know America I invite them to look at a picture that hangs on the wall of my office—it is not a cartoon, it is a photograph. It shows the breaker boss posing with his equipment. In one hand he had a mace and in the other hand a club. That is what he beat you with. That was America in the nineties.

SAM RAYBURN corrected that. The child labor laws were passed protecting the youth of the land until they reached the age of 16. So those conditions were corrected finally, and children went into the schoolroom. If the children had not gone into the schoolrooms of America you would not have the America that we have today, and we would not have the kind of country we have today if it were not for SAM RAYBURN.

The next greatest thing that SAM RAYBURN did was with reference to the 8-hour day on the railroads, when men were being killed by the thousands working 16 hours a day, and even longer. He corrected that. In my book I think those are the two things that stand out. What a job he has done down through the years.

Two men came over the horizon at about the same time, two of the world's greatest living statesmen: RAYBURN was one, Churchill the other, and I take my cap off to SAM RAYBURN. SAM RAYBURN had 6 years of public service before he came to Congress, so did Churchill. Both are great men in world affairs, but,

I repeat, I will take RAYBURN as doing the biggest job.

In closing, let me express the hope that God will continue to shower upon him for many years to come his greatest gift to mankind—health.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker, great tributes have been paid to our beloved Speaker by some of the ablest men in the House. I would be less than honest if I did not acknowledge that there is very little I can add. However, in simplicity but with deep sincerity I want to remind all of the Members that he was born in the State of Tennessee. While all of you praise him and while all of us love him because he is a kind man, a great man, a wise, impartial, fair man possessing attributes of profound and real leadership, we in Tennessee feel that we have a little extra share in appreciating this great, outstanding man and Speaker. So, Mr. Speaker, for all of the Tennessee delegation, and speaking for all Tennesseans, we wish for Mr. SAM every good thing for a long time to come.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Speaker, personally and in behalf of the Republican conference of the House of Representatives, I join in paying deserved tribute to a great American—the distinguished Speaker of the House of Representatives.

Up to this day, June 12, 1961, the Honorable SAM RAYBURN, of Texas, has served twice as long as any other Speaker of the House of Representatives. This historic fact in itself is extremely noteworthy and will be recorded in the annals of the history of the United States.

Aside from the historical significance of this occasion, we must add the personal esteem which all Members of the House of Representatives hold for Speaker RAYBURN. We congratulate him and honor him for his splendid service as a Member of the House of Representatives and as Speaker of this august body. His devoted public service throughout the years will long be remembered by the people of this country and by those representatives of the people who follow in our footsteps here.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from New York [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Speaker, service as Speaker of the House of Representatives for 16 years and 273 days is truly an historic event in the life of our country and indeed the entire world. It is the kind of service that could happen only in the United States, where we operate smoothly under a truly republican form of government. Here the citizens exercise this precious freedom of choice, and we are not an oligarchy. Viewed in this light and in such an environment, the real significance of the confidence, respect and trust which has been displayed by the Representatives of this Nation in SAM RAYBURN, of Texas, can

truly be appraised and understood. No man in the history of our country has ever been so recognized, and it is safe to say that it will be a long, long time before anyone is so recognized again.

History shows that when outstanding honor comes to an individual it is possible that his whole character is changed. He may become arrogant and petulant, he may play favorites in the exercise of his authority, his judgment between what is wholesome and good and what is rotten and evil may be warped. He may take his responsibilities frivolously and in somewhat of a contemptuous spirit; he may be overwhelmed with conceit and the importance of his power; he may alienate his friends, and fear may replace a spirit of understanding among his associates. He may become gross and callous to the feelings of others and thereby devastate the spirit of confidence and competence that brought him the honor.

But SAM RAYBURN has been affected by none of these things. As the years have passed he has grown in stature. The affection and trust of those who know him has deepened and grown more secure. His sense of fairplay and justice, his knowledge of statesmanship, and his deeply rooted loyalty to the Government of the United States has made him stand out among others.

It is a privilege to be a fellow Member of the Congress with such a man. We cannot help but catch some of his spirit of service and try to emulate it. The respect and real affection that Members have for him, whatever their party affiliation, is beyond measure. Through the influence of his character the dignity and growth of the House of Representatives has been tremendously enhanced. He is a man's man—and all the ladies love him.

Personally, I consider it a great honor and privilege to count him as a friend. I have met and known many men serving in various capacities in my lifetime, but I have never known one who is more true to his friends, who can be counted on at all times for wise counsel, for sympathy when the going gets rough, and for honest and helpful criticism when one gets off the track. May he enjoy many more years of good health and of opportunities for service so others may catch somewhat of the aura of his personality and be better citizens because of him.

Mr. COHELAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'BRIEN] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. O'BRIEN of Illinois. Mr. Speaker, I rise to pay tribute to our great leader and my friend, the Honorable SAM RAYBURN, Speaker of the House of Representatives.

I have served with SAM RAYBURN since 1933, when I was a member of the Interstate and Foreign Commerce Committee and he was the chairman of that committee. I supported SAM RAYBURN for Speaker of the House of Representatives

when he first became a candidate for that high office, and I have supported him ever since. He is my friend and my leader and I shall continue to support SAM RAYBURN.

He is a great American, a great patriot, and a great statesman.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the distinguished gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, there is no deeper love among men than that of the beloved dean of the Illinois Democratic delegation, Mr. O'BRIEN, and Speaker RAYBURN. Our beloved dean has requested me to speak for the Illinois delegation, and the reason he has made this request of me is that in his deep affection for the Speaker, and listening to the tributes that have been paid today to Speaker RAYBURN, he is possessed of deep emotions.

We of the Illinois Democratic delegation know our dean. We know he seeks our welfare and the advancement of our usefulness. We know that he gives his friendship to no person who does not measure up in integrity to his word. And when we came down here, each in our respective period of commencement, TOM O'BRIEN would take us aside and tell us of SAM RAYBURN, one of the great men in our history, a man whose name will live in American history as long as it is written and read.

Then we would come down here to the Congress, and we come under the kindness and the understanding of Speaker RAYBURN, and we knew how wise our beloved dean was in his counsel.

May I say, Mr. Speaker, that of all the sterling qualities of character that SAM RAYBURN possesses, if it were possible for one to be more transient than any other, I would say it would be that quality of fairness. Everything he does is fair. In disagreement he recognizes the sincerity of one who is advancing a contention opposed to his own position. He takes no advantage of power, ability, and experience to advance his own position. He understands the other fellow's viewpoint, as held in sincerity of conviction, and, over and above all else, his equal right as a member of this House to express and advance it. No person without a guiding sense of fairness in little and big things could have remained Speaker of the greatest deliberative body in the world so long and lived to receive today on that happy occasion acclaim from both sides of the aisle.

Mr. Speaker, for the dean of the Illinois delegation, and knowing the sentiment of every member of that delegation toward the Speaker, I shall ask unanimous consent that each and every member of our Illinois delegation may extend his remarks expressive of his affection for and his appreciation of our beloved Speaker.

Mr. McCORMACK. Mr. Speaker, with pleasure I yield to the deputy majority whip, the distinguished gentleman from Louisiana, [Mr. Boggs].

Mr. BOGGS. Mr. Speaker and my colleagues, there is little that one can add to the magnificent tributes that have been paid to a great American. When

Speaker RAYBURN had completed 48 years of service in this body, I had the Library of Congress do some research on great men who had served long and distinguished careers in free legislative bodies throughout the world. I discovered that in all of the history of parliamentary bodies only three men, Gladstone, Balfour, and Churchill, had served longer in any parliamentary body than has Speaker RAYBURN. When we contrast the fact that some of the service of the three men I have mentioned was in the House of Lords, which is not elective, as compared to the House of Commons which is elective, Speaker RAYBURN ranks as probably having served longer than many in the history of parliamentary bodies.

As time goes, our Nation is young. Our Nation constitutionally is less than 200 years old, and yet in over 48 years of those years this man from Texas has been in this body. To put it in another way, he has served more than one-fourth of the entire constitutional history of the United States of America.

All of you know SAM RAYBURN. You know his character. You have praised his fairness, his integrity, his impartiality, his devotion to duty, his love of country. And yet, as I listened today, there was one thing that he does so magnificently which, I think, until now has not been mentioned, and that is his ability to translate and articulate to young people the meaning of America.

First, in communicating to new Members of this body he, better than any person, brings to life a feeling of representative government, what it is to be a representative of a great people at a critical time in history. Not only does he do it with young Members in this body on both sides of the aisle, but gently, firmly, proudly, and humbly I have seen him do it so many times with schoolchildren. All of you have had the privilege and the pleasure of moving into his impressive, but simple office, with a group of bright-eyed, intelligent high school children, boys and girls. You have heard him tell about his childhood and his one-room schoolhouse.

You have heard him tell these young people that during his almost 50 years of service in the Congress he has seen the Kaisers and the Hitlers and the Mussolinis, the Tojos and Stalins and Khrushchevs, come and go and that we are passing on to them the freest Nation that mankind has ever known. Then I have seen the pride of country well in the eyes of these young people.

So, I say, Mr. Speaker, God bless you and keep you for many years not only for this body but for the United States of America and the free world. You remember the words of President Kennedy a week or so ago, when someone asked him when he was in Canada, and Dean Rusk was in Europe, and Vice President JOHNSON was in Asia, "Who is running the store?" and he said "The same fellow who has been running it, SAM RAYBURN."

GENERAL LEAVE TO EXTEND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their re-

marks at this point in the Record; and also that they may have 5 legislative days in which to extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, during my school years, when studying history and the events of the day which would become a permanent part of our history, I often noted that SAM RAYBURN, of Texas, was one of the outstanding legislators who formulated our domestic and foreign policies. At the time, little did I realize that I would have the good fortune to be present in this great body, today, and partake in honoring Speaker RAYBURN for 48 years of service to his country and fellow man.

Sixteen terms as Speaker, twice the service of Henry Clay, a great statesman never to be forgotten. Forty-eight years—for many a lifetime—and yet, for Mr. SAM only the beginning. The beginning of a new era, new crises, new objectives needing the somber intelligence and leadership so aptly displayed for a half-century by a man devoted to the principles of freedom and its value. Indefatigable energy displayed by our great Speaker, in carrying out his duties, leads me to believe that we, in this generation, are experiencing the good fortune that past generations experienced, when they were serviced by the outstanding leaders of their day who did so much to make this Nation as great as it is today. Men who will long be remembered in the annals of our history.

I am proud to join my colleagues in expressing my admiration and gratitude, on behalf of the people of the Eighth District of Illinois, to the Honorable SAM RAYBURN, Speaker of the U.S. House of Representatives, for his outstanding devotion and hard work to secure these United States as a nation dedicated to life, liberty, and the pursuit of happiness. For I am certain that this is a man whose life is an inspiration.

Mr. HARDING. Mr. Speaker, I find it difficult to remain seated during this tribute to the greatest Speaker in the history of the House of Representatives. As the youngest Member of the House of Representatives in this session of Congress, I feel compelled to add a few words along the line that the gentleman from Louisiana [Mr. Boggs] has said.

Speaker SAM RAYBURN is an inspiration to every young man and woman who has read the history of America during the past 30 years. His love of people, his devotion to duty and his unending record of service to the country he loves have become symbolic of America. But to those of us who have had the great trust of serving in this body given to us, our beloved Speaker means much more.

In a body that is filled with men of enormous ability, I can honestly say that he ranks at the top. In a body where nearly all colleagues stand ready to help, I find him the most helpful. Indeed, to the younger Members of the House of Representatives, Speaker SAM stands as a father—a man who knows how to comfort, console, advise, and rebuke, and yet

do it in a manner that constantly enhances the love and admiration that we all have for our beloved Speaker.

I am grateful to be a Member of the House of Representatives, to be here today in these hallowed Chambers and to participate in this tribute to one of our greatest Americans—the man who has been Speaker twice as long as any other man in the history of our country.

Mr. HEMPHILL. Mr. Speaker, I join my colleagues in a salute to a beloved personality, a patriotic leader, a native Texan, a great American, and our Speaker, Hon. SAM RAYBURN.

This occasion is an historic one, and I hastened to be in my seat today to be near when the Speaker called the House to order, for as history will recall, he has served the Nation longer than any other as the leader of this great body, and has been so much a part of the history of our country.

He possesses a rare combination of qualities used so generously and unselfishly for his country. Among these are unusual patriotism, determination, experience, example, dedication, honesty, and impartiality. He always has time for a Member of the House of Representatives; the House that he loves so much. How wonderful to know that, whether he agrees with you or not, this powerful man has time for you.

I wish for him many more years of happiness, particularly the happiness he receives and he gives, as Speaker of the House.

Mr. SISK. Mr. Speaker, I want to congratulate you on this historic day when you have served twice as long as any previous Speaker, not only for your long term of service but for the fine quality of your leadership and for your outstanding service to our country and the House of Representatives.

This greatest honor and privilege ever bestowed on me was the opportunity to serve with you and under your leadership. Your unflinching tact, courtesy, integrity, and ability to lead have endeared you to your colleagues and have been a constant inspiration and example to all Members of Congress. I feel certain you will go down in history as one of the greatest of all Americans, and you will always occupy a special niche in the hearts of your colleagues in the House as a friend, counselor, and guide.

Mr. FINNEGAN. Mr. Speaker, I wish to join the rest of the Illinois democratic delegation in offering my congratulations to you on this day which, I am sure, is one of immense satisfaction. It is a great privilege to serve in the Congress of the United States with a man who benefits from nearly a half century of experience in the House of Representatives—a man who has served as Speaker for 16 years and 273 days, twice as long as any previous Speaker has presided over the House, and a man who, during his long and distinguished tenure in Washington has worked closely with eight Presidents of the United States. It is noteworthy that the "Great Compromiser" Henry Clay, who although unparalleled in his day for his political

acumen and Speaker of the House for over 8 years, nevertheless, served only one-half the time that you, our present Speaker, have. As my friend and colleague, BARRATT O'HARA, commented, the dean of the Illinois delegation, THOMAS J. O'BRIEN, has always briefed a new Illinois Member on the merits of the gentleman from Texas. As the newest member of the Illinois Democratic delegation, this briefing is still fresh in my mind. I must say, however, that after having met and worked with the Speaker, the briefing, if anything, was only an outline sketch; and it has been my pleasure to see that which was a sketch in my mind become the colorful portrait of a great man. I hope that the Fourth District of Texas, the State of Texas, and the whole United States will continue to have the services of such a great American for many years to come.

Mr. MARTIN of Massachusetts. Mr. Speaker, this is an historic day in the annals of this great legislative body. On this day, our beloved Speaker, SAM RAYBURN, my close personal friend, for many years has presided over the House twice as long as any other Speaker in the history of our country. He has served in this capacity 16 years and 273 days. The man who held the next longest tenure in this great office was the illustrious Henry Clay, of Kentucky, who served 8 years, 136½ days.

This is an outstanding and a glorious record of service to the House and to the Nation. That any individual has been elected to serve nine terms by his colleagues from all over the Nation to preside over the House must attest to their respect, their affection, and their admiration for his ability, his patriotism, and his integrity. He could not have succeeded otherwise.

Having occupied the office of Speaker for 4 years, I am aware of its great responsibilities, its pressures, and its anxieties. The fact that SAM RAYBURN has executed the duties of his office with unflinching fairness and courtesy to the Members on both sides of the aisle is a living testimonial to the breadth of his vision and the integrity of his character.

In a personal way, his friendship to me has been throughout the years one of my most treasured possessions. Of course, we have differed on occasions as to method on achieving the objectives we have shared in common, which have always been what seemed to us to be best for America. He fought tenaciously for his views as I did for mine.

But we have always shared a thorough understanding of the integrity of each other's motives and our friendship has been based on the solid rock of mutual regard, respect, and affection.

As he observes this historic occasion, I wish him abundant good health and happiness in the days ahead. It is of particular importance that the country have his wise leadership in these days of uncertainty and danger.

Mr. TRIMBLE. Mr. Speaker, I wish to join with those today who are paying

tribute to one of America's greatest sons, Mr. RAYBURN. One of the great privileges of my life has been the opportunity to serve with him in the House of Representatives. He is one of God's noblemen, an inspiration to all of us in the House.

Mr. MACHROWICZ. Mr. Speaker, some of the most distinguished Members of this Congress, both Democrats and Republicans, have today said some wonderful things about one of the greatest Americans that ever lived, Speaker SAM RAYBURN. It would be presumptuous on my part to attempt to embellish those fine tributes, except to say that I subscribe to them wholeheartedly.

The very fact that the Speaker has, throughout all these years, been able to retain the respect, love, and admiration of all people in all walks of life, and of various political and ideological belief, speaks most eloquently of his greatness and of the truth that he has truly earned the great tributes paid to him.

I shall always consider it to be one of the great privileges in my life to have served with Speaker SAM RAYBURN and under his leadership. May the good Lord shower his blessings upon him and keep him with us for many years for the good of our great Nation.

Mr. SCOTT. Mr. Speaker, I wish to join other members of the House in paying tribute to the Honorable SAM RAYBURN, our beloved Speaker who has served in that capacity longer than any of his predecessors. His long service in the House of Representatives and his record-breaking tenure as Speaker are remarkable within themselves. But I feel that the long period of his service is not as important as its quality. History will mark him as a great American, one of the greatest, not because of his long service in Congress and as Speaker of the House but because of the manner in which he has met and dealt with the exacting duties and heavy responsibilities which have devolved upon him from time to time during his service. Mr. SAM's wonderful qualities as a man and the unmatched quality of the services he has rendered in the Congress and to his country well explain his election and reelection to Congress for 50 years and as Speaker twice as long as any other. I concur in all of the expressions of high praise and tribute spoken here today concerning our beloved Speaker and I wish for him many more years of good health, happiness, and service in this body.

Mr. KEARNS. Mr. Speaker, it is good to have an opportunity today to join my colleagues in congratulating you, the Speaker of the House, on your extended service to the House of Representatives—exactly twice that of any previous Speaker in our Nation's history.

As I told you personally, "Mr. SAM," over your tenure as Speaker, you have gained all the success that could be thrown into one book.

All that I wish for you—our beloved Speaker—is that God will continue to bless you with good health and happiness for many, many years to come.

Mr. FULTON. Mr. Speaker, we honor Speaker SAM RAYBURN today for his devotion to the House of Representatives and to duty. As a Speaker, SAM has been fair and just in his rulings, and is impartial at all times.

We Members of Congress know him as a good friend and as a moderator, and willing counselor.

I respect SAM for his love and devotion to the House of Representatives to which he has given his full life, to the exclusion of all else. I have heard SAM RAYBURN describe the House of Representatives as "my love and my life." Future generations should know it really is every bit of that.

Congress and the American people should realize that we in the United States have three equal branches of the Government—the executive, the legislative, and the judicial branches.

The President heads the executive branch, the Chief Justice heads the judicial branch, and SAM RAYBURN as the chosen and elected Speaker of the Representatives of the American people, in our day and age, is certainly the head of the legislative branch.

Mr. SAM, you are really Mr. Congress, Mr. House, Mr. Representative, and Mr. American people.

We like you and admire you, and the way you whack that gavel, you are going to be around a long time.

Mr. EDMONDSON. Mr. Speaker, it is a great privilege to be present in this honored Chamber on this historic occasion, as we join in paying tribute to a great American statesman, our beloved Speaker SAM RAYBURN. The contribution which he has made to the history of our country is as great as that of any American in our century. Every man who has served with him has been personally enriched by that experience.

A few moments ago our distinguished colleague from Louisiana, the Honorable HALE BOGGS, spoke of the Speaker's unique ability to inspire young people, and to express in clear and unmistakable terms the great virtues of America's free institutions.

Just last week I had the honor and the pleasure to hear one of the Speaker's impromptu talks to a group of nearly 40 young people from Miami, Okla., who were in the Nation's Capitol to study and observe our Government at work.

In the 15 minutes which he cheerfully gave the young Oklahomans, Speaker RAYBURN never raised his voice above a quiet, conversational level.

Nevertheless, I have never heard more moving and inspired eloquence, as our Speaker told the young Americans in his office of the tremendous opportunity which is theirs, and of his deep and profound faith in the youth of America.

More than any man I know, Speaker RAYBURN has mastered the spirit of youth which is an integral and essential part of the pioneering tradition of our great land. He has remained young in spirit, in enthusiasm, in idealism, and in his faith.

All of us, as members of this body but more importantly as Americans, have been the beneficiaries of that spirit as exemplified by our distinguished colleague from Bonham, Tex. It is a great

pleasure to join today in these ceremonies of well-deserved tribute to his unparalleled public service.

Mr. HOLIFIELD. Mr. Speaker, I am proud and happy to join with those who do honor to our beloved Speaker, a stalwart champion of democracy, a fighter for progressive causes, and a man of wisdom and judgment tempered with sympathy and understanding. In these days when freedom is threatened by powerful forces of totalitarianism, our Nation is fortunate to have in this great House of Congress a leader with a sure and steady hand at the helm.

We in Congress too are fortunate, not only because we benefit from the sage advice and seasoned judgment of the Speaker, but because his kind of leadership enables the Congress to discharge its responsibilities with dignity and due deliberation but without undue delay.

Those who are acquainted with the history of our national legislative institutions know that there have been many Speakers of the House, some renowned, some ordinary in their attainments; but the greatest Speaker of all, in my book, is Speaker RAYBURN.

He came to the Speaker's chair after long years of service and successful sponsorship of legislation for the protection of consumers and investors and farmers and businessmen. His name is associated with some of the greatest legislation of the administration of Franklin D. Roosevelt—the Public Utility Holding Company Act, the Securities and Exchange Act, rural electrification legislation, and other important measures which have been tested by time and experience and continue to bring benefits to the public.

As Speaker, he has studied and practiced representative government in a democratic society. He knows that the minority must be heard, but that the majority must prevail. When majority rule has been threatened by undue obstruction or unconscionable delays, Speaker RAYBURN has not failed to act. He has been firm, he has been fair, but he has been positive in his actions.

Majority rule is the golden rule of democracy. Our parliamentary processes cannot, dare not, be thwarted by a willful few in strategic positions of power. The Speaker has taken his stand with those of us who believe that the will of the people, expressed through majority vote of its Representatives in Congress, must be allowed to prevail if democracy is to survive and be sustained.

The speakership of the House of Representatives is in many ways a unique institution. It is a place of leadership and power and responsibility. It is a beacon of light and hope in a troubled world.

The man who occupies the Speaker's chair illumines that place and casts a warm glow which makes us rejoice to be in his company, to share now and then a few of his problems and worries, and to partake, each in our own small way, in that enterprise of democratic government which is man's best hope on earth.

Mr. CRAMER. Mr. Speaker, it gives me great pleasure today in joining with my colleagues from both sides of the aisle in offering congratulations to our Speak-

er, SAM RAYBURN, now marking a tenure of service as Speaker of this great body twice that of any other Speaker in the long history of the House of Representatives.

Although we are not always in agreement on issues of a political nature, few can disagree that SAM RAYBURN is a man dedicated—a man whose courage and integrity has served as a guiding light to Americans everywhere.

To be sure, being elected and reelected as Speaker of this body is, in itself, a positive declaration of the faith and trust the Members of the House have in his devotion and dedication to the ideals and causes that have, under his leadership, done so much to shape the direction of this great country.

I am proud to be associated with you, Mr. Speaker, and although our political philosophies are different, our strong desire to keep America first is the same. Your leadership ability has long served as an inspiration to me.

Mr. HORAN. Mr. Speaker, it is a pleasure to join with the other Members of the House of Representatives in paying a most sincere tribute to our beloved SAM RAYBURN. To those of us who have had the privilege of representing districts from all over the United States here in the U.S. House of Representatives, the significance of what Mr. SAM represents in the eyes of this Nation is tremendous. His dedicated devotion to the work of the House of Representatives is something that future records will disclose.

As has been so well pointed out here today, he has gained this position as Speaker through hard work and constructive measures, affecting not only his own beloved Texas, but the entire Nation.

It has been a privilege for me, as it has been for my colleagues, to have served with SAM RAYBURN. I am thankful for this opportunity to say so.

Mr. STRATTON. Mr. Speaker, I desire to join with my colleagues on both sides of the aisle today in paying tribute to that great American and that great representative of the democratic system of Government in action, our beloved Speaker, SAM RAYBURN, of Texas, on the occasion of this anniversary which commemorates his service in the office of Speaker of the U.S. House of Representatives for a period twice as long as that of any other person who ever held this high office in the history of our Republic.

SAM RAYBURN has been an inspiration to all of us who are fortunate to have been selected by our neighbors and associates to come here to Washington and serve in this great legislative body. SAM RAYBURN has often said that the House of Representatives is his life. May I say that because of SAM RAYBURN, and the leadership he has given to this House, he has enhanced for me an appreciation of just what it does mean to be a U.S. Representative, and just what "life" in this House really entails. He has taught us all that service here, for example, requires respect for the views of all. He has led this great body always with fairness and with due deliberation, yet he has made certain too that we acted with

all necessary speed. He has always insisted repeatedly that we place the interests of the Nation and of the free world above any considerations of narrow partisanship in this great Chamber.

So this has been a great outpouring of affection and respect here today to one man who has given so much of himself to the character of this great institution of our free Government. May I say simply I am proud and happy to have been able to serve in these Halls with the distinguished gentleman from Texas, the beloved Speaker of this House, SAM RAYBURN.

Mr. SPRINGER. Mr. Speaker, it is with a sense of personal pleasure in our association over the last 10 years that I join my colleagues in paying tribute to SAM RAYBURN on this occasion.

Today, marking the 16th year, 273d day, that Mr. SAM has served as Speaker of the House of Representatives, also marks 10th year, 160th day, that I have served in the House.

Looking back over my 10 years in the House—with the many pleasant memories those years hold for me—I can well imagine the treasure chest of memories that surely must be Mr. SAM's.

For SAM RAYBURN, who will undoubtedly go down in history as one of the greatest men of our country, holds in his memory associations with other great Americans dating back to nearly the turn of the century.

During all the time that I have been in the Congress, and from talking with colleagues who have been here longer than I, I know it holds true for the entire time that he has been Speaker, SAM RAYBURN has wielded the gavel of his office firmly but fairly.

We have not always agreed on issues. He has always been a hard and courageous fighter for the causes he has espoused, but he has never been a mean or petty fighter. The respect and affection I hold for Mr. SAM have been heightened by the respect he has always shown for my convictions, even though he differed with me.

It is doubtful that ever in our history as a nation has a Speaker been more adept and successful than has SAM RAYBURN in carrying out the duties of that office. Through his forcefulness, through his persuasiveness, through the sheer dominance of his personality, he has been able to surmount obstacles which would have been impossible for a lesser man.

I, too, hope and pray that SAM RAYBURN may be with us just as long as he so chooses.

With a public life dating back to 1907 in the legislature of the great State of Texas, 6 years before he came to the Congress, it must surely be said of SAM RAYBURN—if it be said of any man—that he dedicated his entire life to the service of his country.

Mr. RIEHLMAN. Mr. Speaker, it is with considerable pleasure that I join my colleagues this afternoon in paying tribute to our beloved Speaker SAM RAYBURN who, as of this day, has held his high and responsible position as Speaker of the House of Representatives twice as long as any other man in the history of this country.

Over the many years during which Speaker RAYBURN has been of such great service to his party, to this great body, and to his country, he has built a reputation for honesty, integrity, and fairness that will never be surpassed. The fondness and respect held for Speaker RAYBURN by every man and woman in the Congress transcends political partisanship. I know that feeling is shared by all men and women throughout the country, regardless of political faith.

I shall never forget the great and well-deserved honor bestowed upon him when he journeyed into upstate New York to receive an honorary degree from Syracuse University.

His hand, as much as any other, has steered the wheel of the ship of state through the perilous years during which he has served.

I wish my good colleague from Texas many, many more years of distinguished service in this House, which he has done so much to make the greatest legislative body on earth.

Mr. SIKES. Mr. Speaker, today it is our great pleasure to see our able and distinguished Speaker enjoy new laurels which have been earned by no other person. I am proud to add my voice to the plaudits which are his today, and to speak for all the Florida congressional delegation when I do so. We are indeed proud of our beloved Speaker, the great Texan who so well represents the highest traditions of the U.S. House of Representatives. He is a man who loves the House and a man whom the House loves, a man keen of mind, sharp in humor, and a true fighter for the causes in which he believes, a statesman in the highest sense of the word.

His firm guiding hand has directed the activities of the House for almost 17 years, often bringing harmony out of discord, compromise out of conflict, and responsibility out of narrow interest. Mr. SAM has been adviser to Presidents as well as trusted confidant of the newest Members of the House. Always he has sought to do the things which in his mind would keep foremost the best interests of the Congress and of the Nation. He is the very essence of the House, the great body he personifies.

Speaker SAM RAYBURN has presided longer over the House of Representatives than any other Speaker in the history of our country and has served longer in this body than any other man in the entire history of the House of Representatives.

Speaker RAYBURN is a man dedicated to his country, to mankind, and to God. He has been an inspiration to all of us as Members of this greatest of deliberative bodies. For his distinguished service in the House of Representatives his name already has been placed in history alongside others of the Nation's great. His advice, judgment, and leadership have been heralded by all during his entire career. The illustrious and outstanding record he has established is known and appreciated not only in the United States, but throughout the world.

The respect and affection that are his have been known by few and it is with

a true sense of appreciation that we pay homage to a truly great American.

Mr. MURPHY. Mr. Speaker, we are today paying tribute to a great American, who has given his life for public service, and who has devoted his talents and leadership to serving his country, the Speaker of the House of Representatives, the Honorable SAM RAYBURN.

As a member of the Democratic delegation from Illinois, I want to join my colleagues from Illinois as well as my colleagues in the House of Representatives on this auspicious day. I had the pleasure of making the Speaker's acquaintanceship over 20 years ago through his great personal friend the Honorable THOMAS O'BRIEN, the dean of the Illinois delegation. Mr. O'BRIEN informed me of the great leadership displayed by Mr. SAM during the critical years of World War II and the Korean war.

It has been my privilege, after becoming a Member of Congress, to note the manner of his impartiality as Presiding Officer of the House of Representatives regardless of what side of the aisle they may sit. His long tenure of office indicates the confidence displayed by his constituency in returning him 24 times to office. God has seen fit to allow him to be Speaker for a period twice as long as any Speaker in the House of Representatives. May God see fit to continue him in this capacity in the critical years that we are living in now and for the immediate future.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, every Member of Congress considers Speaker RAYBURN the ablest and most farseeing of men. During his historic tenure as Speaker of this House, our country has been through both a major depression and two great world wars. America was indeed fortunate to have the guidance and deep wisdom of Speaker RAYBURN through these critical years.

In addition to his great public service, I am sure each Member of Congress feels a personal gratitude for Speaker RAYBURN's kind and helpful leadership. Not long ago the Speaker said to me, "Remember, BILL, you have two constituencies, the people back home and the Members of this House." Speaker RAYBURN has served both of his constituencies with patience and loyalty, and we hope and expect that he will continue to serve for many, many years to come.

Mr. EVINS. Mr. Speaker, Tennessee joins with Texas and the other States of the Nation in honoring Speaker SAM RAYBURN on this historic occasion. Certainly I endorse all of the things that have been said regarding our beloved Speaker, who has served twice as long in the Office of Speaker of the House as any other man in our Nation's history.

In these ceremonies, indeed we are making history and marking a significant time in the House of Representatives.

Many years ago a debate took place in the Congress between the States of North Carolina and South Carolina, each claiming to be the State of nativity of the illustrious Andrew Jackson. It remained for a representative from Tennessee to point out that although both

States—North Carolina and South Carolina—claimed Andrew Jackson, it was indeed from Tennessee that Jackson gained his fame and eminence. Likewise, today although Texas and the other States claim Speaker RAYBURN, I would point out that he was born in Tennessee and Tennessee is proud of her native son, Speaker SAM RAYBURN, who belongs to Tennessee, Texas, and the Nation.

Speaker RAYBURN has befriended me and assisted me in my years of service in the Congress and it is one of the treasured memories and possessions in my life that I have been privileged to serve in the Congress with him and under his leadership.

I congratulate Speaker RAYBURN and wish for him many, many more years of happiness and lengthy distinguished service in the Congress for our country.

Mr. ULLMAN. Mr. Speaker, Speaker SAM RAYBURN has enriched the lives of every one of us who has served under him. Not only has he not lost the human touch but, on the contrary, he maintains a positive and personal interest in every new Member who arrives in the House. His door is always open for counsel and guidance. When a Member succeeds, he takes personal pride in that success.

Speaker RAYBURN has served his country almost since the beginning of this century. His record as America's senior statesman is far greater, not only in years but in accomplishment, than that of any other man.

America is proud of her beloved Speaker. We wish him many more years of health and happiness. Above all, this Nation in these critical times needs his continued judgment and dedication as the leader of this great legislative body.

Mr. DONOHUE. Mr. Speaker, it is a particular personal privilege and pleasure to join with my fellow Members here in this spontaneous tribute to our eminently distinguished colleague and "dean" from the great State of Texas.

Texas has indeed many attributes of distinction and a glorious record in the pages of our national history. It is perhaps too little known for its great deeds and too commonly known for its size.

However in dwelling upon Speaker SAM RAYBURN the conversational term generally applied to the State seems to me precisely applicable to the man.

Mr. SAM is a "big" man in the truest sense of such human description. He is big in heart, big in mind, and big in spirit.

For more than 14 years I have observed the warm qualities of sympathy, encouragement, understanding, and wise counsel go out from his great heart in generous inspiration among our membership. I have watched in most earnest admiration the exercise and application of his great mind in the skillful direction and guidance of this assembly. In serious and dark hours of legislative challenge to this body I have seen the great spirit of this man enlighten and pervade this Chamber toward the patriotic discharge of our full and common responsibility. It is indeed well for this Nation and the world that providence, in eternal design,

has given us all the genius of this man, during the most challenging years of civilized history, to direct the affairs on this side of the greatest legislative body on earth, in the fight for freedoms preservation throughout the globe.

Few men have ever been recipient, and none have ever been more deserving, of the united esteem, and affection with which we pray today to the good Lord to keep our beloved Speaker here with us, in good health, to successfully lead us through the many long, trying years ahead.

Mr. LIBONATI. Mr. Speaker, it is with a sense of patriotic humility that I join with your distinguished colleagues in calling to the attention of the people of the Republic your great contribution to the functioning of Government as Speaker of the House for a quarter of a century.

No one has functioned as long in this capacity in the history of the Congress. You have always been alert to the needs of the people in legislation. No one can accuse you of being derelict in pressing matters of business to their ultimate conclusion.

Your protection of the constitutional rights of every American in legislation presented before this honorable body sparkles your every action in interpreting the rules and procedures of this august body.

You have never used your powerful position to serve your private opinions in legislation presented before you.

You are the epitome of honesty and justice in all your dealings with your colleagues. Your intelligent approach on controversial questions has eliminated much of the waste of time and unimportant discussion.

The American people love and venerated your very name. Your reputation for greatness is a byword in all parts of the Nation. We, your colleagues, salute you on this glorious day—for a truly devoted, patriotic, and brilliant statesman rules the destiny of our American Republic. God bless you and keep you among us for years to come that our Nation may grow strong through the manifest influence of a great leader in the greatest legislative body known to man.

Mr. PASSMAN. Mr. Speaker, I join with my colleagues in paying my respects to the most eminent Member of the Congress—one of the foremost public officials and men within the entire existence of our great Nation—upon the momentous occasion of reaching the point of having served in the high office of Speaker of the House of Representatives more than twice as long as any of his predecessors in that illustrious position.

Therefore, with warm personal affection and a deep sense of humility and appreciation, I wish to take this opportunity to extend my most sincere congratulations to one of the truly greatest of all Americans, the Honorable SAM RAYBURN.

It is my earnest and prayerful hope that our beloved Speaker, who has served this body and our Nation with unwavering devotion and integrity, outstanding ability and matchless distinction through

more than 48 years—almost 17 of those years as Speaker—shall be granted many more years of good health and active, faithful, fruitful service.

Mr. HERLONG. Mr. Speaker, I am not going to presume to add any flowery phrases to the outpouring of complimentary comment which has accompanied the passing by Speaker RAYBURN of one of the great milestones of his career—the milestone that marks his service as Speaker of the House of Representatives twice as long as any other man in the history of the Nation.

To all of the wonderful things which have been said about Speaker RAYBURN, on the floor of the House and elsewhere, in the past few days I can only add a fervent "Amen." History has already recorded his accomplishments in glowing terms, and the historians of a later day will, I am sure, have much to add to this unparalleled record.

Mr. PHILBIN. Mr. Speaker, I congratulate the very distinguished majority leader on presenting the most fitting resolution extending hearty congratulations and expressing deep appreciation to our beloved Speaker, the Honorable SAM RAYBURN.

It would be impossible for anyone to evaluate highly enough the tremendous, impressive and invaluable service of this beloved and great man, the Speaker of this great parliamentary body. It would be equally impossible for anyone to find words to thank him for his monumental contributions to the Nation and the world.

Speaker RAYBURN is one of the greatest leaders in the world today and he is so recognized in this House, which he has so brilliantly adorned for almost half a century, by his fellow countrymen and by leaders and peoples in every part of the world.

Years ago, the noble Greek philosopher, Plato, in one of his most significant works, proposed that governments, whatever external shape or form they took, should be governed by an aristocracy of highly trained, carefully selected, experienced leaders.

This great thinker, who immeasurably influenced the thought and direction of civilized peoples and institutions everywhere, envisioned ideal governmental leadership as being made up of highly gifted, intensively trained, carefully selected leaders, whom he called philosopher kings, to handle the affairs of government.

The distinguished Speaker of the House, SAM RAYBURN, doubtless conforms to this idealistic Platonian pattern and the broad dimensions of this kind of enlightened leadership more closely than any living political figure in the world today.

His long experience in government has given him a rare understanding of the problems, and particularly the complexities, in these days of confusion and danger.

He is an honest, just, and honorable man, sprung from the noble heritage of his rugged native State of Texas.

He is a just and patient man who always seeks fair and equitable solutions.

He is a humane and compassionate man, zealous and unflinching in his deep

concern for the people, especially for those who are unable to help themselves.

He is, above all, a man who deals in personal values and is never bound by formal abstractions; a man of true dignity, unsullied by pomp and bluster; a man of warmth and understanding, eager to attune himself to the worthy objectives of his colleagues and fellow citizens, and keenly responsive to the dictates of orderly progress and sound advancement.

It would not be possible for me to deal here with the sweeping, effective contributions throughout the years of this great American in the vital field of statecraft, government policymaking and action, with which Speaker RAYBURN has been so notably associated.

These contributions so unselfishly and so ably rendered have brought great and felicitous impact to bear upon most compelling and crucial problems of government and served mightily to bring about wise solutions, national and free world unity, and wholehearted cooperative action that changed for the better the course of history.

The history of our times is replete with SAM RAYBURN'S repeated, effective leadership and wise counsel, and history will record, much better than I can here, the character, scope, and greatness of his accomplishments and unceasing labors for the Nation and humanity.

No man in American history has done so much to strengthen parliamentary institutions in this country and throughout the world as SAM RAYBURN. During his long service as Speaker of the House, he has been a model of perfection in interpreting the rules and procedures of this body. He has made the Speakership not only a highly esteemed office devoted to interpreting the rules and procedures of the House, but a source of enlightened example and strength for every real parliamentary body in the world.

I could not hope to do more than suggest the wide and deep ranges of the superlative ability, high and meticulous purpose with which he has strived successfully over a long period of time to make the rules and procedures of the House of Representatives a model of fairness, impartiality and justice that has so deeply impressed the entire democratic world.

For these accomplishments, he has been hailed alike by profound students of government and parliamentary procedures, as well as by other parliamentary bodies, for his superb mastery of the intricate problems of parliamentary government, and for his unprecedented, long-continued demonstration of what the rule of law really is when it is ably interpreted and fairly practiced by a learned, experienced, parliamentary expert and leader, so constituted in his God-given personal attributes of justice, equity and fairness, and his understanding and knowledge of all forms of parliamentary law as to bring enduring luster and fame upon his own honored name, as well as that of the historic legislative body over which for so many years he has presided with such rare capacity and judgment.

Loyal friend, gifted political leader, unequalled parliamentary authority, resolute in principle, lofty in patriotism, generous of impulse, humane, tolerant and understanding in all his ways, the career of SAM RAYBURN is indeed a brilliant constellation in the firmament of our country.

May the good Lord, who has so generously blessed and guided him throughout his long years of devoted service, continue to bless him with good health, vigor, and strength so that he may serve our House, our Nation, and humanity for years to come.

Ad multos annos to a great and gifted American, gentleman, patriot, and statesman—SAM RAYBURN.

Mr. MERROW. Mr. Speaker, it is with great pleasure that I join my colleagues on both sides of the aisle in honoring and paying tribute to the Speaker of the House, the Honorable SAM RAYBURN, of Texas. Speaker RAYBURN has a long, unparalleled, and distinguished record as a Member of this body. He has served as Speaker for a period over twice as long as that of Henry Clay, who held the record until the time of Speaker RAYBURN. SAM RAYBURN has a record unequalled not only in the U.S. Congress, but it is without parallel in any parliamentary body in the world.

Speaker RAYBURN'S influence on legislation has been far reaching. During the years of his career in this House, he has placed his imprint on more legislation than any other man in the history of our country. He is one of the great men in American history, and his work has spanned a longer period of time than any other American. It is fitting that a grateful country recognize his contribution to the development of this Republic. We are proud of the record he has made. All who have served with him have the greatest admiration for his outstanding ability, his devotion to the House of Representatives, his fairness to all Members, his kindness, and his helpfulness to everyone.

On this memorable occasion we wish him well. We know that great tasks lie ahead; and in the future as in the past, Speaker RAYBURN will make an outstanding contribution to the resolving of our difficulties. He is a great, good, kind, and eminently fair man. I personally appreciate the many kindnesses he has extended to me and count it a privilege to have served with him. I value his friendship deeply and knowing him has been one of the enriching experiences of my life.

I extend to you, Mr. Speaker, my very best wishes and am happy to have this opportunity of paying tribute to you who have made one of the greatest, the most useful, finest, and enduring contributions to the welfare, happiness, and advancement of your fellow men. You have the satisfaction of knowing that your work and your career will endure as a lasting monument in the annals not only of American history but in the annals of the advancement of freemen for all time.

Mr. RHODES of Pennsylvania. Mr. Speaker, I would like to take this opportunity to join my colleagues in paying tribute to one of the most distinguished

Americans of all times, the Honorable Speaker SAM RAYBURN of Texas.

To serve as Speaker of the great House of Representatives is a distinct honor. To serve as Speaker of the House twice as long as any other Speaker in our Nation's history is an achievement that is unlikely to be equaled by any man. The extended tenure of Mr. RAYBURN, through good times and bad, through most serious and dangerous times, affirms my conviction that he is truly one of the most wise, able, and just legislators who has ever served in the U.S. Congress.

In my 13 years as a Representative, I have always found Mr. RAYBURN to be fair, helpful, and cooperative. He has been an inspiration to all of us. He possesses a practical idealism, vision, understanding, courage, and integrity. To him belongs much of the credit for the progress this Nation has made in social reform, economic justice, and other programs essential to the Nation's strength and prosperity.

I can add little to the remarks of my distinguished colleagues on both sides of the aisle. I can only say with humility and candor that it shall always be an honor to have served in this great House of Representatives. It is a special honor to be able to say that I have served with and under SAM RAYBURN. History will be kind to Speaker RAYBURN. His place among America's great is assured. May he live long, enjoy good health, and continue to serve us in these changing and dangerous times.

Mr. WHITENER. Because of my devotion to this outstanding American I am taking this opportunity to join with several of our colleagues who have heretofore voiced their admiration and respect for Mr. RAYBURN upon the occasion of his having served 16 years, 273 days, as Speaker of the House of Representatives. The attainment of service as Speaker which doubles that of any other Speaker in the history of our Nation is a noteworthy accomplishment and in itself constitutes the greatest tribute that legislators can pay to one of their colleagues.

SAM RAYBURN became a Member of this House prior to my birth. Notwithstanding this long tenure of service, he has remained youthful in his outlook and has retained a capacity to understand the problems, as well as the hopes and ideals, of people of all ages. This is not a common trait in humankind. It should be the goal of all of us to emulate this great American in retaining our zest for understanding service to people of all age groups in our Nation.

With all of the onerous duties that have been cast upon our Speaker through his attainment of the high position of leadership—as well as the long years of bearing the burdens imposed upon him—he has never been too preoccupied to give of his counsel and assistance to all of us who have been honored to serve with him as a Member of this legislative body. I think even more complimentary to this great man is the fact that he has retained his interest in assisting Americans in all walks of life in a very personal way, as well as

in his official role as the leader of one of the two coordinate branches of our National Legislature.

Recently when our Speaker took the lead in bringing about a fund-raising campaign in behalf of the heroic Sgt. Alvin C. York, of Tennessee, we saw in him one of his continuing and impressive traits. It was through his leadership that a sum in excess of \$25,000 was raised by voluntary contributions from all over America to discharge the overhanging tax liability which was harassing one of America's great wartime heroes. This was a great service to Sergeant York, but even more, it was a great display of humanitarianism by the man whom we honor with our words during these recent days.

I feel a personal debt of gratitude to Speaker RAYBURN. He has been most cordial to me in every way since my entry upon my service here in Washington. Even prior to that, however, he had been most kind and considerate of me through the years of our acquaintanceship since 1940 when he came to my community to deliver an address at an annual meeting of the Gastonia Junior Chamber of Commerce. I valued his friendship then, but the intervening years, which have given me an opportunity to become more closely associated with him, have heightened my appreciation of SAM RAYBURN, the man.

I join with all of the Members of this House in saying to Mr. RAYBURN that we appreciate his service to our great Nation, as well as to every one of us who have been privileged to sit at his feet and learn the great lessons of life which he has so eloquently taught through his own conduct of the affairs of high public office and private living.

Mr. LANE. Mr. Speaker, your colleagues join in congratulating you on the impressive record of accomplishments you have compiled as the Speaker of the U.S. House of Representatives.

In the illustrious history of this Chamber you have served more than twice as long as any previous Speaker, reflecting the Nation's confidence in your experience and judgment. As the realistic and steady pilot of this legislative body you have presided, not only over the longest period of time, but in meeting a succession of challenges, domestic and international, that threatened the ability of our representative government to survive.

Throughout the storms of one emergency after another, as some clung stubbornly to the status quo, while others called for desperate measures, your counsel and firm guidance brought us through.

Young Members have learned much from your example which has saved them from the pitfalls of inexperience.

The American people have seen many pictures of you in their newspapers, taken after leaving many a White House conference.

But they do not have the complete story, as yet, of the way our Presidents have relied upon you in one crisis after another. When the history of these times is written upon the facts that will come to light, it will tell how the wis-

dom and strength of Mr. SAM helped our Nation to solve its own problems and to provide leadership for a confused world during an age of revolutionary change.

The good management of this House is your life.

Uninterruptedly, since 1913, you have served it with single-minded devotion and skill, inspired and sustained by your faith in our people, our free institutions, and the future of our country as the great hope of humanity.

Each and every Member of this House, in recognition of the record you have established—and which I doubt will ever be equaled—are proud to congratulate you on this memorable occasion.

Behind the spoken words is the enduring tribute to their friendship and esteem.

Even though we know that you are anxious to get on with the unfinished business before us, we take this opportunity to overrule you, for once, to honor the senior statesman of the United States, and the ablest Speaker in the history of the U.S. House of Representatives, Mr. SAM RAYBURN.

Mr. TAYLOR. Mr. Speaker, from 1776, when the American colonies declared their independence, to the present is 185 years. For more than one-fourth of that time SAM RAYBURN has been a Member of this Congress. He is the most experienced legislator in the world today. For half a century his character, his judgment, his thinking, and his energy have stamped themselves upon American life.

While it has been only 1 year since Mr. RAYBURN first administered the oath of office to me as a Member of this body, my admiration for him dates back many, many years. In party circles he has been "Mr. Democrat." In governmental circles he has been, and is "Mr. Speaker." His integrity, his dedication to service, his sense of fair play, and his friendly way have earned for him the admiration and respect of every Member of this House and of people throughout America and the free world.

I consider it an honor to be numbered among those who serve in Congress with SAM RAYBURN, a great American. For the sake of this country and other free nations, I wish for him many more years of fruitful service as our Speaker and leader.

Mr. KLUCZYNSKI. Mr. Speaker, I was privileged to sit in the Chamber of the House of Representatives and listen to my colleagues on both the Democratic and Republican sides of the House pay tribute to the record of public service of Speaker SAM RAYBURN.

It was on March 4, 1913, that he was sworn in as a Member of this body and he has served continuously since that date. Most of my congressional service has been under our beloved SAM RAYBURN. As a freshman in the House there were occasions when it was necessary to seek his counsel and advice and he was always available and eager to help in any problems that confronted a new Member. It is my belief that there has never been a man in the history of public service who has influenced

more public servants than has SAM RAYBURN.

SAM RAYBURN will always live in the history of our Nation as one of the greatest legislators we have ever had. He is a man of integrity and great ability. He always has protected the best interests of the House.

As he observes this historic occasion I want to join my colleagues in wishing him good health and happiness in the days ahead.

Mr. BOLLING. Mr. Speaker, it is not possible to describe adequately the many great qualities of the man we honor today. The Speaker, SAM RAYBURN, of Bonham, Tex., United States of America, is a warm human being who loves his fellow men. He is a proud citizen of Bonham and the congressional district he has represented so long and so well. He is a loyal Texan deeply conscious of his southern heritage. He is an American patriot who understands the aspirations of the many different peoples of our country and of the world.

He has served the cause of free men with courage and compassion for more than 50 years. He is the wisest leader our House of Representatives has ever had. He ranks very high in all respects among those who have led free men in any country, at any time in all history.

To serve with Speaker RAYBURN is an opportunity, a privilege, and a joy.

Mr. BONNER. Mr. Speaker, many great men from my State of North Carolina have served in this body during the leadership of our Speaker, SAM RAYBURN, who has served for twice as long as any of the other distinguished Americans who have held this post.

I feel privileged to add my remarks to those of the many distinguished Members of the House who have already spoken of his many virtues, his character, his intelligence, fairness, and ability.

Mr. Speaker, I have been fortunate to have served as a Member of this body for some 21 years, during which time I have enjoyed the sage and friendly counsel of our great Speaker. In addition to years of membership, however, I have the advantage over most of my colleagues of having been in the warm and potent shadow of his influence during the preceding 16 years, as secretary to that distinguished North Carolinian, Lindsay Warren. SAM RAYBURN always had time and wisdom for those who were serving, in any capacity, his beloved House. He still does, and he always will.

This is a very special kind of place, Mr. Speaker. It has no real parallel anywhere in the world. Other Members have already referred to this, and I shall not belabor it.

I will never forget the thrill, the sense of greatness of our country and of our system, and of my own humility and inadequacy, when Mr. SAM arranged for me, in my first months in office, to take the Speaker's chair for a brief spell. Yes, it was a splendid challenge to me—but more than that, it brought home the realization that the strength of America springs from all the people. The Speaker's gavel symbolizes democracy in action.

Yet a nation must have leadership. And under our system leadership is con-

tained in a system of checks and balances—the executive, the Congress of the House and the Senate, and the judiciary.

I do not pretend to be a deep student of history but I have lived and learned a great deal during my many years as a Member, and as one who has served in close association with this body.

It is my observation that the real voice of America is in this House of Representatives. It is here that the mighty voice of the people might get out of control. It is here that strong and sensitive leadership helps to synthesize the will of the people to reflect the true image of our great country.

Speaker SAM RAYBURN, during his long service, has provided that leadership as no one else.

God bless you, Mr. Speaker.

Mr. DOYLE. Mr. Speaker, I am very pleased to pay this necessarily brief tribute to our beloved Speaker, Hon. SAM RAYBURN, of Texas, while the distinguished gentleman from Indiana, Hon. CHARLES HALLECK, our minority leader of this great legislative body, is in the Speaker's chair where he was graciously placed by Mr. Speaker himself at the beginning of this magnificent series of spoken tributes to Mr. Speaker as he sits on the floor of this legislative House itself where he is surrounded by uniform affection and appreciation. It is always great to give a person a flower while he can smell its fragrance. And so, I am very happy that this hour is being taken to tell "Mr. SAM" what we think of him on this, the day when we recognize that he has now served 16 years, 273 days, in the highest office within the gift of the Congress. And especially it is appropriate because as of this day he has served more than twice as long as any other Speaker of the House of Representatives in the entire history of this, our beloved Nation.

And because so many Members who have preceded me have said what I would have chosen to say, and have said it so much more eloquently and beautifully than I could possibly have said it about the achievements and gracious, generous, vigilant, patriotic, and unselfish services rendered by our beloved Speaker all these years, I wish to ask my distinguished colleagues who have thus spoken before me to allow me the high privilege of adopting all they have said about Mr. Speaker as and for my own.

And even though they cordially and graciously give consent to this request, I nevertheless wish to add at least one paragraph of my own most sincere words of appreciation about the manner in which I have been treated by Mr. Speaker and about the joy I have had in serving in this great body with him as my Speaker or colleague all of the more than 14 years that I have now served in these legislative Halls.

And so, Mr. Speaker, may I say to you that because of your fairness and fineness and understanding of me throughout all of the years I have had the inspiration of serving under you and with you I say, so you can hear me say it, that you have truly always been a great inspiration to me.

And when you called me to your side my first year in the House and stated that it was the wish that I accept the one vacancy on the House Un-American Activities Committee, and that it was the desire that I do so that I might serve as a "balance wheel," I early came to sense the fact that one of your utmost desires was that each and every Member of the House, regardless of political party, might find his or her place to serve God and mankind according to his or her abilities and fitness and temperament.

Before I take my seat may I say to my colleagues on the minority side of the political aisle in the House of Representatives that I recognize their participation in paying tribute to our beloved Speaker on this occasion as one of their very finest contributions to the illustrious history which has been made in all our congressional experience.

Mr. Speaker, my wish for you is that years from now when I return to the Halls of Congress from my native State of California I will still have the joy and inspiration of seeing you in the Speaker's chair when I stand in the well of the House and address you for the purpose of obtaining unanimous consent to extend my remarks in the CONGRESSIONAL RECORD.

Mr. MULTER. Mr. Speaker, it is indeed a great privilege to be permitted to participate in this fine tribute to a great American.

All that has been said emphasizes to me what the sages of old meant by the statement, "Length of days alone is meaningless." True it is that long service is something to boast about. But our Mr. SAM is not a boastful man. I doubt whether anyone has ever heard him talk about his own accomplishments.

What is brought home to the world here today is that this great American has used his long years of service to acquire knowledge and wisdom from a vast experience.

But the Bible also tells us that the mere acquisition of knowledge and wisdom weighs as nothing in the eyes of the Lord. It is the use to which that knowledge and wisdom is put that counts. It is in the use of his knowledge and wisdom that we find the real greatness of our beloved Speaker.

He has been more than just the No. 1 man in the U.S. House of Representatives. He has done more than lead the Congress as a legislative body.

He has been guide and guardian of every individual Member who has served in this great body during the tenure of his leadership.

He has been ever ready to assist in the solution of any and every problem. In fact, many of the problems have been made to disappear because of his sympathetic understanding and guidance.

Here truly is a man who has given of himself, without stint, to the service of his fellow man.

I extend to Mr. SAM the ancient wish of my coreligionists, "May you live until 120," and enjoy every moment of it in the work you love so well.

Mrs. SULLIVAN. Mr. Speaker, during the years my husband served in the

House of Representatives, he enjoyed a reputation for calm judgment and keen analysis, and I certainly felt that he deserved it. But on one point, I often thought he was a bit uncritical and affected by a sense of hero worship, and that was in his views about the Speaker of the House, the Honorable SAM RAYBURN. My husband was a member of the Committee on Interstate and Foreign Commerce, and a student of the legislative issues which Mr. RAYBURN had so greatly influenced as chairman of that committee prior to beginning his record period of service as Speaker. But Congressman Sullivan, it often seemed to me, ascribed to Speaker RAYBURN far more influence on the national legislative scene and on the course of our democracy than I thought was possible for any one other than the President of the United States to possess.

In these past 8 years, as a Member of Congress myself, I have come to appreciate the basis for my husband's sense of hero worship about Speaker RAYBURN. His fairness, his integrity, his courage, his graciousness have all been extolled here today. From personal experience, I can attest to the accuracy of these many tributes to the Speaker. What is not always evident—for he does not work in a showy manner—is his tremendous power in pushing, prodding, guiding, inspiring, and leading this assemblage of 437 diverse individuals into the most effective instrument for democracy in the world today—this House. I congratulate the Speaker on this occasion; I congratulate this House of Representatives, and the nearly 200 million Americans we represent, for our great good fortune in having the Honorable SAM RAYBURN of Texas as our Speaker.

Historians tell us that great events have sometimes made average men into great men, suddenly able to meet great challenges effectively. In the case of our beloved country, we have been fortunate in already having not an average man but a great man, SAM RAYBURN, as Speaker of the House during periods of great crisis and emergency. I join in wishing our Speaker many more years of good health in the service of our country.

Mr. FRAZIER. Mr. Speaker, I want to take this opportunity to add my voice to the expressions of my colleagues in paying tribute to our great and distinguished Speaker of the House of Representatives on his surpassing twice the record of the man who previously served in that capacity for the longest period of time. Our beloved Speaker, SAM RAYBURN, has now served in the highest position in the House of Representatives for more than twice as long as did Henry Clay, who is next in point of length of service in that position.

More important, however, than the length of his service is the great leadership which SAM RAYBURN has given to our beloved country and to the Congress of the United States. He is truly a statesman and a patriot. The abiding confidence reposed in him by the membership of this body stands as mute evidence to the admiration and respect in which he is held by all of us and by all the citizens of this country. While he

has been termed "Mr. Democrat," he has ever been fair and just in his leadership and has risen above partisan considerations whenever issues of great moment confronted the Nation and the Congress.

I must, before closing, allude to the fact that we Tennesseans like to claim SAM RAYBURN as one of our own, because he was born in Tennessee and lived with his family there prior to going to the great State of Texas.

Mr. Speaker, I congratulate you.

Mr. GALLAGHER. Mr. Speaker, many complimentary and illustrative words have been spoken today, honoring a man who has served as Speaker of this House for twice the time of that served by any Speaker preceding him—the Honorable SAM RAYBURN.

I should like to limit my remarks on this occasion to an expression of appreciation for the leadership and the inspiration this great leader has provided over the years to the young and new Members of the House.

To take one's seat in this House for the first time is an awesome and inspiring experience. The responsibility we carry falls as a heavy load upon new Members.

I shall always recall my first days in this House, and I shall always be grateful that they came in that period of history when the distinguished Member from Texas was serving as Speaker, for by his very presence he inspires us; in his wisdom he counsels us, and by his words he encourages us. He has helped me and many hundreds of other Members find our proper place in the great legislative body. If we have succeeded, it is in large measure, in my case, at least—and, I am certain, in the instance of so many others—because of the leadership and the guidance of the Speaker. If we have found satisfaction in our service in this House, it is because he has guided us. I cannot count the times he has paused in his busy day to counsel me, to encourage me.

For all that he has done in the 47 years he has served in the House, and the 16½ years he has served as Speaker, I am grateful, and I am confident I express the gratitude of all of those who have served with him.

Certainly, the Nation is grateful and fortunate that out of the great State of Texas came to the House more than four decades ago a man possessing the wisdom and the courage to guide the United States through its most crucial years. His imprint on the history of the United States is great indeed, and it is reflected in the glory of our country.

Mr. PIRNIE. Mr. Speaker, I am happy indeed to join with my colleagues in paying well-deserved tribute to our beloved Speaker, the Honorable SAM RAYBURN, whose long and distinguished service has spanned one of the most critical periods of our history. To have been elected to the Congress for 25 terms and to have served as its Speaker over twice as long as any other Representative in our Nation's entire history, establishes a record which may remain unchallenged forever. Important as the length of service may be, the real record of SAM RAYBURN lies in the quality of his service.

Those who have been privileged to serve with him will testify to his fairness, his rugged tenacity, his wisdom, and his great love of country. We recognize him as one of the greatest leaders of our time. He has reflected great credit upon this body which he so dearly loves.

We express to him our sincerest congratulations on his historic achievements and extend our affectionate good wishes for the years ahead. Upon men of his dedication and ability, our Nation must continue to rely for its progress and security.

Mrs. KEE. Mr. Speaker, many eloquent words have been spoken about the remarkable career of our beloved and distinguished Speaker, SAM RAYBURN. Wonderful tributes have been paid to this great American. I wholeheartedly agree with all that has been said and done to honor Mr. SAM. But I would like to say something about a very special attribute of this gentle person. Speaker RAYBURN has something far greater than the longest service as Speaker of the House. He has something far more valuable than a distinguished career as a Member of the U.S. House of Representatives and the author of far-reaching legislation which has been of inestimable value to the people of our country.

Mr. SAM has the most cherished possession any human being could possibly have. He has something money cannot buy, health cannot assure, his family or friends cannot give. Speaker RAYBURN has won for himself and by himself, with the aid and grace of God alone, perfect tranquillity and peace of soul. He has told me on several occasions that he loves all people, feels unkindly toward none, that he is at complete peace with God.

By fidelity to duty, kindness to all, and a life-long earnest endeavor in his daily conduct to abide by the Golden Rule, this sincerely humble man has come to that perfection of spirit that is an inspiration to all who are privileged to know him. What greater blessing could come to anyone?

And this calls to mind the words of Thoreau in his poem "Inspiration":

Fame cannot tempt the bard
Who's famous with his God,
Nor laurel him reward
Who hath his Maker's nod.

Congratulations, Mr. SAM.

Mr. SCHENCK. Mr. Speaker, I would like to associate myself with the tributes paid by other Members of the House of Representatives for the life, work, and service of our distinguished colleague, the Honorable SAM RAYBURN, in the House of Representatives of the United States.

It has been a real privilege to serve with our good friend and colleague, SAM RAYBURN. We have not always agreed on measures under consideration but we have always fully respected each other's right and responsibility to form his judgment.

Speaker RAYBURN has established records for service in the House of Representatives that likely will never be equaled by any other Member. Speaker RAYBURN has the respect of all who have

had the privilege of serving with him because he has always been completely honest, square, and fair with his colleagues.

It has been my pleasure from time to time to have groups of high school students and others visit Washington and Speaker RAYBURN has, as his time permitted, met with them briefly. Speaker RAYBURN has always impressed these groups with the very great privilege and high honor they have to be Americans and he has never missed an opportunity to urge them to be proud of their heritage. He has also urged them to study the history of our great Nation and take an active interest in the work of our Government.

Mr. Speaker, it has been a great privilege and high honor to serve here in the U.S. House of Representatives with Speaker RAYBURN since November 1951. I join with my colleagues in expressing sincere appreciation to him and in extending to him my every good wish for his continued good health and happiness.

Mrs. HANSEN. Mr. Speaker, many tributes have been paid to our Speaker of the House of Representatives, the Honorable SAM RAYBURN from Texas. A great number of these tributes were paid by those who have been in Congress and served with him for several terms.

As a new Member of Congress and a Member from the Far West who has known of the Speaker's work, I would like to add my own expression of appreciation to our Speaker on behalf of not only the people from our area but for all Americans.

I came to Congress as a newcomer in the latter portion of the 86th Congress, actually beginning session activities in this 87th Congress. As a newcomer, I would like particularly to express my appreciation to the Speaker for his kindness and courtesy to me as a Member. I would also like to express the appreciation of my State for his understanding of our problems and for his consideration and help given to these problems.

I want also to say that I feel it was a distinct privilege to come into Congress and have the opportunity of serving with this great American, Speaker RAYBURN. Unforgettable lessons in fairness and parliamentary procedure have been learned.

Mr. KEOGH. Mr. Speaker, for almost a half century the people of the State of Texas have been privileged to be represented in the Congress by one of the foremost Americans of our time, the Honorable SAM RAYBURN. During all those years our beloved Speaker has been a Representative in the true parliamentary sense of that term. Ever deeply concerned with the welfare of his constituents, his actions, nevertheless, have always been based upon the welfare of the entire Nation and have been a shining example of the best kind of representative government.

As the Speaker of the House of Representatives, he has no equal. During two wars he has presided over deliberations of this body while some of the most historic and far-reaching decisions were being made. It is almost impos-

sible to conceive, much less to express, the breadth and scope of those decisions and the wisdom required of the presiding officer in their consideration. SAM RAYBURN has demonstrated that wisdom in a most remarkable degree. Despite the tremendous burden of carrying on his duties he has been ever ready to counsel and assist less experienced Members. Many of the leading Members of the House today owe much of their usefulness to the guiding hand of Speaker SAM RAYBURN.

It is a particular pleasure for me to join in paying this well-deserved tribute to our beloved Speaker while he is still so active and so effective. This is a truly unique occasion and the unanimity of expressions of regard and affection by Members of both sides of the aisle is heartwarming to every one of us, as well as to our great Speaker. It is my fervent hope that he will continue to represent the people of his native State and to guide this body in its deliberations for many years to come.

Mr. WICKERSHAM. Mr. Speaker, many adjectives, nearing the superlative, have been used this week in commending our venerable Speaker of the House, SAM RAYBURN, and well they might be.

Not by words uttered on the floor of the House will memory of Mr. Speaker mark the pages of history—but by his deeds. The contributions he has made to our Government, and to mankind, not only in this country, but all over the world, have earned for him his place in history.

For what he has assisted in giving to the people of America, he has set as a classic example to the rest of the freedom-loving world.

Today marks the day that Mr. Speaker has borne that position for twice as long as any other individual. He has been Speaker of the House for 16 years, 273 days, a fact that has been brought out numerous times this week. But it is a fact singularly imminent in the character of this man.

His constituents have seen fit to return him to the House of Representatives for 49 years now. And, we of the House, repeatedly place our trust in his leadership.

He is elected, in both instances, by a free democratic election. This should show to our foreign adversaries the value we Americans place on true, worthwhile leadership. This should show them that the ballot awards the noble and the strong.

But leadership is not a characteristic that stands by itself. There must be other qualities, many of which have been ably pointed out while Mr. Speaker was being memorialized. But one, a vague, elusive one, I believe, has not been mentioned.

We had a famous man from my State who had a philosophical insight and a gift for turning a phrase. I refer to Will Rogers, who said, "I never met a man I didn't like."

I believe this, too, is a quality of SAM RAYBURN.

Mrs. GRANAHAN. Mr. Speaker, I am indeed pleased to have the opportunity to join in the ceremonies here today

honoring the Honorable SAM RAYBURN for serving more than twice as long as Speaker of the House of Representatives than any man in the history of our country. The gentleman from Texas has been teacher and guide as well as leader for me, as I am sure he has been for almost every other Member of the House, and I deeply appreciate the help he has given me in my efforts to serve the people of the Second Congressional District of Pennsylvania.

I am particularly grateful to our beloved Speaker for the generous manner in which this terribly busy, but never too busy, statesman has been willing to meet from time to time with schoolchildren from Philadelphia visiting here in the Capitol. He believes so deeply in the democratic process, and he can bring such conviction and drama to his discussions of democracy in action that I know a brief few moments with him has been worth much more than many courses in political science for the boys and girls who have been fortunate enough to hear him in these informal meetings.

The office of Speaker of the House of Representatives is one of the most exalted in our democracy, next only to the President in power and influence and behind only the Vice President in line of succession to the Presidency. We are most fortunate that the man who holds this high office is one of the greatest statesmen our Nation has ever known. I am proud to serve with him.

Mr. ANFUSO. Mr. Speaker, I am delighted to join my colleagues in this well-deserved tribute to our great Speaker on this historic occasion when he is establishing a new record of devoted service to the people of America. He has reached a point of service which extends over nearly a half century in the House and for nearly 17 years as Speaker. This is twice as long as any other Speaker in our Nation's entire history—and yet he looks younger today than when I first came here 10 years ago.

His continuous service in the interests of our Nation is due primarily to the fact that those interests are always uppermost in his heart and soul. The people have long ago recognized this quality and other desirable qualities in him and they keep sending him back to Congress in each election since 1913 to represent them. Today Speaker Rayburn is one of the pillars of our national strength as the spokesman of the greatest democracy on earth and as the voice of experienced leadership.

In these trying days when we are struggling to maintain world peace, freedom of mankind, and human dignity for all, we are fortunate to have a man of his vision and wisdom to lead us and to guide us. His good judgment and his wide influence for the welfare of the American people have helped steer our ship of state through many dangers and vicissitudes.

In the annals of our Nation's history the name of our beloved Speaker will for all time be immortalized as one of our greatest statesmen, patriots and leaders.

I regard it as a great honor to have worked with him and under his leadership during the past decade, and I am

looking forward to continue to work with him in the years ahead. May God bless him with many more years of good health, good leadership, and good achievements for our people and for all free nations.

Mr. McCORMACK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

The SPEAKER pro tempore. Let the record show that the resolution was unanimously agreed to.

Mr. FULTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FULTON. Mr. Speaker, for the benefit of those of us who have always wanted to vote for SAM RAYBURN, would it be possible to have a rollcall vote on this resolution?

The SPEAKER pro tempore. The resolution has already been unanimously agreed to.

The Speaker resumed the chair.

The SPEAKER. Members of the House of Representatives, if I were given to emotional outbursts, a smoldering emotion would break forth in me now, because I am one who has deep emotions and an appreciative of friendships and the loyalties of other people as I trust I have demonstrated through the years my love and my loyalty to friends, to causes and to my country.

No one could sit as I have sat today and listened to earnest men who have known me for many years make the remarks that they have made about me without feeling proud, as I do, to have been a part of all of you in this great forum.

The House of Representatives is, has been, and if you and I have our way will continue to be, the greatest legislative forum upon the earth. We have kept it that way and I trust that those who follow us will know the history of our institutions and keep this Government free.

It is a tremendous honor for anyone, man or woman, to be elected one time to any office within the gift of the people. I say anyone because it is by the free will of the people that you are elected and you assume your duties. To me it has always been a great, a towering honor to be a Member of the U.S. House of Representatives and to have been Members for a long time means that we have impressed our people with our honesty, with our complete integrity, and with a reasonable amount of ability.

I have so much faith in human beings. I know that people are good folks and I think out of a long experience I know this, that when anyone gains the confidence of the average American citizen, man or woman, that individual man or woman is the only one who can destroy that faith and that confidence.

They will wait to hear what you have to say before believing what somebody else has to say about it who wants to assume the responsibilities of the office that you now hold. I know our country is great—men and women have made it great. I have the faith to believe that the youth of this land and the great schools, the high schools, colleges, and

universities of this land have within them the elements of good citizenship so that they will in the years to come preserve, protect, defend, and perpetuate the institutions of this, the mightiest, the freest, and the best government that has ever blessed human beings at any time or in any clime.

I thank you from the bottom of a grateful heart for your trust and confidence. If I have been able to live up to the things you have said about me—of those who have spoken and those who have applauded what you have said—then my life is rich enough. I am satisfied. My political career has climaxed everything I ever hoped or trusted it might be, so that when I leave here I will leave without any regrets, but being thankful and grateful to the people of a great congressional district for their trust and faith in me and, equal to if not above that, my gratitude for your faith and your confidence in me.

I thank you most sincerely.

REORGANIZATION PLAN NO. 6 OF 1961—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 186)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 6 of 1961, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended, and providing for reorganizations in the Federal Home Loan Bank Board.

Reorganization Plan No. 6 of 1961 relates to my message of April 13, 1961, to the Congress regarding regulatory agencies and, in particular, to that portion of the message advocating the fixing of responsibility for the overall administration of multiheaded agencies in their chairmen. The reorganization plan also is in keeping with actions begun by President Truman, largely through reorganization plans, to strengthen the internal management of multiheaded agencies by making their chairmen, rather than the boards or commissions as a whole, responsible for day-to-day administration.

The first Commission on Organization of the Executive Branch of the Government concluded that purely executive duties can be performed far better by a single administrative official and stated: "Administration by a plural executive is universally regarded as inefficient." Also, as a matter of sound organization, the Congress and the President should be able to hold a single official rather than a group accountable for the effective management of an agency. The reorganization plan will meet both of those needs by placing responsibility and authority for the administration of the activities of the Federal Home Loan Bank Board in the Chairman of the Board. By relieving the Board of day-

to-day managerial functions, the reorganization plan will significantly further the ability of the Board to deal more effectively with regulatory and policy matters before it.

Action to strengthen the management of the Federal Home Loan Bank Board and to relieve the Board of day-to-day operating responsibility is particularly needed because of the phenomenal growth of the Board's activities in recent years. By way of example, the number of institutions that are members of the Federal Home Loan Bank System and subject to the Board's supervision has increased from 3,898 in 1950 to 4,552 at present. In the same period, the assets of those institutions have increased almost fivefold from \$15.4 billion to \$71.0 billion. In fiscal year 1950, the Board examined 2,450 institutions; in fiscal 1961, about 4,224 examinations will be conducted. The personnel of the Board have more than doubled in number in the last decade to handle the increased workload.

Pursuant to Reorganization Plan No. 3 of 1947, the Chairman of the Home Loan Bank Board was made the chief executive officer of the Board, and there was transferred to him the authority to appoint and direct the personnel necessary to perform the functions of the Board, the Chairman and the agencies under the Board. The Chairman's authority with respect to personnel was returned to the whole Federal Home Loan Bank Board by the Housing Amendments of 1955. The reorganization plan herewith transmitted would restore that authority of the Chairman and further increase his management functions.

Specifically, the reorganization plan will transfer to the Chairman of the Federal Home Loan Bank Board the Board's functions with respect to the overall management, functioning, and organization of the agency; the appointment, removal, and direction of personnel; the distribution of business among, and communication of Board policies to, such personnel; and the enforcement of policies and the general improvement of staff support. There are also transferred to the Chairman functions relating to preparation, review, presentation, and justification of budget estimates and other fund authorizations and those relating to the allocation, use, and expenditure of funds available for administrative expenses.

Nothing in the plan impinges upon the ability of the members of the Board to act independently with respect to substantive matters that come before them for decision, or to participate in the shaping of Board policies. In carrying out his managerial functions, the Chairman will be governed by the policies of the Board and the determinations it is authorized to make. The Board will have the authority to approve the Chairman's appointments of the heads of major administrative units, and the other members of the Board will retain their present control over the personnel in their immediate offices.

The taking effect of the reorganizations included in the accompanying re-

organization plan will provide sound organizational arrangements and will make possible more economical and expeditious administration of the affected functions. It is, however, impractical to itemize at this time the reductions in expenditures which it is probable will be brought about by such taking effect.

After investigation, I have found and hereby declare that each reorganization included in the reorganization plan transmitted herewith is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended.

I recommend that the Congress allow the reorganization plan to become effective.

JOHN F. KENNEDY.

THE WHITE HOUSE, June 12, 1961.

PERMISSION TO FILE ADDITIONAL VIEWS ON REORGANIZATION PLANS NOS. 1, 3, AND 4.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that certain members of the Committee on Government Operations may have until midnight tonight to file certain additional views with reference to Reorganization Plans Nos. 1, 3, and 4.

The SPEAKER. Has any report been filed on them?

Mr. HALLECK. I had understood some reports were to be filed by midnight tonight.

The SPEAKER. If that is the case, without objection it is so ordered.

There was no objection.

REORGANIZATION PLAN NO. 7, 1961—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 187)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 7 of 1961, prepared in accordance with the Reorganization Act of 1949, as amended, and providing for the reorganization of maritime functions.

The basic objective of the plan is to strengthen and revitalize the administration of our Federal programs concerned with the promotion and development of the U.S. merchant marine by concentrating responsibility in separate agencies for the performance of regulatory and promotional functions. The plan provides, therefore, for the creation of a separate Federal Maritime Commission, composed of five Commissioners, which would be charged with the regulatory functions of the present Federal Maritime Board. There would be transferred from the Federal Maritime Board to the Secretary of Commerce the award of subsidies and related promotional functions. The Secretary of Commerce would retain the functions transferred to him by Reorganization Plan No. 21

of 1950 which reorganized the U.S. Maritime Commission into a Federal Maritime Board and a Maritime Administration in the Department of Commerce. The plan retains the present Maritime Administration, provides for an Administrator as head thereof, retains a Deputy Maritime Administrator, and effects no change in the Office of the Under Secretary of Commerce for Transportation. The Federal Maritime Board is abolished.

Existing organizational arrangements have not proved to be satisfactory. The development and maintenance of a sound maritime industry require that the Federal Government carry out its dual responsibilities for regulation and promotion with equal vigor and effectiveness. Intermingling of regulatory and promotional functions has tended in this instance to dilute responsibility and has led to serious inadequacies, particularly in the administration of regulatory functions. Recent findings by committees of the Congress disclose serious violations of maritime laws and point to the urgent need for a reorganization to vest in completely separate agencies responsibility for (1) regulatory functions and (2) promotional and operating functions.

The plan would provide the most appropriate organizational framework for each of the functions concerned. Regulation would be made the exclusive responsibility of a separate Commission organized along the general lines of other regulatory agencies. On the other hand, nonregulatory functions, including the determination and award of subsidies and other promotional and operating activities, would be concentrated in the head of the Department of Commerce. The Secretary of Commerce is best qualified to coordinate these activities with other transportation and related economic programs.

The vesting of all subsidy functions in the Secretary of Commerce will make it possible for the Congress and the President to hold a single official responsible and accountable for the effective conduct of all aspects of this program, including the size and character of the fleet under the United States flag, the need for Government assistance and requirements for appropriations to support subsidy programs. Furthermore, the placing of these functions in the Secretary of Commerce will assure essential supervision and review of subsidy awards.

The taking effect of the reorganizations included in the accompanying reorganization plan will result in a modest increase in expenditures. The improved organizational alignments provided by the plan will, however, make possible a more effective and expeditious administration of the statutory objectives to foster and promote a U.S. merchant marine capable of meeting the Nation's needs in peace and war. Failure to meet these objectives would be far more costly than the anticipated increase in expenditures under the plan.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 7

of 1961 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended.

I have also found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of new officers specified in sections 102 and 201 of the plan. The rates of compensation fixed for these officers are, respectively, those which I have found to prevail in respect of comparable officers in the executive branch of the Government.

I recommend that the Congress allow the reorganization plan to become effective.

JOHN F. KENNEDY.

THE WHITE HOUSE, June 12, 1961.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. YATES. Mr. Speaker, on behalf of the Committee on Government Operations, I ask unanimous consent that the Committee may have until midnight tonight to file reports on House Resolutions 302, 304, and 305.

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

There was no objection.

PERMISSION TO SIT DURING GENERAL DEBATE

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on the Highway Program of the House Committee on Public Works may sit during general debate this afternoon and throughout the balance of the week.

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

There was no objection.

AUTHORIZATION FOR AIRCRAFT, MISSILES, AND NAVAL VESSELS, FISCAL YEAR 1962

Mr. VINSON. Mr. Speaker, I call up the conference report on the bill (S. 1852) to authorize appropriations for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

Mr. GROSS. Mr. Speaker, reserving the right to object, and I hope I shall not have to, am I to assume that the gentleman from Georgia will explain the bill fully?

Mr. VINSON. Oh, yes; I will explain the amendments in detail.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (REPT. NO. 462)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1852) to authorize appropriations for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That funds are hereby authorized to be appropriated during fiscal year 1962 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, and naval vessels, as authorized by law, in amounts as follows:

"AIRCRAFT

"For aircraft: For the Army, \$211,000,000; for the Navy and the Marine Corps, \$1,585,600,000; for the Air Force, \$3,841,200,000, of which amount \$525,000,000 is authorized only for the procurement of long-range manned aircraft for the Strategic Air Command.

"MISSILES

"For missiles: For the Army, \$550,800,000; for the Navy, \$606,400,000; for the Marine Corps, \$27,000,000; for the Air Force, \$2,792,000,000.

"NAVAL VESSELS

"For naval vessels: For the Navy, \$2,957,000,000."

And the House agree to the same.

CARL VINSON,
PAUL J. KILDAY,
L. MENDEL RIVERS,
PHILIP J. PHILBIN,
F. EDW. HEBERT,
LESLIE C. ARENDS,
L. H. GAVIN,
JAMES E. VAN ZANDT,
WILLIAM H. BATES,

Managers on the Part of the House.

RICHARD B. RUSSELL,
JOHN STENNIS,
STUART SYMINGTON,
LEVERETT SALTONSTALL,
MARGARET CHASE SMITH,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1852) to authorize appropriations for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

On May 15, 1961, the Senate passed S. 1852, which was the fiscal year 1962 authorization for appropriations for aircraft, missiles, and naval vessels for the Armed Forces. On May 24, 1961, the House considered the legislation and amended it by substituting the language of the House bill.

AIRCRAFT

Bombers

Both the Senate and the House bills were identical with respect to the provision of aircraft for the Army, and for the Navy and Marine Corps.

With respect to aircraft for the Air Force, the Senate added \$525,000,000 for the procurement of "long-range manned aircraft for the Strategic Air Command." The House, on

the other hand, added \$337,000,000 "for the procurement of B-52 and/or B-58 bomber aircraft."

Both the Senate and the House conferees were of one mind with respect to the importance of continuing bomber aircraft in our military establishment. Similarly, both the Senate and the House conferees agreed that the continuance of the bomber concept was by no means to be considered as an expression of lack of confidence in the missile. An extended expression of the views of each body in this respect is set out in the respective committee report on the bill.

From the foregoing, it is clear that there was no difference in concept between the Senate and the House in the amendment each made to the bill. Each merely wished to insure that the bomber aircraft was not relegated at this time to a role lower in importance than it does, and must for some time in the future, warrant.

After extended discussion of the relative merits of the Senate and House positions, the House conferees agreed to accept both the Senate money figure and the Senate language pertaining to bomber aircraft. This language is as follows: "of which amount \$525,000,000 is authorized only for the procurement of long-range manned aircraft for the Strategic Air Command."

Turbofan engines

The House Committee had added \$21,200,000 to permit the installation of turbofan engines on the last 15 C-135 aircraft. The reasoning of the House was that the added performance derived from the higher thrust turbo-jet engines would greatly improve the utilization of the C-135 aircraft by the Military Air Transport Service. These engines, because of increased thrust, reduces the take-off distance of the aircraft thereby permitting the use of many overseas fields not now available for the aircraft because of the shortness of their runways.

This advantage is dramatically presented when one considers that in three widely distant geographic areas of the world, there are only eleven fields which can accommodate the C-135 turbo-jet airplane but there are 267 fields which would accommodate these aircraft if equipped with turbofan engines.

Another advantage of the turbofan engine is its lower fuel consumption which permits higher payloads over longer distances or, to put it another way, useful payload can be substituted for fuel required by the conventional jet-powered C-135 aircraft.

Again, this is dramatically pointed up by the fact that on a 8,200-foot runway, a turbo-jet C-135 aircraft can lift 19,000 pounds but the aircraft equipped with a turbofan engine can lift 30,500 pounds, or 11,500 pounds more. And from a 6,000-foot runway, a turbo-jet C-135 cannot take off at all, while a turbofan C-135 can lift 16,000 pounds.

Since the requirement for the turbofan engines on these aircraft had not become fully evident at the time the Senate was considering the bill, authority for appropriations for their procurement was not included in the Senate bill. The Senate and House conferees agreed that authority should be granted for the installation of the turbofan engines on the C-135 aircraft. This had the effect of raising the Air Force aircraft figure of \$3,287,000,000 by \$21,200,000.

Special air mission aircraft

The House added \$25,000,000 to permit the procurement of three large passenger aircraft for the special air mission squadron of the Military Air Transport Service.

Today the overseas fleet consists of 13 four-engined aircraft. Other than the three VC-137 jet transports and one Super Constellation, these aircraft range in age from 7 to 13 years. Logistic support for these aircraft was previously available through commercial sources. However, the withdrawal

of early model Constellations and DC-6's from international routes by commercial carriers has eliminated this source of support from a single domestic base.

The age of the fleet and resultant increasing component failures require a considerably higher maintenance level which has now become extremely uneconomical. Replacement aircraft for the overseas fleet should be capable of nonstop transatlantic flights and operation from runways of no longer than 6,000 feet. The turbofan powered version of the Boeing 707, the DC-8, and the Convair 990 are available for off-the-shelf procurement and meet this requirement.

As in the case of the turbofan engines for the C-135 aircraft, the urgency of the requirement for additional passenger jet aircraft for the SAM squadron had not become fully evident during the consideration of the bill by the Senate and there had not been, therefore, an opportunity for the Senate to take action in this respect. The Senate and House conferees, after a review of the extremely high level of utilization of the present three passenger jet aircraft, agreed that authority for one rather than three additional aircraft should be granted. This action had the effect of again raising the basic Air Force aircraft money figure in the bill by an additional \$8,000,000.

MISSILES

The Senate and House versions of the bill were identical with respect to the authority granted the Army, Navy, Marine Corps, and Air Force for appropriations for missiles.

NAVAL VESSELS

The Senate passed the naval vessel portion of S. 1852 in the form requested by the executive branch. Among the 35 new vessels proposed for construction were 7 conventionally powered guided missile frigates.

The House, however, because of its strong belief that more rapid progress should be made in the powering of naval vessels with nuclear power plants, substituted 2 nuclear powered guided missile frigates for 3 of the conventionally powered. The result of the House action was to lower the number of guided missile frigates from 7 to 6.

The reasoning behind the House action, which is only briefly referred to above, is dealt with at length in the House Report on H.R. 6151.

After extended discussion of the relative merits of the House and Senate actions on this portion of the bill, the conferees agreed that the original number of guided missile frigates, that is seven, should be authorized, but that one of them may be nuclear powered. This agreed modification adds \$42,000,000 to the naval vessels portion of the bill.

CARL VINSON,
PAUL J. KILDAY,
L. MENDEL RIVERS,
PHILIP J. PHILBIN,
F. EDW. HÉBERT,
LESLIE C. ARENDS,
L. H. GAVIN,
JAMES E. VAN ZANDT,
WILLIAM H. BATES,

Managers on the Part of the House.

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

Mr. Speaker, this bill, S. 1852, is the authorization for appropriations for aircraft, missiles, and naval vessels for fiscal year 1962.

This grand total of this bill is \$12,571 million.

As the bill passed the House, the authorities granted for aircraft, missiles, and naval vessels for the Armed Forces totaled \$12,368 million. The corresponding authority granted in the Senate version of the bill totaled \$12,499,-

800,000 or \$131,800,000 more than the House version. The total agreed to by the conferees is \$12,571 million. This latter sum is \$203 million more than the House version and \$71,200,000 more than the Senate version.

BOMBERS

As the bill was presented to the Congress by the executive branch, it contained no authority whatsoever for bomber aircraft. I believe that you will recall that I dealt with this matter at some considerable length in my remarks on the floor when the bill itself was being considered.

Suffice it to say at this time that both committees were in complete agreement that the bomber should continue in our inventory for the present and for some time into the future.

As you know, there are three bombers in our Air Force today. The B-47—the B-52—and the B-58. The B-47's are no longer being produced although there are a large number of them in our Strategic Air Command.

In the House version of the bill, the bomber authority granted referred specifically to B-52's and B-58's. The Senate version referred only to "manned bombers." Since only B-52's and B-58's are being produced, the House conferees had no reluctance to accept the Senate language since, of course, the only bombers which can be procured are B-52's and B-58's.

In effect, what the Congress is doing is taking out an insurance policy to render certain that appropriate authority does exist for the continuation of the B-52 and B-58 assembly lines if such appears to be necessary in the near future.

Of course, the department could have reprogrammed funds available to them to procure these bombers but the committee felt that from a legislative standpoint, it was better to grant specific authority for bombers rather than to leave the matter up to the more informal process of reprogramming.

It is entirely possible that little, if any, of this authority will be exercised, but the authority is there if it is found necessary to keep these assembly lines going. We all know that to start up an assembly line that is stopped can cost many millions of dollars for which few, if any, aircraft would be obtained.

The result of the conference, therefore, was to accept the Senate figure of \$525 million for bomber aircraft as well as the Senate language which refers only to long-range manned bombers.

TURBOFAN ENGINES

The House also had added \$21,200,000 for turbofan engines for the last 15 C-135 aircraft. The Senate committee during its consideration of the bill had not had the opportunity to consider this matter since final plans had not been developed at that time.

The obvious advantages of having turbofan engines on these aircraft caused the Senate committee to agree quickly that authority for their installation should be contained in the bill.

SPECIAL AIR MISSION AIRCRAFT

The House committee also had added \$25 million for three new turbofan jet

passenger aircraft for the special air mission squadron. The Senate bill contained no similar authority.

The conferees agreed that one—not three—of these aircraft should be procured and appropriate authority has been inserted in the bill.

GUIDED MISSILE FRIGATES

The last difference between the Senate and House versions of the bill was in the area of naval vessel construction.

As the shipbuilding program was submitted to the Congress by the Department of Defense, it contained—among other things—seven guided-missile frigates—all conventionally powered.

The House committee substituted two nuclear-powered guided-missile frigates for three of the conventionally powered frigates. This reduced the total number of frigates in the House version of the bill to six.

The Senate took no action in this area and their version of the bill, therefore, contained seven conventionally powered frigates.

The conferees agreed that there should be seven frigates—the original number in the program—but that one of them may be nuclear powered.

I might say, however, that it is my personal hope that one of these guided-missile frigates be nuclear powered because in the long run, it is more economical and is a better fighting unit.

Now, those were the only differences in the two versions of the bill.

I would like to mention one matter not directly connected with the conference report.

The House will remember that during the consideration of this bill on the floor, I endeavored to lay before the House the very maximum amount of detail relating to the items in the bill. I believe I mentioned—by name—every missile, every aircraft, and every type of ship that I was asking the House to authorize. My only restraint in the revealing of full information with respect to the bill was that imposed by security consideration.

The vote on the bill was 401 to nothing and that vote was based on as complete a knowledge of the contents of the bill as was possible.

I am happy to say that the gentleman from Texas [Mr. MAHON] has assured me that similar information will be developed by him when he presents the appropriation bill covering aircraft, missiles, and naval vessels. I think that it is very important that the House know to what extent appropriations are being made against the items approved by the House by such an overwhelming vote.

In other words, every Member of the House will have an opportunity to establish a direct relationship between the items authorized and the items appropriated for.

One concluding matter. Our President has recently returned from a trip to Europe where he talked with the several leaders in that part of the world.

President Kennedy's discussions with Mr. Khrushchev have been described as being in an atmosphere both sober and sombre. These words do not have a happy sound.

They imply—and quite correctly—that we are still living in a world, tight with tension, fraught with danger, and precarious in balance.

Crises seem to come by the day. They are spread throughout the world. The imperialistic penetrations of Soviet Russia continue wherever a soft and vulnerable spot is found.

Soviet tactics change and shift as the practical circumstances dictate. But the purpose and end remain the same: world domination.

I say regretfully that I do not see the shining light of peace ahead of us on the road of international affairs. Neither do I see the gathering clouds of war. But I feel—as we all feel—the scurrying gusts of dissension which could at any time gather themselves into the great storm that is war.

It has been said a thousand times—and it is just as true today as when said the first time—the Soviet Union respects one thing—power.

So, powerful we must be.

So powerful that even the heart in the Kremlin must have within it the feeling of hesitancy that will restrain it from throwing this world into open warfare.

We can hope for steps toward general agreement in international affairs. We can hope for a world in which we can all live in peace.

But while hoping and praying that this will be so, we must keep ourselves—keep this country—the strongest, most powerful nation on earth.

Sobering and sombre, indeed, is the atmosphere in which this House must legislate.

Heavy, indeed, is the burden which the American people must bear in providing this defense.

If we are to survive, we have no other choice.

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

Mr. VINSON. I yield to the gentleman.

Mr. GROSS. Do I understand that this bill calls for \$12.5 billion in round figures?

Mr. VINSON. That is correct.

Mr. GROSS. Will the gentleman please tell me what the bill called for as it left the House?

Mr. VINSON. The bill, when it left the House, called for \$12,368 million.

Mr. GROSS. So there is something like a \$200 million increase between the two bills?

Mr. VINSON. Yes. I want to be fair with the gentleman. I am not going to mislead any Member of this House. Here are the true facts about it and they are set out in the report. As the bill passed the House, the authority granted for aircraft, missiles for the Navy and naval vessels, totaled \$12,368 million. The corresponding authority granted in the Senate version of the bill totaled \$12,498,800,000 or \$131,800,000 more than the House version. The total agreed to by the conferees is \$12,571 million. That is the story.

Mr. GROSS. One further question, if the gentleman will yield further.

Mr. VINSON. I yield to the gentleman.

Mr. GROSS. This \$8 million plane—who gets it.

Mr. VINSON. This is what is known as a special air mission airplane. There are three of them today. They are used by the President, the Vice President, and by the Secretary of State in traveling all over the world.

Mr. GROSS. Then this means a fourth one?

Mr. VINSON. This means we are going to have one new one. We are going to keep the three old ones. I tried to convince the conferees that the proper thing to do was to modify the three old ones.

It would have cost about the same amount of money.

Mr. GROSS. At a cost of \$8 million?

Mr. VINSON. Yes.

Mr. GROSS. That is going to be a pretty plush plane.

Mr. VINSON. That is the price we pay for our B-52's and B-58's, and we buy a great many of them. Yes, it is an expensive plane. All of these planes are expensive. I might point out, however, that the kind of plane to be procured is virtually identical to those used by the commercial airlines and the commercial airlines pay the same price for one of theirs.

Mr. GROSS. I do not doubt that.

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

Mr. VINSON. I yield.

Mr. FULTON. I am interested in the nuclear research on missiles. Are there adequate funds here for the nuclear missile, the Pluto program, the research on the engine?

Mr. VINSON. The Committee on Appropriations deals with the question of research and development. We only authorize aircraft, missiles, and naval vessels. The research and development money will be considered when the appropriation bill comes up.

Mr. FULTON. The Pluto nuclear missile program is now at a point of engine construction out at Jackass Flats in Nevada.

Mr. VINSON. When they reach the stage of an airplane or missile then we authorize them, but the research money comes from the Appropriations Committee.

Mr. FULTON. I am not talking about planes. I am talking about a missile, a nuclear missile. I am talking about a nuclear missile engine now being constructed, and I want sufficient funds authorized so that we can do the construction of the nuclear engine for the Pluto missile. Is that in here?

Mr. VINSON. We do not have anything in this bill relating to Pluto.

Mr. FULTON. The next question is as to the cancellation of the two nuclear frigates. What is the strategic and tactical effect of that cancellation by this conference report? What does that do to our forces?

Mr. VINSON. This is the situation: The administration's request called for seven conventional frigates. The House authorized six frigates, two of which would have been nuclear. The compromise arrived at between the Senate and the House contemplates returning to the

administration's program of seven frigates of which one may be nuclear. But we certainly do hope that one of them will be nuclear powered.

Mr. FULTON. Was that on the ground of economy or was that on the ground that they were not necessary for our U.S. security?

Mr. VINSON. It was simply a compromise, with both economy and tactical.

Of course, there were 15 members of the conference; 9 on the House side and 6 on the Senate side. It is rather difficult to state a precise reason why this action was taken because that would involve the delving into the attitudes of the individual conferees. As a matter of fact, I think it can be safely stated that economy was served by the insertion of one nuclear frigate while our defenses generally were served by the inclusion of seven rather than six frigates overall.

Mr. FULTON. What has been the final result on the B-70 research program?

Mr. VINSON. The B-70 program carries \$220 million for additional studies to be carried on. There is no money in this bill for the actual purchase of the B-70's. The Eisenhower administration wanted \$354 million. This administration reduced it down to \$220 million.

Mr. FULTON. Does that postpone the B-70 program?

Mr. VINSON. It will cause a delay of about a year or a year and a half if the B-70's are ultimately built.

Mr. FULTON. My last question is on the Nike-Zeus missile program. What has been the final result on this conference report?

Mr. VINSON. It has no relation either to increasing it or decreasing it. There was no modification of the Nike-Zeus program.

Mr. FULTON. It is still in the research and engineering and in the practical stage; is it?

Mr. VINSON. That is correct.

Mr. FULTON. I thank the gentleman.

Mr. VINSON. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Illinois, the acting minority leader [Mr. ARENDS].

Mr. ARENDS. As is often the case in bills passed by both the Senate and the House as a result of compromise, I think in this particular instance the agreement of the conferees on the part of the House came to a solution and an agreement which should be acceptable to every Member of this body.

Mr. Speaker, I yield to the gentleman from Kansas [Mr. SHRIVER].

Mr. SHRIVER. Mr. Speaker, the time for decision draws near on whether or not America will keep the production lines open for turning out long-range, heavy bombers for our Nation's defense system. The intent of Congress has been made clear through this bill, S. 1852.

Authorization of \$525 million for additional manned bombers conveys the

message to those responsible for directing America's defense efforts that the Members of the House and those of the other body are not ready to see the production of proven deterrents to war, such as our B-52 bomber, halted.

The distinguished members of the Armed Services Committees of both bodies held extensive hearings and received testimony from this Nation's ablest military authorities, and the civilian leaders of our defense effort, relative to this record military authorization bill.

It is significant to me that both committees would recommend addition of funds to insure that this country have the proper mix of missiles and bombers.

Since the Secretary of Defense last week indicated that he would recommend that these additional funds not be used for additional bombers during the next fiscal year, we now must look to the respective Appropriations Committees for an intensive examination of administration and Air Force views in this matter.

Testimony of the Chief of Staff of the Air Force—General White—before the subcommittee of the Committee on Appropriations on April 18, 1961, further illustrated to me the absolute necessity of the United States continuing its production of manned bombers beyond the present cutoff dates.

I would like to include the following excerpt from those hearings:

Mr. MINSHALL. How long, General White, do you think the manned bomber threat will continue as far as the Russians are concerned?

General WHITE. As far as I can see, sir, I see no indication of the Russians decreasing their bomber threat.

Mr. MINSHALL. Even when they get their full inventory of missiles?

General WHITE. They are continuing to produce bombers now.

Mr. MINSHALL. How much are they increasing their bomber rate now? From all reports we have had in the past several years, it has been pretty steady.

General WHITE. Off the record, please.

Mr. MINSHALL. You feel very confidently that the manned bomber threat is going to be with us for a period of at least 10 years?

General WHITE. I would think so; yes, sir.

It is inevitable that newer weapons eventually will replace older weapons in our defense system. However, we have been told that the B-52 jet bomber which is being equipped to deliver missiles is programed for a major role in the Strategic Air Command into the 1970's.

Nevertheless, present plans are to close down the production line in August 1962.

The B-47 medium bomber constitutes the largest part of our bomber inventory. And it is scheduled to be phased out of operation on an accelerated basis.

This means that the B-52 will remain as the workhorse of America's counter striking force in the Strategic Air Command.

The last of presently ordered B-52 H model bombers will be delivered to SAC within 15 months. Unless the bomber funds authorized in this bill are used, the production line of the Wichita division of the Boeing Co.

will close down. The thousands of skilled technicians who have built these planes will be dispersed.

The economics of the situation would indicate that the production line should be kept open. Assuming it is allowed to close down and a year later the decision is made to order more B-52 bombers, the cost of starting up the production line again would be an estimated \$135 million. That sum could better be used to buy jet bombers.

Another factor worthy of consideration is the time gap which would elapse between the delivery of the last bomber to the next delivery on a new order. The time gap would be 20 to 23 months between the two delivery dates.

This Nation cannot afford to watch the Soviet Union continue its production of both bombers and missiles while we close down our bomber production lines to concentrate on missiles alone.

The Congress through this authorization of adequate funds for aircraft, missiles, and naval vessels clearly demonstrates its intent.

Mr. ARENDS. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, I take this time to ask the chairman a question. I understand the Secretary of Defense said he would not spend the money authorized with regard to the bomber program even though we later appropriated it. Was that taken into consideration at the time of the authorization of the program?

Mr. VINSON. As stated in the conference report, it was the feeling of the managers on the part of the House as well as on the part of the Senate that it was necessary to have insurance so that should anything happen they would have authority to act. You see, from now on, they cannot buy an aircraft, a missile, or a ship, without specific authorization, and we cannot afford to take a chance. We have got to have the latitude which we gave them, and that cannot be provided unless there is authority to reprogram it should it become necessary.

Mr. YOUNGER. What good does the insurance do if the insurance company will not pay?

Mr. ARENDS. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, I congratulate the great Committee on Armed Services upon their original recommendations and upon this conference report.

I do this because it reveals their sound judgment in refusing to put all our eggs in one basket, the missile basket. Our progress in missiles has been and is magnificent, and we must push it with all energy and capacity at our command.

However, Mr. Speaker, the missile as a weapon is still unproven. Therefore the extending of a balanced defense and attack program of manned bombers is imperative.

But, Mr. Speaker, we have gone only half way. We are extending the production program of existing weapons. We

have neglected the greatest program weapon system of them all—the great B-70.

Extending the B-70 program this year saves a whole year and perhaps more. Who is to say that we shall not need the B-70, a mach-3, tremendous powered for higher flying bomber than ever before planned will not be needed until 1968 or 1970 or any other date?

The immediate activating of the B-70 program would keep the Soviets off balance for another 10 years. I urge added legislation as immediately as possible.

OPERATION OF STEAMSHIP CONFERENCES

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6775) to amend the Shipping Act, 1916, as amended, to provide for the operation of steamship conferences.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14, Shipping Act, 1916, is hereby amended as follows:

(a) Insert "(a)" immediately after "First".

(b) Add the following subsection (b) at the end of paragraph "First":

"(b) Charge or enter into any combination, agreement, or understanding, express or implied, to charge any person, solely or in part because he does not agree to or give all or any part of his patronage, higher freight rates or charges than are accorded to any person who does agree to or give such patronage: *Provided, however,* That notwithstanding any other provision of this Act, on application the Board shall, after notice, permit the use by any carrier or conference of carriers in foreign commerce of any contract, amendment or modification thereof, which is available to all shippers and consignees on equal terms, and conditions, which provides lower rates to a shipper or consignee who agrees to give all or any part of his patronage to such carrier or conference of carriers and which the Board finds is not intended, and will not be reasonably likely, to cause the exclusion of any other carrier from the trade, and which the Board finds will be neither detrimental to the commerce of the United States nor contrary to the public interest, and which expressly (1) assures to the contract shipper as much of the available space on the vessels of the carrier or conference of carriers as is necessary, on reasonable notice, to meet the normal demands of the contract shipper; (2) provides that, whenever a tariff rate for the carriage of goods becomes effective, insofar as it is under the control of the carrier or conference of carriers, it shall not be increased for a reasonable period, but in no case less than ninety days; (3) covers only those goods of the contract shipper as to the shipment of which he has the legal right at the time of shipment to select the carrier; (4) does not require the contract shipper to divert shipment of goods from natural routings not served by the carrier or conference of carriers where direct carriage is available; (5) limits damages recoverable for breach by either party to actual damages to be deter-

mined after breach in accordance with the principles of commercial contract law: *Provided, however,* That the contract may specify that in the case of a breach by a contract shipper or consignee the damages may be an amount not exceeding the contract rate on the particular shipment, less the cost of handling; (6) permits the contract shipper to terminate at any time without penalty upon ninety days' notice; (7) provides for a spread between ordinary rates and rates charged for contract shippers that the Board finds to be reasonable in all the circumstances but which spread shall in no event be more than 15 per centum of the ordinary rates; and (8) contains such other provisions not inconsistent herewith as the Board shall require or permit. The Federal Maritime Board shall withdraw permission which it has granted under the authority contained in this section for the use of any contract if it finds, after notice and hearing, that the use of such contract tends to cause the elimination from, or prevent the entry into, the trade of any carrier, or is detrimental to the commerce of the United States or contrary to the public interest. The carrier or conference of carriers may on ninety days' notice terminate without penalty the contract rate system herein authorized, in whole, or with respect to any commodity or service: *Provided, however,* That after such termination the carrier or conference of carriers may not reinstitute such contract rate system or part thereof so terminated without prior Board approval in accordance with the provisions of this section. As used in this section, the term 'contract shipper' means a person other than a carrier or conference of carriers who is a party to a contract the use of which may be permitted under this section."

Sec. 2. Section 15, Shipping Act, 1916, is amended to read as follows:

"Sec. 15. That every common carrier by water, or other person subject to this Act, shall file immediately with the Board a true copy, or, if oral, a true and complete memorandum, of every agreement with another such carrier or other person subject to this Act, or modification or cancellation thereof, to which it may be a party or conform in whole or in part, fixing or regulating transportation rates or fares; giving or receiving special rates, accommodations or other special privileges or advantages; controlling, regulating, preventing, or destroying competition; pooling or apportioning earnings, losses, or traffic; allotting ports or restricting or otherwise regulating the number and character of sailings between ports; limiting or regulating in any way the volume or character of freight or passenger traffic to be carried; or in any manner providing for an exclusive, preferential, or cooperative working arrangement. The term 'agreement' in this section includes understandings, conferences, and other arrangements.

"The Board shall by order, after notice and hearing, disapprove, cancel, or modify any agreement, or any modification or cancellation thereof, whether or not previously approved by it, that it finds to be unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or to operate to the detriment of the commerce of the United States, or to be in violation of this Act, and shall approve all other agreements, modifications, or cancellations that it finds not contrary to the public interest. No such agreement shall be approved, nor shall continued approval be permitted for any agreement, (1) between carriers or conferences of carriers serving different trades that would otherwise be naturally competitive, unless in the case of agreements between carriers, each carrier, or in the case of agreements

between conferences, each conference, retains the right of independent action, or (2) which permits shippers who act as carrier agents to represent such carrier in conference activities unless the Board finds that no other qualified person is available, or (3) whose probable effect will be reasonably likely to exclude any other carrier from the trade, or (4) in respect to conference agreements, fails to provide reasonable and equal terms and conditions for the admission and readmission of other qualified carriers in the trade, or fails to provide that any member may withdraw from membership without penalty upon reasonable notice.

"No such agreement shall be approved unless it shall (1) designate a person upon whom service of process may be made within the United States which will be effective against every signatory to such agreement, and (2) contains provisions that every signatory shall provide records or other information, wherever located, required by any order of the Board which contains the minimum notice provisions required by the Administrative Procedures Act (5 U.S.C. 1001 and the following). No conference agreement shall be approved unless the Board finds that it contains effective provisions for policing the obligations under it. The Board shall disapprove any such agreement, after reasonable notice, on a finding of inadequate policing of the obligations under it, or of failure or refusal to adopt and maintain reasonable procedures for the consideration of shippers' requests and complaints.

"Any agreement and any modification or cancellation of any agreement not approved, or disapproved, by the Board shall be unlawful, and agreements, modifications, and cancellations shall be lawful only when and as long as approved by the Board; before approval or after disapproval it shall be unlawful to carry out in whole or in part, directly or indirectly, any such agreement, modification, or cancellation; except that tariff rates, fares, and charges, and classifications, rules, and regulations explanatory thereof (including changes in special rates and charges covered by the proviso to section 14 First (b) which do not involve a change in the spread between such rates and charges and the rates and charges applicable to noncontract shippers) agreed upon by approved conferences, and changes and amendments thereto, be permitted to take effect without prior approval upon compliance with the publication and filing requirements of section 13(b) hereof and with the provisions of any regulations the Board may adopt. The Board shall disapprove any conference rate, fare, or charge which after hearing it finds to be so unreasonably high or low as to be detrimental to the commerce of the United States.

"Every agreement, modification, or cancellation lawful under this section, or permitted under section 14 First, shall be excepted from the provisions of the Act approved July 2, 1890, entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies', and amendments and Acts supplementary thereto, and the provisions of sections 73 to 77, both inclusive, of the Act approved August 27, 1894, entitled 'An Act to reduce taxation, to provide revenue for the Government, and for other purposes', and amendments and Acts supplementary thereto.

"Whoever violates any provision of this section shall be liable to a penalty of not more than \$1,000 for each day such violation continues, to be recovered by the United States in a civil action."

Sec. 3. Notwithstanding the provisions of sections 14 First and 15 of the Shipping Act, 1916, as amended by this Act, all agreements which are lawful under the Shipping Act,

1916, immediately prior to enactment of this Act, shall remain lawful for one year after enactment of this Act unless disapproved, canceled, or modified by the Board pursuant to the provisions of the Shipping Act, 1916, as amended by this Act, within that year.

SEC. 4. Section 18, Shipping Act, 1916, is hereby amended as follows:

(a) Insert "(a)" immediately after the section number "18".

(b) Add the following subsection 18(b):

"(b)(1) From and after ninety days following enactment hereof every common carrier by water in foreign commerce and every conference of such carriers shall file with the Board and keep open to public inspection tariffs showing all the rates, fares, and charges of such carrier or conference of carriers for transportation between all points on its own route and on any through route which has been established. Such tariffs shall plainly show the places between which freight will be carried, and shall contain the classification of freight in force, and shall also state separately such terminal or other charge, privilege, or facility under the control of the carrier or conference of carriers which is granted or allowed, and any rules or regulations which in any wise change, effect, or determine any part or the aggregate of such aforesaid rates, or charges, and shall include specimens of any bill of lading, contract of affreightment, or other document evidencing the transportation agreement. Copies of such tariffs shall be made available to any person and a reasonable charge may be made therefor. The requirements of this section shall not be applicable to cargo loaded and carried in bulk without mark or count.

"(2) No change shall be made in the rates, fares, charges, classifications, rules or regulations, which results in an increase in cost to the shipper, nor shall any new or initial rate of any common carrier by water in foreign commerce or conference of such carriers be instituted, except by the publication, and filing, as aforesaid, of a new tariff or tariffs which shall become effective not earlier than thirty days after the date of publication and filing thereof with the Board, and such tariff or tariffs shall plainly show the changes proposed to be made in the tariff or tariffs then in force and the time when the rates, fares, charges, classifications, rules or regulations as changed are to become effective: *Provided*, That the Board may, in its discretion and for good cause, allow such changes upon less than the period of thirty days herein specified. Any change in the rates, fares, charges, or classifications, rules or regulations which results in a decreased cost to the shipper may become effective upon the publication and filing with the Board. The term 'tariff' as used in this paragraph shall include any amendment, supplement or reissue.

"(3) No common carrier by water in foreign commerce or conference of such carriers shall charge or demand or collect or receive a greater or less or different compensation for the transportation of property or for any service in connection therewith than the rates, and charges which are specified in its tariffs on file with the Board and duly published and in effect at the time; nor shall any such carrier rebate, refund or remit in any manner or by any device any portion of the rates, or charges so specified, nor extend or deny to any person any privilege or facility, except in accordance with such tariffs.

"(4) The Board shall by regulations prescribe the form and manner in which the tariffs required by this section shall be published and filed; and the Board is authorized to reject any tariff filed with it which is not in conformity with this section and

with such regulations. Any tariff so rejected by the Board shall be void and its use shall be unlawful.

"(5) Whoever violates any provision of this section shall be liable to a penalty of not more than \$1,000 for each day such violation continues, to be recovered by the United States in a civil action."

SEC. 5. Section 19, Shipping Act, 1916, is amended by inserting "(a)" immediately after the section number "19", and adding the following subsection:

"(b) It shall be unlawful for any common carrier by water or any conference of carriers, directly or indirectly, to reduce unreasonably its rates or charges for the purpose of destroying competition or eliminating a competitor: *Provided, however*, That nothing contained in the Act shall be construed to prohibit a common carrier by water or a conference of carriers from reducing its rates or charges in good faith to meet competition. Whoever violates any provision of this subsection (b) shall be liable to a penalty of not more than \$1,000 for each day such violation continues, to be recovered by the United States in a civil action."

SEC. 6. Section 20, Shipping Act, 1916, is amended by changing the period at the end thereof to a semicolon and adding the following:

"or to prevent the giving by any common carrier by water which is a party to a conference agreement approved pursuant to section 15 of this Act to, or the soliciting or receipt by the conference or any person, firm, corporation, or agency designated by the conference, information for the purpose of determining whether a shipper or consignee has committed a breach of an agreement with the conference or its member lines or of determining whether a conference member has committed a breach of the conference agreement, or for the purpose of compiling statistics of cargo movement."

SEC. 7. Section 21, Shipping Act, 1916, is amended to read as follows:

"Sec. 21. (a) That the Board may require any common carrier by water, or other person subject to this Act, or any officer, receiver, trustee, lessee, agent, or employee thereof to file with it any periodical or special report, or any account, record, rate, or charge, or any memorandum of any facts and transactions appertaining to the business of such carrier or other person subject to this Act. Such report, account, record, rate, charge, or memorandum shall be under oath whenever the Board so requires, and shall be furnished in the form and within the time prescribed by the Board. Every common carrier by water engaged in the foreign commerce of the United States shall (1) designate a person upon whom service of process may be made within the United States in any action, proceeding, or investigation brought by or on behalf of the United States or any agency thereof, and (2) provide records or other information, wherever located, required by any order of the Board which contains the minimum notice provisions required by the Administrative Procedure Act (5 U.S.C. 1001 and the following). Whoever fails to file any report, account, record, rate, charge, memorandum, or other information as required by this section shall forfeit to the United States the sum of \$100 for each day of such default.

"(b) Whoever willfully falsifies, destroys, mutilates, or alters any such report, account, record, rate, charge, or memorandum, or willfully files a false report, account, record, rate, charge, or memorandum shall be guilty of a misdemeanor, and subject upon conviction to a fine of not more than \$1,000 or imprisonment for not more than one year, or to both such fine and imprisonment.

"(c) The Board shall make such rules and regulations as may be necessary to carry

out sections 14 First (b), 15, 18(b), 19(b), 20, and 21 of this Act."

Mr. BONNER (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the bill be dispensed with, and that I be given an opportunity to explain it.

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

There was no objection.

Mr. BONNER. Mr. Speaker, the bill H.R. 6775 is the result of over 2½ years' work on the part not only of the Committee on Merchant Marine and Fisheries, but also of the Committee on the Judiciary.

The occasion for these intensive studies was a decision by the Supreme Court in May 1958 which cast into doubt the validity of a system that had been utilized by very many of both American and foreign-flag steamship companies during a period of over 40 years. Under prevailing practices, lines serving the same area have been forming themselves into conferences to regulate rates and practices. This has the sanction of the Shipping Act of 1916.

As a part of their activity and in order to strengthen their position against casual, and sometimes irresponsible, competition, steamship lines have utilized a system whereby in exchange for a contract for exclusive patronage contract shippers would have the benefit of lower rates than those available to non-contract shippers. The Supreme Court in the particular case held that this device was being utilized to stifle competition and as such was illegal under the Shipping Act of 1916.

The efforts of the committee have been devoted to preserving the essential features of the dual rate system while imposing safeguards against violation of the spirit or letter of the antitrust acts.

It is my belief that the bill as presented here today contains a maximum protection against practices inconsistent with the U.S. view of protection against monopolies. At the same time, it affords necessary protection to both the American merchant marine and its foreign competitors to enable them to continue to render services to our American economy in a manner calculated to insure stability of operations desired by shippers as well as carriers.

While it places certain burdens on foreign-flag lines by way of requiring them to make available records of their business in the American trades, these provisions merely recast existing law that has been in effect since 1916 and do not represent any departure from or addition to requirements presently in existence. Their inclusion was dictated by the fact that, as a result of activity growing out of the investigation so ably conducted by the Antitrust Subcommittee of the Committee on the Judiciary, the procedures contained in the 1916 act have proven ineffective to obtain promptly information required by the Federal Maritime Board and the Department of Justice to effectively process violations of our laws.

The procedures set forth in this bill requiring the appointment of an individual in this country to accept process on behalf of all members of each conference will, in the opinion of the committee, be more effective in obtaining the information without attempting to extend American jurisdiction beyond its present limits.

The bill is necessary if we are going to try to perpetuate and maintain our American-flag merchant marine for the benefit of the economy and the national defense of our country.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. CELLER. Mr. Speaker, I wholeheartedly support H.R. 6775 with the amendments reported by the Committee on Merchant Marine and Fisheries. This bill is the product of nearly 3 years of painstaking and constructive labors in the public interest by the distinguished chairman of that committee, the gentleman from North Carolina [Mr. BONNER].

Because the Antitrust Subcommittee of the Committee on the Judiciary, of which I am chairman, has conducted during the same 3-year period an extensive study of antitrust problems and competitive practices in the ocean freight industry, the gentleman from North Carolina invited my aid in the development of this bill. We have worked together closely and harmoniously. The Merchant Marine Committee's staff and the staff of the Antitrust Subcommittee have worked long and hard in resolving differences and in securing a bill that would be in the best interests of the public as well as of the steamship industry.

These differences concern the weight that should be accorded traditional antitrust concepts of competition as applied to international shipping. I would be less than candid if I did not state that the bill does not place as much reliance upon antitrust considerations as I feel desirable. Nevertheless, the bill represents a sincere effort to compromise disparate points of view.

It offers to the steamship industry legalization of the dual rate system that it has sought since the Supreme Court in May 1958 found that practice to be unlawful in the *Isbrandtsen* case. At the same time, however, this bill offers substantial protections to shippers, independent maritime operators, and to the general public.

Although dual rate systems would be permitted under this bill, they require advance approval by the Federal Maritime Board and that approval can be granted only if specified conditions designed to protect others are met.

The very heart of these protections stems from the committee amendments. These amendments insure—although

certainly without them a public-spirited Maritime Board would insist upon it in any event—that no dual rate system will be approved if it is designed to be used or is used as a means to drive competing independent steamship operators out of business. In other words, this provision insures that if conferences employ a dual rate system they can do so provided it is not used to eliminate the independent status of nonconference members. Thus, the provision recognizes the need for coexistence between independent operators and conference members.

There exists today, under the moratorium legislation passed by the Congress temporarily authorizing dual rates, a number of dual rate systems which meet this test. They offer incentives to shippers to sign exclusive patronage contracts with conferences, but yet are not predatory, so that they drive existing nonconference operators out of the trade, force them to join conferences, or bar their entry into the trade.

In addition, this bill would further protect shippers, independent operators, and the general public by requiring the Maritime Board to withdraw permission for the usage of any dual rate system if it finds that the system tends to cause the elimination of independent carriers from the trade either by forcing them out of business or requiring them to join a conference. The Board is also required to withdraw permission if it finds that any such system is detrimental to the commerce of the United States or contrary to the public interest.

Yet another protective clause insures that the Board will not approve an antitrust exemption for any agreement if its probable effect will be reasonably likely to exclude another carrier from the trade either by driving it out of business or requiring it to join a conference.

Thus, in total effect, this bill makes specific what the Congress has always assumed, namely, that to the maximum extent possible every regulatory agency in the United States is required to carry out its responsibilities in conformity with the antitrust policies upon which our entire American free enterprise system is based.

There are other protective clauses in this bill which are fully spelled out in the committee report but I need not repeat them at this point. However, I do wish to emphasize, Mr. Speaker, that this bill is the product of careful and harmonious work between two standing committees of the House. It is calculated to effectuate the legislation requested by our maritime industry while at the same time preserving to shippers, independent operators, and the general public protections that they need.

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. McCULLOCH] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. McCULLOCH. Mr. Speaker, over 3 years have passed since the Supreme

Court handed down its decision in the *Isbrandtsen* case outlawing dual rate shipping agreements. Our action, today, culminates 3 years of study in this field by two committees of the House—the Merchant Marine and Fisheries Committee and the Antitrust Subcommittee of the Judiciary Committee, the latter of which I am a member.

As a result of our study of the problems which triggered this measure, I approach its enactment into law with mixed feelings. On the one hand, I will realize the sense of urgency for immediate consideration. Since the temporary dual rate legislation passed in the 85th Congress expires on June 30, we must act quickly or the entire industry will suffer. I, therefore, intend to vote for the proposal.

On the other hand, it seems regrettable to me that it is necessary to act before the completion of the Antitrust Subcommittee's report on the ocean freight industry—a report that consumed years of study and preparation and which included some of the most thorough and extensive hearings ever undertaken by this body. That report, I am informed, is in the final stages of preparation and should be available in little more than a month.

But despite my reservations on that score, because another committee is vested with primary jurisdiction in this matter, I shall content myself with these few remarks rather than impeding the passage of H.R. 6775. I adopt this course despite the fact that I entertain some reservations over certain substantive portions of the bill.

I am particularly concerned over what might be interpreted abroad as an unwarranted extension of American regulatory authority over international shipping. We must never forget, in our zeal to regulate the foreign commerce of the United States, that we are also, by our action, regulating the foreign commerce of other nations which trade with us. How far we can legitimately or wisely—and I stress the term "wisely"—go, without doing more harm than good, is open to question. Certainly, with the passage of this bill, we will have approached close to the limit, if we have not transcended it.

Only time and experience will tell the story. But if difficulty is experienced under this measure when it becomes law, if the industry or our foreign relations should suffer under its administration, then the Congress must act promptly to remedy such unintended and unwanted situation.

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

In the report which accompanies the bill I have expressed my views concerning it, and have raised questions with respect to some of the provisions of the measure. Nevertheless, I shall vote for the bill because of the need for legalizing the conference contract system under which shipping lines have operated for many years. The lines are now operating under interim legislation which expires June 30. Unless the interim legislation is extended the other

body must act upon our House measure within the next couple of weeks.

Mr. Speaker, I am concerned about the authority which this measure seeks to give our Government. It would authorize the Government to regulate international shipping. No other nation has sought this power to my knowledge. The foreign commerce of the United States is the foreign commerce of other nations as well. We should not seek to regulate it unilaterally for fear of invading the sovereignty of other nations.

The bill also seeks to give our Government jurisdiction over foreign owned documents and papers located abroad. This, in my estimation, is an affront to foreign nations who have written strong letters of protest to our State Department.

These provisions together with others mentioned in my views as contained in the report could well cause foreign shipping lines to withdraw from conferences of which American operators are members. If they do so, the conference system will fail, in my opinion, and the American ship operator could then well be driven out of business. I do not believe our operators can successfully compete with foreign ship operators without a conference system.

Mr. Speaker, hearings before our committee and hearings before the Judiciary Committee have shown some alleged technical violations by domestic and foreign shipping lines. May I call attention to the fact that 95 percent of the violations have nothing to do with the dual rate system which this bill seeks to legalize.

As I stated in my addition views in the report, I trust that the other body will give consideration to the questions raised, and will consider the advisability of amending the measure in such a way as to eliminate its objectionable features.

The SPEAKER pro tempore. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 2, line 10, after the word "finds" and before the words "will be" insert the following: "is not intended, and will not be reasonably likely, to cause the exclusion of any other carrier from the trade, and which the Board finds".

On page 3, line 18, after the word "contract" and before the word "is", insert the following: "tends to cause the elimination from, or prevent the entry into, the trade of any carrier, or".

On page 5, line 20, after the word "or", insert the following:

"(3) whose probable effect will be reasonably likely to exclude any other carrier from the trade, or".

On page 5, line 20, delete "(3)" and insert in lieu thereof "(4)".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER pro tempore. This is District of Columbia Day. The Chair

recognizes the gentleman from South Carolina [Mr. McMILLAN] chairman of the Committee on the District of Columbia.

EXAMINATION OF MINISTERS IN DISTRICT OF COLUMBIA COURTS

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 5486) to prohibit the examination in District of Columbia courts of any minister of religion in connection with any communication made to him in his professional capacity, without the consent of the party to such communication, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no priest, clergyman, rabbi, accredited religious practitioner, or other duly licensed, ordained, or consecrated minister of any religion shall be examined in any civil or criminal proceedings in the courts of the District of Columbia—

(1) with respect to any confession, or communication, made to him, in his professional capacity in the course of discipline enjoined by the church or other religious body to which he belongs, without the consent of the person making such confession or communication, or

(2) with respect to any communication made to him, in his professional capacity in the course of giving religious or spiritual advice, without the consent of the person seeking such advice, or

(3) with respect to any communication made to him, in his professional capacity, by either spouse, in connection with any effort to reconcile estranged spouses, without the consent of the spouse making the communication.

With the following committee amendment:

Page 1, line 3, strike out "accredited religious practitioner" and insert "practitioner of Christian Science"

The committee amendment was agreed to.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, the purpose of this legislation is to prohibit the examination in the courts of the District of Columbia of any priest, clergyman, rabbi, practitioner of Christian Science, or other minister of any religion in connection with any communication made to him in his professional capacity, without the consent of the party or parties to such communication.

It is the intent of this committee that this privileged status shall apply to such communications regardless of the religious affiliation, if any, of the communicant. That is, he need not be a member of the same church, faith, or religious

body as the minister to whom the communication is made. Indeed, he need not be a subscriber to any religious belief whatever, so long as the communication was made in good faith as an expression of penitence and a search for mental and spiritual guidance.

Under existing law in the District of Columbia, physicians and lawyers are the only professional persons who are specifically exempt from testifying in regard to information obtained in their professional capacity; this does not apply, however, in criminal cases where the accused is charged with causing death or personal injury, when the disclosure is required in the interests of public justice (29 Stat. 138; sec. 14-308, District of Columbia Code, 1951 ed., supp. VI).

More than one-half the jurisdictions in the United States have made information obtained by ministers of religion in their professional capacity a privileged matter and do not require ministers to disclose confidential communications in court.

Under common law, the following rule has been followed unless statutes have been enacted to the contrary:

Under the common law, communications to clergymen, or other church or ecclesiastical officers, are not privileged, although judges have been reluctant to compel the disclosure of such communications; that rule still obtains except insofar as it has been changed by statute (58 Am. Jur. 296; see also 22 A.L.R. 2d 1154 citing cases).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the authors of the bills I call up today be given permission to extend their remarks in the RECORD immediately following the reading of the bills as they are called up.

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

There was no objection.

TO REGULATE THE KEEPING OF DOGS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 7154) to authorize the Commissioners of the District of Columbia to regulate the keeping and running at large of dogs, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and empowered to make, modify, and enforce regulations in and for the District of Columbia to regulate the keeping and leashing of dogs and to regulate or prohibit the running at large of dogs, in-

cluding penalties for violations of such regulations as provided in section 7 of the Act of December 17, 1942 (56 Stat. 1056; sec. 1-224a, D.C. Code, 1951 ed.).

Sec. 2. The Act entitled "An Act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes", approved June 19, 1878, as amended, is amended as follows:

(1) Section 3 of such Act (D.C. Code, sec. 47-2003) is amended by striking out "without the tax tag issued by the collector aforesaid attached, and all female dogs in heat found running at large".

(2) Section 4 of such Act (D.C. Code, sec. 47-2004) is amended by striking out "That any dog wearing the tax tag hereinbefore provided for, except female dogs in heat, shall be permitted to run at large within the District of Columbia, and any" and inserting in lieu thereof "Any".

Sec. 3. The paragraph numbered "Seventh" of the first section of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District", approved January 26, 1887, as amended (D.C. Code, sec. 1-224), is amended by striking out "and running at large".

Sec. 4. This Act shall become effective thirty days after the date of its approval.

Mr. MULTER. Mr. Speaker, on January 3, 1961, H.R. 806 was introduced. This bill would have required that all dogs be kept under leash while on public property in the District of Columbia. The bill also provided that the violation would be a misdemeanor punishable by a fine not to exceed \$100 or by imprisonment not to exceed 6 months, or both. At a public hearing held on the bill, H.R. 806, on April 27, 1961, the Commissioners of the District of Columbia proposed an amendment which would vest police powers in the Commissioners rather than prescribe a law by an act of Congress.

In an executive meeting, the subcommittee agreed to the amendment, as suggested by the Commissioners of the District of Columbia. Later the author of the bill, Mr. MULTER of New York, introduced a clean bill, H.R. 7154, which was presented at the full committee meeting on June 1, 1961. The authority of the Board of Commissioners to impose penalties for violations of such regulations, by fines not to exceed \$300 or by imprisonment not to exceed 10 days, is provided in present law, in section 7 of the act of December 17, 1942 (56 Stat. 1056; sec. 1-224a, D.C. Code, 1951 ed.).

Actually, the Board of Commissioners of the District of Columbia had this authority to control the running at large of dogs, under the act of January 26, 1887 (24 Stat. 368) as amended (sec. 1-224, D.C. Code, 1951 ed.), and under this authority they adopted a resolution some years ago requiring dogs to be kept on leash when on public space (article 18, Police Regulations of the District of Columbia). However, in view of section 4 of the act of June 19, 1878 (20 Stat. 174), as amended by the act of June 30, 1902 (32 Stat. 547), which permits any dog wearing a tax tag, except female dogs in heat, to run at large in the District of Columbia, it appears that the Commissioners no longer have any con-

trol over this situation beyond requiring the dogs to be properly tagged.

The problems involved in a lack of adequate control over dogs in any urban community are readily recognized, and the enactment of legislation prohibiting dogs from running at large is unquestionably a legitimate exercise of the police power designed to protect the public in the use and enjoyment of the public streets and highways. Underlying such statutes is a recognition of the dogs' tendency to revert to their savage state and their susceptibility to rabies. According to testimony by the Director of the District of Columbia Department of Public Health, in the past 3 years some 6,000 cases of dog bite have been reported in the District of Columbia, and the Health Department believes that there have been many more such cases which have not been reported.

With these several considerations in mind, most States now grant to cities, towns, and political subdivisions within their boundaries the right to exercise such parts of the police power with regard to dogs as they may deem appropriate. Most of the regulations enacted extend to muzzling and leashing of all dogs.

Hence, H.R. 7154 serves to restore to the Board of Commissioners of the District of Columbia a power and authority which it once exercised, and which the members of this committee feel will provide the best and most proper method of control over the problems cited above.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZED STRENGTH OF THE METROPOLITAN POLICE FORCE

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 7218) to provide that the authorized strength of the Metropolitan Police force of the District of Columbia shall be not less than 3,000 officers and members, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of paragraph (3) of the first section of the Act entitled "An Act relating to the Metropolitan Police of the District of Columbia", approved February 28, 1901 (D.C. Code, sec. 4-106), is amended by striking out "two thousand five hundred officers and members" and inserting in lieu thereof "three thousand officers and members".

Mr. HARSHA. Mr. Speaker, some weeks ago the District of Columbia was rocked by a series of shocking crimes of violence against defenseless District citizens. Most of the victims involved were women. If my memory serves me cor-

rectly, there were six or seven rapings within 1 week. One crime in particular was the rape-robbery of two women—a store clerk and her customer in a Northwest store. This took place in broad daylight. Another woman was brutally beaten in her own apartment and left to die. This series of vicious attacks, it develops, was not unusual, but did serve to disturb the lethargy that usually afflicts a large city.

Your committee, under the distinguished leadership of the gentleman from South Carolina [Mr. McMILLAN], undertook a 3-day inquiry into the crime picture in the District. The inquiry pointed up, among other things, the crying need for additional men on the police force.

There is a terrific and constant drain on the manpower of the Metropolitan Police force occasioned by the reception of visiting dignitaries, Presidential movements and appearances at public places in the city and other governmental functions requiring large numbers of men on detail. These activities take men away from regular crime prevention work.

Without exception, the testimony of all witnesses at the hearings favored additional manpower for the police department.

Members of the force have been most willing to serve on their time off, voluntarily, to help stamp out periodic upsurges in crime. At present, there are more than 100 men returning at night in their off hours in order to meet this need for more men on the street.

Chief Robert Murray has maintained time and again that the best single deterrent to crime is the uniformed foot patrolmen, and he feels that these additional men provided for in H.R. 7218 will assist immeasurably in meeting this problem of rising crime.

In July of 1957 serious offenses began to rise in the District and the trend has continued since that time. During the period of July 1957 through May 1961, almost a 3-year span, serious offenses have increased 38.8 percent.

This problem is far too serious to be neglected any longer. It behooves each of us to fully support this bill, not only to help make the District a safe place for the good people who reside here but for our constituents who frequently visit the District.

The authorities are doing all they possibly can to stamp out this crime—we must do our part by providing the tools with which to do the job.

This is the world capital of freedom and people have a right to live here and visit here free from fear of being knocked in the head or raped; free to enjoy the beauty, culture, and history of this seat of democracy.

Congress has the responsibility to help make this a safe place to reside and to visit and I earnestly urge your support of H.R. 7218.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION OF CERTAIN EVIDENCE
IN COURTS OF THE DISTRICT OF
COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 7053) to provide for the admission of certain evidence in the courts of the District of Columbia and for other purposes, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object, I object to the consideration of H.R. 7053 since it does not comply with the Ramseyer rule. I direct the Speaker's attention to the fact that in the report of the committee no reference is made to the law which they are attempting to amend. I am sure that the Chair is familiar with the provisions of the Ramseyer rule which in effect provides that before the House can consider legislation they must set forth the statute which is sought to be amended or repealed.

It is my contention, if you will read the bill which is before you, that you will find that it makes reference to the courts of the District of Columbia. That includes all the courts, including the United States District Court for the District of Columbia. Hence, if you follow the words of the proposed statute, by the same token you are amending the Rules of Procedure as they relate to the District of Columbia in criminal proceedings.

I should like to direct the Speaker's attention to chapter 237 of the United States Code, title 18, section 3771 thereof. This section provides that:

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of pleading, practice, and procedure with respect to any or all proceedings prior to and including verdict, or finding of guilty or not guilty by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt of court in the United States district courts, in the district courts for the district of the Canal Zone and the Virgin Islands, in the Supreme Courts of Hawaii and Puerto Rico, and in proceedings before United States commissioners. Such rules shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session thereof but not later than the first day of May, and until the expiration of 90 days after they have been thus reported. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

Mr. Speaker, it is my contention that this proposed legislation on the face of it says definitely that you are going to amend the rules of criminal procedure in the District of Columbia and at the same time it makes no reference whatsoever to the statute that gives authority to the Supreme Court to prescribe these rules, nor is it set out that they

are amending it in any manner whatsoever. Hence it is in violation of the Ramseyer rule.

Mr. Speaker, I would like to go further and point to chapter 223 of the same title 18 which deals with the question of witnesses and evidence. When this matter was submitted to the Committee on the Judiciary we at least took the pains to set forth in our report to this Congress the statutes that would be affected thereby. If we proceed here without any reference in this report as to which statutes we are amending, where does that leave the Supreme Court in its power to proceed with amendments to this particular statute?

Will the passage of this bill take from the Supreme Court of the United States the right to make rules and regulations as they relate to confessions that may have been obtained? Evidently it is the intention as set forth in this report to overrule the so-called Mallory decision. But if they do, they should amend the law and take from the Supreme Court the power to make the rules and the regulations that we have heretofore given them. The failure to set forth how they expect to amend this particular section of the statute is in violation of the Ramseyer rule. Hence we should not proceed to consider this bill until that is set out in the proper manner.

The SPEAKER. Does the gentleman from Georgia [Mr. JAMES C. DAVIS] desire to be heard on the point of order?

Mr. JAMES C. DAVIS. Yes, Mr. Speaker.

Mr. Speaker, the gentleman from Colorado is stating what the bill ought to undertake to do. But the bill speaks for itself. It does not undertake to amend any section of the code or any existing law or statute. As it states here in the bill, it simply provides that in the courts of the District of Columbia "evidence including but not limited to statements and confessions," and so forth.

There is no attempt made in the bill to amend any section of the code or any existing statute. Consequently there is no requirement as is the case under the Ramseyer rule to set out any statute which would be amended. No statute will be amended. I think it is obvious that this bill does not come within the Ramseyer rule.

I submit that the point of order is not well taken.

Mr. ROGERS of Colorado. Mr. Speaker, may I again point out that the third line of this bill specifically says "that (a) in the courts of the District of Columbia, evidence, including, but not limited to," and so forth. If it means anything, that means the police court or the municipal court of the District of Columbia, and it also means a Federal court, a Federal district court in the District of Columbia. It cannot be put in any other words and no other construction can be put upon it. If it is to be confined only, as the gentleman from Georgia contends, to the district court of the District of Columbia, then are we to have two separate rules in

the Federal courts throughout the United States, and say that the District of Columbia has one rule and that the 50 States of the Nation shall have another rule? That is exactly the weakness of the position that is demonstrated, and hence it violates the rule because, if they would set forth the Federal statute that they are amending, and as I contend they are amending, the power given to the Supreme Court of the United States to make the rules, suppose we proceed and adopt this, do we then take from the Supreme Court the power to make the rules as it relates to confessions obtained by police officers; or can the Supreme Court after we enact this turn around and say, "We are going to change the rule back to what it was unless the Congress acts within 90 days?" Then we are back where we began.

Mr. Speaker, it is just that simple, and hence if they had believed and set out that they were changing this rule then we could be fully informed.

Mr. SMITH of Virginia. Mr. Speaker, may I be heard briefly?

The SPEAKER. The Chair will hear the gentleman.

Mr. SMITH of Virginia. Mr. Speaker, the gentleman's point of order, and I take it that it is a point of order, is based upon a regulation, and not upon a statute, a regulation made under authority of the Congress to govern the rules of the Supreme Court. The Ramseyer rule, however, does not relate to regulations. It relates to statutes, and specifically says so. It has no application at all except to statutes. The first few lines read:

Whenever a committee reports a bill or a joint resolution repealing or amending any statute or part thereof, then it shall include in the report the comparative prints—

And so forth. The absurdity of the gentleman's point of order is that there are 10,000 times more rules than regulations by the Supreme Court, by every agency of the Government, and by every department of Government authorized by the Congress, and it would be utterly impossible to comply with such a proposal as that which the gentleman is making. I submit, Mr. Speaker, there is no merit whatsoever in the gentleman's point of order.

The SPEAKER. The Chair is ready to rule.

This specific question has been passed on several times in the memory of the present occupant of the chair. In 1929 the gentleman from New York, Mr. Snell, acting as Speaker pro tempore, passed on this question. Later in 1932 the gentleman from New York, Mr. O'Connor, acting as Speaker pro tempore; and as late as 1957, on a point of order by the distinguished gentleman from Virginia [Mr. SMITH], the same question was raised.

The Chair in examining this bill cannot see where it amends any law or repeals any law specifically, and therefore does not think the report is in violation of the Ramseyer rule, and therefore overrules the point of order.

This bill is on the House Calendar. The gentleman from South Carolina is recognized for 1 hour.

Mr. McMILLAN. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. JAMES C. DAVIS], author of the bill.

Mr. JAMES C. DAVIS. Mr. Speaker, H.R. 7053 is a bill which the House District Committee has reported for the purpose of affording to the police in the District of Columbia and to the courts in the District of Columbia additional means of dealing with the wave of crime which has been experienced here recently.

H.R. 7053 provides identically the same rules of evidence as was provided in a bill which came out of the House Judiciary Committee to have application on a nationwide basis in the 85th Congress and again in the 86th Congress. In the 85th Congress this bill passed by a vote of 294 ayes to 79 noes. It passed in the Senate in the 85th Congress by a vote of 65 ayes to 12 noes. It was amended in the Senate. In the committee on conference the conferees agreed on language and the House approved the conferees' report. On the last day of the session it reached the Senate for consideration early in the morning, Sunday morning, I believe it was, too late for the Senate to consider it.

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

Mr. JAMES C. DAVIS. I yield.

Mr. YATES. Would the gentleman be willing to accept an amendment to the bill which would make it conform to the conference on that bill?

Mr. JAMES C. DAVIS. I am not prepared at this moment to say, for I do not recall just what the language was.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. JAMES C. DAVIS. I yield.

Mr. ROGERS of Colorado. Do I understand from the gentleman's explanation of this rule that it would apply only to the courts of the District of Columbia and not to the 50 States?

Mr. JAMES C. DAVIS. That is true; yes.

Mr. ROGERS of Colorado. Would the gentleman be willing to offer an amendment to the effect that—let us go a little further; then the gentleman is willing to admit that you would have one rule in the District of Columbia and a separate rule for the 50 States?

Mr. JAMES C. DAVIS. No. I think the provisions of this bill ought to be the law not only in the District of Columbia but also throughout the United States; and I think that as soon as the bill which was introduced and referred to the Judiciary Committee is brought before the House and the other body it will be enacted, and that those provisions will become the law not only in the District of Columbia but also throughout the United States.

Mr. ROGERS of Colorado. If this is adopted, and as the gentleman admits it has no reference to the 50 States, does not the gentleman admit he would have

one rule in the District of Columbia and another rule throughout the Nation generally?

Mr. JAMES C. DAVIS. It depends on which bill gets through first. If this bill passes the House first then until the other bill passes there would be a different rule. It depends on which one gets through first.

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

Mr. JAMES C. DAVIS. I yield.

Mr. DOWDY. As I understand, the only place the Mallory rule has been made effective by the Supreme Court of the United States is in the District of Columbia. This bill says it shall only be applicable in the District of Columbia. There cannot be a single doubt about it.

Mr. JAMES C. DAVIS. I would like to say this about the contents of the bill, that before the decision in the Mallory case was handed down the rule of law was that a confession which was voluntarily made and was not induced by promise of reward or by threats of punishment, was admissible. The Mallory case changed that law, made the admissibility dependent upon the length of time a defendant was held prior to being carried before a committing magistrate. In the Mallory case it was 7½ hours, I believe.

This bill would simply restore the provisions which were in effect and in force prior to the handing down of the Mallory decision; namely, that to render a confession admissible it must have been voluntarily made and not induced by threats of punishment or by hope of reward held out to the defendant to induce the making of the confession.

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

Mr. JAMES C. DAVIS. I yield to the gentleman from Illinois.

Mr. YATES. Was not the Mallory decision an affirmation of an earlier 1943 decision of the Supreme Court in a case known as the McNabb case?

Mr. JAMES C. DAVIS. I would not say you could state it was an affirmation of that case. It dealt with it. But the facts in the McNabb case were very different from the facts in the Mallory case, and the facts in the Mitchell case were different from both of them. In any case you take up in which this subject has been discussed, you will find the facts and circumstances all different. The law that we are undertaking to adopt here now is reasonable. It would simply put back into effect the same rule of law under which all of the States, the District of Columbia, and the Federal Government have operated for years and years, until the Mallory decision was handed down. It is a reasonable rule. It will not impose any hardship on any defendant. It would simply make a confession admissible if it was voluntarily made and not induced by threats of benefit or by hope of reward. That is all there is to it.

Mr. YATES. As I understood the purpose of this bill, it is to remove delay as a possibility for excluding a confession?

Mr. JAMES C. DAVIS. No, it will not remove delay. That would be one of the

circumstances that could be considered in determining whether it was freely and voluntarily made.

Mr. McMILLAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. YATES. Mr. Speaker, will the gentleman yield so that I can make a point?

Mr. LINDSAY. I yield to the gentleman from Illinois.

Mr. YATES. In response to my question, the gentleman from Georgia stated it will not remove delay as a condition to the admission of a confession. But I read directly from the bill. The bill itself says:

(a) In the courts of the District of Columbia, evidence, including, but not limited to, statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay.

Mr. JAMES C. DAVIS. Solely because of delay. Delay is a factor to be considered.

Mr. YATES. I agree with the gentleman, but the fact remains a defendant may be held for 4 or 5 days, a week, or up to a month, and if he confesses and if there was a delay in the giving of the confession, that would not make it admissible. I think that is a tragic provision in itself.

Mr. LINDSAY. Mr. Speaker, I am opposed to this bill, and in too short a period of time I shall try to spell out some of the reasons why I am opposed to it.

But first may I ask the distinguished author of the bill, the gentleman from Georgia, what the administration's position is on this bill? We members of the minority are not clear whether the administration supports or opposes the bill. Could the gentleman clarify that point?

Mr. McMILLAN. May I say that the former district attorney for the District of Columbia appeared before our committee and approved the bill. The present district attorney made a statement. I do not think he opposed the bill, but he made a statement which appears in the hearings.

Mr. LINDSAY. The gentleman is suggesting the administration supports this legislation?

Mr. McMILLAN. I cannot say.

Mr. JAMES C. DAVIS. Is the gentleman referring to the administration of the District of Columbia?

Mr. LINDSAY. The Justice Department and the Attorney General of the United States.

Mr. JAMES C. DAVIS. We have not had any report from the Justice Department on this bill, but the gentleman who is now in the well, the gentleman from New York, was opposed to this bill when it was up before for consideration. The then administration, or the Justice Department of that administration, had a report with which the gentleman is familiar. The District of Columbia administration is in favor of this; the Chief of Police has testified before the committee in favor of it.

Mr. LINDSAY. I want to have the point clear because I think it is important to establish whether or not the

bill has the backing of the Department of Justice or not. This is a bill that deals with prosecutions and due process. If it is not clear that the Justice Department is in favor of the bill, I think we should know it.

The trouble with this bill, and it is the same trouble we had with the general bill when it was before the Judiciary Committee 2 years ago, is that it attacks section 5(a) of the Federal Rules of Procedure. That rule states that any accused shall be arraigned "without unnecessary delay." This bill would make a mockery of that rule. It has long been the Federal practice, ever since the McNabb case was decided by the Supreme Court in 1943, that rule 5(a) will be safeguarded by excluding from evidence the fruits of its violation. These involved confessions obtained during periods of unnecessary delay. If we are going to make an adjustment of the Rules of Criminal Procedure, it should be done directly and not indirectly.

Now, here is what rule 5(a) states:

An officer making an arrest under a warrant issued upon a complaint of any person or making an arrest without a warrant shall take the arrested person without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States. When a person arrested without a warrant is brought before a commissioner or other officer, a complaint shall be filed forthwith.

And, why is prompt arraignment necessary? Subparagraph (b), the next paragraph, tells you why:

The commissioner shall inform the defendant of the complaint against him, of his right to retain counsel and of his right to have a preliminary examination. He shall also inform the defendant that he is not required to make a statement and that any statement made by him may be used against him. The commissioner shall allow the defendant reasonable time and opportunity to consult counsel and shall admit the defendant to bail as provided in these rules.

In other words, these rules reflect and embody the fundamental guarantees of the right to counsel, the privilege against self-incrimination, the right to habeas corpus, and the right to be detained only on probable cause. In other words rule 5 states the fundamental rule that a man is to be detained in criminal procedure solely for the purpose of (1) bringing him before the court and (2) assuring his presence at trial. At the same time sets in motion the normal rules of protection, upon which so much of our country's history is based.

Surely, this body ought not to enact a bill which would so gut the presumption of innocence and so enfeeble the guarantees which our long history of criminal procedure has developed. This bill would deprive an accused of the cloak of innocence. It would deprive him of counsel at the time counsel is most needed. It would authorize Federal law enforcement officials to round up and arrest people on suspicion alone. The phrase "round up the usual suspects" is one that should strike terror. This bill would

permit detainment incommunicado. It would in practical effect, deprive those accused of their rights to habeas corpus.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. McMILLAN. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Speaker, there is nothing new about the proposal that we have here today. This House in the 86th Congress passed identical legislation. That was over the objection, I might say, of some of those we are hearing today. That bill made this same rule applicable to all of the Federal jurisdictions of the United States.

This is very vital and necessary legislation, as those of us who have heard the evidence in the subcommittee on the crime situation in the District of Columbia are aware. The Chief of Police here and those charged with the maintenance of law and order in the District of Columbia have given us very plenary evidence of the fact that without a correction of some of this nonlegislative law that we have as a result of unfortunate court decisions, that this is going to become a city in which no citizen would be safe to walk out at nighttime.

Now, all of this bleeding heart business about the criminals completely overlooks the fact that never in the history of this country—until recently—has there been any test applied to the admissibility of confessions into evidence except the test of voluntariness of the confession. These recent decisions, such as the Mallory case, are not consistent with the philosophy of the law of confessions as we have known it.

I would point out that there are minority views filed in this report. I was quite stricken and quite amazed at those who dissented from the majority of the Committee on the District of Columbia when they made the rather remarkable statement that "Confessions, unfortunately, have become useful as instruments to compensate for inadequate police tools, police training, and police inefficiencies." As I construe that amazing statement by members of the Committee on the District of Columbia who signed the minority report, they are saying that the safety and the welfare of the citizens in a community must rest entirely upon the ability of police officers to outwit criminals who confess—they say, "unfortunately sometimes"—convicted criminals who rape, ravish, and rob and commit murders here in the District of Columbia. I say to you, my friends, that this bill clearly expresses the aim that everything be done that is consistent with good practices to protect the law-abiding citizens from the criminals who are becoming more numerous here in the District of Columbia each day, according to the evidence we had before us. There is nothing in this bill that does violence to any existing law.

It merely says that delay alone will not result in a court holding under rule 5(a) that a confession is, therefore, involuntary. The decision in the Mallory case did not do a thing except to pros-

titute rule 5(a) by saying that these officers had committed an unnecessary delay in the case of this defendant.

Mallory was a confessed rapist who is today serving time in the State of Pennsylvania for a rape that he committed after the Supreme Court so injudiciously exculpated him on this bogus ground that he had been held too long before arraignment.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield for a moment, the gentleman knows, I am sure, that he was not released or exculpated. As a matter of fact, the gentleman will recall that the Supreme Court remanded the case for further trial.

Mr. WHITENER. I am delighted that the gentleman used the expression "as a matter of fact," because as a matter of fact the Supreme Court did liberate him; as a matter of technicality the Supreme Court did not liberate him. Because of the mental condition of his victim and her inability to testify in a way that would be acceptable to the jury, in the opinion of the prosecuting officials, a confessed rapist was permitted to go free. He had not only raped but had left the woman in such condition that she could not testify.

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

Mr. WHITENER. I yield to the gentleman from Alabama.

Mr. ANDREWS. The district attorney at that time, Mr. Oliver Gasch, told me, in the light of that Supreme Court decision, he could not prosecute and get a conviction.

Mr. WHITENER. The gentleman from Alabama [Mr. ANDREWS] was a prosecutor for many years; and certainly the gentleman from North Carolina, who prosecuted for 11 years in the district courts of my State knows that as a matter of fact it would have been an absurdity for the Government to proceed further against Mallory after that unfortunate decision.

I might say to the gentleman that I am much concerned about the testimony which included the statistics that between 1957 and 1960 the incidence of serious offenses committed in the District of Columbia had risen 29.1 percent. I would hope that my friend from California [Mr. COHELAN], who is now residing in these environs, would be concerned about the safety and the welfare of his family and of his constituents who visit in this crime-ridden city.

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

Mr. WHITENER. I yield to the gentleman.

Mr. COHELAN. Mr. Speaker, I share the concern of the gentleman. I am deeply concerned about crime in the District, but I fail to see its relationship with Mallory and one of my arguments will be that this is not proven, and I shall undertake to show that this has not been proven.

Mr. WHITENER. I take it that my friend from California did not hear the Chief of Police and the former district

attorney testify that one of the biggest roadblocks to proper law enforcement was the Mallory decision.

Mr. COHELAN. I read the testimony very carefully and in order to keep the order of the argument, I hope the gentleman from North Carolina will permit me to make this observation.

Mr. WHITENER. Mr. Speaker, I cannot yield all of my time to the gentleman, but I shall yield for a moment.

Mr. COHELAN. On the point that the gentleman raised about the alternatives and the choices that the law-enforcement agencies had, is it not true that the Court itself in rendering this decision—I think it was Mr. Justice Frankfurter's opinion—went on to point out that there was adequate reason for arraigning this man. The only thing we are talking about is why was he not arraigned? He could have been arraigned and convicted.

Mr. WHITENER. I suppose if my friend's fellow Californian—I believe he is Erle Stanley Gardner, the mystery writer—were writing the story of the Mallory case he would entitle it, "The Case of the Sleepy Magistrate," because that was the difficulty; they could not get a hearing officer awake that night to come down and give him a hearing.

Mr. McMILLAN. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Speaker, as you know, I am a member of the District Committee and that is why I am so actively involved in this matter. I am not a lawyer, and as a matter of fact, I suppose maybe in this kind of situation this may be an asset rather than a liability. But I have taken the trouble to be fairly elementary about this and in doing so I have read the fourth amendment to the Constitution which reads:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Mr. WHITENER. Mr. Speaker, will the gentleman yield for a moment?

Mr. COHELAN. If the gentleman will forgive me, I have a very great deal of material to cover, and I would like to get to it.

I want to make a couple of very important points before I make my formal remarks.

In the first place, a real issue here is whether or not this subject should be taken up by the District Committee. If the District Committee did take this up properly it certainly has not done so on the basis of the kind of full and complete hearings that would warrant coming in with this kind of legislation. Here is a copy of the hearings we have had, and the only testimony we have had has been principally from law enforcement people. Clearly these are prosecution-minded people.

Mr. HARSHA. Mr. Speaker, will the gentleman yield on that point?

Mr. COHELAN. I yield.

Mr. HARSHA. I take it you have read the testimony over?

Mr. COHELAN. Yes, I have the hearings, and I have read them.

Mr. HARSHA. Do you recall reading the testimony of Judge Holtzoff?

Mr. COHELAN. Yes. Particularly in respect to the Durham rule. I do not recall his comment on the Mallory decision.

Mr. HARSHA. I would like to call your attention to page 44 where he discussed the Mallory rule.

Mr. COHELAN. If the judge discussed it I yield on that point, but, as I recall, he discussed the Durham rule predominantly.

Mr. HARSHA. You were not even present at the hearing.

Mr. COHELAN. I was not present; that is quite true, but I think that is irrelevant in relation to the issue here.

Mr. HARSHA. That certainly is not the case if you do not have any more knowledge of the testimony than what you have told us of what Judge Holtzoff said.

Mr. COHELAN. The fact of the matter is, and the point I am making, is that the case for this modification of an important Federal rule of law has not been made. The case has not been made in these most superficial hearings.

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

Mr. COHELAN. I yield.

Mr. SANTANGELO. Can the gentleman tell me whether the police officers in the District of Columbia have been hampered in the solution of crimes, and what has been the drop or increase in the percentage of solution of crimes in the District of Columbia since the decision in the Mallory case?

Mr. COHELAN. I am very glad the gentleman raised that question because it permits me to point out that our own distinguished chairman, the gentleman from South Carolina [Mr. McMILLAN] introduced into the RECORD on August 20, 1959, data in respect to the District of Columbia which points out that the District of Columbia has had an excellent record in solving crimes in the Nation's Capital. This certainly reflects good police work, and which incidentally happens to be better generally than some of the metropolitan areas where we come from.

CRIME RATIO OF 13 MAJOR CITIES

(Extension of remarks of Hon. JOHN L. McMILLAN, of South Carolina, in the House of Representatives, Thursday, August 20, 1959)

Mr. McMILLAN. Mr. Speaker, I am inserting in the RECORD a statement from the Federal Bureau of Investigation giving the crime ratio in 13 of the cities in the United States with a population of 500,000 to 1 million. We are all delighted to see that the Washington Metropolitan Police force has made an excellent record in solving crimes here in the Nation's Capital.

We all fully realize that the Police Department in the city of Washington is confronted with problems of different and of a greater magnitude than the police department of any other city. We have embassies from every country in the world located here in the city of Washington and we have people from every country in the world and every State in the Union. We also have the NAACP headquarters, the heads of all the labor unions, the heads of all the Government departments and the Congress located here in the Nation's Capital.

We realize that we have far too much crime in the Nation's Capital at the present time; however, it is refreshing to know that our excellent police force is solving the majority of the major crimes committed in the city of Washington. We really should have a larger force since crime seems to be increasing in all sections of the country.

Crime index offenses reported,¹ cities 500,000 to 1,000,000 population, by calendar years

City	Calendar year					Percent change			
	1954	1955	1956	1957	1958	1954-58	1955-58	1956-58	1957-58
Baltimore	15,322	16,330	17,151	15,424	15,303	-0.1	-6.3	-10.8	-0.8
Boston	6,122	8,551	10,195	11,439	11,393	+86.1	+33.2	+11.8	-4
Buffalo	3,367	3,406	3,457	3,706	3,628	+7.8	+6.5	+4.9	-2.1
Cincinnati	3,869	3,869	4,113	4,082	3,998	+3.3	+3.3	-2.8	-2.0
Cleveland	6,477	5,174	6,741	8,261	7,994	+23.4	+54.5	+18.6	-3.2
Houston	9,355	9,968	10,675	13,274	15,620	+67.0	+56.7	+46.3	+17.9
Milwaukee	3,717	3,493	4,444	5,057	(²)				
Minneapolis	6,221	5,435	6,380	6,406	7,437	+19.5	+36.8	+16.6	+16.1
New Orleans	7,532	8,391	12,123	12,277	13,905	+84.6	+65.7	+14.7	+13.3
Pittsburgh	6,961	8,262	9,247	10,500	11,466	+64.7	+33.9	+24.0	+9.2
St. Louis	16,866	18,177	19,458	21,628	23,364	+38.5	+28.5	+20.0	+8.0
San Francisco	12,480	14,281	15,391	15,762	17,088	+38.9	+19.6	+11.0	+8.4
Washington	12,036	11,367	10,088	10,169	9,629	-20.0	-15.2	-4.1	-5.3
Average percent change ³						+32.1	+24.4	+12.7	+6.0

¹ Includes murder, nonnegligent manslaughter, robbery, aggravated assault, burglary, larceny (\$50 and over), and auto theft. The FBI did not report forcible rape data for individual cities prior to 1955; therefore, that category is omitted from this report.

² Data for Milwaukee for 1958 not reported by the FBI.

³ Milwaukee is excluded from computation of the average percent change. Source: FBI reports.

Offenses known to police

[Crime index of the Federal Bureau of Investigation, calendar year 1958]

CITIES 250,000 TO 500,000 POPULATION

City	1,000 population 1950 census	Crime index offenses	Offenses per 1,000 population
Akron.....	275	3,958	14.4
Atlanta.....	331	9,516	28.7
Birmingham.....	326	5,408	16.6
Columbus.....	376	7,088	18.8
Dallas.....	434	7,904	18.2
Denver.....	416	10,974	26.4
Fort Worth.....	279	5,187	18.6
Indianapolis.....	462	7,842	17.0
Jersey City.....	299	2,538	8.5
Kansas City, Mo.....	457	4,538	9.9
Long Beach.....	251	7,979	31.8
Louisville.....	369	8,244	22.3
Memphis.....	407	5,254	12.9
Newark.....	439	11,948	27.2
Oakland.....	385	5,516	14.3
Omaha.....	251	2,457	9.8
Portland.....	374	6,511	17.4
Rochester.....	332	2,425	7.3
St. Paul.....	311	3,669	11.8
San Antonio.....	408	9,501	23.3
San Diego.....	494	6,555	13.3

Offenses known to police—Con.

[Crime index of the Federal Bureau of Investigation, calendar year 1958]

CITIES 250,000 TO 500,000 POPULATION

City	1,000 population 1950 census	Crime index offenses	Offenses per 1,000 population
Seattle.....	468	10,220	21.8
Toledo.....	304	4,497	14.8

CITIES 500,000 TO 1,000,000 POPULATION

City	1,000 population 1950 census	Crime index offenses	Offenses per 1,000 population
Baltimore.....	950	15,399	16.2
Boston.....	801	11,457	14.3
Buffalo.....	580	3,644	6.3
Cincinnati.....	504	4,083	8.1
Cleveland.....	915	8,044	8.8
Houston.....	596	15,730	26.4
Milwaukee.....	637	(¹)
Minneapolis.....	522	7,453	14.3
New Orleans.....	570	14,022	24.6
Pittsburgh.....	677	11,560	17.1
St. Louis.....	857	23,574	27.5
San Francisco.....	775	17,232	22.2
Washington.....	802	9,687	12.1

¹ Not reported.

Offenses cleared by arrest, calendar year 1958

Classification	Percent cleared	
	District of Columbia	National average ¹
Murder, nonnegligent manslaughter.....	97	94
Manslaughter by negligence.....	100	90
Forcible rape.....	84	73
Robbery.....	78	43
Aggravated assault.....	90	79
Burglary, breaking, or entering.....	62	30
Larceny—theft.....	44	20
Auto theft.....	41	27
Total.....	57	(²)

¹ Average clearance rate of 1,972 cities reported by the Federal Bureau of Investigation.

² Not reported.

Crime index offenses reported,¹ cities 500,000 to 1,000,000 population, by calendar years

City	Calendar year				
	1954	1955	1956	1957	1958
Baltimore.....	15,322	16,330	17,151	15,424	15,303
Boston.....	6,122	8,551	10,195	11,439	11,393
Buffalo.....	3,367	3,406	3,457	3,706	3,628
Cincinnati.....	3,869	3,869	4,113	4,082	3,998
Cleveland.....	6,477	5,174	6,741	8,261	7,994
Houston.....	9,355	9,968	10,675	13,247	15,620
Milwaukee.....	3,717	3,493	4,444	5,057	(²)
Minneapolis.....	6,221	5,435	6,380	6,406	7,437
New Orleans.....	7,532	8,391	12,123	12,277	13,905
Pittsburgh.....	6,961	8,252	9,247	10,500	11,466
St. Louis.....	16,866	18,177	19,458	21,628	23,354
San Francisco.....	12,480	14,281	15,391	15,762	17,088
Washington.....	12,036	11,357	10,038	10,169	9,629

¹ Includes murder, nonnegligent manslaughter, robbery, aggravated assault, burglary, larceny (\$50 and over), and auto theft. The FBI did not report forcible rape for individual cities prior to 1958; therefore, that category is excluded from this report.

² Not reported by the FBI.

Source: FBI reports.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield further?

Mr. COHELAN. I yield.

Mr. SANTANGELO. As a member of the Subcommittee on Appropriations for the District of Columbia, I elicited information from Chief Murray as to the percentage of incidence and solution of crimes; and the evidence was that since the Mallory decision the Police Department has been more successful in the solution of crimes than it was before the decision in the Mallory case.

Mr. COHELAN. The gentleman is stealing my argument, because I took the Chief's data. He has a curve here

which he introduced for the benefit of the Members. I am familiar with statistics, although I may not be a lawyer. I do not know what this proves because all it says is that the graph released by Chief of Police Robert Murray shows long-term serious crime complaints in the District were at an all-time high of 2,300 complaints monthly in January 1953, and a current monthly rate of about 1,800. What has this to do with the Mallory rule?

As a matter of procedure and as a matter of law the application of law has been the same over this 1943-61 time period. If you use that as your measure,

the police here are getting better under the McNabb-Mallory rules than they were before.

Mr. Speaker, I rise in opposition to H.R. 7053. I share the concern of my colleagues in the House and on the District Committee with the recent increase in criminal behavior in the District. There are many factors contributing to this situation such as unemployment, slum housing, and lack of adequate recreational facilities to name just a few.

I believe that the existing situation thoroughly justifies an exhaustive study into the causes of crime and means of prevention, and for this reason I strongly endorse District Commissioner Tobriner's recent proposal to this effect.

No case has been made, however, for any legislative action to change the Mallory rule which requires that an arrested person be brought before the nearest available committing magistrate without unnecessary delay. No case whatsoever has been made which connects the rash of recent crimes with the Mallory rule, and no case has been made that the District police are unable to solve these crimes under the existing statutes.

The Mallory rule deals only with the admissibility of evidence at a trial; it does not prevent the police from pursuing investigations by questioning people. The rule simply provides that if the police do not comply with the requirements for prompt arraignment, evidence obtained from the accused during the period of illegal detention is not admissible at the trial. Clearly the Mallory rule has little to do with the causes of crime or the apprehension of violators.

Contrary to the proponents statements, there is no impelling necessity for enacting a bill such as this. It was reported by the House District Committee following its recent hearings on crime conditions in the District of Columbia; the major impetus for these hearings being the occurrence of several rapes within the space of a few days.

It should be noted, however, that the police, acting under the Mallory rule, promptly apprehended the persons who have now been charged with these crimes. The Mallory rule in no way prevented them from investigating, identifying, and apprehending the accused persons. Furthermore, the 18-year experience with the McNabb-Mallory rule has not demonstrated any hamstringing of law enforcement or breakdown of law and order.

The basic issue which we are concerned with here is whether police officials should be allowed to arrest a person on suspicion, and then while he is in police detention, seek to establish probable cause for the arrest. It is argued that Mallory hampers effective law enforcements in that it is often difficult to show probable cause unless and until a confession has been secured. The difficulty with this argument is that the fourth amendment to the constitution prohibits any arrest except upon probable cause.

Such other important constitutional rights as that of counsel, the right to bail, the privilege against self-incrimination, and the protection against un-

reasonable searches and seizures are intimately connected with the Mallory rule. Any legislation affecting these basic rights should be proposed and enacted only after extensive hearings by a broadly representative group of experts from the various related fields. Certainly such far reaching changes should not be acted upon solely on the basis of statements by police officers and prosecuting officials. Legislation enacted in haste without an adequate record may very well produce more harm than it relieves.

Proponents of H.R. 7053 claim that it will qualify and amend the Mallory rule; that it will provide safeguards to protect the person who may be the subject of interrogation.

To the contrary, this bill would overrule many court decisions and a long, well established policy of protecting persons against unlawful detention and secret prolonged interrogation. It would not increase protection against police abuse, but instead would greatly reduce the protection which the law now gives to arrested persons.

This bill would weaken the rights and liberties of every American. It would open the door to unrestrained detention of suspects by the police. It would encourage the use of third degree methods to extract confessions from the poor, the uneducated and the youthful suspects who are not aware of their rights.

Mr. Speaker, this bill is a dangerous attack upon vital constitutional guarantees; there is no evidence to indicate that it is needed or desirable, and I urge that it be defeated.

Mr. Speaker, I submit herewith a copy of a letter to my worthy chairman from the Democratic Central Committee of the District of Columbia dealing with the proposed legislation:

MAY 25, 1961.

HON. JOHN J. McMILLAN,
Chairman, House Committee for District of
Columbia, House of Representatives Of-
fice Building, Washington, D.C.

DEAR MR. McMILLAN: I am submitting this memorandum as a member of, and speaking for, the Democratic Central Committee of the District of Columbia. We are submitting this statement because of our deep concern that legislation profoundly affecting the administration of criminal justice in the District may be approved by your committee on the basis of very brief hearings and the testimony of a few persons.

We share the committee's concern with the recent increase in criminal behavior in the District. We believe that unemployment and lack of job opportunities, poverty, slum housing, the absence of decent recreation facilities, inadequate school facilities, have all contributed to the recent apparent upsurge in crime. We accordingly warmly endorse the proposal by Commissioner Tobriner that a joint study of the causes of crime in this area be undertaken jointly by various local universities. We are confident that members of the Bar would render assistance to any such study.

We do not believe, however, that any case has been made out for a change in the test of criminal responsibility promulgated by the Court of Appeals in *Durham v. United States*, 214 F. 2d 814 (D.C. Cir. 1954). Similarly, we do not believe that any necessity has been demonstrated for change in the rules established by the Supreme Court in *Mallory v. United States*, 354 U.S. 449, which

forbids the use of confessions obtained as a result of unlawful detention.

We think it obvious that these two rules have nothing whatever to do with recent crimes of violence in the District. Clearly, the apprehension of criminal offenders is in no way affected by the Durham rule which furnishes the test applied at the trial in deciding whether the accused is criminally responsible. Moreover, persons who are found not guilty by reason of insanity are not set loose; they are automatically committed to a mental institution, and they are not released until the hospital authorities and the court are satisfied that they have recovered their sanity and are not dangerous (D.C. Code § 24-301; see *Overholser v. Leach*, 257 F. 2d 667 (D.C. Cir. 1958); *Ragsdale v. Overholser*, 281 F. 2d 943 (D.C. Cir. 1960)). The fact is that this automatic hospitalization provision and medical treatment probably afford the community greater protection than imprisonment and release at the expiration of the sentence of persons who may give every indication of being dangerous.

Similarly, the Mallory rule deals only with the admissibility of evidence at the trial. The police remain free to question suspects. The rule simply provides that if the police do not comply with the requirements for arraignment, evidence obtained from the accused during the period of illegal detention is not admissible at the trial. Clearly, the Mallory rule has little to do with the causes of crime or the apprehension of violators.

Such important constitutional rights as the right to counsel, the right to bail, the privilege against self-incrimination and the protection against unreasonable searches and seizures are intimately connected with the Mallory rule. It is probably true that convictions could be more readily secured if all of these civil liberties were swept away, as they have been in totalitarian countries, but we believe that few Americans would be willing to pay that high a price for efficiency by the police and prosecuting officials.

We think it also clear that if any change is to be made in these rules by the Congress, it should be done only after extensive testimony by a broadly representative group of informed persons. Certainly, such far-reaching changes should not be made solely on the basis of statements by police officers and prosecuting officials. Testimony should be received from members of the bar, members of the medical profession, law school professors, and other qualified persons. Legislation enacted in haste without an adequate record may produce far more mischief than the evils which it is designed to remedy.

The necessity for testimony of the foregoing character is clearly indicated by one of the bills presently pending before the committee, H.R. 7052, introduced by Representative DAVIS. That bill would, in substance, establish a new code of substantive and procedural law with respect to the insanity defense in the District. It would create a new test of criminal responsibility, and thus overturn the decision of the court of appeals in *Durham*. The defendant would be required to prove insanity as an affirmative defense by substantial evidence, thereby reversing or modifying the decision of the Supreme Court in *Davis v. United States*, 160 U.S. 469 (1895), and a long list of cases by our court of appeals. The bill provides that the jury shall not be informed of the consequences of an acquittal by reason of insanity; this provision would nullify the decision of the court of appeals in *Lyles v. United States*, 254 F. 2d 725 (D.C. Cir. 1957). H.R. 7052 also prescribes the procedure for pretrial mental examinations and for the release of persons after acquittal on grounds of insanity. Surely legis-

lation which would reverse so many carefully considered decisions and which would create novel procedures in a highly technical and complex area should not be enacted without painstaking consideration.

We strongly urge that the committee not approve any change in the Durham or Mallory rules, certainly not on the basis of the meager and one-sided record which is presently before the committee.

Sincerely,
DEMOCRATIC CENTRAL COMMITTEE OF
THE DISTRICT OF COLUMBIA,
F. JOSEPH DONOHUE.

Mr. McMILLAN. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Speaker, since the gentleman from California did not see fit to yield to me I would like to point out to him and to the Members of the House that the State which he represents follows this rule which is consistent with the general law, as it will be in the District after the enactment of the pending bill.

In 22 Corpus Juris Secundum at page 1252 we find the following statement:

At any rate an admission which was made voluntarily by accused may be received in evidence against him even though it was made to an officer or while the accused was under arrest or in custody.

And there are cited the following California cases: *People against Wright*, *People against McCann*, *People against Gonzales*, *Murray against United States*, *Roberts against State*, *Groce against State*, *People against Schoon*, *People against Quinones*, *People against Parker*, *People against Baker*, *People against Harris*.

Mr. Speaker, these are all California cases. So the gentleman from California is arguing for a position which is absolutely contrary to the decisions of the highest court of the State which he represents.

Mr. McMILLAN. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Speaker, I take this time for the purpose of trying to help clarify the situation, first because I had the privilege of being the author of a bill which has been reported by the Subcommittee No. 3 of the Committee on the Judiciary, a bill in this same field which contained exactly the same language relative to the amendment of rule 5(a) which is actually what we are dealing with here, of the Administrative Procedure Act, and it is H.R. 3248. That bill or similar bills passed the House, as has previously been said, by a very substantial majority, in both the 85th and 86th Congresses. As a matter of fact on one occasion went to conference, the Senate having passed the bill 65 to 12 in the 85th of Congress.

My bill, H.R. 3248, goes further than the bill before us in that it would be effective in the rest of the Nation as well and I say this bill should be made generally applicable, because in my opinion what is good for the District of Columbia is good for the country as a whole in this instance.

In the Mallory case the Supreme Court was interpreting the rules of procedures. This is not a constitutional question,

this is a question of interpreting the rules of procedure. What was meant when rule 5(a) was laid down? In other words, the Court said in effect that it believed in construing the intent of the rule that the result of mere delay, the admission might be inadmissible because it was "involuntary" and the constitutional question was not raised in that particular case. What the District Committee is doing is to amend rule 5(a) and make it applicable to the District of Columbia. It can only be made applicable nationwide through action of the Judiciary Committee of the House by the adoption of H.R. 3248 or by amendment to this bill to make it apply nationwide. I intend to make such a motion if in order.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. My time is too limited to yield. The gentleman is on the subcommittee. I think I know approximately what the gentleman's position is.

Now, with regard to where the language came from, the language that is contained in this bill is artful language. It was carefully considered by the Special Subcommittee on Supreme Court Decisions. We considered the nature of the language that should be used—in doing what? In determining what the purpose of the rule is. Do not we of the Congress have the right to say what is intended by rule 5(a)? That when the Supreme Court makes a decision that we do not believe to be consistent with the purpose of the rule, have we not the right to say what the intention is through this bill? I think the bill is a good one.

Now, in the Trilling case, which was here in the District of Columbia—and there has been considerable concern about this throughout the United States of America, not only in the District of Columbia, because the effect of this decision is to amend rule 5(a) and to interpret it. It is applicable to every U.S. court and likewise there is some question as to whether it is not also applicable to State courts as well. What did Judge Prettyman say in the Trilling case? It was a case of six counts and three convictions, where the man was permitted to go scot-free. There was another decision, the Watson case which applied the Mallory rule to a murder, rape, and confession. In the second trial of Watson, the ruling was that not only is the admission itself inadmissible, but all fruits flowing therefrom are equally inadmissible; in other words, all physical evidence procured as a result of the confession was likewise ruled out as inadmissible. The fruits of the confession were not admissible at all, and in the second trial the confessed murderer, rapist was found not guilty because evidence was not available. Judge Prettyman made this statement:

The Chief Judge's view is that if this delay between arrest and arraignment is legal and necessary and not characterized by coercion. The confession should not be excluded solely because of delay.

That is precisely what this bill says.

Let me remove another misunderstanding about this bill. If a court

should find that the delay between arrest and arraignment were of such a period of time as in effect to be coercive in nature the confession would be inadmissible. It is the nature of the delay and not merely the time that elapses that is determinative of whether the confession should be admitted in evidence. To provide otherwise is to condone time-clock justice—letting the confessed criminal who delays his confession to go free.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. CRAMER. May I have 2 minutes additional time?

Mr. ROGERS of Colorado. I might agree with the thought behind the gentleman's amendment, but I would have to make a point of order against the amendment.

Mr. CRAMER. I have not offered my amendment yet. I merely asked for 2 additional minutes' time if the gentleman can spare it.

Mr. ROGERS of Colorado. I will yield the gentleman 1 additional minute.

Mr. CRAMER. The test of the admissibility of a confession is whether it is voluntary or involuntary. There can be no rule of thumb as to the length of the delay, whether it be 3 hours, 4 hours, 5 hours, 10 hours, but it depends on the facts surrounding the delay. If it is of such nature as to be coercive, then any admission acquired as a result of it cannot be called voluntary. In this Mallory case when seven and a half hours had elapsed without any evidence of any coercive act the Court held that the confession was not admissible in evidence solely because 7½ hours had elapsed.

I think that is wrong. If a man voluntarily makes a confession, such as in the Mallory case, with no evidence whatsoever of any coercion of any nature, that confession should be admitted in the court. That has been the rule of evidence for years in our jurisprudence. That is all this bill says. So the purpose of my amendment will be to make it applicable throughout the United States.

Mr. McMILLAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I am afraid that there has been more confusion shed upon the problem than light, judging from some of the discussion that we have heard today.

For instance, the last gentleman who addressed the House talked about rule 5(a) having been written by the Congress. It was not written by the Congress, it was written by the Supreme Court.

There is a basic constitutional question involved here. The distinguished gentleman from California has already referred to it. Amendment IV of the United States Constitution is implemented by the provisions written into the rules of procedure. Those rules of procedure should apply with equal force in the District as in the rest of the country. We must not have different rules of procedure in criminal courts in different parts of the country.

One of the gentlemen who addressed us earlier said that the Supreme Court

has decided in the Mallory case that that case or this rule applies only in the District of Columbia. The Supreme Court made no such decision. But if it did, then I say to you, if this rule as it is laid down in the Mallory case is good enough for the rest of the country it should be good enough for the District of Columbia.

There are two Mallory cases. You heard only about one. The Mallory case decided in 1957 did not say "solely because of the delay" this man could not be tried again or that his conviction must be reversed solely because of that delay. What the first Mallory case in 1957 held was that because this man was arrested at 2 o'clock in the afternoon and held overnight, the Supreme Court said as did the Court of Appeals, that because he was not brought before a committing magistrate without unnecessary delay and apprised of his rights and because this was an illiterate person with low mentality, almost so low a mentality as to be considered mentally incompetent, his confession could not be received in evidence. The reason he was not tried was because he was mentally incompetent and not because of what the Supreme Court decided. In that case, the defendant was picked up at 2 o'clock in the afternoon, with committing magistrates or commissioners available and with judges of the Federal courts available before whom he could be arraigned and by whom he could be advised of what his rights were, instead of that prompt arraignment required by law, he was held until 9 p.m. of that day. Then they made a telephone call and could not locate a commissioner. Then they held him overnight until the next morning before they arraigned him. At the trial they offered this confession against him. It has never been decided that except for the confession they could not have convicted him.

The U.S. Supreme Court did not say he should be released. The U.S. Supreme Court said the confession was improperly received in evidence. The case was sent back for retrial, but he was not retried because of the fact that the prosecuting attorney decided he could not get a conviction due to this man's mentality.

Let us look at what happened the next year, 1958. Another Mallory, one Milton Mallory is arrested and he is held not for 7½ hours before he confesses but for 14 hours. The same U.S. Supreme Court held in that case that the delay was not unreasonable and that the confession was admissible in evidence. They were dealing there with a man who knew what his rights were. The confession was properly admitted and the man was properly convicted.

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

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

Mr. SANTANGELO. If this bill becomes law, if a man is held for a week the courts will not be able to say that by reason of the delay in arraignment his confession is admissible in evidence?

Mr. MULTER. I agree that is what this bill seeks to make possible, but I

doubt whether any court in this land would say that a man's constitutional rights were not invaded under those circumstances, and I think the Supreme Court would strike this bill down.

Mr. SANTANGELO. That would be the effect of it?

Mr. MULTER. That is what this bill does.

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

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

Mr. LINDSAY. This would be total nullification of the requirements of rule 5(a)?

Mr. MULTER. Of course. I am sure the gentleman will agree that rule 5(a) was made a part of the procedure for trial of criminal cases in order to implement the fourth amendment of the U.S. Constitution.

Mr. LINDSAY. Let me ask the gentleman this question: The majority in the committee report agrees that the Mallory decision held that administrative delays or delays designed to check exculpatory explanations are perfectly proper? Now, what other purpose would there be for delay? For what purpose would a man be held for 48 hours, a week, or 2 weeks, if it were not for the purpose of gaining a confession prior to arraignment.

Mr. MULTER. Let me add a quote from the Mallory case, the very last sentence:

It is not the function of the police to arrest, as it were, at large and to use the interrogating process at police headquarters in order to determine whom they should charge before a committing magistrate on probable cause.

Now, there is nothing in the Mallory case that requires the dismissal or discharge of the defendant who has been properly arrested and who has been properly held until he can be properly arraigned. The minority views on this bill have been referred to, by taking a sentence out of context. Permit me to quote this important statement out of the minority views, which immediately precedes what has been quoted to us:

The prolonged detention of suspects has been a long-established practice of the police; and it has been used as a method of exacting confessions from those whom the police suspect. One who is held incommunicado without benefit of family, friends, or counsel to aid him and to advise him is easy prey for overzealous police. Police have questioned a suspect for hours or days on end, using relays of police officers, and sometimes beating or torturing him. During such prolonged detention the opportunities for coercion are great, and proof of it is always difficult. It is the accused's word against the word of several policemen, and the odds of his being able to prove coercion are overwhelmingly weighted against the suspect.

We should not have two rules of evidence in our Federal courts, one in the courts in the District of Columbia and another in those in all of the rest of the country.

Enactment of this bill will mean that a trial for crime in the District of Columbia will be governed by one rule. But if the trial, mind you, not the commission of the crime, but the trial, takes place in Virginia or in Maryland or any-

where else in the United States, a different rule will apply.

This bill will not accomplish any good. It can do much harm. The emotional fears engendered by the first Mallory decision have proved unfounded. Enforcement officers throughout the country have not had their hands tied. Guilty defendants have been successfully apprehended, arraigned, tried and convicted despite all that was said since 1957 when the first Mallory decision was handed down.

At the proper time, a motion to recommit will be offered. I urge the House to support it.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. McMILLAN. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, we have heard some eloquent arguments from the proponents of this bill as to why they think it is needed. Presenting his arguments most forcefully was the gentleman from North Carolina [Mr. WHITENER]. In the course of these he pointed out that he had previously been a prosecutor and that he knew the need for the bill. He was sustained in this by my very good friend from Alabama [Mr. ANDREWS], who earlier in his career had also been a prosecutor. Their attitude, it seems to me, conveys the essential philosophy of this bill, namely, that it is intended to assist in the prosecution and conviction of those accused of crime. It is a prosecutor's bill, one which will make it easier for prosecutors to obtain convictions.

Mr. Speaker, the gentleman from North Carolina, good prosecutor that he is, sought very skillfully to tie in opponents of this bill with the criminal element. He was tired, he said of bleeding hearts, bleeding to protect rapists, burglars and murderers. Mr. Speaker, nothing is further from the truth. We hold no brief for any criminals any more than he does. We are as insistent as is he that they be caught and punished for their crimes. However, we insist that this bill would not help achieve that desirable end, actually, it would only serve to undermine the constitutional rights of every American. Yes, Mr. Speaker, we are bleeding hearts to use the phrase of the gentleman from North Carolina, but we are bleeding for the protection unsullied of the constitutional safeguards which belong to all Americans, safeguards which protect the innocent and which give the guilty the right to be tried fairly in court by American standards of justice. That is what we opponents of this bill want to maintain: the right to a fair trial and the preservation of due process under the law.

The proponents of this bill declare with great alarm that the so-called Mallory rule has been the primary cause of the increased crime rate in the District of Columbia. The Mallory decision interpreted rule 5(a) of the Code of Federal Procedure, which requires that when any person is arrested he must be taken without unnecessary delay before a U.S. Commissioner who informs him of the charge against him and of his

right to refuse to answer any questions, and to have a preliminary examination. That is what the rule now says. The Supreme Court held that the rule was breached in the Mallory case when the defendant was detained under arrest for questioning without arraignment for more than 8 hours. This, the court said, constituted "unreasonable delay." The purpose of this bill is to eliminate the phrase "without unreasonable delay," to do away with rule 5(a) and to permit thereby introduction of evidence which would now be considered in violation of the rule. Usually such evidence takes the form of a confession by the defendant.

This bill is needed, say its proponents, to curtail the crime rate in the District of Columbia which since the Mallory decision has risen by 29 percent. If we eliminate the protection of rule 5(a), they say, the police will be able to obtain more convictions. In this way, the crime wave will be checked.

What specious reasoning is this, Mr. Speaker, which seeks to check crime by doing away with the defendant's constitutional safeguards? Why not eliminate the entire Bill of Rights if this is the sole consideration? How many more convictions would the prosecution be able to achieve if the Bill of Rights were to be repealed? Is it desirable that we shatter our constitutional safeguards in order to achieve criminal convictions? Or is it better that we preserve such safeguards intact so that fair play and the American standard of justice shall remain inviolate? As for me, Mr. Speaker, I shall vote to sustain our proud, ancient tradition of constitutional due process.

It is contended, however, that in this bill we are dealing with no question of constitutionality. The only point involved, it is said, is the change of a rule of procedure. This is not true. A constitutional question is involved. I agree with the gentleman from New York, whether this bill is passed or not, the courts will not permit an unreasonable delay to take place after a defendant's arrest, even though that is what is sought to be avoided by this bill. Under the wording of this bill, a criminal could be held indefinitely, days or even weeks, during which time he could be subjected to questioning by the police. Certainly this can never be sustained constitutionally.

Let me read to you from an article on the Mallory rule appearing in the Washington Post on Sunday, March 23, 1958:

Many observers think, however, that what is really bothering the police is what the Supreme Court is forcing them to do as a result of its decisions in the Mallory case and in the McNabb case. The Court is making them rely less and less on confessions in criminal cases and more and more upon scientific methods of crime detection.

Justice Felix Frankfurter once repeated an old English story which says it is easier to sit in the shade rubbing pepper into a suspect's eyes until he confesses than it is to go out in the sun and hunt for evidence to convict him.

This bill would permit the rubbing of pepper in a suspect's eyes to obtain a confession in lieu of undertaking additional scientific police investigation.

The statistics show, as was pointed out so well by the gentleman from California, that during the time the Mallory rule has been in effect, the police have built up a much better record of convictions than previously. Obviously, this bill is not needed. Not only is it not necessary—its passage would be most harmful. I urge its defeat.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. McMILLAN. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Speaker, I oppose H.R. 7053. This bill seeks to eliminate rule 5(a) which says that a person shall be arraigned without unnecessary delay.

The proof of the pudding is in the eating. Since this decision was handed down by the Supreme Court of the United States the police of the District of Columbia have been more efficient in the solution of crimes than they were before that decision was handed down. As a member of the Subcommittee on the District of Columbia of the Committee on Appropriations, I explored this particular aspect with Assistant Chief of Police Covell. I asked Chief Covell this question during the hearing:

Chief Covell, I would like to find out definitely what effect the decision in this case has had. The only way we can find out is to learn how effective you were when you had an unlimited right to question these people and what the figures show when your right was limited. I think you can do a good job as it is now.

And the chief answered:

Adversity brings out the best in us.

In other words, he indicated that they obtained more solutions of crimes with the law after the Mallory decision than they did before. In other words, now he has to use his brain rather than his brawn. He may not use brutality and the incommunicado system in order to obtain a confession. He must be able to use his intelligence rather than police brutality. That is the simple issue. Shall we give to the police department the right to hold a person incommunicado for 2 weeks or 3 weeks and then say, you may use this delay to obtain a confession?

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

Mr. SANTANGELO. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Speaker, I want to say to the gentleman that one of the great favors the gentleman from New York [Mr. SANTANGELO] has done for me during our friendship was to introduce me to a great jurist here in the District of Columbia who is a dear friend of the gentleman from New York, Judge Alexander Holtzoff. And I believe the gentleman from New York regards him very highly as a jurist and as a splendid citizen. I would like to call to my friend's attention the testimony of Judge Holtzoff as it appears at the top of page 44 of the hearings on Crime in the District of Columbia, which I understand will be read to this House later. I leave it to the gentleman to decide whether

this is a police bill or whether Judge Holtzoff is one of these hangmen who want to dine on some wretch, as the gentleman has implied.

Mr. SANTANGELO. Mr. Speaker, in response to what I assume to be the gentleman's question, I would like to say that Oliver Gasch, the U.S. attorney, has developed a procedure under which he has instructed the police how to go about it, how to use their brains instead of their brawn. He has indicated how they can legally circumvent the rule in the Mallory case or to comply with its intent and as a result of their superior intelligence and the use of their brains, the police have delivered a better performance in the Police Department in the District of Columbia. So there is no necessity for this bill.

Mr. McMILLAN. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, orderly procedure makes good law. Let us determine the issues that are presented. I want to point out that this is a constitutional question. This Congress gave to the Supreme Court of the United States the right and the responsibility to make rules and regulations in the criminal procedure. They wrote those rules and Congress did not set them aside within the 90 days as provided by the act. They set up rule 5(a) for the purpose of protecting an individual against arrest and harassment not according to law. They provided in rule 5(a) that if a man is arrested without a warrant, he should be taken to a magistrate without unnecessary delay.

If the police officer has a warrant for the man's arrest, properly issued on a verified oath, and he is taken into custody, it is his first duty to take him before a commission and have him arraigned. When the police officers, not only in the District of Columbia but throughout the United States, proceeded to ignore rule 5(a), the only way that the Supreme Court of the United States could act was to say that any confession obtained after unreasonable delay, could not be admitted into evidence. It is just the same as in cases of unlawful search and seizure, confessions by force, or any other such factor.

The purpose and objective of this legislation is to protect the innocent. When the rule was handed down and the police officer violated the rule, then the confession obtained was not admitted.

My chief objection to this legislation is that if adopted it will provide two rules of conduct in the United States relating to confessions. As I understand, the Parliamentarian has already let it be known that we cannot amend this to make it apply to the 50 States. This is reported from the Committee on the District of Columbia dealing only with the District of Columbia. If it is passed, you have one rule in the District of Columbia and another in the other 50 States. How unreasonable can you get in enacting legislation? Is it not our duty and responsibility to see that legislation is uniform?

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

Mr. ROGERS of Colorado. I am glad to yield to the gentleman.

Mr. McMILLAN. I would like to state to the gentleman there is no other police department in the United States affected by this rule except the Washington Police.

Mr. ROGERS of Colorado. Mr. Speaker, certainly when a United States Marshal or a Treasury agent goes up into the hills of South Carolina or gets a still in North Carolina or comes into my area and arrests a dope peddler, are they not under the same rule to take them to a magistrate?

Mr. McMILLAN. I am referring to city police.

Mr. ROGERS of Colorado. If that were true, then that is one thing. But unfortunately the wording of this legislation is "in the Courts of the District of Columbia." It does not speak in the singular, and it does not say "a policeman in the District of Columbia." It means everybody in connection with the enforcement of the criminal law in the District of Columbia and hence on that ground alone the legislation should be denied.

Mr. McMILLAN. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Mr. Speaker, I thank the gentleman from South Carolina for being kind enough to grant me a little time to discuss this very important problem. I do not think the Mallory case is important in this discussion. The Mallory case was a bad case; bad cases make bad laws. They also bring about criticism of the Supreme Court of the United States. But this bill amends the Evidence Act, and that is something else—that deprives a person of a defense which he may have.

In the State of Illinois we follow the rule of law as it is followed in Massachusetts as to the proof of admission of evidence. Under that procedure the court sits without the jury. The court listens to defense counsel present his witnesses. Unfortunately, the practices of the police make mere delay a very important tool and weapon in their efforts to arrive at an opinion as to the guilt of individuals. Unless you are willing to accept the criminal law in its entirety and unless you are willing to accept the fundamental principle included in that criminal law as to the protection of the innocent, then any law may be passed to convict the guilty. But it is the one innocent person out of a thousand that we protect.

As I am sure all my colleagues realize, it is rather difficult to talk about this subject of persons accused of crime; and anyone who has represented defendants in criminal cases realizes that. Surely I have had a long experience in such legal practice. For 36 years I have defended hundreds of men and women accused of murder and other high crimes. Out of that long experience I say to you: You should not limit the defense of a defendant in any way, and the truth should not be curbed in any way. You and I know that the police practices are such, especially in the larger cities, where officers who are not

connected with the case at all walk into the place where an individual may be held in custody and say certain things in front of the accused which would instill fear in the prisoner. Experience shows that persons who sign confessions because of fear are people who are not habitual criminals. I have had cases where they buried the butts of revolvers in the sides of a prisoner to extract a confession, but they did not succeed. So throughout the long years we who practice in the field of criminal law at the bar of justice have been guided by this principle of a realistic defense—that is, the defense that an average man can believe.

When it comes to the admissibility of evidence, the court will determine whether or not it should go to the jury.

I had a case once where a man was charged with murder. His wife was in the hospital dying. So they said to him, "Why don't you sign this confession? You know your wife is dying. Then we can bring you over to the county hospital and you can at least see your wife before she dies." The man held off, but finally he signed the confession. That is a matter of mere delay, but you can see what results mere delay can bring.

Let the courts determine under the Massachusetts and New York systems this question of the testing of the admissibility of evidence. That determination should not be made by a law which would amend the Evidence Act which would make a determination that only men and women on a jury and the judges in a court should determine.

It is very difficult to defend a position in our legislative bodies today for the reformation of attitudes that are probably more controlled by public sentiment because of the nature of the crime that happens in a community rather than the logician who sits down and legally determines a legalistic attitude, the question of whether or not the burden shall still remain upon the State. There should never be any question in our American jurisprudence especially at the level of criminal law; it should be determined by rules that narrow the question of defense; and I say to you the intelligent attitude is to leave it to your juridical system and our juries to determine.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. McMILLAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I am opposed to this bill.

Mr. Speaker, I am not in a new climate. In many courtrooms I have faced prosecutors. Mine has been the responsibility of the defense. There has been the responsibility of the prosecutor.

When indictments have been voted, the responsibility of the prosecutor is to get a verdict of guilty. His record depends upon the number of guilty verdicts he is successful in obtaining from juries. I have found prosecutors conscientious and giving to the State their best efforts, as properly good lawyers should do for their clients, to sustain-

ing under the rules of evidence and the ruling of the courts the findings of grand juries.

Mine has been the role of defender. The responsibility of defense counsel is to protect innocence from false accusation or a condemnation on suspicion unsupported by the proper evidence.

The prosecutor and the defense counsel each plays his part in maintaining law and order in this great country of ours. It is the concept of our laws for the administration of justice, as it is the sentiment in every good heart, that innocence should be protected as well as that the guilty should be punished. The law of every State in the Union takes this into consideration when it provides that in any community where there is such a degree of prejudice arising from the repulsive nature of the crime, or the unpopularity of the defendant that would place the defendant at a disadvantage, a change of venue shall be given to the courts of another community where the defendant may have a fair trial.

I have great respect for the officers and the members of our police departments. They have the hard job of dealing with persons either in or over the criminal fringe. They live dangerous lives, and the wages they receive are never more than sufficient to meet the necessities of life.

The police, like the prosecutors, and also like the defense counsel, take seriously their responsibility. When they make arrests they feel that the man arrested is guilty. When the man they have arrested has been indicted, and is brought to trial before a jury of his peers, they feel conscientiously that their responsibility is that of the prosecutor, the responsibility of obtaining from a jury a verdict of guilty; yet the police, being human, can make mistakes, as all of us do, and I suppose always people in every generation will do.

The laws of justice in our United States of America are intended in the fullest measure to protect those mistakes that reflect human frailty. Under the laws in every State of the Union, and the laws obtaining in our Federal courts, one accused of crime can only be convicted when every member of the jury finds under the evidence and the law he is guilty beyond any reasonable doubt. The accused may be presumed guilty by the policeman who arrested him, and by the prosecutor, whose job it is to convict him, but under the law of my State of Illinois, and I think of most if not all of the other States, no person can be sworn in as a juror unless he swears that until he has heard all the evidence and the trial has come to a close he will accord the accused the presumption of innocence.

Mr. Speaker, I do not think any Member of this body or any man or woman in an American home, would wish to change this. The protection of every American home depends upon the protection of innocence. If innocence in one home is not protected, it is not to be expected that it will be protected in his neighbor's home.

I now address myself to the bill before us. It relates only to the adminis-

tration of justice in the Federal Courts in the District of Columbia. It comes before us at a period of heated emotion, quite understandable when crimes abhorrent to all decent persons have been reported in the press and have filled with indignation the minds of law-abiding citizens. It is not the climate in which this proposed legislation can receive the thoughtful attention that it should receive. In the understandable and the righteous passion of good people to end the reign of repugnant crimes there is the temptation to forget the innocent and to let down the safeguards of innocence.

The bill we are considering, if indeed it is constitutional, would make it possible for a man arrested and believed guilty by the police to be locked up, without notification to his family or availability to a lawyer he might wish to engage, locked up subject to the questioning of the police who believed him guilty, for 1 week or for a month or for any period of time. This long and unreasonable period of detention would be judicially excused if before the accused made a confession of his guilt he had been informed that he had the right to counsel and that any statement made by him would be used against him. The bill does not provide that this statement should be made to the accused at the time of his arrest or at any period thereafter that he was held in detention. It only provides that it should be made prior to the confession of guilt.

Mr. Speaker, I venture the suggestion that of 100 innocent men held endlessly in detention, without availability to friends and to counsel, and seeing no other possibility of release to rejoin their friends and families, 99 would end with the signing of confessions of guilt to crimes they did not commit.

My beloved colleague from Illinois, Mr. LIBONATI, who has had a larger experience as defense counsel perhaps than any Member of this body, has truthfully pointed out that it is the hardened professional criminal who holds out under all conditions, however unbearable, and never signs a confession of guilt. Mr. LIBONATI well knows that of which he speaks. I, with a long experience as defense counsel, agree with him completely. This bill would have no deterrent effect upon the hardened criminal. Its impact would fall in largest measure upon that very innocence for the protection of which mankind has struggled during the centuries.

Mr. Speaker, from the bottom of my heart I regret that this bill has been debated for a very limited period of time, during which a bare quorum, if indeed a quorum, of the 437 Members of the House has been present. Many Members will vote for this bill, not too familiar with it and absent during the brief debate, but believing in a general way it is something to protect society from crime.

I shall vote against the bill, and in doing so I shall feel that I have kept faith with my Lord in giving to the least as well as the mightiest of His children the protection of innocence. In the constant struggle of society to protect itself

against crime, in its never-ending effort to bring criminals to proper atonement for their crimes, we must never forget that the protection of innocence is one of the cornerstones of a Government like ours, built on the principles of justice and of equality by, of, and for the people.

Mr. McMILLAN. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I am certain that all Members on the floor today are as well aware of the facts and the necessity of this legislation as the members of the District of Columbia Committee. I was bombarded with telephone calls, telegrams, and letters for approximately 3 weeks before I requested the District of Columbia Committee to hold these crime hearings. People throughout the entire country had become alarmed over the unusual amount of rape and other serious crimes committed in the Nation's Capital. People were becoming frightened and afraid to come to the Capital to visit as they had in previous years.

A judge of the U.S. district court appeared before our committee and stated specifically that this Mallory rule which we are considering today was one of the main roadblocks that prevented law enforcement in the District of Columbia. The U.S. district attorney who has held that office during the past 8 years appeared before our committee and made the same statement, that he was of the opinion that the Mallory rule that we are considering today was the specific roadblock that prevented law enforcement in the District of Columbia. The Chief of Police, Mr. Murray, made the same statement. We considered this proposed legislation carefully, and I am certain that not a member of this committee wants to see any person hauled up before the courts or wants to see any person prosecuted unfairly.

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

Mr. McMILLAN. I yield.

Mr. COHELAN. Is it not true that the testimony at the hearings developed that more guilty parties have been prosecuted under existing Federal rules where they have been promptly arraigned?

Mr. McMILLAN. Not according to the information presented at the hearings by reliable law enforcement officers.

Mr. COHELAN. I differ with the gentleman.

The SPEAKER pro tempore. The time of the gentleman from South Carolina has expired.

Mr. McMILLAN. Mr. Speaker, I yield the remainder of my time to the gentleman from Georgia [Mr. JAMES C. DAVIS].

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 7 minutes.

Mr. JAMES C. DAVIS. Mr. Speaker, there have been several statements made here about what was said in the hearings and also about the crime situation in the District of Columbia since the Mallory decision was handed down in August of 1957.

The statements of Judge Holtzoff are in the record and speak for themselves. I want to quote only two very short

statements made by Judge Holtzoff at these hearings. At page 44, Judge Holtzoff said this:

Before the Mallory case was decided, the rule as to the admissibility of confessions always was and still is everywhere—in all the State courts—that a confession is admissible if it is voluntary; it is inadmissible if it is involuntary.

That is Judge Holtzoff's statement. That is a good sound statement of the law. Judge Holtzoff also said this:

The Mallory rule excludes or its effect is frequently to exclude voluntary confessions because it provided that if a prisoner is not brought before a magistrate promptly after his arrest, any confession that he makes in the meantime or any statement that he makes in the meantime shall be inadmissible.

Those are quotations from one of the learned judges of the District Court of the District of Columbia.

The gentleman from California and the gentleman from New York both undertook to tell this House that since the Mallory decision was handed down there has been a decrease in crime here in the District of Columbia. Nothing could be further from the truth, with all due respect to them.

I will read from page 5 of the hearings. Bear in mind that the Mallory decision was handed down in 1957. Here is the testimony of Chief Murray, of the Metropolitan Police force, regarding crime since the date of the Mallory decision. On page 5 of the hearings, he says:

For the last fiscal year the total of 19,929 serious offenses in this city was an increase of 13.8 percent over the previous year and an increase of 29.1 percent from the low point of the fiscal year 1957.

Since 1957 crime has increased by 29.1 percent from that low point. That gives you the figures as given to us by the Chief of Police of the Metropolitan Police force.

Here is something else to consider when you are passing upon the merits of this legislation. Since 1957 the personnel of the Police Department has been increased by 214 members. It was 2,500 prior to that time. It has been increased through action of the Appropriations Committee by 214. This House just a short time ago today passed a bill to increase that number to 3,000. That is what we are having to face here in the District of Columbia because of the unprecedented crime wave which we are experiencing at this time.

In addition to this increase in the number of police on the beats and on the force, they have also established a canine police force. They brought dogs into service and are using them here in connection with police work. In that respect Chief Murray told us that the original group of five trained man-dog teams was placed in patrol service in 1960. Currently there are 24 trained man-dog teams in the service with an additional 7 teams being currently trained.

Notwithstanding the addition to the number of policemen, and the 24 man-dog teams, Chief Murray says, and I call your special attention to it:

The number of serious crimes in the District of Columbia is continuing to rise, as

recognized in our most recent figures compiled for April 1961. During that month a total of 1,783 part 1 offenses were reported, an increase of 155 offenses, or 9.5 percent over the total for April 1960.

The police need additional weapons to cope with this unprecedented wave of crime. The courts need additional weapons. As Judge Holtzoff said in his statement to the committee:

The Mallory rule has the effect of frequently excluding voluntary confessions because it provides that if a prisoner is not brought before a magistrate promptly after his arrest any confession he makes in the meantime or any statement he makes in the meantime shall be inadmissible.

I want to repeat here today a statement, which I think is worth repeating, made in July 1959 by the gentleman from Ohio [Mr. McCULLOCH], who said this when H.R. 4957, a bill to have national effect, was being considered shortly before it was passed by an overwhelming majority of this House:

It is also an undisputed fact that the Federal judges in the decisions since the Mallory case have been unable to agree on the precise ruling of the Mallory case. Thus, there is the absurd situation of conflicting opinions from the Federal judiciary on what fact situations constitute an unnecessary delay which will void a confession. Certainly this justifies the need for legislation defining the conditions under which a confession may be taken from an accused person.

Mr. Speaker, this situation needs clarification, and I urge the House to pass this bill.

Mr. BROOKS of Louisiana. Mr. Speaker, it is extremely important that we pass the Mallory bill. The bad decision of the Supreme Court in the case of *Mallory v. United States* (354 U.S. 499) in the year 1957 has given our law enforcement officials much trouble. One of the reasons why the crime rate in the District of Columbia has risen to such proportions is due to the disastrous effect of the Mallory decision of the Supreme Court in the enforcement of law violations.

Although Mallory was convicted and, in my judgment, clearly guilty of rape of a young white woman in the District of Columbia in 1954, he has never been punished. The Supreme Court has set aside the conviction merely because a delay occurred after the arrest of Mallory before he was arraigned before a U.S. commissioner. As a matter of fact, his confession of guilt was given before the arraignment.

It should be our purpose, Mr. Speaker, to protect the innocent, not the guilty. It is the purpose of organized government to punish the guilty that they may pay to society for the crimes they have committed. It is obvious that a guilty man has been turned loose by a rotten decision of the U.S. Supreme Court and this has brought about similar failures of justice and failures in punishing guilty defendants who avail themselves of this decision.

This bill should pass.

Mr. RYAN. Mr. Speaker, I believe that this bill would infringe upon basic constitutional rights. H.R. 7053 is an attempt to abrogate the Supreme Court decision of *Mallory v. United States* (354

U.S. 449). The proposed measure would declare rule 5(a) of the Federal Rules of Criminal Procedure a dead letter in the District of Columbia.

The Supreme Court unanimously held in the Mallory case that the confession was inadmissible as evidence because of an unreasonable delay between the time of the defendant's arrest and the time of his arraignment. This decision was consistent with a long line of Supreme Court decisions beginning with *McNabb v. United States* (318 U.S. 332 (1943)) and was decided under rule 5(a) of the Federal Rules of Criminal Procedure. This rule requires that an arrested person shall be brought before the nearest available committing magistrate "without unnecessary delay."

Mr. Justice Douglas has referred to the evils of unreasonable detention in these words:

Detention without arraignment is a time-honored method for keeping an accused under the exclusive control of the police. They can operate at their leisure. The accused is wholly at their mercy. He is without the aid of counsel or friends; and he is denied the protection of the magistrate. We should unequivocally condemn the procedure and stand ready to outlaw * * * any confession obtained during the period of the unlawful detention. (*Watts v. Indiana*, 338 U.S. 49, 56.)

In the *McNabb* case (318 U.S. 344-43) Mr. Justice Frankfurter, writing the majority opinion, set forth the rationale of rule 5(a) as follows:

The purpose of this impressively pervasive requirement of criminal procedure is plain. A democratic society, in which respect for the dignity of all men is central, naturally guards against the misuse of the law enforcement process. Zeal in tracking down crime is not in itself an assurance of soberness of judgment. Disinterestedness in law enforcement does not alone prevent disregard of cherished liberties. Experience has therefore counseled that safeguards must be provided against the dangers of the overzealous as well as the despotic.

Legislation such as this, requiring that the police must, with reasonable promptness, show legal cause for detaining an arrested person, constitutes an important safeguard—not only in assuring protection for the innocent but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society. For this procedural requirement checks resort to those reprehensible practices known as the "third degree" which though universally rejected as indefensible, still find their way into use. It aims to avoid all the evil implications of secret interrogation of persons accused of crime. It reflects not a sentimental but a sturdy view of law enforcement. It outlaws easy but self-defeating ways in which brutality is substituted for brains as an instrument of crime detection.

Rule 5(a) is in effect in all the Federal courts. This bill would make the District of Columbia an island in the sea of constitutional law.

The advocates of this proposal have argued that the crime rate has risen in the District of Columbia. They then ask us to adopt H.R. 7053 as a measure which is aimed at reducing criminal activity. Many of us are concerned with rising crime rates not only in the District of Columbia but also in other major cities. However, when one examines

the logic behind this proposal, it becomes clear that this is not the proper approach.

In order to accept the proposition that the Mallory rule is a contributing factor to the increase in crime, one must accept the following reasoning on the part of those who commit crimes: The potential criminal says to himself, "I know of the Mallory rule, and I know that if I am caught and I am unreasonably detained, any confession I make during the period of detention will not be admissible in court. Therefore, I will commit crimes with greater frequency."

This type of logic seeks to avoid the harsh realities of criminal motivation. There are many reasons for criminal activity; but I believe that the main causes of crime were accurately described by the *Washington Post* in an editorial opposing the measure before us. The *Washington Post* stated on May 19, 1961:

It is imperative to deal with the roots of crime—and these roots are to be found in the slums, in overcrowded schools, in denial of job opportunities because of race, in neglect of children who, through no fault of their own, are born to parents who give them neither love, nor care, nor even sustenance.

It would be far better for us to devote our time, energy, and abilities to the eradication of the causes of crime than to measures which are not only ineffectual in dealing with this problem but which also constitute an assault upon our constitutional liberties.

Mr. McCULLOCH. Mr. Speaker, I am much interested in the passage of H.R. 7053, the so-called Mallory bill, and I wish to discuss at least some of the legal issues involved. I emphasize "legal issues" because this is a bill which deals essentially with a legal matter—to be precise, with a rule of evidence.

The critics of H.R. 7053 have construed the bill as an attempt to restrict the constitutional rights of those accused of crime. They maintain that passage of the bill will encourage the employment of police methods in extracting confessions or written statements. The way to prevent this abuse, they say, is to deny the prosecutor the use in court of any confession or statement so obtained.

I wholeheartedly agree that any statements or confessions obtained by police methods should not be used in evidence in any court proceedings. This statement, in fact, brings me to the point of my introductory remarks. The purpose of H.R. 7053 is certainly not to condone police methods. Indeed, section (b) of the act is specifically designed to guard against this situation by providing that no statement or confession shall be admissible unless the accused is advised that he does not have to make a statement and that any statement he makes may be used against him.

In order to understand the purpose of H.R. 7053, it is necessary first to analyze the decision of the Supreme Court in the Mallory case (*Mallory v. United States*, 354 U.S. 449, June 24, 1957). In this case the Supreme Court held that a confession obtained during a period of a long delay, during which the accused

could have been brought before a U.S. commissioner as required by rule 5(a), could not be used in evidence.

After analyzing the facts which constituted the delay—the Supreme Court enumerated the facts which constituted the unnecessary delay. At page 455 of 354 U.S., the Court stated:

The circumstances of this case preclude a holding that arraignment was "without unnecessary delay." Petitioner was arrested in the early afternoon and was detained at headquarters within the vicinity of numerous committing magistrates. Even though the police had ample evidence from other sources than the petitioner for regarding the petitioner as the chief suspect, they first questioned him for approximately a half hour. When this inquiry of a 19-year-old lad of limited intelligence produced no confession, the police asked him to submit to a "lie-detector" test. He was not told of his rights to counsel or to a preliminary examination before a magistrate, nor was he warned that he might keep silent and "that any statement made by him may be used against him." After 4 hours of further detention at headquarters, during which arraignment could easily have been made in the same building in which the police headquarters were housed, petitioner was examined by the lie-detector operator for another hour and a half before his story began to waver. Not until he had confessed, when any judicial caution had lost its purpose, did the police arraign him.

The Supreme Court determined that the case called for the "proper application of rule 5(a)"—354 U.S. at page 451—and further that "the circumstances of this case preclude a holding that arraignment was without unnecessary delay"—354 U.S. at page 455.

The Court then stated:

We cannot sanction this extended delay, resulting in confession, without subordinating the general rule of prompt arraignment to the discretion of arresting officers in finding exceptional circumstances for its disregard (354 U.S. at p. 455).

Because of this language, even though the Court did enumerate the facts constituting the extended delay, the case has been interpreted as holding that delay in and of itself is enough to invalidate any confession or statement given prior to the appearance of the accused before a commissioner or other magistrate. If this is the holding of the Mallory case, then confessions given immediately after arrest, which are entirely free from all elements of coercion, will be held inadmissible simply because of delay.

Then the fact of delay, rather than the fact of whether the confession was freely and voluntarily given, will become determinative of whether the evidence—the confession—is competent for presentation in court in order to establish the guilt of the accused.

I think it is important to remember that confessions are often the only competent evidence which is available to prove the commission of many heinous crimes to which there are usually no outside witnesses.

As a member of the bar, I have some doubt that the Supreme Court intended to hold that delay, without other circumstances, voids a confession. However, the Mallory case is certainly subject to this interpretation. The undisputed

facts are that it has been accorded this interpretation by law enforcement officers with the unfortunate results that many guilty persons, against whom there is no evidence other than their own confessions, are being permitted to go free.

It is also an undisputed fact that the Federal judges in the decisions since the Mallory case, have been unable to agree on the precise ruling of the Mallory case. Thus, there is the absurd situation of conflicting opinions from the Federal judiciary on what fact situations constitute an unnecessary delay which will void a confession. Certainly this justifies the need for legislation defining the conditions under which a confession may be taken from an accused person.

It is important to remember that we have two legal concepts under consideration: First, the procedural requirements under rule 5(a) to bring an accused person before a commissioner. Second, the obtaining of evidence through a confession. The two concepts should not be lumped together. The first is purely a procedural requirement in the nature of a directive to the arresting officer. The second is a rule of evidence. The Supreme Court, in the Mallory case, because it did not clearly distinguish between these two concepts, extended the procedural requirements of rule 5(a) into a rule of law concerning the admissibility of evidence.

The purpose of H.R. 7053 is to return the law to its commonly accepted interpretation prior to the Supreme Court's decision. H.R. 7053 will simply clarify the present confusion by providing that—

Evidence, including statements and confessions, * * * shall not be inadmissible solely because of delay in taking an arrested person before a commissioner.

This will establish a clear congressional intent to reserve the conditions under which a confession was given for factual consideration by the court. It will direct the court to determine whether the confession was freely and voluntarily given—in other words, whether it is competent and reliable as evidence—rather than determining only the fact of whether there was an unnecessary delay.

As I stated in my introductory remarks, the second section of the act has been included as a safeguard against the possibility of obtaining an involuntary confession. The officer obtaining the confession is required to tell the accused that he does not have to make a statement and that if he does, the statement may be used against him.

¹ RULE 5. Proceedings before the Commissioner.—(a) Appearance before the Commissioner. An officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the arrested person without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States. When a person arrested without a warrant is brought before a commissioner or other officer, a complaint shall be filed forthwith (U.S.C.A. 18).

Mr. McMILLAN. Mr. Speaker, I move the previous question.

Mr. CRAMER. Mr. Speaker, will the gentleman yield for the purpose of offering an amendment?

The SPEAKER pro tempore (Mr. THORNBERRY). Does the gentleman from South Carolina yield to the gentleman from Florida for the purpose of offering an amendment?

Mr. McMILLAN. Mr. Speaker, as I understand the parliamentary situation, I have moved the previous question.

Mr. MULTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MULTER. Mr. Speaker, at what point is a motion to recommit in order?

The SPEAKER pro tempore. Prior to passage of the bill and after the third reading.

Mr. LINDSAY. Mr. Speaker, did I understand in answer to the question as to what point a motion to recommit would be in order the Chair said after the third reading?

The SPEAKER pro tempore. After the third reading and before passage of the bill.

Mr. CRAMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CRAMER. Mr. Speaker, I have previously announced I would offer an amendment to make it applicable nationwide in conformance with a bill reported by the Committee on the Judiciary. Could the Chair advise me as to when and if such an amendment is in order and under what circumstances?

The SPEAKER pro tempore. The Chair will state that the amendment can be offered only if the previous question is voted down.

Mr. CRAMER. I thank the Chair.

The SPEAKER pro tempore. The question is on ordering the previous question?

The previous question was ordered.

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

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

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LINDSAY. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit. The Clerk read as follows:

Mr. LINDSAY moves to recommit the bill to the Committee on the District of Columbia.

Mr. JAMES C. DAVIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 104, nays 252, not voting 79, as follows:

[Roll No. 78]

YEAS—104

Addabbo	Blatnik	Cohelan
Addonizio	Boland	Conte
Anfuso	Brademas	Corman
Ashley	Bromwell	Curtis, Mo.
Baring	Burke, Mass.	Daddario
Barrett	Byrne, Pa.	Daniels
Bennett, Mich.	Clark	Dawson
Dent		
Denton		
Diggs		
Dingell		
Dominick		
Donohue		
Dulski		
Dwyer		
Ellsworth		
Finnegan		
Flood		
Friedel		
Garmatz		
Gialmo		
Granahan		
Gray		
Green, Pa.		
Hansen		
Harding		
Healey		
Hechler		
Holifield		
Holland		
Inouye		
Joelson		
Johnson, Calif.		
Karsten		
Karth		
Kastenmeier		
Kee		
King, Calif.		
Kirwan		
Kluczynski		
Kowalski		
Libonati		
Lindsay		
McDowell		
McFall		
MacGregor		
Mack		
Miller, Clem		
Miller,		
George P.		
Moeller		
Morgan		
Morse		
Mosher		
Moss		
Multer		
Murphy		
Nix		
O'Brien, Ill.		
O'Hara, Ill.		
O'Hara, Mich.		
Olsen		
Peterson		
Pfost		
Philbin		
Pike		
Price		
Pucinski		
Randall		
Rhodes, Pa.		
Rivers, Alaska		
Rodino		
Rogers, Colo.		
Rogers, Tex.		
Rostenkowski		
Ryan		
Santangelo		
Saund		
Shelley		
Shipley		
Slack		
Smith, Iowa		
Staggers		
Sullivan		
Thompson, N. J.		
Toll		
Udall		
Ullman		
Vanik		
Yates		
Zelenko		
Losers		
McCormack		
McCulloch		
McDonough		
McIntire		
McMillan		
McSweeney		
McVey		
Magnuson		
Mahon		
Malliard		
Marshall		
Mathias		
Matthews		
May		
Meador		
Merrrow		
Michel		
Miller, N. Y.		
Millikin		
Mills		
Minshall		
Monagan		
Montoya		
Moore		
Morris		
Morrison		
Natcher		
Nelsen		
Norblad		
Norrell		
Nygaard		
Ostertag		
Patman		
Pelly		
Perkins		
Pilcher		
Pillion		
Pirnie		
Poage		
Poff		
Quile		
Rains		
Ray		
Rhodes, Ariz.		
Riehlman		
Riley		
Robison		
Rogers, Fla.		
Roudebush		
Rousselot		
Rutherford		
Saylor		
Schadenberg		
Scheneck		
Schneebell		
Schweiker		
Schwengel		
Scott		
Scranton		
Seely-Brown		
Selden		
Sheppard		
Short		
Shriver		
Sikes		
Siler		
Sisk		
Smith, Miss.		
Spence		
Springer		
Stephens		
Stratton		
Stubblefield		
Taber		
Taylor		

Teague, Calif.	Tuck	Wickersham
Teague, Tex.	Tupper	Widnall
Thomas	Van Felt	Wilson, Ind.
Thompson, La.	Van Zandt	Winstead
Thompson, Tex.	Weaver	Wright
Thomson, Wis.	Westland	Young
Thorberry	Wharton	Younger
Tollefson	Whitener	Zablocki
Trimble	Whitten	

NOT VOTING—79

Bass, N.H.	Holtzman	Rabaut
Bates	Hosmer	Reece
Becker	Jensen	Reifel
Bolling	Keogh	Reuss
Brewster	Kilburn	Rivers, S.C.
Broyhill	Kilgore	Roberts
Buckley	Landrum	Rooney
Cahill	Lankford	Roosevelt
Carey	Lennon	St. George
Cederberg	Lesinski	St. Germain
Celler	Macdonald	Scherer
Clancy	Machrowicz	Sibal
Cook	Madden	Smith, Calif.
Cooley	Martin, Mass.	Smith, Va.
Delaney	Martin, Nebr.	Stafford
Farbstein	Mason	Steed
Fino	Moorehead,	Utt
Fogarty	Ohio	Vinson
Frelinghuysen	Moorhead, Pa.	Wallhauser
Gallagher	Moulder	Walter
Gilbert	Murray	Watts
Grant	O'Brien, N.Y.	Weiss
Green, Oreg.	O'Konski	Whalley
Hall	O'Neill	Williams
Halpern	Osmers	Willis
Hays	Passman	Wilson, Calif.
Hoffman, Ill.	Powell	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Wilson of California against.

Mr. Reuss for, with Mr. Wallhauser against.

Mr. Moorhead of Pennsylvania for, with Mr. Brewster against.

Mr. Keogh for, with Mr. Hall against.

Mr. Celler for, with Mr. Reifel against.

Mr. Holtzman for, with Mr. Williams against.

Mr. Fogarty for, with Mr. Broyhill against.

Mr. Delaney for, with Mr. Cederberg against.

Mr. O'Neill for, with Mr. Smith of California against.

Mr. Gallagher for, with Mr. Hoffman of Illinois against.

Mr. Carey for, with Mr. Osmers against.

Mr. Lesinski for, with Mr. Moulder against.

Mr. Machrowicz for, with Mrs. St. George against.

Mr. Rooney for, with Mrs. Reece against.

Mr. St. Germain for, with Mr. Becker against.

Mr. Farbstein for, with Mr. Utt against.

Mr. Gilbert for, with Mr. Bates against.

Mrs. Green of Oregon for, with Mr. Mason against.

Mr. Hays for, with Mr. Martin of Nebraska against.

Mr. O'Brien of New York for, with Mr. Willis against.

Mr. Roosevelt for, with Mr. Watts against.

Mr. Madden for, with Mr. Passman against.

Mr. Powell for, with Mr. Walter against.

Mr. Macdonald for, with Mr. Roberts against.

Mr. Fino for, with Mr. Smith of Virginia against.

Mr. Halpern for, with Mr. Gary against.

Mr. Bass of New Hampshire for, with Mr. Landrum against.

Mr. Cook for, with Mr. Lennon against.

Mr. Rabaut for, with Mr. Rivers of South Carolina against.

Until further notice:

Mr. Cooley with Mr. Martin of Massachusetts.

Mr. Grant with Mr. Hosmer.

Mr. Steed with Mr. Kilburn.

Mr. Vinson with Mr. Jensen.

Mr. Murray with Mr. Frelinghuysen.
Mr. Lankford with Mr. Cahill.

Messrs. ANFUSO and BYRNE of Pennsylvania changed their vote from "nay" to "yea."

Mr. BEERMANN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

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

The bill was passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 1293. An act for the relief of Djura Zelenbaba;

H.R. 1360. An act for the relief of Anna B. Prokop;

H.R. 1467. An act for the relief of Modesta Pitarch-Martin Dauphinals;

H.R. 1508. An act for the relief of Mary A. Combs;

H.R. 1523. An act for the relief of Kazimiera Marek;

H.R. 1572. An act for the relief of Mrs. Sato Yasuda;

H.R. 1578. An act for the relief of Mah Quock;

H.R. 1621. An act for the relief of Miss Kristina Voydanoff;

H.R. 1622. An act for the relief of Dr. George Berberian;

H.R. 1871. An act for the relief of Min Ja Lee;

H.R. 1873. An act for the relief of Anna Stanislawa Ziolo;

H.R. 1886. An act for the relief of Panagiotis Sotiropoulos;

H.R. 2101. An act for the relief of Evelina Scarpa;

H.R. 2107. An act for the relief of Pietro DiGregorio Bruno;

H.R. 2116. An act for the relief of Wanda Ferrara Spera;

H.R. 2141. An act for the relief of Henry Wu Chun and Arlene Wu Chun;

H.R. 2158. An act for the relief of certain aliens;

H.R. 3489. An act for the relief of Bernard Jacques Gerard Caradec;

H.R. 3846. An act for the relief of M. Sgt. Louis Benedetti, retired;

H.R. 3850. An act for the relief of Clark L. Simpson;

H.R. 4217. An act for the relief of David Tao Chung Wang;

H.R. 4219. An act for the relief of the estate of William M. Farmer;

H.R. 4282. An act for the relief of Casimir Lazarz; and

H.R. 4713. An act for the relief of Robert Burns DeWitt.

H.J. Res. 437. Joint resolution relating to the time for filing a report on renegotiation by the Joint Committee on Internal Revenue Taxation.

The message also announced that the Senate had passed a bill of the following

title, in which the concurrence of the House is requested:

S. 1922. An act to assist in the provision of houses for moderate and low-income families, to promote orderly urban development, to extend and amend laws relating to housing, urban renewal, and community facilities, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill and a joint resolution of the Senate of the following titles:

S. 847. An act to change the name of the Army and Navy Legion of Valor of the United States of America, Incorporated.

S.J. Res. 65. Joint resolution designating the week of May 14-20, 1961, as Police Week and designating May 15, 1961, as Peace Officers Memorial Day.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1852) entitled "An act to authorize appropriations for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes."

The message also announced that the Vice President had appointed the Senator from Montana, Mr. METCALF, a member of the Canada-United States Interparliamentary Group in place of the Senator from Montana, Mr. MANSFIELD, resigned.

GENERAL GOVERNMENT MATTERS,
DEPARTMENT OF COMMERCE AND
RELATED AGENCIES APPROPRIATION BILL, 1962

Mr. ANDREWS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7577) making appropriations for the Executive Office of the President, the Department of Commerce, and sundry agencies for the fiscal year ending June 30, 1962, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2½ hours, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. FENTON] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7577, with Mr. ALBERT in the chair.

The Clerk read the title of the bill.

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

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill under consideration provides appropriations totaling \$626,958,000 for the Executive Office of the President, funds appropriated to the President, the Department of Commerce,

the Panama Canal, and sundry independent agencies. This allowance for 1962 is a reduction of \$39,320,000 in the amended budget estimates and is \$167,942,825 below the 1961 appropriations. This reduction below 1961 is due to several nonrecurring activities for which appropriations were made in 1961 and are not required, either in full or part in 1962, such as the repayable advance to the highway trust fund and the Eighteenth Decennial Census. There are also substantial maritime ship construction balances being carried over that decrease the requirements for additional funds in 1962.

The committee's reductions in the amended budget estimates were made wherever possible and particularly in those instances where the buildup in staff and expansion of programs appeared to be too great for 1 year.

TITLE I. EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

Title I of the bill carries appropriations for the Executive Office of the President and funds appropriated to the President totaling \$12,614,000, a reduction of \$297,000 in the estimates. Included in this title is \$200,000 for the President's Advisory Committee on Labor-Management Policy, a reduction of \$100,000 volunteered by the agency. The other reductions made relate to the Bureau of the Budget and the Council of Economic Advisers.

There has been considerable misunderstanding regarding the transfer of certain public works planning personnel and responsibilities between the special projects, White House appropriation and the Bureau of the Budget and the Council of Economic Advisers. I am glad to say that it appears to have been cleared up. I would like to read a portion of a letter I have received from Elmer B. Staats, Acting Director of the Bureau of the Budget, dated June 9, 1961:

Bureau of the Budget's position with respect to the Appropriations Committee action relating to certain public works planning personnel which were transferred to the Bureau of the Budget on January 23 and for which funds had been requested in fiscal 1962. * * * wish to make it clear, that the action of the committee in deleting \$139,000 from the budget request for the Budget Bureau for this purpose, and recommending that any necessary funds be provided from the appropriation for special projects of the White House Office, is satisfactory to this Bureau. We do not intend to request the Senate to restore this reduction.

The committee reduced the request of the Council of Economic Advisers \$200,000, allowing \$414,000. The committee made this reduction so as to be in conformity with the limitation of \$345,000 on salaries in the basic law and has included language in the bill limiting salaries to that amount. There is legislation pending that will either lift or increase the limitation and on enactment of such a law consideration can then be given to whatever fund adjustments that may be required.

TITLE II. DEPARTMENT OF COMMERCE

The committee is recommending a total appropriation of \$559,059,000 for the Department of Commerce in 1962.

This is a reduction of \$38,503,000 in the amended budget estimates and \$135,770,375 below the 1961 availability due primarily to the nonrecurring items and balances mentioned earlier.

The budget proposed an increase of over 1,460 permanent positions in 1962. Committee action will result in the elimination of about 470 of the request which will allow approximately 22,000 for the coming year as compared with 21,000 in the current year.

An appropriation of \$3,625,000 is recommended for general administration of the Department in 1962, a reduction of \$475,000 in the request, but \$789,125 over the 1961 appropriation. The Secretary in requesting this substantial increase stated that it would be devoted principally to strengthening the Department's activity and leadership in the areas of transportation policy, science and technology programs, and general management and program planning. This increased allowance is made to provide him with the means to more effectively manage not only the responsibilities that have been a part of the programs in the past but the new and expanded activities planned for 1962.

Appropriations for the Bureau of the Census are less this coming year as the major portion of the work on the Eighteenth Decennial Census has been completed. Funds are provided for the 1962 Census of Governments to be conducted during the year and also money for the preparatory work incident to the 1963 Census of Business, Transportation, Manufactures, and Mineral Industries required by law to be taken every 5 years.

The major portion of the budget allowance for the Coast and Geodetic Survey is for the construction of ships. We have recommended the deferral of one of the two replacement survey ships requested in order to phase in the new oceanographic program. The President requested a new oceanographic survey vessel in the amendment to the budget, which has been allowed.

The committee has approved the combining of three appropriations into one entitled "Business Activities" which actually is comparable to the old Bureau of Foreign and Domestic Commerce in existence a number of years ago. The programs that are included in this new appropriation are those of: first, the Office of Field Services; second, Business and Defense Services Administration; and third, Bureau of Foreign Commerce. The major increases allowed relate to the expanded export trade and investment programs and the new travel program. Some reductions have been made, but adequate funds have been allowed to get the programs underway on an expanded basis as compared to the current year.

The bill contains substantially the entire request for maritime activities. The Congress is pretty well committed on the subsidy programs. The ship construction program is based upon ship replacement obligations of the shipping companies now holding operating-differential subsidy contracts. The appropriation of \$182 million for operating-differential subsidies is for the liquidation of contract authorization. It is an increase

of \$32 million over 1961 for the purpose of accelerating payments required for the liquidation of prior year subsidies payable to the 15 subsidized operators and includes \$8 million for new operators with whom it is expected contracts will be executed before the end of fiscal year 1962. An additional amount over 1961 has been allowed for salaries and expenses to enable the Federal Maritime Board to more adequately perform its regulatory functions. The disclosure of, and referral of, 187 alleged violations by the Antitrust Subcommittee of the House Judiciary Committee, not only adds to the workload but points up the necessity for the strengthening and enforcement of the shipping statutes of the United States. Testimony disclosed backlogs in the operating-differential subsidy program that will work real hardships on the operators if they are allowed to build up. The additional funds will also assist the Maritime Administration to improve this situation as well as permit better control of the program. Approximately the same level of appropriations are made available for the maritime training activities, including operation of the Merchant Marine Academy at Kings Point, N.Y., and grants to the State maritime schools.

Additional funds have been allowed the Patent Office to permit an advancement of the effort to reduce the backlog of pending patent applications and thus shorten the time an individual must wait for action on an application.

The committee has recommended the full amount requested for grants for construction for the Federal-aid highway program, to be derived from the highway trust fund. Except for administrative expenses, the committee, and the Congress, as a practical matter, can exercise little discretion over the level of this item in the annual appropriations process. Authority to obligate the Government, and in turn this trust fund, is carried in the basic highway legislation. The annual appropriations process is essentially limited to earmarking for disbursement from the trust fund whatever amounts are needed to meet the contractual obligations incurred under authority provided outside the appropriations process. Committee members questioned the new Federal Highway Administrator, Mr. Whitton, quite extensively on the many problems that have received much publicity and are causes of major concern, and he gave assurances that steps either have been or will be taken to prevent recurrences. The committee has allowed an increase of \$1,530,000 over the current year for general administrative expenses which will provide additional area engineers, auditors, and clerical staff to more adequately supervise the growing national highway program. The estimates and committee recommendations are based on continuation of existing law and may therefore be subject to modification upon enactment of pending highway legislation. It is estimated that there will be a balance of \$200 million in the highway trust fund at the end of 1961, and that during 1962 revenues collected will amount to \$3,216 million and ex-

penditures are estimated at \$2,990 million which would leave a balance of \$426 million at the end of fiscal year 1962. Again, these figures are based on existing law.

The committee has allowed the requests for appropriations from the general fund to liquidate obligations incurred under prior contract authorizations for forest highways and public lands highways as proposed in the budget. This procedure eliminates the problems that have arisen in prior years when the budget proposed financing from the highway trust fund, which was not authorized.

The National Bureau of Standards requested a substantial increase in all areas. The committee has allowed a total of \$22 million for the continuation and expansion of their research programs. This is a decrease of \$2,750,000 in the amended budget, but \$2,247,000 above the 1961 appropriation. In addition to the regular program, it is recommended that \$1 million be appropriated for the purchase of foreign currency accruing under the Agricultural Trade Development and Assistance Act for scientific activities and will be used for programs in India, Israel, and Pakistan that will supplement existing programs within the Bureau. A total of \$8 million has been approved for the construction of a nuclear research reactor and related facilities at the new Bureau of Standards site near Gaithersburg, Md. The Bureau also asked for \$50 million for the construction of replacement facilities at this new site. It was learned during the hearings that approximately \$20 million of the funds appropriated in the past have not been obligated so that with the amount requested for 1962 they would have a total of \$70 million available for obligation in the coming year. The committee does not believe that they can wisely and economically obligate that sum in 1 year. For this reason an appropriation of \$25 million is recommended. The committee desires that the Bureau go forward with its plans and is of the opinion that the reduction should not delay the program.

The Weather Bureau recommendations in this bill do not deal with the recent proposal for \$53 million for a national operational meteorological satellite system. This proposition will be considered in a later bill. Contrary to what would be a normal assumption the U.S. Weather Bureau does not carry on the major portion of the weather activities of the Federal Government. There is a table appearing on page 472 of part 1 of the printed hearings which gives the distribution of meteorological expenditures of the Federal Government for the fiscal year 1960—the total of \$196.6 million, Weather Bureau expenditures are only \$59.5 million. The committee has brought this to the attention of the Director of the Budget and he promised to look into the matter. At this point I would like to read a portion of the committee report dealing with duplication directed to the Bureau of the Budget:

A major responsibility of the Bureau is to coordinate the many and varied activities

of the Government. The committee is acutely aware of the many like and similar activities and programs carried on by one or more department or agency, a situation which opens the way to unnecessary duplication and expenditures. The Bureau is urged to continue to direct particular attention toward the avoidance or elimination of any such duplication in every way possible. It is a luxury we cannot afford.

This applies not only to weather, but also to the ever-growing field of research and development, and the increasing activity of gathering statistics on many varied subjects.

Substantial increases have been allowed for various activities in the area of weather measurements and forecasts and research and development. In the latter category the increase provides primarily for expanded research on the meteorological space satellite programs. Dr. Reichelderfer, Chief of the Weather Bureau, showed us a photograph taken from Tiros I. He stated that it would have taken tens of thousands of people and thousands of ships in the Pacific to have pieced together the observations secured from just a few pictures from this one weather satellite. The importance of weather services to agriculture has been recognized by the committee. Several years ago funds were provided for the establishment of agricultural weather reporting pilot stations in the Mississippi Delta area. These stations have proved to be most successful. However, only tentative plans have been made to extend the service to other areas. Funds were included in the agriculture appropriation bill last week for a joint survey by the Department of Agriculture and the Weather Bureau to determine the need for this type of information in other sections of the United States and the possibility of using some of the facilities of the Market News Service to disseminate the information. A similar amount is included in this bill for Weather Bureau participation. Funds are also included for the establishment and extension of agricultural weather reporting services in certain areas requiring the service at an early date.

TITLE III. THE PANAMA CANAL

Appropriations for the Panama Canal, carried in title III, are routine and will be repaid to the Treasury through revenues for services rendered.

TITLE IV. INDEPENDENT AGENCIES

Title IV covers a number of independent agencies, namely, the Advisory Commission on Intergovernmental Relations, the American Battle Monuments Commission, the Foreign Claims Settlement Commission, the St. Lawrence Seaway Development Corporation, the Small Business Administration, the Subversive Activities Control Board, and the Tariff Commission. Appropriations for these seven agencies total \$32,185,000, a reduction of \$390,000 in the estimates and \$28,733,500 below the 1961 appropriations.

The recommendations for the Small Business Administration do not include the estimates submitted after the close of hearings totaling \$130,898,000. Those estimates will be considered in a later

bill. There is a total of \$24,671,000 available for salaries and expenses in 1962 and is composed of a cash appropriation and transfers from the revolving fund and the fund for the liquidation of RFC loans. This is a reduction of \$1,123,000 in the budget, but an increase of \$1,690,000 in the 1961 level and will provide substantial staff increases in the field and to a lesser degree in the Washington office. The committee has allowed the full request of \$20 million for additional capital for the revolving fund. It is anticipated that the balance in the revolving fund will be approximately \$80 million at the end of the fiscal year, thus with the appropriation of \$20 million recommended, a total of \$100 million will be available in 1962. Based on the current rate it is presently estimated 1962 requirements will total \$112 million which will leave a shortage of \$12 million and would require a supplemental appropriation. As I said earlier, consideration has not yet been given to the additional requests which include an estimate for the payment of an additional \$130 million to the revolving fund.

The only other item I wish to mention at this time is the Subversive Activities Control Board. The committee reduced the estimated \$90,000 as there has been approximately this amount unobligated at the end of the fiscal year 1960-1961 which reverts to the Treasury. Since hearings were held the Supreme Court of the United States has rendered a decision on the Communist Party case which will result in an increasing workload for the Board, and as stated in the report, the committee stands ready to consider any further fund requirements deemed necessary.

This summarizes generally what is in the bill. The accompanying report sets out specifically and in detail what the committee recommends for the coming fiscal year, and the printed hearings describe the programs planned.

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

Mr. ANDREWS. I yield.

Mr. HORAN. It was brought out in the testimony that the imposition by the States of various sales taxes ranging from 2 percent to 5 percent on these Federal moneys was actually costing this highway trust fund and the highway program, of course, between \$800 million and \$900 million a year. My question to my subcommittee chairman at this point is, Does he not think we should bring this to the attention of the Congress? Because I think it is an abuse of the use of the Federal moneys allocated to the States.

Mr. ANDREWS. I agree with the gentleman. I think the matter should be studied by the appropriate committee.

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

Mr. ANDREWS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Regarding the Small Business Administration authority to transfer funds from the revolving fund to its administrative cost, it is my understanding, and I would appreciate the gentleman's correcting me if this is

incorrect, the Eisenhower budget and also the Kennedy budget authorized a transfer of approximately \$18½ million over to administrative costs to carry on the lending activity of SBA. This bill cuts this transfer authority from \$18½ million to approximately \$17½ million.

Mr. ANDREWS. That is right.

Mr. EDMONDSON. The information reaching my office from my district indicates a rising volume of applications. I understand they have increased about 50 percent in the last 3 months.

Mr. ANDREWS. There has been a substantial increase in March, April, and May.

Mr. EDMONDSON. Why would there be a cut in the estimates of the Kennedy and Eisenhower administration for funds to carry on the lending activities?

Mr. ANDREWS. The budgets were prepared before the trend in increased applications began. There is pending now, but it came to the Hill after we had completed our hearings, a supplementary request totaling \$130,890,000 for the Small Business Administration. I do not know whether that will be taken up by the Deficiency Subcommittee or presented to the Senate, but I can assure the gentleman this committee has no desire to curtail the activities of the Small Business Administration. I think the gentleman will find some very interesting statements in our hearings with reference to the speed with which they are handling the applications now.

Mr. EDMONDSON. I know that in our own area there has been a definite increase in efficiency, it seems to me, in the handling of these loan applications, but the problem that confronts us right now is that the volume of applications is so substantial, and it would seem to me that at a very minimum the budget request of the Eisenhower administration and the Kennedy administration should be recognized as valid and at least the amounts requested in the budget be allowed for operating costs. I appreciate the gentleman's comment.

Mr. ANDREWS. I do not think we have crippled their activities.

Mr. FENTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, our subcommittee under the chairmanship of Mr. Andrews has brought in a good bill, H.R. 7577.

May I pay my respects at this time to the able and most courteous manner in which the chairman conducted the hearings for many weeks. He was most courteous in his dealings with witnesses and was never in a hurry. Consequently there was full and generous discussions on the most important items—if not all of them.

This subcommittee is composed of 13 members—7 on the majority side and 6 on the minority. All of them displayed great interest in this bill and each made worthwhile contributions to the subject matter.

Several of the Members on both sides, having served on the old Commerce Subcommittee, were of inestimable help with their experience to those of us who have those agencies for the first time.

As usual we have in Earl Silsby a very capable and informed staff member who,

like all the other staff members of the Appropriations Committee, does wonderful work in their assignments.

This is a large, and I may say important, appropriations bill. It deals with both domestic and foreign problems—commerce, particularly.

Not many people realize what a tremendous area such agencies as the Commerce Department and its bureaus cover—the importance of the Panama Canal and several of the agencies of the executive. To quote the Secretary of Commerce, Mr. Hodges, when he appeared before our subcommittee:

When I assumed the responsibility of directing the administration of the Department of Commerce, I must confess I was not fully cognizant of the vast area of service this agency can render to the business community. I find actually that the Department is charged by law with tremendously important responsibilities including promoting the Nation's industry and business, its foreign and domestic commerce, its transportation systems and its scientific and economic growth.

Of course I must not fail to add that Secretary Hodges completed the remarks I just quoted by stating:

I am sure you gentlemen realize that this Nation's welfare requires that services so vital to its economy be rendered most efficiently and effectively and this cannot be done without adequate financial support.

Mr. Chairman, Secretary Hodges by that statement has indicated and realizes the great responsibility he has assumed. While it does take a great deal of money to operate such a giant establishment we trust that the appropriations the committee has allowed and the increased personnel that we have provided will at least start the 1962 fiscal year on the road to effective and efficient services which is, as he says, so vital to our economy.

The chairman has outlined, generally, what has been recommended by the subcommittee, which was unanimous on both sides of the aisle. Reductions have been made wherever possible, particularly in those instances where the buildup in staff, and expansion of programs appeared to be too great for 1 year. This was especially true throughout the Department of Commerce. The Department of Commerce, for instance, requested an increase of 1,463 new permanent positions. Your subcommittee reduced that by 470, so that they received almost 1,000 more positions for 1962 than 1961, and which gives them a total of around 21,000 or 22,000 for the Department.

However much of the big money in the Department of Commerce is pretty much set by law and any reductions are merely deferrals. The major items in this category are the maritime subsidy programs and the highway construction programs.

We did make a reduction in the general administrative expenses of the Bureau of Public Roads of \$800,000 but the allowance is still \$1,530,000 and 135 positions over 1961.

The Bureau of Standards requested an increase of 212 positions and \$4,997,000. The committee did not believe such a large expansion was wise in 1 year and allowed half of the request

which will provide \$22 million and also allow a modest expansion in the research field in 1962. Of course this is bolstered by the special foreign currency program allowed.

The subcommittee did not go along with the request of the Commerce Department that the limit on pay of individuals hired as experts or consultants be increased from \$50 to \$100 a day, but rather removed the dollar amount from the language, which under the authorizing law will permit payments up to \$60.88, the highest daily rate in the general schedule.

On page 29 of the bill you will find an item that to my mind is one of the most important, if not the most important, in this bill. Especially is it so at this time.

It is an item of \$305,000 for the salaries and expenses of the Subversive Activities Control Board.

For years I have sat on this committee listening to the chairman—presently a chairlady—telling us of the cases in which they have made findings—cases sent down from the Attorney General—only to be held up because of the delay of a decision by the Supreme Court on the Communist Party case.

The Supreme Court a few days ago did render a decision in that the Communist Party of the U.S. had to register as such.

Now that the Supreme Court has rendered a favorable decision for the Government we trust that the delaying actions threatened by the Communist leaders will be promptly dealt with and that the Communist threat once and for all squashed in this country.

Too long have the American people been kept in suspension in disposing of this cancer.

Certainly if more money is needed for the Subversive Activities Control Board I am sure it will be forthcoming when requested.

Another provision in the bill relates to the Panama Canal Bridge, now under construction, which will designate it the "Thatcher Ferry Bridge," thus perpetuating the Thatcher Ferry, which it is replacing, named in honor of Maurice H. Thatcher, a former Member of the House and this committee. Prior to his service here he was a member of the Isthmian Canal Commission and Civil Governor during the period of construction.

There is also language in title V, "General provisions," which will permit the employment of alien veterinarians who are nationals of Poland, if they are otherwise qualified. I understand that the Department of Agriculture would hire these people and believe that this exception to the general prohibition on the employment of aliens is desirable.

Mr. Chairman, Mr. Andrews, the chairman of our subcommittee has given a very fine explanation of this bill, H.R. 7577, the appropriation bill for 1962 for General Government matters, Department of Commerce and related agencies.

Title I of this bill has to do with funds for the President, the White House office, special projects, Executive Mansion and grounds, extraordinary alterations and repairs, Bureau of the Budget, Council of Economic Advisers, National Security Council, President's Advisory

Committee on Government Organization, President's Advisory Committee on Labor-Management Policy, emergency fund for the President—national defense and expenses of management improvement.

There was a budget request for \$12,911,000 for title I. The committee allowed \$12,614,000 or a decrease of \$297,000. This is, however, an increase of \$151,500 over 1961.

Title II of the bill relates to the funds for the Department of Commerce and its various bureaus. The budget request for title II was \$597,562,000. The committee allowed \$559,059,000 or a decrease of \$38,503,000. This is also a decrease of \$135,770,375 from the current 1961 appropriations of \$694,829,375.

Title III of the bill has to do with the Panama Canal appropriations. This comprises both the Canal Zone Government and the Panama Canal Company.

The budget request was for \$23,230,000; the committee allowed \$23,100,000—a decrease of \$130,000. This is also a decrease of \$3,590,450 under the 1961 appropriation of \$26,690,450.

Title IV has to do with appropriations for independent agencies, namely: the Advisory Commission on Intergovernmental Relations, American Battle Monuments Commission, Foreign Claims Settlement Commission, St. Lawrence Seaway Development Corporation, Small Business Administration, Subversive Activities Control Board, and the Tariff Commission.

The budget request was for \$32,575,000; the committee allowed \$32,185,000—a decrease of \$390,000. This is also a decrease of \$28,733,750 under the 1961 funds of \$60,918,500.

Therefore we have in this bill a request of \$666,278,000. The committee allowed \$626,958,000—a decrease of \$39,320,000. This is also a decrease of \$167,942,825 from the 1961 appropriations of \$794,900,825.

TITLE I

On page 507 of part II of the hearings will be found a complete breakdown for all the items in title I.

On page 508 of part II of the hearings is a table showing the number of employees from 1952 to 1962 for the Executive Office of the President.

SPECIAL PROJECTS

The average number of employees for this project for 1961 is 110. It is estimated that 120 employees will be required for 1962.

\$1,500,000 is recommended for 1962 which is the same.

In 1960 there was an unexpended balance of \$200,000. There is none expected for 1961.

BUREAU OF THE BUDGET

The budget estimate of \$5,720,000 was reduced to \$5,423,000 for 1962. This amounted to \$297,000. It is an increase of \$137,000 over 1961.

There was a budget request for \$135,000 for travel allowance. The committee allowed \$125,000. We recommend also that consultants pay be increased from \$50 to \$75 per day.

There appears to be many, many duplications of activities in our Government and since it is one of the major respon-

sibilities of the Bureau of the Budget for coordinating the many activities, we would urge the Bureau to direct particular attention to this problem.

Much of the duplication, so glaring at the moment, is in the weather activities and in oceanography.

It was testified that about \$196 million was being spent on weather activities of which the Air Force is spending \$86.6 million and the Weather Bureau \$59.5 million.

In addition to the aforementioned agencies in the weather analysis field we have the Federal Aviation Agency and the National Aeronautics and Space Administration. The Coast Guard and Navy are also in the field.

In oceanography there are 10 of our agencies interested.

COUNCIL OF ECONOMIC ADVISERS

There was a budget request of \$614,000 for 1962. The committee allowed \$414,000.

NATIONAL SECURITY COUNCIL

The committee allowed the \$554,000 in full budget request. This amount reduced the original request \$276,000. This decrease results from the abolition of the Operating Coordinating Board. This of course results also in the request being \$263,000 below the 1961 appropriation.

THE PRESIDENT'S ADVISORY COMMITTEE ON LABOR-MANAGEMENT POLICY

The committee recommends \$200,000. This is an increase of \$120,000 over 1961 of \$80,000. The \$80,000 was granted for this committee in the third supplemental appropriations of 1961.

The \$200,000 allowed will necessitate a reduction in both the Labor Department and the Commerce Department of \$100,000 each.

FUNDS APPROPRIATED TO THE PRESIDENT

First. For the emergency fund of the President, national defense, the committee allowed the request of \$1 million. This is the same amount granted for the past 6 years.

Allocations from the fund for 1961 are shown on page 636 of part II of the hearings.

Second. Expenses of management improvement. There was a budget request of \$350,000 which the committee allowed. This restores the fund to the level of \$500,000 for 1962 which amount is regarded as an adequate operating fund.

The amount allowed in 1961 was \$165,000.

DEPARTMENT OF COMMERCE

As before stated the budget estimate for 1962 for the Department of Commerce was \$597,562,000 which includes an increase of \$23,492,000 over the Eisenhower budget estimate.

The committee recommends \$559,059,000 or a reduction of \$38,503,000 from the budget and is \$135,770,375 below 1961. This decrease is due mainly to the major portion of the Eighteenth Decennial Census, carryover funds for ship construction and the nonrecurrence in 1962 of a repayable advance to the highway trust fund.

There was a request for an increase of over 1,460 permanent positions in this

Department for 1962 which includes 200 in the amended budget. The committee's action will result in about 470 being eliminated. This will allow the Commerce Department around 22,000 employees for 1962 as compared with 21,000 in 1961.

GENERAL ADMINISTRATION—SALARIES AND EXPENSES

The amended budget request was for \$4,095,000. The committee allowed \$3,620,000, which is an increase over 1961 of \$789,125 and a decrease of \$475,000 from the budget estimate of 1962.

In this item of salaries and expenses the appropriations for the Office of Field Services, salaries and expenses, was transferred to the "Business Activities" item of the Commerce Department.

BUREAU OF THE CENSUS

There was a budget request for \$11,075,000 for 1962. The committee recommends \$10,594,000, a reduction of \$481,000. This is, however, \$947,500 more than 1961.

The budget also asked for an increase of 138 positions. The committee allowed 92. This will provide a total of 1,284 positions for fiscal 1962.

For the 1962 Census of Governments the revised budget requested \$1,147,000. The committee allowed \$1,096,000, a reduction of \$51,000 but an increase of \$1 million over 1961.

For the Eighteenth Decennial Census the budget request was for \$3,630,000 which the committee allowed in full. This, of course, is \$23,564,000 less than the 1961 appropriations and will be the final funding for the Eighteenth Decennial Census. This provides for 157 permanent positions in 1962.

For the 1963 Censuses of Business, Transportation, Manufacturers, and Mineral Industries the budget request of \$1 million was reduced by \$333,000. The amount recommended is \$667,000 which is to finance the preparatory work incident to the actual canvass in 1963 and which is required by law every 5 years. The budget also requested 115 positions. The committee recommends 76—a reduction of 39.

COAST AND GEODETIC SURVEY

The amended budget request for this bureau was for \$36 million. The committee recommends \$30,490,000 which is an increase of \$7,329,000 over 1961 and a decrease of \$5,510,000 from the budget estimate.

Of the above amounts they requested \$19,275,000 for salaries and expenses; the committee allowed \$18,525,000—a decrease of \$750,000. This however is an increase of \$404,000 over 1961 and allows them 2,001 positions out of a request for 2,051—a reduction of 50.

In the other item—construction of surveying ships—the budget request was for \$11,965,000. The committee recommends \$16,725,000, or an increase of \$7,265,000 over 1961 and a decrease from the budget estimate.

The amount allowed for construction of ships for 1962 is for the replacement of one III class survey ship at a cost of \$2,540,000 and one oceanographic surveying ship—class I—at a cost of \$9,425,000. This will reduce the budget request of

two survey ships to one so that the new oceanographic activities may be phased into the program on an orderly basis.

BUSINESS ACTIVITIES

This is a new name and includes the programs in the Office of Field Services, Business and Defense Services Administration and the Bureau of Foreign Commerce into a single account. The committee concurs in the proposal.

The committee recommends an appropriation of \$14,639,000 for fiscal 1962 which is a reduction of \$2,368,000 from the amended budget estimates. This amount recommended is an increase over the three separate appropriations for 1961.

In the "Export control" item the full request of \$3,480,000 was allowed. This is an increase of \$455,000 over 1961 and will cover the additional cost for a full year operation of extension of export controls to Cuba and the Dominican Republic, 10 additional positions to handle a new program of export controls over technical data and other increased costs. A total of 250 positions will be available under these funds.

OFFICE OF ECONOMICS

The full budget request of \$1,600,000 is recommended for 1962.

A total of 193 positions are allowed for this Office—an increase of 13 over 1961.

MARITIME ADMINISTRATION

The request from the Maritime Administration for funds for 1962 was in the amount of \$307,088,000. The committee recommends \$306,588,000 or a decrease of \$500,000. This is \$10,754,000 over 1961.

Of the above the request for ship construction was \$98 million which the committee allowed in full.

SHIP CONSTRUCTION

LONG RANGE CONSTRUCTION OF SHIPS

A 5-year program started in 1955 for 312 new ships.

Contracts awarded have been 77 new ships through fiscal 1961, of which 16 have been delivered and are now in service. The remaining 61 are in various stages of construction.

The 1962 request for appropriations include 14 new additional ships. However, with a favorable carryover from prior appropriations added to present request will enable the awarding of 5 additional contracts, which makes a total of 19 new ships funded for 1962.

With the completion of construction of ships through fiscal 1962 there will remain to be built 216 new ships.

A breakdown of the remaining 216 new ships will include the replacing of 184 war-built ships—1943-45—and the replacement of the SS *Independence* and *Constitution*, the SS *United States*, and 29 Mariners.

During 1962 it is anticipated that the NS *Savannah* will be in seagoing operation.

It is also anticipated that the 80-ton, 60-knot hydrofoil craft, the HS *Denison* will be completed with the initiation of testing this summer.

MARITIME ADMINISTRATION RESERVE FLEET

Now approximately 2,000 merchant ships in our 8 reserve fleets.

Of these it is estimated 891 will be designated for continued preservation for national defense purposes. The balance is scheduled for eventual scrapping.

The 891 ships will be divided into 6 priority groups.

To date 387 ships have been sold for scrapping for a total of \$27,223,544 and bids have been asked on 18 more.

However, the Congress is to be asked for a reevaluation of the 1,000 remaining Liberty ships because an examination of some of those which we scrapped disclosed that they were in very good condition.

MARITIME ACTIVITIES

Operating differential subsidies—liquidation of contract authorization.

The budget request of \$182 million was recommended in full by committee. This is an increase of \$32 million over 1961.

This item is for payments to the 15 subsidized operators and includes \$8 million for new operators with whom it is expected contracts will be made before the end of fiscal year 1962.

The present limitation of 2,400 voyages, including 150 for companies not holding contracts prior to July 1, 1957, and 75 for companies operating into or out of the Great Lakes has been continued in the bill.

RESEARCH AND DEVELOPMENT

The budget requested \$7 million for this item. The committee recommends \$6,500,000; while this is a reduction of \$500,000 it is \$600,000 over 1961.

The program has been consolidated in a single office with major emphasis on mechanized ship development and other work, which it is hoped will result in a reduction in future operating subsidy requirements.

SALARIES AND EXPENSES

The budget estimate of \$15,600,000 was approved by the committee which is an increase of \$452,000 over 1961.

It provides them with 2,068 positions which is an increase of 37 over 1961.

A great deal of discussion developed about alleged violations of maritime regulations.

The disclosure of 187 alleged violations by the Antitrust Subcommittee of the House Judiciary Committee and its referral indicates the necessity for strengthening and enforcing the shipping statutes of the United States as well as the increase in the workload.

MARITIME TRAINING

The committee approved the budget estimate of \$3,218,000 for the operation of the Merchant Marine Academy. This is an increase of \$2,000 over fiscal 1962.

This estimate is based on continuation of the training program which will permit the graduation of 200 officers per year.

The current enrollment at the Merchant Marine Academy at Kings Point is 690.

The budget request for the four State marine schools was \$1,270,000. This was approved in full by the committee. This amount was the same for the current year.

The enrollment currently in the four State marine academies is as follows:

New York State Academy, 510; Massachusetts, 200; Maine, 283; and California, 216. A total of 280 graduate each year from these schools.

Therefore 450 graduate from the maritime academies each year.

A breakdown of the \$1,270,000 for the State academies is: \$300,000 grants to the schools and is set by statute, \$720,000 for uniforms, textbooks, and subsistence of cadets set by the statute; \$250,000 for maintenance and repair of the four vessels.

PATENT OFFICE

The Bureau of the Budget requested \$24,925,000 for 1962. The committee recommends \$24,860,000 which is a decrease of \$65,000; it is \$977,500 over 1961.

It is hoped that with these increased funds over 1961 that the backlog of cases can be reduced and the time shortened that an applicant must wait.

It will permit the employment of 2,500 which is 60 more than 1961.

It was testified that upward to 5 million applications for patents, since the inception of the Patent Office by Congress over 170 years ago, have been made and almost 3 million have been granted. The 3 millionth will be probably issued in the coming year.

There is an outflow of around 1,000 patents a week.

In addition to granting patents for inventions the Patent Office has since 1870 been in charge of registering trademarks of which more than 650,000 have been registered to date. Applications for trademarks registration are being received at the highest rate in our history. There were over 2,000 filed in fiscal year 1960.

While the operation of the Patent Office is financed by direct annual appropriations of funds by the Congress the operating cost is partially offset by fees charged by the Patent Office. It is estimated that the recovery is about 30 percent. In 1960 the fees amounted to \$7,435,148.

BUREAU OF PUBLIC ROADS

The request by the Bureau for 1962 for the construction of highways was in the amount of \$2,991 million from the highway trust fund. The committee allowed \$2,990,200,000 or a decrease of \$800,000 but an increase of \$301,508,000 over 1961.

The Bureau also requested \$33,800,000 as a limitation for administrative expenses. The committee allowed \$33 million or an \$800,000 decrease. This was an increase of \$1,530,000 over 1961 which can provide additional area engineers, auditors and clerical staff to more adequately supervise the program.

For forest highways—liquidation of contract authorization—the budget requested was \$27,400,000 which the committee recommends in full. This is \$400,000 more than 1961.

For public lands highways—liquidation of contract authorization—the budget requested \$3 million which the committee recommends in full. This is \$300,000 more than 1961.

NATIONAL BUREAU OF STANDARDS

The budget request for appropriations for the National Bureau of Standards was \$85,750,000, the committee recommends \$88 million, an increase of \$12,-

747,000 over 1961 and a decrease of \$27,750,000 under the budget request.

The decreases are in two items, namely, research and technical services, \$2,750,000, and construction of facilities, \$25 million.

In the case of research and technical services, while there is a reduction of \$2,750,000 from the budget estimate, the amount allowed is \$2,247,000 over 1961. The committee also allowed 106 new positions from a request of 212. This will provide a total of 1,800 positions in 1962.

In addition to the regular appropriations for research and technical services the committee approved the budget request for \$1 million for the purchase of foreign currency accruing under the Agriculture Trade Development and Assistance Act for scientific activities. Testimony was given that the proposed research activities from this source are to be conducted in Israel, Pakistan, and India, and will supplement existing programs in basic and applied research in physics, improvements of standards, and radio propaganda research.

The other decrease made was for the construction of facilities. This item is to construct new facilities to replace the present facilities at a site near Gaithersburg, Md.

In addition to financing the construction, this appropriation was established to equip and provide for occupancy of laboratories, administration and service buildings at the new site. It does not include or provide for new programs such as the nuclear research reactors which is contained in the plant and facilities account.

The budget request was for \$50 million for construction. The committee recommends \$25 million, a decrease of \$25 million under the budget, but \$1,500,000 over the 1961 appropriations.

Inasmuch as it was testified that there will be over \$20 million unobligated at the end of fiscal 1961 and that if the budget figure of \$50 million were allowed it would provide a total of \$70 million, the committee feels that this amount can hardly be obligated wisely in 1 year.

The committee desires the Bureau to go through with its plans and believes that the amount allowed, \$25 million in new money plus the \$20 million carry-over, should be sufficient for 1962.

The committee recommends the budget request for plant and facilities in the amount of \$10 million. This is \$8 million more than 1961.

Of this amount \$8 million is for the construction of a nuclear research reactor and related facilities at the Gaithersburg site.

Other construction items include \$935,000 for facilities at the Boulder Laboratories in Colorado, and \$56,000 for a building and a seawall at the radio field station at Maui, Hawaii.

Funds are also included for a standard frequency broadcast station, completion of a scatter radar transmitter and antenna, improvements and modification to existing facilities, and the acquisition of land.

WEATHER BUREAU

There was a budget request for \$70,365,000 for the Weather Bureau for fis-

cal 1962. The committee recommends \$69,395,000, a decrease of \$970,000 under the budget but \$8,897,600 over 1961.

The decreases were \$20,000, \$500,000, and \$450,000 for salaries and expenses, research and development, and establishment of meteorological facilities, respectively. This will allow \$55,595,000 for salaries and expenses, \$9 million for research and development, and \$4,800,000 for the establishment of the meteorological facilities.

The amount allowed for salaries and expenses is \$6,794,000 above the 1961 appropriation and the amount for research and development is \$2,553,500 above the current fiscal year.

In the establishment of the meteorological facilities item the money allowed is \$450,000 less than 1961.

THE PANAMA CANAL—TITLE III CANAL ZONE GOVERNMENT

The budget request for the Canal Zone Government appropriations for 1962 were \$23,230,000. The committee recommends \$23,100,000, a decrease of \$130,000 and a decrease of \$3,590,450 under the 1961 funds.

For the operating expenses the committee allowed \$20,800,000, an increase of \$1,030,550 over the 1961 estimate of \$19,769,450 and a decrease of \$81,000 under the budget estimate of \$20,881,000.

The increase of \$1,030,550 will be applied to the pay increase granted certain employees and meet increasing workloads and the need for improvements in the hospital and school programs.

Appropriations under the head are repaid to the Treasury annually through service charges—costs not recovered are reimbursed by the Panama Canal Company.

For the capital outlay item the budget request was \$2,349,000. The committee allowed \$2,300,000, a decrease of \$49,000 and a decrease of \$4,621,000 under the 1961 estimate.

Included in this program is a continuation of the Canal Zone's share in the U.S.-citizen and non-U.S.-citizen replacement housing programs, improvements to the Coco Solo and Corozal hospitals, airconditioning of the high school and junior college building in Balboa and various routine replacements of facilities incident to the municipal services furnished by the Canal Zone Government.

PANAMA CANAL COMPANY

LIMITATION ON GENERAL AND ADMINISTRATIVE EXPENSES

The budget request was \$7,824,000 in which the committee concurs. This is \$1,569,900 less than 1961. This decrease is due to the withdrawal of the payment to annuitants from the limitation. Since these payments are set by law and will continue to decrease over the years the committee approves of this action. The annuitants are retired, former employees prior to the availability of any retirement benefits under civil service.

General provisions:

The committee has approved language authorizing the transfer of certain facilities and improvements in the Cardenas Townsite in the Canal Zone to the Federal Aviation Agency.

It has also included language in the bill designating the new high level Panama Canal Bridge at Balboa and the Thatcher Ferry Bridge thus perpetuating the Thatcher Ferry, which it will replace, named in honor of Hon. Maurice H. Thatcher, who was a member of the Isthmian Canal Commission and civil governor during the construction era, and is also a former member of the House of Representatives.

INDEPENDENT AGENCIES—TITLE IV ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The budget request of \$375,000 was approved by the committee—an increase of \$231,500 over 1961.

Studies have either been made or are underway in the fields of taxation and public finance, intergovernmental problems in large metropolitan areas, grants-in-aid and other Federal-State-local relations. The 1962 program plans to endeavor to secure implementation of the recommendations made and to embark on studies of other topics within the Commission's area of responsibility.

AMERICAN BATTLE MONUMENTS COMMISSION

The Bureau of the Budget request for salaries and expenses for the American Battle Monuments Commission was \$1,360,000, in which the committee concurs. This is \$40,000 more than 1961 and will provide for additional travel expenses due to home leave privileges that will be exercised during the year and for general travel previously carried in the construction appropriations. The number of permanent positions is to continue at 405.

In the construction of memorials and cemeteries item, no money is requested.

However, the committee has included in the bill the budget language providing that balances remaining in this account shall not be available after June 30, 1962. It is estimated that approximately \$1,700,000 will be left over on June 30, 1962, and of course would revert to the Treasury. However, it is expected that \$300,000 is expected to be obligated in 1962 to complete the program.

A word of commendation is certainly in order for the fine work of this Commission. It has accomplished for \$34 million, not only the work originally estimated to cost \$40,260,000, but certain monuments not in the original program, notwithstanding the general price rise for labor and materials since its initiation in 1948.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The budget requested \$725,000 for this Commission. The committee recommends \$625,000, a decrease of \$100,000. However this is an increase of \$119,000 over 1961.

The committee approves the transfer of \$40,000 for the War Claims Fund and this will provide a total of \$665,000 as compared to \$546,000 in 1961.

This increase will provide for the completion of the Czechoslovakian program and enable getting the Polish program underway.

Funds are included for the opening of a field office in Warsaw, Poland.

The administration of World War II claims will continue to be financed by reimbursement from the War Claims Fund.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Limitation on administrative expenses: The committee approves the budget request of \$425,000 which is an increase of \$11,000 over the current year.

This increase will provide for one additional position in the area of traffic promotion. The tonnage has not been what was expected during this current year and the Advisory Board has urged a more promotional program.

SMALL BUSINESS ADMINISTRATION

The committee recommends an appropriation of \$6,750,000 which is a decrease of \$200,000 from the budget estimate of \$6,950,000. It also recommends \$17,524,000 from the revolving fund and a transfer of \$397,000 from the fund for the liquidation of the RFC loans. Therefore a total of \$24,671,000 is recommended for the administration for 1962.

This represents an increase of \$1,690,000 over 1961 and a decrease of \$1,123,000 in the budget estimates.

For the revolving fund the estimate of \$20 million is allowed. This brings the fund to \$760 million.

SUBVERSIVE ACTIVITIES COMMITTEE

The committee recommends \$305,000 for the Subversive Activities Committee, a decrease of \$90,000 from the budget estimate, and also \$90,000 less than the appropriations for 1961.

It was testified that probably \$90,000 would be unused at the end of 1962 but since the hearings were held the U.S. Supreme Court finally rendered a decision that the Communist Party had to register, and so forth. This will undoubtedly open up the work for this committee and additional funding will be necessary. The committee is ready to consider any additional funds necessary.

TARIFF COMMISSION

The committee granted the funds requested in the amount of \$2,770,000 which is \$159,000 in excess of 1961.

This will provide an additional 26 positions in the technical and clerical areas.

The Tariff Commission has very little control over its workload and reports an increasing volume in the conduct of escape-clause investigations under the provisions of the trade agreement legislation, and the furnishing of technical information and assistance to the Congress.

Mr. ANDREWS. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. MILLS having assumed the chair, Mr. ALBERT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7577) making appropriations for the Executive Office of the President, the Department of Commerce, and sundry agencies for the fiscal year ending June 30, 1962, and for other purposes, had come to no resolution thereon.

COMMITTEE ON EDUCATION AND LABOR

Mr. COHELAN. Mr. Speaker, at the request of the gentleman from New York [Mr. POWELL], I ask unanimous consent that the Committee on Education and Labor and all subcommittees thereof be permitted to sit during general debate for the balance of the week.

The SPEAKER pro tempore (Mr. MILLS). Without objection, it is so ordered.

There was no objection.

COMPETITION VERSUS MONOPOLY—LOCAL COMMUNITIES ARE HARMED BY ABSENTEE OWNERSHIP OF MONEymAKING OPPORTUNITIES THAT CAN BE CONDUCTED JUST AS WELL BY LOCAL PEOPLE—COMMERCIAL BANKERS AND AUTOMOBILE FRANCHISE DEALERS SILENT WHEN THEIR BUSINESSES AND THEIR TOWNS WILL SUFFER

Mr. COHELAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the House Judiciary Antitrust Subcommittee last week held hearings on H.R. 71, a bill to prohibit manufacturers of motor vehicles from engaging in financing and insuring installment sales of motor vehicles. This bill, introduced by Congressman CELLER, offers a most constructive remedy to a monopoly situation which constitutes a serious threat to the future of our competitive economy. I am convinced that the positions various persons eventually take on this bill will separate those who believe competition is best for America from those who believe monopoly will serve America best. With your permission I shall extend my remarks to include the prepared statement I made before the subcommittee in favor of this bill.

STATEMENT OF REPRESENTATIVE WRIGHT PATMAN, DEMOCRAT, OF TEXAS, BEFORE THE HOUSE JUDICIARY ANTITRUST SUBCOMMITTEE ON H.R. 71, JUNE 9, 1961

Mr. Chairman, I think this is a good bill because it will restrain monopolistic practices and permit continued survival of locally owned business institutions in our Nation's communities.

One of the country's biggest problems is the weakening and even the destruction of the economies of our local communities. This practice of permitting automobile manufacturers to own and control the financing of the product they manufacture is further evidence of the fact that the main streets in the communities of our Nation are being run by Wall Street. It is further destruction of free competition in private enterprise and must be halted if the smaller communities of our country are to have vigorous and prosperous economies to support the daily needs of community life. A continuation of the present practice will probably result only in a great clamor and demand from our cities for further Federal aid.

BANKERS SILENT

We have been depending upon our commercial banking institutions to supply the financial lifeblood needed by our communities. We have looked to them as the source of funds to supply our business and personal needs.

Now it is time to see whether they have acted with vision for the future and in the public interest of the communities they are intended to serve or whether their actions are based on shortsightedness and the lust and greed of the moment. I am afraid the testimony heavily favors the latter.

I understand that the committee has had some correspondence from individual banks, and that most of them favor passage of H.R. 71 while a few are opposed, but that none of them thus far has offered to testify.

But I am stunned to learn that not one word has been heard from either the American Bankers Association or the Independent Bankers Association. I am amazed that these big associations that represent the banking institutions of our entire Nation are not here in wholesale numbers clamoring for passage of this legislation. If the top-ranking officers of these powerful and aid to local areas, it is a case of forcing the crippling effects of monopolistic combinations on the health of the economy, they should be here in numbers demanding approval of this bill for the selfish protection of their own institutions. Banks are organized and operated to make profits, of course, but they also are chartered and permitted to exist to serve the public in their local communities. I am concerned that too many banks no longer fully perform this public service but invest their resources in Government obligations and other securities far from their local areas.

DRYING UP COMMUNITY LIFE

The bleeding of funds from local banks and from local finance companies also bleeds the communities of the revenues they need to grow and prosper. It is one of the factors that is drying up normal community life.

It is not just an invitation for further aid to local areas, it is a case of forcing the Federal Government with a vengeance to take all local opportunity away from communities and supply further assistance in such services as old age pensions, depressed area assistance, aid to education, and whatever else local governments no longer have the financial sustenance to provide themselves. Our economy tends to veer more in that direction continuously. I hope the Congress will act to stem this trend and help local communities retain their profitable businesses so they can take care of, if possible, their local obligations to education, etc.

Finally, Mr. Chairman, I went to make it clear that I am not addressing my remarks toward any single automobile manufacturing company. I don't want any of them to enjoy this monopolistic manufacturing-financing "sacred cow" privilege.

AUTOMOBILE DEALERS SILENT

Another thing, Mr. Chairman, the automobile dealers should be in here fighting this bill. I know it is a fine organization, and in all the cities throughout the Nation these franchised owners are among our finest and best citizens.

I am sure there must be a difference of opinion among them. But clearly their side on this is in favor of this bill because if these automobile manufacturers are not stopped, the defeat of this bill would mean a firmer grip upon the throats of all the automobile dealers in America.

In some instances the company financing sales of automobiles makes more money from financing them than the automobile dealers that handle the cars.

Another thing, Mr. Chairman, we already have too many of the business moneymak-

ing opportunities taken away from local communities.

How are you going to resist Federal aid to education, Federal aid to everything, if local people no longer have the opportunity to take care of themselves?

The moneymaking opportunities are gone. They are owned by absentee owners. This bill would stop part of that and retain moneymaking opportunities locally.

When local people have these opportunities, they put their profits in the local bank, and these dollars become reserves that may be expanded up to 10 to 1, and more, for the purpose of developing and helping the people in that area. In that way they can kind of take care of themselves.

But if you more and more take away the business moneymaking opportunities from the local communities, more and more they will have to come to the Federal Government for aid. And these people who are doing all this, taking all the moneymaking opportunities away from the towns and cities of America, had just as well realize now that the Federal Government is going to follow those dollars.

The Federal Government is the only one that has the power to do it, the only one that can effectively do it, and bring part of these dollars back to the local communities from whence they came, in order to take care of local needs in that community.

So I do not think it is a good thing for America. It is a bad thing for America.

STRONG AMERICA THROUGH LOCAL OWNERSHIP

If we have an America of little businesses locally owned and locally controlled, and decisions made locally, we have a strong America.

But every time you take away from these local communities that strength, you are making it more fertile for socialism, communism, or fascism.

But the way to keep America strong is to keep it strong at the local level, to let local people have moneymaking opportunities, and then local people can take care of many of their needs, and they will not have to come to the Federal Government for assistance.

Now, may I suggest, Mr. Chairman, a few thoughts to the committee for their consideration in the study of this important bill.

As it presently stands, the bill prevents General Motors and other manufacturers of motor vehicles from owning or maintaining financial and insurance facilities only if they are used in connection with the sale of motor vehicles, defined to include, of course, passenger cars, trucks, buses, and station wagons.

General Motors, therefore, could still finance, on its own, the sale of locomotives or diesel engines or refrigerators. Should not this be prohibited, also?

The bill makes it unlawful for a motor vehicle manufacturer to own or maintain any facilities for financing or insuring in connection with the sale of motor vehicles. But does this mean that such a manufacturer could not own stock in such a financial entity or have interlocking directorates?

If it might be so interpreted, Mr. Chairman, I would urge that any such relationships be expressly banned. In other words, I think it should be dealt with affirmatively. This committee might well give attention to the wisdom of extending this type of legislation to all sales situations, whether of motor vehicles, as herein defined, or otherwise. Should not any large sales organization be prohibited from financing its own sales?

Now, how do we know this bill will help the consumers? I know that is a question that is often asked in all hearings of this type, and I have been in some of them myself. Someone invariably raises this question whenever we make efforts to strike down monopoly. My answer to this question is this:

To me the past history of GM offers persuasive evidence that it has had market power. There is also evidence that GM has used this market power to its advantage and not the public's, contrary to one prominent former GM official's declarations that what is good for GM is good for the country. The question whether this legislation is good for the consumer goes back to the basic issue of whether we really believe a competitive economy is preferable to a monopolistic and cartelized one.

This may seem like a dogmatic statement to some, but I sincerely believe that the positions various persons eventually take on this bill will separate those who believe competition is best for America from those who believe monopoly will serve America best. It is as simple as that.

CAPTIVE MARKET

And if GM, Ford, Chrysler, and these other big automobile manufacturers are permitted to continue this, they have a captive market. It has many ramifications. It affects the local economy in many devastating and destructive ways, too many to be mentioned here.

The chief issue here is one of market and financial power and their use. GM is a vast conglomerate enterprise. By engaging in financing as well as manufacturing, it is in a position to extend forward this vast power to the distribution level. This not only harms competition at the distribution level, thereby harming other independent automobile distributors and independent financing agencies, but by expanding its position at the distributor level, its already dominant position in manufacturing is further entrenched and enhanced. Hence, power is used to increase power. Power feeds on power.

The end result is clear: Overwhelming dominance and complete monopoly. GM's market behavior will then be curbed and the public interest protected only insofar as the holders of this power decide that they will exercise it in the public interest. This makes a mockery of our free enterprise economy. Good performance then becomes a gift of benevolent holders of vast economic power.

Unless public action is taken to limit and prevent the achievement of such power, the only alternatives to monopoly are, one, turn the country over to GM, or, two, turn GM over to the country. Both alternatives are abhorrent to me. We must make every reasonable effort to preserve competitive market structures which will demand desirable social performance. Action is called for now. This is too urgent a matter to put off for another decade or more. The country cannot afford further delay.

I hope your bill becomes law, Mr. Chairman.

YOU AND THE COLD WAR

Mr. COHELAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PUCINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PUCINSKI. Mr. Speaker, beginning today and continuing every legislative day for the next 2 weeks, I shall introduce into the CONGRESSIONAL RECORD a series of articles as they appear in the Chicago Daily News which this excellent newspaper has quite appropriately titled "You and the Cold War."

Marshall Field Jr., editor and publisher of the Chicago Daily News, and the entire staff of this outstanding midwest

publication deserve the highest commendation for bringing to the American people a more thorough understanding of the gigantic challenge international communism poses to the free world and what it will take for freedom to survive.

Many people have asked for a clarification of President Kennedy's challenge to Americans when he said:

Ask not what your country can do for you—ask what you can do for your country.

Beginning last Saturday, the Chicago Daily News launched this new series which—judging from the first article which follows—will make a great contribution toward fulfilling President Kennedy's plea by helping Americans better understand the magnitude of the problems which confront the free world if democracy is to survive. It is my sincere belief that Americans will respond more readily to President Kennedy's plea if they have a thorough understanding of the task ahead. To this extent, the Chicago Daily News is indeed making its own contribution in response to the President's appeal.

The Chicago Daily News has a reputation throughout the world for maintaining one of the finest staffs of international experts ever assembled by a newspaper. It is fitting that this outstanding publication is drawing on its famous Daily News foreign service to prepare this series. I am confident that this timely series will be closely followed in every capital of the world, including the Kremlin. I hope that by including these articles in the CONGRESSIONAL RECORD, as they appear daily in the Chicago Daily News, I will help make it possible for every Member of Congress to thoroughly familiarize himself with this penetrating analysis.

It is likewise my firm belief that this challenging series will have a profound influence on our own Nation's future foreign policy. Too long have we permitted the tide of international communism to run massively against us while—like the people of Carthage—we Americans basked in the apathy of material comfort and demagogic tranquility.

It is immediately apparent from reading the first article of this series that the Chicago Daily News intends to mercilessly strike at the truth—a truth that too many men in public office have feared to expound.

It is obvious from reading this first article that the Chicago Daily News is manifesting the kind of courage to tell the truth which too many politicians carefully avoid lest they offend some particular group in their constituency.

If we are to win the great struggle; if we are to put the lie to Khrushchev's arrogant boast, "We will bury you"; then we Americans—all of us—in Congress, in our cities, in our schools, in our churches, on our farms, and yes, even in the White House and its subordinate agencies—will have to understand the full depth and power of the message which the Chicago Daily News brings to us in this dynamic series.

Here, Mr. Speaker, is the answer to America's national purpose; what this cold war is all about and what it will take to win it.

Mr. Speaker, the first article in the Chicago Daily News series written by Mr. Nicholas Shuman follows. At the conclusion of this article I have also included an editorial about this series which also appeared in the June 10 issue of the Chicago Daily News.

COLD WAR AND YOU: WHY YOU'RE LOSING IT; UNITED STATES FAILING CRUCIAL TEST; HERE'S WHAT'S WRONG, AND HOW YOU CAN CHANGE TREND

(By Nicholas Shuman)

You are at war. Every American is. We have been at war—paradoxically—since the end of World War II, 16 years ago.

For the most part it has not been a shooting war, but it has been, and is, fraught with as many perils as any death-and-destruction conflict in which our Nation was ever engaged.

In a very real sense—as President Lincoln said in 1863 and President Kennedy said in 1961—we are testing whether this Nation can long endure.

Thus far, we have been failing the test.

We are losing the cold war.

Responsible statesmen and scientists have been saying so for years. But the American people, nourished on a history of victory, find it hard to believe and harder still to act to reverse the tide while there is still time.

Speaking in Chicago this spring, Adm. Arleigh A. Burke, Chief of Naval Operations, said the greatest weakness of Americans is their natural optimism.

William J. Lederer, coauthor of "The Ugly American," says it with gloves off: "We are like a sandlot team sent to play in the World Series."

That quote is from his new book, the title of which is the title he gives to you, to us, to all Americans—"A Nation of Sheep."

At the National Military-Industrial and Educational Conference here in April (at which Adm. Burke spoke), one leading American after another reiterated that the first step toward taking the initiative in the Cold War is educating Americans to the dangers they face.

DAILY NEWS ACCEPTS CHALLENGE

The Daily News in its sphere is taking up the challenge with a series of articles on the state of the cold war, beginning with this overall look, then continuing with on-the-spot reports from its correspondents in the farflung trouble spots of the world.

How did the cold war start? What does it cost? What are the Communist aims? Where are the critical areas? We used to be on top of the world—what happened?

These are some of the many questions that will be answered for you, brought into focus so that you may better understand your role as a front-line private in this radically new kind of war.

In this talk here, Admiral Burke said:

"Fortunately, millions of our fellow citizens sense the urgency of our times—and the importance of the actions that such times require.

"But there remain many others in private life in our 'affluent society' who are so self-satisfied, so comfortable, so content that they cannot be bothered with the realities and the dangers which surround them.

"To such people, the conflict, the challenge, the urgent need for action are meant for someone else.

"If this seems critical, let me assure you that it is meant to be.

"It is meant to be critical of every American in any walk of life who fails to recognize the forces of aggression that are now at work in the world.

"Most of all, this criticism is meant for those who shirk their responsibility to do something about it . . .

"Just living in a free society is no great achievement. Nations do not become great,

nor do they remain great just because of freedom.

"Recently I read about a nation which was described as a pleasant place for business enterprise, a place where young men were taught to get on, where extravagance kept pace with shrewd finance.

"It's citizens were self-satisfied, placid, self-confident, money-getting, pleasure-loving people, honoring success and hugging their financial security.

"Does it sound familiar?

"That nation was Carthage, just before its fall."

FAIL TO HEED HISTORY

There is evidence that Americans have not learned their lessons adequately in the past.

In the Korean war, for example, one out of every three Americans captured by the Communists collaborated with them, "confessed" on germ warfare, broadcast un-American propaganda, informed on his buddies.

The Institute for American Strategy in Chicago has pointed out that 30 years ago Americans forgot to do their homework, failed to read "Mein Kampf," failed to take seriously the intellectual engineers of Nazi strategy for world domination.

Many of these same Americans paid for the national ignorance with their lives. The rest were spared for a greater danger.

"Can history repeat itself?" the institute asks.

"The 1960's are much like the 1930's. We have peace. We have business as usual. We have another group of totalitarian dictators who have written a quantity of books prophesying our burial, books that are still not a part of our homework.

"In the past decade, communism has leapfrogged 10,000 miles across continent and ocean to Cuba. Its missionaries are active on many campuses in Latin America.

"More than half the world is tuned in to the dialectics of Marx and the psychological warfare of Khrushchev.

"The danger of 1960 is equally as great to freemen as was the danger of 1939."

Many will say the danger is far greater because the techniques of the Communists are more subtly insidious than those of the Nazis.

Because the Reds dominate more of the world and its resources (far more than we, incidentally).

Because they appeal to the urgent need of the world's peoples for a full belly.

But is not democracy—our form of it—the sacred, God-given, manifest destiny of all mankind?

Only if mankind makes it its destiny, according to the lesson of history. Otherwise it can perish, as other systems of government have perished.

DEMOCRACY IS VULNERABLE

C. Northcote Parkinson, the noted English historian, has said:

"We learn from (history) that various forms of rule have tended to succeed one another . . . democracy showing a tendency to collapse in chaos, from which dictatorship offers the only escape.

"There is little in history to show that democracy is much more stable than any other form of rule."

Communism, thus, is given at least an equal chance against our libertarian form of government, and Communists give it much more.

They are convinced to their dogmatic teeth that they are winning and pledged by written law—not just faith alone—to work with lifelong zeal until they conquer all.

Thomas H. Coulter, chief executive officer of the Chicago Association of Commerce and Industry and an officer of the Institute for American Strategy, has said:

"With the Communists this task (of winning domination over all) is relatively

simple. There is one state authority, one master plan and one objective—world conquest.

"All this is based on the doctrine of Karl Marx that the state is supreme and that the victory of communism is historically inevitable. * * *

"Today 36 million Communists (party members) control 1 billion people—one-third of the world's total population."

Is that shocking? It should be. Communism had no force whatever less than 50 years ago. It had only an ideal to work with and human need to work on.

V. I. Lenin, the saint of the Soviets, has written:

"As long as capitalism and socialism exist, we cannot live in peace: in the end, one or the other will triumph—a funeral dirge will be sung either over the Soviet Republic or over world capitalism."

That was long ago when the Soviet Union was just a bad dream in an isolated corner of the earth. Today, with communism a fierce worldwide reality, Nikita Khrushchev can bellow and believe: "We will bury you." And people on this side of the world believe it, too.

William Z. Foster, chairman emeritus of the Communist Party, U.S.A., had the confidence to dedicate a book thus:

"To my great-grandson, Joseph Manley Kolko, who will live in a Communist United States."

And what if communism does win? The answers are there in black and white—just as they were in "Mein Kampf"—for anyone concerned enough to read them.

PRESENTS A FRIGHTENING VISTA

Here, according to Foster, is what would happen in just one area, education:

"The schools, colleges and universities will be coordinated and grouped under the National Department of Education and its State and local branches.

"The studies will be revolutionized, being cleansed of religious, patriotic and other features of the bourgeois ideology.

"The students will be taught on the basis of Marxian dialectical materialism, internationalism and the general ethics of the Socialist society."

In 1945 these would have been considered idle boasts. A victorious America was the greatest power the world had ever known.

But today these words are fears to live with and contend against. America is only one of the two greatest powers the world has ever known.

What has happened in the 16 intervening years to have changed the picture so radically?

What has happened was the cold war—and a succession of Communist triumphs in it that have steadily whittled down the American power lead.

The expression "cold war" first was used by Bernard M. Baruch, the retired elder statesman, who said it was suggested to him for a speech by Herbert Bayard Swope, the late executive editor of the New York World.

A cold war is a new manifestation on the world scene, fought—as everyone now knows—with political, economic and propaganda weapons, rather than guns and bombs.

Always it teeters on the edge of hot war, and occasionally it goes over the brink, as in Korea, Indochina, Cuba, and Laos.

During the hot war of 1939-45 the Russians fulfilled the World War I dream of old Bolshevik Leon Trotsky and drove the Marxist revolution into Eastern Europe on the caissons of the Red army.

COLD WAR OVERLAPPED HOT

The cold war had begun even before the hot one ended. GI columns were strafed by American planes lend-leased to the Soviet Union when the GIs ventured too

deeply into the Russian sphere of Czechoslovakia during the closing days of World War II.

The Russians spat upon Allied pronouncements for a free Europe and set up puppet Red regimes in Poland and Rumania.

(The Baltic nations, a thick slice of Poland and Bulgaria had long since been absorbed by the Soviet Union.)

The "Iron Curtain," as Winston Churchill was first to call it, clanged shut on what had been much of the free world.

In geopolitical terms, Columbia University Historian Staughton Lynd will tell you why the Reds were succeeding:

"For the first time the challenge of authoritarian socialism to democratic capitalism was backed by sufficient power to be an ever-present political and military threat."

Harry Truman, who was President at the time, today blames the outbreak of the cold war on America's hurried demobilization. GI's went home so quickly that victorious America had difficulty scrounging up even enough troops to garrison conquered Germany.

All this led Joseph Stalin to believe, according to Truman, "that the people of this country had lost interest in the rest of the world and that a doublecross was in order."

All subtleties ended in 1946 when the Russians intervened in Iran. When the matter came up in the U.N. Security Council, the Russian delegates staged their first walk-out.

Thus ended the grand illusion that the grand alliance, which had cooperated to defeat nazism, could cooperate in keeping world order.

There could be no cooperation when the goal of one ally was world domination.

Peacefully in 1947 the Communists installed their own regime in Hungary. Not so peacefully they inched into Greece and Turkey.

LATE START IN FIGHT BACK

In alarm, the Truman doctrine was proclaimed and Congress voted \$400 million for support of free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

Meanwhile, legally constituted Communist Parties in Western Europe—notably in France and Italy—were menacing freedom, and the United States responded with the Marshall plan to get the war-torn nations on their feet economically.

The price to Americans was \$12 billion in the first 3½ years to stop creeping communism there.

Then on March 10, 1948, freedom-loving Czechoslovakia fell into Red hands when President Benes yielded to a Russian ultimatum and installed a pro-Soviet cabinet.

A few months later the Russians attempted to steal West Berlin—a free island in a sea of communism—by blockading it. This gambit the West foiled with an airlift that continued for 11 patient months.

Hot war was a daily threat. The North Atlantic Treaty Organization was formed (plus others, like SEATO and CENTO), and the Red responded with their Warsaw Pact.

On the other side of the world, with a loud thud, half a billion people fell into the Communist orbit as Chiang Kai-shek and his Nationalists were swept off the Chinese mainland.

That was 1949.

The next year a North Korean Army equipped by the Russians and trained by the Chinese Reds crossed into South Korea. Hot war was on, and for 2 years it threatened to plunge mankind into world war III.

Direct military intervention of the new Communist giant, China, forced a stalemate.

In 1951 the Chinese Reds announced the peaceful liberation of Tibet.

In 1954 they again took the world to the brink. They won the Tachen Islands with-

out a fight and threatened to overwhelm Hsiang on Formosa—until Congress voted President Eisenhower the power to defend it.

THE RED TIDE ROLLS ON

Inland in Asia in that same year brinkmanship was played at Indochina, where Communist Vietminh troops humiliated France in combat.

North Vietnam went to the Communists. Cambodia, Laos, and South Vietnam were given their precarious independence. (Laos now is all but lost to the Reds, and South Vietnam is heavily infiltrated by Red guerrillas.)

Closer to home in 1954, the democratic world scored a point when anti-Communist Guatemalans—invading from Honduras and assisted by the United States—cut out of their homeland the first Red cancer to have emerged in the American Hemisphere.

The next year there was happy news in Austria, which the Russians gave up to freedom—the only such move they have made since the end of World War II.

This part of the so-called thaw in the cold war followed the death in 1953 of Stalin, the master of Soviet oppressors.

Another result of the thaw in 1955 was the summit meeting of the Big Four at Geneva. The primary accomplishment there was the recognition that hot war was unthinkable, now that both sides were armed with hydrogen weapons.

By this time cataclysmic changes had come about in the world order. The United States had lost its nuclear monopoly and thus the biggest club it owned to keep the Reds in line.

In 1951 the Soviets exploded their first atomic bomb. In 1952 the United States went ahead again with its first hydrogen explosion. Quickly, this time, the Soviets had their equalizer in 1953.

A new balance of terror was established, and soon it was to be perfected with successful tests of intercontinental ballistic missiles by both sides. Two camps were armed with the ultimate weapon.

Some Americans grudgingly began to admit that the heirs of the czarist muzhiks indeed were accomplished in science and technology if, after all, they could create hydrogen bombs and ICBM's.

REDS LEAP AHEAD IN SCIENCE

It was proved to others with a vengeance when the Russians went into space first with sputniks, dogs, and what they called a new breed of homo sapiens—Soviet man.

By no means all the world was charmed with the Soviets, however. People under their heel in East Germany, Poland, in Hungary rose up against them.

And there it was shown to the world that the thaw did not mean the Russians were to allow the liquidation of their empire.

Reactionaries in East Germany were suppressed with troops. The Poles were subdued with the threat of them. In Hungary the flame of liberty was crushed with the full force of the Red Army.

In the meantime, something called the revolution of rising expectations was overtaking the black and brown world.

Egypt cast out its fat king and the British. People in Syria and Iraq rose up against the old order. All three nations flirted seriously with communism and today are still accepting its benefactors—and its infiltrators.

Elsewhere in the Middle East, Lebanon and Jordan were barely—and still uncertainly—saved for the West by the Eisenhower doctrine and U.S. Marines.

African nations by the dozen were going independent or trying to, and their poverty and ignorance was a prepared seedbed for the Reds.

Russians are an influence in Guinea and Ghana and Morocco. In the bloody Congo they appeared in battalion numbers—until forced to leave by the United Nations. But they have promised to return, and well may.

In nations so far friendly to the United States—Turkey, South Korea, Iran—there is serious unrest, and where there is unrest there is an invitation to communism.

Much closer to home—if distances matter any more—is the thorn of Fidel Castro and his kind of Cuba, the Red kind. It is a color that appeals to much of the continental poorhouse south of the Rio Grande.

Never to be forgotten are the Chinese Communists, who in 1959 took over 6,000 square miles of what had been part of India and the next year brought the United States perilously close to hostilities over Quemoy and Matsu.

That was 1960, the year of the U-2, the year Khrushchev insulted an American President as none before had been insulted without bloodshed, the year the same confident—if crass—Khrushchev pounded his shoe on the table and demanded his way in the United Nations.

Last week Comrade K. and President Kennedy healed over the superficial wounds somewhat in Vienna. They talked and it was cordial, mostly. But it was talk, not settlement.

There has been talk—and no settlement—for weeks in the case of Laos, for months in the case of suspension of nuclear tests, for years in the case of world disarmament, for a decade in the case of Berlin.

IN COLD WAR, ALL PAY

The cold war has been costly in the loss of people and territory. It has been costly in fear. It has been costly in dollars.

Under the proposed new budget the United States will spend around \$50 billion for all national security programs—roughly 57 cents of every tax dollar.

How much does the cold war cost you? If you pay \$1,000 a year in income taxes, \$570; if you pay \$2,000, your bill is \$1,140; if you pay \$3,000, it's \$1,710 a year.

Throughout this cold war—your cold war—there have been various phases.

Containment was invalidated by propaganda and "peaceful" infiltration. Instant and massive retaliation went out when the Russians developed a punch equal to America's.

Since Georgi Malenkov—Stalin's temporary heir—the words have been peaceful coexistence.

This is a significant advance, not merely propaganda. There has been a genuine easing of the military threat. Marx' doctrine of the inevitability of war has been upset in the Kremlin.

Khrushchev now can say and mean it: "We do not need a war to insure the victory of socialism. Peaceful competition itself is enough. * * * One cannot stop the course of history."

But if the threat of world holocaust has been lessened, the threat of world domination by the Communists has not.

Here's an audit of where the cold war has taken us so far, by Frank R. Barnett, an expert on psychological warfare and Russian affairs from the Richardson Foundation:

"In the last 10 years of so-called peace, America has suffered wounds to her national security which far exceed the cumulative hurt of all the lost battles of the early years of World War II.

"Today an advance in research in an obscure laboratory can more drastically change the balance of power than the old-fashioned crossing of a river frontier.

"The manipulation of world public opinion may neutralize an alliance, detach whole armies from one power bloc, and deny access to vast economic resources to an industrial system."

So the cold war has moved somewhat out of its military phase and has become a war of science, of propaganda. It has become a war of ideas, a sociological war and, perhaps most of all, an economic war.

THEY ARE GAINING, FAST

If the new front is the economic one, how are the Soviets doing?

In 1928 their coal production was less than 2 percent of ours; 30 years later it was equal to ours.

In 1928 their petroleum production was less than 10 percent of ours; 30 years later it was up to 26 percent.

In 1928 their production of electric power production was less than 5 percent of ours; 30 years later it had grown to 29 percent.

This was before the current 7-year plan was established, in which the Soviets aim by 1965 to reach our overall production level of 1958.

They had hoped under this plan to boost production 7.7 percent a year to reach their goal. They have been boosting their production by about 10 percent annually instead. (Ours, meanwhile, goes up 2 or 3 percent a year.)

Steel is an important barometer. In 1950 the Communist bloc as a whole produced 35 million metric tons. In 1960 it produced 100 million metric tons. There is every indication that by 1970 they will double it.

The steel production of the whole free world today is 200 million metric tons.

These figures are the kind that impress the more than a billion people who live in countries where the per capita annual income is under \$200, often under \$100.

The Russians—who, like them, began with almost nothing 40 years ago—are telling them, and finding takers, that only the Soviet system can fill their needs quickly. After all, it has taken the Western World more than a century to become prosperous.

In Chicago last week, Arnold J. Toynbee, world-famed British historian, said the question of the survival of the West will turn on which economic ideology gathers in these more than a billion black, brown and yellow races.

The Soviets did not need a Toynbee to tell them. The United States is still far ahead, but from 1954 to 1960 the Communist bloc of nations has distributed \$3.8 billion in rubles to the underdeveloped countries.

EFFECT FELT IN MANY LANDS

Rubles are going from Russia to 22 foreign lands, 16 of them non-Communist lands. These are in Asia, in the Middle East, in Africa, in Latin America—the areas in which Western fate hinges.

And where the rubles go, there go the Russians.

Last year they had more than 6,000 economic and technical agents scattered around the poverty-stricken world—each of them a zealot who remembers and acts on a recent Communist Party Congress resolution:

"The peaceful coexistence of states with different social systems does not weaken the ideological struggle, for our party has been waging and will continue to wage in the future a relentless struggle for Communist ideology, the most progressive and truly scientific ideology of our time."

C. Ken Weidner, dean of engineering at American University of Beirut, Lebanon, recently looked over what the West has to offer against these dedicated Communists. He said:

"In this deadly competition, creative intellectual capacity and moral sociopolitical maturity are the basic weapons required for survival.

"At the moment, our arsenal seems badly understocked."

YOU AND THE COLD WAR

Almost a century ago President Lincoln, looking out over the battlefield of Gettysburg, characterized the great struggle then engulfing the United States as "testing whether that nation, or any nation, so conceived, and so dedicated, can long endure."

It did endure, and it has endured another century of tests. Now its vitality and the quality of its dedication to freedom are confronted by a challenge greater than any before. And again the question is posed: Can it endure?

In this issue, in a story by Nicholas Shuman, the Daily News begins a study of the nature of that challenge and its inescapable meaning for every one of us. The task has been assigned top priority for this newspaper's worldwide staff.

We hope our readers will follow it with the same deep sense of personal involvement. We urge it not only because the survival of each one of us is directly involved, but also because this democracy—unlike the Soviet system—parcels out a share of the responsibility to each of the 180 million proprietors of the American system. There is no big brother watching over us. This is a partnership.

As the stories will make clear, this partnership—this union of free Americans—is in grave trouble. If it is too early to say we are losing the cold war, it is not too early to say that in important, perhaps crucial, areas the tide is running massively against us. This fact will be documented in the course of the series.

This is in part because the enemy holds significant advantages, going into the struggle. He is leaner and hungrier than we. He is inured to great sacrifices. He is single-minded. He has a plan, a mission, and an unholy zeal for the mission. He is disciplined, shrewd, and can move like lightning, unencumbered by the deliberative processes built into our system.

He is likewise unencumbered by moral scruples. And his skill at manipulating the human mind is attested by nearly a billion entrapped subjects.

There is also formidable strength on our side.

But we have not yet brought it effectively to bear. And time is running out.

History suggests that there is nothing the American people cannot do if they set their minds to it. We are still the strongest nation on earth, and the potentials of our freedom-powered system are infinite.

But people around the world are reckoning that we lack what it takes—the sense of individual responsibility spread through the homes of the Nation—to realize those potentials. They say we have had it too good, too long, to do the job.

They say we haven't the guts to dig in and produce with the tough, disciplined efficiency to match the rate of climb beyond the Iron Curtain. They say we're falling down on the job of steeling the minds of our youth to the life-or-death struggle we're about to bequeath them. They say we're too busy jostling one another for a better place at the feed trough to put together a lasting common effort to win the big battle.

We believe they're selling us short. We believe that an American people, once aware of what it must do, will do it. We offer the series, "You and the Cold War," as an effort to make clear the dimensions of that job and the desperate urgency of getting on with it.

FEDERAL AND STATE "DECISIONS"—TO STRENGTHEN SECURITY

Mr. COHELAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. LANE] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. LANE. Mr. Speaker, the very life of responsible freedom is being chal-

lenged by forces inside the United States. Heretofore, by insisting upon immunity for their destructive activities by claiming the right to do as they please, they have been undermining the greater right and obligation of a democratic society to protect itself.

Communism, and corruptive obscenity, which have long taken advantage of loopholes in the laws, were brought under its control last week.

The U.S. Supreme Court decided that "Communist action" organizations must register, and made it a crime for Communist and other organizations to advocate violent overthrow of the Government.

The Massachusetts Supreme Judicial Court upheld State laws regulating obscenity and made possible criminal prosecution under the present law.

The United States, and the Commonwealth of Massachusetts, by these realistic decisions, has served notice that Government is going to "crack down" on those who menace the security and the character of the community.

This evidence of intelligence and firmness "under the rule of law" is most encouraging.

I therefore recommend for your appreciation, the following editorial "Freedom and the Courts," from the June 10, 1961 issue of the Pilot, published by the Roman Catholic archdiocese of Boston, Mass.

FREEDOM AND THE COURTS

The courts this week, at the national and local level, handed down decisions which may have seemed to some observers an infringement on freedom and civil liberty. Undoubtedly, many people have already rushed into print to tell us how the narrow road of liberty has been newly straightened, and to point out what disasters lie in store for us if the direction is not changed. For our part, we cannot feel so badly about the matter.

The U.S. Supreme Court gave its opinion on two related items which touch upon the Internal Security Act of 1950. One of these required "Communist action" organizations to register, and the other made it a crime to advocate violent overthrow of the Government. Since the decisions were both of slim majority the results have come under fire from many areas. It is hard, however, to believe that anything less could have been decided without emasculating all Government authority in the vital and sensitive matter of security. The careful refinements made by Justice Frankfurter, for example, make it plain how precisely the Court intended to speak, leaving to another time the problem of penalties and related questions. Unless the Government had this basic right to defend itself against subversion, as defined in the text, it would be placed in a very precarious position indeed. The Court's opinion said as much as can be said at this time, and it is possible that not much more can be said at any time.

The other decision, a good deal closer to home and involving more intimately most people in the community, was handed down by the Massachusetts Supreme Judicial Court and written by Chief Justice Wilkins. It upheld the State laws regulating obscenity and made possible criminal prosecution under the present law. Some of our friends who consider any abridgment on the right of expression to be "censorship" will be unhappy about this, but the thoughtful members of the community will understand how necessary is an effective law for curbing the "fast-buck filth" rackets. The same day

brought a firm decision by Superior Court Justice Good placing stiff fines and prison sentences in the case of a Hyde Park distributor whose flth cache was raided by alert Boston police. Here, as in the other case, the courts were careful to protect individual rights under the Constitution while at the same time providing that community protection which the good society requires.

Perhaps it is in the nature of the institution that the Court will not always please everyone; least of all is it likely to please those who take extreme views either in one direction or another. But the Court is established to give justice rather than pleasure and when it dispenses justice it contributes to our confidence and happiness as well. Society is properly concerned with the exercise of freedom, and restrictions on that freedom should always be minimal—only what is required to protect the rights of others and the public good. We feel very strongly that the decisions we have been talking about fall into this minimal category and have been made to protect values which, if lost, would take all meaning out of freedom itself.

SBA APPROPRIATION REDUCTION TOO DRASTIC — AMENDMENT WILL BE OFFERED TO CORRECT

Mr. COHELAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, one of the most important areas in which the Small Business Administration is of assistance to the small business segment of the economy is through its lending activities. I was distressed to learn that H.R. 7577 reduced the appropriation for the SBA from \$18,447,000 to \$17,525,000, a reduction of approximately \$900,000. It is my understanding that this entire decrease in the appropriation will have to be absorbed by the financial assistance programs of the SBA. I am informed that, with the lower appropriations, SBA will be able to process only 800 loan applications per month, whereas they are presently receiving an average of between 1,200 and 1,300 of such applications monthly. Additionally, in view of the fact that SBA has authorized loans in areas of substantial labor surplus at the low interest rate of 4 percent, it is certainly to be expected that the volume of loan applications will increase substantially, particularly because of the many areas of the country which are presently depressed.

Accordingly, I propose to offer an amendment to H.R. 7577, on tomorrow when the bill is read under the 5-minute rule, which will eliminate the figures "\$17,525,000" from lines 11 and 12 on page 28 of H.R. 7577 and insert in lieu thereof the figures "\$18,447,000".

INTERNATIONAL COMMUNIST CONSPIRACY

The SPEAKER pro tempore (Mr. THORNBERRY). Under previous order of the House the gentleman from New York [Mr. PILLION] is recognized for 90 minutes.

Mr. PILLION. Mr. Speaker, I ask unanimous consent to present before the House a chart showing the table of the dual power organization and the dual weapons system of the international Communist conspiracy, and the Soviet Communist alliance of governments.

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

There was no objection.

Mr. PILLION. Mr. Speaker, I address this House today with a supreme faith in the righteousness and the immortality of human liberty. The free world has been shocked and staggered by recent tactical victories of the Communist forces in the world struggle. Since the year 1919 country after country has fallen before the Communist advance. Since 1939 total power has been seized in Estonia, Latvia, Lithuania, Albania, Bulgaria, Czechoslovakia, East Germany, Hungary, Poland, Rumania, North Korea, Red China, North Vietnam, Outer Mongolia, Tibet, and Cuba.

These nations are tombstones of defeat, marking the failure of our policies, the failure to comprehend the enemy, the scope and the weapons of this total war.

We are now confronted with impending crises in West Berlin, Laos, South Vietnam, Iran, the Congo, British Guiana, and Guatemala.

President Kennedy has emphatically stated and restated the graveness of our position. It is obvious that this Nation stands in its hour of greatest peril.

The danger is clear. It is now, today. It increases every hour, every day.

Recent events are beginning to unfold to all of the world, at long last, the magnitude of the forces seeking to destroy us.

The United States is the principal target in this war. The process of Communist encirclement of the United States is approaching completion.

Unless we immediately recognize our actual enemies and fully comprehend the forces that seek our destruction, we shall very soon reach a point of no return.

Mr. Speaker, if we wish to remain a nation of free people, we must recognize, we must admit, we must understand, once and for all time, that our actual enemy is the international Communist conspiracy.

Since the year 1919, this enemy has waged a total war upon all peoples, nations, and societies of the free world. It is a war of demoralization, disintegration, and total destruction. It is a relentless, incessant war. It is a war of indefinite duration—a war of orthodox and unorthodox methods, policies, and strategies—a war of conventional and unconventional weapons. It is a war of total enmity to which our enemies are irrevocably committed.

Mr. Speaker, why is communism winning? Why have our policies failed?

The most appalling fact of this century is the failure of the free world to recognize the enemy as the international Communist conspiracy.

This alliance of Communist Parties has repeatedly and openly declared its total war against the free world. The Moscow Manifesto of December 1960, calls for an intensification of this war. Yet, the free world has simply failed to

believe, to accept the deadlines of this total war.

We have wholly failed to comprehend the dual nature of this war. The total global war has two parts.

The first part is the declared war being waged by the international Communist alliance.

The second part is the conflict being waged by the Soviet Government, and the Soviet bloc nations, and the allied Communist nations.

Both parts of this total war have one common immutable purpose—the domination and destruction of all non-Communist nations.

Both have one and the same commander in chief.

The first part of the war is being conducted by the international Communist alliance. Its organization is now headed by Nikita Khrushchev in his capacity as First Secretary of the Communist Party of the Soviet Union.

The Communist Party of the Soviet Union, in turn, dominates the 97 other Communist Parties of the world alliance.

These 97 national Communist Parties acknowledge allegiance to and solidarity with the Communist Party of the Soviet Union. They receive policy directives and execute strategic and tactical phases of the war in accordance with plans coordinated by the Communist Party of the Soviet Union.

This alliance of Communist Parties has 36 million member agents. They are tough-minded, disciplined, revolutionary activists.

This alliance engages in infiltration, the breakdown of resistance, the seizure of power in the Communist advance. It conducts its campaigns in the framework of military concepts of penetrations, advances, retreats, encirclements, deployment of forces, and consolidations of victory.

This entity, the international Communist alliance, has consummated the Communist capture of Cuba, North Vietnam, and is responsible for almost all other Communist gains.

The weapons system of the Communist Parties includes: Psychopolitical warfare, including propaganda and agitation, a worldwide communications system, political warfare, guerrilla warfare, international and national front and fellow travelers' organizations, and a system for the infiltration and subversion of civic and governmental organizations.

The second part of the total global war consists of the total military, economic, and political power of the Governments of the Soviet bloc nations and the governments of the allied Communist nations.

The second part of this war is the conflict being conducted by these governments, controlled by the Communist alliance. This alliance of governments is also now headed by Nikita Khrushchev.

The weapons system of this alliance of governments consists of—

First. The army, navy, air force, and other military power of the Soviet bloc nations, and the governments of the allied Communist nations. It is one of the most formidable military forces the world has ever known.

Second. Political warfare being waged in the United Nations, in negotiations with the United States, and in political offensive action throughout the world.

Third. Economic warfare which exploits the production of a billion people held in economic servitude. Its international economic infiltration and trade is aimed solely to attain geopolitical objectives.

Mr. Speaker, the forces of these two organizations, the international Communist alliance and the governments of the allied Communist nations, are coordinated by the Communist Party of the Soviet Union.

Together, they command the largest land mass and the largest aggregate of people ever under a single control in history.

We must recognize, once and for all time, that Soviet Government policies are determined by the Communist Party of the Soviet Union. The execution of Soviet Government policies is supervised in detail by the Communist Party.

Although Soviet Government policies may change, tactically, the unchangeable objective of the Communist Parties is the complete subjugation of the world.

The reason why the free world has suffered defeat after defeat is that we have been waging a unilateral peace, while the Communists have been waging a unilateral war. We have been indulging in the fatal delusion that the governmental power of the Soviet bloc constitutes the ultimate power that we are facing.

We have accepted the Communist pretense that the tensions in the world are caused by a conflict of national interests between legitimate governments. We have consequently attempted to resolve them by normal means of maintaining international relations, while the Communists continue their unremitting warfare against us.

The steady relative decline of the strength of the free world has resulted in our present position of extreme peril. The Soviet is now presenting to us a series of ultimatums of retreat under the cloak of "negotiations for peace and peaceful coexistence."

The choices for the free world are steadily being narrowed down to the alternatives of either surrender or thermonuclear war.

Mr. Speaker, I am today submitting a joint resolution to avoid these desperate alternatives. The joint resolution calls for a declaration of war, not against any government, but against our actual enemy, the alliance of national Communist Parties of the world.

In my judgment, passage of this joint resolution is needed to focus world attention upon the forces which have declared war against all freemen. It is a needed first step to the formulation of policies and programs to win this war and to establish a genuine peace.

I am convinced that this action offers the last and the only hope to avoid both surrender and thermonuclear war.

This declaration does not create a new war.

Neither the passage of this resolution, nor the failure to pass this resolution by

Congress, will change the fact of the Communists' total war against us.

We must fully recognize that the Communist alliance will never be either persuaded or dissuaded from using their arsenal of thermonuclear weapons against us, if and when they believe they can do so with impunity.

The passage of this joint resolution will, however, signal the beginning—at long last—of our offensive against the Communists. It will be a war not of missiles and marching soldiers with bayonets. It will be largely a war of economic, political, diplomatic, and psychological weapons.

We will not, however, submit to the slavery of the Communist tyranny, whatever the cost may be.

I do not offer this resolution as a panacea. This action does furnish the starting point for the defeat of our enemy.

Our present policies are both self-deceptive and self-defeating. In the near future, I plan to address the House on the policies and programs which, I believe, will prove effective in assuring our continued existence.

We cannot win this war by ignoring its existence, or even by policies limited to defense. We must aggressively prosecute this war against the enemy, even as he is prosecuting it against us.

May I remind the Members of this House that the responsibility to provide for the common defense of these United States is entrusted solely to Congress.

I say, therefore, that we in this Congress must assume our responsibility to provide adequate policies and programs for the survival of this Republic.

The prosecution of this war will call for dedication to outmatch the dedication of a fanatical enemy. It will call for sacrifice surpassing that which the Communists are ready to endure. But the price which we will have to pay for ultimate victory will be cheap, because it will repurchase the most priceless possession of man—his freedom under God.

Permit me to enumerate some of the practical results of the passage by Congress of this resolution.

First, by identifying the enemy, and secondly, by recognizing the war which the Communists have been waging against us, we shall have a basis for shaping our policies to prosecute the war. How can we formulate effective programs to defeat an enemy if we neither specify who he is, nor acknowledge that we are at war with him?

Second, we shall raise a standard to which freemen everywhere can rally. The enemy is not just our enemy, but of all who love freedom.

We shall, by raising this standard, assert our rightful place as leaders of the yet free world.

We shall give renewed hope to the millions whom the Communists hold in bondage.

Third, we shall have a guide for our domestic policies which must be consistent with the demands of the life and death struggle in which we are engaged.

Finally, we shall have a justifiable hope that by accepting the challenge which the enemy poses to civilization

itself, we can someday usher in an era of genuine peace, and the fulfillment of the highest aspirations of mankind.

Mr. Speaker, we are in a war. Let us declare it. Let us win it.

I shall now read the text of the joint resolution:

Whereas the Congress of the United States finds and proclaims—

That there exists a world Communist movement established at the Third Communist International held in Moscow in the year 1919; and

That this Communist movement is a political entity which is irrevocably committed to impose a Communist dictatorship upon all nations of the world, including the United States; and

That this Communist movement is an international conspiracy engaged in the demoralization, disintegration, and destruction of all non-Communist nations, all other economic systems, all religious bodies, and all other social structures; and

That the international Communist conspiracy is composed of, and utilizes an alliance, of 98 national Communist Parties in a joint and several campaign of infiltration, espionage, terror, deceit and all other forms of revolutionary and guerilla war techniques against the peoples and governments of the free world, including the United States; and

That these 98 national Communist Parties constitute a force of 36 million member agent-provocateurs who are rigidly trained and highly disciplined, revolutionary activists; and

That these 98 national Communist Parties and these 36 million agents repudiate all allegiance to non-Communist nations and pledge their single allegiance to the international Communist conspiracy; and

That the international Communist conspiracy, since its inception, has repeatedly declared and redeclared war against freedom and freemen everywhere; and

That the international Communist conspiracy redeclared this war in its Moscow manifesto of December 5, 1960, and called for an intensification of the prosecution of this war; and

That, pursuant to these declarations, the international Communist conspiracy is openly and avowedly waging an incessant war of extinction against all peoples and nations of the free world, including the people and the Government of the United States; and

That the actual enemy of peace in this world is the international Communist conspiracy which, by its relentless war, is confronting the free world with the desperate alternatives of either an unconditional surrender or thermonuclear war; and

That as a last hope for survival and peace for all of this world: Therefore be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That:

The United States formally recognizes the de facto total global war being waged by the Communist Parties of the world, jointly and severally, against each and every government of the free world, its citizens, and its institutions; and

The United States formally recognizes the de facto war being waged specifically against the United States, its citizens, and its institutions, by the Communist Parties of the world, jointly and severally; and

The United States formally and solemnly declares that a state of war exists between the United States and the Communist Parties of the world, jointly and severally; namely, the Communist Party of the Soviet Union, the Communist Party of the United States of America, the Communist Party of Puerto Rico, the Communist Party of Hawaii, the Communist Party of Australia, the Communist Party of Austria, the Albanian Workers

Party, the Algerian Communist Party, the Communist Party of Argentina, the Communist Party of Bahrain, the Communist Party of Belgium, the Communist Party of Bolivia, the Communist Party of Brazil, the Bulgarian Communist Party, the Communist Party of Burma, the Burma Workers Party, the Communist Party of Great Britain, the Communist Party of Cambodia, the Communist Party of Canada, the Communist Party of Ceylon, the Communist Party of Chile, the Communist Party of the People's Republic of China, the Communist Party of Colombia, the Party of the People's Vanguard of Costa Rica, the Popular Socialist Party of Cuba, the Progressive Party of the Cypriot Working People, the Communist Party of Czechoslovakia, the Communist Party of Denmark, the Dominican People's Socialist Party, the Communist Party of Ecuador, the Communist Party of Egypt, the Communist Party of El Salvador, the Communist Party of Finland, the French Communist Party, the Socialist Unity Party of East Germany, the Communist Party of West Germany, the Socialist Unity Party of West Berlin, the Communist Party of Greece, the Communist Party of Guadeloupe, the Guatemalan Labor Party, the Peoples' Progressive Party of British Guiana, the People's Unity Party of Haiti, the Communist Party of Honduras, the Hungarian Socialist Workers' Party, the Communist Party of Iceland, the Communist Party of India, the Communist Party of Indonesia, the People's Party of Iran, the Iraqi Communist Party, the Communist Party of Northern Ireland, the Irish Workers' League, the Communist Party of Israel, the Italian Communist Party, the Communist Party of Jamaica, the Communist Party of Japan, the Jordanian Communist Party, the Korean Party of Labor (North Korea), the Communist Party of Laos, the Lebanese Communist Party, the Communist Party of Luxembourg, the Communist Party of Malaya, the Communist Party of Martinique, the Mexican Communist Party, the Moroccan Communist Party, the Mongolian People's Revolutionary Party, the Communist Party of Madagascar, the Communist Party of Nepal, the Communist Party of the Netherlands, the Communist Party of New Zealand, the Socialist Party of Nicaragua, the Communist Party of Norway, the Communist Party of Pakistan, the People's Party of Panama, the Paraguayan Communist Party, the Peruvian Communist Party, the Philippine Communist Party, the Polish United Workers' Party, the Portuguese Communist Party, the Rumanian Workers' Party, the Communist Party of Reunion, the Communist Party of San Marino, the Communist Party of Singapore, the Spanish Communist Party (PCE), the Sudanese Communist Party, the Communist Party of Sweden, the Swiss Party of Labor, the Syrian Communist Party, the Communist Party of Thailand, the Thai Communist Party, the Tunisian Communist Party, the Communist Party of Turkey, the Communist Party of the Union of South Africa, the Communist Party of Uruguay, the Communist Party of Venezuela, the Communist Party of the Republic of Vietnam (South Vietnam), Vietnam Workers' Party (North Vietnam), the Communist Party of Yugoslavia, South Korean Labor (Communist) Party; and

The United States hereby pledges all the resources of its Government and its citizens to defend, anywhere and everywhere, the freedoms, the institutions, and the governments of the free world against the international Communist conspiracy; and

The United States resolutely pledges all of its resources to the defeat and the destruction of the Communist parties of the world, as herein named; and

The United States, with supreme confidence in the courage, dedication, and wisdom of its citizens, entreats each of them

for a unified and equal sacrifice, in defense of its families, its homes, its freedoms; and

The United States calls for immediate concerted action on the part of all people of the free world who cherish freedom; all people under Communist tyranny who aspire to freedom; all people who value religion and morality as pillars of human happiness; all religious bodies who would defend their faiths; all unions and members thereof, who oppose state monopolistic control over labor and the fruits of labor; all societies, organizations, institutions, and associations of human beings who believe in a free expression of their ideals and aspirations; all governments who would resist conquest and exploitation by the Communist power system; to join in this cause;

The United States seeks for all mankind a true peace on earth, an enduring peace, a peace with spiritual satisfaction, a peace that will bring material abundance to all people, a peace of freedom and everlasting hope.

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

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

Mr. HIESTAND. Mr. Speaker, I congratulate the able and dedicated gentleman from New York upon his remarkable statement and his resolution and am happy and proud to associate myself with him.

We are at war. Let's not call it a cold war. It is a hot war, and the enemy is waging it relentlessly and for keeps.

But it is a new kind of war. It is new in that only one side is waging it.

Mr. Speaker, the American people must know this and must know the facts. We are becoming more and more aware that the enemy is waging this war. But he is waging it through dupes, innocent or otherwise. They have been duped into supporting a myriad of fronts with high sounding titles.

I think the gentleman has made a worthy statement and I support his resolution.

Mr. PILLION. I thank the gentleman. I know of his great interest in this very, very serious and deadly problem, and his great contribution in this connection.

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

Mr. PILLION. I yield.

Mr. BRUCE. If I ever believed in mental telepathy I believe in it now. I have reserved a special order later today, for today I introduced an almost parallel resolution with that of the gentleman, and it was unbeknown to the gentleman that I was working on it.

Mr. PILLION. It was unknown to me.

Mr. BRUCE. I wish to commend you, sir, on the effective and efficient research you have done. I intend later, in support of the same goal, to provide more documentary proof of the Soviet doctrine and show the precedent of law in the Nation time and again that recognizes the thing we are up against but that fails to culminate in a detailed policy.

Mr. PILLION. I thank the gentleman for his kind words and for the contribution he has made and his great understanding of this problem.

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

Mr. PILLION. I shall be pleased to yield to the gentleman from Arkansas.

Mr. ALFORD. I am delighted that I was here on the floor of the House this afternoon to hear this very able address and presentation of the problem in clearcut terms that are unmistakable. I commend it to the Members of this House; I commend it to all Americans everywhere.

Personally, as a relative newcomer in the House of Representatives—and it is an honor to me to serve in this body—this is my second term, I have had quite some concern since being here on the actual number of Members of the House that do not seem to concern themselves with the nature of the enemy that the gentleman has so ably outlined here this afternoon for us. I shall make every endeavor to be present when the gentleman continues this discussion, and others. I personally have been interested in this subject for several years. I have known beyond any shadow of doubt that we are standing between two great mountain peaks. On the right we have this atheistic, socialistic, communistic monster eating away at the very vital foundation of this system of freedom; and on the left we have Western civilization as embodied in the greatest republic mankind has ever known.

I sincerely, as an American, appreciate what you have done here this afternoon in this presentation.

Mr. PILLION. I thank the gentleman for his very kind remarks; and the remarks the gentleman made are so true. I only wish that our American people could see the great danger that we are in, the manipulations of an enemy that seeks to destroy us and who will destroy us unless we completely change our course and our actions with respect to this one menace. There are no other problems; this is the one great problem that this country and all the world faces today.

I thank the gentleman for his kind words and his interest.

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

Mr. PILLION. I yield.

Mr. DULSKI. I wish to commend the gentleman for the splendid statement he has made. He has done a great service not only to the people of this district but to the country. We of Polish extraction know the force and effect of the Soviet influence in the country of Poland. In this great country they do not speak for themselves, they only speak through the Soviet Government. I am so happy I was present here this afternoon to hear the gentleman's splendid presentation.

Mr. PILLION. I thank the gentleman for his fine contribution. Poland is a very good example of what happens to a people completely exploited by the monopolism of the Soviet and its machinery. It is in particular a good example of the exploitation of labor by this monopolistic bondage and servitude system they have.

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

Mr. PILLION. I yield.

Mr. BEERMANN. I congratulate the gentleman on the very fine presentation he has made this afternoon and am very happy that it was my pleasure to be here to listen to it. I just returned

from Nebraska this morning. I feel that many of our people in the Nation might be ahead of us in their thinking. This presentation makes me feel a little more secure for we now have strong voices talking for the thing that we need to get done. It is only inappropriate in my opinion, that all of our people in the United States could not have heard this presentation and address by the gentleman from New York.

I do feel that all of the folks of the United States, or a majority of them, are thinking a little bit ahead of us and that in the stress of our legislative daily program we are not following the will of the people.

Mr. PILLION. I agree with the gentleman. I believe that the population as a whole of our people can see this and are beginning to see the grave danger that this country is in and beginning to realize the deficiencies in our policies. I agree with the gentleman on that score and I thank him for his contribution.

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

Mr. PILLION. I yield to the gentleman from Wisconsin.

Mr. SCHADEBERG. I would like to identify and associate myself with the remarks of the gentleman. This is certainly a matter which ought to be brought to the attention of our people in our districts in all of America. I wish the gentleman to know I shall try to interpret the thoughts which he has placed before us and make available to my people the extreme danger that we are facing in failing to recognize we are really at war with the international conspiracy.

As the gentleman knows, I have left my pulpit for a spell and my parish because I have dedicated my life to my God and country. I believe that freedom and faith are strongly tied together. I will say for the people, and I am sure of it, that freedom is a scaffold and that somehow or other we must impress upon our colleagues in this House that the people of America who love freedom do not want us to spring the trap on them. We must recognize our imminent danger and act with great forward faith and with great thought to that end.

Mr. PILLION. I thank the gentleman. I wholeheartedly agree with what has been said by the gentleman. As the gentleman has said, I believe that people realize the dangers fully and are able to comprehend them. Therefore, I do not have any worry about ultimate victory, but we have failed to say so completely, and that has been our great deficiency.

ANNOUNCEMENT

Mr. McCORMACK. Mr. Speaker, I desire to announce for the benefit of the Members of the House that tomorrow the conference report on the public works bill relating to the Armed Services will be brought up for consideration.

L.T. GEN. BRYANT L. BOATNER

Mr. McCORMACK. Mr. Speaker, at the request of the gentleman from

Georgia [Mr. VINSON] whose staff he informs me has conferred with the chairman of the Committee on the Judiciary, and this is agreeable to both committees, I ask unanimous consent that the bill, H.R. 6738, be rereferred from the Committee on the Judiciary to the Committee on Armed Services.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

H.J. RES. 444—THE VICTORY RESOLUTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. BRUCE] is recognized for 60 minutes.

Mr. BRUCE. Mr. Speaker, there come times in the history of any nation when it can no longer afford the luxury of piecemeal application of strength or of understanding. At such times a clear-cut recognition of mortal danger must not only be recognized but must be faced and defeated.

For the past 12 years I have spent the greatest part of my time and energy in research and study of two contradictory concepts, two opposing ways of life; first, the meaning of liberty, the basis of a free society; and second, the techniques, the documents, the principles, and the application of power in its various aspects, of the international Communist movement.

I am convinced that the American people, perhaps more clearly than the Congress of the United States, senses the mortal danger in which we find ourselves.

Mr. Speaker, one of the first things that I undertook when I was elected to the Congress of the United States was to prepare a resolution designed to put the Congress of the United States clearly in the position of saying that our goal is one designed to win in the battle for the survival of liberty and to bring about the total defeat of the international Communist conspiracy.

Perhaps there is a power greater than individual man at work here when two Members of the Congress, without either one knowing it, would be working over several months on the same type of study, and then on the same day, again without either one knowing it, would present to the Congress of the United States joint House-Senate resolutions designed to accomplish this end.

I believe that I can thoroughly document the need. I believe I can thoroughly document precedent in law, where we have piecemeal recognized the problem but have failed to wrap it up in a total policy.

First, I would like to read the joint resolution I have submitted entitled, "Declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the World Communist Movement":

Whereas numerous findings, resolutions, and condemnations in United States law, Presidential proclamations, and treaties which bind the United States, proclaim that the World Communist Movement pursues invariably the same object, world conquest, and

evinces a clearcut design to reduce all peoples under its absolute despotism; and

Whereas the supranational World Communist Movement does not represent the Russian and other peoples under its totalitarian control, but rather, in violation of their legitimate national aspirations, commands their lands and resources as an industrial-military base for its global campaign; and

Whereas the World Communist Movement operates on every level of human activity, using all conceivable pressures—Ideological, psychological, economic, military, paramilitary, etc.—to bring about a widening influence and ultimately absolute control over every human thought, aspiration, and action in the nations it subverts and conquers; and

Whereas the United States of America has taken numerous steps including the use of armed forces to withstand the global aggression of the World Communist Movement in certain areas in various foreign countries and within our borders; and

Whereas these steps which constituted a determination to resist certain individual thrusts of that aggression, in their totality have not met the full challenge of the global state of hostility that has been declared in dogma and prosecuted in deed by the World Communist Movement; and

Whereas the nature of the threat demands the engagement of the full will of the American people against the hostile universal dedication of the enemy, and the application of a complete global policy to meet and defeat on every front the widespread coordinated forces of the World Communist Movement: Therefore be it

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That a state of hostility exists, and, finding no longer tolerable the abuses and usurpations of the global aggression unjustly thrust upon men by the World Communist Movement, in order to bring peace and security to this Nation and the family of nations and to realize the hopes expressed in law for the freedom of Communist-enslaved peoples, it hereby is and henceforth shall be, the indomitable national will of the people of the United States of America and the unswerving purpose of their Government to achieve complete victory over the forces of the World Communist Movement in all its names, its parties and sections, and to this great end we urge similar action by all independent nations and humbly beseech the strength and guidance of Almighty God; and be it further

Resolved, That the President shall prepare for the approval of the Congress a program to achieve this total victory.

DECLARATIONS OF HOSTILE INTENT BY THE WORLD COMMUNIST MOVEMENT

There are endless cases of documentation which beyond argument show the single dedication of the enemy aimed at our destruction.

The basic doctrine on the goal of the World Communist Movement is summarized in the following statements taken from the published dogmas of the original vehicle for world conquest, the Communist International; namely, "The Theses and Statutes of the Communist International" adopted at the Second World Congress in Moscow July 17 to August 7, 1920, and "The Programme of the Communist International," adopted by the Sixth World Congress in Moscow on September 1, 1928.

The ultimate aim of the Communist International is to replace world capitalist economy by a world system of communism (programme).

The Communist International considers the dictatorship of the proletariat as the only means for the liberation of humanity

from the horrors of capitalism. The Communist International considers the Soviet form of government as the historically evolved form of this dictatorship of the proletariat (statutes).

Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transition of world capitalist economy to socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved in certain countries or groups of countries, when the newly established proletarian republics enter into a federal union with the already existing proletarian republics, when the number of such federations has grown and extended also to the colonies which have emancipated themselves from the yoke of imperialism; when these federations of republics have finally grown into a world union of Soviet Socialist Republics uniting the whole of mankind under the hegemony of the international proletariat organized as a State (programme).

The continuing activity of the World Communist Movement in relation to the general disruption and lack of peace on the world scene today is in conformity with the general plan outlined in the fourth chapter of the aforementioned programme entitled, "The Period of Transition From Capitalism to Socialism and the Dictatorship of the Proletariat," to wit:

"Between capitalist society and Communist society a period of revolutionary transformation intervenes, during which the one changes into the other. Correspondingly, there is also an intervening period of political transition, in which the essential state form is the revolutionary dictatorship of the proletariat. The transition from the world dictatorship of imperialism to the world dictatorship of the proletariat extends over a long period of proletarian struggles with defeats as well as victories; a period of continuous general crises in capitalist relationships and growth of social revolutions, i.e., of proletarian civil wars against the bourgeoisie; a period of national wars and colonial rebellions which, although not in themselves revolutionary proletarian Socialist movements are nevertheless, objectively, insofar as they undermine the domination of imperialism, constituent parts of the world proletarian revolution; a period in which capitalist and Socialist economic and social systems exist side by side in 'peaceful' [sic] relationships as well as in armed conflict; a period of formation of a Union of Soviet Republics; a period of wars of imperialist states against Soviet states; a period in which the ties between the Soviet states and colonial peoples become more and more closely established, etc."

The first constitution of the first geopolitical area to be dominated by the World Communist Movement, the U.S.S.R., was adopted by the central executive committee on July 6, 1923. It is most historic in that it was a unique document among constitutions. It stipulated the ultimate goal of a single world state, and provided for entry into its Union of all future Socialist Soviet Republics. Section I of the Constitution of the Union of Soviet Socialist Republics—published by the Soviet Union Information Bureau, Washington, D.C., 1929—declared in part:

The very structure of the Soviet Power, which is international in its class character, calls the working masses of the Soviet Republics toward a unity of one socialist family * * * admission to this Union shall be

open to all Socialist Soviet Republics, such as are now existing and such as shall arise in the future * * * that it shall stand as the firm bulwark against world capitalism, and form a decisive step towards the Union of the workers of all countries into one World Socialist Soviet Republic.

The establishment of the U.S.S.R. provided the World Communist Movement with its greatest arm, or tool, or arsenal for conquest, as shown by the statement of Josef Stalin in his work, "Problems of Leninism"—quoting from the 1940 edition:

The Communist revolution which has been victorious in one country, Russia, must not regard itself as a self-sufficient entity but as an aid, a means of hastening the victory of the proletariat in all countries. The Soviet Union must do the utmost possible for the development, support, and awakening of the revolution in all countries. . . . The victorious Soviet proletariat must stand up against the rest of the world, the capitalist world, attracting to its cause the oppressed classes of other countries, raising revolts in those countries against the capitalists, and, in the event of necessity, coming out even with armed force against the exploiting classes and their states.

Communist declarations have proclaimed the "historical inevitability" of the triumph of world communism.

Karl Marx wrote in the "Communist Manifesto":

What the bourgeoisie therefore produces, above all, are its own gravediggers. Its fall and the victory of the proletariat are equally inevitable.

Lenin stated in May 1917, in "Materials Relating to the Revision of the Party Program"—Selected Works, International Publishers, volume VI, page 115:

Only a proletarian Socialist revolution can lead humanity out of the deadlock created by imperialism and imperialist wars. No matter what difficulties the revolution may have to encounter, and in spite of possible temporary setbacks or waves of counter-revolution, the final victory of the proletariat is inevitable.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD the rest of these statements of Communist doctrine and dogma.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

(The matter referred to follows:)

On November 6, 1918, in "The Anniversary of the Revolution," a speech delivered at the Sixth Extraordinary Congress of Soviets (Selected Works, vol. VI, p. 499), Lenin stated:

"We say: Come what may, no matter what miseries the imperialists may still inflict upon us, it will not save them. Imperialism will perish and the world Socialist revolution will triumph in spite of all!"

Nikita Khrushchev told a Japanese newspaperman, Tomoo Hirooka, in an interview June 18, 1957, reported in Tass, June 29, 1957:

"We are convinced that sooner or later capitalism will perish, just as feudalism perished earlier. The Socialist nations are advancing towards communism. All the world will come to communism. History does not ask whether you want it or not."

To know that there has been no change in ideological guidance or in ultimate purpose on the part of the World Communist

Movement, we need only cite the words of the present leader of that movement:

"Like a mighty titan the Soviet power, in fraternal cooperation with the people's democracies, confidently marches forward to the great goal, scoring one victory after another. There are no forces in the world which could halt our victorious advance to communism!"

So spoke Nikita Khrushchev in his Moscow election speech reported in Pravda, March 7, 1954.

We are all familiar with his famous remark: "If anyone thinks we shall forget about Marx, Engels, and Lenin, he is mistaken. This will happen when shrimps learn to whistle" (International Affairs, Moscow, January 1956, p. 2).

He phrased it better for international Communist purposes in his report "For New Victories of the World Communist Movement," at the meeting of party organizations of the Higher Party School, the Academy of Social Sciences, and the Institute of Marxism-Leninism attached to the Central Committee of the Communist Party of the Soviet Union on January 6, 1961, as published in "Kommunist," No. 1, January 1961:

"When summing up the results of the world historic victories of the Communist movement, we give thanks first of all to our great teachers, Karl Marx, Friedrich Engels, and Vladimir Ilich Lenin. Their teaching has made the international Communist movement a spontaneous movement and has insured its victories. In working out our strategy and tactics for the future, we again rely for advice on Marx, Engels, and Lenin. The guarantee of all our future victories lies in faithfulness to Marxism-Leninism."

The World Communist Movement has never had any illusions about the struggle for the world. Therefore, we should have none. Lenin, while confident of the ultimate Communist triumph, put it most succinctly:

"As long as capitalism and socialism exist, we cannot live in peace; in the end, one or the other will triumph—a funeral dirge will be sung over the Soviet Republic or over world capitalism" (speech to Moscow party nuclei secretaries, Nov. 26, 1920, published in Selected Works, by International Publishers, N.Y., 1943 in vol. VIII, p. 297).

Mr. BRUCE. I could cite thousands of additional quotes to show there is but one heart, one mind, and one purpose in the World Communist Movement.

Our Department of State under both Republican and Democrat administrations has published several editions of "Soviet World Outlook—A Handbook of Communist Statements," which includes some of the quotations I have set forth here, and literally thousands of others from Communist sources over the years covering a vast number of subjects.

We need no more evidence, no more quotes. The evidence has long since been all in. The facts are before us.

We need only the will and the determination to face the facts.

While we might wishfully ignore the word, we cannot ignore the deed.

As of this moment, the present visible accomplishment of the World Communist Movement is the conquest and totalitarian control of 15,500,000 square miles, or 26 percent of the earth's land area, and 931 million people or 32 percent of the population of the world.

There are endless precedents that have been set in U.S. law, and I believe that we should commend those who are

currently in the Congress and those who have been here in the past who recognized the challenge in given areas and promoted legislation and resolutions and declarations detailing the nature of the enemy in those specific areas.

FINDINGS, RESOLUTIONS, AND CONDEMNATIONS OF THE WORLD COMMUNIST MOVEMENT IN U.S. LAW, PRESIDENTIAL PROCLAMATIONS, AND TREATIES BINDING ON THE UNITED STATES

At this moment the United States of America is existing under a national emergency as proclaimed on the 16th day of December 1950, by the then President of this Nation, the Honorable Harry S. Truman, and which Proclamation 2914 states in part:

Whereas world conquest by Communist imperialism is the goal of the forces of aggression that have been loosed upon the world; and

Whereas if the goal of Communist imperialism were to be achieved, the people of this country would no longer enjoy the full and rich life they have with God's help built for themselves and their children; they would no longer enjoy the blessings of the freedom of worshiping as they severally choose, the freedom of reading and listening to what they choose, the right of free speech including the right to criticize their Government, the right to choose those who conduct their Government, the right to engage freely in collective bargaining, the right to engage freely in their own business enterprises, and the many other freedoms and rights which are a part of our way of life; and

Whereas the increasing menace of the forces of Communist aggression requires that the national defense of the United States be strengthened as speedily as possible:

Now, therefore, I, Harry S. Truman, President of the United States of America, do proclaim the existence of a national emergency. . .

So right at this moment we are in a state of national emergency, but we have still not recognized its full impact. We still have not implemented a policy designed to lift this emergency in the glorious feeling of victory and the removal of the Communist menace throughout the world.

The threat and the purposes of the World Communist Movement have been clearly recognized in laws heretofore passed by the Congress of these United States.

Among these laws may be cited Public Law 831, the Internal Security Act, enacted by the 81st Congress, wherein section 2 of title I states 15 findings:

As a result of evidence adduced before various committees of the Senate and House of Representatives, the Congress hereby finds that—

1. There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

So we have in law already recognized that the enemy is at war with us but we have not recognized the necessity of meeting them totally in this total conflict. We have had piecemeal response

to the moves they make; always on the defensive; never on the offensive, no plan, no goal, just conditioned responses here, here, and here.

We retreat, bit by bit—Korea, Laos, Vietnam next—Cuba. The American people are most concerned.

Mr. Speaker, I request at this time the privilege of inserting in the RECORD the rest of the points under this section 2, title I, of Public Law 831.

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

There was no objection.

(The matter referred to follows:)

2. The establishment of a totalitarian dictatorship in any country results in the suppression of all opposition to the party in power, the subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

3. The system of government known as a totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial basis, and by substantial identity between such party and its policies and the government and governmental policies of the country in which it exists.

4. The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

5. The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, action organizations which are not free and independent organizations, but are sections of a worldwide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

6. The Communist action organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments by any available means, including force if necessary, and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship. Although such organizations usually designate themselves as political parties, they are in fact constituent elements of the worldwide Communist movement and promote the objectives of such movement by conspiratorial and coercive tactics, instead of through the democratic processes of a free elective system or through the freedom-preserving means employed by a political party which operates as an agency by which people govern themselves.

7. In carrying on the activities referred to in paragraph (6), such Communist organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as "Communist fronts," which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such affiliated organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the

actual nature of the control and influence exerted upon, such "Communist fronts."

8. Due to the nature and scope of the world Communist movement with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of Communist members, representatives, and agents from country to country facilitates communication and is a prerequisite for the carrying on of activities to further the purposes of the Communist movement.

9. In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States, and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and section 101, title II in repeating this finding, adds: "and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country."

10. In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the methods referred to above, already caused the establishment in numerous foreign countries of Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

11. The agents of communism have devised clever and ruthless espionage and sabotage tactics which are carried out in many instances in form or manner successfully evasive of existing law; and section 101, title II, in repeating this finding adds: "and which in this country are directed against the safety and peace of the United States."

From section 101, title II, are interposed here three additional findings enlarging upon finding No. 11:

"The experience of many countries in World War II and thereafter with so-called 'fifth columns' which employed espionage and sabotage to weaken the internal security and defense of nations resisting totalitarian dictatorships demonstrated the grave dangers and fatal effectiveness of such internal espionage and sabotage.

"The security and safety of the territory and Constitution of the United States, and the successful prosecution of the common defense, especially in time of invasion, war, or insurrection in aid of a foreign enemy, require every reasonable and lawful protection against espionage, and against sabotage to national-defense material, premises, forces and utilities, including related facilities for mining, manufacturing, transportation, research, training, military and civilian supply, and other activities essential to national defense.

"Due to the wide distribution and complex interrelation of facilities which are essential to national defense and due to the increased effectiveness and technical development in espionage and sabotage activities, the free and unrestrained movement in such emergencies of members or agents of such organizations and of others associated in their espionage and sabotage operations would make adequate surveillance to prevent espionage and sabotage impossible and would therefore constitute a clear and present danger to the public peace and the safety of the United States."

12. The Communist network in the United States is inspired and controlled in large part by foreign agents who are sent into the United States ostensibly as attachés of foreign legations, affiliates of international organizations, members of trading commissions, and in similar capacities, but who use their diplomatic or semidiplomatic status as

a shield behind which to engage in activities prejudicial to the public security.

13. There are, under our present immigration laws, numerous aliens who have been found to be deportable, many of whom are in the subversive, criminal, or immoral classes who are free to roam the country at will without supervision or control.

14. One device for infiltration by Communists is by procuring naturalization for disloyal aliens who use their citizenship as a badge for admission into the fabric of our society.

15. The Communist movement in the United States is an organization numbering thousands of adherents, rigidly and ruthlessly disciplined. Awaiting and seeking to advance a moment when the United States may be so far extended by foreign engagements, so far divided in counsel, or so far in industrial or financial straits, that overthrow of the Government of the United States by force and violence may seem possible of achievement, it seeks converts far and wide by an extensive system of schooling and indoctrination. Such preparations by Communist organizations in other countries have aided in supplanting existing governments. The Communist organization in the United States, pursuing its stated objectives, the recent successes of Communist methods in other countries, and the nature and control of the world Communist movement itself, present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent nation, and to guarantee to each State a republican form of government, enact appropriate legislation recognizing the existence of such worldwide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

Mr. BRUCE. Mr. Speaker, there are so many other precedents in this area. A further recognition in the U.S. law of the aggressive intentions of the World Communist Movement and bloc of nations it controls is found in the Battle Act, the Mutual Defense Assistance Control Act of 1951 entitled "An act to provide for the control by the United States and cooperating foreign nations of exports to any nation or combination of nations threatening the security of the United States including the Union of Soviet Socialist Republics and all countries under its domination, and for other purposes," and which act states in section 101 of title I:

The Congress of the United States, recognizing that in a world threatened by aggression the United States can best preserve and maintain peace by developing maximum national strength and by utilizing all of its resources in cooperation with other free nations, hereby declares it to be the policy of the United States to apply an embargo on the shipments of arms, ammunition, and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war to any nation or combination of nations threatening the security of the United States including the Union of Soviet Socialist Republics and all countries under its domination, in order to (1) increase the national strength of the United States and of the cooperating nations; (2) impede the ability of nations threatening the security of the United States to conduct military operations; and (3) to assist the people of the nations

under the domination of foreign aggressors to reestablish their freedom.

This act further states in section 201 of title II:

The Congress of the United States further declares it to be the policy of the United States to regulate the export of commodities other than those specified in title I of this act to any nation or combination of nations threatening the security of the United States including the Union of Soviet Socialist Republics and all countries under its domination, in order to strengthen the United States and other cooperating nations of the free world and to oppose and offset by non-military action acts which threaten the security of the United States and the peace of the world.

The third point under section 101 of title I gives legal precedent to a clause in my resolution which says, in effect, "We do not recognize the present Communist government as the legitimate government of the people of the Soviet Union." It is a precedent already established in law by the Congress of the United States.

Mr. Speaker, I request permission to place into the RECORD a series of documents showing precedent in United States law.

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

There was no objection.

(The matter referred to is as follows:)

The Congress has recognized the danger of allowing to remain in the United States aliens who are associated with the international Communist movement and has legislated to prevent their admission to this country and to provide for their deportation when found to be within our borders, in Public Law 414, 82d Congress, the Immigration and Nationality Act wherein we find in part:

"Sec. 212. (a) Except as otherwise provided in this Act, the following classes of aliens shall be ineligible to receive visas and shall be excluded from admission into the United States:

"(28) (C) Aliens who are members of or affiliated with (i) the Communist Party of the United States, (ii) any other totalitarian party of the United States, (iii) the Communist Political Association, (iv) the Communist or any other totalitarian party of any State of the United States, of any foreign state, or of any political or geographical subdivision of any foreign state, (v) any section, subsidiary, branch, affiliate, or subdivision of any such association or party, or (vi) the direct predecessors or successors of any such association or party, regardless of what name such group or organization may have used, may now bear, or may hereafter adopt: *Provided*, That nothing in this paragraph, or in any other provision of this Act, shall be construed as declaring that the Communist Party does not advocate the overthrow of the Government of the United States by force, violence, or other unconstitutional means."

And we further find:

"Sec. 241. (a) Any alien in the United States (including an alien crewman) shall, upon the order of the Attorney General, be deported who—

"(6) is or at any time has been, after entry, a member of any of the following classes of aliens."

(C) (The exact language of (28) (C) of Sec. 212 is repeated here.)

The United States of America has not only recognized the potential and actual military threat of the World Communist Movement, but it has in several instances resolved in law to commit its Armed Forces to aid countries

that may be attacked by the armed forces of the World Communist Movement, for example:

Public Law 4, 84th Congress, the Formosa resolution, approved January 29, 1955, wherein we find in part this wording—

"Whereas certain territories in the west Pacific under the jurisdiction of the Republic of China are now under armed attack, and threats and declarations have been and are being made by the Chinese Communists that such armed attack is in aid of and in preparation for armed attack on Formosa and the Pescadores; and

"Whereas the secure possession by friendly governments of the Western Pacific Island chain, of which Formosa is a part, is essential to the vital interests of the United States and all friendly nations in or bordering upon the Pacific Ocean: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores."

Further by way of example:

Public Law 85-7, the Middle East resolution, approved March 9, 1959, by the 86th Congress, wherein we find in part under section 2:

"Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use Armed Forces to assist any such nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism."

Public Law 86-90, 86th Congress, establishing the third week of July 1959 as Captive Nations Week, states in part:

"The enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples."

President Dwight D. Eisenhower on July 17, 1959, in proclaiming Captive Nations Week as a result of this legislation, stated in part:

"Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism * * * it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence."

Further recognition of the threat to the security of our country and to the peace of the world in existing law is to be found in the Mutual Security Act of 1954, as amended through 1960, subsection (c) (2) of section 2, to wit:

"The Congress recognizes that the peace of the world and the security of the United States are endangered so long as international communism and the nations it controls continue by threat of military action, by the use of economic pressure, and by internal subversion, or other means to attempt to bring under their domination peoples now free and independent and continue to deny the rights of freedom and self-government to peoples and nations once free but

now subject to such domination. The Congress declares it to be the policy of the United States to continue so long as such danger to the peace of the world and to the security of the United States persists, to make available to other free nations and peoples upon request assistance of such nature and in such amounts as the United States deems advisable compatible with its own stability, strength, and other obligations, and as may be needed and effectively used by such free nations and peoples to help them maintain their freedom."

This act further states in subsection (c) of section 451:

"It is the purpose of this Act to advance the cause of freedom. The Congress joins with the President of the United States in proclaiming the hope that the peoples who have been subjected to the captivity of Communist despotism shall again enjoy the right of self-determination within a framework which will sustain the peace; that they shall again have the right to choose the form of government under which they will live, and that sovereign rights of self-government shall be restored to them all in accordance with the pledge of the Atlantic Charter. Funds available under subsection (a) of this section may be used for programs of information, relief, exchange of persons, education, and resettlement, to encourage the hopes and aspirations of peoples who have been enslaved by communism."

Subsection (a) of section 451, originally the Kersten amendment to the Mutual Security Act of 1951, indicates the willingness of the United States to utilize the abilities of persons living within Communist-occupied areas in defense against the aggressions of the World Communist Movement:

"Not to exceed \$100,000,000 of the funds available under this subsection may be expended for any selected persons who are residing in or escapees from the Soviet Union, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, Lithuania, Latvia, and Estonia, or the Communist-dominated or Communist-occupied areas of Germany, or any Communist-dominated or Communist-occupied areas of Asia and any other countries absorbed by the Soviet Union, either to form such persons into elements of the military forces supporting the North Atlantic Treaty Organization or for other purposes when the President determines that such assistance will contribute to the defense of the North Atlantic area or to the security of the United States."

The United States of America has committed its economic power and has expended billions of dollars in a foreign aid program originated to combat Communist expansion, as initiated by Public Law 75 of the 80th Congress, an act to provide for assistance to Greece and Turkey, approved May 22, 1947, which authorized to be appropriated to the President the sum of \$400 million to carry out the provisions of the act. This legislation was in direct response to the appeal of President Harry S. Truman in a speech to a joint session of the Congress March 12, 1947, for aid to Greece and Turkey, in which the President stated:

"The very existence of the Greek state is today threatened by the terrorist activities of several thousand armed men, led by Communists, who defy the Government's authority at a number of points, particularly along the northern boundaries."

This legislation was characterized in a June 11, 1959, study for the House of Representatives by the Library of Congress entitled "U.S. Foreign Aid," as important in that: "this inaugurated the postwar U.S. foreign aid program as a means of opposing indirect Soviet aggression through the use of American money and material."

This action, implementing the Truman Doctrine in this area, was successful, again quoting "U.S. Foreign Aid," inasmuch as:

"Greece and Turkey remained independent countries. The Soviet drive was stopped at their borders by the new military strength made possible, in large measure, by U.S. aid (and) the moral commitment of this country's power which the aid program implied."

In the Presidential order of June 27, 1950, ordering U.S. Air and Naval Forces to assist the Republic of Korea after the invasion of that nation by forces from Communist North Korea, President Harry S. Truman stated:

"The attack upon Korea makes it plain beyond all doubt that communism has passed beyond the use of subversion to conquer independent nations and will now use armed invasion and war."

Military aggression of the armed forces of the World Communist Movement in the Korean area was cited as such by the United Nations in the resolution of the General Assembly branding the Communist Chinese as aggressors, February 1, 1951:

"The General Assembly:

"Noting that the Security Council, because of lack of unanimity of the permanent members, has failed to exercise its primary responsibility for the maintenance of international peace and security in regard to Chinese Communist intervention in Korea;

"Noting that the Central People's Government of the People's Republic of China has not accepted United Nations proposals to bring about a cessation of hostilities in Korea with a view to peaceful settlement, and that its armed forces continue their invasion of Korea and their large-scale attacks upon United Nations forces there;

"Finds that the Central People's Government of the People's Republic of China, by giving direct aid and assistance to those who were already committing aggression in Korea and by engaging in hostilities against United Nations forces there, has itself engaged in aggression in Korea."

The Ninth International Conference of American States in Bogotá, Colombia, 1948, promulgated resolution XXXII, "The Preservation and Defense of Democracy in America," which states in part:

"Whereas:

"In order to safeguard peace and maintain mutual respect among states, the present world situation requires that urgent measures be taken to proscribe the tactics of totalitarian domination that are irreconcilable with the tradition of the American nations, and to prevent agents serving international communism or any other totalitarian doctrine from seeking to distort the true and the free will of the peoples of this continent,

The Republics represented at the Ninth International Conference of American States:

"Declare that, by its antidemocratic nature and its interventionist tendency, the political activity of international communism or any other totalitarian doctrine is incompatible with the concept of American freedom, which rests upon two undeniable postulates: the dignity of man as an individual and the sovereignty of the nation as a state;

"Condemn, in the name of international law, interference by any foreign power, or by any political organization serving the interests of a foreign power, in the public life of the nations of the American Continent, * * *

"And resolve:

"2. To condemn the methods of every system tending to suppress political and civil rights and liberties, and in particular the action of international communism or any other totalitarian doctrine.

"3. To adopt, within their respective territories and in accordance with their respective constitutional provisions, the measures necessary to eradicate and prevent activities directed, assisted, or instigated by for-

eign governments, organizations, or individuals tending to overthrow their institutions by violence, to foment disorder in their domestic political life, or to disturb, by means of pressure, subversive propaganda, threats, or by any other means, the free and sovereign right of their peoples to govern themselves in accordance with their democratic aspirations."

The Tenth Inter-American Conference of American States in Caracas, Venezuela, 1954, proclaimed Resolution XCIII:

"Meeting the threat to peace and security: Declaration of solidarity for the preservation of the political integrity of the American States against international Communist intervention, adopted by the Tenth Inter-American Conference, March 28, 1954:

"Whereas the American Republics at the Ninth International Conference of American States declared that international communism, by its antidemocratic nature and its interventionist tendency, is incompatible with the concept of American freedom, and resolved to adopt within their respective territories the measures necessary to eradicate and prevent subversive activities;

"Whereas the Fourth Meeting of Consultation of Ministers of Foreign Affairs recognized that, in addition to adequate internal measures in each state, a high degree of international cooperation is required to eradicate the danger which the subversive activities of international communism pose for the American States; and

"Whereas the aggressive character of the international Communist movement continues to constitute, in the context of world affairs, a special and immediate threat to the national institutions and the peace and security of the American States, and to the right of each state to develop its cultural, political, and economic life freely and naturally without intervention in its internal or external affairs by other states,

"The Tenth Inter-American Conference—

I

"Condemns the activities of the international Communist movement as constituting intervention in American affairs;

"Expresses the determination of the American States to take the necessary measures to protect their political independence against the intervention of international communism, acting in the interests of an alien despotism;

"Reiterates the faith of the peoples of America in the effective exercise of representative democracy as the best means to promote their social and political progress; and

"Declares that the domination or control of the political institutions of any American State by the international Communist movement, extending to this hemisphere the political system of an extracontinental power, would constitute a threat to the sovereignty and political independence of the American States, endangering the peace of America, and would call for a meeting of consultation to consider the adoption of appropriate action in accordance with existing treaties.

II

"Recommends that, without prejudice to such other measures as they may consider desirable, special attention be given by each of the American governments to the following steps for the purpose of counteracting the subversive activities of the international Communist movement within their respective jurisdictions:

"1. Measures to require disclosure of the identity, activities, and sources of funds of those who are spreading propaganda of the international Communist movement or who travel in the interests of that movement, and of those who act as its agents or in its behalf; and

"2. The exchange of information among governments to assist in fulfilling the pur-

pose of the resolutions adopted by the Inter-American Conferences and Meetings of Ministers of Foreign Affairs regarding international communism.

III

"This declaration of foreign policy made by the American Republics in relation to dangers originating outside this hemisphere is designed to protect and not to impair the inalienable right of each American State freely to choose its own form of government and economic system and to live its own social and cultural life."

Mr. BRUCE. Mr. Speaker and my colleagues, our Declaration of Independence states several universal principles applicable not only to our Founding Fathers or to us, their heirs, but to all men of all time:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.

George Washington in his General Orders to the Continental Army on July 2, 1776, said:

The time is now near at hand which must probably determine whether Americans are to be free men or slaves; whether they are to have any property they can call their own; whether their houses and farms are to be pillaged and destroyed, and themselves consigned to a State of Wretchedness from which no human efforts will probably deliver them.

The fate of unborn Millions will now depend, under God, on the courage and conduct of this Army—our cruel and unrelenting enemy leaves us only the choice of brave resistance, or the most abject submission.

I suggest that in this day we can revise that last paragraph and change but one word and say:

"The fate of unborn millions will now depend, under God, on the courage and conduct of this 'Congress'—our cruel and unrelenting enemy leaves us only the choice of brave resistance, or the most abject submission."

This is all we can expect. We have therefore to resolve to conquer or die.

I submit this resolution in a sense of prayerful dedication that we in the Congress will have the courage, the insight, and the understanding to declare our intent of victory for the first time before the world; to say we are not going to compromise, that we are not going to engage in appeasement but that we will

establish as our policy the victory of freedom and the defeat of world communism.

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

Mr. BRUCE. I shall be glad to yield to the gentleman from New York.

Mr. PILLION. I wish to say it is a great privilege to be associated with the gentleman in this magnificent cause. I pledge my complete cooperation and support for his resolution and its goals.

Mr. BRUCE. I thank the gentleman very much.

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

Mr. BRUCE. I yield.

Mr. LANGEN. I wish to compliment both the gentleman from New York and the gentleman from Indiana for the intelligent manner in which they are serving the cause of the free world and the United States of America in the statements they have presented. Surely this is ample indication of their dedication to this service and, further, I compliment them on the very diligent manner in which they have studied and documented in a very masterful way and presented it to the House so that each of us might be alerted to our duties together with them.

Mr. BRUCE. I thank the gentleman.

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

Mr. BRUCE. I yield.

Mr. BEERMANN. Mr. Speaker, I wish to congratulate the gentleman from Indiana for his energy in researching these pertinent facts and expressing them so clearly. I would like to associate myself with the remarks of the gentleman from Indiana and wish to assure him that there is a grave feeling of unrest in our great country. The very fact that the gentleman from New York and the gentleman from Indiana each has felt this unrest and presented their thoughts and plans of action today is indicative of the rising feeling and pressure throughout our United States to take positive action in preservation of our free world. We, the people of the United States, are the only strong nation able to maintain the freedom, and all the world is looking to us for this leadership.

Mr. BRUCE. I thank the gentleman very much.

Mr. SPEAKER, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ALGER. Mr. Speaker, I concur heartily with the statement just made by the gentleman from Indiana and commend him upon the wisdom and strength of his argument and upon his documentation.

Mr. Speaker, America is at war. It does not matter that we call it a cold war, we are engaged in a struggle for survival with a deadly and dedicated enemy.

It is foolhardy for Americans to believe that we can compromise with communism when every leader since Lenin has enunciated the sole objective of the

Soviet Union, complete world domination achieved through the destruction of the United States and our free institutions. We can win that war only by demonstrating to the leaders of the Soviet Union that we have the means and the will to win it. Contrary as it may be to our American character, the time has come for us to be tough with our enemies, to let them know that we stand for freedom and that we are prepared to defend freedom wherever it is threatened. There may be those who fear that such a policy will lead to war. To the fearful, let me say that this is indeed a policy that will give greater assurance of peace because the only language the Reds understand is one of firmness and toughness and we gain their respect only when we speak from a position of strength.

In the same spirit that moved our Founding Fathers to pledge their lives, fortune, and sacred honor to the preservation of liberty, let us now rededicate ourselves to the America they created and which has offered mankind its greatest source of opportunity and devotion to the dignity of the individual as a child of God with an immortal soul.

STUDY OF JUVENILE DELINQUENCY

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. KYL] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. KYL. Mr. Speaker, the House is today debating matters pertaining explicitly to the District of Columbia. In another sense, what we have here is a miniature of national problems. The District Committee is to be congratulated for bringing in concrete proposals instead of simply asking for further studies.

Mr. Speaker, I am not a member of the District Committee. I have, however, spent many hours studying one phase of the problems brought to the attention of the House today—the problems of juvenile delinquency.

I take this time to call to the attention of the membership the most remarkable study of juvenile delinquency I have ever seen. It is remarkable, first, because though the study took thousands of man-hours of work and perhaps a million-dollar expenditure—though the procedure was checked for validity for 18 months—though 3½ tons of information is available—though IBM cards with the condensed material have been punched—the cards have never been run through machines for tabulation and the remarkable study has never utilized even though we now propose to spend \$10 million on further studies of juvenile delinquency.

Yes, this study is locked in a cell, the brig of the military police in the old gun factory—languishing in jail as a reluctant prisoner, all three and a half tons of it. You might ask, "Is this study out of date?" The answer is "absolutely not." It is, rather, a most vital and comprehensive effort. This is a study

which would now be impossible because it reviews the cases of members of the services who were born between 1900 and 1935, who were institutionalized before entering service. This is not a random sampling, but a complete compilation. Statistics were gathered from selective service records which were preserved for this purpose but which are now destroyed—no longer available. This study was considered so important that individuals contributed months of their own time, and their own money, to complete a task so broad it was considered almost impossible. It was truly a labor of love for individuals like Lt. Col. Van H. Tanner, Dr. Pierre Lijins, and Dr. Virginia Zachert.

This impressive study could be completed with expenditure of about \$75,000. Do not smile too broadly when I say \$75,000 because we are contemplating expenditure of \$10 million for the purpose.

I cannot take the time to explain fully what is in this research. It is significant because it concerns delinquents who became good citizens as well as dealing with those who stayed that way. It is valuable for the military as well as civilian sectors. Indeed, it could be justified on that military side alone.

Mr. Speaker, I hope funds can be found somewhere to complete this job without legislation. However, if this is impossible, I have introduced legislation this day to provide the necessary funds, and I hope the funds will be speedily granted so this good work can be brought to conclusion.

PROBLUE PROGRAM

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hiestand] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. Hiestand. Mr. Speaker, the announcement by the Army today that Gen. Edwin A. Walker has been officially rebuked is a shocker.

The Army said that administration admonitions are not intended as punishment or penalty, but are corrective measures more analogous to instruction.

Yet, in the same announcement, it was reported that General Walker's scheduled assignment to command the VIII Corps in Austin, Tex., had been canceled. The assignment has already been given to somebody else. Some of us are wondering just what an Army penalty would be.

Ignored in this announcement is the status of the problue program. An attack on this patriotic program, it may be forgotten, precipitated the attack on General Walker and resulted in his being relieved of command of the 24th Infantry Division. General Walker insisted that the problue program he initiated was for troop orientation, geared to Americanism and patriotism, and he must have been right.

Apparently, it received a clean bill. But what happens now? Does the pro-

gram die with General Walker's admonition? What happens to the morale of the troops he so brilliantly commanded? Are they to feel that his attempt to preach loyalty and Americanism versus the dangers of communism was a wrongdoing?

I am greatly disturbed over General Walker's treatment. And I know that he, with his great military record in war and peace and his devotion to his country, is now disturbed over the future of patriotic Army programs. He is that type of American.

Some weeks ago, I asked for a complete report on the investigation. I am now asking Secretary of the Army Stahr to advise the public on the future development of Army programs such as General Walker's fine problue effort.

A pro-America program, in the Army or on the farm, is as necessary as it is proper.

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

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

There was no objection.

Mr. ALFORD. Mr. Speaker, how far afield has the Army and the administration gone in the matter of rebuking Maj. Gen. Edwin A. Walker for being an American?

While I will go into detail on this shocking episode in the very near future, I must rise and register my immediate concern over the news reports that I have seen this day.

A fine reward this for 30 years of outstanding military service. A fine tribute this as the end result of a smutty attack by a smutty little publication that even to this day still should be banned from circulation to our fighting men overseas.

I am shocked at this miscarriage of justice. I am dismayed that more significance is attached to a few words in a scandal sheet than to a magnificent military record and a lifetime of devotion to the ideals of Americanism.

As I have said before, I say again: General Walker's only crime was that he loved America and detested atheistic communism. This will truly be a day of gloating in the Kremlin, for the hands of time on the clock of justice, fairplay, and decency have been turned backward.

Yes, I shall have more to say in the near future. For the moment, however, I want to register the true shame that I feel for such ungrateful treatment of a great American.

This alarming attack on such an outstanding patriot causes all who fight on the side of America to cry out "What on earth is happening here in the land of the free and the home of the brave?" Let our prayer in these days of peril be "God give America a new breath of patriotism."

Mr. VINSON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

WHEN WILL SUCH THINGS STOP?

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, on Friday of last week I directed a letter to the Administrator of Veterans' Affairs about a \$14.7 million contract which the VA awarded to a New York construction company for an 800-bed hospital in Cleveland.

This construction company, the Malan Construction Corp., was the prime contractor for construction of missile launching sites near Offutt Air Force Base in eastern Nebraska during 1959 and 1960. The Army Corps of Engineers reported last fall that long delays during construction of these vital bases were due primarily to poor managerial performance on the part of the prime contractor, his lack of aggressiveness, failure to promptly marshal his subcontractors and selection in some cases of poor subcontractors.

From personal knowledge I know of suits still pending against the Malan Corp. by reputable subcontractors for payment. I know of other subcontractors, completely inexperienced, which went broke on the job.

I now learn that the Malan Corp. also has a contract for certain work at O'Hare Field Terminal at Chicago. It has awarded a \$300,000 subcontract to an electrical contracting firm which is described by the Chicago Daily News as having links with a hoodlum-dominated company.

Yet this is the firm which VA would have build its new 800-bed hospital at Cleveland.

Does not the Federal Government maintain any register of companies in an effort to sort out and eliminate those whose past performance would leave reasonable doubt as to their ability to complete a contract?

I call this situation to the attention of the VA in the hope of saving that agency a multi-million-dollar headache. I hope appropriate action will be forthcoming promptly.

PRESIDENT'S PROPOSAL TO TAX FOREIGN INCOME

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MICHEL] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. MICHEL. Mr. Speaker, on Wednesday, June 7, Mr. W. H. Franklin, vice president of Caterpillar Tractor Co., testified before the House Ways and Means Committee in opposition to the President's proposal to tax foreign income when earned by foreign subsidiaries, rather than when such income is received by its U.S. parent in the form of dividends.

Mr. Franklin points out in his testimony that the President's proposal will have the opposite effect of that intended. From a long-term standpoint it will impair rather than help the balance of payments, and it will reduce rather than increase U.S. tax revenues.

Mr. Speaker, by way of identification the Caterpillar Tractor Co. has five manufacturing plants, a major-parts warehouse and general offices, all located in various Illinois communities. Ninety percent of Caterpillar's employment in the United States is now within the borders of the State of Illinois, and it is now the second largest employer of people within the State of Illinois. As Mr. Franklin points out in his testimony, Caterpillar is among the top 10 U.S. exporters and about one-third of the 28,000 Illinois jobs are directly dependent upon Caterpillar's success in foreign markets. In our judgment the President's tax proposal would impose an unfair handicap, not only upon Caterpillar's but many other companies' ability to compete in these foreign markets.

Mr. Speaker, under unanimous consent I insert the full text of Mr. Franklin's testimony in the RECORD at this point:

I am W. H. Franklin, the financial vice president and a director of Caterpillar Tractor Co., with headquarters in Peoria, Ill. I wish to testify in opposition to the President's proposal to tax foreign income when earned by a foreign subsidiary rather than when received by its U.S. parent in the form of dividends.

COMPANY DESCRIPTION

Caterpillar Tractor Co. and its subsidiaries manufacture and sell throughout the entire free world diesel engines and earthmoving machinery such as crawler and wheel tractors, bulldozers, scrapers, motor graders, etc.

Since World War II, the company has spent \$425 million for plant and equipment in the United States and, beginning in 1950, its subsidiaries have spent \$54 million for plant and equipment outside the United States. We now own four foreign subsidiary companies operating manufacturing plants and parts warehousing and distributing facilities. These are located in Melbourne, Australia; São Paulo, Brazil; Leicester and Newcastle, England; Glasgow, Scotland; and Grenoble, France. The company also owns a U.S. subsidiary which qualifies under the Internal Revenue Code as a Western Hemisphere trade corporation, and a Swiss subsidiary with headquarters in Geneva, Switzerland, which operates a parts warehouse in Brussels, Belgium, and distributes Caterpillar products in many areas of the Eastern Hemisphere.

Consolidated sales in 1960 were \$716 million of which \$345 million, or 48 percent, were made outside the United States. A very substantial portion of these sales was exported from the United States. In fact, Caterpillar ranks, we believe, somewhere in the top 10 manufacturing companies in the volume of exports. Foreign sales in 1960 were 26 percent higher than in 1959 and helped considerably to cushion the effect on the company and its employees of a drop of 21 percent in domestic sales.

We now have about 5,000 people employed outside the United States and about 30,000 employed in the United States.

TAX PROPOSAL REPRESENTS ECONOMIC ISOLATIONISM

The proposal to tax the income of U.S.-owned foreign subsidiaries when that income is earned by the subsidiaries is pure economic isolationism. The businessman is

being told to "stay home and let the rest of the world take care of themselves." We believe that, rather than staying home, we should recognize and grasp the opportunity we have to help the rest of the world develop a higher and higher scale of living. We believe that isolationism, whether it be economic or political, leads to feelings between nations of distrust and envy and ultimately hatred and war. The U.S. Government should be urging businessmen to go abroad and cultivate other nations. The proposal should be to encourage investment abroad which was proposed to the last Congress in the Boggs bill, rather than to discourage it as is now proposed. Other nations are recognizing the importance of international trade by encouraging their citizens to make foreign investments. Should we sit back and watch the rest of the world go by?

The stated purposes of the present proposal are to improve the balance of payments and increase income tax revenues:

1. By forcing immediate return to this country of income earned abroad in order to help pay the tax on that income;
2. By discouraging foreign investment by imposing on it the handicap of high U.S. tax rates; and
3. By taxing profits which are left abroad and which under today's tax law are not taxed until received by the U.S. parent company as a dividend.

The whole idea appears to rest on a false premise that tax collection, as soon as may be possible, is more important than the development of a sound tax system—one which would operate to produce more taxable income over the long term. It promotes restrictive or even punitive taxation instead of incentive taxation.

There are at least two fallacies underlying the proposal.

The first is the fallacy that a foreign investment is just like a domestic investment. It has been stated that it is unfair for a foreign investment to pay only the taxes of a foreign government on profits left abroad. It is argued that a foreign investment should pay the same taxes as a domestic investment.

But a foreign investment is not just like a domestic investment and should not pay the same taxes. A domestic investment receives all the services and the complete protection of the U.S. Government. A foreign investment does not. It is subject to the risks of less stable economies, foreign exchange, war and insurrection and even, as in the case of Cuba, confiscation. It can be more properly argued that the U.S. Government is entitled to little or no tax revenue on earnings on foreign investments even when they are brought back to the United States in the form of dividends.

The second fallacy underlying the proposal is the apparent belief that businessmen do something against the best interests of the United States when they locate subsidiaries in so-called tax haven countries.

In the first place a so-called tax haven country is a country which has recognized what we consider to be the proper principle that a country is not entitled to tax revenue on profit earned outside its jurisdiction. It relies for revenue on other taxes which the U.S. subsidiary pays along with all the other companies incorporated there.

In the second place, by locating in a so-called tax haven country a businessman is actually helping U.S. tax revenues and he should be praised for this rather than blamed. When a business pays low taxes on foreign earnings, it has more of its profit left either for more investment to earn more profit or for return to the United States in dividends. The longrun objective is always to return the maximum dividend to the United States. And if this larger dividend is from a so-called tax haven country, then the foreign tax credit is small and the U.S.

parent company pays the highest tax to the United States. In other words, the lower the tax paid to the foreign country, the higher the tax ultimately paid to the U.S. Treasury—and the way to obtain the lowest foreign tax is to locate in a so-called tax haven country.

PROPOSAL WILL HAVE THE OPPOSITE EFFECT FROM ITS STATED PURPOSE

Moreover, we are convinced that the proposal, if adopted, would have the exact opposite effect from that intended. It would, in fact, impair rather than improve the balance of payments and would decrease rather than increase the tax revenues of the United States. There are at least five reasons why this is so:

The first reason is this: Income from foreign investments is a great source of strength to our balance of payments, and any proposal which seeks to reduce foreign investments will of necessity reduce the income from foreign investments. Investments are made, whether they be domestic or foreign, in order to earn an income. Thus, when a company makes an investment abroad, it does so to earn an income on that investment and at least a portion of that income must be returned to it in the United States if it is to satisfy its shareholders with dividends. The balance-of-payments statistics bear this out. Over the recent 11-year period in which the United States has had a deficit in its balance of payments, income returned to the United States from direct foreign investments was more than \$20 billion. In fact, during this period, it exceeded the outgo for new investments by \$8 billion.

It follows that any move which curtails investments abroad will ultimately curtail the receipt of income from foreign investments with an adverse effect on the balance of payments and on U.S. tax revenues. Curbing a balance of payments problem for the short term by curtailing investments abroad is like an individual living on his savings. He may have a momentary illusion that he can afford to spend more than his income but in the long run he loses both his savings and the income he could have earned on those savings.

A second reason why the proposal would produce an adverse effect is this: Foreign investment increases the export sales of the company making the investment and, per contra, when a company does not make a foreign investment which it should have made, it loses export business. Let me illustrate this from our own experience with foreign investments. We formed our first foreign subsidiary in Great Britain in 1950. Our exports to Great Britain last year were over four times those in 1950. Our next subsidiary was formed in 1955 in Australia. Our exports to Australia last year were more than double those in 1955. Our third subsidiary was formed in Brazil in 1956. Our exports to Brazil last year were more than five times those in 1956.

Now there are many explanations for these increases in our exports, but we are convinced an important factor is that we have subsidiary companies located in these countries. There are at least two causes for this. In the first place, none of our products is produced completely abroad; many of the components such as engines, transmissions, etc., are produced in our U.S. plants and shipped to the foreign plant. This creates export business for the United States because—and I would like to make this very plain—if we did not manufacture our product abroad some foreign competitor would get the order and that competitor would manufacture his product without using any components manufactured in the United States. In the second place, we have invariably found that when we located people abroad to operate a subsidiary and to handle the sales of Caterpillar products in an assigned area, the

very fact that they are abroad and close to the market results in more orders for our U.S.-made products. This is the main reason we have established headquarters in Geneva, Switzerland, for the subsidiary handling sales of Caterpillar products in most of the Eastern Hemisphere.

When a company does not make a foreign investment and thereby loses export business both the balance of payments and U.S. tax revenues are adversely affected.

The third reason for the proposal adversely affecting tax revenues arises out of the second. Exporting companies purchase goods and services all over the United States and they and their suppliers employ in the United States millions of people. When exports decrease the purchases of the exporting companies are curtailed with a resulting reduction in employment and wages of these U.S. employees. This, of course, has widespread repercussions not only on U.S. tax revenues, but on the whole domestic economy.

Caterpillar last year expanded in the United States almost \$325 million for materials, supplies, and services, and almost \$230 million in wages and employee benefits. About one-third of our U.S. production is shipped abroad and if this export business had been wiped out, we would have failed to purchase over \$100 million of supplies and services and would have been required to lay off almost 10,000 employees with resulting reduction in almost \$75 million in wages and employee benefits.

And the fourth reason is this. Should the tax proposal be adopted, undoubtedly many countries would take advantage of the situation by raising their income taxes on U.S.-owned companies and this would reduce U.S. tax revenues. For example, if the proposal were adopted why should not Switzerland raise its income tax rate on U.S.-owned Swiss companies to 52 percent? If it did, the income earned by the U.S.-owned subsidiary would not be taxed at any higher rate, but the United States would get nothing when the income was earned and, because of the foreign tax credit, would get nothing when dividends were paid to the U.S. parent. Thus the proposal would not add any tax revenue by taxing the income when it was earned by the subsidiary and would lose revenue because there would be no tax when dividends were received.

And the fifth reason is this. Any prudent businessman considers tax costs as one element in a business decision as to the place to make investments. There are many other reasons, of course, for deciding to invest in one country rather than another, but, everything else being equal, obviously the lower tax country will attract an investment, and every time a businessman makes an investment in a low tax country rather than a high tax country he makes more money for the U.S. Government because the foreign tax credit on dividends is lower. But the present tax proposal would level all tax rates in developed countries and many investments of the type now going to low tax rate countries may well be diverted to high tax rate countries with the end result of lower tax revenues for the United States than if the proposal had not been adopted.

PROPOSAL UNFAIR

Not only will the proposal have the opposite effect from that intended but it is unfair in at least five respects:

The first reason it is unfair is this. Taxes are costs of doing business just as much as material purchases and wage payments. It is clearly unfair to subject to high U.S. tax costs the earnings of a company operating abroad and competing with locally owned companies which are not subject to those costs. This would require U.S. investment to compete with one hand tied behind its back. It is just as unfair as would be a law

which required U.S.-owned companies operating abroad to pay U.S. prices for raw materials or to pay U.S. wage rates.

The second reason it is unfair is this. The proposal would require a U.S. company to pay taxes on income which it had not received from its foreign subsidiary and which it may never receive because the subsidiary may well have permanently invested that income in brick and mortar. The U.S. parent would have to look to its U.S. resources to pay the tax, thus making the tax in effect a tax on U.S. capital.

The third reason it is unfair is this. Many countries abroad rely for a very substantial portion of their tax revenue on such taxes as sales or turnover taxes in addition to income taxes. U.S. tax law allows no credit for foreign taxes of this type. Thus a foreign subsidiary would have to pay the high local taxes and also its U.S. parent would have to pay the high U.S. income tax. This inequity, incidentally, exists today in the taxation of the dividends received by the U.S. parent.

The fourth reason it is unfair is that the U.S. Government would tax earnings of U.S.-owned companies operating abroad at the same tax rate as companies operating in the United States even though the services and protection of the U.S. Government are not as fully available to the foreign company as to the domestic company.

And the fifth reason it is unfair is this. The proposal would give to the President the discretion to determine from time to time what countries are developed and what countries underdeveloped—and his decision to change a country from one category to the other would have great impact on the tax costs of operating in that country. A businessman would be asked to make investments in a foreign country without knowing from day to day whether his tax cost is to be high or low. He may well have received, for example, a tax waiver from some country such as Ireland and find the next day that his tax rate has jumped from 0 to 52 percent.

This last provision has many equally alarming possibilities. Its purpose is to encourage investment in underdeveloped countries so as to help develop them—but if we succeed in developing the country, we are penalized by having our tax costs increased drastically. And the peculiar feature of this penalty is that it comes just at the time when the country has been developed and therefore at the time when local competition is becoming more intense.

PROPOSAL DISCRIMINATORY

The proposal is not only unfair, it is also discriminatory. A new theory of taxation would be adopted—that the income of a company is to be taxed to its shareholders when the company earns it rather than when the shareholders receive it—a theory previously applied only in the case of corporations formed for the purpose of evading U.S. taxes. But this new theory would be applied only to foreign subsidiaries. Why not apply the same theory to domestic companies? Or is this the next step? Why not apply the theory to individuals and tax all shareholders on their share of corporate profits when earned rather than when paid in dividends? This logical end result of the proposal to tax foreign earnings makes the proposal to withhold taxes on dividends seem mild by comparison.

PROPOSAL MAY BE UNCONSTITUTIONAL

I am not a lawyer, but I have discussed the constitutionality of this proposed tax with our counsel. They advise me that existing law is probably adequate to deal with foreign corporations created or used for the sole purpose of avoiding U.S. tax, and that in the case of the many foreign corporations created for legitimate business purposes there is serious doubt as to the constitutionality of the proposed tax.

SUMMARY

In summary, we at Caterpillar are opposed to the proposal with regard to the taxation of earnings of U.S.-owned foreign corporations. We believe it will have the opposite effect of that intended. It will impair rather than help the balance of payments. It will reduce rather than increase U.S. tax revenues. Beyond that the proposal is unfair and discriminatory. And it may well be unconstitutional.

DISTRICT OF COLUMBIA METROPOLITAN POLICE FORCE

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MATHIAS. Mr. Speaker, on May 17, 18, and 19 hearings were held by a subcommittee of the House District Committee to determine what immediate legislative action might be taken by the Congress in order to provide emergency relief for the citizens of the Nation's Capital from the increase in violent crime which has been the subject of so much publicity in recent weeks. At the outset, I would like to make it clear that, in my opinion, the bill before the House today, H.R. 7218, is a step in the right direction to the solution to this problem.

Favorable consideration of this bill should have the effect of lowering the crime rate in the District of Columbia. It is designed to prevent crime through better law enforcement that will have the effect of apprehending and removing known offenders from society.

The reasons for crime are highly complex and, to a great degree, unknown. Until such time as the criminologists, doctors, judges, law enforcement officers, social workers, legislators, and the entire citizenry know exactly what causes crime, an overall solution to this problem is unobtainable. We do know that a high rate of crime is usually connected with certain symptoms that are evident in the society in the District of Columbia. Poor living conditions affect the rate of crime. Unemployment affects the rate of crime. Low wages affect the rate of crime. Large migrations of persons unaccustomed to life in a large city and unaware of the difficulties and temptations that they will face there affect the rate of crime. We also know that crime is one of the most expensive cancers that a society may have. It is not only expensive to those who suffer directly from criminal actions but to the public at large in maintaining large police forces and prisons. There is also the incalculable loss of the talents, energies, and abilities of those people who turn to crime, instead of contributing to society.

The bill before us today, H.R. 7218, is to increase the authorized strength of the Metropolitan Police force from 2,734 to 3,000 police officers. This bill aims to provide one of the available deterrents to crime. When Chief Murray, of the Metropolitan Police Department,

appeared to testify on this subject, he stated that, in his opinion, the foot patrolman is the best deterrent to crime. Additional policemen should not only result in fewer unsolved crimes, but the experience in the Police Department demonstrated that many crimes will never take place if a policeman is known to be on the beat. The Washington press has cited many examples of policemen responding to cries and screams for help which enabled them to arrest an assailant in the act of committing a violent crime before the victim suffers the full consequences of the completed crime.

There is no way to ascertain the beneficial effect that good police work has on preventing crimes. I hope that the House will pass this bill today as an emergency measure and will in the future consider the possibility and need for additional legislation designed to remove the elements in our society which give crime a climate in which to develop. The passage of H.R. 7218 would be a step in the right direction and I hope that funds are made available to enable the authorized increase to be a realized post in the near future.

AMBASSADOR OF APPEASEMENT?

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. JOHANSEN. Mr. Speaker, what is Adlai Stevenson up to on his current Latin American tour? And by what authority?

Did Mr. Stevenson tell the Argentine Foreign Minister—as an Associated Press dispatch reported last week—that “the U.S. Government has ruled out force as a means of ending the Castro regime”?

If he did so—and if he was speaking only for himself and without authority—why has he not been recalled or, better still, fired?

If he was actually stating official policy, has the President reversed his own April 20 declaration reserving the right of intervention in Cuba if this Nation's security and OAS inaction require such a step?

Recent reports also have it that Mr. Stevenson is apologizing to officials—or, at least, to leftwing leaders—of Latin American countries for past U.S. actions toward Castro.

If these reports are accurate, for what past action is he apologizing, and who ordered or authorized these apologies?

Finally, an Associated Press report over the weekend quotes Mr. Stevenson as saying to the Uruguayan Council President:

We would appreciate any suggestion to avoid nonintervention [in Cuba] from becoming our tragedy.

Are U.S. leadership diplomacies in hemisphere affairs now reduced to “suggestion box” solicitations from other countries?

Blunt speaking Jim Farley last August described private citizen Adlai Stevenson as “the apostle of appeasement.” Is Presidential Appointee Adlai Stevenson now “the ambassador of appeasement”?

And if so, is it with or without official authority and sanction?

Mr. Speaker, I am sure the American people want answers to these questions.

SUPPORT OF WOOL ACT WITH TREASURY APPROPRIATIONS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. KYL] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. KYL. Mr. Speaker, it has been brought to my attention that comparatively high level consideration will soon be given to supporting the Wool Act with Treasury appropriations instead of funds from import duties. This procedure would open the gates to wool imports and deal a death blow to large sectors of our already sick sheep industry. It could also mean the end of the Wool Act itself. This is no time for such action.

On the contrary, the gentleman from Iowa would ask for a complete study or investigation of the sheep industry including the effect of imports. Other factors should be considered: Why is there such a large discrepancy between the farmer's price and the dressed carcass price on the one hand and the retail price on the other? Why does the U.S. future market on wool decrease while the London quotations rise? The gentleman does not point the finger of guilt. He is, rather, trying to find some answers to what is wrong and what can be done to help an industry which is very ill.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NORRELL (at the request of Mr. ALBERT) for 1 week, on account of official business.

Mr. HOSMER (at the request of Mr. HALLECK) for 2 weeks.

Mr. HALL (at the request of Mr. ARENDS) for today, on account of official business.

Mrs. GREEN of Oregon (at the request of Mr. ULLMAN) indefinitely, on account of sickness.

Mr. LANKFORD, Mr. OSMERS, and Mr. BECKER (at the request of Mr. VINSON) for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BRUCE (at the request of Mr. LANGEN), to address the House for 60 minutes, today.

Mr. HEMPHILL (at the request of Mr. COHELAN), to address the House on Thursday next for 1 hour.

Mr. HOLIFIELD (at the request of Mr. COHELAN) for 40 minutes each on Tuesday, June 13 and Wednesday, June 14, 1961.

Mr. MATHIAS (at the request of Mr. LANGEN) for 30 minutes on Thursday, June 15, 1961.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. VAN ZANDT.

Mr. COHELAN, to revise and extend remarks made by him today, and to include extraneous matter and certain tables.

(The following Members (at the request of Mr. COHELAN) and to include extraneous matter:)

Mr. KOWALSKI.

Mr. FISHER.

Mr. DAVIS of Tennessee.

Mr. FLOOD.

Mr. BOYKIN in 11 instances.

Mr. KASTENMEIER.

(The following Members (at the request of Mr. LANGEN) and to include extraneous matter:)

Mr. McVEY.

Mr. DEROUNIAN.

Mr. BAKER.

Mr. ALGER.

Mr. ASHBROOK.

Mr. CRAMER.

Mr. HORAN, to revise and extend the remarks he will make tomorrow during consideration of H.R. 7577 and to include extraneous matter and tables.

ADJOURNMENT

Mr. COHELAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 13, 1961, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1010. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the March 1961 report on Army, Navy, and Air Force prime contract awards to small and other business firms, pursuant to the Small Business Act, as amended; to the Committee on Banking and Currency.

1011. A letter from the Director, U.S. Information Agency, transmitting a draft of a proposed bill entitled “A bill for the relief of George W. Ross, Jr.”; to the Committee on the Judiciary.

1012. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212(d)(3) was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

1013. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1962 involving an increase in the amount of \$1 million for the District of Columbia (H. Doc. No. 185); to the Committee on Appropriations and ordered to be printed.

1014. A letter from Ross, McCord, Ice & Miller, Indianapolis, Ind., transmitting the audit and Annual Report of the Board of Fundamental Education as of December 31, 1960, pursuant to Public Law 507, 83d Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 4660. A bill to authorize modification of the project Mississippi River between Missouri River and Minneapolis, Minn., damage to levee and drainage districts, with particular reference to the Kings Lake Drainage District, Mo.; without amendment (Rept. No. 499). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. S. 1619. An act to authorize adjustments in accounts of outstanding old series currency, and for other purposes; without amendment (Rept. No. 500). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H.R. 6765. A bill to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock; without amendment (Rept. No. 501). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. House Resolution 302. Resolution disapproving Reorganization Plan No. 1 transmitted to Congress by the President on April 27, 1961; without amendment (Rept. No. 509). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. House Resolution 304. Resolution disapproving Reorganization Plan No. 3 transmitted to Congress by the President on May 3, 1961; without amendment (Rept. No. 510). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. House Resolution 305. Resolution disapproving Reorganization Plan No. 4 transmitted to Congress by the President on May 9, 1961; without amendment (Rept. No. 511). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LIBONATI: Committee on the Judiciary. House Resolution 249. Resolution providing for sending the bill H.R. 6012 and accompanying papers to the Court of Claims; without amendment (Rept. No. 502). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. S. 452. An act for the relief of Nellie V. Lohry; without amendment (Rept. No.

503). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 1383. A bill for the relief of Hyacinth Louise Miller; without amendment (Rept. No. 504). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1486. A bill for the relief of Mrs. Vincenta A. Messer; with amendment (Rept. No. 505). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1499. A bill for the relief of Manuel Nido; without amendment (Rept. No. 506). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1699. A bill for the relief of Nick George Boudoures; with amendment (Rept. No. 507). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 1706. A bill for the relief of Adela Michiko Flores without amendment (Rept. No. 508). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 7587. A bill to provide a more definite tariff classification description for light-weight bicycles; to the Committee on Ways and Means.

By Mr. BOYKIN:

H.R. 7588. A bill to amend title 18, United States Code, to proscribe travel in interstate or foreign commerce for purposes of inciting to riot or committing other unlawful acts; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 7589. A bill to provide for the issuance of a postage stamp in honor of the life and contributions of Henry Ford; to the Committee on Post Office and Civil Service.

By Mr. FINO:

H.R. 7590. A bill to amend section 103 of title 38, United States Code, to provide for the restoration of certain remarried widows to the death compensation or dependency and indemnity compensation rolls after termination of their remarriages; to the Committee on Veterans' Affairs.

By Mr. FOUNTAIN:

H.R. 7591. A bill to amend the Internal Revenue Code of 1954 to provide that charitable contributions to museums by individuals shall be deductible for income tax purposes under the 30 percent limitation of adjusted gross income; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 7592. A bill to amend the Internal Revenue Code of 1954 to provide that charitable contributions to museums by individuals shall be deductible for income tax purposes under the 30 percent limitation of adjusted gross income; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 7593. A bill to prescribe the time for elections of Senators and Representatives in Congress and for choosing the electors of President and Vice President; to the Committee on House Administration.

By Mr. JOHANSEN:

H.R. 7594. A bill to provide for the issuance of a postage stamp in honor of the life and contributions of Henry Ford; to the Committee on Post Office and Civil Service.

By Mr. CLEM MILLER:

H.R. 7595. A bill to establish an Advisory Committee on King and Silver Salmon, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MORRIS:

H.R. 7596. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 7597. A bill to validate payments of certain per diem allowances made to civilian employees of the U.S. Air Force who served at Elmendorf Air Force Base, Alaska; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 7598. A bill to extend for 3 years the temporary provisions of Public Laws 815 and 874, 81st Congress, and to make certain changes in such laws; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 7599. A bill to provide coverage under the old-age, survivors, and disability insurance program, as self-employed individuals, for Federal employees in the legislative branch who are not eligible to participate in the civil service retirement program; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 7600. A bill to amend title 38, United States Code, to revise the effective date provisions relating to awards, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARRISON of Wyoming:

H.R. 7601. A bill to provide for the disposal of certain Federal property on the Minidoka project, Idaho, Shoshone project, Wyoming, and Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 7602. A bill to amend the Uniform Code of Military Justice; to the Committee on Armed Services.

H.R. 7603. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. BARRY (by request):

H.R. 7604. A bill to establish a program to recruit the ablest of our citizens qualified to become leaders in their fields, and to increase their usefulness by preparatory education and training for service to American Government, science, education, commerce, and culture; to the Committee on Education and Labor.

By Mr. HENDERSON:

H.R. 7605. A bill to extend the classified (competitive) civil service to certain employees of the Department of Defense, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 7606. A bill to revive the Alabama Studies on Juvenile Delinquency, and for other purposes; to the Committee on Armed Services.

By Mr. BRUCE:

H.J. Res. 444. Joint resolution expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement; to the Committee on Foreign Affairs.

By Mr. HERLONG:

H.J. Res. 445. Joint resolution to establish the St. Augustine Quadricentennial Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. MATHEWS:

H.J. Res. 446. Joint resolution to establish the St. Augustine Quadricentennial Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. PILLION:

H.J. Res. 447. Joint resolution expressing a declaration of war against the 98 Communist parties constituting the international Com-

munist conspiracy; to the Committee on Foreign Affairs.

By Mr. ALGER:

H. J. Res. 448. Joint resolution expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement; to the Committee on Foreign Affairs.

By Mr. GARLAND:

H. Con. Res. 329. Concurrent resolution expressing the sense of the Congress with respect to the proposed trade by Cuba of prisoners for tractors; to the Committee on Foreign Affairs.

By Mr. MERROW:

H. Con. Res. 330. Concurrent resolution expressing the sense of the Congress that the United States should withdraw from further negotiations with respect to atomic disarmament, and immediately resume atomic testing; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Con. Res. 331. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. ALGER:

H. Con. Res. 332. Concurrent resolution expressing the sense of the Congress with respect to the proposed trade by Cuba of prisoners for tractors; to the Committee on Foreign Affairs.

By Mr. SHORT:

H. Con. Res. 333. Concurrent resolution expressing the sense of the Congress with respect to the proposed trade by Cuba of prisoners for tractors; to the Committee on Foreign Affairs.

By Mr. KITCHIN:

H. Res. 334. Resolution to create a select committee to investigate personnel and procedures in the Department of State of the United States; to the Committee on Rules.

By Mr. MONAGAN:

H. Res. 335. Resolution disapproving Reorganization Plan No. 6 transmitted to Congress by the President on June 12, 1961; to the Committee on Government Operations.

H. Res. 336. Resolution disapproving Reorganization Plan No. 7 transmitted to Congress by the President on June 12, 1961; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relating to the Office of Saline Water of the U.S. Department of the Interior; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to optimum development of the Central Valley Basin and San Francisco Bay region of California, including multipurpose development of certain watersheds therein; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BUCKLEY:

H.R. 7607. A bill for the relief of Angelo Pellicano; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.R. 7608. A bill for the relief of Mrs. Barbara Walker De Maso; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 7609. A bill for the relief of Cesar Garcia; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 7610. A bill for the relief of Joe Kawakami; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 7611. A bill for the relief of Milagros Corteza Polvorosa; to the Committee on the Judiciary.

By Mr. CLEM MILLER:

H.R. 7612. A bill for the relief of Otto Bagai; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 7613. A bill for the relief of Andreas Thies; to the Committee on the Judiciary.

Mr. O'HARA of Illinois (by request):

H.R. 7614. A bill for the relief of Rosina Thies; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 7615. A bill for the relief of Clara B. Fry; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 7616. A bill for the relief of Stephen Patrick House, Ellen Myra Rachael House, Thomas Stephen Rendall House and Jane Ellen House; to the Committee on the Judiciary.

By Mr. MORRIS K. UDALL:

H.R. 7617. A bill for the relief of John W. Schleiger; to the Committee on the Judiciary.

By Mr. VINSON:

H.R. 7618. A bill authorizing the payment of certain moneys to N. M. Bentley in settlement of claim against the United States; to the Committee on the Judiciary.

By Mr. ZELENKO:

H.R. 7619. A bill for the relief of Eleni Papoullis; to the Committee on the Judiciary.

H.R. 7620. A bill for the relief of Leslie George Graham; to the Committee on the Judiciary.

H.R. 7621. A bill for the relief of Mr. Jan Henryk Biel; to the Committee on the Judiciary.

PETITIONS, ETC.

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

178. By Mr. DOOLEY: Resolution of the Civic and Business Federation, White Plains (N.Y.) Chamber of Commerce, urging that the House Rules Committee adopt the Smith resolution (H. Res. 125) to amend rule XXI of the House of Representatives, so that no bill or joint resolution carrying appropriations or other language that would permit the withdrawal of money from the Treasury without further action by the Congress * * * shall be reported by any committee not having jurisdiction to report appropriations; to the Committee on Rules.

179. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to requesting legislation permitting door-to-door solicitation of "Madison's Notes," which is printed as a document, and which would permit easier purchases of and encourage reading of these patriotic documents; to the Committee on House Administration.

EXTENSIONS OF REMARKS

Statement in Support of Appropriations Needed for the Water Resources of West Virginia

EXTENSION OF REMARKS

OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, June 12, 1961

Mr. BYRD of West Virginia. Mr. President, on Thursday, June 8, 1961, I was afforded the privilege of appearing before the Public Works Subcommittee of the Senate Appropriations Committee, to testify in support of several items which are in the budget for fiscal year 1962, and which relate to the work of the Corps of Army Engineers in my State of West Virginia. I might say to my distinguished colleagues that each of the items which I supported I have personally inspected. I made a special trip

last December, when there was heavy snow on the ground, and during sub-freezing weather, to ascertain the worthiness of each project. All of the projects for which appropriations are needed, and in behalf of which I testified, are necessary for the economy and welfare of West Virginia, and several are vital to our national defense and national well-being as well.

I ask unanimous consent that my statement before the Public Works Subcommittee of the Senate Appropriations Committee be printed in the RECORD.

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

STATEMENT IN SUPPORT OF APPROPRIATIONS NEEDED FOR THE WATER RESOURCES OF WEST VIRGINIA

Mr. Chairman, I appreciate this opportunity to appear before your distinguished subcommittee. I have with me today representatives of the Ohio Valley Improvement Association. I shall be very brief. I am glad to support the following items which are in the budget request for fiscal year

1962, and I hope that your subcommittee will take favorable action on them:

For the continuing study of navigation facilities for the Big Sandy River, W. Va., Ky., and Va. This will permit certain economic studies and continuing traffic and market surveys, \$20,000.

To complete the study of the Twelve-Pole Creek project. This will permit the restudy of the authorized East Lynn Reservoir, two additional potential reservoir sites, and a possible channel project at Wayne, W. Va. This investigation is about 50 percent complete, and the study is primarily for flood control, \$18,000.

For continuing the survey of Cheat River, \$70,000.

For Deckers Creek, \$1,600.

For Summersville Reservoir. This project is expected to be completed by the fall of 1964, \$9 million.

For operation and maintenance of the Bluestone Reservoir, \$80,000.

For operation and maintenance of Sutton Reservoir, \$94,000.

To initiate planning on the Racine locks and dams, Ohio River, \$75,000.

For the Opekiska lock and dam, Monongahela River, \$3 million.