

## KENNEDY

And, now, what of John F. Kennedy? How does he partake of the qualities of the seven Presidents who deserve the accolade of greatness?

As a legislative leader, Kennedy's performance so far can be ranked with the best of T.R., Wilson, or F.D.R. Though faced with a House of Representatives that had 20-odd fewer faithful Democrats than in the last Congress, whose accomplishments were small, Kennedy has already scored on many of his major legislative proposals.

As a political craftsman, he shines with the best. His conduct in the Rules Committee fight recalls Jefferson, and how to get what you want from Congress without actually demanding it. His calls on various Republican elder statesmen—MacArthur and Hoover and Eisenhower—show Lincoln's skill at disarming the opposition.

Will Kennedy have Andrew Jackson's toughness in facing up to the pressing social issues of the day? We cannot yet be sure, but his conduct in the primary campaign is encouraging. He entered the primary in Wisconsin, where some of the wisecracks were saying that a big-city easterner couldn't win; and the primary in West Virginia, supposedly an anti-Catholic stronghold, and he won them both. He's going to need this kind of courage as President.

He has called to his side a praetorian guard of first-class men: Rusk, Stevenson, and Bowles in foreign policy; Dillon at the Treasury; McNamara in Defense; Hodges at Commerce; Udall in Interior; brother Robert as Attorney General (Attorney General Ken-

neddy's decisive performance in the Alabama crisis fortifies the President in having rejected the advice that the public would never stand for having a brother as Attorney General).

He has used the power of rhetoric that Wilson and F.D.R. used so effectively. "Ask not what your country can do for you but what you can do for your country," has become the theme of the New Frontier. "Never fear to negotiate, but never negotiate out of fear" is one of the planks of our foreign policy.

The new President and his wife combine to carry out the magisterial function. They help set the moral, the cultural, and the intellectual trend for the whole country. They have brought poets to the inaugural, and imported the world of art into the White House. They've set an example of youthful fitness which is the essence of the Peace Corps.

And what of the man beneath the robes of office? There have been flashes of humor, as when he thanked Secretary Udall at his \$100-a-plate birthday dinner last month "for handling the publicity." There has been humility: The morning after the nightmare of the Cuban invasion, he held himself alone responsible for the disaster, and the Nation gave its sympathy to the beleaguered leader who admitted his mistake.

The true test of Kennedy's greatness, however, will be not how well he administers, or how adroit is his politics, or even how successful is his congressional box score. The true test will be how he responds to the crisis of our time: Can the selfish interests

of various groups be woven together into a true national fabric? Can we become a community united and unafraid, equipped to face the fearful abyss of the world today?

The President has told us the Nation's needs. We need to grow economically and to do it without a price spiral. We need truly to seek excellence in education, in science, in more widely shared opportunities in the arts. We need to make the promise of equality come true. And we need generous hearts and steady nerves for the world crisis that looms ahead as far as you and I can see.

The giant that is America seems to be stirring. But it is still asleep. Little men in big industries play around with inflation, and the devil take the consumer and our balance of payments. Soothing voices beckon us: leave the world and retire into fortress America. Others would have us believe that we can stand for equality and justice throughout the world, and yet be careless of them at home.

John F. Kennedy has identified many of the great issues that confront us. He has called on us for sacrifices to meet them. But he has yet to sketch out the road we must follow, and to detail the sacrifices we must make.

When he does, he will need not only the strength of Andrew Jackson and the courage of Franklin Roosevelt, but the almost mystical quality that spoke from Abraham Lincoln to his fellow Americans a hundred years ago.

History's verdict will be long delayed. But from the evidence so far produced, I'm betting on Kennedy.

## SENATE

WEDNESDAY, JUNE 14, 1961

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

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

Our Father, God, through the lowly gate of penitence we would enter the inner chamber of peace, where the harsh noises of the clamorous world are hushed and, in quietness of spirit, we face ourselves and Thee.

Thou only art our defense amid the flood of mortal ills prevailing. From the terror that cometh by night, and the arrow that flieth by day, from the pestilence that walketh in darkness, and the destruction that wasteth at noonday, good Lord deliver us.

We ask Thy blessing upon the men of our generation who raise Thy standards against pagan blasphemies, the men who guard the rights of their fellow men, the men who are not neutral in time of evil, the men who turn not away their face when the wicked would barter the birthright of freedom for the mess of pottage, of petty gain or glory.

Guide us and guard us and lead us forward so that, through our labors in this moment of history, we shall be in truth the living witnesses of Thy righteous will, helping to hasten the time when the earth shall be filled with the knowledge of Thy truth even as the waters cover the sea.

We ask it in the Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 13, 1961, was dispensed with.

## EXECUTIVE REPORTS OF COMMITTEE ON THE JUDICIARY SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of June 13, 1961, the following executive reports of the Committee on the Judiciary were submitted during the adjournment on June 13, 1961:

By Mr. LONG of Missouri:

Albert A. Ridge, of Missouri, to be U.S. circuit judge for the eighth circuit.

By Mr. KEFAUVER:

Frank W. Wilson, of Tennessee, to be U.S. district judge for the eastern district of Tennessee; and

Kenneth Harwell, of Tennessee, to be U.S. attorney for the middle district of Tennessee.

By Mr. McCLELLAN:

Edwin L. Reynolds, of Maryland, to be First Assistant Commissioner of Patents;

Horace B. Fay, Jr., of Ohio, to be an Assistant Commissioner of Patents; and

Arthur W. Crocker, of Maryland, to be an Examiner in Chief, U.S. Patent Office.

By Mr. EASTLAND:

Warren C. Colver, of Alaska, to be U.S. attorney for the district of Alaska;

Donald H. Fraser, of Georgia, to be U.S. attorney for the southern district of Georgia;

Charles L. Goodson, of Georgia, to be U.S. attorney for the northern district of Georgia;

Herman T. F. Lum, of Hawaii, to be U.S. attorney for the district of Hawaii;

Sylvan A. Jeppesen, of Idaho, to be U.S. attorney for the district of Idaho;

Richard P. Stein, of Indiana, to be U.S. attorney for the southern district of Indiana;

Claude Vernon Spratley, Jr., of Virginia, to be U.S. attorney for the eastern district of Virginia;

Ernest Morgan, of Texas, to be U.S. attorney for the western district of Texas;

Harold Barefoot Sanders, Jr., of Texas, to be U.S. attorney for the northern district of Texas;

William W. Justice, of Texas, to be U.S. attorney for the eastern district of Texas;

Woodrow B. Seals, of Texas, to be U.S. attorney for the southern district of Texas;

James H. Dillon, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin; and

Charles N. Bordwine, of Virginia, to be U.S. marshal for the western district of Virginia.

By Mr. HART:

Floyd Stevens, of Michigan, to be U.S. marshal for the western district of Michigan.

By Mr. ERVIN:

Hugh Salter, of North Carolina, to be U.S. marshal for the eastern district of North Carolina.

## MESSAGES FROM THE PRESIDENT

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

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a 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, in which it requested the concurrence of the Senate.

#### HOUSE BILL REFERRED

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, was read twice by its title and referred to the Committee on Appropriations.

#### LIMITATION OF DEBATE DURING MORNING HOUR

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

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

#### COMMITTEE MEETING DURING SENATE SESSION

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

#### EXECUTIVE SESSION

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

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

#### EXECUTIVE MESSAGES REFERRED

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

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

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

#### DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

The Chief Clerk read the nomination of John Joseph Gunther, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency.

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

#### AMBASSADOR

The Chief Clerk read the nomination of Ben S. Stephansky, of Illinois, to be Ambassador Extraordinary and Plenipo-

tentiary of the United States of America to Bolivia.

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

#### JUDGES

The Chief Clerk read the nomination of Albert A. Ridge, of Missouri, to be U.S. circuit judge for the 8th circuit.

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

Mr. SYMINGTON. Mr. President, the Senate has just confirmed the nomination of an outstanding jurist, Judge Albert A. Ridge, to be a member of the U.S. Court of Appeals for the Eighth Circuit.

Judge Ridge has been serving as judge of the U.S. District Court of the Western District of Missouri, a position he has filled with high ability for the past 15 years.

Prior to his appointment to the district bench, Judge Ridge served for 10 years as judge of the Circuit Court of Jackson County, Mo. Judge Ridge has served with distinction as a member of the bar and as a jurist. He is a man of the highest qualifications, and will bring added distinction as a member of the court of appeals.

Practicing lawyers and fellow judges in Missouri and throughout the Middle West have expressed their support and praise for the appointment of Judge Ridge.

Mr. President, I ask unanimous consent that an editorial from the Kansas City Star, dated May 24, 1961, and an editorial from the St. Louis Globe-Democrat, dated May 28, 1961, with reference to the nomination, be printed at this point in the RECORD.

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

[From the Kansas City (Mo.) Star, May 26, 1961]

#### A DESERVED PROMOTION FOR JUDGE RIDGE

The nomination of Judge Albert A. Ridge for the Eighth Circuit Court of Appeals is a merit promotion. In recent years we have seen a very healthy trend toward advancing judges to fill vacancies in the Federal court system. We would like to see it become standard procedure.

The value of the promotion system is demonstrated in the case of Judge Ridge. He has proved himself on the bench, which is a profession apart from the active practice of the law.

Judge Ridge has demonstrated the judicial temperament and the analytical mind that are essential to a successful judge. His use of the pretrial conference as a means of facilitating the work of the Federal courts has been recognized as a special contribution. His knowledge of the law and his many years of experience in both State and Federal courts are generally appreciated by the legal profession.

This is not only recognition of the promotion system but clearly a deserved promotion.

[From the St. Louis (Mo.) Globe-Democrat, May 28, 1961]

#### EXCELLENT APPOINTMENT

President Kennedy's appointment of Federal District Judge Albert A. Ridge, of Kan-

sas City, to the U.S. Court of Appeals is a commendable act in support of a sound judiciary. Judge Ridge has been a thoroughly capable member of the State bench and of the Federal bench for many years.

The selection gives Missouri two of the seven judges in the Eighth Circuit Court of Appeals, one from the eastern district and one from the western. This is only practical and fair. More than half the appellate court's business is from Missouri. Judge Marion C. Matthes, of St. Louis, was named to this bench in 1958.

The circuit embraces the States of Arkansas, Iowa, Minnesota, Nebraska, North Dakota, and South Dakota, as well as Missouri. The next appointment to this court, expected soon upon retirement of Judge Joseph W. Woodbrough, of Omaha, should go to Arkansas where considerable appellate litigation also originates.

The VICE PRESIDENT. The clerk will state the next nomination on the Executive Calendar.

The Chief Clerk read the nomination of Frank W. Wilson, of Tennessee, to be U.S. district judge for the eastern district of Tennessee.

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

#### PATENT OFFICE

The Chief Clerk proceeded to read sundry nominations in the Patent Office.

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

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

#### U.S. ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of U.S. attorneys.

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

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

Mr. YARBOROUGH. Mr. President, I rise to commend the President of the United States on his appointments of the four U.S. district attorneys in Texas, who have just now been confirmed by the Senate.

I also wish to compliment the Attorney General, the Honorable Robert Kennedy, who submitted these names to the President for appointment. These nominations were arrived at after weeks of careful sifting of qualified attorneys. They were made with the universal approbation of the bar of Texas.

I was admitted to the bar in 1927, and personally I have never seen a time during my practice of the law when such an able battery of attorneys were appointed at one time to the U.S. district attorneyships in Texas.

The four whose nominations were confirmed a moment ago are Ernest Morgan, of San Marcos, Tex., for the western district; Harold Barefoot Sanders, Jr., of Dallas, Tex., for the northern district; William Wayne Justice, of Athens, Tex., for the eastern district;

and Woodrow B. Seals, of Houston, Tex., for the southern district. Prior to their appointments to these positions, their appointments had been approved by the distinguished occupant of the chair, the Vice President of the United States; they had been approved by me; they had been approved by committees of the bar; and the appointments were widely published in the press of Texas. I have not received from any one of the more than 12,000 lawyers in Texas a single word other than of approval of these appointments.

I think the President; the Attorney General; the Deputy Attorney General, Byron White; and the Assistant Attorney General, Ramsey Clark, are to be commended for very carefully searching for, and finding, such highly qualified men for these positions.

It is my prediction that these appointments—having such widespread approval—will result in enhanced and very fine Federal service in Texas in the positions of the U.S. district attorneyships to the northern, southern, eastern, and western districts of that State.

#### U.S. MARSHALS

The Chief Clerk proceeded to read sundry nominations of U.S. marshals.

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

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

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

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

#### LEGISLATIVE SESSION

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

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

#### EXECUTIVE COMMUNICATIONS, ETC.

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

##### REPORT ON SCIENTIFIC RESEARCH GRANTS

A letter from the Administrative Assistant Secretary of the Interior, transmitting, pursuant to law, a report covering grants made during the calendar year 1960 to nonprofit institutions and organizations for support of scientific research programs (with an accompanying report); to the Committee on Government Operations.

##### ESTABLISHMENT OF FEDERAL AGRICULTURAL SERVICES TO GUAM

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to establish Federal agricultural services to Guam, and for other purposes (with an

accompanying paper); to the Committee on Agriculture and Forestry.

##### AMENDMENT OF CHAPTER 147, TITLE 10, UNITED STATES CODE, RELATING TO DISPOSAL OF TELEPHONE FACILITIES

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale (with an accompanying paper); to the Committee on Armed Services.

##### REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of April 30, 1961 (with an accompanying report); to the Committee on Commerce.

##### INCREASE OF AMOUNT OF OBLIGATIONS UNDER SECOND LIBERTY BOND ACT

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to increase the amount of obligations issued under the Second Liberty Bond Act, which may be outstanding at any one time (with an accompanying paper); to the Committee on Finance.

##### PARTICIPATION OF UNITED STATES IN THE NEW YORK WORLD'S FAIR

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for planning the participation of the United States in the New York World's Fair, to be held at New York City in 1964 and 1965, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

##### REIMBURSEMENT TO OWNERS AND TENANTS OF CERTAIN LANDS ACQUIRED BY THE UNITED STATES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize reimbursement to owners and tenants of certain lands or interests therein acquired by the United States for certain moving expenses and losses and damages, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

##### AUTHORIZATIONS FOR EXECUTIVE AGENCIES TO GRANT EASEMENTS IN CERTAIN CASES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize executive agencies to grant easements in, over, or upon real property of the United States under the control of such agencies, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

##### AUDIT REPORT ON BUREAU OF ENGRAVING AND PRINTING

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audit of Bureau of Engraving and Printing, Treasury Department, fiscal years 1959 and 1960 (with an accompanying report); to the Committee on Government Operations.

##### REPORT ON REVIEW OF REGULATIONS, POLICIES, AND PRACTICES, RELATING TO FEDERAL GRANTS FOR SCHOOL CONSTRUCTION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of regulations, policies, and practices relating to Federal grants for school construction under section

305(a)(3), Public Law 815, 81st Congress, as amended, Office of Education, Department of Health, Education, and Welfare, dated June 1961 (with an accompanying report); to the Committee on Government Operations.

##### REPORT ON REVIEW OF CIVILIAN AND MILITARY PERSONNEL UTILIZATION IN U.S. COAST GUARD

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of civilian and military personnel utilization in district offices and of certain military pay functions, U.S. Coast Guard, Treasury Department, June 1960 (with an accompanying report); to the Committee on Government Operations.

##### REPORT ON PROJECT PROPOSAL UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Secretary of the Interior, reporting, pursuant to law, on a project proposal under the Small Reclamation Projects Act of 1956, to the Hights Creek Irrigation Co., of Kaysville, Utah; to the Committee on Interior and Insular Affairs.

##### MODIFICATION OF REPAYMENT CONTRACT WITH FORT SHAW IRRIGATION DISTRICT, MONTANA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to approve the revised June 1957 reclassification of land of the Fort Shaw division of the Sun River project, Montana, and to authorize the modification of the repayment contract with Fort Shaw Irrigation District (with accompanying papers); to the Committee on Interior and Insular Affairs.

##### AMENDMENT OF RECLAMATION PROJECT ACT OF 1939, RELATING TO ADDITIONAL IRRIGATION BLOCKS

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend section 9(d)(1) of the Reclamation Project Act of 1939 (53 Stat. 1187; 43 U.S.C. 485), to make additional provision for irrigation blocks, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

##### ARTHUR C. BERRY, AND OTHERS

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation for the relief of Arthur C. Berry and others (with accompanying papers); to the Committee on the Judiciary.

##### FIXING OF FEES PAYABLE TO PATENT OFFICE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to fix the fees payable to the Patent Office, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

##### REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF THE INTERIOR

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on tort claims paid by that Department, during the fiscal year 1960 (with an accompanying report); to the Committee on the Judiciary.

##### PROPOSED AMENDMENT TO THE BUDGET, 1962, FOR DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (S. DOC. NO. 32)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1962 involving an increase in the amount of \$3,515,000 for the Department of Health, Education, and Welfare (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

## PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mr. ELLENDER:

A concurrent resolution of the Legislature of the State of Louisiana, relative to the proposals now in Congress for the adoption of the omnibus farm bill: to the Committee on Agriculture and Forestry; and

A concurrent resolution of the Legislature of the State of Louisiana, relative to the regulation of the beef cattle industry by the U.S. Government; to the Committee on Agriculture and Forestry.

## JOINT RESOLUTION OF COLORADO LEGISLATURE

Mr. ALLOTT. Mr. President, the Legislature of the State of Colorado, in recent special session, memorialized Congress to oppose a proposed repeal of requirements that the Federal Reserve System maintain a gold reserve. That request, as evidenced by the sponsors and the vote thereon, was completely nonpartisan, or bipartisan. Let me say only that I concur wholeheartedly in the sentiments expressed in the memorial, a copy of which I ask, Mr. President, be printed at this point in the RECORD.

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

## SENATE JOINT MEMORIAL 1

Joint resolution memorializing the Congress of the United States not to repeal present provisions of the Federal Reserve Act which require the Federal Reserve System to maintain a gold reserve equal to 25 percent of its notes outstanding

Whereas there is now pending in the Congress of the United States H.R. 6900, which, in addition to other matters, would repeal the provisions of the Federal Reserve Act requiring the Federal Reserve System to maintain a gold reserve equal to 25 percent of the Federal Reserve's notes outstanding: Now, therefore, be it

*Resolved by the Senate of the 43d General Assembly of the State of Colorado, in first extraordinary session convened (the House of Representatives concurring herein), That the Colorado General Assembly hereby respectfully memorializes the Congress of the United States not to repeal, by the enactment of H.R. 6900 now pending in the Congress, present provisions of the Federal Reserve Act which require the Federal Reserve System to maintain a gold reserve equal to 25 percent of its notes outstanding; or that the Congress so amend said H.R. 6900 so as to eliminate such repeal; and be it further*

*Resolved, That a copy of this memorial be transmitted to the Senators and Congressmen representing the State of Colorado in the Congress of the United States, for their appropriate action.*

## REDUCTION OF GASOLINE TAX—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted at the quarterly meeting of the Dutchess County, N.Y., Pomona Grange 32, favoring a substantial reduction in the tax on gasoline.

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

DUTCHESS COUNTY  
POMONA GRANGE No. 32,  
June 9, 1961.

DEAR SENATOR JAVITS:  
"Whereas gasoline is taxed higher than the luxury tax on jewelry, luggage, etc. and  
"Whereas gasoline can in no way be classed as a luxury: Therefore be it  
"Resolved, That Dutchess County Pomona Grange No. 32 is in favor of reducing the gasoline tax substantially."  
This was adopted at our quarterly meeting June 7.

Yours truly,

KATHRYN C. SPOOR,  
Recording Secretary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:  
H.R. 7446. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates (Rept. No. 371).

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:  
S. 1956. A bill to provide that the authorized strength of the Metropolitan Police force of the District of Columbia shall be not less than 3,000 officers and members (Rept. No. 381).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

S. 158. A bill to confer upon the domestic relations branch of the municipal court for the District of Columbia jurisdiction to hear and determine the petition for adoption filed by Marie Talaferro (Rept. No. 377);

S. 558. A bill to amend the acts of March 3, 1901, and June 28, 1944, so as to exempt the District of Columbia from paying fees in any of the courts of the District of Columbia (Rept. No. 378);

S. 559. A bill to amend the District of Columbia Traffic Act, 1925, as amended (Rept. No. 379);

S. 561. A bill to amend the act relating to the small claims and conciliation branch of the municipal court of the District of Columbia, and for other purposes (Rept. No. 382); and

S. 1651. A bill to authorize the Commissioners of the District of Columbia to delegate the function of approving contracts not exceeding \$100,000 (Rept. No. 380).

By Mr. HARTKE, from the Committee on the District of Columbia, with amendments:  
S. 1380. A bill to amend section 801 of the act entitled, "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (Rept. No. 373).

By Mr. SMITH of Massachusetts, from the Committee on the District of Columbia, without amendment:

S. 564. A bill to provide for apportioning the expense of maintaining and operating the Woodrow Wilson Memorial Bridge over the Potomac River from Jones Point, Va., to Maryland (Rept. No. 374); and

S. 1291. A bill to amend the District of Columbia Traffic Act, 1925, as amended, to increase the fee charged for learners' permits (Rept. No. 375).

By Mr. SMITH of Massachusetts, from the Committee on the District of Columbia, with amendments:

S. 588. A bill to amend the act of May 29, 1930, in order to increase the authorization for funds for the extension of certain proj-

ects from the District of Columbia into the State of Maryland, and for other purposes (Rept. No. 376).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with amendments:

S. 1154. A bill to provide for the improvement and strengthening of the international relations of the United States by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges (Rept. No. 372).

By Mr. MANSFIELD, from the Committee on Rules and Administration, without amendment:

S. 1644. A bill to provide for the indexing and microfilming of certain records of the Russian Orthodox Greek Catholic Church in Alaska in the collections of the Library of Congress (Rept. No. 384).

S. Con. Res. 27. Concurrent resolution authorizing the printing as a Senate document of the proceedings of the National Water Research Symposium (Rept. No. 388);

S. Res. 131. Resolution to print additional copies of report entitled "The United States and World Trade—Challenges and Opportunities" (Rept. No. 385);

S. Res. 145. Resolution authorizing the printing of additional copies of a committee print entitled "Aging Americans," for the use of the Special Committee on Aging (Rept. No. 386);

S. Res. 156. Resolution to provide additional funds for the Committee on Commerce (Rept. No. 383); and

S. Res. 157. Resolution to print with illustrations the proceedings of the George W. Norris National Centennial Conference (Rept. No. 387).

By Mr. MANSFIELD, from the Committee on Rules and Administration, with an amendment:

S. Res. 130. Resolution to print additional copies of report entitled "National Transportation Policy" (Rept. No. 389); and

S. Res. 137. Resolution to print as Senate documents two reports entitled "The Timber Resources of West Virginia," and "A Report on the National Forests of West Virginia" (Rept. No. 390).

By Mr. MANSFIELD, from the Committee on Rules and Administration, with amendments:

S. Con. Res. 23. Concurrent resolution to print additional copies of part I of hearing on migratory labor (Rept. No. 391); and

S. Con. Res. 24. Concurrent resolution relating to printing of publications of the Internal Security Subcommittee of the Senate Committee on the Judiciary (Rept. No. 392).

## RUTH B. WISSMAN

Mr. MANSFIELD, from the Committee on Rules and Administration, reported an original resolution (S. Res. 159) to pay a gratuity to Ruth B. Wissman, which was placed on the calendar, as follows:

*Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ruth B. Wissman, widow of Bertram O. Wissman, an employee of the Senate at the time of his death, a sum equal to nine months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.*

## CORA MILLER

Mr. MANSFIELD, from the Committee on Rules and Administration, reported an original resolution (S. Res. 160) to

pay gratuity to Cora Miller, which was placed on the calendar, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Cora Miller, aunt of Harry C. Nash, an employee of the Senate at the time of his death, a sum equal to 6½ months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

#### MARJORIE S. FOX AND WILLIAM SUTHERLAND

Mr. MANSFIELD, from the Committee on Rules and Administration, reported an original resolution (S. Res. 161) to pay a gratuity to Marjorie S. Fox and William Sutherland, which was placed on the calendar, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate to Marjorie S. Fox, daughter and William Sutherland, son of Lena B. Sutherland, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of her death, a sum to each equal to three months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

#### REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonesential Federal Expenditures, I submit a report on Federal stockpile inventories as of April 1961. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

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

#### FEDERAL STOCKPILE INVENTORIES, APRIL 1961 INTRODUCTION

This is the 17th in a series of monthly reports on Federal stockpile inventories under the Department of Agriculture, General Services Administration, Office of Civil and

TABLE 1.—Agricultural price support program inventories under Commodity Credit Corporation, Department of Agriculture, April 1961: Including agricultural commodities, and strategic and critical materials acquired by exchange or barter

#### EXPLANATORY NOTES

The Department of Agriculture defines the content of the columns as follows:  
 Program and commodity: Lists each commodity in the form in which it exists when extended support, and in some instances in a form to which the supported commodity is processed or converted to increase marketability. The commodities are grouped under the appropriate statutory subclassifications as "Basic," "Designated nonbasic," "Other nonbasic," and "Exchange."  
 Unit of measure: The applicable unit used in the accounting records and reports of the Corporation.  
 Inventory, beginning of month: Quantity: In number of units. Cost value: All inventories are recorded in the accounts at cost. "Cost value" is comprised of the initial cost of the commodity plus storage, handling, transportation, and accessorial expenses paid or accrued up to the date of reporting. The initial cost of inventories acquired by delivery of collateral securing loans is the unpaid balance of the notes plus storage and other charges advanced, any equities due or paid to producers on warehouse-stored collateral (by Public Law 85-835, and beginning with 1959 crop production, the Corporation will not make equity payments to borrowers on unredeemed price support loan collateral, title to which it acquires on or after maturity of the loans), and the net value of any quantity or quality differences determined upon delivery of farm-stored collateral. Amounts paid to lending agencies participating in the loan program for crop years prior to 1958 were recorded as a part of inventory cost.  
 Adjustments: Warehouse settlements, exchanges and transfers (net): Warehouse settlements include the net differences in quantity and/or value represented by the net of overdeliveries, premiums, underdeliveries, and discounts arising from movement of commodities. Exchanges represent the net change in quantity and/or value for inventories exchanged or in process of exchange. On completed exchanges, the change in value represents differentials due to location, quality, and quantity. Unprocessed commodities removed from inventory for conversion or processing (on a

Defense Mobilization, and the Department of Health, Education, and Welfare. It is for the month of April 1961.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonesential Federal Expenditures by the agencies involved.

The four agencies reported that as of April 1, 1961, the cost value of materials in their

stockpile inventories totaled \$15,521,799,000 and as of April 30, 1961, they totaled \$15,981,939,000, a net increase of \$460,140,000 reflecting acquisitions, disposals, adjustments, etc., during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, and 4 but the cost value figures are summarized by agency and program as follows:

#### Summary of cost value of stockpile inventories

[In thousands]

Agency and program	Beginning of month Apr. 1, 1961	End of month Apr. 30, 1961	Net change, reflecting acquisitions, disposals, adjustments, etc.
Department of Agriculture: Price support program: Agricultural commodities.....	\$6,719,956	\$7,163,803	+\$443,847
Exchange commodities—strategic and critical materials.....	64,833	80,610	+15,677
Total, Department of Agriculture.....	6,784,789	7,244,413	+459,624
General Services Administration: Strategic and critical materials: National stockpile.....	6,119,120	6,118,031	-1,089
Federal Facilities Corporation: Tin inventory.....	9,519	9,519	-----
Defense Production Act program.....	1,470,798	1,471,614	+816
Supplemental stockpile.....	883,821	883,822	+1
Supplemental stockpile inventory in transit.....	67,416	67,416	-----
Total, General Services Administration.....	8,550,674	8,550,402	-272
Office of Civil and Defense Mobilization: Civil defense stockpile.....	19,383	19,718	+335
Department of Health, Education, and Welfare: Civil defense medical stockpile.....	166,953	167,506	+553
Grand total.....	15,521,799	15,981,939	+460,140

NOTE.—Figures are rounded and may not add to totals.

Detailed tables in this report show opening inventories at the beginning of the month in quantity and cost, transactions during the month, and the closing inventories at the end of the month. Each inventory is shown by commodity except the national stockpile, for which commodity detail is classified.

Pertinent information and explanation are set forth in notes accompanying the respective tables. Statutory authority and program descriptions are shown in the appendix of the report.

The inventories covered by the report are tabulated in detail as follows:

Table 1: Agricultural price support program inventories under Commodity Credit Corporation, Department of Agriculture, April 1961: Including agricultural commod-

ities and strategic and critical materials acquired by exchange or barter.

Table 2: Strategic and critical materials inventories under General Services Administration, April 1961: Including materials in the national stockpile, Federal Facilities Corporation tin inventory, Defense Production Act purchase program, the supplemental stockpile of materials acquired by exchange or barter of agricultural commodities, etc., and inventory in transit from Commodity Credit Corporation to the supplemental stockpile.

Table 3: Civil defense stockpile inventory under the Office of Civil and Defense Mobilization, April 1961.

Table 4: Civil defense medical stockpile inventory under the Department of Health, Education, and Welfare, April 1961.

contractual or fee basis and excluding conditional sales) are included as a reduction of inventory. Processed commodities acquired as a result of this conversion or processing are included as an addition to inventory.

Acquisitions: As reflected in accounting records and reports; and includes commodities acquired by delivery of collateral securing loans, commodities purchased under terms of purchase agreements, commodities purchased directly from producers or processors as a part of the support operation but not under purchase agreements; and processed commodities acquired by purchases which offset conditional sales of unprocessed commodities from inventory. The cost value of acquisitions is described under the explanation of the cost value of inventory.

Carrying charges added to investment after acquisition: Total costs of storage, handling, transportation and other accessorial expenses incurred during the month.

Disposals: As reflected in accounting records and reports. Inventory transactions generally are recorded on the basis of transfer of title. Disposition commitments are not reflected in the accounts. Cost value: Represents acquisition value plus applicable amount of carrying charges. The amount of cost allocated to commodities removed from inventory is determined with the view of retaining in the inventory accounts the cost of commodities remaining on hand. The cost allocated to commodities removed from price support inventory is generally computed on the basis of average unit cost of the commodity reflected in the inventory accounts for the applicable crop year and general storage location. In the case of commodities generally stored commingled (e.g., bulk grains and bulk oils) the crop year is determined on the first-in, first-out basis. In the case of commodities stored in identified lots, the crop year is determined by lot identification.

Inventory, end of month: Closing inventory after transactions for the month have been applied to the inventory at the beginning of the month.

TABLE 1.—Agricultural price support program inventories under Commodity Credit Corporation, Department of Agriculture, April 1961: Including agricultural commodities, and strategic and critical materials acquired by exchange or barter—Continued

[In thousands]

Program and commodity	Unit of measure	Inventory, beginning of month, Apr. 1, 1961		Transactions during the month								Inventory, end of month, Apr. 30, 1961	
				Adjustments		Acquisitions		Carrying charges added to investment after acquisitions		Disposals			
		Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Storage and handling	Transportation and other	Quantity	Cost value	Quantity	Cost value
<b>Agricultural commodities:</b>													
<b>Basic commodities:</b>													
Corn	Bushel	1,429,035	\$2,383,590	-328	-\$487	716	\$1,124	\$10,505	\$3,192	35,722	\$80,283	1,393,701	\$2,317,641
Cornmeal	Pound					56,300	2,122		1	56,300	2,123		
Cotton, extra long staple	Bale	56	16,043					23	(1)	3	1,043	53	15,023
Cotton, upland	do	2,548	447,143			7	1,542	1,128	11	232	39,836	2,323	409,988
Peanut butter	Pound			+3,213	+879					3,213	879		
Peanuts, farmers' stock	do	40,419	3,905	-28,050	-4,201	45,006	4,294	416	389	18,262	819	39,113	3,984
Peanuts, shelled	do	85,500	13,895	+24,837	+3,322	3,720	511	90	374	17,744	2,469	96,313	15,723
Rice, milled	Hundredweight	601	5,339	(1)	-1	22	157	19	75	269	2,489	354	3,100
Rice, rough	do	333	1,847	(1)	-2	3,178	14,618	249	1	204	1,150	3,307	15,563
Tobacco	Pound					2,048	1,361			2,048	1,361		
Wheat	Bushel	1,078,115	2,808,869	+196	+370	221,590	419,636	23,747	8,322	24,204	80,551	1,275,697	3,180,393
Wheat flour	Pound					269,712	14,045		5	269,712	14,050		
<b>Total basic commodities</b>			<b>5,680,631</b>		<b>-120</b>		<b>459,410</b>		<b>36,177</b>		<b>12,370</b>		<b>5,961,415</b>
<b>Designated nonbasic commodities:</b>													
Barley	Bushel	50,742	63,543	-28	-30	1,158	897	661	424	2,308	3,900	49,564	61,595
Grain sorghum	Hundredweight	307,694	864,780	-14	-167	90,875	146,917	13,818	653	1,591	5,162	396,964	1,020,859
<b>Milk and butterfat:</b>													
Butter	Pound	72,230	43,893			28,432	17,187	208	288	11,854	7,461	88,808	54,115
Cheese	do					197	74	1	(1)		(1)	197	75
Milk, dried	do	264,565	37,720			66,772	10,856	159	862	73,481	12,244	257,856	37,353
Milk, fluid	do						800				800		
Oats	Bushel	10,845	9,142	-264	-658	174	124	274	95	391	103	10,364	8,874
Oats, rolled	Pound			+7,743	+647					7,743	647		
Rye	Bushel	3,712	5,550	-5	-4	2	1	54	64	101	183	3,608	5,482
Tung oil	Pound	10,481	2,239					9	(1)	1,981	425	8,500	1,823
<b>Total, designated nonbasic commodities</b>			<b>1,026,867</b>		<b>-212</b>		<b>176,865</b>		<b>15,184</b>		<b>2,386</b>		<b>1,190,156</b>
<b>Other nonbasic commodities:</b>													
Beans, dry, edible	Hundredweight	1,838	12,039			(1)	1	317	45	28	191	1,810	12,211
Flaxseed	Bushel					7	17	1		2	6	5	12
Soybeans	do	175	419	-2	-8	(1)	2	1	(1)	168	405	5	9
<b>Total, other nonbasic commodities</b>			<b>12,458</b>		<b>-8</b>		<b>20</b>		<b>319</b>		<b>45</b>		<b>12,232</b>
<b>Total, agricultural commodities</b>			<b>6,719,956</b>		<b>-340</b>		<b>636,295</b>		<b>51,680</b>		<b>14,801</b>		<b>7,163,803</b>
<b>Exchange commodities:<sup>1</sup></b>													
<b>Strategic and critical materials:</b>													
Aluminum oxide, abrasive, crude	Pound	9,943	569			699	40	11	70			10,642	690
Antimony metal	do	2,156	533			873	243	2	5	-1		3,030	783
Asbestos, amosite	do	4,131	521			1,099	124	5	2			5,230	652
Asbestos, chrysotile	do	500	143			500	92	1	1			1,000	237
Asbestos, crocidolite	do	2,849	448			597	76	5	3			3,446	532
Bauxite	do	1,986,656	12,485			513,600	3,326	52	66			2,500,256	15,929
Beryl ore	do	1,901	404					(1)	(1)			1,901	404
Beryllium-copper master alloy	do	543	1,086			136	275	(1)	1			679	1,363
Bismuth	do							(1)	(1)		(1)		
Boart	Carat	500	1,379									500	1,379
Cadmium	Pound							(1)	(1)		(1)		
Chrome ore, chemical grade	do	53,270	493					1	(1)		(1)	53,270	494
Chrome ore, refractory grade	do					16,689	213		2		(1)	16,689	217
Chromium metal	do							(1)	(1)		(1)		
Colemanite, Turkish boron minerals	do							(1)	(1)		(1)		
Columbite	do	351	277				1	(1)	(1)		(1)	351	278
Diamonds	Carat	494	6,726			96	1,108					590	7,834
Ferrocchrome, high carbon	Pound	25,985	4,095			1,119	185	14	64			27,104	4,338
Ferrocchrome, low carbon	do	3,626	789			694	149	1	1			4,320	940
Ferromanganese	do	61,835	5,766			30,020	2,748	33	226			91,855	8,773
Fluorspar, acid grade	do	77,568	1,429			15,659	281	6	7			93,217	1,723
Fluorspar, metallurgical grade	do							(1)	(1)		(1)		
Lead	do							(1)	(1)		(1)		
Manganese ore, chemical grade	do	63,055	2,040			16,608	527	6	8			79,663	2,581
Manganese ore, metallurgical grade	do	584,954	12,292			191,660	3,676	24	496		24	776,614	16,464
Manganese ore, natural, battery grade	do	72,308	3,781					4	(1)		(1)	72,308	3,785
Mica	do	575	1,534			123	183	10	3			698	1,730
Quartz crystals	do	149	2,106			1	8	2	(1)		(1)	150	2,116
Rutile	do	14,006	1,392			-74		9	17		(1)	13,986	1,418
Silicon carbide	do	23,723	2,318			8,748	825	7	41			32,471	3,191
Thorium nitrate	do							(1)	(1)		(1)		
Tin	do							(1)	(1)		(1)		
Titanium sponge	do	1,630	2,227			340	408	3	1			1,970	2,639
Zinc	do							(1)	(1)		(1)		
<b>Total, strategic and critical materials</b>			<b>64,833</b>				<b>14,488</b>		<b>199</b>		<b>1,014</b>		<b>80,510</b>
<b>Total, Department of Agriculture</b>			<b>6,784,789</b>		<b>-340</b>		<b>650,783</b>		<b>51,879</b>		<b>15,815</b>		<b>7,244,313</b>

<sup>1</sup> Less than 500.<sup>2</sup> See appendix, p. 16, for notes relating to reporting of strategic and critical materials acquired by exchange or barter of agricultural commodities.

NOTE.—Figures are rounded and may not add to totals.

TABLE 2.—Strategic and critical materials inventories under General Services Administration, April 1961: Including materials in the national stockpile, Federal Facilities Corporation tin inventory, Defense Production Act purchase program, the supplemental stockpile of materials acquired by exchange or barter of agricultural commodities, etc., and inventory in transit from Commodity Credit Corporation to the supplemental stockpile

## EXPLANATORY NOTES

The General Services Administration defines the content of the columns as follows:  
**Program and commodity:** Identifies the program and the minerals, metals, fibers and oils acquired under the program.  
**Unit of measure:** The standard weight or measure of minerals, metals, fibers, and oils determined to be the stockpile unit of measure.

**Inventory, beginning of month:** Opening inventory represents quantity and cost of material in storage at the beginning of the accounting period.  
**Adjustments:** Represents increases (+) or decreases (−) of material in inventory other than increases from acquisitions or decreases from disposals. Decreases occur from theft, loss incurred while in transit to stockpile location, repacking from one type of container to another, beneficiation of a low-grade material to a higher grade, and the removal of material for sampling and testing purposes. Increases occur from return of material previously removed for sampling and testing purposes and from quantities received at storage locations in excess of quantities billed by the contractor. A new chemical analysis of the materials may cause an increase or decrease where the weights are based on chemical and moisture content. Increases or decreases are also made from findings of audits of inventory and accounting records.

**Acquisitions:** For the National Stockpile and Defense Production Act acquisitions include open market purchases at contract prices; intradepartmental transfers at market or appraised value at time of transfer; transportation to first permanent storage location; and, beneficiating and processing cost in upgrading materials. For the supplemental stockpile acquisitions include the market value or CCC's acquisition cost whichever is the lower at time of transfer from COC.  
**Disposals:** Cost of disposals are calculated at the average unit price of inventory at time of removal from inventory. For the national stockpile inventory disposals consist of sale of materials that by their nature would deteriorate if held in storage for lengths of time; and, sale of materials that have been determined to be obsolete or excess to the needs of Government. For the Defense Production Act inventory disposals consist of sale of materials that have been determined to be obsolete or excess to the needs of Government.

**Inventory, end of month:** Closing inventory represents quantity and cost of material in storage at the end of the accounting period.

[In thousands]

Program and commodity	Unit of measure	Inventory, beginning of month, Apr. 1, 1961		Transactions during the month						Inventory, end of month, Apr. 30, 1961	
		Quantity	Cost value	Adjustments		Acquisitions		Disposals		Quantity	Cost value
				Quantity	Cost value	Quantity	Cost value	Quantity	Cost value		
National stockpile: Total (classified detail omitted)			\$6,119,120		−\$0		\$2,245		\$3,325		\$6,118,031
Federal Facilities Corporation: Total, tin	Long ton	4	9,519							4	9,519
Defense Production Act:											
Aluminum	Short ton	770	390,645			2	949			772	391,593
Asbestos, chrysotile	Short dry ton	2	2,103							2	2,103
Bauxite, metal grade, Jamaica type	Long dry ton	1,370	18,168							1,370	18,168
Beryl	Short ton	2	1,155							2	1,155
Bismuth	Pound	23	52							23	52
Chromite, metallurgical grade	Short dry ton	921	33,472			10	361			931	33,834
Cobalt	Pound	25,187	52,063							25,187	52,063
Columbite	do	10,618	51,736	+6						10,624	51,736
Copper	Short ton	133	73,537					1	408	132	73,129
Cryolite	do	38	10,475							38	10,475
Fluorspar acid grade	Short dry ton	20	1,394							20	1,394
Graphite, lubricating	Short ton	(1)	73							(1)	73
Lead	do	8	3,036							8	3,036
Manganese, battery grade, synthetic dioxide	Short dry ton	4	2,524							4	2,524
Manganese, metallurgical grade	do	3,041	176,332			55	2,156			3,097	178,487
Mica, muscovite block and film	Pound	6,219	35,944							6,219	35,944
Nickel	do	120,815	103,275			1,633	984	3,994	3,222	118,454	101,036
Palladium	Troy ounce	8	177							8	177
Rare earth residue	Pound	6,086	658							6,086	658
Rutile	Short dry ton	9	1,725							9	1,725
Tantalite	Pound	1,529	9,734	+3						1,531	9,734
Thorium	do	849	42							849	42
Titanium	Short ton	22	173,002							22	173,002
Tungsten	Pound	79,810	325,460	(1)						79,810	325,460
Total, DPA commodities			1,466,780				4,450		3,631		1,467,599
Machine tools inventory:											
In storage	Tool	(1)	23						3	(1)	20
On lease	do	(1)	3,966							(1)	3,966
On loan	do	(1)	29							(1)	29
Subtotal, DPA machine tools			4,018						3		4,015
Total, Defense Production Act			1,470,798				4,450		3,634		1,471,614
Supplemental stockpile:											
Aluminum oxide, fused, crude	Short ton	143	18,485							143	18,485
Antimony, metal	do	9	5,108							9	5,108
Asbestos, amosite	do	5	1,154							5	1,154
Asbestos, chrysotile	Short dry ton	5	3,499							5	3,499
Asbestos, crocidolite	Short ton	3	978							3	978
Bauxite, metal grade, Jamaica type	Long dry ton	2,340	35,966							2,340	35,966
Bauxite, metal grade, Surinam type	do	1,033	6,592							1,033	16,592
Beryl	Short ton	9	19,370							9	19,370
Bismuth	Pound	1,497	3,316							1,497	3,316
Cadmium	do	6,609	9,938							6,609	10,938
Chromite, chemical grade	Short dry ton	137	11,735	+9						137	11,744
Chromite, metallurgical grade	do	1,312	206,952	−8						1,312	206,974
Chromite, refractory grade	do	169	4,750							169	4,750
Cobalt	Pound	1,077	2,169							1,077	2,169
Colemanite	Long dry ton	63	2,799							63	2,799
Columbite	Pound	213	501							213	501
Copper	Short ton	10	6,828							10	6,828
Diamond, industrial, bort	Carat	561	1,505							561	1,505
Diamond, industrial, stones	do	10,524	134,632							10,524	134,632
Fluorspar, acid grade	Short dry ton	503	26,941							503	26,941
Fluorspar, metallurgical grade	do	43	1,358							43	1,358
Graphite, natural, Ceylon, amorphous lump	do	1	341							1	341
Iodine	Pound	242	231							242	231
Lead	Short ton	222	58,681	(1)	(1)					222	58,681
Manganese, battery grade, natural	Short dry ton	35	3,334							35	3,334
Manganese, chemical grade, type A	do	12	1,016							12	1,016
Manganese, chemical grade, type B	Short ton	28	2,387							28	2,387
Manganese, metallurgical grade	Short dry ton	1,264	114,407							1,264	114,407
Mercury	Flask	16	3,446							16	3,446
Mica, muscovite block strained and better	Pound	263	698							263	698
Mica, muscovite film	do	27	212							27	212
Mica, muscovite splittings	do	4,826	6,226							4,826	6,226
Mica, phlogopite splittings	do	262	234							262	234
Palladium	Troy ounce	548	9,872							548	9,872

See footnotes at end of table.

TABLE 2.—Strategic and critical materials inventories under General Services Administration, April 1961: Including materials in the national stockpile, Federal Facilities Corporation tin inventory, Defense Production Act purchase program, the supplemental stockpile of materials acquired by exchange or barter of agricultural commodities, etc., and inventory in transit from Commodity Credit Corporation to the supplemental stockpile—Continued

[In thousands]

Program and commodity	Unit of measure	Inventory, beginning of month, Apr. 1, 1961		Transactions during the month						Inventory, end of month, Apr. 30, 1961	
		Quantity	Cost value	Adjustments		Acquisitions		Disposals		Quantity	Cost value
				Quantity	Cost value	Quantity	Cost value	Quantity	Cost value		
<b>Supplemental stockpile—Continued</b>											
Quartz crystals.....	Pound.....	82	\$1,099							82	\$1,099
Rare earths.....	Short dry ton.....	2	2,427							2	2,427
Ruthenium.....	Troy ounce.....	15	560							15	560
Selenium.....	Pound.....	157	1,071							157	1,071
Silicon carbide, crude.....	Short ton.....	87	17,090							87	17,090
Tantalite.....	Pound.....	8	21							8	21
Thorium nitrate.....	do.....	4,030	9,839							4,030	9,839
Tin.....	Long ton.....	8	16,401							8	16,401
Titanium.....	Short ton.....	6	23,401							6	23,401
Tungsten.....	Pound.....	4,493	15,627							4,493	15,627
Zinc.....	Short ton.....	324	79,599	(1)	(1)					324	79,599
<b>Total, supplemental stockpile.....</b>			<b>883,821</b>		<b>-\$1</b>						<b>883,822</b>
<b>Supplemental stockpile inventory in transit:<sup>2</sup></b>											
Aluminum oxide, fused, crude.....	Short ton.....	30	3,369							30	3,369
Antimony, metal.....	do.....	2	942							2	942
Asbestos, amosite.....	do.....	1	350							1	350
Asbestos, crocidolite.....	do.....	3	849							3	849
Bauxite.....	Long ton.....	895	12,516							895	12,516
Beryllium copper master alloy.....	Pound.....	690	1,407							690	1,407
Chromite, chemical grade.....	Short ton.....	81	1,526							81	1,526
Chromite, metallurgical grade.....	do.....	(1)	31							(1)	31
Chromite, refractory grade.....	do.....	3	70							3	70
Colemanite.....	Long ton.....	4	251							4	251
Diamond, industrial, bort.....	Carat.....	2,449	6,464							2,449	6,464
Ferrocchrome, high carbon.....	Short ton.....	8	2,839							8	2,839
Ferrocchrome, low carbon.....	do.....	1	519							1	519
Ferromanganese.....	do.....	42	8,208							42	8,208
Fluorspar, acid grade.....	do.....	18	687							18	687
Manganese, battery grade natural.....	do.....	10	1,014							10	1,014
Manganese, chemical grade.....	do.....	16	1,074							16	1,074
Manganese, metallurgical grade.....	do.....	433	20,086							433	20,086
Rutile.....	do.....	5	918							5	918
Silicon carbide, crude.....	do.....	11	2,112							11	2,112
Thorium nitrate.....	Pound.....	50	115							50	115
Titanium sponge.....	Short ton.....	1	2,070							1	2,070
<b>Total, supplemental stockpile inventory in transit.....</b>			<b>67,416</b>								<b>67,416</b>
<b>Total, General Services Administration.....</b>			<b>8,550,674</b>		<b>-8</b>		<b>\$6,695</b>		<b>\$6,959</b>		<b>8,550,402</b>

<sup>1</sup> Less than 500.

<sup>2</sup> See appendix, p. 16, for notes relating to the reporting of strategic and critical materials acquired by exchange or barter of agricultural commodities.

NOTE.—Figures are rounded and may not add to totals.

TABLE 3.—Civil defense stockpile inventory under the Office of Civil and Defense Mobilization, April 1961

EXPLANATORY NOTES

The Office of Civil and Defense Mobilization defines the content of the columns as follows:

Commodity: Composite groups of many different items.

Unit of measure: Shown only for engineering supply units; not feasible for other composite groups.

Inventory-quantity: Shown only for one item, namely, engineering supply units. It is not feasible to furnish quantity figures on the other commodity groups because they are composite groups of many different items. To report quantities, it would be necessary to list numerous different items.

Inventory-cost value: Dollar value figures on commodities in the stockpile inventory essentially reflect their actual cost. The stockpile inventory is generally augmented by acquisition of Government excess property without reimbursement to the several holding agencies. The value assigned to these materials is (1) original acquisition cost if known, (2) estimated current market value of items in similar condition, or

(3) average unit cost of identical or similar items purchased in the open market for stockpiling. Government excess property acquired by reimbursement is assigned a value equal to the amount of the fair-value reimbursement required.

Adjustments: Represent inventory pricing adjustments resulting from recalculation of fixed average unit prices, transfers of commodities from one composite group to another, etc., during the month.

Acquisitions: Materials placed in inventory during the month, including return to inventory of items previously released from inventory for reworking, etc. Value stated in terms of actual costs of the commodities.

Disposals: Materials removed from inventory during the month, including items released from inventory for reworking, etc. Values shown are based on average unit costs.

Inventory at end of month: Closing inventory after transactions for the month have been applied to the inventory at the beginning of the month.

[In thousands]

Commodity	Unit of measure	Inventory, beginning of month, Apr. 1, 1961		Transactions during the month						Inventory, end of month, Apr. 30, 1961	
		Quantity	Cost value	Adjustments		Acquisitions		Disposals		Quantity	Cost value
				Quantity	Cost value	Quantity	Cost value	Quantity	Cost value		
Engineering stockpile (engine generators, pumps, chlorinators, purifiers, pipe and fittings). Chemical and biological equipment. Radiological equipment.....	10-mile units.....	(1)	\$9,893		<sup>2</sup> -\$9		\$310			(1)	\$10,194
			942		<sup>2</sup> +7				<sup>3</sup> 88		942
			8,548		<sup>2</sup> -3		99		<sup>4</sup> 62		8,582
<b>Total, civil defense stockpile, Office of Civil and Defense Mobilization.....</b>			<b>19,383</b>		<b>-4</b>		<b>409</b>		<b>70</b>		<b>19,718</b>

<sup>1</sup> Less than 500.

<sup>2</sup> Accounting adjustments.

<sup>3</sup> Granted to other Federal agencies and to States.

<sup>4</sup> Consists of grants to other Federal agencies and to States of \$61,350, and inventory writeoff of \$819.

NOTE.—Figures are rounded and may not add to totals.

TABLE 4.—Civil defense medical stockpile inventory under the Department of Health, Education, and Welfare, April 1961

## EXPLANATORY NOTES

The Department of Health, Education, and Welfare defines content of the columns as follows:  
 Commodity: Composite groups of many different items.  
 Unit of measure: Shown only for hospital functional units; not feasible for other composite groups.  
 Inventory cost value: The dollar value figures in the civil defense medical stockpile inventory reflect essentially the average acquisition costs per unit of the commodities. No transportation, delivery, or storage costs are included.  
 Adjustments: Represents increases (+) or decreases (−) of materials in commodity groups other than increases from acquisitions or decreases from disposals. Normally these transactions result from inventory pricing adjustments due to recalculation of

fixed average unit prices, transfers of commodities from one composite group to another, removal of material for sampling during testing or reworking, etc., during the month.  
 Acquisitions: Materials placed in inventory during month, including new procurement and acquisition of Government excess property.  
 Disposals: Materials removed from inventory during the month. Costs of disposals are calculated on a basis of the average unit price of items in inventory at the time of removal. Disposals consist principally of items no longer suitable for stockpiling due to deterioration and of samples consumed through testing.  
 Inventory at end of month: Closing inventory after transactions for the month have been applied to the inventory at the beginning of the month.

[In thousands]

Commodity	Unit of measure	Inventory, beginning of month, Apr. 1, 1961		Transactions during the month						Inventory, end of month, Apr. 30, 1961	
		Quantity	Cost value	Adjustments		Acquisitions		Disposals		Quantity	Cost value
				Quantity	Cost value	Quantity	Cost value	Quantity	Cost value		
Medical bulk stocks and associated items at civil defense mobilization warehouses.			\$108,225		−\$770		<sup>1</sup> \$584		<sup>2</sup> \$15		\$108,024
Medical bulk stock at manufacturer locations			3,985								3,985
Civil defense emergency hospitals	Each	2	37,628		+508				<sup>(3)</sup> 15	2	38,227
Replenishment units (functional assemblies other than hospitals).			17,114		+171						17,270
Total, civil defense medical stockpile, Department of Health, Education, and Welfare.			166,953		<sup>(1)</sup>		584		31		167,506

<sup>1</sup> Includes \$506,571 serum albumin returned from manufacturer resulting from reworking blood plasma.

<sup>2</sup> Inventory writeoff, certificate of destruction.

<sup>3</sup> Less than 500.

NOTE.—Figures are rounded and may not add to totals.

## APPENDIX

U.S. DEPARTMENT OF AGRICULTURE  
 Commodity Credit Corporation  
 The Price-Support Program

Price-support operations are carried out under the Corporation's charter powers (15 U.S.C. 714), in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1962. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producer's commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse, and the Corporation looks only to the pledged or mortgaged collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available.

By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

## GENERAL SERVICES ADMINISTRATION

Strategic and critical materials stockpiling and related programs

## 1. National Stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. GSA is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Defense Mobilization. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OCDM. In addition, GSA is responsible for disposing of those strategic and critical materials which OCDM determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO

V–7, issued by the Director of the Office of Civil and Defense Mobilization and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

## 2. Tin Received From Federal Facilities Corporation

Public Law 608, 84th Congress (50 U.S.C. 98 note), provided, among other things, for the continuation of operation of the Government-owned tin smelter at Texas City, Tex., from June 30, 1956, until January 31, 1957. It provided also that all tin acquired by the Federal Facilities Corporation by reason of such extension should be transferred to GSA.

## 3. Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, GSA is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Civil and Defense Mobilization.

## 4. Supplemental Stockpile

As a result of a delegation of authority from OCDM (32A C.F.R., ch. I, DMO V–4) GSA is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbitum-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195),

which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

OFFICE OF CIVIL AND DEFENSE MOBILIZATION  
*Civil defense stockpile program*

This stockpiling program, conducted pursuant to section 201(h) of Public Law 920, 81st Congress, as amended, is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

*Civil defense medical stockpile program*

As authorized under Public Law 920, 81st Congress, and following the intent of Reorganization Plan No. 1, 1958, the Director, Office of Civil and Defense Mobilization has delegated responsibility to the Department of Health, Education, and Welfare to plan and direct operation of the medical supply portion of the OCDM stockpile. The warehousing of the medical stockpile is principally within the OCDM warehouse system; in addition, the medical stockpile includes a program designed to preposition emergency hospitals and other treatment units in communities throughout the Nation.

EXPLANATORY NOTES RELATING TO THE REPORTING OF STRATEGIC AND CRITICAL MATERIALS ACQUIRED BY EXCHANGE OR BARTER OF AGRICULTURAL COMMODITIES

Surplus agricultural commodities in the Commodity Credit Corporation's price-support inventory may be exchanged or bartered for strategic and critical materials under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480), and other basic legislation including the CCC Charter Act, as amended, the Agricultural Act of 1954, and the Agricultural Act of 1956.

Except for small amounts which may go to the national stockpile, the strategic and critical materials acquired by Commodity Credit Corporation under the barter program are transferred to the supplemental stockpile.

Direct appropriations reimburse Commodity Credit Corporation for materials so transferred from the price-support inventory.

The General Services Administration is charged with the custody and management of strategic and critical materials, and becomes the responsible reporting agency when title to these bartered materials is placed in the supplemental stockpile.

For purposes of this report, strategic and critical materials acquired by barter may appear in three inventories, reflecting the stages of the transfer of title.

1. The Department of Agriculture reports those to which the Commodity Credit Corporation still has title, prior to transfer to the supplemental stockpile.

2. The General Services Administration reports those which have been transferred from the Commodity Credit Corporation exchange inventory in two parts.

A. Materials for which title is "in transit" from Commodity Credit Corporation to the supplemental stockpile.

B. Materials for which title has passed to the supplemental stockpile.

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of materials in nine Federal stockpile inventories as reported by the Agriculture Department, General Services Administration, Office of Civil and Defense Mobilization, and Department of Health,

Education, and Welfare, on April 30, 1961, totaled \$15,981,939,000. April activity in these stockpiles resulted in a net increase of \$460,140,000.

Net change in these stockpile inventories reflects acquisitions, disposals, and adjustments. April activity and end-of-month totals are summarized:

Inventories by agency and program	[In thousands]	
	Net change during month	Total end of month
Department of Agriculture: Price support program:		
1. Agricultural commodities.....	+443,847	\$7,163,803
2. Exchange—strategic and critical materials.....	+15,677	80,510
Total, Department of Agriculture.....	+459,524	7,244,313
General Services Administration: Strategic and critical materials:		
3. National stockpile.....	-1,089	6,118,031
4. Federal Facilities Corporation, tin inventory.....		9,519
5. Defense Production Act program.....	+816	1,471,614
6. Supplemental stockpile.....	+1	883,822
7. Supplemental stockpile inventory in transit.....		67,416
Total, General Services Administration.....	-272	8,550,402
Office of Civil and Defense Mobilization:		
8. Civil defense stockpile.....	+335	19,718
Department of Health, Education and Welfare:		
9. Civil defense medical stockpile.....	+553	167,506
Grand total.....	+460,140	15,981,939

These figures are from reports certified by the agencies involved as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

STORAGE AND HANDLING

The report shows storage and handling costs for Commodity Credit's price support inventory totaled \$52 million for the month of April. It should be noted these storage costs are for only two of the nine stockpiles covered by the report.

INCREASES AND DECREASES

The major net increases in cost value during April were \$372 million in wheat, \$156 million in grain sorghum and \$11 million in rice. This was partially offset by net decreases including \$66 million in corn and \$38 million in cotton.

AGRICULTURAL COMMODITIES

Of 19 agricultural commodities in Commodity Credit's \$7.2 billion price support inventory on April 30, 1961, those leading in cost value include:

Wheat, with 1.3 billion bushels at a cost of \$3.2 billion;

Corn, with 1.4 billion bushels at a cost of \$2.3 billion; and

Grain sorghum with 397 million hundred-weight at a cost of \$1 billion.

STRATEGIC AND CRITICAL MATERIALS

Strategic and critical materials are shown in six inventories totaling \$8.6 billion, including the \$6.1 billion national stockpile for which itemized detail is classified. Combined figures from the other five inventories show materials (in all grades and forms) leading in cost value as follows:

Aluminum, bauxite, etc., with 7.8 million tons at a cost of \$513 million;

Manganese (and ores), with 5.5 million tons at a cost of \$364 million; and

Tungsten, with 84 million pounds at a cost of \$341 million.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Supplies and equipment in two civil defense stockpile inventories total \$187 million. Nearly 90 percent is in the medical stockpile valued at \$168 million.

BILLS INTRODUCED

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

By Mr. YOUNG of Ohio:

S. 2075. A bill for the relief of Hwei-Piao Hsu, Ching-Kuang Hsu, Feill Hsu, Feiun Hsu, and Feimei Hsu; to the Committee on the Judiciary.

By Mr. KEATING:

S. 2076. A bill to grant second-class mailing privileges to tax-supported elementary and secondary schools; to the Committee on Post Office and Civil Service.

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

By Mr. KEFAUVER:

S. 2077. A bill for the relief of Dr. Felix C. Miclat; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2078. A bill to amend the Interstate Commerce Act, as amended, so as to provide that the transportation of bulk commodities by railroad shall be exempt from regulation; to the Committee on Commerce.

By Mr. ERVIN (for himself and Mr. JORDAN):

S. 2079. A bill to retrocede to North Carolina jurisdiction over the southern, east-bound lanes of North Carolina Highway 24, and the eastern, northbound lanes of U.S. Highway 17, as these highways traverse and parallel Camp Lejeune, N.C.; to the Committee on Armed Services.

By Mr. PROXMIRE:

S. 2080. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

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

CONCURRENT RESOLUTION

COMMENDATION OF TOWN AFFILIATION PROGRAM OF AMERICAN MUNICIPAL ASSOCIATION AND CIVIC COMMITTEE PEOPLE-TO-PEOPLE PROGRAM

Mr. HUMPHREY (for himself and Mr. KEATING) submitted a concurrent resolution (S. Con. Res. 28) commending the town affiliations and others in their efforts to establish good will and understanding with people in other nations of the free world, which was referred to the Committee on Foreign Relations.

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

RESOLUTIONS

Mr. MANSFIELD, from the Committee on Rules and Administration, reported the following original resolutions, which were placed on the calendar:

S. Res. 159. Resolution to pay a gratuity to Ruth B. Wissman;

S. Res. 160. Resolution to pay a gratuity to Cora Miller; and

S. Res. 161. Resolution to pay a gratuity to Marjorie S. Fox and William Sutherland.

(See the above resolutions printed in full when reported by Mr. MANSFIELD, which appear under the heading "Reports of Committees.")

#### SECOND-CLASS MAILING PRIVILEGES FOR PUBLIC SCHOOLS

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to make public elementary and secondary schools eligible for second-class mailing privileges.

Under the present law, public elementary and secondary schools are excluded from the second-class mailing privileges available to private schools and to State colleges.

I have checked this matter at some length with the Post Office Department. The postal laws make second-class mailing privileges available to "a regularly established State institution of learning supported in whole or in part by public taxation"—39 U.S.C. 4355(a) (12). The inclusion of the word "State" has the effect of eliminating public elementary and secondary schools, as they are not strictly State institutions. There is no evidence in the hearings and debates on this legislation that the Congress intended to omit public schools from second-class mailing privileges now available to private schools which are incorporated and to State colleges. The action appears to have been an oversight.

Part of the role of our public schools, as well as of our private schools, is to increase community awareness of educational needs and stimulate community interest in the future development of our young people. Newsletters and other notifications to parents and community members are often an important part of this activity. I believe this privilege should be available to all regularly established institutions of learning supported in whole or in part by public taxation. I do not believe public elementary and secondary schools should be excluded from second-class mailing privileges because of a technicality.

I hope that it will be possible for this bill to be considered if hearings by the Senate committee are held on postal rate legislation during this session. I ask unanimous consent that my bill, which is very brief, be printed directly following my remarks.

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

The bill (S. 2076) to grant second-class mailing privileges to tax-supported elementary and secondary schools, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

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

4355(a) (2) of title 39 of the United States Code is amended to read as follows:

"(2) published by a regularly established institution of learning supported in whole or in part by public taxation; or"

#### FEDERAL AID HIGHWAY ACT OF 1961—AMENDMENTS

Mr. BENNETT submitted amendments, intended to be proposed by him, to the bill (H.R. 6713) to amend certain laws relating to Federal-aid highways, to make certain adjustments in the Federal-aid highway program, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. HARTKE submitted amendments, intended to be proposed by him, to House bill 6713, supra, which were ordered to lie on the table and to be printed.

Mr. FULBRIGHT. Mr. President, on behalf of my colleague, the senior Senator from Arkansas [Mr. McCLELLAN] and myself, I submit an amendment intended to be proposed by us, jointly, to House bill 6713, the Federal Aid Highway Act of 1961, which I ask to have printed and lie on the table. I ask unanimous consent to have printed in the RECORD a statement, prepared by me, relating to the amendment.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The amendment will be received, printed, and lie on the table; and, without objection, the statement will be printed in the RECORD.

The statement presented by Mr. FULBRIGHT is as follows:

#### STATEMENT OF SENATOR FULBRIGHT IN SUPPORT OF AMENDMENT TO HIGHWAY BILL

The Corps of Engineers, for the Air Force, is now constructing Titan missile bases at 18 sites near the Little Rock Air Force Base in Arkansas.

The material for the construction of these bases is being concentrated at several points in Arkansas and is being hauled from them across the roads of the State to the construction sites. The use of the roads, designed as farm-to-market roads, for purposes for which they were not built and in much greater volume than was anticipated they would ever be used, has resulted in great damage to them. One of the best State highways in the State, Highway 36, from Searcy west to two of the missile base sites, has been virtually destroyed, according to the State highway director. In a letter to me, he said: "This was one of the best secondary highways in Arkansas, constructed with adequate base and hot, plant-mixed asphalt concrete surfacing. It was in very good condition and would have served regular traffic many years with normal maintenance."

On October 6, 1960, before construction began, at a meeting held in the Bureau of Public Roads office in Little Rock, attended by representatives of the interested Government agencies and the Arkansas State Highway Department, it was agreed that a condition survey would be made of existing State and county roads for restoration purposes in case of damage by missile base traffic. The Arkansas State highway director has written to me about that meeting, as follows: "Several clauses from other contracts were read to us and we were assured, especially by Mr. A. F. Slegle, of the Bureau of Public Roads in Washington, that any roads that were damaged would be restored to their former condition."

On this assurance, the Arkansas Highway Department's cooperation was promised and it has done its utmost to assist the Government and the contractor in the performance of the contract.

At a meeting in my office on May 31, attended by Congressman MILLS, of Arkansas, and representatives of the Government agencies concerned, a representative of the Bureau of Public Roads confirmed the fact that that agency had assured the State highway department that the damaged roads would be restored to their former condition. In fact, the purpose of the condition survey was to determine the condition of the roads prior to construction activity, in order that the Government might know the extent of damage.

The Corps of Engineers and the Air Force have been requested on several occasions to undertake responsibility for paying for the repair and restoration of the roads but have refused to do so. They rely on a provision in their contract with the construction company, which holds the latter responsible to obtain any permits necessary for execution of requirements of the contract and to protect the Government from any damages incurred by the contractor. They view this provision as relieving them of any responsibility.

In connection with this provision of the contract, however, there are several points which ought to be noted. In the first place, it has been acknowledged by representatives of the military that the original construction estimates did not include a cost item for restoring public highways, and the contractor did not include an allowance for such work in his bid. Furthermore, the contract was between the Government and the contractor and there is no means by which the State highway commission can enforce it, as the State is not a party. The Defense Department representatives have passed the buck to the contractor, but the contractor considers the destruction as being normal wear and tear on the highways for the type of construction he has under contract. Presumably he takes the position that, having complied with the law and obtained the necessary permission to haul equipment, he is not liable.

The State highway commission is, therefore, placed in the intolerable position of having to impose such highly restrictive requirements on the use of the roads as to bring highly essential defense construction to a halt or allowing the roads to be destroyed.

There are about 300 miles of Arkansas highways which are or will be used to carry construction traffic for the missile installations. The potential loss of that much highway is very serious to our State.

I am informed that in Oklahoma, and perhaps in other States, the Defense Department did include in its estimates of the cost of construction of the missile bases items for the repair of highways damaged, the contractor included this cost in his bid, and is repairing roads as they are damaged.

This is an emergency situation in Arkansas. Unless and until financial responsibility for reconstruction of the roads which virtually have been destroyed is established, and provision is made for damage which will occur in the future, the highway commission must interfere with performance of the contract and delay its completion, or suffer the loss of several millions of dollars of highways by reason of circumstances beyond its control.

On behalf of the senior Senator from Arkansas, Mr. McCLELLAN, and myself, I have submitted an amendment to the bill to fix financial responsibility in the Defense Department.

Under Public Law 85-767, August 27, 1958, funds are authorized to be appropriated and used for repair of highways, which have been or may be used for training of the Armed Forces, to bring them into suitable condition for such training purposes and for repairing the damage caused to such highways by the operation of men and equipment in such training.

Our amendment is an extension of this authority. It would provide that funds appropriated for defense access roads shall be available to pay the cost of repairing damage caused to highways by the operation of vehicles and equipment in the construction of military reservations or installations if the Secretary of Commerce, through the Bureau of Public Roads, shall determine that the State highway department of any State is or has been unable to prevent such damage by restrictions upon the use of such highways without interference or delay in the completion of a contract for such construction. It would apply notwithstanding any provision of a contract holding a party thereto liable, if the Secretary determines in fact that the construction estimates and the bid of the party did not include allowance for repairing such damage.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1962—AMENDMENTS

Mr. HUMPHREY. I submit, for appropriate reference, a series of medical and health-related amendments to H.R. 7035. This is the appropriation bill for the 1962 fiscal year for the Department of Health, Education, and Welfare.

The expert Senate Subcommittee on Appropriations for the Departments of Labor, Health, Education, and Welfare, under the chairmanship of the able senior Senator from Alabama [Mr. HILL], has been holding hearings on many proposed changes to H.R. 7035. Agency representatives and citizen witnesses—both professionals and laymen—have testified on the important unmet needs of American medicine.

THE ISSUE OF HOW MUCH FUNDS FOR NIH

The biggest single issue confronting the committee and the Senate is, as I see it, "How much resources should be made available for expanded medical research, in particular for the National Institutes of Health?"

In my judgment—as I stated in testimony to the House Subcommittee on Appropriations—the National Institutes of Health could make excellent use of considerably expanded resources in the next fiscal year.

Exactly how much is an issue which can best be determined by the expert Senate Appropriations Subcommittee, based on various budgetary analyses submitted to it. But the overriding fact is, in my judgment, indisputable that this Nation can afford to spend more to have human lives and to reduce pain and suffering.

WE CAN AFFORD TO DO WHAT WE HAVE TO DO

Let it be recalled that Congress wisely authorized to NIH \$111 million last year to combat cancer. Yet, this one disease still costs the Nation perhaps as much as \$12 billion a year, not to mention the

tragic cost in human life, which is infinitely more serious.

This past month, in another field, Congress heard President Kennedy's sound request for a long-range commitment to explore outer space. To do so, we must spend \$10 to \$20 billion over the next 10 years. We can afford to spend such sums, because we must spend such sums. Similarly, we can afford to spend more to prevent needless and premature loss of human life because we must do so.

In 1961, 1.6 million Americans will die from all causes. If we can save 100,000 of those precious lives—or more—or fewer—and if we can save uncounted thousands in years to come, who would dispute that this is a sound investment of the taxpayers' resources?

This Nation, as I have often stated, has no resources greater than its human resources. Its human capital is its most important capital. The United States should not and must not allow that capital to be needlessly reduced; to be needlessly impaired, to needlessly suffer.

SEVEN GOALS IN FIVE AMENDMENTS

Let me make it clear that the amendments which I am offering today relate not to the issue of overall sums for health, but rather to a few of the many specialized problems which I have studied over the past several years.

These particular phases covered today are seven in number; they are contained in four amendments. The seven objectives which I respectfully submit to the Appropriations Subcommittee are:

Establishment of two regional rehabilitation centers;

Establishment of two regional instrumentation centers;

Authorization of foreign currencies for international research, at not less than the level proposed by the administration;

Expanded information research to unblock the choked arteries of medical communications;

An inexpensive study of the multi-billion-dollar costs of disease and disability to society;

A comparable study of an international medical audio-visual exchange program; and

A consultative study of coordinated Federal-State-local programs for the mentally retarded.

MEMORANDUM ON EACH AMENDMENT

I have prepared a memorandum which outlines the nature, background and purpose of each of the five amendments.

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

The PRESIDING OFFICER. The amendments will be received, printed, and referred to the Committee on Appropriations; and, without objection, the memorandum will be printed in the RECORD.

The memorandum presented by Mr. HUMPHREY is as follows:

MEMORANDUM BY SENATOR HUBERT H. HUMPHREY

The annual appropriations bill for the Department of Health, Education, and Welfare is reviewed by two of the most compe-

tent subcommittees of the Senate and House of Representatives. These subcommittees are under the chairmanship, respectively, of the senior Senator from Alabama, Mr. HILL, and of Congressman JOHN FOGARTY, of Rhode Island.

Of all of the diligent subcommittees of the two Appropriations Committees, I know of no two which work harder than do the subcommittees on this particular bill.

Year after year, the Senate and House subcommittees on the HEW bill have provided invaluable leadership for the Nation's medical effort. This year, with the fine cooperation of HEW Secretary Abraham Ribicoff, a great many forward steps have already been taken through new provisions in the House version of H.R. 7035.

I am glad to say that every one of the amendments I am offering today relates to a subject which has already received deep attention from Senator HILL and from Congressman FOGARTY and their colleagues in this, or in past years.

As a matter of fact, the idea for several of these amendments, e.g., for information and instrumentation research, received important backing in May 1960 from a consultative committee to the Senate Committee on Appropriations which Senator HILL had personally appointed.

In effect, the purpose of the amendments which I am submitting today is to add additional impetus to the pertinent work by both of these chairmen, their outstanding subcommittees and their competent staffs.

BACKGROUND FINDINGS BY SUBCOMMITTEE

Finally, these amendments have been developed over the course of a study conducted since August 1958 by a Senate Government Operations Subcommittee of which I am chairman. This study has already resulted in dozens of constructive actions throughout the executive branch.

I hope that additional actions contemplated through these amendments will similarly result. I should like to emphasize, however, that I am offering these amendments as an individual Senator, and not on behalf of the subcommittee. These are my personal views, based on facts which have come to my attention. The background facts are voluminous. Many of them will be found in the subcommittee's series of publications: 10 committee prints, 2 volumes of hearings, 2 appendix volumes, and part I of its report, Senate Report 142, 87th Congress. Still other facts are to be published, notably in part II of the report.

THREEFOLD PRESENTATION ON EACH AMENDMENT

There follows now for each proposed amendment: (a) Its text, (b) its purpose, and (c) reasons for the amendment.

REGIONAL INSTITUTES OF REHABILITATION

Text of amendment

On page 21, line 4, strike out "\$19,250,000" and insert in lieu thereof "\$21,250,000, of which \$1,500,000 shall be used only for the establishment of each of two original institutes of rehabilitation."

Purpose of amendment

This amendment accomplishes these objectives:

1. It inserts directly in the bill a directive which is now contained in House Report 392, 87th Congress, as filed by the Committee on Appropriations on H.R. 7035.

2. It increases the sum which the House report urged for each of the regional institutes from \$500,000 apiece to \$1,500,000 apiece.

3. In order to make the additional \$2 million available for the two centers, it raises the overall authorization from \$19,250,000 to \$21,250,000.

### Reasons for the amendment

1. The concept of the two new centers is so important that it would be helpful to appropriate funds for them by specifically referring to the centers in the bill itself, not merely in the committee report.

The regional centers will serve to open up a new chapter in the history of American physical medicine and rehabilitation. The Congress' mandate for the medically oriented centers should, therefore, properly be within the appropriation law, not merely in the report on the law.

2. The strong case for the centers is summarized in House Report 392, page 12, where considerable earlier testimony at the House hearings was cited.

In particular, there will be found in the hearings, commencing on page 700, expert testimony from Dr. Frank H. Krusen, president, Elizabeth Kenny Foundation, Minneapolis, and Dr. Frederick A. Kottke, chairman, Department of Physical Medicine and Rehabilitation, University of Minnesota. Each of these distinguished leaders presented cogent reasons for the centers.

3. The sum of \$1,500,000 is a reasonable figure for each of the centers. Although the sum of \$1 million had been envisioned originally, the lower sum would, in the judgment of many experts, prove inadequate; it would represent too tight an operating margin.

4. It should be emphasized, as House Report 392 does, that—

"These institutes should be established in connection with medical schools which have developed a comprehensive program of undergraduate and graduate curricula in physical medicine and rehabilitation and provide comprehensive medical, psychological, social and vocational counseling and affiliated prevocational evaluation services for rehabilitation of physically handicapped patients. Such a program should establish formal arrangements for cooperation with a voluntary comprehensive rehabilitation center providing rehabilitation services on a regional basis in order to test and demonstrate how university, State, and voluntary agencies can cooperate to provide rehabilitation services.

"It is the aim of the committee that this pilot program for regional institutes for rehabilitation be established to study the means of developing adequate facilities for graduate medical education and research which will be as comprehensive in support of the development of rehabilitation as the National Institutes of Health are in support of the categorical medical research programs."

Note that the House report wisely stresses the crucial role of medical schools with "a comprehensive program of undergraduate and graduate curricula in physical medicine and rehabilitation."

5. There is a critical need for two model regional rehabilitation centers which would become centers of excellence in medical research and training, serving as examples of the high caliber standards desirable for future programs of this type. The time has come to proceed full speed ahead with regional center plans at universities to be chosen by the appropriate authorities.

One such university might, in my frank judgment, be the University of Minnesota. There, fullest teamwork would be available with (a) the world-renowned Elizabeth Kenny Foundation whose professional competence is undisputed in the Nation as well as (b) State, county and local governments.

Action now by amendment of the appropriation bill can therefore be a landmark in Congress' serving of the needs of America's disabled citizens.

### REGIONAL INSTRUMENTATION CENTERS

#### Text of amendment

On page 30, line 9, strike out "\$119,275,000" and insert "\$122,275,000, of which \$1,500,000 shall be used only for the estab-

lishment of each of two regional centers for biomedical instrumentation for the purpose of research in medical electronic and other instrumentation".

#### Purpose of amendment

This amendment is designed to bring into reality at an early date a goal urged, at least in general, by the House Committee on Appropriations; namely, progress in research and development on biomedical instrumentation.

Thus, the amendment (a) provides for two regional instrumentation centers at a cost of \$1,500,000 each, (b) makes commensurate provision for enlarging the authorization from which this \$3 million would be drawn; i.e., increase the overall authorization for research and training from \$119,275,000 to \$122,275,000.

#### Reasons for amendment

1. House Report No. 392 makes a strong case for moving ahead rapidly in instrumentation research. It points out (pp. 20-21):

"It is becoming more and more widely recognized that medical research can very significantly benefit from cooperative research with scientists in the fields of the physical sciences and engineering."

It cites testimony by Dr. Howard A. Rusk and Mr. David Rose on the need for instrumentation research and development.

In addition, there will be found in the House hearings additional comments on the specific need for the regional instrumentation centers:

(a) Pages 726 ff.: A memorandum by Prof. William G. Kubicek, Ph. D., Department of Physical Medicine and Rehabilitation, University of Minnesota, Minneapolis.

(b) Pages 717 and 722: My own comments on the need for the centers. Professor Kubicek cites this striking example of need and opportunity:

"In spite of the many millions of dollars expended for heart research and the efforts by scientists in virtually all countries of the world to improve the treatment of heart disease, there is no method available today to provide the physician with a continuous record of cardiac output. Expensive, complicated, and inconvenient methods do exist for a few physicians fortunate enough to have a large hospital laboratory available. The data that they can obtain from these methods is very limited and grossly inaccurate. It appears to be within the scope of electronics to develop a convenient and rapid method to measure the amount of blood pumped by the heart that would be adaptable to any physician's office procedures. Development of such a device will be a complex research program utilizing electrical engineers, physiologists, and mathematicians. The financial return to commercial companies probably would not be great enough to warrant expenditure of the development funds necessary for such a project. However, to the patient suffering from cardiac disease such an instrument would provide a great advance in the treatment of heart disease. Currently available electronic instruments can provide continuous records of pulse rate and blood pressure. In evaluating the cardiac patient for ability to return to his job or to his previous environment the physician needs to know the response of the heart to exercise. The ability of the heart to pump additional amounts of blood during exercise is the one vital measurement that the average physician cannot make today. The inability of the physician to accurately judge the ability of the heart to pump blood under exercise conditions constitutes a hazard to all cardiac patients."

2. The House Committee on Appropriations, in concluding its comments on the need for speeding instrumentation research, presented this sound admonition (p. 21): "The committee encourages the National

Institutes of Health to more vigorously pursue this type of activity."

My view is that NIH should indeed be encouraged to move ahead in this work. However, there is every reason to have it do so immediately through this specific means; i.e., through funding of the two centers.

This, after all, is not a new problem. It does not require more study. It does require action—now—both at the grassroots of our country and in expanded instrumentation research at the campus at Bethesda. I particularly cite the opportunity for advanced research in medical electronics, and within this category, advanced research with analog and digital computers.

3. The most notable case for instrumentation centers was made in the report, "Federal Support of Medical Research," as filed by a consultative committee headed by Mr. Boisfeuillet Jones. This committee reported in May 1960 to Senator LISTER HILL, chairman of the Appropriations Subcommittee, with an outstanding series of findings. The Jones report stated (p. 95): "Funds should be appropriated in the approximate amount of \$5 million to initiate the establishment of centers on a regional basis in which the new developments in the physical sciences permitting increased speed, accuracy, and complexity of measurement can be applied to medicine."

It is a pleasure to note that Senator HILL personally has time after time emphasized his own strong convictions on the wisdom of expanded instrumentation research, including the carrying out of the above Jones committee recommendation.

4. Studies made by the Senate Government Operations Subcommittee on Reorganization and International Organizations show these facts:

(a) In 1960, the U.S. Government was spending \$2 billion for military electronics research, development, testing, and evaluation.

(b) That same year, the U.S. Government was spending only \$2 million for medical electronic research.

Obviously, there is an enormous disparity between the two figures. Obviously, too, there is tremendous opportunity to capitalize in medical electronics on many of the phenomenal findings and instruments developed in the \$2 billion worth of military-space electronics research.

For example, the microminiaturized instruments which telemeter physiological data from outer space are already beginning to find their way into clinical use. But clinical application is developing only at a rather modest pace.

The pace can be accelerated if more resources are made available for medical instrumentation research and development.

From a fiscal standpoint alone, it is widely recognized that tremendous increases in medical efficiency and considerable manpower savings will become possible through monitoring and diagnosis of patients by electronic means—under appropriate medical supervision and evaluation, of course.

5. Establishment of the two regional centers will make feasible intrauniversity, interdisciplinary cooperation which is not now feasible. Departments of electrical engineering will be brought into closer teamwork with medical colleges and teaching hospitals. Physicists, biophysicists, engineers, bionists, M.D.'s, chemists, biochemists, and many other specialized experts will be enabled to work together at the frontiers of research between disciplines.

6. The amendment for two regional instrumentation centers can prove an invaluable aid in the service of medicine. All seven categorical institutes, as well as the Division of General Medical Sciences, would find in such centers strong arms for medical progress in their particular specialties, as well as in fields which overlap between Institutes.

FOREIGN CURRENCIES FOR INTERNATIONAL RESEARCH

*Text of amendment*

On page 33, line 20, insert "including support of regional research, training, and exchange programs," after "(74 Stat. 364)."

On page 33, line 21, strike out "\$8,000,000" and insert in lieu thereof "\$10,084,000".

*Purpose of amendment*

This amendment: (a) restores foreign currency funds which had been reduced in H.R. 7035 below the level requested by the administration;

(b) Reemphasizes Congress' interest in a regional approach. This point was made in the original International Research Act, Public Law 86-610, namely: that support was authorized for regional research, training, and exchange programs "among foreign countries" and not merely between foreign countries and the United States.

*Reasons for amendment*

1. The Public Health Service has diligently arranged agreements with foreign countries, foreign institutions, and foreign investigators for the use of foreign currencies in the amount of \$10,084,000. These agreements have already involved a considerable amount of time to negotiate.

For the Congress now to fund the activity at a level lower than that envisioned would result in the loss of a great deal of time and effort. Indeed, the entire momentum of international medical cooperation would be needlessly slowed down.

2. The House committee pointed out in its report (p. 36) that the \$8 million it allocated would be \$4,293,000 above the amount appropriated for 1961. However, there is every reason to reach the fullest level proposed by the administration for fiscal year 1962. As a matter of fact, others and I had hoped that the administration would propose a still higher appropriation of foreign currencies for this purpose.

3. If the currencies are not used, there is a worldwide tendency for them to be dissipated by inflation. It is far better to put them to such constructive use, as this, rather than to see the funds depreciated by the rise in price levels abroad.

4. The usage of foreign currencies for medical research, training, and exchange purposes represents one of the most universally accepted and applauded uses of such currencies.

It is an unfortunate fact, however, that out of all the many ways in which U.S.-owned or controlled foreign currencies can be used, as provided by statute, almost none has been used to a lesser degree than for this medical purpose. We, thus, see a paradox that the one use, which more than any other, could bring benefit to all of mankind is one of the least exploited to date.

5. The Subcommittee on Reorganization and International Organizations has fully documented the case for broadening international medical cooperation through both dollars and foreign currencies. The two appendix volumes which we published to our international health hearings reprinted messages from all over the world, citing the need and opportunity for international teamwork in cardiovascular diseases, cancer, neurological, and other disorders.

6. There has been strong support from the medical profession for use of foreign currencies for this purpose. The most recent expression of such support came in an article by Dr. Howard Rusk in the *New York Times* of May 21, 1961, which stated:

"For the fiscal year ending in June 1962, the outgoing administration had recommended an appropriation of \$10,890,000 in counterpart funds for the National Institutes of Health and \$1,372,000 for the Office of Vocational Rehabilitation.

"The Kennedy administration made no changes in these recommendations. Last

week the House voted the amount recommended for the Office of Vocational Rehabilitation, but reduced the amount for the National Institutes of Health to \$8 million.

"It is particularly tragic that the program has actually been curtailed, in that funds will be available in only seven countries for next year, compared with nine in the current year.

*"IMMEASURABLE BENEFITS"*

"Ignoring the unquestioned scientific value of making counterpart funds available for international research, the Health for Peace Act offers an immeasurable opportunity to help the United States erase the synthetic image of itself as the brandisher of atomic bombs, the Nation that made Hiroshima a word of both compassion and hate.

"Particularly in the face of demonstrated Soviet superiority in space, it is propitious for the United States to proclaim a program of promoting, organizing, encouraging, and helping to finance international cooperation against disease and disability.

"A cure or a reliable method of controlling heart disease would be hailed everywhere with more wonder and appreciation than the feat of Maj. Yuri Gagarin.

"A breakthrough on cancer would transfix the world to an extent that would dwarf the impact of the first man on the moon.

"For the United States, as leader and sponsor, the benefit would be immeasurable.

"The limited steps that have been taken thus far in implementing the 'health for peace' program have been hailed by all concerned. On a trip to the Near East last November, this writer heard nothing but the highest praise for the program. American ambassadors, governmental leaders of other nations, scientists—all were most enthusiastic. To them it represented real partnership.

"There is no doubt of President Kennedy's belief in the 'health for peace' program and the sincerity of his interest in its implementation. Nor can the lack of action be attributed to financial reasons.

"The moneys to be expended are in counterpart funds. Such funds are available in amounts equal to hundreds of millions of dollars in nations where they could be used for research. Increased taxes are not involved. There will be no outflow of dollars from the United States."

7. The amendment's reemphasis of regional research, training and exchange programs would serve as a necessary reminder, both to the Public Health Service and to foreign countries and institutions, that the United States earnestly desires and expects regional teamwork abroad.

Senator HILL's Health for Peace Act had over and over wisely used the phrase, "among foreign countries" in denoting U.S. interest in fostering teamwork. But there is danger that this regional emphasis may be downgraded in favor of exclusively bilateral ties with the United States.

It should be recalled that one of the great proven virtues of the Marshall plan was that it encouraged foreign countries to work together with one another regionally, rather than simply bilaterally with the United States.

It is uneconomical and unrealistic to expect that every single cooperating foreign country can have its own specialized medical equipment and laboratories to carry on research in a broad variety of medical disciplines or that it can or should rely on U.S. laboratories. It is far more economical and realistic in many instances for countries A and B to send researchers to the regional laboratories of nearby country C.

Thus, this amendment would encourage countries to work together regionally within Europe, or South Asia, or Latin America or the Middle East, rather than cooperate solely

with the United States across the Atlantic and the Pacific.

The United States is interested in encouraging results. This is one way to expedite results—using foreign currencies now and on a regional basis insofar as is possible and as is agreeable to the countries concerned.

ACTIVITIES OF OFFICE OF SURGEON GENERAL

*Text of amendment*

On page 35, line 2, strike out "\$5,275,000" and insert in lieu thereof "\$8,795,000"; of which not to exceed \$3,500,000 shall be used only for research to develop techniques and media for collecting and disseminating information pursuant to the provisions of sections 301(a), 315, 404(b), 412(e), 414(d), and 424(b) of the Public Health Service Act, of sections 4(a)(1) and 4(c) of the Federal Water Pollution Control Act, of sections 2(b)(2) and 2(b)(4) of the Act of July 14, 1955 (42 U.S.C. 1857a), and of sections 371 and 372(a) of the National Library of Medicine Act (42 U.S.C. 275); of which not to exceed \$10,000 shall be used only for conducting consultative studies on the direct and indirect costs of disease and disability to society; and of which not to exceed \$10,000 shall be used only for conducting consultative studies on the advisability and feasibility of establishing an international medical audiovisual exchange program.

*Purpose of amendment*

This is an omnibus amendment to provide funds to the Office of the Surgeon General to advance medical progress through three means:

1. Strengthen information and communications research by a specific allocation, for the first time;

2. Appoint a consultative group to study the direct and indirect cost of disease and disability in society; and

3. Appoint a consultative group to advise on the feasibility and desirability of establishing an international medical audiovisual exchange program.

In effect, these are three separate amendments for three separate purposes incorporated within one package.

The only reason the three provisions are brought together is that they amend one particular section of the bill; that is, they all relate to responsibilities of the Surgeon General of the U.S. Public Health Service. He, alone, is in a position to spearhead action along these lines.

In order to make entirely clear the three separate goals, however, the case for each phase of the amendment is treated separately below.

*Information-communications research*

*Purpose of Amendment Provision*

The goal of the first provision is to allocate for the first time a separate sum for medical information-communications research. This should make possible a head-on assault against one of the most critical problems in medicine today—the choking of the arteries of communication.

The new sum to be allocated would be \$3.5 million. In order to authorize this sum, the overall amount now made available to the Office of Surgeon General in H.R. 7035 would be increased by that figure. (The final two phases of this amendment add two additional figures of \$10,000 each for two studies; thus, the overall increase over the level in H.R. 7035 would be \$3,500,000 plus \$10,000 plus \$10,000 or \$3,520,000 in all.)

*Reasons for Amendment Provision*

Why is the specific sum of \$3.5 million needed for information-communications research?

1. Over the years, Congress has wisely incorporated in the various statutes setting up the categorical Institutes and other Public Health Service activities a strong mandate for reporting medical information.

Indeed, the bulk of the first provision is merely a recapitulation of Congress' past directives to the Surgeon General to disseminate information. But never has Congress provided a specific sum to carry out research on exactly how information should best be disseminated.

The mere publishing by the Surgeon General's Office and other offices of piles of articles, leaflets, reports is not enough. No one knows who really reads and uses the mountains of literature already available.

2. The report filed by the House Appropriations Committee, House Report 392, states, on page 20, the case for better and prompter communication and application of the results of medical research.

Fortunately, it is virtually universally recognized that there is a critical bottleneck between (a) research discovery of new ways of diagnosis and therapy of disease and (b) clinical application of the new findings.

However, there are other critical bottlenecks in communications; these bottlenecks impede communications between researchers, in the first place.

Clinicians will have little to apply unless researchers first make and authenticate new discoveries. If medical science is to advance, the serious breakdown in systematic communications among researchers must first be corrected. At present, the breakdown is being attacked by only a patchwork of effort. The amendment provision is designed to replace the patchwork with a systematic research assault.

3. It would be penny wise and pound foolish to authorize—as we rightly did—\$590 million for NIH in the 1961 fiscal year but to fail to authorize a sum of \$3.5 million for research on how best to communicate research findings.

The best research in the world will be of little avail unless its results get into the hands of those who need it and can use it; that means, first, fellow researchers and, then, clinicians.

4. The House Appropriations Committee concluded its request for action on communications research with this statement (p. 20):

"The committee will expect that this whole field be thoroughly explored and that the NIH will be prepared to present a full report on the potentials and a plan for development of a program to reach these potentials at the hearings next year."

The provision which is being offered today would go two steps further than the House committee urged:

(a) It would broaden the concept of communications research so that it includes, as mentioned earlier, the critical problem of communications between researchers;

(b) It would end delay by making this matter a budgetary line item immediately. Thus, the Public Health Service would have a specific sum from which to draw in conducting its communications research and it would report specifically on the line item at the hearings on next year's appropriations bill.

5. The vastness of today's research effort makes systematic communications study imperative.

In the 1960 fiscal year, the Federal Government alone was supporting more than 22,000 biomedical research projects. At that time, the biosciences information exchange registered more than 90,000 investigators, including 40,000 senior investigators.

It is estimated that more than a quarter of a million articles are published each year in medical journals, and one estimate is that for every article that is published, there are three more which are submitted but are not published.

The end result is that buried in the mountains of data may be invaluable clues to the conquest of heart disease, cancer, neurological disease, and other problems. But until we learn to unblock the arteries of com-

munications, researchers will not be able to make good use of these findings.

The fact is that no researcher today can find the time to cover literature in his own field, much less in related fields. He cannot keep up with what has already been published, much less with what study is now in process (much of which may never reach publication at all).

6. Among the communications questions which should be studied are these: To what extent do researchers now use the various information resources available to them, that is to what extent, for example, do they read primary journals, as well as specific abstract and index publications? If they do not use them sufficiently, why not? What can be done to help correct the reasons for under-usage?

How useful are symposia and larger conferences which have long been a mainstay of communications? How can symposia and larger conferences be made optimally effective?

How useful are review articles and bibliographies of review articles?

To what extent can newer methods of communications, such as closed-circuit television, strengthen the communications process?

There are dozens of other related questions which can only be answered by research.

The National Science Foundation is conducting limited research on information questions, e.g., as regards electronic data processing systems. But NSF cannot do for medical science what medical science should do for itself; namely, study communications problems as they relate specifically to medical science.

7. The \$3.5 million which is suggested for information-communications research is actually a conservative level of funding for this purpose. The Jones consultative committee had recommended:

"1. Support of communications research: Funds should be appropriated in the approximate amount of \$4.5 million to support a greatly increased research effort on methods of data processing, literature analysis, and information retrieval in both the intramural and extramural programs of the National Institutes of Health in close collaboration with the National Library of Medicine.

"2. Dissemination of findings of medical research: The National Institutes of Health should also undertake a thorough study of ways and means to bring to the attention of both research and practicing physicians new medical knowledge and techniques, presented in the most objective form possible and on the basis of the best informed opinion available."

Thus, the amount which is recommended by this amendment on an experimental basis is \$1 million less than that which the Jones committee had urged.

The amount is, however, larger than the \$1 million which the National Institutes of Health are spending on information and communications research each year. This figure was cited in the August 1960 hearing, conducted by our subcommittee, on the subject of "Coordination of Biomedical Research Activities in Federal Agencies" (p. 46).

8. Finally, it should be noted that there is a specific reason to place this research responsibility in the Office of the Surgeon General. The reason is that certain of the information and communications research phases can best be carried out by the National Institutes of Health, other phases by the Bureau of State Services, the Bureau of Medical Services, or the National Library of Medicine. The Surgeon General of the Public Health Service is the one who can best determine which of these various arms should handle particular phases of the research problem.

#### B. Provision for study of costs of disease Text of Provision

The text of this amendment will be found in the provision of \$10,000 for "conducting consultative studies on the direct and indirect costs of disease and disability to society."

##### Reasons for Provision

1. Neither the Congress nor the American people have ever had a rounded, detailed, and documented report on how much all disease and disability cost society.

What has been available heretofore has been solely a series of isolated reports on how much this disease or that disease costs society.

These past estimates have been useful; but they have not been and could not be definitive.

The Senate and House Appropriations Committees have often published many of these estimates, as representing the best information available. Both committees have, for this purpose, drawn on the best judgment of the respective Institutes in the National Institutes of Health, and on many professional and voluntary organizations. The latter groups in turn, have indicated that the estimates which they have made represent the best which they could make under the circumstances.

Two estimates by two different sources even on one disease and disability tend to exhibit wide variations, because of the inherent difficulties involved and because of differences in premises and economic yardsticks.

2. The fact is that it takes far more knowledge than a medical specialist alone possesses in order to arrive at an authoritative estimate as to the cost of one disease, much less many diseases, to society. It takes the knowledge and competence of economists, statisticians, insurance actuaries, etc.

Thus, if this provision of the amendment is enacted, the Surgeon General would appoint a consultative group, comprised of representatives with all the necessary skills. From their study would come for the first time:

(a) A universally acceptable report on the toll taken by disease and disability;

(b) A series of ground rules for making future estimates, so that the wide variations now present in estimates would tend to be reduced.

3. Presently available estimates are, as noted, quite useful. They provide to the Congress and the Nation some degree of perspective on how much of a toll is being exacted on the Nation because of disease and disability.

For example, the Nation has learned from the National Safety Council that in the decade of the 1950's, all types of accidents—highway, home, and job—have cost \$100 billion.

That enormous figure sheds light on how long a distance we still have to go in moving ahead with accident research.

The National Health Education Committee in its authoritative 1961 report, "Facts on the Major Killing and Crippling Diseases in the United States Today," notes that the cost of disability, based on data compiled in the National Health Survey, may mean that wage losses alone aggregate \$6 billion.

Wage losses are, however, but one of many types of losses. Other examples could be cited from other fields.

4. There follows an excerpt from my prepared comments in the record of the House Appropriations Committee on H.R. 7035 (p. 724):

"May I quote our subcommittee's report, Senate Report 142, 87th Congress (pp. 294, 297):

"Many voluntary health and welfare agencies have estimated from time to time the cost to society of the particular disease or social problem with which they are con-

cerned. It is estimated, for example, by mental health experts that mental illness costs the Nation \$15 billion a year, and by cancer experts that cancer costs the Nation \$12 billion a year. Highway authorities say that road accidents cost the Nation \$6 billion a year.

"Medical experts and social workers have given varying estimates as to costs of such problems as alcoholism, narcotics addiction, mental illness, and other medical-social problems.

"Variation in premises and yardsticks: It is evident in perusing most estimates that, as might be expected, widely varying economic and statistical assumptions, definitions, and yardsticks are used. With the best of intentions, even the most highly qualified authorities might end up with widely divergent guesses."

"Our report then quotes an article by a Public Health expert as follows:

"Voluntary and public agencies concerned with specific diseases have developed or used such estimates to further programs of medical research and disease control. They have financed studies of these costs to give them a tool to describe the size of the problem in public discussion. Review of these studies indicates clearly the need for development of a conceptual framework for such estimates, for a clearer formulation of their assumptions and limitations, and for indication of the areas in which relevant data still need to be collected."

"Senate Report 142 then states:

"It is the staff's judgment that it would be in the interest of the U.S. Government to develop in cooperation with private authorities a sound economic-statistical framework for estimating the toll of disease and disability."

"In this way we could see both sides of the ledger, so to speak: How much society is paying because of the toll of disease and disability; how much society is spending to prevent, cure, and ameliorate disease and disability."

5. The consultative study would, at minimal cost, provide a very useful yardstick for congressional and public understanding.

#### C. Provision for study of international medical audiovisual exchange

##### Text of Provision

The final phase of the omnibus amendment is a provision for \$10,000 for use for "conducting consultative studies on the advisability and feasibility of establishing an International Medical Audiovisual Exchange Program."

##### Purpose of Provision

This provision is designed to capitalize upon the great wealth of audiovisual materials which are not fully utilized in our own country and which are even less utilized in exchanges throughout the world.

##### Reasons for Amendment

1. Medical audiovisuals are indispensable tools for two goals:

- (a) Furthering international research; and
- (b) Furthering international technical assistance in health.

2. The United States is the greatest single producer of medical audiovisuals of all types—motion pictures, film strips, slides, tape recordings, closed circuit television.

Many groups have important collections of medical audiovisuals; notably the American Medical Association, the pharmaceutical industry, voluntary health organizations and other sources.

In addition, in the Federal Government, many agencies produce and use medical audiovisuals, largely for training purposes. These include, notably, the Department of Health, Education, and Welfare; the Department of Defense; Veterans' Administration; Atomic Energy Commission and others, organized through the Interdepartmental Committee on Medical Training Aids.

There is a strong view that a more coordinated system in our own country would help reap greater benefits from medical audiovisuals for our own citizens.

There is a wide variety of film catalogs; no one source knows for sure what other sources already possess or what films they may be in the process of making.

3. The greatest frontier of opportunity apparently lies in increased international exchange. At present, such exchange is limited, for a variety of reasons, to but a small trickle between the United States and foreign countries.

The U.S. Information Agency, through its offices abroad, shows a small number of medical audiovisuals to foreign peoples in emerging areas.

Experts interested in advancing the health of emerging countries have emphasized to the committee that the establishment of an expanded International Medical Audiovisual Exchange Program might generate tremendous good will for the United States and might help raise health standards and medical education abroad.

4. Strong support has come from the National Catholic Welfare Conference. For example, Bishop Edward Swannstrom, executive director, N.C.W.C., wrote me in a letter of May 19, 1961:

"We have discussed this proposal with a number of our directors and coworkers from various areas in Asia and Africa. All agree that such a program would be extremely valuable to the medical personnel and institutions overseas. In the past we have often regretted our inability to supply many of these educational items which are so sorely needed."

"The consensus of feeling I have noted is that such visual aids will not only be useful in improving the level of professional knowledge and techniques but will be of great assistance in our programs for health and hygiene. Several directors asked that an immediate priority be given to films and aids explaining TB and its various remedies, malaria, leprosy, and other tropical diseases."

"We sincerely trust that this first step toward wholehearted support of oversea medical work will meet with early success."

The Christian Medical Society has likewise long been interested in medical audiovisuals. Expert representatives of the American Medical Association have informally indicated strong support for the concept of a consultative study, particularly in terms of new research films.

Outstanding medical specialists such as the famous cardiovascular surgeon, Dr. Michael DeBakey, of Baylor University, have likewise indicated strong support of a consultative study, such as is being proposed today.

5. The taxpayers of the United States make a sizable investment in medical motion pictures produced by Federal agencies. Once that investment has been made, the issue is, "how best to capitalize on the investment."

If two or three prints are made but are not sufficiently circulated, obviously the investment may not pay as handsomely a return as if an adequate number of prints were made and were circulated among potential users.

To run off too few prints is costly; to run off too many prints would likewise be costly.

The question is, What is the optimum number? What represents the most effective use of a given film?

7. There are many complex problems which would have to be studied before setting up an international exchange program. Should the program be handled by a Federal agency, or by a private agency? If by a private agency, should Federal funds be made available—in whole or in part?

Should materials other than motion pictures be formally exchanged, e.g., tape recordings, slides, three-dimensional exhibits? Should other health-related professions be

covered, e.g., films on nursing, pharmacy, veterinary science?

Should materials on technical specialties, e.g., medical technology, therapy, etc., be handled?

To answer these and other questions, a consultative study, with broad representation of the many skills and viewpoints involved, would be necessary. Costs would have to be carefully analyzed and benefits under alternative possibilities evaluated.

The Congress could then decide what, if anything, should be done which is not now being done at home and abroad as regards medical audiovisuals.

#### STUDY ON PROGRAMS FOR MENTALLY RETARDED

##### Text of amendment

On page 43, line 15, strike out "\$2,382,000," and insert in lieu thereof "\$2,392,000 (of which not to exceed \$10,000 shall be available only for the purpose of conducting a consultative study on the formulation of a coordinated Federal, State, and local program for the mentally retarded);".

##### Purpose of amendment

This amendment has as its goal the appointment by the Secretary of Health, Education, and Welfare of a consultative study group to develop a definitive analysis and report on one of the most important challenges confronting the Nation—Federal, State, and local programs for the mentally retarded.

The cost of the consultative study would not exceed \$10,000. Thus, the Secretary's available funds would be increased by that amount, i.e., from \$2,382,000 to \$2,392,000.

##### Reasons for amendment

1. Mental retardation, it should be noted, represents one of the most serious drains on the Nation's human resources. It involves an estimated 3 percent of our population, meaning around 5.4 million people. It results in costs of not less than \$500 million per year in identifiable expenditures by Federal, State, and local governments alone.

In addition, out-of-pocket expenses by individual families to provide special care for the mentally retarded at home add up, by conservative estimate, to not less than an additional \$500 million.

And these, it must be emphasized, are only the tangible, financial costs, based upon such data as is available. The data is not definitive, for the reasons earlier stated, but it gives some insight as to the dimensions of the problem.

2. A problem of this mammoth dimension cannot be adequately met by a mere patchwork of programs.

What is needed is the closest possible voluntary teamwork by Federal, State, and local governments, by public and private groups, professionals and laymen. Experts in the field realize the need for coordination, but at present, there is neither a mandate nor a blueprint for it. The purpose of the amendment is to lay the basis for the mandate and the blueprint.

Numerous specialized offices in the HEW Department are involved, such as the National Institutes of Health, the Office of Vocational Rehabilitation, the Office of Education, the Children's Bureau. All of these organizations have made splendid contributions toward meeting the problem. All would play an important role in preparing the report contemplated by this amendment. But grassroots and national leaders in voluntary groups, like the National Association for Retarded Children, in professional groups, like the American Academy of Pediatrics and the Association on Mental Deficiency—would also play an important part in developing what I believe could be a landmark toward new action.

3. The research phase alone on mental retardation is an enormous one. It involves

public and private research, study by the National Institute of Neurological Disease and Blindness, the National Institute for Mental Health and other Federal units. It includes the historic collaborative study on perinatal problems, which of course, cuts across the board to a host of research areas.

A consultative study as proposed by this amendment could look at the "big picture" of all biomedical research, bearing on mental retardation—its cause, diagnosis, therapy (to the extent possible), etc.

4. Fortunately, H.R. 7035, like earlier appropriation bills, takes significant note of the retardation problem. H.R. 7035 soundly provides \$1 million more for teachers of the mentally retarded; this is one of the most important needs in this field. It is, however, but one of the many phases of the needs of the mentally retarded—medical, educational, vocational, parental, community, etc.

5. One of the virtues of taking a rounded look at the total needs of the mentally retarded is that it will bring to light what might be termed "gap areas." In other words, we will find out what is now lacking in services to the mentally retarded.

6. There is much to be gained and nothing to lose from a consultative study of this nature.

Surgeon generals' consultative groups have in the past provided invaluable guidance, as have HEW Secretary advisory groups, such as the one proposed herein.

The need for this particular study has been carefully determined; its direct and indirect dividends could be immense to literally millions of families across the Nation. It would lay the basis for well-rounded, instead of piecemeal or ad hoc action in the future.

#### INDEPENDENT OFFICES APPROPRIATION BILL, 1962—AMENDMENT

Mr. JAVITS (for himself and Mr. KEATING) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 7445) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1962, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

#### ESTABLISHMENT OF PEACE CORPS—ADDITIONAL COSPONSORS OF BILL

Mr. HUMPHREY. Madam President, I ask unanimous consent that the names of Senators DOUGLAS, MOSS, and NEUBERGER be added as cosponsors to S. 2000, a bill to establish a Peace Corps, which I introduced on June 1 on behalf of myself and Senators FULBRIGHT, PELL, CLARK, SMITH of Massachusetts, MCGEE, HART, and GORE.

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

#### EXEMPTION OF CERTAIN INDIVIDUALS FROM OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM—ADDITIONAL COSPONSOR OF BILL

Mr. GOLDWATER. Madam President, on June 7, 1961 the distinguished junior Senator from Pennsylvania [Mr. CLARK] introduced a bill to exempt from coverage under the old-age, survivors,

and disability insurance program self-employed individuals who hold certain religious beliefs.

I believe this to be a very worthy bill. I have discussed the proposal of my appearing as a cosponsor of the bill with the distinguished junior Senator from Pennsylvania, and he has agreed. Therefore, I ask unanimous consent that my name may appear as a cosponsor of Senate bill 2031.

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

#### AMENDMENT OF INTERNAL REVENUE CODE OF 1954—ADDITIONAL COSPONSOR OF BILL

Mr. WILLIAMS of Delaware. Madam President, yesterday I introduced S. 2069. On the next printing of the bill, I ask unanimous consent that the name of the Senator from Wisconsin [Mr. PROXMIER] be added as a cosponsor.

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

#### THE 100TH ANNIVERSARY OF ENACTMENT OF THE HOMESTEAD ACT—ADDITIONAL COSPONSORS OF BILL

Under the order of the Senate of June 7, the names of Senators CASE of South Dakota, MORSE, and PROXMIER were added as additional cosponsors of the bill (S. 2027) to provide for the issuance of a special series of postage stamps in commemoration of the 100th anniversary of the enactment of the Homestead Act, introduced by Mr. CURTIS (for himself and other Senators), on June 7, 1961.

#### OBSERVANCE OF CENTENNIAL OF ENACTMENT OF THE HOMESTEAD ACT—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under the authority of the order of the Senate of June 7, 1961, the names of Senators HUMPHREY, CASE of South Dakota, MCCARTHY, MORSE, and PROXMIER were added as additional cosponsors of the joint resolution (S.J. Res. 98) to provide for the observance of the centennial of the enactment of the Homestead Act, introduced by Mr. CURTIS (for himself and other Senators), on June 7, 1961.

#### HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 7218) "An act to provide that the authorized strength of the Metropolitan Police force of the District of Columbia shall be not less than three thousand officers and members," was read twice by its title, and placed on the calendar.

#### NOTICE OF RECEIPT OF NOMINATION OF ROBERT M. MCKINNEY TO BE AMBASSADOR TO SWITZERLAND

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination

of Robert M. McKinney, of New Mexico, to be Ambassador to Switzerland.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

#### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, June 14, 1961, he presented to the President of the United States the following bills and joint resolutions:

S. 847. An act to change the name of the Army and Navy Legion of Valor of the United States of America, Incorporated, and for other purposes;

S. 1852. An act to authorize appropriations for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes; and

S.J. Res. 65. Joint resolution designating the week of May 13-19, 1962, as Police Week and designating May 14, 1962, as Peace Officers Memorial Day.

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

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

By Mr. SPARKMAN:  
Address entitled "Economic, Social, and Political Implications of Community Development," delivered at the closing session of the Inter-Regional Conference on Community Development, May 6, 12, Seoul, Korea.

By Mr. HUMPHREY:  
Address delivered by Senator LONG of Missouri to the American Stockyards Association, at St. Joseph, Mo., on June 7, 1961.

By Mr. SMATHERS:  
Address delivered by Secretary of Labor Goldberg at dedication of Library of Hebrew Union College-Jewish Institute of Religion, Cincinnati, Ohio, June 3, 1961.

By Mr. WILEY:  
Article entitled "How To Start Things Booming Again," written by the Honorable Luther Hodges, Secretary of Commerce, and published in This Week magazine of June 18, 1961.

#### DEFENSE CONTRACT AWARDS

Mr. ENGLE. Madam President, last week the distinguished Senator from New York [Mr. KEATING] renewed his criticism of what he termed a "great disparity" in the distribution of defense work.

In his remarks in the Senate on June 6, Senator KEATING stated that the gap in the distribution of defense procurement dollars is apparently increasing, rather than decreasing, under the new administration. He pointed out that "one State, which is neither the biggest nor the most populous, gets nearly one-quarter of the value of all military prime contract awards"; and that "during the first 3 months of 1961, California got 23.3 percent of defense procurement dollars—more than twice as much as New York."

Since Senator KEATING continues to make his charges on an area basis, I

should like to point out that the State of California comprises an area of 156,750 square miles. The area of six of the industrial States on the eastern seaboard totals 123,158 square miles. Yet these States combined, smaller in size than California, received 32.6 percent of the defense contracts during the first 100 days of the Kennedy administration. These States are New York, Connecticut, Pennsylvania, New Jersey, Massachusetts, and Maryland—a contiguous bloc.

In his June 6 remarks, Senator KEATING also made the statement that by comparison to the Eisenhower administration, the present administration "seems to be causing a real depression for New York State defense contractors."

Without arguing Senator KEATING's point, I wish to cite some figures to show that California's defense industry also has its problems.

Figures prepared by the Bank of America indicate that employment in California's defense industry complex in March of this year was more than 20,000 jobs less than its peak in 1959. Employment in aircraft categories was 43,000 below its 1959 peak. The report notes that—"no precise measurement of California's total share of defense procurement expenditures is possible owing to the lack of detailed data on the amount and geographical distribution of subcontracting and the location of specific work done under prime contracts."

The Bank of America report also shows that 8.3 percent of California's total labor force were unemployed in March 1961, an increase of 37.8 percent over 1960. This represents an unemployed force of 540,000, or about 10 percent of the country's total unemployed of 5,495,000. I may add that the Department of Labor, in its May 13 report, places California's State insured unemployment at 6.8 percent—compared with 6.1 percent for New York, and 5.9 percent for the country as a whole.

To return to Senator KEATING's charge of "great disparity" in the distribution of defense work in the United States:

On April 24 of this year, I made some extended remarks in the Senate on the subject of defense procurement contracts. At that time I called attention to the explanatory footnotes that accompany the regularly issued report of the Secretary of Defense, entitled "Military Prime Contract Awards by State." No reading of the figures in these reports should be made without the benefit of this explanatory language. I regret that in making this assertions on the matter of defense contract awards, Senator KEATING fails to read this very important language into the RECORD.

I think the footnotes bear a rereading at this point:

It is emphasized that data on prime contracts by State do not provide any direct indication as to the State in which actual production work is done. For the majority of the contracts with manufacturers, the data reflect the location of the plant where the product will be finally processed and assembled. Construction contracts are shown for the State where construction is to be performed. However, for some contracts with large companies with more than one plant, and for contracts with service, wholesale, or other distribution firms, the location

is usually the address of the contractor's main office.

More important is the fact that the reports refer to prime contracts only, and cannot in any way reflect the distribution of the very substantial amount of material and component fabrication and other subcontract work that may be done outside the State where final assembly or delivery takes place.

I think it should be clear to everyone how easy it is to get a distorted picture if we fail to use this language as a backdrop in interpreting the figures on military prime contract awards.

In any case, the points that Senator KEATING raises ignore the fact that the basic criteria used in granting defense contracts are neither geography, nor unemployment, nor politics. They shy clear of the fact that the Department of Defense makes its awards, first and foremost, on the basis of capability, experience, and cost.

In California, we have the experienced personnel, the plant capability, and the product quality that enable the Federal Government to get the best possible product at the lowest possible total cost. For more than 25 years the United States has turned to concerns in California for most of its aeronautical and aerospace needs. As a result, we have built up the comprehensive capacity to tackle, with maximum efficiency and minimum time, almost every phase of producing the modern weapons of war.

We are living in the most critical period of our Nation's history, and we cannot allow defense procurement to be awarded on any basis other than competence and excellence. As long as great numbers of people who possess the necessary skills would rather live in California, and as long as contracts are awarded in the best interest of the country, I will continue to rise to the defense of California's carrying out its responsibility as a major producer of our defense needs.

#### UNITED NATIONS SPECIAL FUND PROPOSAL FOR CUBA

Mr. BRIDGES. Madam President, it is a shocking experience to pick up a newspaper and read that the Governing Council of United Nations Special Fund has approved a project which will pour \$1,157,600 into an agricultural research program in Cuba.

Apparently, the purpose of this project is to enable Castro to carry on research in agriculture designed to relieve the Cubans of their reliance on sugar as the principal product of their soil. The newspaper account of this action relates that the Governing Council acted over the protests of the United States, but also pointed out that 40 percent of the Special Fund, raised by "voluntary" contributions, comes from the United States of America.

Madam President, I ask unanimous consent to have printed in the RECORD, at this point, the story by John Molleson which appeared in the New York Herald Tribune of May 25, 1961, under the heading "U.N. Votes Cuba \$1,157,600 Over Protest by United States."

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

#### U.N. VOTES CUBA \$1,157,600 OVER PROTEST BY UNITED STATES

(By John Molleson)

UNITED NATIONS, N.Y., May 24.—The United Nations Special Fund today approved a \$1,157,600 grant to the Cuban Government for agricultural research. The step was taken by the Fund's 18-nation Governing Council despite the expressed reservations of the United States, which contributes 40 percent of the Fund's annual budget.

Diplomatic sources said the United States based its reservation on a changed economic situation in Cuba in recent months. Livestock herds have been decimated, Cuban agronomists have lost their jobs, and Cuba has shown a reluctance to cooperate with other multilateral aid programs, it was said.

Some members of the Council, it was reliably reported, agreed with the United States, while other nations concluded that the American objections were politically motivated. The Council is composed of nine members from contributing countries and nine from receiving countries.

#### AIM OF PROJECT

The aim of the Cuban project is to expand agricultural research, with special attention to livestock, production, soil classification, conservation and crop diversification. Cuba will contribute \$1,878,000 to the 5-year project under the terms of the agreement worked out between the U.N. Food and Agriculture Organization and the Cuban Government last February.

In accordance with tradition, no vote was taken at today's session of the Governing Council. In the discussions of projects, only economic considerations are theoretically allowed to control the decisions.

While expressing its reservations, the United States stated its confidence that Paul Hoffman, managing director of the Fund, would make every effort to determine if the project could be carried out as originally planned.

Mr. BRIDGES. Madam President, although the Herald Tribune has a very high reputation for accuracy, I could scarcely credit my senses when I read this extraordinary story. I requested the staff of the Appropriations Committee to verify this report. I have here a memorandum headed "U.S. Action on U.N. Special Fund Project in Cuba." This document is not a newspaper story. This is an official report.

I ask unanimous consent to have it printed in the RECORD at this point.

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

Subject: U.S. action on U.N. Special Fund project in Cuba.

The project calls for an allocation by the Special Fund of approximately \$1.1 million to assist in the expansion of agricultural research at the Central Experimental Station in Santiago de Las Vegas. This project, primarily of a research nature, will extend over a period of 5 years. The Cuban Government is required to contribute approximately \$1.8 million. The Cuban project was 1 of 42 proposed projects reviewed by the Governing Council at its semiannual meeting on May 23-24.

The U.N. Special Fund derives its resources from voluntary contributions pledged annually. Pledges for 1961 are about \$48 million, of which 40 percent is contributed by the United States on a matching basis.

There are 18 nations represented on the Governing Council—9 from more developed

countries and 9 from less developed countries. The present membership includes, in addition to the United States, France, Italy, Sweden, Japan, the United Kingdom, Canada, Mexico, Guatemala, the Netherlands, India, Senegal, Pakistan, Ghana, Thailand, Argentina, Yugoslavia, and the U.S.S.R.

All projects recommended by the managing director (Paul Hoffman) so far have been approved without a formal vote after project by project discussion. There are precedents for objections to individual projects: for example, the U.S.S.R. objected to a project for the Republic of China (Formosa) and the U.A.R. objected to a project for Israel. Both were approved by the Governing Council. The Special Fund charter provides that Special Fund assistance shall not be means of political or economic interference or be accompanied by political conditions. The United States has consistently maintained that the integrity of economic and technical institutions of the U.N. be preserved against the intrusion of political motives.

At the Council meeting, the United States objected to the project on technical, economic and administrative grounds based largely on conditions in Cuba which have arisen since the project originally was screened by the Special Fund staff. Our representative questioned the successful implementation of the project under present conditions in Cuba and his statements were made a matter of record. He stated that we have complete confidence in the managing director and the staff of the Special Fund and are assured that the project will not go forward until they have satisfied themselves on the questions we have raised and that the project can be undertaken successfully. Several other delegates supported the need for careful consideration of the objectives raised by the United States. In view of the fact that approval by the Governing Council merely constitutes authorization to the managing director to enter into detailed negotiations, the effect of the U.S. position was to gain assurance that the project would receive further careful study. This was done without damaging the integrity of the Special Fund, with our statement making clear the grounds for the U.S. position. No vote was taken on any of the projects, in accordance with precedents of the Special Fund.

18 members of the Governing Council of the United Nations Special Fund showing amounts they pledged for 1961, the amounts paid in, and the balance due in each case

Country	Pledged	Paid	Balance due
1. Argentina.....	\$97,561	\$1,557	\$96,004
2. Canada.....	2,350,000	2,350,000	0
3. France.....	1,072,066	607,649	464,417
4. Guatemala.....	8,000	0	8,000
5. Ghana.....	0	0	0
6. India.....	1,750,000	1,750,000	0
7. Italy.....	1,350,000	750,000	600,000
8. Japan.....	1,422,483	1,422,483	0
9. Mexico.....	34,000	34,000	0
10. Netherlands.....	2,561,436	2,561,436	0
11. Pakistan.....	129,998	129,998	0
12. Senegal.....	140,000	0	40,000
13. Sweden.....	2,100,000	2,100,000	0
14. Thailand.....	160,000	160,000	0
15. U.S.S.R.....	1,000,000	1,000,000	0
16. United Kingdom.....	5,000,000	5,000,000	0
17. United States.....	18,811,869	17,864,143	947,726
18. Yugoslavia.....	192,000	192,000	0
Total.....	38,079,413	35,923,266	2,156,147

<sup>1</sup> This pledge was announced for the U.N. Special Fund and the U.N. Technical Assistance Fund, but the allocation of a portion to these funds has not been made.

<sup>2</sup> The United States agrees each year to contribute an amount equivalent to 40 percent of the total amount collected.

Mr. BRIDGES. Madam President, it is hard to believe—but it is true. The United Nations Special Fund approved,

on the recommendation of its managing director, a project to hand over to Castro nearly half a million American dollars. Even more incredible, but also true, the managing director of the Special Fund who recommended this project is an American—Paul Hoffman.

And, equally startling, but also true, the protest lodged by the representative of the United States was not on the grounds that Castro is a blackmailer, a blood-soaked dictator who denies his nation the right to vote, a bandit who vilifies our leaders and the clergy of his own nation, the leader of an outlaw government with which we have broken diplomatic relations—no, none of these things are protested. Our U.S. delegate objected on "technical, economic, and administrative grounds."

Madam President, it is high time the members of the Appropriations Committee of the Senate did some objecting on "technical, economic, and administrative grounds" before we approve any further outlay of taxpayers' money for such nonsense as this contribution to Castro.

I plan to ask some very "technical" questions about the "administrative" aspects of this \$48 million fund and the "economic" reasons why the United States should contribute 40 percent of that amount.

Whether the United Nations knows it or not—the American people know Castro is an enemy of the United States—you know it, Mr. President, and I know it. I, for one, do not propose to approve a program to give the enemies of the United States any handouts from the pockets of the American taxpayer.

To me it is inconceivable that we should condone this action. It is inconceivable, too, that we should have in Cuba at the present time a group of so-called technical experts negotiating with Castro on tractors, or bulldozers, for the release of political prisoners. All these things are almost beyond the realm of comprehension. Here is a great power, the United States of America, that has proud traditions, that has shown every friendship for the country of Cuba, that fought a war to make Cuba free, that has maintained the economy of Cuba by subsidizing the sugar crop for a long period of years, and now, one after another, we are taking steps which, to my mind, stultify our senses.

This last event, which I mentioned, paying taxpayers' money, through the United Nations, to a country that is threatening us and is now holding us up for ransom and blackmail, is more than I can stand for in silence.

There may be some people around this country who enjoy seeing American citizens negotiate a ransom agreement. I just want to register the fact that there is one Senator who does not like it, who protests it; and I hope this country will wake up before it is too late.

It is shocking to find the United Nations being used for the purpose of paying money to Cuba when we have at the moment such strained relations with Cuba, and when we have now—even though it is a private committee—a group of technicians negotiating to pay

blackmail and ransom. It just does not make sense.

I predict further trouble, nothing but trouble, in the months and years ahead. The sooner we face up to it, the better.

People who like to close their eyes to all that is going on are welcome to close them. My eyes are open. They have been open for some time. Two and a half years ago I stated my views predicting what Castro meant to this country—that he was a menace to the freedom of his own country. Everything that I warned would happen has come true, and more. I think some people now finally should be awakened to the danger.

Mr. KEATING subsequently said: Madam President, I wish to say a few words about the matter which the Senator from New Hampshire discussed a few moments ago. I was astounded that our delegate to the United Nations had not taken a more forceful position with reference to the payment to Cuba. If the Senator from New Hampshire were sitting, as I was sitting this morning, and as the distinguished junior Senator from Connecticut and other members of the Internal Security Subcommittee have sat, in hearings about the Fairplay for Cuba Committee, he would understand, as I am sure he does understand, and as members of the committee understand, that the Fairplay for Cuba Committee has developed into simply a pro-Communist organization. There may have been some sincere people in it in the beginning, and there may still be, but the organizers of it and the active members are following the Communist line completely.

The Senator from New Hampshire is being very realistic when he points out what we are up against in Castro's Cuba. I congratulate him on his remarks.

#### PROPOSED SUMMER RECESS OF CONGRESS

Mr. MCGEE. Madam President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Full-Time Job," published in the Washington Post of June 14, 1961, regarding a proposed summer recess of Congress, and pointing out the necessity for full-time operations, with reasonable allowance for summer vacations, campaigning, and contacts with constituents.

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

##### FULL-TIME JOB

Congress seems to be settling down to its hot weather siege in Washington. Hope that it might finish its work by the end of July are steadily fading, and most of the wishful talk is now of adjournment by Labor Day. Even that target date seems to be enveloped in a deep haze because of Senate Majority Leader MANSFIELD's determination to bring out of the Rules Committee a proposal to curb filibustering in the Senate.

The numerous unfinished tasks are usually cited as an argument against the summer recess for which many Congressmen have been pleading. We think that they point in the opposite direction. They suggest that the idea of Congress finishing its legislative work from January to July or August is really an illusion and that the Congress would do well to acknowledge the necessity

for full-time operations, with reasonable allowance for summer vacations, campaigning and contacts with constituents.

The chief opposition to any change in thinking about the congressional sessions seems to come from Speaker RAYBURN, who derides talk of a summer recess as "non-sense." Maybe this means nothing more than that Texas is hotter than Washington in summer. A Congressional Quarterly poll indicates that a majority of those who responded (175) are willing to let the present arrangement stand, but this is far short of a majority of the total membership, and 109 specifically favored a summer recess. We surmise that this number will grow as more of the younger and less inflexible Members come to realize that serving in Congress is a full-time job.

#### GOALS OF RESOURCE DEVELOPMENT

Mr. KEFAUVER. Madam President, the Honorable Stewart L. Udall, Secretary of the Interior, did my State of Tennessee the honor of appearing before a joint meeting of resource development groups in Fayetteville recently.

This meeting, sponsored by the Tennessee River and Tributaries Association and by the Elk River Development Association was an important landmark along the road to great achievements such as have been exemplified by the Tennessee Valley Authority over the years.

It marked a vigorous stride into a New Frontier. The future growth and development of our economy, not only in Tennessee, but in many other portions of our Nation relies upon leadership such as that offered by Secretary Udall and groups similar to the Tennessee Rivers and Tributaries Association and the Elk River Development Association.

Mr. Udall's remarks sounded a strong keynote which should give encouragement to all those seeking progress toward our goals of resource development.

I ask unanimous consent that Mr. Udall's speech be printed in the RECORD at this point in my remarks.

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

ADDRESS BY HON. STEWART L. UDALL, SECRETARY OF THE INTERIOR, AT THE TENNESSEE RIVER TRIBUTARIES ASSOCIATION AND ELK RIVER DEVELOPMENT ASSOCIATION, FAYETTEVILLE, TENN., MAY 12, 1961

You do me a unique honor in asking me to talk with you about development of water resources. You were in the frontlines of the long battle for water development in this region when I was a schoolboy in a little Arizona ranch town. You were among the first New Frontiersmen because you were pioneers in a coordinated, comprehensive river development plan. To all of you residents of the Tennessee Valley, the subject of water and its planned control and use is far from novel.

I understand your valleywide association is only slightly more than a year old. You can accomplish much through joint and coordinated action, and you hold it within your power to be of considerable assistance to the directors of the Tennessee Valley Authority. You are holding fast to the original brilliant concept of TVA. You well realize that we can no longer afford to be piecemeal in our development of water resources. We must devise plans which will transcend the interests of individual localities or agencies, and which will conform to a broad plan of inte-

grated development of all the resources of a great watershed. This is no time for stand-patters, it is no time for the overly cautious approach to resource development—it is a time for broad-gaged planning and bold action. President Kennedy has told us, "Failures to act now may be opportunities lost forever."

Years ago you and other farsighted men set the pattern. You saw the opportunities available in harnessing the mighty Tennessee and making it work for mankind. In so doing, you made the three letters TVA synonymous with the idea of overall basin development.

It wasn't a simple matter. I'm sure many of you vividly remember the slow and often disappointing struggle which you underwent before TVA became a reality. Perhaps by now, though, that stirring story is "old hat" to some of your neighbors in this valley. I know that you here tonight, representing various area development associations, have not forgotten and will not forget.

The world outside this beautiful valley of yours continues to hold up TVA as a shining example of the best that man can accomplish in utilizing nature. Just 6 days ago, the Christian Science Monitor carried a long story about the Cauca Valley Corp., a new river development effort in the South American nation of Colombia. It quoted the English-speaking general manager of the CVC as saying, "We think we are admirably suited for a TVA-type development." It isn't the admittedly great water development works of Russia that these South Americans look to as a guide—it is your own, our own, TVA. And so it goes, everywhere in the free world. Do not, yourselves, become immune to the great accomplishments around you.

Not all of the development of the Tennessee River region is to be spoken of in the past tense. Part of the job still remains to be done. I'm sure you recall the words of the late George Norris who said in his autobiography:

"This program of controlling the surplus flood waters of the great Mississippi Valley by storage in natural reservoirs situated on the mainstream and along the tributaries is an immense one. It may never be fulfilled. That depends entirely upon the vision of the American people. It will require a vast amount of money to complete it; it will take years of planning and of labor to meet fully all of its factors; and yet it offers the only promise discovered by men for the effective control of floods and efficient conservation of natural resources."

Yes, you have begun to make real use of your river system—but you've only begun, as George Norris foresaw. Now you face the challenge of continuing with his great vision—yes, and that of many others as well. You who continue to hold to the vision, you who still have the evangelist's fervor and the salesman's persistence, must work together with the officials of the TVA to complete this project that is of great importance to all America. One of the dreams that you in the Southeast have long held is that of joining the Tennessee and the Tombigbee to cut off 600 miles of the long water journey from your ports to the gulf. The TVA itself was once such a pipedream—who knows, perhaps your later efforts will be crowned with success. Certainly, this administration favors a stepped-up program of long-range planning now in the resources field.

You leaders realize, too, that river development doesn't necessarily mean great power dams or navigation channels on every watercourse. You realize that some areas of this vast river basin are best suited for recreation development, others are promising for intensive agricultural undertakings, such as your growing poultry industry, or timber production, and some spots are best retained

for the benefit of wildlife. There's room on the big Tennessee and its tributaries for all kinds of development. Not every mile of the system can be developed as a new Pittsburgh—just as not every mile can be drained farmland, a river park, or a wildlife refuge. But every mile can be developed in some manner, with due consideration for economics and always with a progressive and farsighted standard of feasibility that holds great faith in the future.

Listen again to George Norris' words: "Every drop of water that falls from the heavens to the earth beneath should perform its proper share of preserving the blessings God intends to bestow upon his people." Every drop of water in this watershed can be made to work, over and over again, and it must be done. The important thing, it seems to me, is to develop this homeland of yours that the natural resources so abundant here are utilized and conserved in the highest and best manner appropriate to the overall concept of basin development.

All of us in the Kennedy administration were enthused and challenged by the precedent-setting special message of the President concerning natural resources. Here was given all of us a blueprint for the construction of an integrated program for the wise conservation and use of our natural resources. If that stirring message could be summarized in only two words, I believe those words would be, "Think big."

We must all think big and act in accord with that thought. Here we can see that even George Norris, who thought some of the biggest thoughts ever to burst forth in the U.S. Senate, didn't think big enough. George Norris almost overlooked one of the primary items in the Tennessee River development—the recreation potential of water. Recreation is a latecomer on the list of benefits of comprehensive river development, and certainly we cannot blame the founding fathers of TVA for initially paying it little heed. But now, in a nation of rising wages and increasing leisure time, recreational use of the TVA facilities is growing at an astonishing rate. Americans have discovered that yours is one of the most diverse and enjoyable outdoor recreation areas in our Nation. I'm told that an average of \$8½ million worth of new recreation facilities is added each year at the reservoirs of the TVA. In addition to a total governmental recreation investment here of \$120 million, there has been nearly an equal amount in private recreation investments such as cottages and resorts. You have close to 50,000 boats on your river system. Think what all this already means to the economy of your valley. Think what more it will mean in the years immediately ahead.

Everywhere in the United States recreation is becoming big business. We're going to have to think and act mighty big if we meet the pent-up recreation demand.

We in the Department of the Interior have taken this recreation boom, and the President's message, to heart. We are embarking on some big planning for recreation development throughout the United States. We feel that this is the moment of decision. What we do, or don't do, in the next 10 years will set the character of this Nation for generations to come. America's open space is disappearing rapidly at a time when all signs point to mounting demands for parks, parkways, recreation areas, and wildlife refuges. We need open space in which to find outdoor enjoyment and refreshment of mind, body, and spirit.

To meet this need we are laying plans for a program without parallel in our history. Because much of this recreational development is of national impact, we want the Federal Government to take the lead in a program we're calling Parks for America. And we want to encourage local areas and States to do more through a cooperative

effort. Only a few areas and a few States, notably New York and California, are keeping up, or vigorously attempting to keep up, with the mounting demand.

This generation, as we see it, has a last-chance opportunity to save perhaps 15 or 20 million acres for national parks, another 2½ million acres for national recreation areas, more than a million acres for national parkways and scenic roads such as your Natchez Trace, 4½ million acres for wildlife refuge areas. The program will be costly, but every year we delay the costs will rise. Fortunately, much land we propose to retain as open space already is in public ownership. But, for 4.6 million acres of privately held land that we foresee as national park lands, the estimated cost has doubled in the past 10 years and is expected to nearly double again in the next 10. Make no mistake about it, if we do not act now the opportunity will vanish. What we save in the next 10 years may well be all we will ever have the chance to save.

These aren't the only ways in which we are undertaking to implement the natural resources program outlined by President Kennedy. We hold uppermost his warning that "Our Nation has been blessed with a bountiful supply of water; but it is not a blessing we can regard with complacency." In all those areas wherein we have primary responsibility for multiple-purpose water development we are hard at work drawing up plans for a resumption of the effort that shriveled into near nothingness during the past 8 years. In this we have as a shining example the transformation wrought in hydroelectric power production and consumption by your TVA. That transformation brought you from an area of relatively little electric use to one in which electric power consumption is nearly twice the per capita average for the rest of the Nation.

Too, we accept the goal of developing comprehensive river basin plans during the decade of the sixties, so that all parts of our country can follow the steps to progress that you have made.

And we share with others in the Government a concern that a major breakthrough be made, and made soon, on the growing problem of cleaning up our streams. Conserved water will be of little use if it is polluted water. No longer can we rely on the adage that "dilution is the solution to pollution." Something more, something positive, must be done. We face the imminent peril of having our major rivers become thousand-mile sewers.

No longer is water pollution a problem of a few metropolitan areas; it is a problem nationwide in scope. To meet it we must spend twice as much on municipal waste treatment plants as we now do. The administration's program for a grant-in-aid system to help communities meet this problem is the start. With its adoption perhaps I won't have to inhale the stench of the Potomac when I drive home on a hot day. Perhaps we will close out the business I read about recently in a magazine—the business some private enterpriser started on the Missouri River. He skims and sells the grease from the surface of the broad Missouri.

Already the Secretary of Agriculture and I are working together in another area to which the President directed his attention. Together we are formulating a comprehensive Federal recreational lands program and working to eliminate conflicts in fish and wildlife programs so that an increased and improved wildlife conservation effort may be made. If this takes some knocking together of a few bureaucratic heads, then Secretary Freeman and I are ready to do it.

I hope it goes without saying that in all these various fields of natural resource planning and development the Federal Government does not desire to move ahead alone.

Nor does it expect to. We are heeding President Kennedy's view that only through the fullest participation and cooperation of State and local government and private industry can this task be done wisely and effectively. It's up to you folks just as much as it is to us. Resource development is a must—a natural, if you'll permit the pun. With our soaring population we are facing what I call the quiet crisis. For all its quietness, this crisis in the field of resource development is just as real as the one we face in world affairs. America has the ability to meet this crisis—we aren't a poor nation. Just a small part of the money we now spend on pointed-toed shoes and overpublicized gimmicks can have a beneficial effect for many generations if we direct the money into public investment. As progressive conservationists concerned with the efficient development of our Nation our job is cut out for us.

I'm sure I could do no better than to end with the closing words of the President's natural resources message: "The task is large but it will be done."

#### WHAT WE CAN DO FOR OUR NATION

Mr. KEFAUVER. Madam President, President Kennedy has called upon us all to make sacrifices and do something for our Nation. It is often difficult, despite our willingness, to determine just how we as citizens can respond to this plea.

In the Washington Post on June 12, 1961, Drew Pearson reports on one way in which we can help meet President Kennedy's request—a way which was outlined clearly by the President himself at a recent dinner of the Big Brothers, an organization dedicated to helping our youth.

I think Mr. Pearson's report and President Kennedy's remarks before this worthwhile organization are worthy of attention, and I ask unanimous consent that Mr. Pearson's column be printed at this point in the RECORD.

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

##### PRESIDENT TELLS WHAT WE CAN DO

(By Drew Pearson)

A lineman for the Philadelphia Electric Co. wrote me the other day: "I would like to do something for my country as President Kennedy asked. My trouble is, I don't know what I can do to help. Please don't tell me to join the Red Cross or some charity drive."

His letter was typical of many others I have received and thousands which the White House has received. And the other night, President Kennedy, at a Big Brothers dinner, answered, it seemed to me, these letters.

He was talking about the youth of America, because Big Brothers are dedicated to the system of having one man help one boy as his friend, adviser, and big brother.

So, President Kennedy said:

"Here is a most important cause for this country. Drew Pearson had in his article this morning some statistics which I would hope every American would read, and I have three statistics here which I think are important. In the next 10 years 7½ million American young people will drop out of school before they graduate; 2½ million will not have finished the eighth grade.

"In the next 110 years 26 million men and women, boys and girls, 25 years and under, will come in the labor market and be looking for jobs. And during that same period

of time the jobs available to those who are only semiskilled, who are not well educated, who are not well adjusted, who are not well motivated, those jobs will become less and less.

##### "WASTE OF YOUTH"

"Now I feel that we are a city on a hill and that one of our great responsibilities during these days is to make sure that we in this country set an example to the world not only of helping and assisting these youngsters to fulfill their own destiny, but also demonstrating what a free people can do.

"We cannot possibly permit the waste of hundreds and thousands of young boys and girls who grow up in underprivileged areas, many of them in our northern cities, who drift into life without ever developing their talents, and ultimately may end up in a life of crime."

President Kennedy was speaking from very rough notes which I had seen him scribble during dinner. But he was speaking with great sincerity. And at this point it seemed to me he answered the question of the Philadelphia Electric Co. lineman and many others.

"This is a free society," he said, "and many people write to me and say 'Well, what can we do for America, what we are supposed to do?'"

"Well, I suppose it might be easier if I could say that I wanted them to go ashore on a bombarded beach or take some action one afternoon which would make a significant difference in the life and survival of our country.

"But those are not really the kind of responsibilities which we are going to have to meet in the coming days and years," the President continued with great conviction. "It's a much slower and gradual task. There is no final definite responsibility or commitment which we must accept to fulfill our responsibility.

"We must do all the gradual things which are unspectacular, and in many cases seem unrewarding—such as helping a foreign student or doing what you are doing here tonight.

"No one in the United States other than those who are associated in your work will possibly recognize that the effort you make here tonight, or, more important, have made week by week, year by year to help one, two, three boys or girls—they probably will not realize that this represents a significant contribution to the maintenance of our country. But if it's done by enough people for a long enough period of time, it will represent a significant contribution.

"The Government of the United States, or the President, cannot, in a free society, command—nor should they—those actions for the benefit of the state which our adversaries are able to do with ease. These things must be done in a voluntary manner and they must be done by our own individual impulse.

"Therefore, I think this work that you are doing is work which is most important in a most important time in the life of our country.

"And, if in that effort, you are able by the passage of some hours of a busy life to make some significant difference in the life of one of our fellow Americans who might without your help slip into an experience which could prevent him from ever fulfilling his responsibilities to the maximum as a participant in our society, then I would hope you would feel that you've not only met your own obligations as an individual but also as a participating member of a great society.

"So I congratulate you tonight, and those who are joined with you. This is the sort of thing I mean when I say what we can do for America."

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

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

#### FEDERAL AID HIGHWAY ACT OF 1961

Mr. MANSFIELD. Madam President, I move that the Senate return to the consideration of the unfinished business, H.R. 6713, and that it be made the pending business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of the bill (H.R. 6713) to amend certain laws relating to Federal-aid highways, to make certain adjustments in the Federal aid highway program, and for other purposes.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Madam President, I move that H.R. 6713 be temporarily laid aside and that the Senate proceed to the consideration of executive business.

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

#### FEDERAL POWER COMMISSION

Mr. MANSFIELD. Madam President, I move that the Senate consider the nomination of Mr. Joseph C. Swidler, of Tennessee, to be a member of the Federal Power Commission.

The PRESIDING OFFICER. The nomination will be stated for the information of the Senate.

The legislative clerk read the nomination of Mr. Joseph C. Swidler, of Tennessee, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1965.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the nomination.

Mr. BRIDGES. Madam President, the Senate is presently considering the nomination of Joseph C. Swidler to be a member of the Federal Power Commission. President Kennedy has already indicated that Mr. Swidler will become Chairman of the Commission, if he is confirmed. This nomination was ordered reported by the Senate Committee on Commerce on May 11, 1961. Before the Senate undertakes to exercise its constitutional responsibility relative to this nominee, I believe that there are a few points we should keep in mind.

As many Senators are fully aware, there have been voluminous treatises written on the so-called administrative process and the role of a Federal regulatory agency in that process. The experts, both within and without the Senate, agree that the regulatory functions of a Federal agency such as the Federal Power Commission fall into two broad categories—rulemaking and adjudication. The latter function is quasi-judicial in nature, and in its exercise the

Commission reaches a decision relative to conflicting applications or claims of two or more adversary parties, or, in certain cases, the application or claim of a single party.

Madam President, in connection with the nomination of Mr. Swidler, I have been seriously wondering whether, during his term as a Commissioner, and, more importantly, during his term as Chairman, he will so conduct himself as to change adjudication to advocacy. I raise this point because most, if not all, of Mr. Swidler's professional experience has been in connection with the open advocacy of the generation, transmission, and distribution of electric power by either Federal, State, and local agencies, or cooperatives, as opposed to the generation, transmission, or distribution of such energy by investor-owned, taxpaying components of our private enterprise system—the local public utility companies.

I note that on pages 108 and 109 of the transcript of the committee's hearings on April 11, 1961, in response to a question posed by the distinguished junior Senator from Oklahoma [Mr. MONRONEY], Mr. Swidler stated in part:

The private utilities are the principal reliance of 80 percent of the people of this country for power service. They represent an investment of many, many billions of dollars. It would be unthinkable to want to injure the private utility industry. I do not. I would regard it as part of my responsibility to encourage them to become stronger rather than weaker and to improve their performance.

Madam President, from this statement of the nominee, and without a further reading of the hearing record, one could be misled into concluding that Mr. Swidler will be exclusively an adjudicator and not an advocate. However, I have not reached any such conclusion. My doubts are just as serious now as they were when this nomination was first received in the Senate. I shall not take the time of the Senate in a full review of the hearing record, but I wish to serve notice here and now, in view of his statement, which I have just quoted, that if he is confirmed, I, for one, shall be closely watching the official actions of Mr. Swidler to see if in fact he, as he promised the committee, will so conduct himself as to be at all times an impartial adjudicator and not an advocate of the so-called public segment of the electric utility industry.

#### THE TEST BAN MORATORIUM FORMULA FOR NATIONAL DISASTER

Mr. DODD. Madam President, for 2½ years we have been engaged in the marathon test ban conference in Geneva. For almost 3 years we have observed a voluntary moratorium on nuclear tests of all kinds. In an effort to achieve agreement, we have conceded and conceded and conceded to the Soviets, until there is little left of our original position.

Only a few weeks ago at Geneva we made another dramatic concession in an effort to placate the Soviets. We had until then held to the figure of 20 onsite inspections per annum, an arbitrary

figure which many experts considered to be totally inadequate. The Soviets had held out for the token number of three onsite inspections per annum. The American representatives at Geneva have now proposed that we compromise at the halfway figure of 12 inspections per annum for the entire territory of the Soviet Union.

Instead of offering reciprocal concessions, the Soviets have hardened their position. They now demand that the control body be governed by a three-man directorate in which the Soviet representative would have the power of veto. This is a position which we cannot possibly accept, and our representatives have said as much.

I am encouraged by the firmness of our position on the Soviet veto. I am also encouraged by the reports in yesterday's papers that the administration is preparing for the resumption of testing and that it is working on a white paper that would set forth our position to the world. It is my devout hope that the administration's position is firm and irrevocable.

But I cannot help recalling that on at least three occasions under the Eisenhower administration there were hints that we might resume underground testing, followed by faithful adherence to the moratorium.

I am also fearful, that, having tested our patience to the very breaking point, the Kremlin will, at the last minute, come forward with some meaningless little concession and start the propaganda drums beating for a continuation of negotiations.

In the light of our bipartisan record of confusion and indecision on the question of the moratorium, I shall in fact remain apprehensive until the day it is finally announced that tests have been resumed.

There have been many mistakes of judgment in the postwar period, under both Republican and Democratic administrations. But the moratorium on nuclear testing was, in my opinion, one of the gravest of all of our many errors. The moratorium was wrong, no matter how we look at it.

It was wrong because it constituted a departure from what had, up until that time, been the cardinal principle of our policy on disarmament: that each step in the process of disarmament must be accompanied by a corresponding measure of inspection. Even from the standpoint of those who sincerely believed that a satisfactory test ban could be achieved or might be achieved, the moratorium was wrong.

It was wrong because it completely deprived us of diplomatic bargaining power. There was absolutely no reason why the Soviets should have negotiated in good faith for a test ban with inspection when we had, in effect, already consented to a test ban without inspection.

The moratorium was wrong because we were staking our security as a nation on the preposterous assumption that an organization of conspirators and murderers and liars, which has violated virtually every agreement into which it has entered, would for some strange

reason respect its commitment to a reciprocal moratorium.

What is worse, we assumed that it would do so even though there was no system of inspection and no way of detecting sneak tests. In all our long history, I doubt that we have ever before committed a blunder so fatuous on a critical issue of foreign policy.

It was estimated at the time that we embarked on this moratorium that we enjoyed a 3 to 4 year lead over the Soviets in nuclear weapons technology. If the Soviets have been conducting clandestine tests, that lead may now be wiped out. In fact, we cannot ignore the possibility that the Soviets may now hold the technological lead.

On May 12 of last year I spoke in the Senate on the folly of the test ban moratorium and on the increasingly dangerous concessions we were making to the Soviets as the Geneva conference progressed. I said that, in the light of the Kremlin's unbroken record of broken promises, it could be taken as a virtual certainty that the Kremlin had not been observing a reciprocal moratorium on tests, and that it would not do so if a treaty were signed. I asked the administration at that time either to provide the American public with assurance that the Kremlin had honored the moratorium, or else to justify the extension of the moratorium in the absence of such an assurance. I said that if, through clandestine testing, the Soviet Union were to beat us to a single major technological breakthrough like the neutron bomb or the antimissile missile, this one breakthrough might be enough to cost us our freedom.

Last August 14, I again spoke in the Senate to plead for bipartisan action to terminate the moratorium. I said that the moratorium increased the danger of war rather than diminished it and that it might ultimately cost us our freedom. I appealed to the leaders of my own party to take the issue out of partisan politics and out of the election campaign by making it clear that the renewal of underground nuclear testing would have their unconditional support.

Other voices than mine were raised against the moratorium, voices that I consider far more knowledgeable and authoritative than my own. First among these advocates, I would list the late Thomas E. Murray, for 9 years an Atomic Energy Commissioner, who, until his dying day, warned and warned and warned that the moratorium was imperiling our national security.

It was also common knowledge that the members of the Joint Chiefs of Staff and of the Atomic Energy Commission have opposed the moratorium and have repeatedly, if privately, urged the administration to resume underground testing without delay.

Since last August I have not spoken publicly. But the problem has remained one of my chief concerns. There were certain aspects of the problem, I felt, that made it preferable to pursue the matter through confidential memoranda and letters. These I have sent out in many directions, and at the highest level. If I have now decided to speak publicly, it is because I am convinced that time is

running out for us. We have already delayed far too long.

Madam President, we are in mortal peril. In the increasingly dangerous world situation, every month and every week of delay may be of critical importance.

More than a year has passed since I first spoke on the folly of the test ban moratorium. At that time, I mentioned the neutron bomb as one of the more menacing technological possibilities on the horizon. The neutron bomb, I said, could be produced by tailoring the energy of a fusion explosion, so that, instead of heat and blast, its primary product would be a burst of neutrons. Such a burst would operate as a kind of death ray. It would do next to no physical damage, it would result in no contamination, but it would immediately destroy all life in the target area. This, of course, would make it an ideal battlefield weapon. It would, in fact, make it a far more effective battlefield weapon than any now in existence.

I said that, in the light of theoretical knowledge as of 1 year ago, the neutron bomb was no more questionable than the hydrogen bomb was 6 months before it was detonated. Moreover, there had been references in the Soviet scientific press to experiments with neutrons, experiments that had yet to be performed in our country.

My statement on the neutron bomb was challenged by certain learned scientists and scoffed at by some critics. One item in a national magazine was captioned "Dodd Bomb a Dud."

Some weeks afterward, U.S. News & World Report checked into the matter. They consulted with a number of nuclear scientists. Their report completely confirmed the statements that I had made on May 12.

Today, I doubt there is a single nuclear physicist of repute who would challenge the neutron bomb from the standpoint of scientific feasibility. It can be built, but nothing can be done to build it until we are free to resume nuclear testing.

Meanwhile, there has been a negative but ominous development in the Soviet scientific press. Previously, there were some references to experiments with neutrons in the Soviet press. But for the past 2 years, there have been no further references. Public scientific discussion of neutrons in the Soviet Union is apparently proscribed. This fact may have considerable significance.

The Soviets in the postwar period have shown a fantastic ability to carry out weapons development in complete secrecy, even when scores of plants and thousands of men were involved. They surprised us with the A-bomb, they surprised us with the H-bomb, they surprised us with sputnik.

Suppose they promote a crisis at Berlin and then again surprise us by demonstrating their possession of the neutron bomb. At that point we might find ourselves confronted with the terrible choice between surrender and all-out thermonuclear war.

I have used the neutron bomb to underscore the point that our freedom can be lost if we lag in the field of nuclear

technology. But the neutron bomb is only one of many technological possibilities on the nuclear horizon. Whether it is the neutron bomb, or whether it is the antimissile missile, or whether it is some other critical development, I consider it no exaggeration to say that if we do not test and the Soviets do test, sooner or later they will possess the means for destroying us at relatively small risk to themselves.

There are many technological roads to disaster. Despite the growing technological perils, despite the absolute intransigence of the Soviets at Geneva, despite their provocation in canceling out previous points of agreement, we still find ourselves entrapped in the test ban negotiations and in the moratorium which somehow became a condition of these negotiations. So far we have not moved to extricate ourselves from the moratorium although we now have more than ample justification for doing so. We still stand there for all the world like a mouse mesmerized by a serpent that is about to devour it.

I am not sure that it is commonly recognized by the American public that, despite all the talk about detection, scientists have for some time agreed that there exists no method at the present time for detecting underground tests that produce earth shocks smaller than the shock generated by a 20-kiloton explosion. This, I would point out, was the size of the Hiroshima bomb.

It is also generally accepted by the scientific community that, by conducting tests in spherical caverns hollowed out of salt or limestone deposits, the seismic impact could be greatly reduced so that underground tests many times larger than 20 kilotons could be carried out without serious risk of detection.

The system of detection about which we have been arguing so much in Geneva would be capable of detecting only tests which produce earth shocks equivalent to that of a Hiroshima bomb. Below this level, inspection would be impossible for the simple reason that detection is impossible.

At the Camp David conference between President Eisenhower and Prime Minister Macmillan, we again abandoned the principle that there must be no measure of disarmament without a corresponding measure of inspection: we offered, if a treaty were signed, to observe an additional moratorium of 27 months on all tests below the threshold of detectability—tests, that is, which produce a seismic shock smaller than that of the Hiroshima bomb. Since then we have agreed to extend the term of the voluntary moratorium on non-detectable tests to 3 years.

Madam President, for the life of me, I see no point to a detection system which would cost several billion dollars to install and probably another billion dollars a year to operate and which would, according to the experts, still leave the Kremlin free to sneak-test devices up to the size of a Hiroshima-type bomb, and devices considerably larger than this if they were willing to spend a few million dollars on excavating a big underground hole. That is why I would have had to vote against the present

draft treaty, if it had been accepted by the Soviets.

Although the West has made many major concessions, the Kremlin so far refuses to sign the treaty we have proposed. Frankly, I do not know why and I do not think anyone knows. It remains to be seen whether the Soviets will not offer some "piddling" last-minute concession to keep the negotiations going.

If they permit them to collapse despite our major concessions, this may have a very ominous significance. It may conceivably signify that the Soviets are entering into a period of stepped-up security and because of this they are not prepared to countenance the establishment on their territory of even the small number of control posts envisaged by the treaty. The intensification of Soviet secrecy, in turn, might conceivably imply preparation for a possible surprise nuclear attack against the West.

I point out to my colleagues that in recent Soviet military theory there have been a number of very frank articles dealing with the importance of surprise in nuclear warfare. I suggest this explanation as a possibility which we cannot ignore.

There is a growing concern in the country and a growing concern in Congress about the Geneva negotiations and the test ban moratorium. Within recent weeks, several of the most knowledgeable Members in both Houses including the junior Senator from Washington [Mr. JACKSON], the senior Senator from Missouri [Mr. SYMINGTON], and the chairman of the Joint Committee on Atomic Energy, Representative HOLIFIELD, have taken the floor to urge the resumption of nuclear testing. By this, of course, they referred, as I did in my earlier statements, to underground nuclear testing that does not contaminate the atmosphere or in any way endanger human life.

Let me again suggest the outlines of a broad nuclear policy that would command the respect and understanding of our friends and would protect our vital interests.

First. We should say frankly to the Soviets that when we speak of a system of adequate inspection, we do not mean a system based 99 percent on trust and 1 percent on inspection. The one truly effective way of policing a ban on all categories of tests would be the acceptance of the principle of complete openness by both sides. We, therefore, propose a test ban based on President Eisenhower's "open skies" proposal, plus unlimited right of ground inspection, and policed in each country by a stated number of aircraft and inspection teams enjoying complete freedom of movement. Given acceptance of this principle, we could immediately conclude a test ban agreement.

Second. If the Soviets do not accept our proposal for a complete test ban based on "open skies" and unlimited right of inspection, we propose, as an alternative, an immediate ban on all tests that contaminate the atmosphere. We point out that an agreement on this simple but basic proposal would respect the opinions of mankind, could be easily monitored, and would at the same time,

pave the way for further and broader agreements.

Third. If the Soviets, in turn, reject our proposal for a worldwide ban on "dirty" tests, we announce that we ourselves will voluntarily observe a moratorium on such tests. We express the hope that the Soviets will also observe such a voluntary moratorium in the absence of a formal agreement.

Fourth. We announce our willingness to extend the ban to other categories of tests, if, as, and when enforceable methods of inspection are developed.

Fifth. We announce that we plan to resume tests immediately in space and underground.

Sixth. We commit ourselves, with testing again possible, to an all-out program of nuclear weapons development, conceived on a scale that will not merely maintain our lead over the Soviets but will increase it from year to year. This program must be continuous. We must not again rest on our laurels—as we have done under both Democratic and Republican administrations—when we reach the next technological plateau.

Seventh. We declare our intention (a) to embark on a so-called "plowshare" program—that is, a program of research on hydrological and geographic engineering and on other peaceful uses of nuclear explosions; (b) to appropriate \$100 million for this program of research; (c) to use our underground weapons test program, insofar as this can be done, to further our "plowshare" program; (d) to disseminate freely all information resulting from this program.

Eighth. We act immediately to arm NATO with nuclear weapons. Nothing would do more to reinvigorate NATO or to persuade its member nations of the seriousness of our intentions.

Ninth. We commit ourselves publicly to announce all tests.

Tenth. Recognizing the fact that nuclear physics is not an American monopoly, that Italian, Hungarian, German, Danish, and other scientists all played an important role in the development of the atom and hydrogen bombs, we call for and offer to participate in a joint NATO effort in nuclear weapons development. Such an enterprise would not be designed to replace our own facilities, but to cooperate competitively with them. Nothing would do more to tighten our alliance and to challenge the Russians. The existence of such NATO-wide research facility would also add to our leverage in pressing the Kremlin for "openness."

One does not have to agree in every detail with the proposals I have here presented. If we formally renounce all tests that contaminate the atmosphere, even without an agreement, and if, at the same time, we frankly declare to the world that Soviet secrecy and Soviet opposition to inspection leave us with no alternative but to resume underground testing, I am certain that the American public and the entire free world will understand and applaud this position. I am certain that the administration, if it took this position, would have overwhelming support from Congress and from the American people.

I can think of no measure that would let the Kremlin know more emphatically that we mean business when we say that there will be no further concessions and no further retreats.

The time has come for action, Madam President.

#### TIME FOR A YOUTH CONSERVATION CORPS

Mr. HUMPHREY. Madam President, recently it was my privilege to be lead-off witness at the hearings being conducted by the Subcommittee on Employment and Manpower of the Labor and Public Welfare Committee on my bill to establish a Youth Conservation Corps—S. 404—and on the administration's bill entitled "The Youth Employment Opportunities Act," which I introduced last week—S. 2036.

At the heart of these bills is the realization that steps must be taken, and taken promptly, to cope with the ever increasing numbers of jobless youth.

In my appearance before Senator CLARK's subcommittee I focused my testimony on the Youth Conservation Corps and what it can mean to our country both in terms of conservation of our natural resources and assistance for young men who are finding jobs impossible to obtain.

I am confident that this Congress, with the backing of the administration, will provide for establishment of a Youth Conservation Corps and that it will prove to be one of the wisest investments that the Congress has ever made in the future of America.

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

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

STATEMENT BY SENATOR HUBERT H. HUMPHREY BEFORE THE SUBCOMMITTEE ON EMPLOYMENT AND MANPOWER, SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, JUNE 12, 1961

Mr. Chairman, I welcome this opportunity to appear here this morning to testify on S. 404, a bill to establish a Youth Conservation Corps, which I introduced on behalf of myself and 21 of my Senate colleagues, and on S. 2036, the "Youth Employment Opportunities Act" which I introduced last week on behalf of the administration.

As the members of this subcommittee know, S. 404 is identical to S. 812 which passed the Senate 2 years ago. S. 812 was carefully considered by a special subcommittee of the Committee on Labor and Public Welfare headed by the able senior Senator from West Virginia, Mr. RANDOLPH.

In brief, S. 404 proposes a corps of young men of good character from 16 through 21 years of age to carry on needed programs of conservation in our Federal and State parks and forests. The bill calls for a maximum enrollment the first year of 50,000; 100,000 the second year, and a top of 150,000 thereafter. Enrollments would be for periods of 6 months at compensation rates of \$60 a month plus quarters, food, clothing and medical care.

The administration's proposal, as contained in S. 2036, provides for three different types of programs to help meet the needs of young people who are finding it difficult to obtain gainful employment. S. 2036 provides for (a) on-the-job and related training programs, including classroom instruction, in

order to improve the employability of young people and to enhance their chance of advancement after their entrance into the labor market as adult workers, (b) employment and training in cooperation with State and local governments to develop opportunities for employing qualified young people on local public-service or public-work projects, and (c) a Youth Conservation Corps of young men to work on conservation programs in our State parks.

As the author of the Youth Conservation Corps proposal and having been vitally interested for several years in the establishment of such a corps, I would like to direct my testimony this morning specifically to the YCC. Secretary of Labor Arthur Goldberg, who is appearing before this subcommittee as the spokesman for the administration, will testify in detail as to the entire program envisaged in S. 2036.

First of all, I wish to say how pleased I am that this administration is lending its support to establishment of a Youth Conservation Corps. It attests to the administration's acute awareness that more and more of our young people are finding it increasingly difficult to find employment, and that programs must be developed to assure these young people a place in the labor market.

I might note in passing that the administration's endorsement of a YCC carries out the plank in the 1960 Democratic platform which reads:

"As part of a broader concern for young people we recommend establishment of a Youth Conservation Corps, to give underprivileged young people a rewarding experience in a healthful environment."

I am confident, Mr. Chairman, that with the support of the administration, this Congress, before it adjourns, will approve establishment of a Youth Conservation Corps.

My proposal for a Youth Conservation Corps stems in part from my recollection of what the much larger Civilian Conservation Corps of the 1930's accomplished.

Every American every year can afford to say a word of thanks for those 3 million young men who were sent into the woods during the 1930's with no plans, no training, no preparation—just willing brain and muscle during a time when society seemed unable to offer men jobs in industry. The cleared camping area, the second growth grove of trees, the stabilized streambank, the wilderness trail, the upstream reservoir, the handsome retaining wall, the still-sturdy but now rundown recreational facilities in the national forests and parks—virtually each of these objects familiar to outdoorsmen—these constitute a gift from one generation of boys to the next and succeeding generations.

There were many harsh words said about some of the bold experiments of the New Deal, but there was virtually unanimous agreement that the CCC was a resounding success.

What happened to the CCC? It was one of the first casualties of World War II—when the boys who had been volunteering for the corps by the tens of thousands suddenly were swept up by an even more urgent call to arms. The manpower, or boypower, of the CCC just went to war.

After the war, due to a built-up demand for goods and services we experienced a period of relatively full employment. Young men found jobs were plentiful. But conservationists soon began to have bad dreams about the available soil and water and timber resources for our mushrooming population, and the pressure on the outdoor recreational areas of the country began to get out of hand.

And while conservationists were worrying about the population pressure on our natural resources, a second and more serious problem was developing.

From the files of police authorities and juvenile court judges an ugly and disturbing story has been brought to light—of boys dropping out of school and finding no jobs, of gang formation and violence, of arrests and convictions on a scale so unprecedented that the FBI Director has felt himself compelled to call it to public attention. The Navy reports that 1 out of 4 of its recruits has a record of arrest for a nontraffic violation of the law. Police forces have been augmented, juvenile court dockets saturated, and reformatories jammed.

During the hearings 2 years ago on S. 812, we heard witness after witness from the great metropolitan areas tell of the tremendous burden being placed on the police and the courts, and of the rising curve of costs to deal with delinquency. There was general agreement that a figure of \$25,000 was a good estimate of the cost to the taxpayer for every juvenile delinquent who went the police-courts-reformatory road. The sickening waste of human lives was being accompanied by a staggering rise in costs. Worst of all, what was being spent apparently was not proving sufficient to solve the problem.

Young men who have dropped out of school and cannot find jobs find it all too easy to end up in trouble. Trouble not only for themselves but trouble for society. And with the crop of war babies now coming of age the problem becomes ever more acute: more and more young men in the 16- to 20-year-age bracket, and more and more of them who are dropping out of school and cannot find employment.

As Secretary of Labor Goldberg has noted, in October of 1960 some 300,000 young men from 16 to 20 were unemployed and that by 1965 we shall have 40 percent more persons under 20 in our labor force. By then an additional 800,000 young people will be job hunting. The Secretary notes also that in January the jobless rate for all ages was 7.7 percent whereas for those in the 16- to 20-year bracket it was 16.8 percent—more than twice the national average.

Mr. Chairman, these statistics add up to trouble—big trouble—a shocking waste of young lives and a scandalous waste of the taxpayers' money in fruitless efforts to seal off nonrehabilitatable young people from the rest of society.

When I first proposed the Young Conservation Corps I tried to make it crystal clear that we were not proposing a panacea for the cancer of juvenile delinquency, but we were trying to save some boys who might otherwise go wrong. And we could point to the experience of hundreds of thousands of CCC boys who had been encouraged to lead a constructive life, who had been given both physical and mental health by their few months of hard, well-led work on the land.

Putting boys on the land, putting them to work on projects that needed to be done, on patriotic undertakings to build for the future of America, this I am ever more convinced would do more for America in terms of our Nation's mental health and physical fitness than even the important resource-conservation work the boys would accomplish. We are creating no new agency, no make-work boondoggles, but a simple and direct way to channel the creative energies of American boys into the planned projects of our Federal conservation agencies—under the direct supervision and leadership of our splendid forest and park rangers, wildlife management specialists, and soil conservationists.

In conclusion, Mr. Chairman, may I express the hope the YCC will not be treated as simply an experimental pilot project, as the administration bill, S. 2036, puts it. In my opinion, the case for a YCC is well established. We have a wealth of knowledge on the merits of such a program from the days of the CCC. And we know without a

doubt of the desperate need for conservation work in our parks and forests. We know, too, of the increasing number of young men who are leaving school and finding it impossible to obtain gainful employment.

And so I most respectfully urge this subcommittee to approve the establishment of a Youth Conservation Corps that is more than a mere experimental pilot project. It would appear from the language in S. 2036 the YCC would contain at most 10,000 young men. This compares with a maximum enrollment of 150,000 in the YCC bill which the Senate passed 2 years ago. I would hope that this subcommittee would see fit to recommend that the enrollment limitations be more in line with S. 404.

I am confident that the results of the YCC—both in terms of helping young men over a very difficult period in their lives and in building up our Nation's natural resources—will prove to be a wise investment.

#### CZECHOSLOVAKIA'S SOCIALIST CONSTITUTION AND COMMUNIST STRATEGY IN LATIN AMERICA

Mr. DODD. Madam President, a recently published article disclosing the pattern of constitutional "legality" through which the Soviet regime has consolidated its power in Communist-controlled Czechoslovakia, has just been brought to my attention. This article is captioned "Czechoslovakia's Socialist Constitution."

The article, which appeared in the April 1961 edition of the American Slavic and East European Review, was written by a young man named Josef Kalvoda.

Dr. Kalvoda received his doctorate at Columbia University following release from a Communist prison in Czechoslovakia and is now serving as an instructor in political science and history at St. Joseph College, West Hartford, Conn. In addition to his teaching activities, Dr. Kalvoda is acting chairman of the Czech Christian Democratic Movement.

Dr. Kalvoda is known for previous writings. In 1958 he completed and successfully published the book "Titoism and Masters of Imposture," which capably described and analyzed the political background, facts, and unhappy circumstances under which Tito seized total power in Yugoslavia. He pointed out the undying devotion which Tito has to Russian communism, why Tito has refused to criticize anything essential to the victory of communism, and the certainty that Tito and his henchmen will defend Russia on any issue necessary to insure the victory of world communism.

Thereafter, Dr. Kalvoda wrote an article, "Communist Strategy in Latin America," which was published in the autumn 1960 Yale Review.

Members of the Senate will be quite interested in the autumn 1960 article, especially at this time, in view of Castro's Communist activity. The more recent article by Dr. Kalvoda, "Czechoslovakia's Socialist Constitution," stamps as a pattern the Soviet method of consolidation of power within any captive country.

Madam President, I ask unanimous consent that both of these articles be printed at this point in the body of the RECORD.

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

[From the Yale Law Review, Autumn 1960]

COMMUNIST STRATEGY IN LATIN AMERICA

(By Josef Kalvoda)

(About the author: Born in Czechoslovakia, Josef Kalvoda, Ph. D., is associate professor of political science and history at St. Joseph College, West Hartford, Conn. He is the author of "Titoism and Masters of Imposture," and numerous publications on topics of current interest related to the areas of the Soviet Union, Central Europe, and international relations.)

There was hostility toward the United States in all the Latin American countries long before communism emerged, but recent developments in Cuba and the whole Caribbean area show that an organized conspiracy is now exploiting and giving a new focus and direction to the traditional, but in the past largely unorganized, resentment of the colossus of the north.

Communist infiltration of Latin America has become a great concern to American officials. In a recent speech Governor Rockefeller pointed out the steadily growing infiltration of the area by Red China. "What is not generally realized," he said, "is that Red China, in addition to the Soviet Union, has been making a major effort at achieving influence in our sister republics. In fact, it is conceivable that the Soviet Union and Communist China have agreed to make Latin America primarily a Chinese Communist sphere of influence." The Red Chinese penetration of the area allegedly began in 1952 and was intensified in 1956, when the Chinese Communists founded a training school in Peiping for Latin American Communist parties. According to Gen. C. P. Cabell, deputy director of the Central Intelligence Agency, "The Chinese Communists are spreading the concept that China should be the model for social and economic revolution in Latin America. They point out the alleged similarities between the two areas."

Exactly how much the Latin American countries of today resemble prerevolutionary China it is hard to say. Certain similarities exist, but they are far outweighed by the differences in historical background, culture, tradition, and national character. It would also be easy to overestimate the extent of Chinese interest in the area. Some interest cannot be doubted, but Soviet and Central East European Communists' interest is much more obvious. Developments in Latin American countries receive extensive coverage in the Soviet and satellite press, and trade transactions between the two regions have been increasing. A careful reader of the Soviet theoretical journals cannot fail to see Moscow's directing role in Communist activities in the Western Hemisphere; nor can a student of East European affairs fail to detect similarities between developments in Cuba and those that took place in the so-called people's democracies after the Second World War. For these and other reasons it is at least doubtful that Latin America has become primarily a Chinese sphere of influence. What seems much more likely is that the area—the soft underbelly of the United States—has been made a joint sphere of influence of the Communist parties of the Soviet bloc and China.

A Russian theoretician defines the Latin American revolution as "anti-imperialistic and agrarian, with the ultimate goal of creating a democratic system and a government of national liberation." The objective is to defeat so-called North American imperialism and to transform the Latin American societies into, first, people's democracies, then Socialist states, and ultimately Communist societies. According to the same theoretician, "These transforma-

tions can be accomplished only by a united front of anti-imperialistic and anti-feudal forces whose guiding force should be the working class, with the Marxist-Leninist party at its head and an alliance of workers and peasants as its basis." A single national front is to be created in each Latin American country, though the particular conditions in any one country will have to be taken into consideration in its formation. Special attention is to be paid to the existing conflicts among the various groups in the anti-imperialistic and anti-feudal forces, and the enemy of the Party, as Nueva Era, the organ of the Communist Party in Argentina, writes, "must be met with crushing blows and attacks to divide, disunite, crush, and liquidate him as a class." The allies, on the other hand, "must be criticized, reformed, and urged forward; inconsistency and vacillation must be eliminated, and the unity of the masses strengthened."

A clear distinction is made between the enemies and the allies. The former are identified as "American imperialism, anti-national capitalism, and the large landowners"; the latter—"the proletariat's allies"—are "the working class, the peasantry, and the middle layers of the national bourgeoisie." The front can be formed only if the temporary allies are attracted to a common cause, to a common minimum program. This program is devised by the Communists, who wish to be identified with the working class in the popular mind. The Marxist-Leninist parties, calling themselves the vanguard of the working class, do not always use the name of the Communist Party (e.g., the Popular Socialist Party of Cuba). They attempt to conceal the true and ultimate objectives for the time being, and deceive the masses by using only anti-imperialistic and chauvinistic slogans.

As in Russia in Lenin's day, and in Central East Europe and China in the time of their Socialist revolutions, in Latin America today the Communists consider the peasants the closest ally of the working class on the anti-imperialist and anti-feudal front. In order to attract the peasant masses they have devised an agrarian program that proclaims the right of all peasants to own land, though in those countries where the conditions for radical agrarian transformation have not ripened, the Communist Parties, while struggling to attract peasants into the united front, are advancing minimum agrarian programs. In Brazil, for example, such a program calls for a decrease in rentals \* \* \* the enforcement of the rights of the working people in the villages as already established by law, the provision of peasants with bank credit, etc.

The middle class, too, is being courted. In the long run, as any Marxist-Leninist knows, the middle class is an enemy of communism and has to be destroyed, but it must be won over temporarily if the national front of liberation is to be a success. To pretend to protect the interests of the middle class is merely an expedient, but for the moment the Marxist-Leninists are instructed to make a great effort to refute the reactionaries' slanders to the effect that the working class allegedly will do harm to the economic interests of the middle class and to enlist them in the anti-imperialist and anti-feudal movement.

Still another group in society, called by Communist theoreticians the national bourgeoisie, is being actively courted. This is hardly a homogeneous group, and some of its members are linked with imperialism and landed oligarchy, but others may be won to the Communist front by various appeals, such as anti-imperialism.

Such attempts at cooperation with the middle class and national bourgeoisie may seem to recall revisionism, Bernsteinism, or some other reformist attempt to establish cooperation among the various groups in society. In fact, however, the Communists

make the following reservations which negate the reformist ideal: (a) the leading and guiding force of the front is always the Communist Party; (b) the national liberation revolution is recognized as only the first phase in the process of conversion to a Socialist system; (c) the foundation of the national front is the alliance of workers and peasants, not of workers and the national bourgeoisie; (d) the policy of cooperation with non-Communists is only temporary; while struggling for the common goals of the front, the struggle for the principles of the Marxist movement goes on; and (e) the Marxist-Leninists are continuously building a strong Communist Party, revolutionary in theory and organization, which uses the allies as temporary tools and abandons them at an opportune moment. The ultimate objective remains Communist victory and the establishment of the dictatorship of the proletariat as the first phase of communism. Marxist-Leninist theory is still the guide. New strategies and tactics may have to be devised in accordance with the objective situation in the world, but the aim of seizing power and establishing the dictatorship of the proletariat remains the same.

In Latin America an objective situation that is strong and lasting is the tradition of the caudillo, the man on horseback who knows how to get things done. Such a tradition is easily adapted to Communist purposes; all the Communists need is a caudillo of a new type, either a Communist or a puppet who will pave the way for complete sovietization of the country in time. In the popular mind the leader is to have all the power and glory. As the Marxist-Leninists see it, the masses mind only their selfish interests and have no interest in fundamental problems. They do not realize what their true interests are; they have to be led by those who know how to rule. The caudillo of the new type differs from the caudillo of the old type by being committed to establishing a new political and social system radically different from the one now existing in Latin America. The difference is the difference between Batista and Castro.

Violence and military force have played prominent roles in the politics of Latin America, but in the new Latin America, to be created by the Marxist-Leninists, force and terror will be institutionalized, rationalized, and made more efficient than ever. The new state, the new instrument of oppression, will use force and violence in a systematic and rationalized manner for the destruction of the remnants of the old order and for the construction of the new society, but the use of force will be interpreted for outsiders as merely a continuation of the most notorious Latin American tradition. The liquidation of political opponents by the new revolutionary regimes will be explained in terms of past practices in Latin America, while, in reality, it will more resemble the outrages of Cheka and similar institutions of organized terror. Cuba already provides examples.

During the period of transformation of Latin America into a Communist domain, the native Marxist-Leninists may follow several already established patterns. One was erected in the Soviet Union, another in Red China, and a number in the countries of Central East Europe. The smallness of the countries of Latin America would suggest that these last would be most suitable for adaptation (not imitation) in the area.

The Central East Europe revolt is less well known than the Russian and Chinese revolutions. But people who are familiar with the gradual sovietization of Central East Europe cannot avoid seeing the resemblance between the events currently taking place in Cuba and those that took place there after the last war. Despite the confusion concerning the nature of the Cuban revolution, the Communists are obviously the ruling force on the island, and Cuba is the

country in the Western Hemisphere where communism has advanced furthest. Some years ago a comparable situation existed in Central East Europe.

At that time some observers believed that the Iron Curtain descended between Stettin and Trieste simultaneously with the close of hostilities in 1945, while others claimed that the postwar ferment in the occupation zones represented a genuine "democratization" of the area that would facilitate transformation and democratization of the Communist regime in the Soviet Union itself. The then President of Czechoslovakia, Dr. Eduard Benes, the best known exponent of coexistence, developed the ideas of "democratization" of the Communist system and of the general and gradual development of communism toward democracy. Yet the story of gradual sovietization of the entire area—including Benes' Czechoslovakia, called a bridge between East and West at that time—shows that naive hopes and unrealistic daydreaming provided only a valuable smokescreen behind which whole societies were transformed. A new system, called people's democracy, was established. It will be followed by socialism and communism, a fact indicated by the new Czechoslovak Constitution approved this year.

It is not an accident that a training school was founded in Prague for Latin American Communists long before the Chinese Reds established theirs in 1956. Latins and non-Latins have attended the Graduate School of Latin American Studies at Prague. There they have been taught Communist ideology, Marxist-Leninist techniques of psychological warfare, guerrilla warfare, agrarian reform, and all the tricks of psychostrategy for the manipulation of the peasants and the national bourgeoisie. They have learned to know the power of words, effectiveness of slogans, and techniques of labeling their opponents reactionaries, warmongers, enemies of peace, enemies of the people, American stooges, lackeys of imperialism, and traitors to their own countries. They have learned how to provide a window dressing behind which they can hide their own treason and their allegiance to the world Communist movement. They have been taught that offense is the best defense, and that their enemies are to be destroyed without mercy. Besides words and ideas as weapons, they know how to use firearms, drugs, and poison.

In Prague's training center the enrollment has been well above 800 full-time students. Hundreds of professional Communist agents have been turned out. If only a few are following instructions and carrying out their assignments, a great deal of trouble is to be expected in Latin America. But whether the Latin American Communists were trained in Prague, Peiping, or elsewhere, they represent the hard core of professional revolutionaries. They are infiltrating the existing nationalist, workers, and agrarian political parties, creating new bogus parties, and trying to change, from within, the political and social order in Latin America. The world Communist movement is especially interested in Central America for its extreme importance to the security of the United States. It may be safely assumed that the whole area of the Caribbean will be swept by revolutionary outbreaks in the not very distant future.

The similarities between political and social developments at present occurring in Cuba and those in Central East Europe after the Second World War may be summarized in the following points:

1. In 1945 the small nucleus of native Communists in Bulgaria, Czechoslovakia, Hungary, Rumania, and Poland, men and women trained in the art of subversion, conspiracy, organization, and propaganda, had a definite plan: socialization of their own countries at some future date. This ultimate objective was obscured by official pronouncements of the Marxist-Leninist

leaders to the effect that establishment of communism was not their aim, that they did not intend to imitate the Soviet Union, that they did not plan collectivization of agriculture, and that they approved of private initiative and small businessmen. What they wanted was the destruction of the country's dependence on foreign capital and its domination by big business and large landowners.

2. Since the Communist Parties in Central East Europe were weak, and made up only a small segment of the population, they had no use for early and free elections. Elections were to be postponed to some future date when the Communists had entrenched themselves in key positions in the government apparatus, primarily in the ministries of interior, information, and agriculture, and also when they had gained control over mass-media of communications and the commanding heights in industries.

3. In order to carry out the program of socialization of the country, cooperation with all left-wing political parties and fellow-traveling elements was sought, so that the government could be presented as a coalition government (national front, fatherland front, or popular front) that would provide the window dressing for the Marxist-Leninist party's backstage actions.

4. These temporary allies of the Communists—Socialists, left-wing democrats or liberals, and misguided nationalists—helped the Communists to liquidate political opposition in the country, the old ruling group and the people who collaborated with the old regime, on the pretense that they were Fascists or Nazi collaborators (in Cuba, Batista collaborators). Many genuine democrats, who suffered persecution and spent years in Nazi concentration camps, were put into this category, so that the anti-Communist elite would be destroyed before it could organize any resistance against the new aspirants for total power in the state.

5. The potential opponents of communism—farmers—had to be neutralized or partly won over to the cause of the new regime through a payoff represented by agrarian reforms. Land was taken from large landowners, collaborationists, foreigners, and so on, and was distributed to land-hungry landless peasants or small landowners. Such neutralization of the largest segment of the population in agrarian countries—the peasantry—was indispensable for Communist victory. Once the peasants were either satisfied or not so seriously discontented, the party was able to strengthen its position in urban areas.

The idea of using the peasantry as a temporary ally was invented many decades ago by Lenin, who exploited for his purposes the Russian peasants' hunger for land. The Chinese agrarian reformers were nothing more or less than imitators of Lenin; so were the Communists in Eastern Europe; and so are the Communists in Cuba. Collectivization of land is carried out only after a complete political victory by the new ruling class.

6. Organized religion is a potential enemy of atheistic communism. During the process of liquidation of political opposition any open attack on the strongest church in a country would put the new regime in a grave danger. In order to keep organized religion outside the struggle for power, the church must be either won over to the cause of the revolution, or, since it is highly unlikely that the revolutionary outrages and massacres would meet the approval of religious people, it must be neutralized in the same way as the peasants.

In predominantly orthodox countries (e.g., in Bulgaria) the Russian (Moscow) orthodox church was successfully used as an instrument for neutralizing or winning over the native hierarchy. In predominantly Catholic countries the church was informed

that the new regime did not intend to abolish religion; on the contrary, the new revolutionary government claimed to have the best possible church-state relations, and these intentions were demonstrated by restoration of church property, government subsidies for repairing churches damaged during the war, government payment of salaries to clergy who were giving religious instructions in state-controlled schools, and the like.

The church was assured that the native Communists were different from those in the Soviet Union, that they were rather nationalists than Marxist-Leninists, and that they wished the best possible cooperation between the hierarchy and the state. All they asked was that the church abstain from interference with politics—Castro's visit to the archbishop of Havana, shortly after the former's coming to power, is the case in point.

Only after the complete seizure of power by the Communists did antireligious propaganda begin to appear, and then it was accompanied with organizational subjugation of the church which had, until then, maintained organizational autonomy and had independent communication with the Vatican.

In time these contacts with the Vatican were hampered or severed completely; charitable, youth, and other church organizations were either dissolved or put under government supervision; the hierarchy was isolated from the Vatican and from the clergy; and the clergy, in turn, was double-isolated: from the hierarchy and from the believers. The church was deprived of independent income and thus became dependent on the state. It was deprived of influence on education (parochial and other schools were nationalized), and priests had to take an oath of allegiance to the regime. (There are indications that the Catholic hierarchy in Cuba does not intend to stand idly by watching the increase of Communist power on the island.)

7. The staunchest opponents of the new order—those temporary allies who had been collaborating with the new masters but who objected to their having constantly the upper hand and their systematically pursuing a policy of communication of the country, and who had thus outlived their usefulness—were declared to be traitors, counterrevolutionaries, or enemies of the people; and they either escaped abroad or were sent to jails or the gallows.

8. Economic councils, headed by Communists trained as economic czars, were created, and these councils supervised state planning and nationalization. Nationalized banks and finances in general were used for the furthering of the process of sovietization of the country. Guevara, economic czar in Cuba, is not the first to hold such an office.

9. The front men—people like Benes, Tildy, or Groza—were either converted to the cause of the party or were kicked out of the government as soon as they fulfilled their purposes. Castro, if he is not a Communist, will cease to be a stooge and the front man as soon as those behind him are able to rule Cuba without him.

Toward the close of the Second World War Moscow had a plan to sovietize the area of Central East Europe; it has a similar plan for the Western Hemisphere. It is not a blueprint that will be blindly followed. The plan has been devised for the benefit of the Latin American Communists so that they can profit from the experiences of the Russian, Chinese, Polish, Czechoslovak, and other Communists whose activities have resulted in the revolutions successfully carried out in their countries. The strategy for Latin America seems to be strikingly similar to the one pursued in Central East Europe some years ago. At that time it was known under

the name of the national road to communism; and the Marxist-Leninists exploited anti-German feelings in the area. Now, in Latin America, the professional revolutionaries are exploiting the native nationalism and anti-Americanism. The anti-imperialistic and anti-feudal slogans used by the Latin American Communists reveal the current policy of the world Communist movement, that is, to isolate the United States.

Maj. Raul Castro, brother of the Cuban Premier, is a graduate of the Institute in Prague, and his recent (July 1960) visit to Czechoslovakia shows that that nation is now ready to export not only Communist agents and ideology to Latin America, but ammunition, guns, jetplanes and missiles as well.

There is a danger that the trained conspirators from Cuba, in cooperation with others, may succeed in subverting the whole Caribbean area. Then it might be transformed into a stronghold from which Communist submarines, jet planes, ballistic missiles, and the like could be set against this and other countries of the Western Hemisphere. If the professional revolutionaries exporting revolution are not ejected from Cuba soon, their success may serve as an inspiration to others.

While the danger seems to be recognized and the need to dispose of it felt, caution is needed in handling such a delicate situation. An effective policy is not to be found simply by sending Marines to Cuba, cutting the sugar quota, and ending economic assistance, in sporadic protests against Castro's regime or attempts to coexist with it. Above all the Cubans themselves ought to be encouraged to take definite steps against Communists in their own government. When they make a bid to regain freedom, when they attempt to expel the Communists and their allies from the government of Cuba, the Organization of American States should stand by and make its assistance available to the democratic forces fighting not only for their own country, but for the future of all free nations.

[From the Job Law Review, autumn 1960]  
CZECHOSLOVAKIA'S SOCIALIST CONSTITUTION  
(By Josef Kalvoda)

Czechoslovakia has become a Socialist republic. On July 11, 1960, the recently elected (June 12) Czechoslovak National Assembly approved a new Socialist constitution replacing the previously existing, though already unobserved, "people's democratic" constitution of May 1948.<sup>1</sup> The new official name of the state is the Czechoslovak Socialist Republic (CSSR), and its coat of arms incorporates the Soviet-styled Red Star as "the symbol of the victory of socialism." The Czechoslovak Communists proudly boast that Czechoslovakia is the first country in the world after the Soviet Union to achieve Socialist production relations and to root its achievements in a Socialist constitution. As they see it, the document is both a summary of gains already achieved—socialism, and a program for the transition from socialism to communism.<sup>2</sup> The Socialist production relations are further developing, and the country is "passing over to the building of an ad-

<sup>1</sup> *Ustavní zákon ze dne 11. cervence 1960, Sbirka zákonu Československé socialistické republiky, c. 100, částka 40, 11. cervence 1960 [Constitutional Law of July 11, 1960, No. 100, 1960 Coll.]*.

<sup>2</sup> *Referát A. Novotného na zasedání UV KSC dne 7.-8. dubna 1960: "Zásady nové ústavy Československé republiky a příprava voleb" ("Report by A. Novotný at the Meeting of the Central Committee of the Communist Party of Czechoslovakia, April 7-8, 1960: "Principles of the New Constitution of the Czechoslovak Republic and the Preparation of the Election"), Rudé právo, April 17, 1960.*

vanced Socialist society and is mustering its forces for the transition to communism."<sup>3</sup> It is asserted that "the people's democracy as a way toward socialism has fully acquitted itself," and has brought Czechoslovakia "to the triumph of socialism."<sup>4</sup>

What is the significance of the new constitutional status of the country?

How did it happen that formerly western and democratic Czechoslovakia has become the second Socialist state in the world?

The wording of the new legal document makes it clear that its substance and semantics were borrowed from the 1936 Constitution of the Union of Soviet Socialist Republics. Some phrases are verbatim translations from it; however, in view of the differences in historical background and traditions, the social, political, and economic conditions in the two countries, and the objective situation in the world in 1960, the Czechoslovak Constitution is not merely a copy of the Soviet model. In general, the Czechoslovak Constitution is shorter and more flexible than the Soviet version. The latter is a lengthy document, arranged in 13 parts and 146 articles, and has been almost constantly changed and amended. The former is more general, consisting of 9 parts and 112 articles. It neither enumerates the ministries nor describes in detail the composition of the Council of Ministers or the structure of the state administration. It allows for both narrow and broad interpretation. Should a minor institutional change occur, there will be little or no need to rephrase parts of the document.

**Social structure:** In the first of its nine parts, the 1960 Constitution describes the social structure of the C.S.S.R. Article 1 defines Czechoslovakia as a "Socialist state founded upon a firm alliance of workers, peasants, and intelligentsia, with the working class at its head" (sec. 1). It is a "uniform state of two brotherly nations with equal rights, the Czechs and the Slovaks," and it "belongs to the world Socialist system" (secs. 2 and 3). It was explained that "the Socialist world system" embraces all parts of the world where the "new production relations have been victorious" (even if at present some of the countries concerned still have a mixed economy), and, according to the Moscow declaration of November 1957, where the ruling groups embrace a "common Marxist-Leninist ideology"; that is, the Sino-Soviet bloc.<sup>5</sup> The first article of the Constitution therefore confirms the integration of Czechoslovakia—"a people's democracy which has developed further \* \* \* and has become a Socialist state"<sup>6</sup>—into the Soviet imperium. The state's orientation toward the Soviet Union is further underlined in article 14 which states that the "creating of the conditions for a gradual transition to communism" is made possible through the "comradely collaboration of the Czechoslovak Socialist Republic with the Union of Soviet Socialist Republics and other countries of the world Socialist system."

Article 2 of the new constitution paraphrases article 3 of the Soviet Basic Law; it says that "All power in the Czechoslovak Republic belongs to the working people." The crucial article 4, however, is more specific and leaves no doubt as to the location of the seat of power in the state: it describes the Communist Party of Czechoslovakia as the "vanguard of the working class" and "the leading force in society and the state." This does more than give the party constitutional status: in Czechoslovakia sovereignty rests

<sup>3</sup> Cf. Preamble of the Constitution, op. cit.

<sup>4</sup> *Ibid.*

<sup>5</sup> Jaromír Sedláček, *Leninská teorie postupného vítězství socialistické revoluce* ("The Leninist Theory of the Gradual Victory of the Socialist Revolution"), *Rudé právo*, June 3, 1960.

<sup>6</sup> *Novotný, op. cit.*

with the Communist Party. Therefore, there can be no possibility of describing the constitution as democratic. The totality of the party's power is not challenged or limited by article 6, referring to the "national front of the Czechs and the Slovaks," since the article expressly states that "the alliance of working people of towns and the countryside" is "led by the Communist Party of Czechoslovakia." Furthermore, the mass organizations and shadow political, "non-Communist," parties participating in the national front "recognize the program and the leading role of the Communist Party of Czechoslovakia."<sup>7</sup> Thus the last semblance of popular control of the government through representative institutions and political parties, and the democratic division of powers into legislative, judicial, and executive (administrative) are eliminated. The substance of the existing form of government is the dictatorship of the proletariat, that is, the dictatorship of the Communist Party.

Communist rule over the country is even further assured in other sections of the constitution, particularly in articles 16, 18, and 24. "All cultural policy in Czechoslovakia, the development of education, upbringing, and teaching are conducted in the spirit of the scientific world view of Marxism-Leninism," says article 16, declaring Marxism-Leninism to be the only scientific Weltanschauung, the only valid philosophy, upon which, according to article 24, "all education and all teaching are based." Its application in governing society is assured by article 18, section 2, stating that "On the basis of the world scientific viewpoint in the workers' society the results of science are fully applied in the management of society and in the planning of its further development." These provisions unabashedly proclaim Marxist-Leninist ideological and cultural totalitarianism. In Czechoslovakia there is no room for non-Marxist-Leninist ideas, ideologies, or world views. All the scientific investigations and achievements of famous non-Marxist geniuses in physics, philosophy, and sociology have been declared invalid by the drafters of the constitution and by the raised hands of the members of the national assembly. To assure the elimination of all "nonscientific" (meaning non-Marxist-Leninist) ideas and beliefs, article 16, section 3 proclaims that "The state and social organizations strive systematically for the eradication of any remnants of the society of exploiters in the conscience of the people." This aims at the destruction of religion and non-Marxist-Leninist philosophies on the one hand, and the building of an ideological unity of the masses on the other. The letter of the constitution is supplemented by antireligious campaigns and increased atheistic activities, especially among the younger generation and schoolchildren.

Echoing the Soviet constitution of 1936, article 7 proclaims "the Socialist system of economy" to be "the economic foundation of the Czechoslovak Republic"; and article 8 defines Socialist property as having "two basic forms: state property, which is the property of all people (national ownership), and cooperative property (ownership of people's cooperatives)." Personal ownership is restricted to "articles of personal and household consumption, family dwellings \* \* \* as well as savings acquired by work." Only this personal property is "inviolable," and the right of its inheritance is "guaranteed" (art. 10).

Private property is not mentioned in the document, but in a narrow interpretation of articles 7, 8, and 10, it may be argued that private ownership of the means of production is not recognized, let alone guaranteed. On the other hand, a broad interpretation of article 9, discussed below, would

<sup>7</sup> *Ibid.*

allow for such property within certain limits. Since land has not been nationalized, the omission of a guarantee of private property raises an interesting question: What is the legal status of the agricultural land that is outside the state sector? Do the private and cooperative farmers own their land?

The latest law dealing with this question, the Law on Unified Agricultural Cooperatives of July 9, 1958,<sup>8</sup> upholds private ownership of the land pooled in agricultural cooperatives, the farmer, or his heir, being allowed to withdraw from the production unit. The agricultural land farmed by private farmers (approximately 12 percent in the middle of 1960) and most of the land farmed by the cooperative farmers (approximately 74 percent) do not constitute "cooperative property" (one of the two basic forms of Socialist property). The latter includes the buildings, machines, tools, implements, livestock, etc., owned by the cooperatives but not the land owned by the members of these Socialist production units. The new constitution does not explicitly change the principle of the said law, namely, that "the ownership of the land pooled in common cooperative farming remains intact," however, it does not uphold it either. Furthermore, article 9 adds to the ambiguity of the document when it states, "Within the limits of the Socialist economic system is permitted the petty private economy based on personal labor and precluding the exploitation of the labor of others." The ambiguous situation created by the cited article is explained by a Marxist-Leninist authority as follows: "The constitution proceeded from the given situation" and the phrase "within the limits of the socialist economic system" means "as far as it is in the concrete situation compatible with the socialist economic system." Private ownership is looked upon "as being the dying past, not the future."<sup>9</sup>

The omission of a constitutional guarantee of the right to private property portends not only "complete domination of agriculture by the end of 1960" by the "socialist production relations," promised by the regime,<sup>10</sup> but also nationalization of land and the expropriation of the last private farms and small trades in the future. With dialectical cunning, through its omissions, the socialist constitution gives legal underpinnings to this development. When the day arrives, there will be no need to amend this legal document, since it defines the "Socialist economic system"—the economic foundation of the state—as a system in which "the means of production are socialized and the whole national economy is directed according to plan" (art. 7, sec. 2). When the party decides to take this step, a resolution or a law passed by the National Assembly will legalize such action. Then the constitution will be given a narrow interpretation, and private ownership will be declared "incompatible" with the Socialist economic system at the given historical stage of development.

State organization of the CSSR: In Marxist-Leninist theory the state is only a temporary phenomenon; it did not always exist and has been only a byproduct of the division of society into classes of exploiters and exploited.<sup>11</sup> It is an apparatus of force

of one class to repress another,<sup>12</sup> a machine to sustain the domination of one class over another.<sup>13</sup> The ultimate objective of the Marxist-Leninists is the abolition of classes and the withering away of the state. However, in the period before the achievement of the highest phase of communism and the emergence of the classless society, during the transition from capitalism to communism, the state machine—a special instrument of oppression—is needed to "crush the exploiters," the bourgeoisie, and to assure the victory of communism. The proletarian state is a state of a new type: it is a "special power" called the dictatorship of the proletariat.<sup>14</sup> It is "the power of one class—the class of proletarians—which does not and cannot share that power with other classes."<sup>15</sup> The Communist Party, the vanguard of the proletariat, exercises the totality of political power on behalf of the one class. The leaders of the party alone can determine what are the "true interest" of the people; and dictatorship of the proletariat is called "democracy of the highest type."<sup>16</sup>

The previously discussed articles of the Czechoslovak Constitution of 1960 safeguard the totality of the Communist Party's political power in the state. As Novotny pointed out, there are "no remnants of the liberal, pseudo-democratic principles of the separation of powers among the various state institutions" left in the constitution.<sup>17</sup> The unity of the authority of the toilers as the expression of a democracy of the "highest type," has been hailed by the Marxist-Leninists, but they have decried the principle of the separation of powers.<sup>18</sup> Czechoslovakia has no room for it nor for popular representation in the organs of state authority. The Socialist character of the document allows for institutions and organs of state power that carry out not the will of the people but only the will of the party. It is not the people but the power élite that really controls the governmental process.

Unlike the Soviet Union, which in its legal form is a federation, Czechoslovakia is structurally a unitary centralized state. Territorial organizations of the republic is "arranged in accordance with the economic, political, social, and cultural needs of the whole society" (art. 107, sec. 3), and the "central management of society and the state" is based on the principle of "democratic centralism" (art. 18). "All citizens and all state and social organizations manage themselves, in all their actions, in accordance with the legal order of the Socialist state and see to the complete observance of the Socialist legality in the life of the society" (art. 17, sec. 1). This vague definition of the state structure and the references to the broad principles of "Socialist legality" and the "legal order of the Socialist state" enable the regime both to expand its power and to make adjustments and changes in the state organization through regular laws and administrative decrees.

Early in 1960 came the announcement of a new territorial division which permits decentralized economic planning and its fulfillment.<sup>19</sup> The territory of the Republic was divided into 10 regions, and these, in turn, in 108 districts and the territory of the capital city of Prague. Districts are divided into communities. Districts were enlarged

(there are now 108 districts instead of 286) and their authority has been enhanced. Some communities were merged. The imitation of the Soviet pattern (decentralization of economic planning and administration) indicates that the proximate goal is total absorption of Czechoslovakia into the Soviet imperium. The reorganization of the state administration, furthermore, served the purpose of dispensing with the historical boundaries of the Czech lands, regions, districts, and some townships. It also destroyed the unified and separate administration of Slovakia, the eastern part of the state.

The autonomy accorded Slovakia in the 1948 constitution was restricted in the new legal document and the organ of executive power, the Slovak Board of Commissioners, was abolished. The only purely Slovak national institution, the Slovak National Council, is vested with some legislative and executive authority, but the firm control of the country by the Central Government is assured by article 74, section b. It limits the legislative power of the Slovak National Council to those areas expressly determined by the law of the National Assembly. The legislation passed by the former institution must conform with the CSSR constitution and with the national legislation.

The new status of Slovakia and its loss of the limited autonomy it previously enjoyed was explained by A. Novotny as follows:

"The age-old backwardness of Slovakia has been abolished and Slovakia is today economically, politically, and culturally a mature part of the Republic. Through all this the substantial differences formerly existing between the Czech and Slovak regions have been markedly reduced. The adjustments to be made in the Slovak national organs result from the fact that the central direction of the entire life of our society under a unified state plan continues to expand."<sup>20</sup>

Admittedly, the Socialist economy calls for a high degree of centralization, but the shortage of devoted Marxist-Leninists in Slovakia has undoubtedly been a factor in curbing the authority of the Slovak national organs. Although Novotny did not mention it, the separatistic and nationalistic tendencies in the country were probably the more important reasons for the regime's determination to rule Slovakia from Prague. The Czechoslovak Constitution denies the Slovak Nation the rights upheld by Marxist-Leninist theory, that is, "equality of rights of all nationalities," and the "inalienable right of nations to self-determination, including the right of withdrawal."<sup>21</sup> Slovakia does not even have its own constitution. What Vyshinsky said of Imperial Russia applies much more to the Czechoslovak constitutional arrangement, namely, "Unitarism and state centralism bore a clearly bureaucratic character adapted to the police-fiscal system of absolutism."<sup>22</sup>

The organs of state authority: The largest portion of the constitution is devoted to the description and definition of the jurisdiction of the organs of state authority. They are the National Assembly (pt. III), President of the Republic (pt. IV), Government (pt. V), Slovak National Council (pt. VI), National Committees (p. VII), and Courts and Procuracy (pt. VIII). None of these institutions is truly representative, and all of them are only instruments through which the will of the ruling class is expressed, a democratic façade masking the totality of the Communist Party's power.

The National Assembly is "the supreme organ of state power in the Czechoslovak republic," and the "only national legislative chamber" (art. 39, sec. 1). It consists of

<sup>20</sup> Novotny, op. cit. (Rudé právo, Apr. 17, 1960).

<sup>21</sup> Vyshinsky, op. cit., pp. 213, 214, and 215.

<sup>22</sup> Ibid., p. 247.

<sup>8</sup> Zakon ze dne. 9 cervence 1959 Jednotnych Zemedelskych Druzstevch, zakon c. 49, Sbirka zakonu Republiky ceskoslovenske, dne 24. cervence 1959 [Law No. 49, 1959 Coll.].

<sup>9</sup> Professor Viktor Knapp, "Prispevek k diskusi nové ústavy" ("Contribution to the Discussion of the New Constitution"), Rudé Právo, May 13, 1960.

<sup>10</sup> "What this Year Has in Store," Prague News Letter, Vol. XVI, No. 1, January 9, 1960.

<sup>11</sup> Andrei Y. Vyshinsky, The Law of the Soviet State (New York: Macmillan Co., 1948), p. 10.

<sup>12</sup> Ibid.; The Communist Manifesto by Marx and Engels is cited.

<sup>13</sup> Ibid., a citation from Lenin.

<sup>14</sup> Ibid., pp. 40-41.

<sup>15</sup> Ibid., p. 40; Questions of Leninism by Stalin is cited.

<sup>16</sup> Ibid., pp. 160 and 554.

<sup>17</sup> Novotny, op. cit.

<sup>18</sup> Vyshinsky, op. cit., p. 318.

<sup>19</sup> Cf. "Resoluce ústředního výboru KSC" ("Resolution of the Central Committee on the CPC"), Rudé právo and Zemedelské noviny, January 16, 1960.

300 deputies who are "elected by the people, responsible to the people, and may be recalled by the people" (art. 39, sec. 2). But who are these mythical "people"? How much do the real people have to say in the selection of the candidates for the office of deputies? Section 4 of the above-cited article hardly gives a satisfactory answer to these questions. It states that the "National Assembly is elected for a period of 4 years," and that the "conditions for suffrage [in the election] of the National Assembly, and its exercise and the manner of the execution of the election and the recall of the deputies are determined by law."

The jurisdiction of the National Assembly includes: discussion and resolution of basic questions of both the internal and external policy of the state, consideration of the state constitution, adoption of laws, ratification of international treaties, election of the President of the Republic, approval of the declaration of the government after its appointment by the President, and control of the activity of the government. It has the right to put questions to the chairman (premier) of the government and to others of its members; it elects the supreme court and has the right to recall its members; it establishes, through law, ministries and other central organs; it watches the activities of the national committees, and agrees upon a declaration of war (art. 40-49).

The legislative function of the National Assembly purports to be the most important, although in reality it merely rubber-stamps the decisions made by the party. In Marxist-Leninist definition, "law is merely the will of the dominant class, elevated into a statute."<sup>23</sup> The task of the National Assembly is to transform the will of the dominant class, i.e., of the party, into a statute, into a Socialist law. The psychological and practical significance of the Socialist statute has been expressed by Lenin's statement: "Will—if it be the state will—must be expressed as a statute, established by authority—otherwise the word 'will' is an empty concussion of air by empty sound."<sup>24</sup> As a matter of practice, statutes in Czechoslovakia have preceded most of the actions taken by the executive organs of state authority. The regime exploits the legalistic tradition of the Czechs and their respect for law.

The President of the Republic, elected by the National Assembly, is the head of the state, represents the state power, and is responsible to the National Assembly (art. 61). His duties include most of those discharged by the Presidents of states with a parliamentary system of government. His powers were somewhat curtailed by the new constitution: he does not have the right to veto legislation or to dissolve the National Assembly. He does, however, declare the session of the National Assembly ended. In fact, the prestige and power of the President are not derived from his office, but from his status in the Communist Party. The present President of the Republic, Antonín Novotný, is simultaneously the First Secretary of the Communist Party of Czechoslovakia, and seemingly its strongest man, enjoying, for the time being, the complete confidence of Moscow.

The government (cabinet) is the "supreme executive organ of state power," and is responsible to the National Assembly (art. 66). It consists of a chairman (premier), his deputies and ministers (art. 67). It "organizes and safeguards the fulfillment of the tasks of the Socialist state" in its economic and cultural building and in the "raising of the living standard of the working people." The jurisdiction of the ministers and "other central organs of state administration" includes the issuing of "commonly binding

legal regulations," on the basis and in pursuance of laws, as well as for the fulfillment of operative statutes and government directives (arts. 72 and 68, secs. 4 and 5).

The Slovak National Council is an institution with limited legislative and executive jurisdiction in Slovakia. It is described as "a national organ of state power and administration in Slovakia" (art. 73, sec. 1), but article 74, section 5, as was pointed out earlier, makes it an arm of the central government at Prague.

Regional, district, and local (municipal) national committees are defined as "the organs of state power and administration in regions, districts, and communities" (art. 86, sec. 1). These organs of local government received an increased measure of administrative authority as a result of the recent "decentralization" of the state administration, and are responsible for carrying out the state plan in the areas of their jurisdiction. They do not, however, make policy; in matters of policy there has been no decentralization, the party retaining its monopoly in this field.

The members (deputies) of the National Assembly, Government, Slovak National Council, national committees, and the President of the Republic must take a vow "to remain always loyal to the Czechoslovak Socialist Republic and the cause of socialism" (arts. 56, 64, 69, 80, and 88). The members of the national committees, in addition to their other obligations, have the duty to "safeguard socialist property \* \* \* the socialist order in society and the observance of the rules of socialist coliving, and to strengthen the defense capability of the Republic" (art. 89). All these defenders of socialism (with the exception of the President and the members of the Government) are elected for a period of 4 years "by the people, are responsible to the people, and may be recalled by the people" (arts. 39, 73, and 86). The constitution frequently makes its sweeping statement, but does not provide for its implementation. It contains no provision for the selection of the candidates for the offices and for the way in which they are to be elected. Three times it makes references to electoral law (art. 39, sec. 4; art. 73, sec. 4; and art. 86, sec. 4), but does not state its principles.

In Communist-controlled countries the electoral laws provide one of the means for perpetuating the party's power through the nomination of candidates. In the absence of any opposition, nomination of one candidate for each post assures his (her) election. This was the case in the latest election in Czechoslovakia. All the candidates were nominated by the Communist-controlled National Front, and a single slate of candidates for the National Assembly, Slovak National Council, and national committees appeared on the ballots on June 12, 1960. As is customary in the Soviet Union and has become the practice in Czechoslovakia, over 99 percent of the valid ballots were reported cast for the National Front candidates.<sup>25</sup>

All the candidates for the National Assembly (300) were elected in the totalitarian type of election. The following nationalities are represented in the Chamber: 205 Czechs, 83 Slovaks, 6 Hungarians, 3 Ukrainians, 2 Germans, and 1 Pole. The political composition is as follows: 157 Czech Communists; 62 Slovak Communists; 16 Populists; 15 Socialists; 4 members of the Slovak Renaissance Party; 2 members of the Slovak Unity Party; and 44 without party affiliation.<sup>26</sup>

The representation of the "non-Communist" political parties in the National Assembly by no means indicates the existence of parliamentary democracy in Czechoslovakia. The members of the puppet parties (nominally non-Communist) who were nominated by the National Front (in fact, by the party,

without whose clearance nobody can be allowed to be even a member of the non-Communist parties), follow the Communist program, hall all measures taken by the Communist Party, and glorify the achievements of the new order.<sup>27</sup> The Marxist-Leninists control these parties and maintain them in order to command more popular support. With their help they can reach, neutralize, and control the potentially hostile groups (e.g., farmers). What the fate of these puppet political parties will be is difficult to say. According to the theory of Marxism-Leninism, they do not fit into the socialist order (i.e., in the one-class state there is room for only one class-party). They probably will "wither away" when the party has no more use for them.

Part VIII of the constitution briefly describes "The Courts and the Procuracy." The functions and purpose of these institutions are "to protect the socialist state, its social system, and the rights and the rightful interests of the citizens and of the organizations of the working people" (art. 97, sec. 1). Through their activity the courts and the procuracy "educate citizens" so that they will be "loyal to the fatherland and the cause of socialism" and observe the "laws and rules of socialist coliving" (art. 97, sec. 2). In order to make the citizenry observe the "rules of socialist coliving" and to strengthen "socialist legality and to safeguard the social order," local people's courts may be established at localities and places of work. The extent of their jurisdiction, the manner in which they are established, the principles of their organization and rules of conduct are "determined by the law" (art. 101). Obviously, the infamous "people's court justice" did not die together with "people's democracy," and people's tribunals may be established should there be need for them.

All judges and people's assessors are elected for a period of 4 years. The supreme court is elected by the National Assembly; regional courts are elected by the regional national committees; military courts are elected in accordance with a special regulation (ordinance); and the district courts are elected by the citizens of the district on the basis of universal, direct, and equal suffrage by secret ballot (art. 99). The judges and people's assessors are responsible to their electors and are obliged to render account to them. Following the Soviet example, article 102, section 1 pays lip service to the independence of judges, stating, "Judges are in the exercise of their function independent and subject solely to the legal order of the socialist state." The next sentence, however, makes it plain that the judges are not independent of politics and that their duty is "to act according to the laws and other legal regulations" (that is, in accordance with the will of the party that has been elevated into statutes), and must interpret them "in accordance with socialist legal consciousness" (of which the source is, of course, the Communist Party).

The procurator general exercises "supervision over the consistent carrying out and observance of laws and other legal regulations by ministries and other organs of the state administration, national committees, courts, economic and other organizations, as well as by citizens" (art. 104). In discharging this wide jurisdiction, "the organs of the procuracy are subordinated solely to the procurator general and perform their functions independently of local organs" (art. 106). The procurator general is appointed and recalled by the President of the Republic and is responsible to the National Assembly (art. 105).

Rights and duties of citizens: Human rights and civil freedoms are important to

<sup>23</sup> Vyshinsky, op. cit., p. 13.

<sup>24</sup> Ibid., p. 337.

<sup>25</sup> Rudé právo, June 13, 1960.

<sup>26</sup> Bohemia (Germany), July, 1960.

<sup>27</sup> Cf. Svobodné slovo and Lidová demokracie, April 26, 1960.

every civilized person wherever and whenever he lives. If the inalienable natural rights of man are not respected, individual human freedom disappears. This happened in Nazi Germany, in the Soviet Union, and in all other countries where the Marxist-Leninists came to power. Their emphasis upon "collective freedom" or "socialist freedom" hardly brings happiness to an individual, if he is deprived of his basic human rights and becomes a slave of the almighty state, used as the instrument of oppression by the party. The Marxist-Leninist claim that socialism has abolished the exploitation of man by man will never satisfy those who are being exploited by the new ruling class, by the parasitic secret police, and by the bureaucracy of the socialist (people's democratic) state and the Communist Party.

The Czechoslovak Constitution guarantees "equality of rights" and records a number of civil rights, but limits or effectively prohibits their free exercise, and in addition counterbalances them by a series of civil duties. The specific rights include: the right to work, the right to compensation for the work done in accordance with its quantity and quality, the right to rest, the right to the protection of health, the right to education, the right to make petitions; freedom of speech, assembly, street parades, and demonstrations. But are these provisions concerning rights and freedoms operative? How good are the constitutional guarantees of civil liberties? What does the "right to work" mean to a Czech farmer who is not accorded the right to desist from that work?

Article 19, in addition to others, puts definite limits on rights and freedoms by stating that they serve not only the "full assertion of the justified interests of individual citizens," but also "the common interest of society." The party knows what these "common interests" are, and the Socialist state puts its own interests above those of the individual citizen. "The foremost duty" of all is to work for the "benefit of the whole" (art. 19, sec. 2). The right to work is "the foremost right of every citizen," but, implicitly, to desist from work is sabotage. Also, according to article 28, freedom of speech, assembly, street parades, and demonstrations are guaranteed only insofar as they are "in accordance with the interest of the working people," meaning the party, who represents it and determines what its "true interests" are and what is meant by "the whole" for which every individual has to work.

In addition to these limitations upon civil rights, the fundamental natural rights of man on life, liberty, and property have no constitutional standing. The inalienable natural rights with which man was endowed by his Creator are obviously considered incompatible with the Socialist order. Furthermore, in contrast to the preceding constitution (1948), the new document omits any guarantee that "the conviction or world view" of a Czechoslovak citizen would be respected. The only Weltanschauung enjoying constitutional status and protection is Marxism-Leninism. The other philosophies of world history and man are declared to be unscientific, and they have no place in the minds of the citizens of the Socialist state.

The basic civil rights and freedoms are put to scorn. Articles 30, 31, and 32, dealing with personal freedom, the inviolability of the home and the privacy of closed letters or other written matter, and freedom of religion, do not provide any real guarantee that the rights of the individual will be respected. These could be safeguarded only by free and independent courts. In the absence of an independent judiciary, only lack of freedom is assured by the courts and the procuracy, which are just tools of the Com-

munity Party. The nominations for the office of judges are made by the National Front (controlled by the party), and only those who share the party's concept of justice are selected. The judges are bound to interpret the socialist laws in accordance with the socialist legal consciousness (art. 102), which is whatever the party wants it to be. The party's will is the supreme law of the land, and the procurator general, the party's watchdog, sees to its observance. Through his special position he controls the election and recall of the judges, and he may also intervene in the handling of any case that warrants his attention.

The party's control over society and the ideological and moral enslavement of the people are assured in articles 38 and 17. Article 38 declares "respect for the rights of fellow citizens [i.e., of the Communists], as well as conscious observance of the rules of socialist coliving" as "the inseparable part of the duty of citizens." Article 17 declares that the mission of social organizations is "to lead citizenry to the observance of laws, maintenance of labor discipline, and [the observance] of social coliving" \* \* \* and to strive for the "preventing of their breach." The party's interpretation of the expressions—"socialist legality," "socialist consciousness," and "socialist coliving" enables the regime to expand the state power ad infinitum.

Freedom of religion is guaranteed in article 32; however, the professing of a religious belief and the conduct of religious acts are allowed only insofar as they are not "in conflict with the law." While the previous constitution of 1948, in article 16, maintained that everyone could profess, privately or publicly, any religion or be without it, as well as the equality of all religions (and atheism) before the law, the new legal document qualifies freedom of religion by a reference to laws which may be enacted at any time in the future. It also stresses that no one can, on the plea of his religious convictions, decline to fulfill the civil obligation "imposed upon him by law" (art. 32, sec. 2). Since the constitution proclaims Marxism-Leninism as the only scientific truth and gives the supreme position to the Communist Party, and since strong propaganda of atheism is put forth through laws and resolutions and through books, schools, organizations, and media of mass communication, article 32 is not an effective guarantee that the party, through its decisions expressed in laws passed by the National Assembly, will not prohibit public manifestation of a religious creed either inside or outside church walls in the future.

Unlike its predecessor the 1960 constitution considers the problem of national minorities. In addition to Hungarians there are approximately 165,000 German-speaking citizens of Czechoslovakia, about the same number as the total number of Ukrainians and Poles. Article 20 guarantees alleged equality of rights to all citizens regardless of nationality or race, and article 25 guarantees all means for the education of the Hungarian, Polish, and Ukrainian minorities in their mother tongue, and their cultural development. The Germans living in Czechoslovakia are not mentioned. A. Novotny, President of the Republic, attempted to explain the omission of the German minority when he claimed that the citizens of German nationality in Czechoslovakia no longer form "an ethnic group," and that the party considers "the question of German nationality solved already in 1945-46, on the basis of the Potsdam agreement."<sup>28</sup> He then stressed that those Germans who had remained in Czechoslovakia enjoyed the same civil rights as all other citizens. By disclaiming the existence of any "question of German nationality," the

party tries to conceal the obvious discrimination against these 165,000 Germans. Stripping the Germans of their rights and protection does not conform to the traditional practice of the Czech nation, which has always recognized the cultural rights of all citizens and the cultural autonomy of the German minority living in the historic Czech lands.

As the Czechoslovak Communist leaders see it, the new state constitution, speaking of socialism as something that already exists, that has already been won, provides a directive for the transition to communism, from the first or lower phase of communism to the highest phase of communism—the Communist order. The party chief, Antonin Novotny, explained the development as follows:

"We have solved the basic tasks of the transition from capitalism to socialism: by now the new Socialist production relations have prevailed and become consolidated in all branches of our national economy, including agriculture. This has brought about a change in the class structure of our society in which the exploiters as a class have been eliminated."<sup>29</sup>

He added that the leading position of the workers' class in society "has been consolidated and its decisive influence on all activities in our country has increased." The Communist Party (and that is what is meant by the working class) has achieved constitutional confirmation of its dictatorship in all sectors of public and private life. The government executes its will not only in fact but also in legal theory and constitutional law. The last remnants of the democratic division of power and every effective legal protection of the citizen and his property have been removed; Marxism-Leninism has been proclaimed the only scientific world view and the philosophy of the state. For the Marxist-Leninists this state of affairs demonstrates the correctness of the "Leninist theory of the gradual victory of the Socialist revolution," and they ridicule those who predicted a gradual development toward liberalization and democratization in Czechoslovakia.<sup>30</sup>

Their mocking of the unrealistic dreaming of the Western psychological warfare strategists and policymakers is to a great extent justified. These people proceeded from the assumption that not communism but "Russian imperialism" was the enemy of the West. They claimed that this imperialism manifested itself in the conquest of central East Europe and should be defied by its "main enemy"—Titoism. A gradual approach to the liberation of the enslaved peoples was suggested: the first step toward the winning of freedom for the captive peoples of central East Europe (especially of Czechoslovakia) would be "independent national communism" or "Titoism." This would lead toward the creation of "national socialism" which would gradually develop into a Western type of democracy.<sup>31</sup> Free election was said to be the key to these gradual transformations, although common sense would suggest that no totalitarian government would ever permit itself to be voted out of power. The "gradualists" thus disregarded reality, being ignorant of the nature of political power, Marxist-Leninist theory, and the totalitarian foundation of the Communist Party.

Instead of a gradual "democratization, liberalization, de-Stalinization or Titoization" of Czechoslovakia, a tightening of the Communist Party's power and the ideological and moral enslavement of the peoples of Czechoslovakia have been given constitutional

<sup>28</sup> Ibid.

<sup>29</sup> Sedláček, op. cit.

<sup>31</sup> See Československý prehled, a publication of Free Europe Committee, Inc., New York, December 1956, and January and February 1957 issues, defending this policy.

<sup>28</sup> Novotny, op. cit.

support. This suggests that (a) the "gradualists" were wrong (unless their concept of "democracy and democratization" was the same as that of the Marxist-Leninists), and (b) those who suggested that the ultimate objective of Western policy should be "to cause the enslaved peoples to revolt" against the Communist rule and to bring about its end in central Europe in general and Czechoslovakia in particular, had a better understanding of the nature of Communist power.<sup>22</sup> The events in Eastern Europe in the fall of 1956 indicated that the suggested new strategy in the cold war, offered to the U.S. Government in 1954, was based on a realistic estimation of the situation, that the plan was feasible and might have been successful, had the State Department been prepared for the possibility of revolt by the captive peoples and had been willing to extend them aid. The revolt, if successful in Hungary, might have spread to other East European countries, and perhaps to the Soviet Union itself. By now it must be clear that the policy of "gradualism" worked to the advantage of the Communists, not to our own.<sup>23</sup>

Taking a realistic view of the situation now, it may be safely assumed that other states of the Communist bloc will adapt "Socialist constitutions." The "people's democracies" of Eastern Europe have been drawn closer to Moscow, and are gradually being integrated, economically and politically, into the Soviet empire. Their state plans are coordinated with that of the Soviet Union. At secret and nonsecret meetings the leaders of the Communist bloc have discussed and agreed upon a division of labor in the production of goods and on political aims and their implementation. It is likewise clear that Czechoslovakia is playing an increasingly important role in the Communist plans for the conquest of the world through the training of agents for Latin America and Africa and shipment of arms to various parts of the globe.

It is significant that Czechoslovakia, economically the most advanced and politically the most important of the East European

<sup>22</sup> Cf. "A Memorandum to the Administration and the Congress of the United States of America" by the Czech Christian Democratic Movement, October 28, 1954, outlining a new strategy in the cold war and its realistic conduct, CONGRESSIONAL RECORD, vol. 101, pt. 2, pp. 1542-43; and daily CONGRESSIONAL RECORD, p. A576, Feb. 2, 1955.

<sup>23</sup> The objection that the liberation-revolt-aid policy would have meant war in 1956 can be easily disputed by pointing at the Soviet leaders' hesitation to send additional troops to Hungary in October 1956. They acted only after it was clear to them that the United States let them have a free hand by pointing at the Soviet "right" to station troops in Hungary under the provisions of the Warsaw Treaty. Khrushchev himself indicated on several occasions that he had opposition in the Presidium of the Central Committee of the Soviet Communist Party on the question of dispatching troops to Hungary.

In view of the disloyalty of the Soviet troops stationed in Hungary (several thousand soldiers and officers either joined the Freedom Fighters or refused to fight them) and the need for sending largely Mongolian units to that country, the disunity in the highest organ of the Soviet Communist Party which was not yet completely controlled by Khrushchev, the unreliability of the armies of the satellite nations, and the tense situation bordering on revolt in Poland, Rumania, Bulgaria, Czechoslovakia, and Yugoslavia, it is doubtful whether the Soviets would have gone to war.

Cf. This writer's interpretation of the events in Eastern Europe in 1956, *Titostism* (New York: Vantage, 1958), Chaps. 12-14.

satellites, should have been the first to proclaim its successful completion of the "transition to socialism."

#### SOCIAL REFORMS AND FOREIGN AID

Mr. HUMPHREY. Madam President, in the Washington Post yesterday, June 13, the distinguished columnist, Walter Lippmann, wrote a brilliant and provocative attack on those who are misreading the signs of our times, and whose despair at what they believe is happening throughout the world, is leading them toward rash, impulsive, and suicidal tendencies.

As I have pointed out again and again, the great revolution of our times is the revolution against poverty, hunger, illiteracy, and disease. The peoples of the underdeveloped countries of the world are insisting, and rightly insisting, that there will be an end to tyranny, that corrupt, venal, and selfish governments must be replaced by governments dedicated to the welfare of the people. The people of these nations are unwilling to wait indefinitely. They will not be turned aside by promises of future action. They want both political liberty and economic improvement, and they want them now.

It is my firm conviction that the United States must seek to align itself with the progressive, democratic forces in every nation that is seeking to pull itself out of the mire of ignorance and poverty. We can no longer tolerate, let alone support, governments which refuse to initiate and carry out the necessary political, economic, and social reforms that their peoples demand.

The President of the United States has clearly stated the American intention to support social and economic reform, and it is the intention of this Senator, insofar as it is humanly possible, to insure that the foreign assistance program written by this Congress will be one which carries out the announced objectives of the President.

I know that the distinguished majority leader and the distinguished chairman of the Committee on Foreign Relations agree with me that the U.S. Senate will support only a foreign assistance program which will make a significant contribution to the welfare of the people of the nations to whom our assistance is to be given.

I serve notice here, as I have already done in the Committee on Foreign Relations, that I shall not support an aid program to any developing nation—particularly in the Asian, African, and Latin American areas—which will have the effect of perpetuating corrupt, reactionary, greedy, and oppressive governments.

These developing nations are the targets of intensive Communist subversion, infiltration, and propaganda. When we embrace—or appear to embrace—oppressive governments which continue to resist and to oppose any meaningful political and economic reform, we, too, become an open target of such Communist efforts.

To those Americans who see in the rising social ferment throughout the world the impending triumph of commu-

nism, I say, as Mr. Lippmann says, that they are profoundly mistaken.

It is of the utmost importance that Americans understand the fundamental differences between those who advocate social and economic reform for their own people, whose dream is to create a progressive democratic society, and those who would bring that nation within the orbit of Communist imperialism, who would stifle the liberties of the people and the independence of their nation.

To those in this country who persist in calling communism any effort to improve the lot of the underprivileged through Government action, I say that they are confusing and misleading our people. The John Birch Society and the scores of other extremist groups who are currently carrying out a campaign to smear as "pink," "leftist," and "Communist" the President's program for economic and social improvement here in America, tend to create a most confusing atmosphere for the consideration of an effective American foreign policy.

If our people can be brainwashed into thinking that social and economic reform in America are evil, how can they be persuaded to support an American foreign policy designed to support similar reforms in other nations?

Yet, Madam President, our people must understand that America's commitment to social and economic reform in the underdeveloped countries is the only hope for the long-range security of our own people.

In my opinion the Congress is ready to support a strong, vigorous, and effective program of foreign aid if the administration will follow the President's strong leadership, and come to the Congress with detailed plans, detailed information.

The Congress has a right and a need, to know on what basis a decision has been made to establish a particular program for any given nation. We must be told what specific projects are planned for that country, what are the anticipated effects, what has been the reaction of the government of the host nation, what kind of cooperation has been assured. Are the projects sound? What is their emphasis? Is it upon education, health, agriculture, or is it upon heavy industry, public works?

If a foreign-aid program big enough to do the job required is to be authorized, there must be a frank sharing of information and a candid presentation of the facts by the spokesmen for the administration.

Congress is prepared, I believe, to agree to long-term loan financing. It is only in this manner that sensible, practical projects can be undertaken and savings be made. Long-term financing is good business, it is sound economy.

But first of all, Congress and the American people must be convinced that, short-term or long-term, the foreign-aid program is going to help the people of the recipient countries. We are sick and tired of foreign aid going to governments that are unresponsive to human need, unwilling to bring about social reform. The need is to strengthen democracy, not to bolster tyranny and corruption.

Madam President, in summation, we seek the expansion of freedom and we are prepared, therefore, to help those who wish to help themselves. We wish to give priority to those countries that are willing to stand up for their independence and freedom.

We can modernize the military establishments of friendly nations so that they can meet Communist infiltration and guerrilla warfare tactics. It can be done. It is being done. More must be done.

We can bolster the economies of other countries. It has been done, and more of it needs to be done.

Let us not be so ready to despair, Madam President. Communism has not taken over the nations on its periphery. Turkey is still independent; so is Pakistan; so is Afghanistan; so are Iraq and Israel and Egypt.

So is north Africa. The Africans have proved to be wiser than some of their Caucasian brethren. They have rejected the virus of communism and are seeking to walk in the paths of freedom. This gives us a wonderful opportunity to work with them. Nations do wish to be free. They wish to be free of foreign domination. If we make national independence our mission and our purpose, we will have allies without treaties. If we make the cause of the underprivileged peoples of the world our cause, we will have friends without contracts.

This is the way ahead. Let us go forward with our President, with confidence and determination and with purpose.

I call upon those in the administration who are delegated to carry out the program of the President to prepare themselves for the most detailed examination of the foreign-aid program. I call upon them to speak with candor and frankness to the American people and to Congress. I urge Congress and the people of the country not to be of faint heart. This struggle against Communist infiltration can and will be won.

The Soviets have not triumphed. As a matter of fact, they have been repulsed in many areas. What we need to do is to design a program, as we are attempting to do now, which will buttress our own alliances; our own military power; but more significantly, to design a program that will reach the needs of the people and will identify ourselves with those needs.

We must place this program in the hands of the most capable administrators that the Nation can find. I think it is the duty—the patriotic duty—of men and women in industry, men and women in the professions, those in the labor movement and in education—in every walk of life in America—to be willing to be of service to the government in this great endeavor which we call foreign aid. We cannot afford to take the second best. Mediocrity will not be good enough. This program needs the criterion of excellence. It needs the best efforts, the best talent, the most imaginative, creative minds America has. If we are to authorize billions and billions of dollars for assistance, we must put the program into the hands of the most competent people the American society can produce.

I believe that in Mr. Labouisse, in Mr. Coffin, and in many other of their aids we have the kind of leadership and administrative capacity that will be needed as mission directors in foreign countries.

We need the very best that America can produce.

If we are unwilling to give that best, then we are doomed to defeat. I believe it is my duty as a Senator to say that no amount of money by itself can give us a successful foreign-aid program. What we need is capital to be sure—long-term financing. We need technicians and technology, to be sure. We need programs of human resources and fiscal resources. But above all, we need dedicated, intelligent, and able people to carry out these foreign-aid programs. We need the best people we can provide to work with the people of the world. If we do not get them, this country will have spent billions of its dollars and vast amounts of its resources for naught—indeed, for failure.

To those in America who say they want to help their Government, I make a plea that they offer their services; that they leave their desks and their current responsibilities; and volunteer to the President of the United States and to the State Department. Let them offer all that they have in the spirit of those who fought for our Nation's independence. Those men signed a document which pledged their lives, their fortunes, their sacred honor. They did not pledge a little of their lives; they did not pledge a small percentage of their fortunes; they did not say, "We will be slightly honorable." No. They pledged their whole lives, all of their fortunes, and all of their sacred honor.

The great foreign-aid and mutual-security program that we ought to have requires the same dedication and the same criteria in the 1960's as were required in the 1770's.

Madam President, I ask unanimous consent to have printed at this point in the RECORD the article entitled "The Folly of Despair," written by Walter Lippmann, and published in the Washington Post of June 13, 1961.

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

THE FOLLY OF DESPAIR

(By Walter Lippmann)

We have had a run of bad news and the time has come when we must make up our minds whether to face it and learn from it, or to shrink from it into a nervous breakdown with suicidal tendencies. There are altogether too many of us who in dismay and disappointment are ready to admit that Khrushchev is right in predicting that communism is sweeping the world and that, short of war, we have no means of stopping it.

They are like the man who, as an experienced diplomat once put it many years ago, is so worried that he will fall off the top floor of the Empire State Building that he stops the elevator and jumps out of the ninth floor window. I believe this defeatism to be profoundly mistaken and unwarranted. It is based on a misreading and a misunderstanding of what has happened since the Second World War and what is happening now. The root of the error is to equate instead of to differentiate between, the communist movement which owes allegiance

to Moscow and Peiping and the worldwide movements of social reform and social revolution, which almost everywhere seek national independence and nonalignment with the great powers.

Mr. Khrushchev's hope and belief is that he will lead and direct all the reforming and revolutionary movements. We play right into his hands when we identify ourselves with the opponents of change rather than with the leaders of change.

For those who think that Laos and southeast Asia are gone and that like the dominoes all the Asian nations and the Pacific will go too, I should like to call attention to Egypt. It was not so many years ago—in fact it was in 1955—when we were told that Egypt and Syria and Iraq, and all the oil of the Persian Gulf, and the Suez Canal, were gone or going. Egypt had gotten arms from Czechoslovakia, it got Soviet help in building the Aswan Dam, it nationalized the Suez Canal, and all was "lost."

Yet look at it now. Syria and Iraq and the Persian Gulf states are not Communist. Egypt continues to put its Communists in jail. Mr. Khrushchev has attacked Egypt publicly. President Nasser is calling a congress of the neutrals who do not take their direction from Moscow. Egypt has played a decisive part in preventing the flow of Soviet arms to the rebels in the Congo.

After Egypt and the Middle East, look at Africa, look at Guinea, which 6 months ago was written off as gone. It is not gone despite the several hundred Soviet technicians who are there. Probably it is not gone in part at least because the Soviet technicians who are there have made themselves so unpopular. In any event the chances are good that Guinea in the end will line up with the rest of independent Africa as a neutral state.

There is now a great likelihood that the whole of north Africa, all the way from Morocco to Egypt, will take a neutral line, refusing to be dominated by Moscow or to take direction from Paris or Washington.

Moreover, I do not believe that Cuba is gone, and I have a very strong impression that Mr. Khrushchev does not begin to think Cuba is as gone as, let us say, Senator SMATHERS thinks it is. For Cuba is as far from Moscow as Laos is from Washington. In time, not necessarily in a very long time, the Cuban revolution will rejoin the community of American states. It will do this because it has no other place to go.

The wave of the future is not Communist domination of the world. The wave of the future is social reform and social revolution driving toward the goal of national independence and equality of personal status. In this historical tendency Mr. Khrushchev will be, as Mr. Alsop tells us he is supposed to have described himself, "the locomotive of history" only if we set ourselves up to be the roadblocks of history.

What is the lesson of all these experiences? At bottom the lesson is that there is, as the President said the other day, a worldwide social upheaval which the Communists did not create but which they hope to capture. If we make our own policy one of opposition to this worldwide movement of social change, we shall lose the cold war and Mr. Khrushchev's hopes will be realized. If, on the other hand, we befriend and support with active measures the movements of social change, their leaders will not submit to Moscow because they do not have to submit to Moscow. They do not wish to submit to Moscow because what they want is independence.

Mr. WILEY. Madam President, I congratulate the distinguished senior Senator from Minnesota. He has made a notable speech.

Madam President, it was my privilege this morning to attend a meeting of the Committee on Foreign Relations to

hear the Secretary of Defense and General Lemnitzer speak on this very subject. After hearing those gentlemen, one realized that the problem was a tremendous one.

I might also suggest, supplementarily to the statement made by the distinguished Senator from Minnesota, that when we come to considering a reduction in the amount of foreign aid, military and otherwise, what is needed is the same consideration as when a person is ill. A person who is ill calls in a diagnostician. Similarly, in the foreign-aid program, not only the economic, but also the political, social, and other factors of a particular nation must be diagnosed and then the proper remedy applied.

I cannot help recalling an incident which I think is most important to show how we might fall asleep on this program. The other day, a distinguished Senator from a Southern State told about his being in Korea. He left Korea the day before the revolution. While he was there, he did not know what was taking place, and was not informed. He had spoken to various officials, but he left Korea totally oblivious of the incipient boiling point which had just about been reached in Korea.

That is what I mean by having diagnosticians, persons who can ascertain the facts. The result is that in Korea we do not know just where we stand. This morning, it was demonstrated that the United States probably will be spending, in order to hold the line in Korea, a billion dollars. That is all the more reason why we need diagnosticians who will give us actual facts and basic facts.

#### TWO BUSINESSMEN REJECT SOVIET DEAL

Madam President, as a nation, we need to mobilize our manpower and resources more effectively if we are successfully to defeat the Communist threat to our survival. In this struggle, we need the dedication of all citizens. Dedication, however, too often takes a form of lipservice rather than deeds.

I have in my hand an excellent article which indicates clearly what I am talking about. Two American businessmen were offered a deal with Russia. They rejected it.

Today, I should like to pay recognition to an example of deeds by individuals in behalf of our country's interests—deeds which are not just lipservice, but which represent real economic sacrifice in the interests of our national security. As indicated by the Senator from Minnesota, in this struggle we need dedication by all our citizens. However, dedication all too often takes the form of lipservice, rather than deeds. Furthermore, as stated by the Senator from Minnesota, we need to have real sacrifice by our citizens in the interests of our national security, if our Nation is to survive.

Recently the Christian Science Monitor published a heart-warming article entitled "Two Businessmen Reject Soviet Deal." The article, by Alice Myers Winther, reflects how Mr. Gordon B. Anderson, president of Puget Sound Fabricators, Inc., and Mr. M. E. Hillman, president of Republic Electric & Development Co., turned down a much-needed

contract amounting to \$500,000 because they felt that it would contribute to economic progress for the Communist world.

I ask unanimous consent that the article be printed in the RECORD, following my remarks.

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

[From the Christian Science Monitor, June 6, 1961]

#### TWO BUSINESSMEN REJECT SOVIET DEAL (By Alice Myers Winther)

Two Seattle businessmen have just refused to sell a newly developed lumber-sorting machine that would have enabled the Soviet Union to build the largest and most highly automated sawmill in the world.

This decision is keeping both men's telephone lines hot with heartfelt thank you's from people they don't know at all.

The decision took some soul-searching, admit both Gordon B. Anderson, president of Puget Sound Fabricators, Inc., and M. E. Hillman, president of Republic Electric & Development Co. "It meant turning down a possible \$500,000 worth of business, and you don't just turn down business, especially these days. But we feel that we are in a hot economic war and that to send this equipment to Russia would be giving one more tool of this economic war to our enemy."

#### CANADIAN CONTACT

Purchase of the lumber-sorting equipment was proposed by a Canadian firm which has apparently been commissioned by the U.S.S.R. to build a sawmill somewhere in Siberia. The magnetically and electrically controlled sorter represents the answer, its developers here believe, to the last big problem in the automation of sawmills. The two Seattle companies have been working on its development for the past 3 years. The Canadian proposal to purchase six complete machines was just the kind of order the Seattle men had been hoping for. It was a real plum.

In fact, Mr. Hillman relates, he dropped their Canadian customer off at the airport Friday, May 26, feeling very happy over the prospective deal. Then he got to thinking, "What am I doing?" After an agonizing weekend he and Mr. Anderson dictated letters refusing to take part in the project. The letters to the Canadian firm stated in part:

#### SACRIFICE SEEN

"While this refusal means a notable loss of sales and earning capacity to us, and while we realize it will only have the very slightest impact on the total productive capacity of the U.S.S.R., we are unanimously convinced of these facts:

"The U.S.S.R. has avowed innumerable times the ultimate destruction of our democracy either by all-out warfare or by economic warfare. Daily throughout the world in a relentless, predictable program we see Russia slowly but surely achieving that goal.

"The one advantage we in North America have over the Communist bloc is our production know-how, and it was that single ability more than any one factor which brought about victory in World War I and World War II and at the moment still insures our victory in world war III.

#### TWENTY YEARS BEHIND

"To knowingly give away even the tiniest proportion of that production superiority represented by the excellence of the Redco control system would represent to us the admission of the inevitability of world domination by communism. To this we will never admit.

"On his recent visit to Moscow your representative was told by the Russian pur-

chasing committee that they could not train enough technical people in the next 20 years to achieve building of this tremendous lumber mill, and that they would therefore purchase North American technical know-how to close the gap from 20 years to 2 years. Redco will have no part in handing this advantage to our sworn enemies."

A reply from the Canadian firm expresses respect and admiration for the decision made here and indicates that it is now considering rejecting the commission to build the Soviet lumber mill.

Says Mr. Anderson, "We sincerely believe it is high time we quit supplying the Russians with the needs they cannot supply themselves. They don't advertise their deficiencies. They have concentrated on rockets, but in a lot of fields they are not as advanced as we are. They expect to come here and buy our know-how in those fields. To sell them that know-how when they have vowed to snow us under does not make sense."

Judging by the calls they have received there are a lot of Americans who agree. Messrs. Anderson and Hillman will be happy if their decision encourages other individuals to take the same stand.

"Of course," adds Mr. Anderson, "not all may agree with what we are doing. But the freedom to express disagreement and to act according to our individual convictions in the basic freedom we are fighting to preserve. It has now been lost in Cuba and that comes pretty close to home."

Had it gone through, the sale would have been perfectly legal and would have had the sanction of the State Department.

#### CIVIL DEFENSE: HOLES IN THE GROUND OR OFFENSIVE POWER?

Mr. YOUNG of Ohio. Madam President, the most encouraging aspect in regard to the part of the President's message to Congress concerning civil defense is the fact that the present boondoggling Office of Civil Defense Mobilization will be dismantled and reconstituted as a small staff agency to assist the President.

At the present time, over 60 percent of the budget of this overstaffed agency with high-salaried personnel goes for salaries and expenses. Frankly, I am somewhat skeptical of the new proposal, and personally shall withhold final judgment until we see what our President means when he says "A small staff agency."

Madam President, it is difficult for me to understand how the President advised that civil defense can be insurance for our civilians in the event of nuclear war, and at the same time said that it cannot give us any assurance of blast protection or be guaranteed against obsolescence.

Madam President, civil defense, as it has been conducted during the past 9 years, is as obsolete, as antiquated, and as useless as the flintlock muskets, the mustache cups, and the tallow dips of our forefathers. I was about to say that it is as useless as the bustles worn by women in the 1880's. However, bustles might come back in vogue.

Experts have testified that the cost for an adequate shelter program—if there is such a thing—will be anywhere from \$20 billion to \$200 billion. I have repeatedly said in the past, and maintain today, that such an expenditure is

entirely unwarranted, gives no guarantee whatsoever of protection, and would be a gross waste of taxpayers' money.

Having believed all along that the defense of civilians should be the duty and responsibility of the Armed Forces of our country, it was pleasing to hear the President state "I am assigning responsibility for this program to the top civilian authority already responsible for continental defense, the Secretary of Defense."

The Secretary of Defense should be the chief authority on civil defense matters, as he properly is on all defense matters. It is my belief, as well as that of members of the task force on the Defense Establishment, headed by our able colleague, the distinguished senior Senator from Missouri [Mr. SYMINGTON], that the management of civil defense functions should be under the control of those who know most about defense—the leaders of our Armed Forces.

Madam President, in his message, President Kennedy stated that the present budgetary request for civil defense would be more than tripled for fiscal year 1962. To me, that was astonishing.

Faced with so many pressing needs for the defense of our Nation and its continued economic growth, American taxpayers are required to foot the bill for one of the largest budgets in our history. As if our overlapping local, State, and Federal tax systems are not already complex and burdensome enough, we are constantly being forced to search for new sources of revenue.

I, for one, shall continue to oppose any increase in civil defense appropriations and any further encouragement to State and local governments to increase their expenditures in this regard. We face two choices: The first is to embark on a wild multibillion-dollar shelter proposal, which would be entirely foolish and impractical; the second is a modest appropriation for a realistic program of education and self-preparation. Anything over that latter amount will merely add additional millions of dollars for the bureaucrats to squander on silly schemes.

In his recent taxation message to Congress, President Kennedy stressed the need for plugging our loophole-ridden income-tax laws, in order to be able to provide for the things America needs.

Madam President, recently there was introduced in the House of Representatives a bill which would grant homeowners and business organizations income-tax deductions for the cost of building bomb shelters.

Madam President, in my opinion the spending of untold billions of dollars to dig holes in the ground can be advocated only by those who refuse to face reality in the nuclear and space age.

Gen. Curtis LeMay, who recently was confirmed as Chief of Staff of the Air Force, some months ago said:

I don't think I would put that much money into holes in the ground to crawl into, that I would rather spend more of it in offensive weapons in the first place.

It is important to note that in the judgment of this great leader of our Armed Forces, the offensive power of the

Nation and our might for instant retaliation constitute our best permanent shelter for the protection of American citizens.

The proposed legislation provides that taxpayers could amortize, over a 5-year period, the cost of a basement or backyard shelter. The tax credit would be given to anyone who obtained a certificate from the boondoggling national civil defense agency stating that the facility would provide protection in event of nuclear attack.

Whose scheme was it to foist upon the American people a shelter program and make it tax deductible? The present Director of the Office of Civil and Defense Mobilization, Mr. Ellis, is a fine gentleman, and is seeking to render a worthwhile public service. It was his predecessor, Leo Hoegh, who, after having served one term as Governor of Iowa and after having been denied a second term by the voters of that State, then was rewarded by President Eisenhower with the \$25,000 per annum position as Director of OCDM. Mr. Hoegh is the one who initiated these foolish shelter programs and the policy of scaring the people of this Nation. Then, shortly after November 1, when the people remembered who was for them and who was against them, and voted his party out of power, Mr. Hoegh resigned his lucrative post.

Do not feel sorry for him, Madam President, because he became executive vice president of the Wonder Building Corp. of Chicago, in charge—you may guess, Madam President—of selling civil defense shelters to the American people. It is my understanding that this fortunate gentleman will be in receipt of an income probably five times or more the income that the people of his home State of Iowa denied to him.

Let us not be duped. In reality this proposed income tax deduction would amount to nothing more than a tax gimmick which would enable homeowners to build elaborate game rooms, recreation rooms, guest rooms—call them what you may—all at Government expense. Of course, those who rent homes or apartments would receive no benefits at all from this tax loophole. Or, it would enable commercial real estate operators to build additional storage space and underground parking lots at the expense of Uncle Sam's Treasury. Contractors and builders would benefit while American taxpayers continue to sweat and sweat.

The fact is that these holes in the ground will prove of little or no use in the event of nuclear war. It appears to me to be foolhardy to discuss a tax deduction for this purpose at a time when so many immediate problems confront the Nation.

During this session of Congress we have been requested by the President to legislate to close present loopholes in order to provide tax incentives for modernization and expansion of our industrial system and for a concentrated drive to forge ahead in the field of missile and space development. These among other things. How can we even consider opening a new and flagrant tax loophole for rumpus and recreation rooms when Americans have been called upon by

President Kennedy to sacrifice for the greater good of the country?

Madam President, the unhappy, but unarguable, fact is that shelter from an H-bomb in a target area is impossible. Assuming that a few citizens survived the blast, they would be killed in the ensuing radiation, fire storms, or from lack of oxygen. Our cities would be blazing pyres and a mass of pulverized radioactive debris. Surrounding areas for thousands of square miles would be covered with deadly radioactive fallout.

It has been estimated that the radioactive cloud from a single, relatively small, nuclear bomb may be expected to cover an area downwind for fully 200 miles. No one knows how many bombs would be dropped or missiles fired in a nuclear holocaust or what weather conditions would be at that time.

The conditions of modern warfare makes shelters of little or no use in saving American lives. Were we to be attacked with intercontinental ballistic missiles with hydrogen warheads, the total destruction and remaining radioactive elements would be such that underground shelters in basements and backyards would be covered with deadly contamination, and the lethal effects would last, not for hours or weeks, but for months or even years.

The most optimistic estimate of devastation of atomic attack, despite a network of shelters, places probable death at 50 million Americans, with some 20 million others suffering serious injuries. Assuming for the sake of argument that shelters would save lives, there is no assurance that they would not be outmoded by more advanced weapons or that they would offer any protection against an attack even more deadly than a nuclear attack—biological warfare. Does any one of us wish to embark on a \$20 billion, at the least, and possibly \$200 billion gamble to erect underground shelters which, within a few years, may be as obsolete as a Model T Ford?

For too long now, our citizens have been confused and confounded with periodic multi-million-dollar doses of psychological pabulum administered by the Office of Civil and Defense Mobilization. This explains the failure of Americans to take serious the contradictory programs of this agency.

Steadily, citizens have reacted against the hysteria, the screeching sirens, and the practice alerts.

A survey of 35 States and 66 local communities conducted early in 1960 indicated that only 1,500 shelters had actually been reported. If 1,500 people wish to waste their money, that is their business. However, we do not have to make it possible for them to do so at the expense of American taxpayers. In my own State of Ohio, I know of no paid civil defense official who has gone to the trouble or expense of building a shelter in his basement or backyard.

In spite of these facts, in spite of the realities of the situation, it was announced not long ago that 600 high schools across the Nation will build fallout shelters with the aid of Federal grants of money. The Federal grant of \$250 goes directly to each high school with the local board of education pro-

viding the additional necessary funds. These grants should not be permitted.

Madam President, think of it. At a time when one of the topmost problems before us is aid to education, at a time when the Soviet Union is graduating engineers and physicists at a rate three times as great as ours, the Government of the United States is giving money to schools for, of all purposes, the building of useless shelters. The prototype of the high school shelters is alone expected to cost Uncle Sam \$75,000.

This is absolutely an inexcusable waste of taxpayers' dollars. While communities across the land are seeking funds for classroom construction and teachers' salaries, the OCDM is handing out Government funds for ridiculous bomb shelters in our schools.

Madam President, if we foolishly continue indefensible programs such as this and neglect the real needs of our schools and of the Nation, while the Russians continue to surpass us in graduating young people qualified to cope with the new age of science, these ridiculous holes in the ground may eventually be tested.

All of this silly preparation and these dizzy schemes for bomb shelters in schools, 2 weeks' food supplies, and rumpus rooms at Government expense, is nonsense.

Likewise, building bomb shelters in Federal buildings is nonsense. The plan to add a \$2.4 million shelter in the proposed \$40 million Federal office building in my home city of Cleveland—and in similar buildings in other cities—is simply a proposal to take money from the taxpayers for no good purpose. For those blind to reality it is perhaps a kind of therapy. For the idle and untalented it is gainful employment in doing nothing.

These paid civil defense officials sit around waiting for the bomb to drop, and at the same time enjoy fat salaries. Of the \$1.1 billion paid out in the last 9 years, Madam President, 60 percent has been used for payment of salaries to officials of the civil defense organization. Forty percent of those officials receive salaries in excess of \$10,000 per annum.

As one who was born in Puckerbrush township, Huron County, Ohio, many years ago, and who has worked all his life, it appears to me a salary of \$10,000 per annum is too high for people sitting around waiting for the bomb to drop. These people simply sit behind desks with telephones, while the worthy volunteer civil defense workers—to whom I pay tribute—do the real work in time of stress and trouble, of floods and fires.

Madam President, even to consider this proposed tax deduction for holes in the ground, so-called fallout shelters, would be an insult to American taxpayers who will have to shoulder the bill for these recreation rooms. We would do far better to spend our time seeking ways to revitalize our economy and to strengthen our defenses. If we succeed in this, Americans will never have to fear the holocaust of a nuclear war, and our shelter will be the shelter of peace.

### IT HAPPENS IN NEW YORK

Mr. THURMOND. Madam President, it is not very often that the general public of our country, particularly that portion which resides in the North, is fortunate enough to find factual reporting in any nationally circulated publication concerning the racial problems as they exist in areas other than the South. The Paper Curtain is indeed as invulnerable as either the Bamboo or Iron Curtain. In view of this sad state of circumstances, it gives me great pleasure when I note an article which describes what actually is occurring in any northern city in regard to race relations. Such an article, entitled "It Happens in New York," appeared in the February 25, 1961, edition of National Review. It points out the fact that both public officials and families are doing little more than paying lip service to the integration policies of that State.

It is not my intention, in inserting this article in the RECORD, to criticize the people of New York for this action, for this is a problem for the State of New York to solve, but I do hope that they confine their solution to their own State and in the meantime discontinue their hypocritical criticisms of the South.

Madam President, I ask unanimous consent that this article be printed in the body of the RECORD at this point in my remarks.

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

#### IT HAPPENS IN NEW YORK

(By W. H. von Dreele)

It's more fun knocking Dixie, but shouldn't someone report on New York Public School 163, where (shh) segregationists are at work.

As everyone knows who reads the New York Times or its network papers about the country, New York is an integrated city. Until recently, doubters were admonished hourly over the city's radio station that here is a place "where 8 million people live in peace and harmony and share the benefits of democracy." Indeed, were the visitor to happen thoughtlessly into my neighborhood on the colorful West Side, he might be convinced. The scene might even jog back from memory the words of that old Sunday school song:

"Black and yellow, brown and white,  
They are precious in His sight;  
Jesus loves the little children of the world."

I suggest, alas, that His Utopia is still some years away for Gotham. And that the Times and radio station WNYC notwithstanding, birds of a feather continue to show a remarkable tendency to keep together, at least in New York City.

Some years back, the city planning commission OK'd a vast urban-renewal project. Soon thereafter, the decree went out from City Hall that everything from Central Park West to Amsterdam Avenue, and from 97th Street north to 104th would be leveled.

Do not scoff at the law of eminent domain: it is a powerful one. White crosses blossomed overnight on tenement windows. And there were the signs, "This building slated for demolition." Daniel Defoe would have understood. So, evidently, did the original residents, for they were swiftly replaced by bulldozers and wrecking crews. Buildings that must have been standing long before Lincoln's first inaugural, vanished. The area looked like the ruins of Aachen in the winter of 1944. With a few

exceptions, such as the Trinity Evangelical Lutheran Church, all the buildings had been razed.

There followed a period of inactivity. For months, neighborhood children living on the periphery of this project had a grand time building, burrowing, and fighting in the rubble. Eventually, a New York evening newspaper called its readers' attention to the strange lassitude on the part of the city officials. But that's another scandal, er, story.

Finally, the builders' shacks went up and foundations down. I, as a confirmed West Sider, rejoiced. Here was the city beautiful in process of creation. I adopted a proprietary interest as:

1. From 97th to 100th Street, an air-conditioned, balcony-trimmed complex of red brick structures rose, while

2. From 100th to 104th Street, red brick but somehow more "institutional" looking shafts soared upward. And meanwhile, joining the two areas,

3. The low-slung Alfred E. Smith School (Public School 163) meandered in the approved ranchhouse style.

#### REPORT FROM THE TOP

At some point before completion, I got a message. This was to be an integrated neighborhood. The authorities—but let's go straight to the top. New York School Superintendent Dr. John J. Theobald has assembled the facts for us in a report titled simply: "Toward Greater Opportunity." Quote (from the Times' story):

"Illustrating the difficulties faced by the school authorities in trying to create and maintain integrated schools, the report points to the opening of Public School 163, Manhattan, which was to serve two nearby developments: Frederick Douglas Houses, a low-income project of 2,057 apartments, and Park West Village, a privately sponsored development planning 2,583 apartments for middle- and upper-income families. Douglas Houses is about 75 percent Negro and Puerto Rican; Park West is almost entirely white.

"Park West parents sent only four children to Public School 163, preferring to enroll their children in private and parochial schools." The report was issued in June. Total Park West children enrolled now in Public School 163: about 10.

And that's all there was. There was no editorializing, no Times comment which one would have expected had this experiment been tried in, say, Atlanta. And that is the point of this article.

For the people living in Park West Village are not from New Orleans, Richmond, or Atlanta. Talk with some of them as I did. They are average- to upper-income New Yorkers. They pay from \$115 for a 1½-room apartment to around \$250 for a 4-roomer. Their names are Smith, Johnson, Stern, O'Leary. Many of them are in the professions. All of them were attracted by Park West's magnificent view of Central Park, and an equally spectacular view south over Manhattan (a panorama shared, by the way, by residents of the low-income project to the north). And, frankly, those Webb and Knapp ads are enticing. Park West has "19-foot terraces, onsite parking, free gas, individually controlled air conditioning," not to mention "many other luxury-living features."

Yet almost all of these people, when faced with choosing between an integrated Public School 163 or private schools for their children, chose the latter. Nor did they line up outside the principal's office to chant "Two-four-six-eight; we don't want to integrate." Thus, they failed to make the front pages.

#### A SCHOOLMAN'S VIEW

Not so long ago I walked up to Public School 163 and talked with a member of the

faculty. The building is yellow brick, and completely surrounded by a wire hurricane fence. A sign on the fence advises: "Loiterers in vicinity of school or trespassers on school property are subject to arrest for disorderly conduct." Not planning a sit-in, I pressed on. Inside the main entrance is another sign. "Visitors report to room 115. Loiterers will be \* \* \*." You know.

I was prompt, and so was the faculty member who must, I'm sorry to say, remain nameless. I had my queries organized.

Question: "Sir, why are there so few Park West children in your school?"

Answer: "Hard to say. Some mothers are afraid they'll learn bad habits. Others cite violence. It's a strange, generalized fear."

Question: "Do you think ethnic questions enter in—the fact that the majority of your students come from Douglas Houses which are 75-percent Negro and Puerto Rican?"

Answer: "You'll have to find that out on your own. Actually, I practice segregation here myself, and I've been criticized for it. But I do it for sound teaching reasons. In, say, the fifth grade, the slow learners go into the lower sections; the more gifted, into the top. Inevitably, there are fewer Negro and Puerto Rican children in the upper sections."

Question: "Why 'inevitably'?"

Answer: "Because of poor home conditions, cultural disadvantages, slow starts in life."

Question: "Would you say there's considerable hypocrisy in New York's school integration program?"

Answer: "I'd have to agree with that."

My informant is a dedicated public school man. He wouldn't agree that the boycott of his school by Park West parents proved anything. He did agree, however, that the New York newspapers left his school pretty much alone; that they preferred to discuss southern problems. He believes that time and the educational process will provide the ultimate solution.

But since I'm unable to name this gentleman, let's return once more to the good Dr. Theobald and his report. I quote verbatim from, once more, the New York Times:

"After years of a steady exodus of white children to private and parochial schools, approximately one-third of all city children are now enrolled in such nonpublic institutions. In the last 3 years 53,683 children have left the city's elementary schools to attend private and parochial schools. Between 1950 and 1958 a total of 835,000 alien immigrants, Puerto Ricans and Negroes from the South, moved into the city, with Puerto Ricans and Negroes constituting almost 60 percent of the total. In the same period 1,285,000 persons, most of them white, left New York City."

I suggest these figures prove something: that school integration is a national problem. I believe the personal decisions not to integrate taken by parents in Park West deserve national attention. And I'd like to end with a plea to whom it may concern. Please. New York's school integration woes also provide news that's fit to print. Give an occasional look at what's doing in the Big Town's system. It's fun to knock Dixie, but Broadway's your beat, too. Some call it the loneliest street in town.

#### FLAG DAY AND THE 186TH ANNIVERSARY OF THE U.S. ARMY

Mr. THURMOND. Madam President, I rise to remind my distinguished colleagues of two notable events we celebrate today. By proclamation of the President, Americans everywhere are paying special honor to our national colors. This is most fitting for on this

date 184 years ago, the Second Continental Congress resolved—

That the flag of the United States shall be of 13 stars of white on a blue field, representing the new constellation.

Appropriately enough, Madam President, Flag Day is also the official birthday of an organization which has insured that the American constellation would rise to a position of unparalleled radiance and would exercise an incalculable influence for good. Today is the birthday of the U.S. Army, for 186 years the bulwark of the Republic.

The embattled farmers of Massachusetts fired "the shot heard round the world" in mid-April of 1775. In the old State House on Chestnut Street in Philadelphia, our agitated predecessors bided their time. Most hoped that George the Third would finally see reason. But there was another consideration too, for Massachusetts had urged the Congress to adopt, as a single Continental Army, the band of incredibly brave but poorly organized New Englanders who were already in the field. This adoption may have passed unrecorded on June 14, 1775. But we know that on that day Congress determined to provide substantial aid to the patriots at Boston, for it resolved:

That six companies of expert riflemen be immediately raised in Pennsylvania, two in Maryland and two in Virginia.

On the following day the Congress gave this small Continental force and the New England troops a commander in chief, the incomparable Washington.

The 10 new companies thus formed for the Continental Army stood at the threshold of a struggle which raged fiercely for 6 years. Six years is not long as nations count time but those years were filled with events dramatic and meaningful enough to give our infant land a heritage as rich as that of any of the ancient states of Europe.

Our Revolution marked only the beginning of the Army's service to the Nation. There would be much to do. Independence had to be safeguarded and a vast continent won. The Union would have to be preserved, no matter how great the cost. The U.S. Army helped achieve these things. All the Nation asked, it did. I need not remind Senators of Anthony Wayne at Fallen Timbers, of Jackson at New Orleans, of Scott at Chapultepec, and of Teddy Roosevelt at San Juan Hill.

Our Nation then entered the 20th century as a world power. But three times within nearly as many decades, we paid the high price of freedom. American soldiers tramped the ancient battle-grounds of war-weary Europe; sweltered in the steaming jungles of isolated Pacific atolls; shivered on Korea's frozen ridges. The names of Pershing, MacArthur, Marshall, Eisenhower, Bradley, and others were added to the long list of America's great captains.

During the course of 186 years the strength, organization, weapons, and dress of our Army have changed radically. But its mission—defense of the Nation—has remained the same. Our Army, however, has been able to accom-

plish much more than its basic military mission. It has made outstanding contributions to the general welfare of all our citizens—contributions unmatched by any army in history.

Capt. William Clark, Capt. Zebulon Pike, Lt. John Charles Fremont, Army officers all, blazed trails through and charted the American wilderness. Army Engineers were harnessing waterways and dredging harbors as early as 1824.

But over the years, Army advances in medicine have been as important as achievements in exploration and engineering: Yellow fever, typhoid, and beriberi fell before the insistent research of Army doctors. This tradition of dedicated research is kept alive today. At Walter Reed Army Medical Center, to mention a familiar example, Army doctors have developed prosthetic appliances to an unsurpassed degree. Not only the brave men who lost an arm or a leg in wartime benefit from this research but those unfortunate victims of peacetime accidents as well.

Other contributions stemming from Army research and development include modern aircraft, weather prediction techniques, the interchangeable parts concept basic to mass production, smoke generators for crop protection, automatic transmissions, flameproof fabrics, and modern methods of food processing and packaging. I could continue this varied list almost indefinitely, Madam President, but suffice it to say that the U.S. Army has not only helped to guarantee freedom for all Americans but it has contributed immeasurably to making our American way of life the richest and fullest in the history of men.

We must not be so proud of the past, however, that we become careless of our destiny. It is to our American destiny and the role of the Army in helping to insure fulfillment of that destiny that I shall now address myself, Madam President.

Since 1945, as President Kennedy noted in his first defense message, non-nuclear and sublimated or guerrilla warfare have "constituted the most active and constant threat to free world security." Our strategic retaliatory forces—while truly awesome—have been of little use in countering the Communist nibbling at the periphery of freedom. These strategic weapons systems do not provide the flexibility needed to counter this insidious threat. In the present situation, then, the Army bears much of the burden of our day-to-day defense.

Currently some 40 percent of the Army is deployed along the Iron and Bamboo Curtains as a constant reminder to potential aggressors that any movement forward will be met at once by American soldiers. The presence of Army personnel in friendly areas overseas provides clear evidence of our determination to stand against attack, reminds the Communists of the consequences of aggression, and inspires continued firmness on the part of our allies.

Of course, the Communists may strike at any one of a large number of widely separated points. Therefore our Army maintains a centrally located reserve

force ready and available for immediate commitment to combat anywhere in the world. This force, the Strategic Army Corps—STRAC—is an air transportable force of three divisions which can use atomic or nonatomic firepower.

This dual capability—a hallmark of our entire Army—permits it to react with a measured response. It can literally make the punishment fit the crime. All of us realize the importance of this measured response for there are many situations in which nuclear weapons would be useless. This is one of the reasons why the Army requires an arsenal of flexible modern weapons and equipment.

It also requires adequate manpower to cope with the threat. The Active Army must be capable of countering those military threats which could develop quickly at any time. But with only 14 divisions on active duty—a modest force when compared with the Soviet Union's active army of over 150 divisions—the Army must have considerably greater manpower available in depth. The United States has this reserve manpower in its citizen soldiers of the Army National Guard and the Army Reserve. The two Reserve components combine with the Active Army to form the one U.S. Army, a force of great versatility, capable of applying a broad spectrum of power—capable of measured response.

In discussing measured response, I should be remiss if I did not make special mention of that extraordinary band of fighters which the Army calls "special forces." The men of special forces, all paratroopers and most of them crack Army Rangers, are highly skilled and superbly trained specialists in the art of unconventional warfare. Their wartime mission is to work their way into enemy areas to organize, train, and direct local guerrilla units in combat operations.

Recent history has taught how effective guerrilla units can be. But long ago, the Army started its training of special forces so that America—and the free world—would be ready when the counter guerrilla need arose.

Of course, Mr. President, we all realize that much remains to be done if our Nation is to have the truly modern Army it needs to discharge its vast responsibilities to the free world. Certain types of weapons, now in the hands of only a limited number of our troops, must be available to all our soldiers as quickly as possible. While there has been a notable increase in the strategic airlift and sealift capabilities of the Army's sister services, more will be needed before the Army has the required degree of strategic mobility.

Last but not least we must consider the Army's ultimate weapon, the combat soldier. Now more than ever before the Army needs highly qualified personnel capable of absorbing the increasingly complex and rigorous training that the times demand. Since our commitments will grow rather than diminish during these perilous times, we must continuously evaluate Army personnel needs in the light of these commitments.

While the Army has its roots in the traditions that made our Nation great,

its gaze is set resolutely forward. To be ready for any eventuality, the Army thinks in terms of the conditions it may face in the uncertain years ahead. It visualizes the weapons and equipment it may need as well as the quantities necessary to carry out its mission. The Army's forward look is fully apparent in its current reorganization plans, recently announced by the President, and I am confident that this is but one visible example of Army planning which will enable it to cope with the shifting tactics of ground warfare.

I spoke a moment ago of our American destiny. Very simply it is to remain true to our heritage of freedom. We do not wish to remake the world in our own image. But as Woodrow Wilson said:

We will fight for those who submit to authority to have a voice in their own government.

President Kennedy pointed out in his most recent defense message that this Nation was born of revolution and raised in freedom. "We do not intend," he said, "to leave an open road to despotism." These I know are our sentiments here and the sentiments of Americans everywhere.

Our U.S. Army, acutely conscious of its own birth in freedom, stands today—as it has for 186 years—squarely astride the tyrant's path. History has proven that it will stand as a powerful force for peace only so long as it is firmly rooted in the strength of the entire Nation. Thus, as we salute the Army on the 186th anniversary of its selfless service to the cause of liberty, let all Americans resolve never to falter in their responsibility to an organization which has never failed the Republic and—God willing—never shall.

Mr. CURTIS. Madam President, I wish to commend the distinguished Senator from South Carolina [Mr. THURMOND] for calling attention not only to those of us in the Senate but also in the whole country, that today is Flag Day and the 186th birthday anniversary of our Army. Much of the troubles of our country today stem from the fact that it is considered unpopular and old-fashioned to be patriotic. The distinguished Senator from South Carolina has never been found in that category. I say to him, may his tribe increase.

#### TRACTORS FOR CASTRO

Mr. CURTIS. Madam President, I wish today to speak concerning the so-called tractors-for-freedom matter. I hold in my hand a newspaper clipping which appeared last Monday in one of the Nation's leading newspapers. It states: "A four-man team hopes to arrive in Cuba tomorrow" for negotiations with Prime Minister Castro in his plan to trade 1,200 prisoners for 500 tractors. The technical team which arrived in Washington yesterday from Detroit to obtain entry permits to go to Cuba was named by a citizens committee raising funds to buy tractors. Castro has said he would talk with the team, although he would have preferred to negotiate

with Mrs. Eleanor Roosevelt or Dr. Milton Eisenhower, cochairmen of the committee.

Madam President, that delegation of four individuals may be taking steps which will determine the future history, not only of this Republic but also of the whole Western Hemisphere. Who are these men? Among them are three college professors. I have nothing against college professors. Their specialty happens to be agricultural engineering.

Are they going to Cuba to teach the operation of tractors? If such a team must go to Cuba, why is it not made up of individuals who are trained and experienced in dealing with Communists? Why pass up all the talent that we undoubtedly possess in this field?

The fourth member of the team is an official of the United Auto Workers' agricultural implement department.

Why do they start out from Detroit? I do not know. There are a number of people who feel that certain kingmakers in Detroit are having too much to say about the running of the country. It may be a coincidence.

This is a shocking thing. I caused an inquiry to be made at the State Department as to what kind of security check had been made on the four negotiators. So far as I know, every one of them is a loyal citizen. I am not attacking any of them. I am challenging and questioning the practice of this Government. What reply did I receive? They were given no security check whatever, not even a security check that is given to an 18-year-old youngster who applies for a G-2 job in Government. Yet they are to go there, Madam President.

I wish to read a letter from a Navy lieutenant concerning the tractors for Cuba. The writer of the letter to me was himself a prisoner of the Communists for about a year and a half.

The letter is from Navy Lt. Duane W. Thorin, a native Nebraskan, the eighth son of Swedish immigrant parents who homesteaded in western Nebraska at the turn of the century.

Lieutenant Thorin enlisted in the Navy as an apprentice seaman in 1939; served in continuous active duty ever since. Designated a Navy enlisted pilot in 1943; served the remainder of World War II in the Pacific theater. Served in China and the Far East immediately after World War II during the period when the Chinese mainland was overrun by the Communists.

Served as a helicopter rescue pilot during the Korean war, flying from various ships and offshore islands in North Korean waters. Evacuated more than a hundred U.S. and allied forces from enemy territory in North Korea before being shot down and captured by Communist forces during an unsuccessful rescue mission in February of 1952.

Escaped captivity in July 1952, but was recaptured by the enemy before reaching friendly forces. Repatriated in Operation Big Switch, in September of 1953.

He authored a book, "A Ride to Panmunjom"—Henry Regnery Co., 1956—recounting, in fictional form, actual events which took place in Communist prison camps where he was confined. This

book depicts the reactions of many different types of American servicemen to the rigors of their Communist imprisonment.

Lieutenant Thorin's knowledge of the Communists, their conspiracy and their tactics is not limited merely to that which he learned while their prisoner in Korea. Since repatriation he has maintained, on his own time and resources, an intensive and continuing study in this field. This work has resulted in a number of published articles dealing with Communist tactics as applied in current affairs, several of which have appeared in U.S.A. magazine. He has done a number of separate analyses in this field for various private and governmental organizations and given innumerable lectures to both military and civilian groups.

The letter is as follows:

JUNE 2, 1961.

DEAR SENATOR: Along with many of my shipmates and, I'm sure, many other of my countrymen, I am gravely disturbed over the current campaign to raise funds to pay ransom to Castro. It happens that I am in a better position than most Americans, however, to take exception to this campaign without drawing undue criticism upon myself. Having myself been a prisoner of the Communists (during the Korean campaign), I am less likely than others to be accused of heartlessness toward the 1,214 human hostages who are involved. I understand their predicament full well, and I'm sure my compassion for them at least equals that of the self-proclaimed humanitarians who are heading the ransom fund drive. It is not in contradiction to my compassion for those men, but because of it, that I insist we should not ransom them. To submit to blackmail at the hands of their Communist captors not only is against the best interests of our own country and of the Cuban people at large; it is contrary to the interests of the worldwide battle against tyranny and, in the final analysis, against the best interests of the hostages themselves.

Realizing the hue and cry which may be raised against my last contention, I will elaborate on that point. Assuming that the 1,214 men who are offered for ransom are indeed of those who were fighting to free Cuba, then to ransom them would be to betray the very cause for which they fought and in the service of which they fell to their present misfortune. If their cause was worth their risk of life on the invasion beach—and I believe that it was—neither we nor they can view their situation differently now without abandoning that cause.

There are many, perhaps, more tangible facts, which indicate that present U.S. attitude in this matter is unwise. Among them:

1. There is no guarantee of the legitimacy of the individuals whom Castro may release. Can we trust a nonofficial emissary to insure this without the weight of the U.S. Government to back him up? Certainly we cannot trust Castro.

2. Any who are released will almost certainly have signed a pledge to refrain from any further anti-Castro activities. (The Communists tried to get such pledges from American prisoners released after the armistice in Korea.)

3. There is no assurance that Castro will not suddenly change his mind, calling the deal off before the first exchange or after a few, if it suits his purpose; or otherwise further embarrass the United States by demanding something more. No one can deny that he is calling the shots in this affair.

4. We open the door for further blackmail, despite loud claims to the contrary by promoters of the campaign. We have

paid ransom to the Communists before. In each instance, they have decided which ones they would release of the many hostages they hold, and largely set the terms of the exchange. It is noted that, generally, the price has gone up each time. How much will we be willing to pay for the next group of hostages some Communist dictator wants to sell? Or would it be more proper to ask how much we will be asked to pay, since we never seem to quibble over the price?

5. A press dispatch from Tokyo, dated May 31, 1961, reports that Communist North Vietnam has served notice—they will apply Castro's "tractors for prisoners" principle to any Americans or American-trained anti-Communist forces whom they happen to capture. Another news report tells us that at least three more of the anti-Castro Cubans who were captured during the invasion attempt have been condemned to death by Castro—since negotiations began for ransom of the 1,214.

This campaign is called "tractors for freedom." I would call it, more properly, "tractors and freedom"; that is what we are giving up when we give way to blackmail—a few tractors, which in the monetary sense we may be able to afford, and an element of freedom which we cannot in any sense afford. Once we give way to blackmail, out of fear of dire consequence if we take more appropriate action, we become slaves to our fears at once and eventually to more than that. This is not the way of men who cherish freedom.

Freedom can never be bought by material goods. We cannot ransom our way out of danger or difficulty, no matter how much we are willing to pay.

The promoters of this ransom fund drive (including certain public officials) contend that Castro has "bumbled" in this affair—that he is losing popularity as result of it, especially in Latin and South America. Are these "prominent" individuals, at this late date, still unaware that a Communist dictator doesn't give a hoot about popularity. A Communist doesn't care if he is liked, he wants to be feared.

Although they make much use of so-called world opinion in pressuring us to concessions in their own favor, the Communists are most cynical of what people may think, or even say about themselves—so long as no effective action results which is contrary to Communist interests. A prime example of this can be seen in some remarks of Khrushchev in Hungary, less than 2 years ago. Speaking in Budapest, on the third anniversary of the event, Khrushchev boasted, long and loudly, of his suppression with Soviet forces of Hungary's bid for freedom in 1956. Then he mentioned that attempts were then underway to make this instance of Soviet intervention in Hungary a topic for discussion in the United Nations. About this move he said, "Well, if it gives them any consolation, let them talk about it. Let them have it for a souvenir." Understandably, that remark was followed by laughter from his Communist audience.

It is further argued by promoters of the ransom fund that Castro's position is hurt by this affair because it reveals his callousness toward human life. Anyone who could not deduce this from Castro's past actions seems hardly capable of a discerning opinion of his own in any case, and is not likely to take any constructive action if some vague awareness is now finally reached. Again the argument overestimates the value of so-called world opinion in shaping world events. It is unfortunately true that our Government seems inclined at present to give way to the nebulous "moral" force of this so-called world opinion. But the Communists most certainly do not let it deter them in any way.

It should come as no revelation to previously informed adults that Castro equates

human life with material goods. No Communist ever conceals the fact that he so regards human life (other than his own); rather, he boasts of it. The point is that in acceding to this demand for ransom we are in fact acting on the same premise. We do not demonstrate a high regard for the lives of others by trading tractors for them. We can do it only by showing ourselves willing to risk our own necks in their behalf. The humanitarian concern of the ransom fund promoters does not generally seem to go that far. More accurately it seems that they would pay this homage to Castro in order to avoid even a little risk to themselves. How easy it is to appear magnanimous and humanitarian with other folks' money.

But, of course, it is also easy to speak boldly of risking other people's lives. So let there be no misunderstanding of my own position. I am entirely in favor of liberating the Cubans who are held prisoner by Castro and his henchmen. But not just some of them—all of them. That is to say, all of the Cuban people, for they are all prisoners of the international Communist conspiracy.

In support of that position, I offer not just a few pennies for the purchase of equipment. I offer my services in action—to lead such other volunteers as I may be qualified to lead, and to follow such others as are qualified by their wisdom and experience to lead me in such action.

Let me assure you that this is no idle proposition. Neither is it an impractical one, or without precedent in history. I would insist, of course, on one of two conditions for such a venture. Either that volunteer group must have the complete backing of the United States Government, or the United States Government should keep completely out of it. We experienced quite enough the tragic consequences of half-hearted and vacillating official policy during the Korean campaign. And similar vacillation on the part of officialdom seems to have contributed to misdirection of events which led to our present near dilemma regarding Cuba.

I would prefer, of course, that the U.S. Government should back such an enterprise, or still more preferably initiate it. I would like very much to see my country assert itself once more in the American tradition. But since its dominant leadership appears, at the moment, to favor abdication of its responsibilities in this particular matter, leaving it in the hands of interested citizens groups, someone must surely move in to fill the vacuum. I would much rather see that vacuum filled by Americans who will still stand firm, than leave our destiny in the hands of such citizens as are crusading for the ransom funds. For theirs, whether they know it or not, is the way of piecemeal surrender—and certainly not the way of men who cherish freedom above material security.

One does not, of course, condemn all who support or contribute to this ransom fund drive. No doubt many do so with only the best of motives. But there is an oft-repeated cliché which says that "the road to hell is paved with good intentions." It is perfect analogy to say that the same holds true of the road to Communist subjugation. History reveals this, all too vividly with nation after nation; including the one (Cuba) with which we are immediately concerned.

One must acknowledge, too, the emotional appeal of this campaign to ransom the 1,214 prisoners. Which is all the more reason neither to belittle nor condemn the truly humanitarian motives of many who may be supporting it. But it is not condemnation to point out that their good efforts and fine sentiments may be misdirected. There is ample reason to question the motives of some who are heading the campaign. For they certainly are in positions to know the broader

implications of this affair; and should be fully aware that no such matter as this should be considered apart from the worldwide pattern of Communist aggression and advance. Yet they persist in their claims that our position in this world conflict is somehow bettered by this concession to the enemy; and in the promotion of their crusade would have their listeners believe that any who oppose their project are heartless, if not downright inhumane.

So let us examine, just a bit, the professed humanitarianism of some of those who are leading the ransom fund drive. Can we not reasonably ask: Where is their humanitarian concern for the untold numbers of Americans held captive by the Communists? Those held in Red China, for example, are they not worth the price of a tractor? Or is the rate of exchange a bit higher for them? (Such as diplomatic recognition of the Communist regime in Peking. It bears mention that some of the "prominent citizens" who are in the van of the ransom fund drive are on record as promoting just such concessions to the Chinese Communists.) And where is their humanitarian sentiment for those, previously mentioned, of captured anti-Castro forces who only last week were ordered to execution? I see no mention of them in the emotional appeals being made for the ransom fund. Yet these, I would consider, are the most deserving of our concern.

Where is the humanitarian concern for the 200,000 human beings now held as political prisoners by the Castro regime? Still further, where is the humanitarian fervor for liberation of the Cuban people at large? Every Cuban, be he presently walking the streets of Havana, or shackled in a cell in Cabanas, is in imminent danger of summary execution. One word, even of mere suspicion, can lead to his immediate arrest and liquidation. Such is the way of all Communist regimes, both in principle and in practice. Castro's record shows that his is no exception.

I have personally witnessed Communist suppression of their own subject citizens. The inhumanity of their methods is perhaps beyond the imagination of most Americans. I have seen their peoples courts in action, and observed their consequences in human depravity and suffering. I have been able, while a prisoner of the Communists myself, to feel genuinely sorry for citizens in the community surrounding my place of confinement, who were as free as any ever are under a Communist regime. For I had at least known freedom and had some prospect, small though it seemed at times, of knowing it again. But they, the most of them, had neither such memories of freedom or even a little such hope.

Perhaps no single method of the Communists in suppressing their subjects is more evil and inhuman than the peoples courts. Certainly none is more revealing of the true nature of Communist rule. This is a process wherein the citizens of a community are gathered together and one of their number exposed as an enemy of the state. The victim is stood apart, but in view of the entire crowd; then one after another of his neighbors is called upon to come forward and tell what they know about him. Let any refuse to testify, or perchance speak in the victim's behalf, and they may shortly find themselves charged along with him. In short order the crowd is transformed into a mob; partly out of fear for their own skins and partly because they begin to believe even the most gross lies which are being shouted about the victim. The Communist in charge incites the mob to whatever degree of violence is necessary to get them to pronounce the sentence which the Communists want the victim to receive. Thus do the Communists who have ordered the affair absolve themselves of responsibility for the act, and place it upon the people.

Controlled mob violence is a primary tool of the government, in a Communist society; used deliberately by the Communists to keep the citizens subdued. And they call it, incidentally, "democratic action."

Such is the nature of Communist rule, wherever it is imposed. We Americans have stood by, hesitant and uncertain, while just such rule was imposed on our neighbors in Cuba. The Communists fully intend, eventually, to impose the same on us. They have declared so, repeatedly, including their very latest official pronouncements. Yet still we hesitate—we remain uncertain and undecided. If we would prevent the fall of this nation and of the world to Communist rule, we must take some far more decisive action than paying homage and ransom to those who would bring it about.

In analyzing this matter, I have relied much on personal knowledge of the enemy and their methods which I gained during the Korean campaign. There are other, more comprehensive lessons learned from that campaign which also apply. Shortly after the armistice in Korea, an extensive study was made of the behavior and misbehavior of a number of Americans who were held prisoner by the Communists. Out of that study came a document called the "Code of Conduct for Members of the U.S. Armed Forces." One part of that code says for the American fighting man, "If I am captured I will accept neither parole nor special favors from the enemy." It says, in effect: "I will not make a deal with the enemy; because I know that any deal he offers is in his favor and not in mine—and that it is not in my country's favor."

The code of conduct was issued as an Executive order. Certainly a different individual occupied the office of the Chief Executive then than now. But the order still stands. Would our present Chief Executive want to cancel at least that part of the Code of Conduct which requires of an American fighting man that he will not accept parole from the enemy if he is captured?

We seem to be honoring parolees from the Communist prison in Cuba, and acceding to their demands. (Let me repeat, I am not at all against these men or their best interests; I appreciate their circumstances better, I think, than most Americans are able to.) Ten men accepted parole from the enemy to come to the United States and plea for us to bail them out. In fairness to them I must make clear that I have heard of no pleas expressed by themselves directly, and I do not at this point impugn either their courage or intent. I am far more concerned over the behavior of others, in their regard—of certain Americans who were involved in the parolees' appearance in America. For those men were put on display—they were used as "backdrop" for the staged pleas (and photographs) of one or more of the "prominent" American citizens who are heading the ransom crusade. They were used as part of an emotional appeal—tending to outlaw the reason and judgment (however harsh that judgment may seem to some) which should be used in meeting this situation.

Let there be no misunderstanding of my complaint, lest someone charge that perhaps I feel slighted because no one offered to trade a tractor for me while I was a prisoner of the Communists. Quite to the contrary—it was my earned privilege to spend most of my imprisonment in the company of a very select group of men, most of whom were called, by the enemy, incorrigible reactionaries. I've heard these men pray, and I have prayed with them, not in piety but in the deadly serious way of men who are fully self-committed to battle with the enemy at all costs: "God, don't let our people give way to these b - - - s in the talks at Panmunjom. I'll stay here till doomsday, if I must, or find the way to get out by myself. But don't let them sell us short at Panmunjom."

By no means would I want our President to cancel that part of my code of conduct which provides that an American fighting man captured by the enemy will not accept parole. For this, together with the other provisions of that code, is essential to the best interests of the captive fighting man as well as the cause which he serves. What I would like is to see all America abide by that code. Make no deals with the enemy, but take a firm stand, however belated it now may seem to be. Begin now the long and difficult task of destroying the Communist conspiracy, and of liberating all of the human hostages it holds.

I submit these views and proposals as personal and private opinion, in no way pretending to represent the naval service or the Naval Establishment at large. And I do so fully aware that some will contend that a commissioned officer, or any member of the U.S. Armed Forces, is duty bound to refrain from such public remarks. But I note that certain high Government officials, both elected and appointed, have publicly endorsed the ransom fund campaign, claiming that in doing so they do not involve their offices or the U.S. Government. I contend, therefore, that others of us in less prestigious positions must still have the right to as freely speak in opposition to it. If the situation is later shown to be otherwise, then it is already too late to defend ourselves against tyranny, we will need instead to extricate ourselves from it.

My primary purpose in expressing myself in this matter is to encourage our national leadership to establish a clear firm stand against the menace of communism, in all its forms. Only then can we, the people, stand with that leadership and back it to the hilt. I am convinced that most Americans favor such a stand, whenever they become aware of the finality of this present world conflict. (Increasing the extent of that awareness will be a much smaller problem once a firm and decisive policy is established.)

Even so, I realize full well that for being so candidly critical of our national policy and, through it, of our dominant national leadership, some may consider me, technically at least, to be in violation of certain established codes of behavior expected of an officer in the U.S. military service. "Ours not to question why—ours but to do or die," is a long-standing expression of what some think should be the philosophy of a man in uniform. But it is a philosophy which can apply for Americans only when their leadership is decisive and certain as to its goals; and when those goals are clearly consistent with the principles of our Nation and its basic concept of freedom. Otherwise it would be naught but blind allegiance, as readily misled into unworthy cause or tragic experiment as it might be directed to proper and noble service.

No mature person, basically aware of current events, can help but know that at this moment there is uncertainty and indecision in our national and foreign policy. It is not necessarily fault-finding to say this, it is a facing of the facts. Some periods of uncertainty are bound to be, in the complexities of world affairs. It is most unfortunate that uncertainty has prevailed for so long in the United States on this matter of combating the Communist menace. Worse, still, is the fact that there is no public evidence to date that this situation is going to change in the very near future.

We are told by our national leadership that the country is in grave danger. Yet it is not clearly shown what the danger is, much less what is intended to be done about it. We are told that we must make sacrifices, but it remains unclear just what we are to sacrifice. Is it only money—or tractors? No human problem can be completely solved with material goods alone. For the sacrifice of these does not involve personal

commitment. A man does not give himself to the battle without some worthy goal which is clear in his own mind. Wherefrom can the man in uniform—or any dedicated American—gain a sense of purpose and direction when uncertainty and vagueness prevail in his national leadership?

For my own part (and perhaps this may be helpful to others) I find it embodied very well in the oath one takes on acceptance of a commission in the U.S. military service. The foresight of our Founding Fathers is further demonstrated in the structure of that oath. For a man is not sworn in allegiance to any individual or office of government. He pledges himself to the Constitution of the United States—to uphold and defend it against all its enemies, foreign and domestic. I perceive that at this moment it is gravely threatened by both kinds.

Most sincerely,

DUANE W. THORIN,  
Lieutenant, U.S. Navy.

During the delivery of the speech by Mr. CURTIS,

Mr. MORTON. Madam President, will the Senator from Nebraska yield?

Mr. CURTIS. Madam President, I shall be happy to yield. I ask unanimous consent that the colloquy be placed in the RECORD following the completion of my reading of Lieutenant Thorin's letter.

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

Mr. MORTON. Madam President, I desire to commend the able Senator from Nebraska for bringing this very interesting letter to the attention of the Senate. We keep talking about tractors for the Cubans. We refer to the tractor deal. Let us not forget that the original proposal by Mr. Castro was for bulldozers and tractors. We do not know how many bulldozers will be involved.

Furthermore, anyone who served in the Seabees in World War II or in the Korean war knows that a bulldozer is a very important military mechanism, if not a weapon.

I agree with the position of Lieutenant Thorin and the Senator from Nebraska, and all of us in discussing this subject should remember that the proposal is not for a large number of small cub tractors to be used to cultivate the fields in order to produce food for the hungry people of Cuba. This deal, as originally proposed by Mr. Castro, and as accepted, as I understand, by President Kennedy—at least, President Kennedy urged certain citizens to form a committee to try to implement the deal—involved bulldozers as well as tractors. We know that bulldozers are used to build airfields and launching pads. Bulldozers played an important part in our victories in World War II and the Korean war.

Mr. CURTIS. I thank the distinguished Senator from Kentucky. I again call attention to the fact that of the four negotiators, who may be determining the fate of the entire Western Hemisphere, three are professors of agricultural engineering. They may be the most excellent characters in the world; I do not wish to condemn them. But certainly they are not men who are experienced in hard dealings with Communist dictators. The fourth member of the group is a representative of Walter Reuther's union. Those men are in Cuba without

any security check from the U.S. Government. History will hold someone responsible.

#### VISIT TO THE SENATE BY MEMBERS OF THE SENATE OF THE REPUBLIC OF BRAZIL

Mr. SPARKMAN. Madam President, we have just had a luncheon in the Foreign Relations Committee room, over which the distinguished Senator from Oregon [Mr. MORSE], chairman of the Subcommittee on Latin American Affairs, presided. Unfortunately, the Senator from Oregon, as well as other members of the committee who were present at the meeting, had to go to committee meetings. Therefore, the duty and the privilege falls upon me to present some distinguished persons whom we have with us today, Senators from the United States of Brazil. I present:

The Honorable Reginaldo Fernandes de Oliveira.

The Honorable Ruy Carneiro.

The Honorable Jorge Maynard Campos.

The Honorable Fausto Cabral.

The Honorable Miecio dos Santos Andrade.

[Applause, Senators rising.]

I should like to say something that, of course, it is not necessary to say, because we all know that Brazil is one of the great countries of the free world. It is a fast friend of the United States, and has been throughout the years, and I feel certain that we shall continue to work in close harmony with the people of Brazil.

Therefore, it is most fitting that these distinguished Senators visit us, and we are delighted to welcome them to the floor of the Senate on this occasion.

I yield to the Senator from Vermont [Mr. AIKEN.]

Mr. AIKEN. Madam President, I wish to join in extending greetings to our fellow Senators from the great Republic of Brazil. Brazil, as we all know, operates more like the Government of the United States of America than does almost any other country. I think it is more nearly like our system of government than that of any other country.

Brazil has always been a great friend of the United States. We have worked together time and again, in times of crisis, in times of peace.

I join the Senator from Alabama in welcoming these distinguished guests to this Chamber today.

Mr. SPARKMAN. Madam President, I yield to the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Madam President, I wish to join the distinguished Senator from Vermont [Mr. AIKEN] and the distinguished Senator from Alabama [Mr. SPARKMAN] in welcoming our compatriots from south of the border.

We are aware of the great difficulties which confront your country at this time. We know you have a problem of great need and importance in the northeast. We know you are trying to expand your country westward to the extent that people will move away from the seacoast and into the interior. We

know your President, Mr. Quadros, has a dangerous inflation problem to contend with, but we honor him for the attempts he is making to bring stability to the great Republic of the United States of Brazil. We know the course he must follow will be extremely difficult, but we want to assure you he has our friendship, our appreciation, and our understanding. We wish him well in the difficult tasks which he faces.

We are delighted to have you, sirs, as honored colleagues from a sister republic. We hope this is only the first of many more visits to our country.

#### PASSPORT LEGISLATION

Mr. LAUSCHE. Madam President, I wish to call attention to the very unsatisfactory situation which exists with respect to the passport law of the United States. I do so because the subject is important and urgent. I do so also because I do not wish to have my silence construed as satisfaction with the lack of action by the Congress, or the absence of a clearly stated and definite policy by the administration toward establishing passport policies adequate to the perilous times in which we live.

The present situation is full of confusion and, in my opinion, danger.

It is necessary to review some history in order to judge the problem which faces the Congress. The passport statute now on the books was enacted in 1856. Conditions then were, of course, very different from conditions now. During most of the history of our country, a passport was not required upon entering the country or leaving it.

During the latter part of World War I, for military reasons, the law was changed to require a passport for entry or exit from the United States. World War II again necessitated such a requirement and, under legislation which still exists, Presidents Truman, Eisenhower, and Kennedy have continued the requirement that a passport is necessary for entry or exit by making determinations that a "national emergency" continues.

Existing passport laws are quite brief and many questions of interpretation and policy have arisen. Some of these questions have been settled by the courts but others remain in doubt. During World War II and following, the Department of State claimed that it had complete discretion in the issuance of passports. That is, it claimed the right to decide which American citizens might travel abroad and where they might be allowed to go.

This claim of complete discretion was narrowed down by the Courts in several cases but there began to arise charges and denials that the discretionary authority claimed by the Department of State was from time to time abused. In fact, in 1957, the Committee on Foreign Relations held several hearings to look into some of these charges of abuse of discretion.

Madam President, this already confused legal situation on passports was thrown into turmoil in 1958. On June 16, 1958, in the case of Kent against Dulles,

the Supreme Court held that the Department of State, could not, in the absence of express statutory authorization, withhold a passport on the ground that an applicant refused to sign a non-Communist affidavit. The Court in that same case indicated that under existing statutes, a passport may be denied if the applicant is not a citizen, or is engaging in criminal conduct, or is a member of a Communist organization under a final order to register issued by the Subversive Activities Control Board. The trouble with the last ground for denial of passports is that, owing to continuous legal contests ever since the Subversive Activities Control Act was passed, no order to register has yet been entered against any Communist group.

As soon as the Supreme Court decision in *Kent* against Dulles was handed down, President Eisenhower sent a bill to the Congress which would have, in effect, enacted into law the Department of State passport regulations as they existed before the Supreme Court decision. President Eisenhower stated at that time that every day that passed without the legislation which he proposed left the country in great peril. At about the same time other bills, based on the opposite philosophy of passport policy, were also introduced. They would have prohibited the denial of passports, or the imposition of geographical restrictions on travel of Americans abroad, except in time of war. A bill representing a middle ground—comprehensively advising passport law and laying down specific and narrow grounds for denying passports—was introduced by Senator FULBRIGHT.

On September 8, 1959, the House passed H.R. 9069 which dealt only with the questions of denying passports to supporters of communism and of general geographical restrictions on travel. The House bill left the rest of passport legislation untouched.

The Committee on Foreign Relations had been active in the passport field even prior to the Supreme Court decision in 1958. The committee held hearings on passport legislation in 1957, in 1958, and in 1959. In 1960, a number of executive meetings were held by the committee to discuss passport bills. Some members of the committee supported each of the three main approaches to the problem which I have just described. It was obvious that it was going to be difficult to work out an agreed committee bill.

With the change of administrations in January of this year, the committee decided that the subject of passport policy should continue to have a high priority. The committee decided, however, that a reasonable delay, until the new administration could review the subject of passport legislation and submit a bill or policy statement would be appropriate.

Madam President, in the absence of congressional action on passport law, the present confusion is dangerous. It may be that from a theoretical legal point of view, the Department of State can continue to claim whatever discretion to deny passports may be left after the Supreme Court decision. There would

seem to be quite a broad area for the denial of passports which has not been tested in the courts. The Department of State has not, however, chosen to test its discretion further. It has issued passports to many persons who previously would have been unable to sign non-Communist affidavits and who, on that ground, before the Supreme Court decision, would have been denied passports.

There is no doubt that many hardcore Communist Party members are now able to travel abroad on U.S. passports. Can anyone seriously doubt that these people intend to do harm? Let me here quote Secretary of State Rusk when he appeared before the Foreign Relations Committee on May 31 in support of the President's foreign aid program:

While economic penetration by aid and trade are new weapons in the Communist arsenal, the old weapons of force in all its manifestations not only continue to exist, but are daily visible. In Cuba, for example, what appeared to be a people's revolution against oppression has been stolen from the people and has become an instrument of oppression. In Laos, cadres of outsiders, hardened invaders masquerading as local revolutionaries, have been attempting to dominate the country. In Vietnam invaders from the north are waging a campaign of terror and assassination to capture the country.

Elsewhere, both on the borders of the Communist bloc and half a world away, Communist agitators, infiltrators, and guerrillas are at work or moving into chosen positions. Within the bloc itself, there remain huge nuclear capability and expanding delivery systems as well as formidable conventional forces.

Madam President, as I heard these words of the Secretary of State, my thoughts turned to the chaotic situation pertaining to passports. Because the law is unclear, Communist subversives or agitators may freely move back and forth across our borders. The facts as to the extent of harm which they may be doing have not yet been brought out by the appropriate congressional committees.

It is time for the Congress to get down to work. This situation must be studied. The dangers involved must be carefully appraised. The constitutional questions must be gone into thoroughly.

I do not say that I have any easy answers on passport legislation. There are many troublesome questions of fact and policy. I do not have a bill to offer now nor even a formula to suggest. I do, however, think it possible to list some of the policy questions which need to be answered.

First. Should a citizen be able to leave or enter the United States without having a passport?

Second. On what grounds should the Secretary of State be permitted to deny a passport to an individual?

Third. What information should the passport applicant be required to furnish?

Fourth. How long should the applicant wait before the Department informs him of its decision to grant or deny his passport application?

Fifth. What information should the Department provide the applicant if it proposes to deny him a passport?

Sixth. What kind of administrative review should be provided following denial of a passport?

Seventh. What standard should be fixed for the disclosure of evidence and confrontation of witnesses in administrative proceedings?

Eighth. What provision should be made for judicial review of the final administrative determination?

Ninth. On what grounds and under what limitations should the Executive have the right to cut off all travel to certain foreign areas?

Tenth. What penalties should be imposed for violations of passport laws?

I respectfully urge the State Department to submit to the Foreign Relations Committee a bill embodying what it deems necessary to cope with this serious problem.

Mr. MANSFIELD obtained the floor.

#### INDEPENDENT OFFICES APPROPRIATIONS, 1961—AMENDMENT

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

Mr. MANSFIELD. I yield to the Senator from New York briefly.

Mr. JAVITS. I send to the desk an amendment to the independent offices appropriation bill and ask that it be printed under the rule.

The PRESIDING OFFICER. The amendment will be printed.

Mr. JAVITS. Madam President, I ask unanimous consent that there may be made a part of my remarks, letters bearing on the amendment, one of which is a response to my inquiry on the subject, which relates to the restoration of the Official Register of the U.S. publication, from the chairman of the Appropriations Committee, the Senator from Arizona [Mr. HAYDEN], and a letter from the U.S. Civil Service Commission in response to my inquiry commenting upon this question.

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

U.S. CIVIL SERVICE COMMISSION,  
Washington, D.C., March 28, 1961.

Hon. JACOB K. JAVITS,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR JAVITS: In reference to your letter of March 6, 1961, the Civil Service Commission would have no objection to resuming publication of the Official Register of the United States if the Congress decides it should be done and provides the funds to do it. It was discontinued by the 86th Congress as an economy measure because it duplicated some material found in other publications.

I do not believe the suggestion that we make the information available to the press at the offices of the Civil Service Commission is practical. This would save only the printing cost; all the cost of collecting the data would still be incurred. In addition, there would be maintenance cost on such files.

Another alternative would be to combine information now shown in the Congressional Directory with that previously published in the Official Register. This would probably require a new title for the new publication and would increase the size of the volume. Savings would be small.

I do not believe that incorporating the same information in another informational

bulletin of the Commission would result in any savings. It would be better to resume publication under the old title and in the old format. Whatever the Congress decides on this matter, we will be glad to cooperate in carrying out its decision.

Sincerely yours,

JOHN W. MACY, Jr.,  
Chairman.

U.S. SENATE,  
COMMITTEE ON APPROPRIATIONS,  
March 9, 1961.

HON. JACOB K. JAVITS,  
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: I have your letter of March 8, inquiring as to the discontinuation of the Official Register of the United States.

Last year, on the independent offices appropriation bill for 1961, the House committee specifically denied \$30,000 for printing the Official Register and added a proviso that no part of the appropriations made to the Civil Service Commission shall be available for that purpose.

During the hearings on the bill before our committee, Chairman Jones of the Civil Service Commission stated (pp. 489-490):

"This is a compilation which costs us about \$30,000 each year to print in addition to the cost of the publication to the agencies, which is a very substantial amount of money. The Official Register is a listing of all persons occupying so-called executive jobs. Actually you can't do that because you can't get them all in a book of this size. The listing includes the States people come from, the congressional districts, the title of their job and their annual pay rate. The book is out of date before it is printed. It duplicates in very large part, except for the salary, the State of origin, congressional district, the information that is available in other publications, such as the Government Manual and the Congressional Directory.

"There has been some doubt for a long time as to whether this really serves a very useful function. \* \* \* we do not find this a particularly useful publication and would not resist its being cut out, but would urge, if you take out the money, that you knock out the authorization. \* \* \* If the money is not going to be made available, the law ought to be repealed."

Accordingly, our committee added to the proviso the language repealing the 1938 act which required the publication, the conference committee agreed to it and the law was passed.

In line with the repeal of the requirement for publication, no budget estimates are being submitted for that purpose.

I trust that this information answers your inquiry.

Yours very sincerely,

CARL HAYDEN,  
Chairman.

#### U.S. ARMY

Mr. JAVITS. Madam President, will the Senator yield an additional minute?

Mr. MANSFIELD. I yield.

The PRESIDING OFFICER. Without objection, as in legislative session.

Mr. JAVITS. Earlier today the Senator from South Carolina [Mr. THURMOND] delivered an address on the birthday today of the U.S. Army forces. I intended to be present on the floor of the Senate in order to add my congratulations to the statement which he had made. I am a reservist in the National Guard. I served in the Army, and now attend a good many of the sessions which are held here by way of training every Tuesday morning. I wish to congratulate

the Army on its birthday and also to testify to the extraordinary initiative which is being shown in the Army through both administrations in recent times in keeping abreast of the times, in reorganizing divisions, providing for new modes of transportation, and dealing with problems of statecraft which are involved in the Army, as well as dealing with problems of tactics and strategy.

I believe the Army is doing itself proud. The country can be very proud of it. It has measured up to its responsibilities, which have taken it around the world, not only as soldiers but as proconsuls of the United States. I am delighted to join with the Senator from South Carolina [Mr. THURMOND] in felicitations to the U.S. Army.

I am grateful to the distinguished majority leader, the Senator from Montana, for yielding to me.

Mr. HICKEY. Madam President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HICKEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Montana yield for that purpose?

Mr. MANSFIELD. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 6094) to amend section 4 of the Employment Act of 1946.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 311. An act to authorize the acceptance by the Government of gifts to be used to reduce the public debt; and

H.R. 1877. An act relating to the effective date of the qualification of Plumbers Union Local No. 12 Pension Fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954.

#### A THIRD WAY ON BERLIN

Mr. MANSFIELD. Madam President, as anticipated by the President, the talks in Vienna did not produce any significant change in the situation at Berlin. Strip the newspaper accounts of their sensationalism and one thing is clear: The situation in Berlin is where it was in the fall of 1958. It is unchanged despite the Geneva Conference of foreign ministers in 1959. It is unchanged despite the friendly meeting at Camp David in 1959 and the furious meeting in Paris in the aftermath of the U-2 incident. There were no spirits at Vienna, only the hard facts exchanged without embellishment. There was only

a high degree of soberness coupled with the personal courtesy of leaders, without which nations cannot hope to find a way to peace, today, any better than when diplomacy first began.

In this sense the Vienna talks were useful. They swept away the chaff. They revealed to both Mr. Khrushchev and Mr. Kennedy the hard kernel of the problem. They revealed, too, that the problem confronts us in substantially the same form as it did when it first appeared more than 2 years ago.

I suppose we may regard the fact that the situation in Berlin is unchanged after 2 years, and that the crisis has been postponed for 2 years, as some sort of achievement. In early 1959, a military showdown appeared imminent to me, as it did to most observers, unless the policies and attitudes of a decade and a half would begin to change. The showdown did not take place.

It was forestalled by an almost continuous round of subsummit and summit conferences and visitings back and forth and hither and yon. The crisis has stirred again from time to time during the past 2 years but it has not erupted. Because it has not, does not mean that it will not. If the present positions of the parties concerned remain unchanged, sooner or later, this crisis postponed, this crisis avoided will cease to lie dormant.

What is involved at Berlin is not some obscure situation, distant from our concern or the concern of the Soviet Union. Berlin is at the core of these concerns. Berlin is the level which may ease Europe toward a more durable security or push the Western nations and the Soviet Union into a new vortex of irrationality at whose center lies the graveyard of humanity.

In these circumstances, we owe it to ourselves to examine the position which we have assumed with respect to Berlin. The leaders of the Soviet Union are obligated to do the same. Both sides owe it to the people of the world. The responsibility which we have, Madam President, and which the Soviet Union has, is not merely to reassert positions already assumed and which are obviously irreconcilable. The responsibility is to seek to determine whether or not there is a third way on Berlin which corresponds more accurately to the needs of Germany today, Europe today, and the world today—indeed, a third way which meets more fully the contemporary needs of both the Soviet Union and ourselves.

We can make this exploration only if we see clearly what the present positions are and what they imply.

Together with Britain and France, this Nation is pledged to maintain an allied presence in West Berlin and to defend the people of that half-city. The other members of the NATO have endorsed this position.

I do not think there is any misunderstanding of what we are pledged to do, either at home or abroad. Nevertheless, let us restate the position to be certain that it is not misunderstood either at home or abroad. Let us restate it without provocation, without bombast. Let us restate it, as I am sure the President did at Vienna, in all soberness: We will not be driven, pushed or barred from

fulfilling our responsibilities to ourselves and to freedom in Berlin by any nation, half-nation, group of nations or whatever. Such measures as may be necessary to assert that responsibility will be taken.

This is what we say in the phrase: Stand firm at Berlin. The full implications of these four words had better be understood in the Senate, in the Congress, and throughout the Nation. They had better be understood now. The range of this commitment extends from a beginning of words of firmness, to a midpoint of expenditure of immense resources and enormous taxes and other sacrifices, to a final pledge of the lives and fortunes of every man, woman, and child in the Nation. We are not engaged at Berlin with the fast draw and wax bullets of television any more than the Russians are engaged in a harmless game of chess. In the last analysis we are engaged now, as we have been at Berlin, with the whole future of the United States. In this day and age and in this situation, the words, standing firm, carry no other than this ultimate implication.

I say this with no desire to disturb the serenity of the Senate. I say it only that we may be clear on the meaning of the words we use. I say it in order that we may comprehend more accurately the immense burden which rests on the shoulders of the President of the United States. He will make the decisions and he must make them in this awesome context. I trust and I am confident that those of us with public responsibilities—in government and out and especially the press and other news media—will remain cognizant of this burden during the next few months.

Let me set forth next my understanding of the position to which the Soviet Union adheres in the Berlin situation. It is, so far as I am aware, unchanged as is ours, except in time-schedule since it was first announced in November 1958. I should like to state that position in substance, without sensationalism and as objectively as I can delineate it from the accounts which have appeared in the press. The Soviet Union intends to withdraw from its World War II occupational responsibilities in East Berlin and it insists that the Western powers must do the same in West Berlin. It proposes to turn over East Berlin to the East German authorities, presumably as part of a separate peace treaty with the East German government. It offers to join in a guarantee of a new status for West Berlin as a free city within that state. And if I am not mistaken, Mr. Khrushchev has added to this position a further contention that the Soviet Union will come to the military aid of the East German authorities in the event that the Western powers refuse to accept this change and continue to assert their present responsibilities in West Berlin in opposition to the wishes of those authorities.

These two positions, then, form the substance of the Berlin crisis now dormant but which, at any time, may become active. We insist, in effect, on the continuance of the status quo in Berlin for the present and, presumably until

such time as Germany is unified. The Russians are intent upon changing the status quo in a particular fashion in the near future, regardless of the eventual solution of the question of German unification.

I know that we intend to maintain our position. I do not lightly assume that the Soviet Premier does not mean what he says with respect to the position of the Soviet Union, despite the postponements of the actual act of Soviet withdrawal during the months and years since November 1959.

My own view of this situation, however, is not one which depends on whether the Soviet Premier means what he says or does not mean what he says. It is based upon my personal estimate of the changing situation in Europe and the world and it is based upon what I believe to be the rational interests of this Nation in the light of those changes.

I have long questioned and I continue to question a status quo which places us in the position, in effect, of pleading with or urging the Russians not to withdraw their military forces from the westernmost point of penetration which they reached in Europe in the wake of World War II; yet, our present position on Berlin requires that we do precisely that. Further, Madam President, I do not think we can safeguard most effectively our own interests or advance the interests of peace when we insist upon remaining directly under a Communist sword of Damocles, as is now the case in Berlin, if a rational alternative may be found to that position through diplomacy. Further, I have long questioned and I continue to question a position on Berlin which was assumed immediately after World War II and has been maintained unchanged despite the enormous changes which have occurred in both parts of Germany and in Europe since that time.

Finally, I question, as I have long questioned, a position which, through subordinate irresponsibility, error or provocation on either side invites the precipitation of a nuclear conflict.

We prove our courage, our steadfastness, our determination when we insist, as we must with all that insistence implies, that we shall not permit the Russians or anyone else to dictate unilaterally the terms under which this Nation and its allies shall discharge the responsibilities which were assumed in Berlin in the wake of World War II. We would prove little more than the inertia of Western leadership, however, if we insist that the status quo in Berlin is sacrosanct. We prove little more than the sterility of our diplomacy if we insist that the status quo at Berlin cannot be changed even by mutual agreement leading to a new situation, which is neither that which now exists nor the alternative which the Soviet Union propounds. It seems to me, Madam President, that if we are to be not merely courageous but intelligently courageous, that is precisely the course we must pursue. We must seek a third way in Berlin which may better serve the interests of all the parties concerned—of the German people no less than other

Europeans, of the United States no less than the Soviet Union, and of that great stretch of the world with its hundreds of millions of people to whom Berlin is but a name, if it is even that.

I would not wish to preclude, Madam President, any proposals to this end which may originate in any quarter. Indeed, it would be helpful, in my opinion, if the Senate discussed this matter at length. I suggest, moreover, that this discussion might profitably begin now before the relatively dormant crisis in Berlin comes alive once again. We can think now of its many implications with a measure of detachment and deliberation. If we wait for the moment of heat, it may be too late to think at all.

I repeat, Madam President, I do not wish to preclude any ideas or proposals, regardless of their source, which may promise a rational solution of the problem of Berlin. For my part, however, I believe that the third way lies in an honest recognition of the fact that it is too late in the game to expect that Germany will be reunified in peace by fiat of the United States, France, Great Britain, and Soviet Russia as was expected 15 years ago. Yet, this assumption continues to underlie our position with respect to Berlin. If the assumption is invalid, then the continued garrisoning of Berlin by the forces of these four nations loses much of its significance as a temporary occupational measure which was all it was intended to be when these garrisons were established a decade and a half ago.

However, Berlin—not only West Berlin, but all Berlin—does not lose its significance in terms of ultimate German unification. Berlin remains the symbolic hope of that unification and I do not think it is unreasonable to assume that it will one day again be the actual capital of a unified Germany. It seems to me that the German people will have the best opportunity to find the way to unification in peace and the outside powers will make a significant contribution to the search, if they will act now to remove Berlin—all Berlin—from the clashes of the cold war into which it has been driven by the events of the post-war years. If we must live, as it now seems likely, for an indefinite period with a divided Germany, then, peace requires that Berlin—all Berlin—be held in peace and in trust until the day of unification. Its status must be reconstituted so that Berlin will be the hope for peaceful German unification rather than the prize for German unification by other means which it has now become.

This conversion of Berlin will not occur under Mr. Khrushchev's proposal to turn only West Berlin into a free city. Even if the rights of the Western presence to that half-city were insured beyond a shadow of doubt, even if guarantees of the safety of the Western enclave were inviolate, it does not seem to me that this arrangement would be satisfactory. For it would reduce this enclave to a sleepy quasi-foreign anachronism, and it would leave Berlin—symbolic Berlin, unifying Berlin, Capital Berlin, German Berlin—in the hands of a militant German minority. It

would give an enormous and inadmissible amplification throughout Germany to the present small voice of the East German minority government at Pankow. It would invite German nationalism throughout Germany to adhere to the German Communist standard flying in East Berlin. That is a handicap which freedom cannot allow. It is a concession which does not accord with the needs of peace in Germany or the essentials of peaceful competition between communism and freedom.

I do not believe, Madam President, that the way to peace can be found either in the maintenance of the status quo in Berlin or in the change which Mr. Khrushchev proposes. A third way may lie in the creation of a free city, not in West Berlin alone, but in the creation of a free city which embraces all Berlin—the Communist East no less than the free western segment of that metropolis. Let this whole city be held in trust and in peace by some international authority until such time as it is again the capital of Germany. Let the routes of access to this whole city be garrisoned by international peace teams in the effective pattern of those now operating between Israel and the Arab States. Let this interim status of free city be guaranteed by the NATO and Warsaw-pact countries.

Let Bonn and Pankow subscribe to this arrangement and pay its costs in appropriate shares. Let these changes be incorporated in specific written agreements. Then, perhaps, we may have the beginning of a durable peace in Berlin and the healing of the cleavage in Germany and Europe.

I know, Madam President, that to bring about this change in Berlin after the division of that city has hardened over many years may seem an immensely difficult, political, and diplomatic undertaking. But is it not, really, an infinitesimal task when compared with the full implications of an essay in military solution with what comes after it?

I realize, too, Madam President, that this approach may evoke no response from Mr. Khrushchev. But do Mr. Khrushchev's reactions, whatever they may be, dissolve us from our rational responsibilities to ourselves and to the world in this situation? Do not those responsibilities require us to explore fully and vigorously any and all avenues of peace even as we steel ourselves for what must come if the way to peace cannot be found?

I make these suggestions, Madam President, as one Senator from the State of Montana, and I make them on my own responsibility. I make them in full recognition of the present position of this Government which, if it is unchanged will be my personal position when all the words are exhausted. I make them, however, in the belief that this present position is not enough, even as the present Soviet position is not enough. Our present position on Berlin, even unchallenged by the Soviet Union, leads only in a circle endlessly repeated as it continues to recede from the changing realities of Germany and Europe, until it now promises to become at best irrelevant and at worst a stimulus to catas-

trophe. The Soviet position on Berlin, unchanged, in my opinion, is also headed toward complete irrelevance unless before that point is reached, it precipitates a military conflict by accident or design.

The implications of what I have tried to say to the Senate, then, are clear. Sooner or later, the Western nations and the Soviet Union must seek a new way, a third way, to solution of the Berlin problem along the lines which I have suggested or some other. Unless this search is pursued with energy and dispatch and to fruition, sooner or later Berlin is likely to become the pivot of a new disaster for mankind.

Mr. JAVITS. Madam President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. All of us have great respect for the majority leader. The majority leader was gracious enough to advise me, and, I am certain, other Senators as well, especially those of us who had taken an interest in the stimulating debate which he initiated by a generally similar treatment of the subject about 2 years ago that he would address himself to this question today.

Naturally, one must react—because reaction is important—without having opportunity to give the proposal the study in depth which our distinguished friend himself has had.

I would say two things are clear from what he has already stated: First, that although he speaks for himself, and not for the President, although he is the majority leader of the Senate, he states one firm and fundamental truth, which I believe is typical of all of us, I make bold to say, on both sides of the aisle, that although he may not particularly like the connotations of the words "stand fast on Berlin," that is what he, himself, recognized in the first instance; namely, that we shall not accept Khrushchev's proposal, notwithstanding the attrition, notwithstanding the ultimatum, and notwithstanding the danger and the fact that the Senator believes, as do I, that Khrushchev means, or we must take him to mean, precisely what he says.

So the Senator and I are at one on the proposition that Berlin is so important to the cause of freedom that if it is necessary to risk war on account of Berlin, we will risk it. This is a critical point which must be made in the first instance; it is that, as regards Berlin, the West is not in a position where it can yield to Khrushchev as the price of peace, if that is the price Khrushchev wants paid.

Second, the Germans and the situation of the Federal Republic of Germany are deeply affected by what happens in regard to Berlin. They are about to have an election. I do not know whether my colleague took that point into consideration, but I believe it is very important. The Germans are about to have an election, and in that election the people of the German Federal Republic will have an opportunity to express themselves on the critical issue I have just now stated.

As the Senator from Montana has stated with the deep feeling and the humanitarianism which are so typical of him, the decision the President has to

make in such a matter is an awful one. We should also think of the much more awful decision to be made by the German people themselves, who are looking directly into the face of this danger, across an imaginary border in the city of Berlin, in the main body of their country.

Therefore, it seems to me that it would be very timely, before we began to discuss in any depth a proposition such as the one which just now has been given to us—and I agree with the Senator from Montana that any alternatives must be considered and discussed, and are entirely suitable for discussion in the Senate—for us to give the people of the German Federal Republic an opportunity to express themselves, so as to see whether it is their determination—and I am confident that it is—right there on the spot, that Berlin be dealt with in terms of its importance to their own freedom. I say that because of one statement by the Senator—I believe I correctly understood what he said—namely, that Bonn and Pankow subscribe to this arrangement.

One of the fundamental tenets of Adenauer's government has been that it did not recognize the East German Government, which is not a freely elected government; it is nothing but Khrushchev's creature. Khrushchev did not have to say he would back up the East German Government with military force, and the whole world knows it. Khrushchev is Ulbricht, and Ulbricht is Khrushchev. So this is one point in connection with the Senator's proposal which would be a critical one as regards the attitude of the German Federal Republic toward what is here proposed, in that it would involve, for all practical purposes, the acceptance and the acknowledgment of the East German Government as one with which one can deal, because Bonn and Pankow, so said the Senator, would have to agree.

Finally, Madam President, we must not forget that this is not a matter which is being discussed in a vacuum. The fact is that in 1959 Secretary of State Herter, on behalf of the U.S. Government, made certain proposals in regard to the Berlin issue. He was willing to have appointed a committee which would do its best to adjust the relationships between both Governments in the Berlin area, perhaps even without involving recognition of the East German Government, but looking toward a time when, somehow, some effort might be made to achieve the unification of all of Germany.

In that connection, let us remember that just as it is a Russian obligation to see to it that the United States, France, and Britain are not disturbed in their occupation of the zones of Berlin which they presently occupy, it is also one of the Russian obligations, which was undertaken at the same time, to try to bring about the unification of Germany.

I do not agree with the Senator that merely because 15 years have elapsed, we must do something else or must find a third way. Fifteen years have elapsed since Poland, Czechoslovakia, all the Baltic countries and all the Balkan countries were enslaved, but I do not want to find

a third way as to them. I want them free, as the Russians agreed they should be.

The Russians have limitless patience. They do not care if the situation in Berlin continues for 45 years. Similarly, Madam President, we should not care, either. If we do, we invite disaster, in my opinion. I do not think the amount of time that has passed is a reason for finding a third way as regards Berlin.

So, Madam President, in summary, I say to my colleague that I shall study further his proposal, and shall do my utmost to comment on it in greater detail and in more deliberate fashion at a subsequent time, but for the present, first, we are very grateful to him for the luminosity of his discussion of this matter and for his attempts to find a way for us to proceed in a very difficult situation. Second, I do not believe we have to be in a hurry or need to feel under any pressure because of Khrushchev's threats. If he does not make threats in regard to Berlin, today, he may make threats, tomorrow, in regard to some other place. So I do not believe we should be influenced by such threats or attempts to exert pressure.

Third, I deeply believe we must await the outcome of the German Federal Republic election before we undertake to do anything serious about this matter—in order to permit the German people, themselves, to give a new mandate in regard to their wishes.

Fourth, I do not believe we should recognize the East German puppet regime. If we do recognize that regime, the entire present situation in Berlin will collapse, and then word would go out that we had given in.

Fifth, I believe that, regardless of whatever we decide we wish to do, we must start from where we were before—to wit, with Secretary Herter's proposal. At least, it should be very carefully examined, in order to see whether, in the first instance, it or some variation of it is a proper starting point for the United States.

Madam President, I am very grateful to the Senator from Montana for his patience in permitting me to make these remarks.

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

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

Mr. MANSFIELD. I yield.

Mr. AIKEN. Madam President, I have never heard the Senator from Montana make a speech on international affairs, here in the Senate, which was not full of meaning for the American people. I have never heard him make a speech on international affairs in which he did not deal directly with the subject and give all of us a great deal of food for thought.

He has done so again, today; and I hope neither the American people nor the people of any other country will take his words too lightly. He does well to call our attention to something which we may have been in danger of overlooking. The press and the radio have been giving wonderful coverage to problems and crises occurring in virtually every continent in the world, whereas, if we stop to think we must realize that the

problem of Berlin is far and away the most serious problem which exists between the Soviets and the Western World, and that Berlin is the one problem—or perhaps I should say the main problem—which holds the seeds of a possible third world war.

So the insistence of the Senator from Montana that there may be a third way to settle the problem of Berlin certainly should be heeded.

We know well that Russia fears a united Germany probably more than anything else in the world. We know that Russia for years has been adamant on the question of Berlin. We, too, have been adamant. I do not say we are wrong in having been adamant up to now. But it is possible that there is some way to find a settlement of this crisis; and if there is, we would be negligent if we did not try to find it, because we have to consider the alternative to a settlement of this crisis. Should Russia undertake to force the issue this fall, or at any other time, the alternative could be a destroyed Berlin. The alternative could well be destruction of a greater part of Russia. It could mean the destruction of cities here in the United States, in Western Europe, and other parts of the world. So we would be negligent if we failed to consider any possible honorable settlement of this problem, because we know there can be no lasting peace while the problem of Berlin remains unsettled. If we settle the problem of Berlin, the settlement of the problem of Germany itself, the Polish boundaries, and possibly other matters, would follow.

Yet, in the meantime, instead of concentrating on this, we are allowing the Soviets to select new sites, in many other parts of the world, for extension of the cold war and even hot war episodes wherever and whenever it serves their purpose.

I think the Senator from Montana has performed a great service here today. Whether the proposal which he makes as to a third means of settlement is a correct one or not, I do not know, but we would be negligent if we did not make every effort to settle the most serious problem and the greatest crisis of all, because I feel a settlement of the Berlin crisis, if it can be brought about, could lead to a settlement of most of the other crises and international problems of the world, and relieve many of the major tensions with which we are afflicted at the present time.

Mr. MANSFIELD. I thank the Senator.

Mr. DIRKSEN. Madam President, will the Senator yield?

Mr. MANSFIELD. I yield to the distinguished minority leader.

Mr. DIRKSEN. I think the majority leader has done a distinct service today in calling this matter to the attention of the American people and of the Congress, and in using the expression "the Berlin crisis," because, in my considered judgment, if it is not a crisis already, it will be a crisis before too long.

Only yesterday in the dispatches from abroad, both Ulbricht and Grotewohl in Eastern Germany stated to the whole world that they are asking for coopera-

tion from the Soviet Union to expedite the signing of a peace treaty with East Germany. If that treaty is consummated, then we shall have the Federal Republic of Germany with 55 million people, and the People's Republic of East Germany, with 17 million people. It is fair to assume, with Khrushchev in the background, there will be a recognition from the satellite countries once the peace treaty is signed. There will be recognition by Red China, Czechoslovakia, Rumania, Albania, and other countries within the Soviet orbit. Then we shall have a brittle situation with which to deal.

If such a situation is encompassed, we shall have Berlin in the very middle of the eastern sector or zone, 125 miles from where the United States is quartered in Frankfurt, and 100 miles from Hamburg, the British headquarters. Then, of course, we realize, the problem is going to be, What will the East German spokesman do with Mr. Khrushchev standing in the shadows, with whatever force he has available, because he is the one who will have the final say as to whether we should get out bag and baggage. When that point is reached, the crisis is joined. Who knows when that time will come? But if they do issue an ultimatum on the ground that it is now recognized as a sovereign power, it is for them to determine whether ingress and egress should be allowed, and whether railroad and truck transport, and everything else, will be permitted, and whether we shall have to resort to an airlift, as we did before, to provision those we leave in Berlin. If that does not add up to a crisis, then I do not know anything about a crisis.

But the East German leaders will probably have much to say about it. They will have the support and encouragement of Khrushchev, and he will do what he has always done. He will shrug his shoulders. He will say, "None of our soldiers have crossed the border. We have no hand in it. If you have any protest, complain to the East German leaders."

There you are, Madam President, and the issue is then squarely joined.

I congratulate the majority leader for sounding the tocsin, because it is time to go back to see what the layout is and recollect what assurances have been given to Adenauer and others as to the stand to take when that critical situation ensues.

So I say to my distinguished friend from Montana that, if it is not a crisis, it is moving in that direction, and we had better be aware of it.

Mr. MANSFIELD. I thank the Senator.

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

Mr. MANSFIELD. I yield to the Senator from Oregon.

Mr. MORSE. I wish to say that whenever the majority leader of the U.S. Senate speaks on any subject matter, the country should take heed, but when he speaks of the Berlin crisis, having served with great distinction on the Foreign Relations Committee of the Senate for many years, the country had better take heed, as I am sure

it will when it comes to digest the speech which the majority leader has made on the floor of the Senate this afternoon.

I did not have the privilege of hearing the speech, but I happen to know its contents. I want to say to the majority leader here is one colleague of his on the Foreign Relations Committee who associates himself with the majority leader in the presentation he has made on the floor of the Senate this afternoon.

As was brought out by the Senator from Illinois, the minority leader [Mr. DIRKSEN], I think it particularly pertinent that the Senator from Montana referred to the situation as the Berlin crisis, because truly it is a crisis. We all know the Berlin crisis could very well throw all of Europe into a holocaust any time Khrushchev decided the time was ripe to really make a test as to what the Western allies are going to do with regard to Berlin.

I am also glad the majority leader pointed out we must be ready and willing at all times to pursue an honorable course of action that may reach a settlement on Berlin without the sacrifice of a single principle we hold so dear.

This fall there will be the 16th General Assembly of the United Nations. I speak most respectfully in regard to our policy when I say I think we could very well afford to give some consideration to the desirability of exercising greater leadership than we have in the past to the end of having the United Nations step up and recognize its responsibilities in connection with the Berlin crisis. There has been too great a tendency to have the NATO countries and the Soviet bloc consider this as their problem. It is the problem of the world, because I know of no crisis existing on this globe today that has a greater potential of causing a nuclear war than that of Berlin.

It was not so many days ago that we heard a pronouncement from one of the Assistant Secretaries in the Department of Defense that if conventional forces were used by the Russians—the implication being if the Russians were about to override that part of Europe—we would resort to nuclear weapons. That is an awful thought, but we must face up to the ugliness of the situation.

Many will disagree with me, but I think we have to face the facts. I happen to believe that every national non-member of the Soviet bloc and nonmember of NATO has a tremendous stake in Berlin. I think the time has come for all nations to stand up and be counted on the Berlin issue. Where is the forum in which they can be counted? It is the United Nations.

I suggest that there is an oncoming 16th General Assembly of the United Nations. India, the Latin American countries, the new independent nations of Africa and every other nation not a member of the Soviet bloc and not a member of NATO should be planning now on a course of action to take in the United Nations next fall to see what can be done by use of the procedures of the United Nations to reach a peaceful settlement of the Berlin crisis. If we do not submit the Berlin crisis to a peaceful procedure through the jurid-

ical processes of the United Nations, I cannot foresee any end other than that finally someone will pull the trigger and the holocaust will start over Berlin. It will surely start if Russia thinks she can get by with such action.

It is well that our majority leader of the Senate today has made this very statesmanlike speech and laid it on the line, so to speak, as to the dangers which confront us with respect to the Berlin crisis. I only add my plea that I should like to see every nation not a member of NATO or the Soviet bloc, every member of the United Nations, recognize its responsibility in trying to reach a peaceful settlement of the Berlin crisis.

I have never thought before, and I do not think today, that it is the responsibility of the Soviet bloc and the NATO countries alone to solve this problem. A check must be placed upon them. The check of the procedures of the United Nations ought to at least be tried in attempting to reach a peaceful solution of this problem at the 16th General Assembly, under the auspices and the authority of the United Nations.

Mr. MANSFIELD. I thank the Senator from Oregon.

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

Mr. MANSFIELD. I yield to the Senator from Pennsylvania.

Mr. SCOTT. The Senator from Montana has made a thoughtful and exceedingly helpful speech. I not only commend the Senator for the concern and the wisdom he has shown, but I commend him also for the timing of his remarks, because, as the Senator from Vermont [Mr. AIKEN] has said, the key word to a decision or a settlement is "honorable."

No solution, whether it be one of the two alternatives sponsored by the two points of view of the free world and of the Communist world or whether it be a third approach, as has been suggested, as I see it, can be arrived at by the United States in any other way. The United States cannot afford to be a party to any proposal which is other than honorable or which runs counter to our commitments to West Germany. I know the distinguished majority leader feels the same as I in this regard.

What is in my mind is that I think it important to all of us to perhaps wait for the outcome of the general elections in Germany. It is important also to remember that both parties in West Germany are committed to what they call "zusammenanschlüssen," or unification.

As I understand the situation, American policy is committed to the support of the ultimate unification of West and East Germany.

My concern is simply this: We are aware, as the Senator from Illinois [Mr. DIRKSEN] said, that the crisis is coming nearer all the time. At some undisclosed time in the future, Mr. Khrushchev will, as he has indicated—very likely he will—bring about the recognition of East Germany as a sovereign nation. This has many implications. It has great implications to the Polish people, for example, whose Communist government may for the first time, on behalf

of Poland, concede the legality of the Oder-Neisse line. This would create a historical situation which might make it more difficult for a free Poland some day to insist upon a revision and reexamination of the territorial loss as represented by the military and diplomatic line which has not been conceded, up to now, by Poland as being a lawful determination of the true territory of Poland. Once East Germany, backed by Communist Poland, is assured that its territory does indeed run east to the Oder-Neisse line, we shall have piled up further difficulties in the way of the solution we would favor in Europe.

I hope that our administration will not allow itself to be put in the position of merely reacting to the Russian action likely to come in the form of a recognition of East Germany. I hope and I expect that our administration will develop firm and definite plans to present to all the world, and particularly to Mr. Khrushchev, to Wilhelm Pieck, and to other officials of East Germany. It should be a common decision, if possible, on the part of Western nations, indicating exactly what we intend to do if Khrushchev recognizes East Germany as a sovereign state, indicating that we have an alternative plan, indicating that we are not going to wait until Mr. Khrushchev has made it even more difficult for us to continue to maintain the sovereignty of West Berlin.

I should like to ask the distinguished majority leader if he shares my opinion that it would be most desirable for our Government to be ready with its plans and proposals before East Germany is declared sovereign by the Communists rather than simply to react to such a declaration of sovereignty after the event.

Mr. MANSFIELD. In response to the question of the distinguished Senator from Pennsylvania, I have assumed—and I believe correctly—that under both the previous Eisenhower administration and the present administration all kinds of contingency plans have been considered and are being considered, and some of them I would suppose, are ready for operation.

So far as the signing of a peace treaty with East Germany is concerned, any time the Soviet Union wishes to do so it can, and there is nothing we can do about it. The matter is not so much a question of East Germany as it is a question of the status of West Berlin.

I am aware of many of the questions which have been raised this afternoon. There is a problem of intercourse between East and West Germany. That has existed, in an economic sense, for years. There have been interzonal arrangements.

There is the matter of contacts between the East and West Berliners, something which has existed for years. There have been connections, in trade, and municipal services, and other features.

I understand the difficulties inherent in the Oder-Neisse line, which of course will be another problem for the future.

I also recall that on Friday of this week it was proposed there be a visit of

the German Senate to West Berlin, which either may or may not take place.

I also remember that the German elections will be held in September.

I thought of all these factors in connection with the speech. I think time is of the essence. The sooner we recognize the situation, start thinking calmly, not in the heat of crisis or emergency, the better off we shall be.

I thank the Senator from Pennsylvania for his constructive criticism and for the understanding and knowledgeable attitude he has displayed.

Mr. SCOTT. I appreciate what the majority leader has said, and I assure him that what I have said was not said in criticism.

Mr. MANSFIELD. The Senator has spoken constructively.

Mr. SCOTT. I am prepared to support fully what the administration presents. I am delighted that we are considering various alternative plans.

I should like to correct a statement which I made. I believe I indicated that perhaps we might not do anything until after the German elections. What I meant to say was that, in view of the imminence of the German elections coming in November, we should consider putting into effective operation with our Western allies a plan of action, rather than wait for the Russians. I am sure, as the majority leader has said, that he, too, recognizes the importance of Western unity and Western advance planning, and I am glad to know that it exists.

Mr. MANSFIELD. It is my belief that the same thing occurred during the previous administration.

Mr. SCOTT. That is my understanding.

Mr. MANSFIELD. I yield to the Senator from Colorado.

Mr. ALLOTT. Madam President, I have listened many times in the Senate to the majority leader, and although heretofore he has risen to very great heights, I believe the speech which he has made today has perhaps contributed more than any other effort he has made. I make that statement for one particular reason. Unfortunately, I was called out in the middle of his speech and did not hear the middle portion of it.

It seems to me that the greatest need of our country today is clear, objective thinking. In the South Seas during the last war, when some pilot had followed a bomber for 2, 3, or 4 hours and had become "fixed" upon that bomber and had quit looking around, other pilots would say that he was "head up and locked."

I think the term could well apply to much of the so-called thinking that has been done in this country with respect to our foreign policy. There has been too much of a tendency for us to be like a gyro which has been set in motion to keep an object in the same position without weighing new conditions and new situations.

We often get into an inertial situation and remain there.

So I believe that the really great virtue of what the Senator from Montana has said is that we need not be bound by every tradition of the past; we need not

be bound by past policies, because present-day needs may require a change in these policies.

I cannot help thinking that his remark that he hoped that his address would precipitate debate in this Chamber is one of the greatest things that has been said. I hope his address will precipitate a great deal of debate.

We had a recent example of my point concerning an event in the history of our country. I do not make this statement in the sense that I seek to pin responsibility for any of the things that have happened. After Castro came into power, we discussed Castro mainly in terms of the sugar bill. How much better off we in the United States might have been today if the Cuban and Castro situation had been debated with relation to its influence on Latin America, the United States, and the world. How much better off might the United States have been today if this subject had been debated thoroughly. We do not have the power to determine the foreign policy of this Government upon the floor of the Senate. Yet what is said here, especially by our leaders, is quoted in every newspaper and on every television and radio station in the country.

Therefore, what is said here becomes significant. Perhaps out of the suggestions which the Senator from Montana has made today, in which I concur generally, may come not only a third method, but also a fourth and a fifth method. At least we would have started, perhaps, to more fully inform the people of America so that we will no longer stay "head up and locked." We must look at our new situations. We must face realities today. In this respect, I do not think anyone could have contributed more to a solution of the present Berlin crisis which we face than the Senator from Montana has done today.

Mr. MANSFIELD. I thank my friend the Senator from Colorado.

I yield to the Senator from Idaho.

Mr. CHURCH. Madam President, I shall be very brief. I wish only to say to our distinguished majority leader that I have learned much from him since I have become a Member of the Senate. I have admired his statesmanship often in the past, and I have listened to his many exceptional messages on foreign policy. Never have I heard him deliver a saner and braver message than he has delivered today. I devoutly hope that our diplomats will take heed of it while there is still time and opportunity to negotiate a future status of Berlin.

Mr. MANSFIELD. Madam President, I yield the floor.

Mr. CLARK. Madam President, let me say to the distinguished majority leader, who I see is still in the Chamber, that I heartily endorse what he has said with respect to an excellent method of attempting to get out of the Berlin crisis. I particularly commend him for two points contained in his address: First, that we should include East Berlin as well as West Berlin in any arrangement tending to make that great city a free city. Second, that the guarantee of the freedom of Berlin should be joined in not only by the Warsaw powers and NATO, but also by the United Nations.

This I believe to be an important and fresh approach to a very critical problem. I support the majority leader in his views and commend him for the statement which he has made.

Mr. MANSFIELD. I thank the Senator.

Mr. HUMPHREY subsequently said: Mr. President, I wish to make a few comments about the address delivered by the distinguished majority leader. I could not be in the Chamber at the time he made his address because I was attending to official business in the Subcommittee on Agriculture Appropriations of the Committee on Appropriations. I was privileged, however, to have a copy of the majority leader's speech prior to its delivery, so I knew that the majority leader intended to make his speech.

He had been gracious and kind to indicate to me some days earlier that he intended to deliver the message and also to share with me some of his thoughts on this crucial, critical problem of Berlin and the relationships between the United States and the Soviet Union.

Without discussing the merit of any of the particular proposals, the Senator from Montana has again demonstrated the qualities of leadership, the courage, the initiative, and the intelligent pursuit of a solution which we have always admired in him. The Senator from Montana has not been content to accept the dogma or the doctrine of the past, or even the pronouncements of someone else, as being the final word. No one can doubt the dedication of the Senator from Montana to his country and his patriotism both in war and peace. He has demonstrated qualities of patriotism and fearlessness which have earned for him a great reputation.

What the majority leader has done today is to engage the Senate in the thoughtful discussion of one of the most intricate, complex, critical, delicate problems of our time. The Senator from Montana has asked that we think aloud, that we speak to one another, that we search for answers, that we be willing to discuss in the open these questions which all too often are subject to misinterpretation and misrepresentation and are, therefore, the cause of some embarrassment and, at times, of some grief to a Member of Congress or to any other person in public life.

The Senator from Montana summarized his speech by these words:

Sooner or later the Western nations and the Soviet Union must seek a new way, a third way, to the solution of the Berlin problem along the lines which I have suggested or some other. Unless this search is pursued with energy and dispatch and to fruition, sooner or later Berlin is likely to become the pivot of a new disaster for mankind.

Mr. President, those words are prophetic; those words are true. The summation of the Senator's speech tells us that the Berlin issue calls upon the thoughtful people of this Republic—yes, of the whole world—to pursue relentlessly every honorable means to find some solution to a critical international situation which may result in a nuclear holocaust in world war III. The Senator from Montana has tried to remind us that when we stand firmly, as we do,

on the Berlin issue, when we say we will not retreat, when we say we have made our position clear, we have pledged our resources, our lives, our sacred honor, and our fortunes on this one issue; and the Senator from Montana is seeking another solution to the problem. I wish to compliment and commend him.

I do not know whether his proposal can muster support in this country. I do not know whether it can become administration policy. I do not know whether our colleagues on both sides of the aisle will find merit in it. But I do know that someone needs to think about it; and I know that Members of Congress are capable of giving it careful thought; and I know we must find a way to avert nuclear war, and to do so with honor, and not at the same time to cast aside our freedom and our independence. This is what we are seeking; and I shall join the Senator from Montana in this effort.

I do not know what we shall be able to do about it. But in private conversations, some of us have said that the time for the great debate on foreign policy is here, again—not a debate with acrimony or partisanship, but an honest, deliberate debate between men of good will and men of good mind, as we seek better answers to the problems which beset us today. Our relationships with the Communist bloc are at a very dangerous level, and involve us in a very dangerous situation; and we must have strong defense, a good foreign policy—which we have previously discussed—an effective foreign-aid program; and, in addition, we must seek ways and means to avert a terrible war which could destroy Western civilization.

To say this does not mean that one is an appeaser. It merely means that we seek to use the quality of reason which God gave to man; and that reason should be applied to all these difficult situations.

So I wish to thank the Senator from Montana. I regret that I was not in the Chamber when he made his remarkable address, which is so typical of his courage and his decency. The one quality which, above all others, characterizes the Senator from Montana [Mr. MANSFIELD] is his essential quality of decency, which is wonderfully augmented by his native brilliance and wisdom, all of which the country so greatly needs. So I find it a real joy to be associated with him in the Congress, and, indeed, in this particular endeavor.

Mr. KEFAUVER. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. KEFAUVER. I join the Senator from Minnesota in commending the majority leader, the Senator from Montana [Mr. MANSFIELD], upon his speech and his presentation. I heard most of it, earlier today.

It is apparent that the Senator from Montana has given this problem a great deal of thought and study; that he is seeking a sincere, practical solution; and that he realizes the importance of debate and discussion by Members of Congress in following their constitutional requirement of advising with the Executive on matters of foreign affairs.

What will develop from his presentation and his proposal, I do not know; but certainly it is in the public interest that he has brought up the matter again for serious, sincere, and sober discussion.

#### CHANGES IN SENATE RULES

Mr. CLARK. Madam President, I wish to make a brief observation on the subject of germaneness. It is no news to Senators that for some time I have been advocating a change in Senate rules so that speeches not pertinent or relevant to the pending business would not be permitted on the floor of the Senate.

No better example of the need for a rule of germaneness can be given than what has happened here this afternoon. The distinguished present occupant of the Chair [Mrs. NEUBERGER] has advised me informally that she began to preside at 12:15 p.m., and that at about 12:30 p.m. the nomination of Mr. Swidler was laid before the Senate as the pending business. It is now 3:35 p.m., and not one single word has yet been said in the Senate with respect to either approving or disapproving the nomination of Mr. Swidler. It occurs to me that procedure which permits this course to continue is not in the interest of expediting public business. I believe in complying with the rules of the Senate so long as they are in force; and inasmuch as a Senator is permitted to speak on nongermane subjects, I intend to do so at this time for approximately one-half hour. Perhaps my example will exasperate Senators into going along with whatever change in the rule may be necessary.

I note, as I make my announcement, that the Senator from Colorado [Mr. ALLOTT] is leaving the Chamber. I do not blame him. I would leave the Chamber, too, if he made the same kind of announcement.

Mr. ALLOTT. I must accept a telephone call. I would not miss the Senator's charm and humor for anything.

Mr. CLARK. I will be surprised if my friend from Colorado returns within the next half-hour. I will be pleased if he does.

#### CONFESSIONS OF A ONE-TIME CONSERVATIVE

Mr. CLARK. Madam President, I should like to call to the attention of my colleagues a most provocative article on the subject of how to attain economic prosperity. It was written by a reporter whom many of us knew and respected when he was stationed in Washington. He is Mr. Edwin L. Dale, Jr., of the New York Times. The article was published in the New Republic of May 29.

Mr. Dale some months ago was assigned to Europe, and there he has been studying the economies of Europe in his new assignment as European economic correspondent of the Times. His general conclusion that a high level of government spending is the way to achieve full employment and economic growth, without inflation and without deficits, is worthy of serious consideration. His data, which he has collected in West Germany, on the one hand, which has been most successful by adopting this

policy, and of Belgium, on the other hand, which has been quite unsuccessful in not adopting it, cast a great deal of doubt on the conventional, conservative economic dogma which is often heard in this Chamber. It is particularly noteworthy since it comes from a "one-time conservative," as Mr. Dale describes himself.

The title of the article is "Confessions of a One-Time Conservative." I ask unanimous consent that it may be printed in the RECORD at this point.

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

#### CONFESSIONS OF A ONE-TIME CONSERVATIVE (By Edwin L. Dale, Jr.)

It is always a kind of macabre pleasure to confess error. As a one-time conservative in the United States who has lived a while in the extraordinary economic atmosphere of Western Europe, I should like to indulge the pleasure.

The dazzlingly simple lesson from Western Europe appears to me this:

The way to achieve the best of all possible economic worlds (rapid economic growth, full employment, stable prices, favorable balance of payments, more investment, no recessions, more consumption, better living standards) is to spend as much government money as possible, and make sure that the amount the government spends rises rapidly each year.

The reason for this is not that government spending is inherently better than private spending, though that may be true. The reason is that a very high level of government spending, no matter where the money goes, assures a very high level of demand. And a high level of demand is the open sesame to everything else.

It means full employment. It gives the incentive for more investment in plant and equipment. It means operation of plants at efficient level, and thus at lower costs. Therefore, it means relatively stable prices and competitiveness in export markets. It permits higher wages without inflation as productivity rises rapidly. And, mirabile dictu, it permits the government to spend more and more each year without raising taxes because the economy, and thus receipts, is growing as fast as the government spending.

Let us look for a moment at the "economic miracle" of Germany. Its creators have misled the world about it. Dr. Erhard says it came about because Germany let loose the creative forces of private enterprise and rejected "statism" and "dirigism." True enough, and perhaps that helped. But what Dr. Erhard does not say is that West Germany taxes and spends (and elects and elects) 34 percent of the gross national product—the highest in the non-Communist world. This figure compares with only 26 percent in the United States. State and local taxes and spending included in both cases. By the test of the National Association of Manufacturers, or even the Committee for Economic Development, West Germany is not conservative but radical.

Now let us look at the one laggard in continental industrial Europe. It is Belgium. Belgium spends only 23 percent of its GNP through government. It doesn't tax, it spends—and it doesn't grow.

Britain is the other laggard in this part of the world. It spends only 28 percent. More important, it is constantly taking measures to restrict demand, through high interest rates or consumer credit control or changes in the tax-spending equation of the budget. It let demand run free—actually pumped it up—only once in the last 5 years, and only then did its economy perform bril-

liantly. France, Sweden, and Austria have practically nothing in common except one thing: They spend, and they grow.

Outside of Belgium, there is only one nation in industrial Europe, Denmark, where government spending is a smaller proportion of GNP than in the United States. It is a special case, with an unusually heavy concentration of agriculture in the total economy.

It seems reasonably clear to me that when government spends as much as it does here in Europe, business is good and stays good. And when business is good, a lot of other problems just go away. For example, there is very little fuss here in Europe about "technological unemployment"—fortunately, because it means that Europe can and does automate merrily away with all the resulting advantages for productivity costs and the like.

Now a couple of qualifications. They do not change the main point, but they should at least be made.

The first is that there must be some reasonable relation between government receipts and spending. Many governments in Europe run chronic "deficits" in their budgets by American accounting standards—which helps account for their success—but they cannot safely permit spending to run away from receipts without inflationary trouble. France showed that before 1958. European governments spend enormously—but they also tax enormously.

The second concerns the "mix" of taxation. Judging strictly from results—and leaving out the theory—it seems that there is great merit in "soaking the poor." This is not as harsh as it sounds.

What it means in practice in Western Europe is far greater reliance than in the United States (or Britain) on a set of taxes that indirectly hit the poor man hardest: excise and sales taxes of all kinds, turnover taxes, tax on value added, heavy employer social security contributions. These taxes are collected in prices, and thus from consumers. They do not "raise prices" unless they are increased; once imposed, they are practically painless. But they do soak the poor, relatively; no government in Western Europe relies nearly as much as the United States on taxes for its revenues.

A final point. Why isn't very high government spending, and the resulting constantly high pitch of demand, inflationary? The answer is: It is inflationary, but only very mildly so now, in contrast with the first 7 or 8 years after World War II when there was a worldwide chronic excess of demand over supply. European prices have risen, as American prices have risen. Since the Korean war, however, European prices on the whole have risen no faster than American, and in some cases they have risen less, despite much higher government spending. And in neither Europe nor America has there been any significant inflation since mid-1957.

The point is that the world now has a large and elastic supply to meet higher demand; thus it is a world in which demand cannot only be profitably increased but, within reasonable limits, safely increased.

Unless appearances—and hard facts and figures—are grossly misleading, the lesson in all this for America is clear:

Raise Federal Government spending as rapidly as possible to \$100 billion (i.e., \$120 billion on a cash basis) and make sure it rises at least \$4 billion a year.

Count on more rapid economic growth to provide the receipts for most of this increase in spending—and do not worry about fairly large deficits for a while until there is full employment again—and raise consumer taxes eventually to cover the rest.

Then sit back and start enjoying real prosperity again.

## RESUMPTION OF NUCLEAR TESTS

Mr. CLARK. Madam President, I should like to note, first, that time has been reserved in the other body this afternoon to discuss the need to resume nuclear testing.

I should like to speak briefly in support of the President's policy of persisting in efforts to obtain a nuclear test ban agreement. I ask unanimous consent that two recent editorials from the New York Times, and an article published in the New York Times this morning, written by James Reston, may appear in the RECORD at this point in my remarks.

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

[From the New York Times, June 14, 1961]

### A POLICY ON THE TEST BAN

After more than 2½ years of talk in 317 sessions, the Geneva nuclear test-ban conference has now been confronted by Premier Khrushchev's demand that he be allowed to dictate the terms of both a test ban and general disarmament, just as he is trying to dictate a settlement on Berlin.

As in the case of Berlin, the Soviet ruler is presenting the Western Powers with two impossible choices. One is to accept, as a condition for further negotiations, his proposal of a three-man administrative council representing the Communist, the Western and the neutral worlds. This is the Russian "troika system" with a built-in veto for each member to prevent any executive action the Russians do not like. It is an unacceptable proposition.

The other choice offered by Khrushchev is to agree to merge the test-ban negotiations with the general disarmament talks scheduled to start at Geneva July 31. But as the Soviet ruler insists that agreement on total disarmament must come before effective controls and that any controls must be likewise under the "troika system," these talks offer no prospects for success either.

Mr. Khrushchev's insistence on the "troika system" is quite obviously a major decision, perhaps born of the Russian fiasco in the Congo which persuaded him that "while there are neutral states, there are not and cannot be neutral men." It is possible that Premier Khrushchev has made a deal with the Chinese Communists to oppose a test ban until the latter have atomic weapons. In any case, he boasts in effect that the Soviets are now powerful enough to dictate rather than negotiate, and sees no reason to subject his arsenals to "espionage."

The Western Powers are thus confronted with grave questions of national security. President Kennedy has gone to every conceivable, responsible length to reach agreement, even at the price of possibly risky concessions. Now that this last great effort has failed, pressure is rising rapidly to break off negotiations, to resume testing, or, in a "TNT" approach, to "talk 'n' test."

But any such steps would be a grave mistake and a trap into which the Soviets might well be trying to lure us. To break off negotiations and to resume testing would be such a tremendous psychological shock that it would inevitably turn world opinion against us at a time when even the neutrals are shying away from the Soviets. It might even precipitate repercussions that could topple some allied governments.

The course we believe the United States should follow lies along these lines: (1) We must not resume testing, certainly not at this time, and preferably not before the Soviets resume testing; (2) we must continue the Geneva talks even if a temporary recall of our delegates is required—but a

permanent walkout must be left to the Soviets; (3) we must expound and publicize the Western case by laying it before the world and the United Nations, with complete honesty, to make clear where responsibility for this failure and for its potentially fateful consequences lies.

[From the New York Times, June 9, 1961]

### NEGOTIATING WITH RUSSIA

President Kennedy is right to keep on trying to get a cease-fire in Laos and a nuclear test ban agreement by negotiation with the Russians. The Republican brinkmanship of Senator DIRKSEN, Representative HALLECK and other party leaders is dangerous.

This is the difference between having the responsibility of power and enjoying the blithe irresponsibility of opposition. To take vigorous moves in Laos and Geneva, as the Republicans suggest, would be to lose the position we now have of seeking recognizably excellent aims by peaceful negotiation. It is not as if all recourse to discussion were exhausted.

Mr. Kennedy, in speaking yesterday to a newspaper group in Washington, said he hopes that the press will try to awaken public recognition of "what a long task lies before us" and "how long must be our view, how patient and persevering we must be." Judging from the Dirksen-Halleck comments, the President might better have addressed his words to some Members of Congress.

The worst advice of all from the Republicans is that the United States should quit wasting energy trying to negotiate with the Soviet Union. The alternative to negotiation is action. The risks that actions can bring in this thermonuclear world are so great that they are justifiable only as a last resort. They should not and—one may be sure—they will not be shirked in the last resort. That would be appeasement, which is the worst solution. But meanwhile nothing is to be lost by negotiation so long as the adversary knows that you are strong and that you can be pushed only so far.

A U.S. President has to keep the fate of his country and, nowadays, of the world in mind. The Russians have their way of negotiating. It is an interminable, baffling, exasperating way, conducted with doubletalk—but it is still negotiation; and it will register and operate when Soviet interests lead or force the Russians into a position where they will come to terms. They are more likely to make an agreement if they find Americans united behind their President in the quest for peace with freedom.

[From the New York Times, June 14, 1961]

### KENNEDY POLICY—PATIENCE ON NUCLEAR ARMS

(By James Reston)

WASHINGTON, June 13.—President Kennedy is taking an extremely cautious line about renewing underground nuclear tests. The Russians have been making a mockery of the test-ban talks in Geneva, and the powerful Joint Atomic Energy Committee in Congress has been pressing the President to renew the testing. Yet he is not convinced that a case has yet been made for testing, despite the provocations to do so, and he is therefore urging more patience on his colleagues.

There are a number of reasons for this. First, the President is still hopeful despite his failure to budge Khrushchev in Vienna that the Russians will in due course agree to a limited disarmament treaty and inspected test ban.

Progress was being made in this direction until shortly after Khrushchev's last trip to Peiping. Thereafter, the Moscow line hardened, and this has given weight to well substantiated reports reaching this Government from Hong Kong that Mao Tse-tung exacted a promise from Khrushchev not to sign a

test ban treaty at least for a stipulated, but unknown, period of time.

Second, Washington needs more time to make clear to the world what it has been proposing and how its proposals have been rejected month after month. In the last few months there has been increasing understanding in the world of the American position. Once the United States reduced its proposals to treaty form, and modified its demands from 20 inspections a year to 12, at least the Allied Governments and the serious newspapers of the West were finally convinced that Washington not only wanted a nuclear test ban treaty but had proposed a reasonable treaty to this end.

There is less understanding, however, in the public at large. The Soviet proposals are simple and appeal to wishful thinking: ban the bomb, they say, and disarm everyone, indiscriminately, to deal not with the desires of men alone, but with the realities of controlling the system, so that it will really work in safety.

Such an argument, however, is complicated, and when the only alternative to endless negotiation is a threat to start nuclear testing and continue the arms race, this puts the United States in the unpopular position of talking about more arms while the Russians merely go on asking for the abolition of arms.

Finally, the President has to take into account the antitesting and antiarms race sentiments in allied countries, particularly Britain, so his decision for the moment is to go on talking about a test ban in Geneva, and to go forward with the preliminary disarmament talks with the Russians here next week.

#### THE OTHER SIDE

This has not been an easy decision and nobody knows how long it will last. For there are powerful arguments on the other side.

First, the policy of going along despite Soviet obstruction puts the United States in the position once more of the lady who vowed she'd never consent, but consented anyway. This is becoming a habit around here.

Second, testing in outer space is probably necessary to the development of an effective defense against intercontinental ballistics missiles.

Third, there is a genuine fear among responsible members of this administration that the Russians may be testing during the ban, while we are not, and that this, if true, would give them a critical advantage in the development of the latest monster, the so-called neutron bomb, which would cost less, avoid radioactive fallout, and could be used discriminately on the battlefield.

The main question the President has put to his advisers is whether the security of the United States is impaired by the present untested test ban, and nobody has been able to demonstrate to his satisfaction that it has. Many people here have their suspicions that the Russians are testing and therefore that the security of the country may be endangered, but they cannot prove it.

Accordingly, the President has decided on giving the talks another chance. He went over this again today with his disarmament adviser, John J. McCloy, and while the President may recall his Ambassador in Geneva, Arthur Dean, in order to demonstrate his dissatisfaction with the Soviet Government's negative attitude toward the talks, the decision for the present is to persevere despite all the pressures and frustrations, and to increase the publicity on why Washington is taking this line.

Mr. CLARK. Madam President, I should like to refer also to a statement made by Mr. Edward R. Murrow, Chief of the U.S. Information Agency, on Meet

the Press last Sunday that the USIA had polls indicating the impact on world opinion of a resumption of nuclear testing, and that the results of those polls, which he was not at liberty to reveal, had been turned over to the President for consideration. I would venture a guess that those polls indicate that a nation which resumed testing would suffer a severe setback in world opinion, and I hope that it will be possible to release the results of the polls in due course.

The editorials I have offered for the RECORD take the view that to break off negotiations and to resume testing would be a tremendous psychological shock and that it would inevitably turn world opinion against us at a time when even the neutrals are shying away from the Soviets. I fully recognize that it may be necessary to claim liberty of action with respect to nuclear testing; but I commend the President of the United States for his restraint in this regard. I for one shall support him, and not join the outcry of those who advise him immediately to break off negotiations, with the inevitable adverse result this will have on our influence throughout the world.

#### OUR POLICY WITH RESPECT TO CUBA

Mr. CLARK. Madam President, I should like to speak briefly about our past policy and our future policy with respect to Cuba. I do so because a television program on which my colleague, Senator SCOTT, and I had as our guest Representative WILLIAM E. MILLER, chairman of the Republican National Committee, has received widespread national newspaper publicity. It is desirable on the floor of the Senate to set the record straight with respect to my own views in this regard.

I ask unanimous consent that a transcript of the television program participated in by Senator SCOTT, Representative MILLER, and me may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. METCALF in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. During the course of that program, Chairman MILLER stated:

The tragic mistake in Cuba that President Kennedy made was when he rescinded and revoked the Eisenhower plan to have the Cuban freedom fighters protected by American airpower.

On the same program, my colleague, Senator SCOTT, stated that the Cuban invasion did not succeed because the President "failed to support the Cubans with American naval forces, American supplies, and American airpower."

What are the facts with respect to the plan of the Eisenhower administration regarding Cuba? I do not believe that we have as yet had the whole story told. I have some reason to believe, however, that two reports, both made last month in this regard, are substantially accurate. I quote the first from Newsweek magazine of May 1, 1961. Referring to

the plans for attack on Cuba, Newsweek said:

Over the months a plan of attack began to take shape. At one point Bissell's group proposed that the United States provide air and naval cover for landing, but that only Cuban exiles be permitted to go ashore in the first waves. If the exiles couldn't succeed on their own, American forces would be landed. President Eisenhower vetoed this plan, at least temporarily. Vice President Richard Nixon, incidentally, argued in favor of it.

A report published in U.S. News & World Report of May 15, 1961, stated:

A check in Washington brought this explanation: The Eisenhower administration's plan for backing an invasion of Cuba included a recommendation for an "air cap" to be provided by U.S. Navy jets, carrier based. In military parlance an air cap means limited air cover for ships and landing craft. This fact had been conveyed to the Cubans.

Mr. Kennedy, however, early in April declared there would be no direct U.S. participation in an attack on Cuba. When the final invasion plan was drawn, there was no provision for an air cap. This decision, it appears, was never reported to the Cubans, who went into battle expecting support that never came.

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

Mr. CLARK. I am happy to yield.

Mr. SCOTT. I believe that this might be as good a time as any to see if we cannot set the record straight between my senior colleague and myself. As the Senator recalls, the whole question of the Cuban invasion was raised in the beginning by the distinguished Senator from Pennsylvania when he said at page 8 of this transcript:

The whole Cuban policy resulted from a plan conceived by Mr. Eisenhower, known in full by Nixon, although the knowledge was denied by him in the campaign, which called for the violation of our treaties, the violation of our agreement with the Organization of American States and going in with American troops to Cuba.

Without continuing, the quotation which the Senator has read from the magazine seems to imply just the opposite, that President Eisenhower at one point is supposed to have planned a naval CAP, or naval close air support.

Mr. CLARK. No. Let me refresh the Senator's recollection by reading what I said:

At one point, Bissell's group proposed that the United States provide air and naval cover for landing, but that only Cuban exiles be permitted to go ashore in the first waves. If the exiles couldn't succeed on their own, American forces would be landed.

In fairness, I continued:

President Eisenhower vetoed this plan, at least temporarily. Vice President Richard Nixon, incidentally, argued in favor of it.

Mr. SCOTT. I am trying to determine whether the Senator is arguing that President Eisenhower wanted to use or favored the use of American troops, or that he did not. Is the Senator prepared to comment on that, since I have a further comment to make?

Mr. CLARK. Yes; I should be happy to comment on that statement. In my present judgment—and I have no way of

proving it—such a plan was proposed at a high level by the CIA. I suspect, although I do not know, since the Deputy Director of the CIA is a four-star general, Gen. C. P. Cabell, that this plan was discussed, at least informally, with the Joint Chiefs of Staff. It would seem to me to be only commonsense that they should do so. I do not know that.

I now believe, as this article states, that this particular plan was vetoed temporarily by President Eisenhower, but the planning went ahead on the assumption that such action might be the end result, and it was intended that there should be air and naval protection right down to the time when President Kennedy revoked that determination. That is my best judgment now as to what the facts were.

Mr. SCOTT. I thank the Senator, because he has come around to something which I think is pretty close to what actually happened.

I am authorized to say, after checking with sources very close to the former President and the former Vice President, that actually during the Presidency of President Eisenhower no plans had been finally formalized for the invasion of Cuba; that Cuban refugees had asked for help; and that the U.S. Government was considering various plans by which they would be given help, which involved the planning of an invasion of Cuba by Cuban refugees.

Under President Eisenhower, these plans had not been finalized, and the leader of such a projected, prospective invasion had not, in fact, been chosen.

I am also authorized to say that President Eisenhower would never have approved a plan for an amphibious landing in Cuba without air cover. I wish to make it clear that there was no approval of a plan of invasion, because the authorities had not reached a point, with respect to naval support, logistics, and air cover, where they could finalize such a plan, since a leader of the revolutionary forces had not been agreed upon, and no final plan had been agreed upon. I make that part of my comment on the highest authority.

Mr. CLARK. Mr. President, will the Senator yield briefly, so that I may see if our minds have reached an accord?

Mr. SCOTT. I yield.

Mr. CLARK. I do not quarrel with anything the Senator has said, but I wonder if he would agree with me that CIA and Defense planning was constantly going forward, looking to an invasion of Cuba, headed by Cuban refugees, supported, as the planning went, by air cover and by U.S. naval logistical units to help them and supply them; and that shortly after President Kennedy took office, he was faced with the decision as to whether to let the planning go forward to consummation, whether he would abandon the plan, or whether he would change it.

Mr. SCOTT. I can answer in this way. The Washington Post published an editorial which refers to the specific complaint by Representative MILLER that President Kennedy rescinded and revoked the Eisenhower plan to have the Cuban freedom fighters protected

by American airpower. The Washington Post says this happens to be true.

Mr. CLARK. Is that the editorial in the Washington Post of June 13, 1961?

Mr. SCOTT. That is correct.

Mr. CLARK. Mr. President, I ask unanimous consent that the editorial may be printed at this point in our remarks.

Mr. SCOTT. I have no objection.

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

#### TRAGIC MISTAKE?

The new chairman of the Republican National Committee, Representative WILLIAM E. MILLER, has broken the unwritten political truce about Cuba with his charge that the Kennedy administration perpetrated "an American tragedy." Mr. MILLER's specific complaint—that President Kennedy "rescinded and revoked the Eisenhower plan to have the Cuban freedom fighters protected by American airpower"—happens to be true. But did this, and the announcement that no American forces would take part, constitute the ghastly mistake which Mr. MILLER professes to see?

In the clarity of hindsight there were enough mistakes to fill a couple of political war chests, and perhaps in the immediate sense the failure to use American airpower was one of them. Mr. Kennedy's order, it seems plain, removed whatever chance there might have been for a badly conceived plan to succeed. All questions of treaties and international opinion apart, if the plan had worked militarily—and if it is a big one—many of the misgivings might have been swept away. The United States received virtually as much blame as it would have received if it had committed its own forces.

But that argument assumes that a military operation alone in Cuba would have guaranteed the overthrow of the Communist satellite which Fidel Castro has been building. A far more persuasive argument on the other side of the case has been made by Theodore Draper in his admirable review of events in Cuba. In his article in *Encounter*, reprinted in the *New Leader*, he notes:

"The Eisenhower administration had not given the underground priority, and the Kennedy administration ruled out full-scale intervention.

"Yet, short of the Castro regime's collapse at the first blow from the outside, the invasion required a spontaneous outburst of popular support or an ever-increasing measure of American support. An invasion force which succeeded in overthrowing Castro without a demonstrative show of popular support could only have ruled Cuba in a state of perpetual civil war or as a thinly disguised American occupation. At best it would have postponed another outbreak of Fidelismo for a few months or years. At worst, it could have made Cuba into another Algeria."

What is significant is that the Republican leadership, judged by Mr. MILLER's charges, evidently has concluded that there is a popular issue here in berating Mr. Kennedy for his decision not to intervene directly. And if there is to be a political debate on this point, then some further considerations ought to come into the discussion.

Mr. Draper, who himself has no illusions about the menacing nature of the regime in Cuba, reports that former Vice President Nixon, as early as April 1959, wrote a memorandum advocating the training of guerrilla forces to overthrow Castro. Mr. Nixon also is said by others to have argued with the Eisenhower administration for an invasion with the support of American ground troops if necessary.

Yet when Mr. Kennedy, during the political campaign last fall, advocated helping

anti-Castro forces inside and outside Cuba, Mr. Nixon termed the recommendation dangerously irresponsible. He cited five treaties and the U.N. Charter in which this country has undertaken not to intervene, and he added:

"If we were to follow that recommendation (of Mr. Kennedy) we would lose all of our friends in Latin America, we would probably be condemned in the United Nations and we probably would not accomplish our objective."

Those were the words of the Republican presidential nominee last October. If Mr. MILLER is now inviting a full postmortem, it will be indeed instructive to have all the facts come out.

Mr. SCOTT. Mr. President, although the Washington Post says it happens to be true that President Kennedy "rescinded and revoked the Eisenhower plan to have the Cuban freedom fighters protected by American airpower," that statement is not accurate. So far as concerns the statement "protected by American airpower," the planning had not reached the point where there had been a final decision about the use of U.S. naval forces or U.S. airpower or Cuban airpower, or a combination of both, because at that point the logistics had not been completed, and the leader of the invasion forces, if it were to take place, had not been chosen.

But, as I said, President Eisenhower would not have invaded Cuba—would not have supported an invasion of Cuba—with any American commitment whatsoever unless such an invasion had been accompanied by air cover. I wish to emphasize that the use of day air cover had not been finally decided.

Mr. CLARK. The Senator knows, does he not, that the invasion was supported by air cover, but that the air cover was entirely inadequate?

Mr. SCOTT. The air cover was withdrawn by President Kennedy, as the Senator knows.

Mr. CLARK. I regret that I must differ with my colleague. If he will read the newspaper accounts on the days of the invasion, he will see that some B-26's did protect the landing; that an attempt was made to knock out the Cuban airpower; but that they were shot down by a number of jet trainers which the United States had given to the Batista administration. This information was published in the newspapers.

Mr. SCOTT. Does the Senator care to comment on the statement that air cover for the invasion forces was withdrawn by President Kennedy's order during the nighttime or before morning, and that the President said, "I accept full responsibility for this." Am I wrong about that?

Mr. CLARK. I have no way of knowing whether that is a fact or not; but from other facts I know, I do not believe the Senator's statement to be a fact.

Mr. SCOTT. Does the Senator assert that the air cover was supplied by Cuban counterrevolutionary forces; and if so, does the Senator assert that there were any Americans in the air cover?

Mr. CLARK. I shall have to say to the Senator from Pennsylvania that because the information which I have on this subject has been made available to

me through the Committee on Foreign Relations, I am not at liberty to disclose it; and I have been very careful in the colloquy so far not to make any statement which is not based on newspaper reports which are available to all.

I strongly urge the Senator to read the transcript of the testimony which is available to all Senators in the Committee on Foreign Relations; but I am not at liberty to comment on it, and I cannot and will not make any reference to that testimony. However, I think the Senator would be enlightened if he read it.

Mr. SCOTT. I respect the Senator's feelings on that point. He is, of course, correct. But I am not bound; I have not had access to the secret information.

Mr. CLARK. The Senator has access to it; all Senators do.

Mr. SCOTT. When I say I have not had access to it, I mean in the sense that I have not exercised my right to access to any secret information in either this or the other body, whether available in committee or not.

It is my understanding, from sources which I believe, that the invading forces went into the Bay of Pigs that night fully expecting air cover; that the air cover was to consist of B-26 planes, and perhaps other planes, manned largely by Cuban pilots, but including some American pilots for guidance and expertise; that when Mr. Adlai Stevenson heard of that in the middle of the night, he made a statement to a representative of the State Department that such air cover would seriously impede his negotiations having to do with Laos and with other parts of the world; and that Mr. Stevenson then flew, in the middle of the night, to Washington and consulted with, I am advised, Chester Bowles, who was acting on behalf of the State Department.

My information is, further, that Mr. Stevenson urged that the air cover not be furnished; that the order to supply the air cover was revoked; and that when the Cuban forces in the daytime endeavored to consolidate the beachhead, they ran out of weapons and food at a certain time later that day.

However, air cover, in fact, was not furnished. The Senator may be right; Some planes may have been involved, but full and adequate air cover had been, according to my information, promised the invading forces; and that promise was revoked during the night—at least in part—on the plea of Mr. Stevenson, for the reasons I have given.

Mr. CLARK. If the Senator will yield, let me say I wish to be very careful in what I say, for my lips are sealed. However, on the basis of information which is not classified, I state that I do believe the Senator's statements with respect to Mr. Stevenson and Mr. Bowles are largely, if not entirely, fiction.

Mr. SCOTT. Is the Senator prepared to say Mr. Stevenson did not fly from New York to Washington during the night after the invasion, and before the first light of the next morning?

Mr. CLARK. Regretfully, I state that I am not at liberty to comment

any further on the statements of my colleague.

Mr. SCOTT. Of course I would not push the Senator on that subject.

Mr. GOLDWATER. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am only in the middle of my remarks; but I am happy to yield.

Mr. GOLDWATER. I am sorry I was not in the Chamber when the Senator from Pennsylvania made his allusions to testimony taken before the Foreign Relations Committee. Will he state what testimony he was referring to?

Mr. CLARK. I really think I should not state that. I shall be glad to tell the Senator, off the floor, later on.

Mr. GOLDWATER. Then let me put the matter in my own words; and then the Senator from Pennsylvania can say either "Yes" or "No": One day, here on the floor, I felt it necessary to defend against attacks made on the Joint Chiefs of Staff by the junior Senator from Tennessee [Mr. GORE]. I particularly defended General Lemnitzer. Thereafter, the Senator from Tennessee invited me to visit the Foreign Relations Committee, to read the transcript of the testimony which had been taken there one day, I believe, or two days before. I read that testimony. Is that the testimony to which the Senator from Pennsylvania has referred?

Mr. CLARK. I will say that is part of the testimony to which I have referred, but not all.

Mr. GOLDWATER. I do not know what other testimony there might be which would relate specifically to the point as to whether air cover was promised or not. I shall not divulge anything contained in that document, because, as the Senator knows, it is marked "Top Secret." But I think I can say in a general way that after reading that testimony, I felt perfectly substantiated in my defense of the Joint Chiefs of Staff and their actions in this entire matter. I think it is a matter of public record that testimony has been given that no plan would ever have been approved without the understanding that air cover and sea or naval backup would be provided.

I do not want to go into the details; but I will say that I believe the time has to come—and has to come rather soon—when the responsibility for calling off air cover and naval backup must be taken by someone, because I am convinced, after having talked with Cubans who participated in the invasion and after having talked with persons who helped plan it and with officials of our own Government, that such was planned, was ordered, and was understood to have been available, but was called off.

As the Senator knows, I do not care to divulge the sources of information in regard to a matter of this sort; but these are statements which have been in the press, and have never been denied by anyone in the administration.

Mr. CLARK. I believe it would be very helpful, as the Senator has suggested, if a white paper were issued on this matter, now that it is fading into the past. But I do not feel free to make

any comment on what the Senator has said, because I want to be very careful not indirectly to reveal anything which I do not have a right to reveal.

Mr. GOLDWATER. Let me say, in conclusion, that, having great confidence in the Joint Chiefs of Staff, and having confidence in the CIA at certain levels, and having confidence in the military judgment of both President Eisenhower and President Kennedy, I could not conceive that any plan of invasion such as the one which was used in Cuba would ever have progressed past the planning stage if the essentials of amphibious landing had not been promised, namely, air support—and in this respect, I understand it to be our aircraft, not obsolete aircraft—if the need were there, and naval backup.

I can reach no other conclusion in the world but that that promise was made, and that it was understood by the Cubans to have existed, when they stepped off their landing barges in the invasion.

As the Senator has suggested, I believe it would be very, very useful to the American people if we knew who—and I am not convinced that it was President Kennedy; I am convinced it was someone else, who would bend their knee to any enemy—urged the decision to call off air support and naval backup. I think this information has to be made available to the American people; and I would urge the Foreign Relations Committee to declassify the information which would indicate the responsible area.

Mr. CLARK. Again I say I do not feel free to comment on what the Senator has said; but I want the record to show clearly that I am in disagreement both with respect to the facts and with respect to the conclusions he has drawn from them. I urge my friend not to press me any further in regard to information that I may not discuss.

Mr. GOLDWATER. Let me say to the Senator from Pennsylvania that he is on very, very touchy and serious ground if he proposes to defend—and I do not think it is wise for him to attempt to do so—with language which he cannot produce, against the statements which have been made against the invasion and against the way it was carried out, and which have been fairly well substantiated, I believe, by the silence on the part of the administration; and if the Senator is speaking for the administration, I think it unwise for the administration to ask him to perform this almost impossible task, unless he comes armed with statements to substantiate what he can only believe to be his own personal opinion in regard to the situation.

Mine has passed my personal opinion, because I have read some of the documents. I shall not go into detail about them; I refuse to do so. But I have read some of the documents; and I have talked to persons who were there, and I have talked to persons who were shot at there, and they have told me about these matters. In fact, 1 hour ago I was speaking to a Cuban who participated in the invasion; and 1 hour ago I was speaking to a Cuban whose son is in jail in Cuba; and these men are not telling me

fairly tales about what they understood to be the promises made by the United States.

So I suggest to the Senator from Pennsylvania that, brave as he is in taking on the defense of the administration, he is speaking "with the wind," so to speak, when he cannot divulge his sources of information.

Mr. CLARK. Mr. President, the Senator from Arizona entered the Chamber after I had spoken for approximately 7 minutes on the Cuban situation, and after I had been interrogated by my colleague [Mr. SCOTT], and when I was responding to that interrogation. If the Senator from Arizona had been in the Chamber earlier, he would have known—as he will know when he reads the CONGRESSIONAL RECORD, tomorrow—that I did not make the slightest reference to any official documentation; that I was speaking largely by way of parenthesis about the entire matter of how we came to go into Cuba; that I relied on two accounts—one in Newsweek magazine, and the other in the U.S. News & World Report, both of which I quoted; that I was referring to a television broadcast between my colleague [Mr. SCOTT] and myself, on which we had Mr. MILLER, the new chairman of the Republican National Committee, as our guest; and that my entire speech arose out of that telecast and the publicity attendant on it in the New York Times and in other newspapers.

I wish to make it abundantly clear that the administration has not asked me to make this speech, and does not know I am making it. I am making it solely to set the record straight in Pennsylvania, between my colleague [Mr. SCOTT] and myself, by reason of what has appeared in the press; and I was drawn reluctantly—and now I must insist on withdrawing from it—into any discussion of either secret information or matters which the Senator from Arizona has, through misunderstanding, brought into the debate, and which—knowing him as I do, and having for him the high regard that I do—I know he would not have endeavored to bring into the debate.

Mr. GOLDWATER. Mr. President, I heard the Senator comment on a document mentioned by his colleague [Mr. SCOTT]; and I wondered whether it was the same document as the one which I, myself, had seen. But I shall not detain the Senator any further; I shall listen to the remainder of his speech.

Mr. CLARK. I thank the Senator from Arizona.

Mr. SCOTT. Mr. President, will my colleague yield to me?

Mr. CLARK. I yield.

Mr. SCOTT. I agree that my colleague has not made any mention whatever of any secret or classified documents, and certainly I would not press him further in that sensitive area.

I would merely join him in the suggestion that it is high time that some white paper be issued, so as to state exactly what did happen in connection with the invasion of Cuba, because we are getting into a rather unfortunate situation, which I did not initiate—as my colleague knows, but which developed as a result

of a colloquy between Representative MILLER and my colleague [Mr. CLARK], and later I made certain comments.

But all of us are now getting involved in the question as to what President Eisenhower would have done, what President Kennedy did or did not do, and all of us are speaking without access to all the facts, because, as the Senator from Pennsylvania has said, they are not available. I agree with him that a white paper would be an excellent thing. I think the American people have a right to know what goes right and what goes wrong with their Government's activities.

The Pearl Harbor situation was not brought out by the State Department documents until about 10 or more years after the event. Certain treaties and conferences have not yet been revealed in full more than 15 years after the event.

There is so much speculation, and, I am afraid, leading to recrimination, which I think is regrettable, that perhaps a full and frank statement as to who did what in regard to the Cuban invasion would be most helpful to all the American people, so we can, with that knowledge, avoid a similar disaster on some future occasion.

I thank the Senator for yielding.

Mr. CLARK. I note my colleague's comments, and I would now ask him if he would indulge me until I finish my quite brief remarks, at the end of which I shall be glad to yield to him again.

Mr. President, I return to Chairman MILLER's statement on our television program to the effect that the tragic mistake in Cuba that President Kennedy made was when he rescinded and revoked the Eisenhower plan to have the Cuban freedom fighters protected by American airpower and to the statement of my colleague, the Senator from Pennsylvania [Mr. SCOTT] on the same broadcast, that the Cuban invasion did not succeed because the President failed to support the Cubans with American naval forces, American supplies, and American air cover.

With all deference to my colleague and Representative MILLER, in my opinion, belligerent statements such as these, which have been echoed, unfortunately, by other Republicans in this Chamber and in the other body, do a double disservice to the United States.

First, they weaken our country's claim to moral leadership in the international community—a community filled with nations smaller and less powerful than our own. They indicate a callous willingness to ignore both our own criminal code sanctions against fostering foreign invasions on U.S. soil and the Organization of American States Charter declaration that no state or group of states has the right to intervene directly or indirectly, for any reason whatever, in the internal or external affairs of any other state.

Useful reminders of our treaty and legal obligations against direct or indirect unilateral military action have been made in recent written articles by two prominent Republicans, Mr. Arthur Larson, a distinguished former member of

the Eisenhower administration, and Mr. JOHN V. LINDSAY, a very able young Republican Congressman from New York.

The criminal code section makes it very clear that anyone who ever, directly or indirectly, fosters on the soil of the United States a rebellion against any other nation with which the United States is not at war is guilty of a criminal action punishable by fine and imprisonment.

I have already read the excerpt from the Treaty of Organization of American States Charter, which, of course, having been confirmed by this body, is part of the supreme law of the land.

Second, such statements of sound and fury divert our attention from the main task in our relations with Latin America and all of the underdeveloped countries of the Southern Hemisphere: The task of assisting them to escape from the shackles of hunger, poverty, and despair which now surround and form the breeding grounds for extremism.

I turn now to the future of our Cuban policy. We should all heed the advice that President Frondizi gave to Ambassador Stevenson last week, when he said:

The best answer to the threat of Dr. Castro in the Western Hemisphere is a sustained program of U.S. economic aid to other Latin American countries on a country-by-country basis.

I ask unanimous consent that a news article bearing the byline of Edward C. Burks, of the New York Times, and appearing in the June 9 issue of the New York Times, with a Buenos Aires dateline, be printed in the RECORD at this point in my remarks:

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

ARGENTINES TELL STEVENSON UNITED STATES SHOULD END SPOTLIGHT ON CASTRO—HOLD BEST ANSWER TO CUBAN WOULD BE SUSTAINED AID PROGRAM FOR LATIN AMERICA—2-DAY TALKS END

(By Edward C. Burks)

BUENOS AIRES, June 8.—The Argentine Government is telling Adlai E. Stevenson that the United States should stop putting a theatrical spotlight on Premier Fidel Castro of Cuba by arguing with or about him.

Mr. Stevenson, on the second leg of his Latin American tour as President Kennedy's special representative, concluded his 2-day talks with President Arturo Frondizi in an overtime session today.

The Argentines described the talks as very fruitful and appeared enthusiastic over having put across to Mr. Stevenson, who is the U.S. delegate at the United Nations, the main economic and political points they wished to make.

The best answer to the threat of Dr. Castro in the Western Hemisphere is a sustained program of U.S. economic aid to other Latin American countries on a country-by-country basis, the Argentines emphasized.

The Argentines favor isolating Premier Castro and his revolution by a program of economic development that would show how much can be accomplished under the democratic system.

On the other hand, they have indicated disapproval of joint steps by Latin American nations against Dr. Castro, such as severance of relations or economic sanctions, on the ground that such action would win sympathy for him.

The Government is also pointing out its view that continuation of the debate between Washington and Havana would play into Dr. Castro's hands because the Latin American masses would then tend to see him as the underdog. Thus latent anti-Yankeeism could easily be fanned into flame by Washington, they contend.

In Government circles the feeling is stated that if the United States would ignore Dr. Castro he would soon end up talking to himself and would lose his Latin American audience.

It is also felt here that economically his regime will see hard times very soon because of the conviction that the Soviet Union cannot or will not support him at long range for any great length of time.

Foreign Minister Adolf T. Mugica, in a formal address at a dinner honoring Mr. Stevenson, spoke frankly on several points.

He said there had been serious worries here because the countries of this continent, also American, had not had an opportunity to convey their impressions to President Kennedy before he went to talk with Premier Khrushchev on subjects that have undeniable effects in Latin America.

Mr. CLARK. Mr. President, I should like to call my colleague's attention to a very able column by Walter Lippmann which appeared in the Washington Post on Tuesday, June 13, which has already been inserted in the RECORD, and so I shall not ask for its insertion again. It is entitled "The Folly of Despair."

Mr. Lippmann points out that:

We have had a run of bad news and the time has come when we must make up our minds whether to face it and learn from it, or to shrink from it into a nervous breakdown with suicidal tendencies.

He states:

There are altogether too many of us who in dismay and disappointment are ready to admit that Khrushchev is right in predicting that communism is sweeping the world and that, short of war, we have no means of stopping it.

Mr. Lippmann states further that:

The root of the error is to equate, instead of to differentiate between, the communistic movement which owes allegiance to Moscow and Peking and the worldwide movements of social reform and social reform and social revolution, which almost everywhere seek national independence and nonalignment with the great powers.

Mr. Lippmann continues:

We play right into Mr. Khrushchev's hands when we identify ourselves with the opponents of change rather than with the leaders of change.

Again I share Mr. Lippmann's belief that Cuba is not "gone" and his belief that Mr. Khrushchev does not begin to think Cuba is as "gone" as some Senators think it is. For Cuba is as far from Moscow as Laos is from Washington. In time, not necessarily in a very long time, Cuba will rejoin the community of American States. It will do this because it has no other place to go.

These are Mr. Lippmann's views. I am in accord with them.

The wave of the future is not Communist domination of the world. The wave of the future is social reform and social revolution driving toward the goal of national independence and equality of personal status.

I agree thoroughly with Mr. Lippmann that we must support with active measures these movements of social change,

and that if we do so we shall free a large area of the world—Latin America, Asia, and Africa—from any fear that those countries might be dominated by Moscow.

Let us, on both sides of the aisle, stop dwelling upon the mistakes of the past, stop making foolish calls for action in a world in which direct military intervention is obsolete and dangerous to all. Let us get at the real job at hand, outlined by President Kennedy in his *Alianza para Progreso* and foreign aid messages. Let us push through the Kennedy program for Latin America, as Ambassador Stevenson is so well doing on his current trip. Let us support that program in the Senate and in the Congress. Let us go all out to support the constructive forces of social change. That is the way to beat communism in Latin America.

Mr. President, I quote with great approval the statement of the President of the United States to the Congress on May 25 when, in dealing with the need to aid the underdeveloped countries, he said:

Our response to their danger must be essentially constructive. We want to generate hope in those countries. We want to help them modernize their societies, broaden human opportunity and stand as equal partners in the community of free nations. We would be madly mistaken to consider their problems in military terms alone.

Our immediate task, Mr. President, is to pass promptly the President's foreign aid program which is designed to assist not only Latin American countries, but also the new and struggling nations of Africa and Asia. That way should lie our Cuba policy, our Latin America policy, our African policy, and our Asian policy.

I commend the views of the President of the United States to the Members of this body.

Mr. SCOTT rose.

Mr. CLARK. Mr. President, I am prepared to yield the floor, but I should like to give my colleague an opportunity to ask me a question, if he wishes to do so, unless he desires the floor in his own right.

Mr. SCOTT. Mr. President, if the Senator will yield briefly, since I understand the leadership on both sides is anxious to proceed to consider another matter, I should like to ask the Senator a question to clarify a statement he made in regard to the alleged violation of the law of the land.

I understood the Senator to say that promoting a rebellion against a foreign country is a crime. Did the Senator say that?

Mr. CLARK. The Senator is correct.

Mr. SCOTT. Was the Senator saying that President Eisenhower was guilty of a crime, in that he promoted a rebellion against a foreign country?

Mr. CLARK. I was not saying that at all. I think those who did it were guilty of a crime.

Mr. SCOTT. The Senator earlier made the point that what President Kennedy did was merely to continue what President Eisenhower had done. Therefore, whoever preceded would be equally responsible under the laws of the

land, whether the person acted under the direction of a former President or of the present President; is that not so?

Mr. CLARK. Mr. President, I do not wish to engage in a "Donnybrook" on the floor of the Senate with my friend from Pennsylvania. We can do that on our television programs. I do not think any useful purpose would be served by pursuing this particular matter further, for in the last analysis it boils down to the question, "Have you stopped beating your wife?"

Mr. SCOTT. Mr. President, will the Senator permit clarification of another point? I understood the Senator to say that the United Nations Charter was the supreme law of the land—that is, of the United States—having been ratified by the Senate. Does the Senator mean by that statement that the United States has foregone the right of self-defense inherent in its sovereignty because of ratification of the United Nations Charter? I cannot accept that, myself.

Mr. CLARK. All I did was to paraphrase the Constitution of the United States. I think I shall stand on that.

Mr. SCOTT. The Senator agrees with me that communism should not exist in Cuba, and that, as the Senator has said, we must not regard Cuba as lost?

Mr. CLARK. I agree with the Senator thoroughly on that, but I think we should act in accordance with existing treaties and existing law.

Mr. SCOTT. Finally, the Senator said something about B-26's or some other planes being in the air over Cuba. Did the Senator say that the planes ever actually bombed Cuba during the invasion?

Mr. CLARK. Again, my lips are sealed. Again I ask my friend to go to the committee room of the Committee on Foreign Relations to read the testimony.

Mr. SCOTT. I shall not pursue it further. I was merely going back to the Senator's recollection. I shall not pursue it further.

Mr. CLARK. I cannot speak in that regard. If the Senator would like to have an answer, he can read the testimony. He will find it in the testimony.

Mr. SCOTT. I recognize the Senator's limitations, and that he is unable to use the material. I wish to make it clear that I merely wondered whether the Senator, at the beginning, in referring to the use of planes, used any such word as "bomb" or "bombing."

The Senator has answered to my satisfaction. I thank the Senator.

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

Mr. CLARK. I shall yield in a minute to my friend from Arizona.

Mr. President, I ask unanimous consent that the pertinent section of the criminal code to which I have referred, which is title 18, section 960, "Expedition Against Friendly Nation," may be printed in the RECORD at this point in my remarks.

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

Whoever, within the United States, knowingly begins or sets on foot or provides or prepares a means for or furnishes the money

for, or takes part in, any military or naval expedition or enterprise to be carried on from thence against the territory or dominion of any foreign prince or state, or of any colony, district, or people with whom the United States is at peace, shall be fined not more than \$3,000 or imprisoned not more than 3 years, or both.

Mr. CLARK. Mr. President, I now yield to my friend from Arizona.

Mr. GOLDWATER. Mr. President, during the latter part of the Senator's remarks he spoke enthusiastically about the program to which the President referred as *Alianza para Progreso*, stating that this would solve the problems of South American and Latin American countries.

Mr. CLARK. If I may interject, if I used the word "solve," I should not have. I should have said it would help substantially to solve those problems. I do not know that those problems are soluble. They are terribly difficult, far more difficult than most of the American people realize. If the people would study the conditions in South America now, they would realize how difficult the problems are.

I do not know whether this program can succeed, but in my judgment this is the best and perhaps the only way to offer hope of retaining the friendship of Latin American countries and to assist their peoples to realize their best aspirations.

Mr. GOLDWATER. The Senator recognizes very well the social problems of Latin and South America. I can attest to their existence from my lifetime of association with people of those countries.

I invite the attention of my friend to a fact that we cannot overlook. American investment capital is flowing out of South America at an astronomical rate. In fact, I am having an extremely difficult time getting the agencies of our Government to tell me the truth in this regard, but I shall pursue it further and I intend to make remarks before the Senate about it.

We do know that out of Venezuela alone last year over \$1 billion of American capital, which was available for re-investment, left that country because of the situation we have allowed to continue in Cuba.

We can talk about an *alianza para progreso* all we wish, and we can talk about investing \$500 million in Latin American countries for better homes, better schools, and better living conditions, but are we not getting ourselves mixed up into an extremely paradoxical situation when we provide \$500 million in Latin America and allow untold billions of dollars to flow out because of communism existing in Cuba, since the Latin Americans see this as the first real solid threat to the Western Hemisphere?

I think the Senator should take that into consideration and should be willing to work toward elimination of communism in Cuba in a more realistic way because of this one reason, if for no other reason.

Mr. CLARK. Personally I deplore the withdrawal of American capital from Latin American countries as much as does my friend from Arizona. I hope

measures can be taken to restore investors' confidence in that part of the world. I must say, however, this point seems to me to be substantially irrelevant to the question of whether we should support the President's program to try to raise the economic, the social, and—yes—the political status of the people of South America and of Latin America generally, so that they can have some hope for the future—hope for roofs over their heads, three square meals a day for themselves and their children, and possibility of an education which will enable them to open great new vistas, both spiritually and materially, for themselves.

I believe this to be the great challenge.

I could not agree more with my friend that it is most desirable, if it can be done, to help create conditions in Venezuela in which American capital will remain. I disagree with my friend—and, of course, this is a matter of judgment—that capital is leaving Venezuela solely and alone because Castro is in Cuba. I simply do not believe it.

Mr. GOLDWATER. Mr. President, will the Senator yield further?

Mr. CLARK. I am happy to yield.

Mr. GOLDWATER. I think the Senate has expressed itself relative to the desirability of the program of the President in Latin America. While this might provide some answers to the Communist threat, it will not provide them, in my opinion, in time.

I have watched one great Latin State—the State of Sonora, a State bordering mine, but in Mexico—spend 30 years coming from the condition the Senator describes as existing in South America to a condition of reasonable comparison with our own standard of living. It is not completely there yet.

We are not talking about a social reform program which will work in 1 year, in 5 years, or in 10 years. We are talking about something which may require 30 years.

Mr. CLARK. I agree with the Senator.

Mr. GOLDWATER. The problem, then, is to create new industry in South America in order to drain American dollars down there. Those American dollars are not earned entirely by American corporations. They are earned by corporations from other countries which have lost confidence in the ability of the United States to do anything about communism 90 miles off its shore. The senior Senator from Pennsylvania may disagree with the junior Senator from Arizona as to why that money flows out. I can tell him with absolute certainty that it is flowing out because of Castro. It did not start to flow out until the Castro government became firmly established in Cuba, and the United States showed a continuing disinterest in doing anything about it.

If the Senator is sincere—and I know he is—in wanting to create better conditions in South America, which he and I know will require investment capital, among other things, he will join with those of us who have advocated that the United States adopt a foreign policy that would prohibit the establishment of com-

munist anywhere in this hemisphere, which would damage the freedom of our people and our hope of bringing freedom to other peoples.

Mr. CLARK. This is not the first time I have found myself in substantial disagreement with the Senator from Arizona, nor will it be the last, I regret to say.

I should like to ask him whether foreign capital is flowing also from Mexico.

Mr. GOLDWATER. It is. When I talk about foreign capital, I talk about American dollars as they are flowing into Panama and Switzerland. It is coming back into this country at a very alarming rate. As I say, more than \$1 billion flowed from Venezuela in 1 year. I am unable to obtain the necessary information from the sources which I have consulted. I am now going to one other governmental source, hoping to get a complete picture of the rapid transfer of American dollars out of Latin America into areas that are considered safe.

Mr. CLARK. I for one would be most happy to have the Senator produce and have printed in the RECORD figures which indicate the extent of the flow of foreign capital in general and American capital in particular, from Mexico. I am also aware of the indications of support for Mr. Castro which, to my regret, have been made and published by a number of Mexican citizens. If there is a causal relation between Castro's continued tenure in Cuba and capital outflow from Mexico, I would like to see the evidence.

Mr. President, I yield the floor.

#### EXHIBIT 1

#### "YOUR SENATORS' REPORT"

(A program done jointly by Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, and Senator HUGH SCOTT, Republican, of Pennsylvania, for broadcast on 15 television and 39 radio stations)

(Guest Representative WILLIAM E. MILLER, chairman, Republican National Committee.)

ANNOUNCER. "Your Senators' Report." From the Nation's Capital we present another report to the people of Pennsylvania. This unique series of programs, done in the public interest, is brought to you by Senator JOSEPH S. CLARK, Democrat, and Senator HUGH SCOTT, Republican. To open today's program, here is Senator SCOTT.

Mr. SCOTT. Ladies and gentlemen, it is a great pleasure to have with us today the new chairman of the Republican National Committee, Representative WILLIAM E. MILLER, of Lockport, N.Y.—who represents the district including a part of the city of Buffalo and who has been in Congress since 1950 and has enjoyed a very long and distinguished career as a legislator and before that as district attorney.

A graduate of Notre Dame for his college work and of Albany Law School where he got his law degree. A practicing attorney, he served during the war in the U.S. Army and was one of the assistant prosecutors at the Nuremberg trials. He was for several years district attorney in Niagara County, N.Y. During his service in Congress, he has been known for his forthrightness, for his strength by which he holds his opinions, for his integrity and for his articulateness. Here on a show where you have two rather articulate Senators, we have already warned him not to let us steal too much of his time. So with that, I introduce to you Chairman MILLER of the Republican Party, Congressman MILLER.

Mr. MILLER. Thank you very much Senator SCOTT. I am, of course, happy to be with you,

a former national chairman yourself and a former counsel to the Republican National Committee. I am delighted also, Senator CLARK, to be with you on this show. I certainly think that this show is an excellent service for the people of Pennsylvania.

Mr. CLARK. Thank you very much Congressman. We're very happy to have you with us. I think under our Marquis of Queensbury rules it is my privilege to throw the first rock. Before I do so, however, I would like to tell our listeners that I have some material dealing with controversy about fact which Senator SCOTT and I had both on the May 14 and June 7 show, dealing with, in the first instance, the education bill; and the next instance, Mr. Dulles' position on Russia. But rather than get in a hassle today when we have our guest, I thought we would postpone it until the next show if that is agreeable with you, HUGH?

Mr. SCOTT. Fine with me, JOE.

Mr. CLARK. I'd like to ask you, Mr. MILLER, this. Some of your statements when you accepted this most difficult, if not impossible, task in which you are—

Mr. MILLER. Not impossible.

Mr. CLARK. Presently involved, indicated that you believed that it was very important for the Republican Party to unify itself and make an all-out effort to get control of the House of Representatives in 1962 and win the Presidency in 1964. I wondered if you would tell our listeners how it is going to be possible to unify a party with as diverse elements in it as those represented by Senator Goldwater, Vice President Nixon, and Governor Rockefeller?

Mr. MILLER. Well, I can say, Senator, that if you Democrats can win national elections with ADAM CLAYTON POWELL from New York and Senator EASTLAND from Mississippi in your party, we should have no difficulty at all. As a matter of fact, the divergence and the differences in our party are far less than yours. Now I think there has been too much emphasis entirely on the areas of disagreement in our party rather than the areas of agreement. For instance, in New York, Governor Rockefeller a year ago, recommended additional public services. Perhaps Senator GOLDWATER would not have subscribed to all of these programs. Nevertheless, the Governor of New York had the intellectual honesty to demand an increase in taxes so that the State would be on a pay-as-you-go basis and we would have fiscal responsibility in New York. This is an area in which I am sure Senator GOLDWATER would agree with Governor Rockefeller. Governor Rockefeller in New York has resisted the efforts of the State power authority to preempt the atomic energy field in New York and has left it to the privately owned utilities. I think this is a stand in which Senator GOLDWATER and Governor Rockefeller would have been in accord. In other words, I feel that as far as we are concerned in our party, differences are healthy, as they are in yours. This is the way you finally mold an opinion and a position which best represents the aspirations of most of the people. I think, as a matter of fact that our party would have been better had we had some primaries like you did last year, in which Senator Humphrey called Lyndon Johnson names and Lyndon Johnson called Jack Kennedy names but yet when your convention was over, you were unified and you were already underway. I think we would have had stronger impetus perhaps had we had primaries. I think the differences in our party are magnified, the areas of agreement are great, and I see no problem there whatsoever.

Mr. SCOTT. Bill, I rather think, by what you said, that there may well be primary contests in the Republican Party in 1964.

Mr. MILLER. I certainly would not object to them, Senator. I think this is healthy.

Mr. CLARK. I suspect you will have more trouble than you think in making quite as much a conservative out of Governor Rockefeller or quite as much a liberal out of Senator GOLDWATER as you're quite natural comments indicated.

Mr. MILLER. I'm not wedded to those terms, Senator. I just say that when you talk about areas of agreement and disagreement that if your party is a national party, and can win national elections—which you have proven—with the areas of disagreement in your party, it should be no problem in ours.

Mr. CLARK. HUGH's been charging me with that on this show now for the last 3 years.

Mr. SCOTT. With some success.

Mr. CLARK. Oh, this remains to be seen. It wasn't very successful in November of 1960. In any event, I've always said that while he accuses us of things schizophrenic, in that we have our—

Mr. SCOTT. Schizophrenic?

Mr. CLARK. Schizophrenic, is it? Well, I was using the adjective in a little different sense. Maybe you're right.

He thinks we are split down the middle, and to some extent that's true. I think you're split three ways, three quite irreconcilable factions, with Mr. Nixon trying to ride both horses and pretty much falling between the two.

Mr. MILLER. Well, you wouldn't say the difference between Mr. Nixon and Rockefeller was as great as the differences which exist among the members of your party, would you Senator?

Mr. CLARK. No, but they are pretty severe.

Mr. MILLER. Then that's my point. If they are not as great, then we are in better shape than you are.

Mr. CLARK. Well, perhaps you are.

Mr. MILLER. I don't mean 1960. Let's look at 1960 Senator. We received almost 50 percent of the votes for President. If you subtract from the votes President Kennedy received the Liberal Party vote he received in New York and the votes he received from unpledged electors in Alabama and Mississippi, more people in this country voted for the Republican candidate for President than voted for the Democratic candidate for President.

Mr. CLARK. I hope that's a great solace to you, but we won.

Mr. MILLER. We gained 22 seats in the House of Representatives; we gained 2 seats in the Senate; we gained 2 Governors; we gained 300 seats in the State legislatures around the country since the election of 1960. In the special election in the Second District of Arizona for Congress, we received 49.1 percent of the vote which is 10 percent more than we ever received historically in that district since Arizona's been a State. We elected a U.S. Senator in Texas for the first time since the Civil War.

I find no evidence that our party is not vital, and aggressive and on the upswing.

Mr. SCOTT. I want to say here that Chairman MILLER was the chairman of the Republican congressional campaign committee when we picked up those 22 Republican seats last year and I suspect that we are counting on picking up quite a few Republican seats in 1962.

Mr. MILLER. We have 174 seats now in the House of Representatives; we need to hold what we have now and gain 44 seats to gain control of the House of Representatives in 1962. Now, historically, the party out of power generally does better than when it is in possession of the White House.

In addition to that, we lost some 35 seats in 1960 by less than 5 percent of the vote while we were simultaneously losing the presidential election. We haven't gained in the House of Representatives while simultaneously losing the Presidency since 1916.

Well, in my judgment, everything looks as though we have an excellent chance to gain control of the House of Representatives in 1962.

Mr. CLARK. Of course, the figures that you present would be far more convincing, and they are quite convincing, if it weren't for the fact that you got licked. You lost the Presidency; you lost the House of Representatives by a large majority; your gains in the Senate were minimal. In Texas, you elected one Republican over another, and I'm glad you did. It doesn't seem to me—

Mr. MILLER. Well, I'm glad to hear you say this because this just proves the point I made before. When you are talking about divergence in your party, you're calling the Democrat—selected by the Vice President of the United States, LYNDON JOHNSON, to be his successor in Texas—you're calling him a Republican.

Mr. CLARK. No—

Mr. MILLER. Yes, he was LYNDON JOHNSON's choice to succeed him.

Mr. CLARK. Well, I think you have to be pretty careful about that.

Mr. MILLER. There's real divergence.

Mr. CLARK. He was Price Daniel's choice. He wasn't LYNDON'S choice.

Mr. MILLER. You mean LYNDON doesn't have anything to say in Texas any more?

Mr. CLARK. Well, I don't think he has quite as much to say as he used to; don't you agree?

Mr. MILLER. Yes.

Mr. SCOTT. I notice, JOE, that you are praising Chairman MILLER with faint damns. In other words, you point out—

Mr. CLARK. Are you surprised?

Mr. SCOTT. No, but I find you as usual wrong. You are pointing out that our gains were only slight, as you say. The point is that you lost. You lost the House of Representatives.

Mr. CLARK. We didn't lose, we carried the House—

Mr. SCOTT. No, but you lost.

Mr. CLARK. By a big majority.

Mr. SCOTT. You lost a number of seats.

Mr. MILLER. Well, the point is: Who's on the upgrade and who's on the downgrade?

Mr. CLARK. I hope you fellows just keep on believing we lost the House of Representatives. You'll have a lot of trouble persuading the people who vote over there on the other side of the Hill.

Mr. SCOTT. Well, let me say that you didn't gain seats and we did.

Mr. CLARK. We won the House.

Mr. SCOTT. Yes, you have the House. When bills pass that people don't like and they cost too much money, I hope you'll take the blame for them, too, and not try to blame them on the Republicans because we have one-third of the membership in the Senate and yet everything that costs money, everything you get blamed for, you say it is the Republicans who did it. Now that is hardly proper.

Mr. CLARK. We have a fine group of Republicans in the House and an equally fine group in the Senate—to which you usually belong—which votes with the Kennedy administration on most of these records.

Mr. SCOTT. Well, I belong where I sit—as a Senator from Pennsylvania who votes as he thinks right. I vote with my party most of the time; I don't hesitate to disagree with them. My kind of voting has resulted in more Republicans in Congress and I think it may embarrass you a little that sometimes I agree with you, but I try not to embarrass you too much.

Mr. CLARK. Now we welcome sinners' redemption all the time.

Let me ask Mr. MILLER another question.

I take it you would agree, Mr. MILLER, that in the Congress, ever since I came in 1957 until this year, and after HUGH arrived in the Senate in 1959, the Senate and House

both were dominated by a bipartisan coalition which was essentially conservative, consisting of southern Democrats and northern Republicans—

Mr. MILLER. I'm sorry to interrupt, but I don't agree with the premise. But go ahead, finish. I'm sorry.

Mr. CLARK. Well, I'm going to give you an opportunity to comment on the premise and on the conclusion.

In my view, and I think HUGH will have to agree, this conservative coalition controlled the Congress during the years of 1957 to 1959, inclusive; now this year there appears to be another coalition which is being successful, which is a liberal coalition of Democrats and Republicans. I wonder if you would tell our viewers if you would like to go back to the good old days when the conservative Republicans and the southern Democrats controlled the Congress.

Mr. MILLER. In the first place, I said I disagreed with the premise. Therefore, I can't go back to the good old days because I don't think there were any such days.

In the second place, my voting record in the House for instance, would indicate—and I'm supposed to be I guess, a conservative Republican as they say—I guess I probably didn't vote with the southern Democrats 50 percent of the time. As a matter of fact, my record in supporting the Eisenhower administration, I think, is somewhere over 90 percent.

Of course, as you will know, being in the legislative body yourself, that from time to time you find yourself on certain measures, in odd company because of certain convictions and certain beliefs. I will vote my conviction and if other people, whether they be Democrats or Republicans, happen to have on that particular piece of legislation the same conviction, I welcome their company and welcome their support. But I can't agree; for instance, we had a bill a short time ago in which most Republicans voted against. I don't think one southern Democrat joined with a Republican so there isn't that much difference in the complexion of the House today than a year ago. I think that sensible Democrats from time to time will join in with the Republicans in measures which are good for America. That's about all I can say.

Mr. SCOTT. I think, too, that Republicans, by their program, are pointing out the shortcomings of the Democratic program; that's our responsibility. We are still the minority party, but we are growing, which is the point we wanted to make earlier. Let's get on to some other subject.

Now day before yesterday—I speak in terms of reference because we tape this program before the weekend when it's shown—Scottie Reston, columnist with the New York Times, referred to the summit conference at Vienna, saying that it was "a highly successful failure." He said it was successful in a personal sense for President Kennedy but a failure of any solid political achievement. He called it "a scoreless tie." Now what do you think about that, BIL?

Mr. MILLER. I think first that the whole event—the occurrence of it—simply proved that President Kennedy now knows that what he said as a candidate was wrong. And what he criticized President Eisenhower and Vice President Nixon for was wrong and that they were right. During the campaign he said, "If I'm elected, I'll go to Washington. I won't engage in summit conferences; I won't engage in personal diplomacy, at least until there has been an in-depth study, until there has been staff negotiations; until there has been negotiations at the diplomatic level; until there is an agenda formed with reasonable hope for success." Now, of course, he has switched around a hundred percent, and went to Vienna with none of these conditions existing at all. Now he reported on television

that Khrushchev wasn't converted to capitalism. Eisenhower said he never expected to accomplish that. He said he wasn't converted to communism. I believe that. He said he was there only to indicate what the American posture was; what the American strength was; that we weren't going to be tossed around and therefore no war would occur as a result of miscalculation of American strength or American position. This is what Eisenhower always said for 8 years was the purpose of this diplomacy, and why he went the last mile time and time again. But, once again, this is what we criticized candidate Kennedy for when he went up and down the country during the election saying the United States was a second-rate power. If there was ever anything that could cause a war by miscalculation, it was this kind of campaigning.

Mr. CLARK. Can I comment on that? To paraphrase Congressman MILLER, since you gentlemen's premises are wrong, your conclusions are sure not to follow. Also, I don't agree with your premise which is that there was a summit conference. Both President Kennedy and Premier Khrushchev made it clear to everybody who honestly wanted to look the facts in the face—and I know that includes you two gentlemen—that this was not a summit conference. There was no agenda. They didn't take great groups of people with them. There was no effort to come to an agreement. This was merely opportunity for two men who hold an enormous amount of the power of this world, to meet each other; to appraise each other—what they were like—to see the areas in which there was agreement; the extent of the disagreement. I think that Scotty Reston is 100 percent wrong.

Mr. MILLER. Why didn't Senator Kennedy say this during the campaign? I agree with you. I couldn't agree more.

Mr. CLARK. May I finish? He said it before he went. He said he wasn't going to any summit conference during the campaign and he did not go to a summit conference. And for you people to pretend that he did, I don't think that is being candid with the people of Pennsylvania.

Mr. MILLER. Well, what did he accomplish? Berlin is in the same shape it was in before.

Mr. CLARK. He didn't intend to accomplish anything. He said so before he went and you fellows pretend that he was trying to do something else.

Mr. SCOTT. Let me summarize. According to you, he went to a meeting which was not a summit—

Mr. CLARK. That's right.

Mr. SCOTT. Although it was between the two chiefs of state.

Mr. CLARK. And only you call it a summit. Nobody else calls it a summit.

Mr. SCOTT. Now then, I will begin again. He went to a meeting which the American people constantly regard as a summit, which you said was not a summit. He went there announcing that nothing would be accomplished. He kept his word to the American people because nothing was. Now then, he came back and admitted that nothing was. Therefore, what was the purpose of the conference?

Mr. CLARK. Do you want me to tell you?

Mr. SCOTT. Well, I'll give you a chance in a minute but I want to point this out: All we have done in our foreign policy this year of 1961 has been to take a defeat in Cuba, a surrender in Laos; we have failed to take a single forward position.

Mr. MILLER. There's something else. He sent Soapy Williams to the Congo.

Mr. CLARK. A most successful trip.

Mr. SCOTT. And he sent Soapy Williams to the Congo. Now, there's no set of national policies. The American people haven't the slightest idea what President Kennedy stands for in foreign affairs. We

will all support him if he asks us to take action—no matter what that action is. But at this point there is no leadership of a forward nature embodying a set of American principles on which we must stand or fall to preserve the security of this country.

Mr. MILLER. Let me say another thing, Senator. He also offered the American boys, you know, to General De Gaulle to help some Frenchmen to shoot other Frenchmen. You remember that? And then we also joined in the United Nations with Soviet Russia on the Portugal incident to go down to defeat in the United Nations for the first time since we've had a member on the side of the Soviet Union.

Mr. SCOTT. In accomplishing nothing with Khrushchev, as expected, the most significant thing is that he accomplished nothing with De Gaulle. Because if we can't be unified among our allies—Britain, France, and the United States—how can we impress Khrushchev that we mean what we say and that we will do it. Now will you come out of your depression and answer?

Mr. CLARK. I'm not a bit depressed. Well, I am depressed that two gentlemen of your stature in the country would make such totally extravagant comments. And I think I will have to take a minute or two to reply. In the first place, our troubles in Laos today are due to the almost fantastically foolish policy of the Eisenhower administration. You poured millions—in fact hundreds of millions of dollars—into Laos in an effort to bolster up a country which really isn't a country at all. You got us terribly badly committed—overcommitted—and now you tell us to make the best of the mess that you got us into.

Mr. MILLER. You mean you would have let Laos be swallowed up by the Communists?

Mr. CLARK. Of course, I wouldn't have.

Mr. SCOTT. Why did you vote for these foreign-aid bills and for Laos if you think it was a mistake?

Mr. CLARK. You know perfectly well, HUGH. Why do you try to fool people?

Mr. SCOTT. You have a chance to answer if you think we are fooling people.

Mr. CLARK. When we vote for these foreign aid bills we are not told how much money goes to what country. I was supporting the President of the United States at that time in what he wanted to do. He got us into a terrible mess. I was wrong. You were wrong. We should never have done it. And now we've got to try to get out of the hole.

Mr. SCOTT. You are half right. You were wrong.

Mr. CLARK. The whole Cuban mess which is the result of a plan conceived by Mr. Eisenhower—

Mr. MILLER. Oh no.

Mr. SCOTT. Oh no, now wait a minute. That's hogwash.

Mr. CLARK. Let me finish on this. The whole Cuban policy resulted from a plan conceived by Mr. Eisenhower, known in full by Mr. Nixon, although the knowledge was denied by him in the campaign, which called for the violation of our treaties, the violation of our agreement with the Organization of American States and going in with American troops to Cuba. President Kennedy had the wisdom not to go in with those American troops. I think it was unwise that he went in at all. And he made a mistake. But he was following out a carefully laid out plan by the Eisenhower administration which if he had gone all the way with it, would have gotten us all in dutch in Latin America. We would never have gotten out of the doghouse.

Mr. MILLER. Can I answer that, Senator? Well now, in the first place, of course, the tragic mistake in Cuba that President Kennedy made was when he rescinded and revoked the Eisenhower plan to have the Cuban freedom fighters protected by American air power. That was the first mistake.

Mr. CLARK. Violation of—

Mr. MILLER. Wait a minute. You said I had an opportunity now with the protection of our air power. Then, the second mistake he made—and the most tragic of all—was to announce to the world that he had rescinded this order; that the Americans wouldn't do a single thing to help the Cuban freedom fighters. How would you expect the free people of Cuba to rise up if they were already told the United States wasn't going to do a single thing to help them? Now, after this fiasco, inaugurated solely by the Kennedy administration, dreamed up only by the Kennedy administration, in the form in which it was undertaken, they now want a ransom through export visas and export licenses and tax deductions. They want to ransom the 1,200 freedom fighters with 500 tractors to enhance the economic stability of the Cuban Government under Castro. If this hasn't been an American tragedy, I never heard of one.

Mr. CLARK. May I ask two questions? First, I take it that you two gentlemen both agree then that it was a mistake not to agree with Eisenhower that we would violate our sacred treaty commitments, both to Cuba and the OAS and go in with American air support. You think we should have violated those treaties and secondly—

Mr. SCOTT. I think if President Kennedy, when he made up his mind to support the Cuban invasion—and he made it up himself without any help from Eisenhower or Nixon—he viewed the thing as a new problem, he accepted it and when he failed to support the Cubans with American naval forces, American supplies, and American air cover, that's when the invasion failed and you can drag Nixon all the way back from California and you'll never change my mind that he had a thing in the world to do with it.

Mr. CLARK. What I want to get your answer to is: Do you approve of our violating our treaty? You would have gone in with American troops.

Mr. SCOTT. Evidently President Kennedy seriously considered the use of the American Navy and I presume then he seriously considered the international implications. He was only changed in his opinion—according to current stories—by some of his advisers. Some wanted him to go in with the Navy and the Air Force. Others didn't. Whether you say it's a violation of a treaty or not is a matter which would be determined, in my opinion, by what he actually did and how he did it.

Mr. CLARK. You two gentlemen will agree that to use American troops to support a revolution in Cuba would violate treaties and you support violating those treaties.

Mr. SCOTT. No, the right of the United States under the Organization of American States under the Bogotá Declaration and under the Monroe Doctrine is the right to repel aggression by any outside foreign force which includes communism. We had that right then. We have that right now and we're not using that right. Castro is the agent of Soviet communism and Chinese communism 90 miles off our coast as the President used to say when he was Candidate Kennedy.

Mr. CLARK. I reiterate the fact that you gentlemen, in effect, are advocating and did advocate that the United States break its treaty commitments. You disagree. Let me move to—

Mr. MILLER. Why Kennedy, himself, said as a matter of fact, that our patience was not inexhaustible, that he himself would do something else, alone, unilaterally if it were necessary. So he's contemplating later what he should have done in the first place.

Mr. CLARK. Yes, but you advocate violating treaties.

Mr. MILLER. I don't say it's a treaty commitment at all. I don't agree with you.

Mr. CLARK. Not only that, it's a violation of our own Criminal Code. Let me come to the second question.

Mr. MILLER. Oh no. The only violation of the Criminal Code is the violation of the Logan Act on the tractor deal. That's the only violation of the Criminal Code.

Mr. SCOTT. Here's a counsel at the Nuremberg trials. He ought to know something about our Criminal Code.

Mr. CLARK. Well, I am amazed he doesn't know more about the provision in the Criminal Code which says that—

Mr. MILLER. I just can't explain it to you in this short time, Senator.

Mr. CLARK. Well, I can explain it to the audience in 30 seconds. The Criminal Code says you should not promote a revolution against another state on your own soil.

Mr. MILLER. What does the Criminal Code say about private citizens dealing with a foreign enemy government, like Eleanor Roosevelt and Walter Reuther?

Mr. CLARK. I'm going to ask you about that. But do you agree that what I say about the Criminal Code is correct or don't you know?

Mr. MILLER. I didn't hear the question, I'm sorry.

Mr. CLARK. I said don't you agree that our Criminal Code prohibits—with criminal penalties including jail and fines—the promoting on our soil of a revolution against another state?

Mr. MILLER. That has nothing to do with American air cover to freedom fighters regaining free soil in this Western Hemisphere in accordance with the terms of the Monroe Doctrine.

Mr. SCOTT. The Criminal Code does not operate against the foreign policy of the United States executed by the President, himself.

Mr. CLARK. You gentlemen are determined not to admit that you're violating treaties and violating the Criminal Code and I assert again that you are.

Mr. SCOTT. In other words, the invasion in Cuba failed because President Kennedy didn't want to break a local law.

Mr. CLARK. No. The invasion in Cuba failed for many different reasons. But the point I want to insist on is that you gentlemen want to break our treaties and you look with acquiescence on our breaking our own criminal laws.

Mr. MILLER. It's not a treaty violation. That's the point.

Mr. CLARK. That's where we differ. We sure do differ. Now, the final question is: I think you've made it clear, I am wholeheartedly in support of the proposal to exchange prisoners with tractors and I take it that you gentlemen are not. You have about 45 seconds to say why, and we're off the air.

Mr. MILLER. Oh, violently. Because I think in the first place we're compassionate people, we Republicans. We sympathize with these 1,200 people in Cuba. But the point is that there are millions behind the Iron Curtain and if we exchange 500 tractors for 1,200 Cuban freedom fighters, where do we stop? What about all the people enslaved behind the Iron Curtain in other countries? We'd be exchanging more in ransom than we have. And we would only weaken our own military posture and economy and strengthen the Communists to the point where there would be no hope in the future for the freedom for the many millions behind the Iron Curtain.

Mr. SCOTT. Thank you very much Chairman WILLIAM E. MILLER of the Republican Party. We are delighted to have you here. You've put on an excellent presentation.

Mr. MILLER. Thank you Senator SCOTT and thank you Senator CLARK.

ANNOUNCER. You have been listening to "Your Senators' Report," a report to the people of Pennsylvania, brought to you in the public service by Senator JOSEPH S. CLARK, Democrat, and Senator HUGH SCOTT, Republican.

#### NOMINATION OF JOSEPH C. SWIDLER

The Senate resumed the consideration, in executive session, of the nomination of Joseph C. Swidler to be a member of the Federal Power Commission.

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader and other Senators interested in the Swidler nomination, I ask unanimous consent that, at the conclusion of the remarks of the Senator from Pennsylvania, an hour and a half be set aside for the consideration of the nomination of Mr. Swidler, 45 minutes to the opposition side and 45 minutes to this side. I am sure the 45 minutes on this side will not be used and that we shall be able to give some more time to Senators in opposition.

Mr. ALLOTT. Mr. President, reserving the right to object, I have several matters I desire to present which will probably not take over 10 minutes, and which I have not been able to bring up because of my attendance on the Appropriations Committee. I would like to be assured that I may have 10 minutes.

Mr. DIRKSEN. I assure the Senator.

Mr. MANSFIELD. The Senator can be assured of it.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. Mr. President—

Mr. DIRKSEN. How much time does the Senator from Arizona desire?

Mr. GOLDWATER. Mr. President, will the Senator yield to me 7 minutes?

Mr. DIRKSEN. I yield 7 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I am becoming more concerned each day over the direction in which this country is heading. Activities of the new administration are offering nothing to relieve my anxiety.

On January 30 I made a speech relating to the confirmation of Mr. Holum to become Assistant Secretary of Interior for Water and Power in which I painted the pattern developing in appointments of men to positions which will formulate our policies on natural resources development. In that speech I pointed out that certain men being appointed to the Interior Department, the Department of Agriculture, and the Federal Power Commission are doctrinaire public power men. These men have been appointed to positions which will control Government activities in the electric power field. The Democratic Party platform calls for greater activity on the part of Government in the electric power business and now these doctrinaire public power men are being appointed to places in Government where the platform can be carried out.

A student of socialism knows that one of the first steps toward the socialistic state is the nationalization of basic industries and that electric power is the first industry to be nationalized.

If there was any mandate from our electorate for public power I would feel a little easier because I could perhaps reconcile this move as an attempt to attract votes, but such is not the case. The States that have the most public power—the ones some would think would be attracted to the Democratic public power platform if public power were a compelling political issue—voted Republican in the last election. A few traditionally Democratic States of the South and the metropolitan areas of the East elected the present administration. Those areas have little public power interest, and most of them practically none.

If this push by the new administration for public power is not a political payoff or an answer to a mandate by the voters for more public power, what is it? The answer is rather obvious; and that is what worries me. It is the advancement of an ideology—progress toward nationalization of this basic industry. If the Democratic Party platform and these appointments are not sufficient proof of this statement then I refer you to the Washington Post and Times Herald of February 1, 1961. That paper carries a statement accredited to Mr. Arthur M. Schlesinger to the effect that a welfare state is the best defense against communism. Schlesinger envisioned the welfare state as one that would provide basic elements for its citizens such as food, clothing, shelter, education, and opportunity.

If Schlesinger were only some obscure Harvard professor we could pass such comments off as the babble of an over-educated, impractical idealist. But such is not the case. This welfare state man is an assistant to the President. He is one of his principal speechwriters. When this man speaks in such championing terms of the welfare state is he expressing at least in part, the new administration thinking?

I am more convinced than ever that what I said before about the pattern developing around the electric industry is only a small part of the complete pattern. We who believe so sincerely in the merits of our free enterprise system really have something to worry about.

Can it be that Mr. Khrushchev has a better insight as to what is happening in the United States today than most of us have? The Washington Star of January 17, 1961, quotes Mr. Khrushchev as saying:

The victory of socialism on a world scale, inevitable by the laws of historical development, is no longer far off.

The United States has been the strongest bulwarks against communism, socialism, the welfare state—call it what you may—and one of the last. The difference is in degree, not in principle. With the new administration platform a blueprint for the welfare state, with appointments to high offices of Government putting men into position to take over one of our basic industries, with the maneuvers of administration leaders aimed at

altering congressional procedure to facilitate passing the administration's legislation, and one of the top Presidential advisers advocating the welfare state as the best defense against communism, is it any wonder that an outsider like Mr. Khrushchev would reach the conclusion that worldwide socialism is not far off? Some of us on the inside had better take a better look. Perhaps we cannot see the forest for the trees.

When it comes to appointments of members of regulatory commissions and to the courts, the picture takes on a somewhat different hue. More is involved than being adviser to the President and the smooth functioning of Federal agencies under his direct jurisdiction. Citizens subject to regulation under the Commission or seeking justice before the courts have a right to expect fair and unbiased treatment. In other words, there should be no question of a bias on the part of any man appointed to a regulatory commission. Take the nomination we are considering today, that of Joseph C. Swidler to the Federal Power Commission. Can we honestly say to ourselves that this man is without prejudice on questions of private versus Government electric power? Almost his entire adult life has been spent in promoting the interests of government and government-financed electric power—Federal, State, municipal, and cooperatives. We are now considering his nomination to sit as a judge on a quasi-judicial Commission that will determine questions of difference between private and Government power. This man's entire record is not merely one of having worked for or represented Government power as an attorney but one of a crusading Government power proponent—a doctrinaire. The indications are that Mr. Swidler is scheduled to become not merely another Commissioner, but Chairman of the Commission, as soon as that can be arranged.

Can Senators imagine the furor that would be raging on this floor today were we considering confirmation of the appointment of an electric utility company president as a member of the Federal Power Commission? Consider what would be said if the man had a 30-year record of fighting every attempt at development of Government power. There is a distinction, but it is without a difference. Of course, this is foolish speculation because if it had been an electric company president the approval would never have gotten out of subcommittee and I might add that I would be one of those objecting to it.

I know from the hearings that Mr. Swidler acquitted himself very well under examination, but why should he not? After all of his years in Government service and his experience before congressional committees it would be surprising indeed if he did not have the right answers before such a hearing. No one is accusing Mr. Swidler of being dumb.

Before confirming this nomination, a question we should ask ourselves is just how objective could Mr. Swidler be in determining a controversial issue between private and some form of Government power? Is it fair to the man himself for us to put him into a position

where he has to make such decisions? Is it fair to our electric companies to require them to appeal for justice before a man whom they could not help but feel in their hearts was against them before any of the evidence was submitted.

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

Mr. DIRKSEN. I yield 3 additional minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, the Federal Power Commission will be required to make many decisions on which I think there is a very clear record of Mr. Swidler's philosophy.

The Army Engineers built several hydroelectric developments on the Cumberland River. The Federal Power Commission is supposed to approve the rates at which power from these dams is sold. The power is now being sold to TVA and I am sure Mr. Swidler, as General Counsel for TVA, was an active participant in the negotiations. The Comptroller General reports year after year that the power is being sold too cheap and the Government investment is losing money. These rates are subject to review and adjustment from time to time. When they come before FPC for approval what position would you expect Mr. Swidler to take?

The Southeastern Power Administration, the Southwestern Power Administration, and the Bonneville Power Administration are all losing money and have been for several years according to the Comptroller General. SWPA, SEPA and corps projects under Bonneville power rates have to be approved by the FPC. Can we expect Mr. Swidler to refuse to approve the rates unless they are high enough to meet all obligations to the Government? Such an expectation would be contrary to Mr. Swidler's philosophy. As General Counsel of TVA, it never seemed to concern him that taxpayers from all sections of the country were helping pay the electric power bills of TVA customers. TVA is selling power to the Atomic Energy Commission, a Federal agency, at a higher rate than it charges municipalities and rural cooperatives for comparable power. These things have never seemed to bother Mr. Swidler. His philosophy seems to dictate that the consumer's interest—so long as it is the domestic, commercial, or industrial consumer—purchasing power from Government-operated facilities—comes first. I think his testimony before the committee confirms this conclusion.

Mr. President, we are all interested in the consumer, but under our economy other interests must be considered, also—the laborer and investor. How is the laborer going to continue improving his standard of living if the consumer of the fruit of his labor is the only one considered? Where would the consumer be if the investor was not offered sufficient incentive to finance the means of producing the product supplied the consumer? Would we have to look to Government to supply the product? If we look to Government, where does the taxpayer come out if the product is sold to the consumer at below cost? It is perfectly right and proper to look out for the consumer's interest, and that is as

it should be, but others' interests should not be completely subordinated to the consumer's interest, but I fear Mr. Swidler's philosophy does just that.

We have, and will have, many instances where there is a conflict as to whether electric companies or some entity of Government should develop a hydroelectric site. Sometimes the line of distinction between which should be permitted to develop the site is rather finely drawn. Under such conditions, could Mr. Swidler, with his background, render an impartial decision?

It is not my purpose to question Mr. Swidler's integrity. I would assume that he would be as fair as he knows how to be, but I would think it would be as difficult for him to render an unbiased decision on private versus Government power questions as it would be for me to render what some people might consider an unbiased decision between our form of constitutional government and some foreign ideology.

On January 30, 1961, I made a speech on the floor of the Senate in which I pointed out that a certain pattern was developing in Presidential appointments to agencies that handled electric power problems. I stated then that every position of importance in agencies of Government concerned with electric power was being filled by a man with a record of being antielectric companies. Each one of them will tell you that he does not want to see the electric companies put out of business; that there is room for both private and Government power in this country; and I will give them the benefit of any doubt and assume that that is what they really believe.

But, Mr. President, it is time for us to be realistic. We have seen the percentage of Government power increase year after year. Those of us who have given the subject any consideration realize there is a great discrepancy between private and Government power, both in the taxes they pay and what they pay for money.

Furthermore, those of us who have a rudimentary understanding of business and economics know that we cannot have two systems of enterprise in this country for the one which has the federally legislated economic advantage over the other will eventually consume it.

We are doing nothing about eliminating the tax and cost of money discrepancies; but even worse than that, we are permitting agencies to go merrily along selling power at an out-of-pocket loss. Those things in themselves are bad enough, but now we have permitted the agencies that are financing, building and operating Government power to be staffed by crusading Government power promoters and now that we are getting ready to confirm to a Commission which regulates the electric companies an appointee who is a crusading Government power promoter.

Mr. President, with such appointments as we have been confirming, all we are doing is heading back to the old New Deal days of Roosevelt, Truman, and Ickes when we had agencies of the Federal Government openly promoting the expansion of Government power to such extent that many power companies in

this country were actually taken over into Government ownership. If you want Government ownership of our electric utility industry let us be forthright enough to say so and put it to a vote instead of using devious back-door methods.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mrs. NEUBERGER. I came into the Chamber as the Senator was speaking. I did not understand one word the Senator used in referring to Mr. Schlesinger. I wonder whether he would define it. I believe the word was "overeducated."

Mr. GOLDWATER. I referred to the fact that if Mr. Schlesinger was an ordinary run-of-the-mill educator, we might consider him as such, but he is not; he is an assistant and adviser to the President. So I might have implied it in an indirect way, if we go back to that point of reference. However, I would not call him an overly educated man in this context.

Mrs. NEUBERGER. The Senator did not describe Mr. Schlesinger as overeducated?

Mr. GOLDWATER. I would have referred to him as overeducated had he not been an assistant to the President. I doubt that any person can be overeducated, even a graduate of Harvard.

Mrs. NEUBERGER. I thank the Senator.

#### OUR LATIN AMERICAN RELATIONS

Mr. ALLOTT. Mr. President, I yield myself such time as I may need. I wish to go back, not to change the subject too much, to the Cuban situation. As nearly as I can determine at the present time the attitude of the country and the policy of this country with respect to Cuba is strictly one of containment. This is why I spoke in such very high terms of the speech of the majority leader this afternoon. I thought he had tried to apply new thoughts, to expand horizons a little bit with respect to the Berlin crisis. I believe we need to do the same thing with Cuba.

A few years ago two young men who had just graduated from college and were residents of Denver, James Neal Blue and Linden Blue, went to Nicaragua, and there established a banana plantation of some 6,000 acres. They did not do this with any money they had inherited from someone. These two boys, purely as real entrepreneurs in the traditional American spirit, went down there and established the plantation.

In May, Linden Blue, the elder of the two men, was returning to Nicaragua with a new airplane, a twin Bonanza. He left the airport at Key West, after obtaining full and complete clearance from the Cuban Government to pass over Cuba. Fifty minutes after he had left Key West that flight plan was canceled by Cuba. In less than 50 minutes, of course, he was over Cuba. There he was forced down by a Cuban fighter plane, and also ordered to come down by the Cuban radio. He landed with his

passenger, who was a representative of the Gerber Food Co. The two of them were incarcerated and placed incommunicado in a Cuban jail for a period of 12 days.

I can remember the time, as everyone can, when this would have caused an international incident. I can remember the time when we would have had gunboats off Cuba, and perhaps planes over that country. That is the kind of policy that I still believe in. There must be no mistake about the kind of tough policy that I believe the United States should pursue.

I cannot help reading into the RECORD a part of a letter that I have received from James Blue. He is not the one who was incarcerated and later released in Cuba. Incidentally, the plane was confiscated by the Cuban Government. I should like to read this portion of the letter, because it reflects not only one person's idea, but is typical of at least a dozen letters that I have received from friends throughout Latin America. They reflect what has been happening in Latin America because of our refusal to take a tougher line and a tougher policy with Latin America.

I read from the letter:

Certainly the longer the United States hesitates in resolving the Cuba situation, in the only practical fashion remaining after Castro's acceptance of "Socialist bloc status," the more drastic will be the action required, and the higher the ante will be raised, to a point where Soviet commitments in Latin America may precipitate a disaster of tremendously greater proportions.

It is not comfortable to be an American in Latin America now—and the situation is deteriorating further. It is unfortunate that some of the administration's liberal theorists don't have to sit it out south of the Rio Grande.

I hope you can appreciate it when I tell you that the sentiments I have expressed are general among Americans here.

Mr. President, I ask unanimous consent that the entire letter be placed in the RECORD at this point in my remarks because it is indicative of the general line of many other letters that I have received from persons in Latin America.

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

HACIENDA TIERRA DORADA,  
HERMANOS BLUE, HAMM,  
SMITH & CIA. LTD.,

Managua, D.N., Nicaragua, May 4, 1961.

GORDON ALLOTT,  
U.S. Senate Office Building,  
Washington, D.C.

DEAR SENATOR: First, a belated note of thanks for your help with regard to Linden's release from Cuba. It was more than satisfying to know that the matter of Linden's life was in the capable hands of good friends.

Regarding release of the aircraft, I understand Linden is exploring all of the possibilities—especially through some Canadians in New York.

Concerning the political situation in Latin America—inasmuch as is of interest to good Coloradans who view the establishment of a Soviet satellite 90 miles off the Florida coast with some reservations—the climate is becoming progressively more untenable through the rapid deterioration of U.S. prestige and the bitter resentment over the amount of support given (or withheld) our only friends willing to furnish cooperation more tangible than talk.

Certainly the longer the United States hesitates in resolving the Cuba situation, in the only practical fashion remaining after Castro's acceptance of Socialist bloc status, the more drastic will be the action required, and the higher the ante will be raised, to a point where Soviet commitments in Latin America may precipitate a disaster of tremendously greater proportions.

It is not comfortable to be an American in Latin America now—and the situation is deteriorating further. It is unfortunate that some of the administration's liberal theorists don't have to sit it out south of the Rio Grande.

I hope you can appreciate it when I tell you that the sentiments I have expressed are general among Americans here.

Thanks again for your help with Linden; I hope that you can help see that something is done regarding this Cuban situation before the price amounts to historical tragedy.

Best regards.

JAMES NEAL BLUE,  
Executive Director.

#### A REPUBLIC OR A DEMOCRACY?

Mr. ALLOTT. I hold in my hand a clipping from a Colorado Springs newspaper. It is a column written by George Peck, and reads, in part:

The Post Office Department of the United States recently requested Pitney-Bowes, Inc., to consider recalling slogan plates which it had sold to lessees of its postage meters.

As everyone knows, Pitney-Bowes is the company which rents postage meters to customers who have a great deal of postage. It saves tearing stamps and licking them, and so forth.

This is from a newspaper published on May 22, 1961:

The particular plate to which the Post Office Department objects reads: "This is a republic, not a democracy—Let's keep it that way!"

After this had been noticed by the Postmaster General, the Post Office Department contacted the Pitney-Bowes Co. As a result, Pitney-Bowes sent a letter to all of its lessees saying that they had received a complaint that this slogan was objectionable and misleading. The letter read:

Since delivering this to you, the slogan has become strongly identified with a controversial and political issue, and it is apparent we made a mistake in permitting this slogan to be made. Our policy is that we can permit no such postmark ad plate to be used in our meters. Under postal regulations, postal meter slogans must not be objectionable.

Then, to one manufacturer who registered his objections to the recall of the plate, Pitney-Bowes sent a second letter, delivered in person by a company representative. This letter read, in part:

Your continued use of it—

Referring to the objectionable plate—constitutes a breach of meter rental contract with us. Our representative has, therefore, been instructed to repossess our meter and remove it from your premises.

Since Pitney-Bowes is, so far as I know, the only company in the United States which is involved, in a major way at least, in this kind of lease-rental proposition, I wonder what kind of country we have. When Benjamin Franklin walked out of the hall in

Philadelphia to some friends who asked him what kind of government the Constitutional Convention had given the country, Franklin replied:

A republic, if you can keep it.

Yet today the Postmaster General has put enough pressure on Pitney-Bowes to make that company remove and cause to be removed from every plate that they use in the United States the slogan:

This is a republic, not a democracy. Let's keep it that way.

According to the Postmaster General, this is now a controversial, political question. Have we reached the point in this country that the statement made by Ben Franklin, when he walked out of the Hall in Philadelphia, can be removed by the mandate of the Postmaster General, and the licenses to use the machines taken away from people all over the country by the dictate of one man? We might expect this to take place in Russia; I say we have no right to expect it in the United States, and we should not tolerate it.

Mr. President, I ask unanimous consent that the entire column written by Mr. George Peck be printed at this point in the RECORD.

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

THIS IS A REPUBLIC

(By George Peck)

The Post Office Department of the United States of America recently requested Pitney-Bowes, Inc., to consider recalling slogan plates which it had sold to lessees of its postage meters. The particular plate to which the Post Office Department objects reads: "This is a republic, not a democracy—Let's keep it that way!"

To those not familiar with Pitney-Bowes, let us explain that this company owns and leases some 300,000 mailing meters to private firms and groups throughout the Nation. The Post Office Department permits the use of an advertising message alongside the metered stamp, but requires that the message be monitored by the company that owns the meters.

A spokesman for the Post Office states that the Department "cannot delve into censorship of the message to be carried, but there is a regulation which includes the statement that 'slogans must not be objectionable and misleading.'"

We rise to inquire as to what is "objectionable and misleading" about stating the fact that "This is a republic, not a democracy."

At any rate, Pitney-Bowes considered the request of the Post Office Department and in turn is requesting that all of its meter lessees return these particular slogan plates, generously offering to refund the purchase price of the plates.

Pitney-Bowes' first letter to its lessees, who use these "objectionable and misleading" slogan plates, read in part as follows: "Since delivering this to you, the slogan has become strongly identified with a controversial and political issue, and it is apparent we made a mistake in permitting this slogan to be made. Our policy is that we can permit no such postmark ad plate to be used in our meters. Under postal regulations, postal meter slogans must not be objectionable."

The letter then went on to state that an employee of the company would call to pick up the objectionable plate.

To one manufacturer who registered his objection to this high-handed procedure,

Pitney-Bowes sent a second letter delivered in person by a company representative. This letter read in part: "Your continued use of it (the objectionable plate) constitutes a breach of meter rental contract with us. Our representative has, therefore, been instructed to repossess our meter and remove it from your premises."

This is going on in free America—not in Russia. We again inquire what is misleading about printing the fact that "this is a republic, not a democracy?"

In 1787, when our American Constitution was only a few minutes old, venerable Ben Franklin was asked when he stepped out of the hall at Philadelphia where it had just been drawn up, "What kind of a government have you given us?"

He replied: "A republic—if we can keep it." Could wise old Ben have been looking ahead with prophetic vision to the forces which in recent years have been and are working night and day to take that republic away from us?

The next assault will undoubtedly be on our "Pledge to the flag." We stand at public gatherings and with right hand over the heart proudly and loyally recite in unison: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands \* \* \*"

That word "republic" has been in the pledge ever since its inception despite two additions which since have been made to it.

Now this same Post Office Department which is so concerned about calling our country what it really is—a Republic—is delivering free, throughout the 50 States, propaganda emanating from Moscow. When Moscow decides it has some "educational literature" for American consumption, it ships it in ton lots to U.S. ports of entry, already individually addressed. Our Post Office Department then delivers it free. In one recent year 7 million pieces of this Communist propaganda were cleared through New York alone and tons more through Baltimore, Philadelphia, Boston, New Orleans, San Francisco, Los Angeles, and Seattle. In addition every Czech and Polish ship touching a U.S. port brings with it Red "educational literature" for domestic free mailing.

Linn's Weekly Stamp News (the Nation's leading philatelic magazine) in its May 1, 1961, issue quotes from the March 21, 1961, issue of Christian Economics, the following: " \* \* \* The postal authorities have testified that they are powerless under the present law and Supreme Court rulings to interfere with the free distribution of this flood of Communist literature. \* \* \*"

This being true, it's high time the laws were changed. Otherwise, we will not be keeping the Republic which Ben Franklin announced the Founding Fathers evolved and gave to us.

Write your Congressman regarding these assaults on our Republic—tell 'em to bestir themselves.

#### INCREASING INTEREST IN SUGAR

Mr. ALLOTT. Mr. President, off and on for the past several years the Senate has been concerned with sugar legislation. There are many misunderstandings about sugar legislation. The most comprehensive and completely intelligent discussion of the whole subject of sugar which I have seen at any time in my life—and I have read dozens of them—was made by Mr. Frank Kemp, president of the Great Western Sugar Co., of Colorado, in the company's annual report dated February 28, 1961.

Because I believe it is absolutely necessary reading for anyone who intends to speak on the sugar question, who intends to discuss it, or who wishes to

know what the world situation is with respect to sugar, I ask unanimous consent that Mr. Kemp's remarks and discussion of sugar, entitled "Increasing Interest in Sugar," which extends from page 11 through page 16 of the company's report, be printed at this point in the RECORD.

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

#### INCREASING INTEREST IN SUGAR

Increasing interest in sugar is a natural consequence of the upheaval in Cuba, the opportunities given to other suppliers to replace sugar formerly imported from Cuba, factors linking sugar with foreign policy, especially toward Latin America, and Communist activity affecting sugar.

Our annual report a year ago pointed out that more than half our Nation's sugar supply comes from domestic production—the output of the beet sugar industry, Hawaii, Puerto Rico, Louisiana, Florida, and the Virgin Islands; that most of the largest consuming countries depend mainly on sugar they themselves produce; and that the so-called world market sugar price is not a true price.

Since sugar continues to be very much in the news, it is again appropriate to examine realistically some of the ideas now current.

Such expressions as "quota premium" and "premium over the world market" have been coined and seem attributable to unfamiliarity with world sugar statistics, the quota system, and the so-called world market. It rarely seems to be realized that this world market (which sound like a global economic concept) is actually a dumping market for a small portion of the world's sugar and is not a measure of true value.

What follows will clarify some of these points and will describe the beet sugar industry of the world, of the United States, and the place held by the Great Western Sugar Co.

#### SUGAR SYSTEMS THROUGHOUT THE WORLD

That our country has long maintained a sugar system prescribed by law has been widely publicized, yet some of the comment would lead one to believe that our system is novel and expedient, without parallel or precedent.

The fact is that governmental sugar systems, in some form, are in effect all over the world. Their backgrounds are deeply grounded in economic, political, and war experience. European systems date from the Napoleonic era. American legislation affecting sugar began in 1787 and continued through the 19th and 20th centuries. Our present sugar system, inaugurated in 1934, has been continued for 27 years by various Sugar Acts, including the current law which will terminate June 30, 1962.

These acts have had three basic objectives:

1. To assure American consumers an adequate supply of sugar at reasonable prices.
2. To encourage foreign trade.
3. To provide a healthy economic climate for a competitive domestic sugar industry.

American consumers have enjoyed reasonable prices under these acts. Sugar when measured in terms of buying power, is priced lower in the United States than in any other country. The worktime required for an American to earn enough to buy a pound of sugar is diminishing. During 1960 an average American laborer in the manufacturing industry had to work only 3 minutes and 2 seconds to earn a pound of sugar. In 1959 he had to work 3 minutes and 5 seconds; in 1958, 3 minutes and 11 seconds.

The chart on page 12, reprinted from our last year's report, shows relative worktime required to purchase a pound of sugar in

the several countries for which data published in October 1958 were available.

The most recent figures then published for the U.S.S.R., covering 1956, would not even fit on the chart. They showed that a Russian had to work 2 hours and 27 minutes to earn enough wages to buy a pound of sugar. During this same time an American earned the equivalent of 46 pounds of sugar.

#### WHAT IS THE WORLD PRICE?

The fact that the price of raw sugar sold in the United States is usually higher than the so-called world price has given rise in some quarters to the idea that an unwarranted benefit accrues to sugar producers, domestic and foreign, to the disadvantage of American consumers. This so-called premium or bonus is assumed to be the difference between the sugar price in our market and that in the world market, and those who make this assumption seem to believe that the world price is realizable and would be fairer to everybody than the U.S. price.

Actually this world price concept is misleading and unwarranted. It is unfortunate that it has become so glibly entrenched in sugar phraseology. Even casual inquiry discloses that the world price might more properly be called a forced price or a dumping price and that any effort to build a sugar economy on this fictitious foundation not only would seriously injure the domestic sugar industry of the mainland States, Hawaii, and Puerto Rico, but also the industries of friendly foreign countries contributing sugar to our market and would wreak havoc among consumers. Those who advocate the world price concept are actually asking that sugar be sold below its cost of production. What kind of thinking supports application of such a theory to sugar or any other commodity?

As pointed out a year ago, the "world market" is nothing more than a dumping ground for that small portion of the world's production which is in excess of home and preferential requirements, often called homeless sugar, much of which sells for considerably less than its cost of production. We quoted the London Economist as saying that the so-called world market sugar price "is not a true price nor is it free."

A distinguished Latin American sugar authority has emphasized the artificiality of the "world price" of sugar. Federico Patino, Director General of the Union Nacional de Productores de Azucar of Mexico, in an April address in New York, stated:

"It might be well at this point to make it clear that, in my opinion, the U.S. market price is, and has been a decisive factor in assuring the consumer a steady supply at a stable price.

"The 'world market price' is an artificial, unstable price, practically always below the cost of production—a marginal market subject to political pressures."

Further confirmation of the illusory nature of the "world price" is found in an able address recently given by an international sugar expert, Sir Edmund Bacon, chairman of the British Sugar Corp., Ltd., who stated:

"One thing concerns me considerably, and that is the attitude adopted by some manufacturers in the U.K. who feel that by doing away with such things as the British Sugar Corp., quota, and price fixing mechanisms, they would be able to obtain their sugar at present world prices. It is difficult to persuade them that only about 11 percent of the world's total production is sold at world prices and that except in a very few countries with extremely low living standards, sugar is utterly uneconomic to produce at present world prices.

"I have, as I have already said, just been making a tour of the main islands of the Caribbean. The economy of these emerging

countries is built almost entirely on sugar. If the United States and the United Kingdom ceased to give preferential treatment to producers of sugar, then I am convinced that a collapse of sugar prices would provide a further springboard in the Western Hemisphere for Communist designs."

The House Committee on Agriculture recently published an objective special study on sugar, made by outstanding economists in the Department of Agriculture, unassociated with sugar administration. Significantly, it was reported therein that the negotiated price the United Kingdom paid in 1959 for sugar purchased from the British West Indies and other Commonwealth producers was about the same as the price paid in the United States for foreign sugar.

That the United States and the United Kingdom, the world's two leading sugar-importing countries, should have arrived independently at sugar systems producing so similar a price result is noteworthy and supports the reasonableness of the American sugar price.

Domestic prices are well above world prices on many farm commodities. Sugar is no exception. The difference between the U.S. price and "world price" for three crops alone—wheat, cotton, and rice—amounts to hundreds of millions of dollars annually.

Higher prices in the United States are a natural concomitant of higher wages, higher taxes, and all the other higher costs implicit in the American way of life. Comparative prices should properly be examined in terms of buying power as illustrated in the case of retail sugar prices by the chart on page 12 [not printed in RECORD]. Under this approach not only the price differential in respective countries is measured but also the relative amount of identical products that prevailing wages in each of such countries can buy.

To lower U.S. prices on all products to world levels, particularly if the latter are dumping prices, as in the case of sugar, would undermine the American standard of living which is made possible by American efficiency and high wage levels.

Apprehension over Communist design is shared by other authorities including the administrator of our Nation's sugar program. In a recent address, Lawrence Myers, Director, Sugar Division, U.S. Department of Agriculture, stated:

"These are not normal times. One-third of the world's production of sugar is now under Communist control. The Communist takeover in Cuba added to communism's earlier subjugation of the beet exporting countries of Eastern Europe poses a number of threatening problems to sugar producers, consumers, and markets throughout the world. Huge quantities of sugar have been sold by Cuba to the Soviet Union and Red China at fictional prices under barter agreements. Only the bear and the red dragon know how much of this sugar is destined to reappear in the world markets or, alternatively, to what extent this Cuban sugar will force satellite sugar onto the world market."

Representatives of India, in a formal statement explaining their interest in the U.S. sugar market, recently said:

"India has found that its neighboring markets are being invaded by Cuban sugar purchased by Russia and mainland China from Cuba and being dumped by these nations into what otherwise would be India's markets.

"Sugar from Communist sources is starting to encircle India and preempt India's market."

The Soviet Union has an increasing interest in sugar; there is accumulating evidence that sugar is being manipulated as an economic weapon in the "cold war." We will summarize the sugar position of the U.S.S.R. later as we now turn to a brief

survey of the beet sugar industry abroad and at home.

#### WORLD SCOPE OF BEET INDUSTRY

World production of sugar currently totals approximately 58 million tons, of which 56 percent comes from sugarcane and 44 percent from sugarbeets. If present trends continue, the sugar world may soon be "half beet and half cane."

Sugarcane, which flourishes in the tropics, is a tall perennial grass which is cut three or more times before replanting, and grown for one main purpose, the production of sugar.

The sugarbeet, not to be confused with the small, red garden beet, is a large-rooted plant that flourishes in the temperate zones. Like cane, it is grown primarily for the production of sugar identical to that derived from sugarcane, but there the similarity ends because the beet not only has more useful byproducts but also favors, in fact demands, a diversified system of agriculture that benefits the land through crop rotation and animal husbandry. It is commonly observed that where sugarbeets are grown, yields of other crops improve materially. Indeed, particularly in Europe, sugar itself is sometimes spoken of as "the principal byproduct of the beet."

F. O. Licht, German international sugar authority, wrote:

"The reason why all governments cling so stubbornly to beet culture is not to be found mainly in consideration of financial policy, but in agricultural and social considerations. Beet culture, in itself, without reference to sugar production, is for many reasons a vital condition of all intensive agriculture."

This usefulness of the beet under normal conditions, as cited by Licht, is intensified by stress of war or other emergency. The great nations of the northern latitudes have learned by dire experience that it is hazardous to rely too heavily on oversea sugar from remote tropical sources.

Sugarbeets are grown throughout Europe except in Norway, Portugal, and Greece. The industry extends from Sweden and Finland to Turkey, Israel, Iraq, and Iran; it crosses the Ukraine into Siberia and Manchukuo. Japan has a beet sugar industry, as does Red China. In America, the beet industry extends from the Great Lakes to the Pacific; it operates in Canada, Uruguay, and Chile.

#### COMMUNIST PRODUCTION EXPANDING

The Soviet Union, with current output of 7½ million tons, all beet, has recently become the world's largest producer of sugar. It is reported that 250 beet factories were operating in the U.S.S.R. in 1960, including 20 of 95 new mills to be completed by 1965. By way of comparison, 63 beet factories operated in the United States in 1960.

The U.S.S.R., not including its satellite countries, accounts for well over one-fourth of the world's beet sugar. The United States, second largest producer, makes about 10 percent.

Much has been said lately of the recently formed European economic alliances, the Six and the Seven.

Quoting Sir Edmund Bacon again:

"The Six, that is to say France, Italy, West Germany, Belgium, the Netherlands, and Luxembourg, as a result of a recent study carried out by some of my own staff into their agricultural self-sufficiency, look like having a 10-percent surplus in sugar despite a rising population. This is all beet sugar.

"Of the Seven it appears," he continued, "that except for Great Britain, where beets account for only one-third to one-fourth of the sugar requirements, the remaining six countries, as a whole, seem self-sufficient in beet sugar productivity, and "the United Kingdom is likely to be practically alone in

its desire to import large quantities of sugar from abroad."

Progressive beet expansion in countries outside the United States is attributable not only to the objective of sugar self-sufficiency, but also to the fact that the sugarbeet produces more food and fiber than other crops that might be grown on the same land.

#### THE U.S. BEET SUGAR INDUSTRY

In the United States, the 1960 output of beet sugar of about 2,450,000 tons is the largest ever produced. From 1955 through 1960 sugarbeet acreage was strictly controlled under the law but, with the cancellation of Cuban imports in 1960, all sugarbeet acreage limitations were removed for the 1961 crop and about 11 percent more acreage has been contracted by the industry for planting this year.

There is a very definite desire for beet expansion in the United States at this time. Tightening restrictions on planting of the surplus crops of wheat and cotton and excess production of feed grains have prompted new areas and new growers to want to grow beets and to have new factories built to serve them. This trend is evident in several States. However, construction of multimillion-dollar new factories involves substantial risk unless our sugar system assures a sound long-term operation.

Of America's sugar requirements totaling some 9,260,000 tons in 1960, one-fourth came from sugarbeets. The industry extends from Ohio to California and from the Canadian border in Montana and Minnesota to the Mexican border in California. Beets are raised commercially or for seed in 23 States. Sixty-three factories operated in 15 States in 1960.

Progressively higher sugarbeet yields are produced. Over the past three decades, U.S. beet sugar production per acre has increased 57 percent. American yields, currently averaging more than 17 tons of beets per acre, are twice as high as in the early 1900's.

Efficiency can be measured by many standards. Certainly two sound bases in the case of sugar are output per acre and output per man-hour of labor. [American beet sugar, from seed to sack, is produced with less man-hours than any foreign beet or cane sugar sold in the United States.]

In the 1925-29 period, the United States ranked ninth among the world's beet producing countries in sugar yield per acre. By 1955-59 it rose to fourth. Compared with the rest of the world in the aggregate, the acre in beets in America produces 81 percent more sugar. Compared with Cuba, the world's largest cane producer, an acre planted to beets in the United States produces 28 percent more sugar than an acre growing in cane in Cuba. The chart on page 13 [not printed in RECORD] shows the upward trend in output per acre of beets which has occurred in the United States.

The contributions of the beet crop to solvent agriculture, to the improvement of overall rotations and increased yields of succeeding crops, and the contribution of beet byproducts to low-cost fattening of livestock, will be increased as new and better beet varieties are developed and further scientific progress is made in fertilization, the use of herbicides, insecticides, and general farming practices.

Beet sugar is now the principal sugar sold in more than a third of our States. In 1960 it represented more than half the sugar used in each of 17 States, ranging from 97.3 percent in North Dakota to 50.4 percent in Illinois.

#### THE GREAT WESTERN SUGAR CO.

The Great Western Sugar Co. is the largest of the 15 beet sugar companies in the United States. In 1960 the company produced about 30 percent of the beet sugar made in America. Of total national sugar consumption about 1 of every 14 pounds is GW.

Incorporated in 1905, Great Western operates 15 factories in Colorado, Nebraska, Wyoming, and Montana and 2 in Ohio. The company will purchase beets in 1961 from 286,000 acres grown by 8,000 farmers. Company-owned land produces only one-fifth of 1 percent of the beets processed. With the sugarbeet as its only raw material, Great Western, in addition to producing sugar and MSG (monosodium glutamate), manufactures beet pulp in various forms, molasses, LPC (liquid protein concentrate) and potash fertilizer.

Great Western maintains the largest agricultural experiment station in the beet sugar industry. Genetic improvement of the sugarbeet has been noteworthy, achieved by GW plant breeders themselves and now working also in cooperation with English and Dutch beet seed breeders.

An important development has been the production of monogerm seed to replace multigerm seed which, in the past, required many field workers to remove surplus beets in the row. By 1960 a third of the GW crop was planted with monogerm seed; half the crop is so planted in 1961 and soon the entire crop will grow from monogerm. This development, combined with new chemical and mechanical techniques, points to progressive reduction in field labor requirements in the spring and early summer and encourages the hope that, as is now true of the beet harvest, practically complete mechanization in GW territory can be achieved.

As evidence of the international prestige of the company in technological progress, it may be noted that some 30 delegations from foreign sugar-producing countries have recently visited the Great Western area to study the advances in farm and factory operations being achieved by the company.

#### PRIME MINISTER FANFANI AND FOREIGN MINISTER SEGNI, OF ITALY

Mr. HUMPHREY. Mr. President, during this week we have been visited, in Washington, D.C., and our Nation has been visited by the Prime Minister of Italy and the President of the Council of Ministers, Mr. Fanfani, and also by the Italian Foreign Minister, Antonio Segni. These two remarkable political leaders of the NATO alliance have given us renewed courage and strength by their consultations with President Kennedy and with members of our State Department, our Defense Department, and other officials of our Government.

The Senator from Arkansas [Mr. FULBRIGHT] chairman of the Senate Foreign Relations Committee, sponsored a luncheon for the party of Prime Minister Fanfani; and the party included the Italian Foreign Minister, Mr. Antonio Segni, another of the great leaders of Italy.

I think that all too often we forget to pay our respects to the distinguished leaders of other free countries. Italy has made remarkable recovery since World War II. Italy is a strong partner in the NATO alliance. Italy is doing more than her share in undertaking the responsibilities for free world leadership, and particularly for better relationships in the Mediterranean area. We are indebted to Italy and her leaders and her statesmen for improving the relationships between the NATO countries and, particularly, our own country, in certain parts of North Africa and the Middle East.

I have always felt that in the alliance and partnership in NATO, we should rely upon and call upon our partners to share in the responsibilities of diplomacy, of negotiation, and of world leadership. We find this being undertaken today by the Italian statesmen I have mentioned.

Of course, it is a source of real satisfaction to our country that such great economic recovery has taken place in Italy. We hope that more will be achieved, for there still are unemployment problems and problems in agricultural areas, and Italy has much to do in order to fulfill a better life for her people.

But today Italy is a strong nation, a free nation, and one with tremendous economic growth and productivity; and today Italy is improving the lot of her people. This is what we mean when we talk about economic and political reform and when we talk about a partnership between equals and among freedom-loving peoples.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "Headline Personality—Fanfani Coalition A Strong Regime," also an article entitled "Headline Personality—Segni Is Political Symbol of Italy." These articles were published today in the Washington Star. They relate to the recent visit of these Italian statesmen and their conversations with our President.

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

[From the Washington Star, June 13, 1961]  
**HEADLINE PERSONALITY: FANFANI COALITION A STRONG REGIME**

Amintore Fanfani of Italy, the most recent statesman to make a personal reconnaissance of the new Kennedy administration, is no stranger either to Washington or his present post of Prime Minister.

He visited President Eisenhower and Secretary of State Dulles in July 1958, for a hurried discussion of the crisis-stricken Middle East. That was only 10 days after he received one of those shaky votes of confidence for which the Italian Parliament is renowned.

This time the mood is more relaxed and the visit longer. Prime Minister Fanfani is here for a "general exchange of views on world problems"—official jargon meaning he wants to meet the young American President. He also comes as head of one of the strongest Italian coalition governments in the last 15 years.

#### KNOWN AS "LITTLE PROFESSOR"

Prime Minister Fanfani is one of those rare men who moves easily and successfully between the university classroom and politics. "The Little Professor"—his nickname in Rome—began as professor of political history at the University of Milan back in 1938.

Seventeen years later he became professor of economic history at Rome University. By that time he already was a leading member of the Christian Democratic Party, right-hand man of its "grand old man"—the late Alcide de Gasperi, and in and out of one government after another.

But throughout all these cabinet shuffles and campaigns for reelection to Parliament (he has been a member since 1946), Mr. Fanfani continued to lecture his university students.

#### IN CENTER OF ITALIAN POLITICS

In the complicated Italian political spectrum, Mr. Fanfani is in the center—which

means he is attacked by the extreme right as too radical and by the extreme left as too conservative. In American politics he would be considered slightly left of the New Deal.

As Minister of Labor in 1948 and Minister of Agriculture and Forestry in 1951-53, he fathered a 7-year plan for building workers' houses, and later presided over redistribution of nearly 2 million acres of farmland to 150,000 peasant families.

Roughly speaking, the main problem of Italian politics has been a divided center besieged by a strong Communist opposition on the left and Monarchist and Fascist Parties on the right. Within the leading Christian Democratic Party itself the split between the left and right wings is barely plastered over.

Mr. Fanfani first felt the consequences when he became the youngest Prime Minister of Italy in January 1954. His program for extending the "Fanfani houses," super-highway construction, punishment of tax evaders, and limiting bureaucracy could not muster either the total support of his own party or the small moderate parties needed for a parliamentary majority.

Eleven days later he lost a vote of confidence, and had to resign 22 days after taking office.

#### ASTUTE ORGANIZER

Things have changed since then. First of all, Mr. Fanfani has proved himself an astute party organizer who realizes that machinery is necessary to win elections. As national secretary of his party after the death of Mr. de Gasperi, he trained and put to work thousands of organization men and scoured Italy, sifted the universities, and rang doorbells for new support.

The efforts of the Fanfanians showed in the May 1958 elections where the leading Christian Democrats won 273 out of 596 seats in the new Chamber of Deputies—slightly short of an absolute majority.

After the Prime Minister lost his premiership the second time in January 1959, Italy sank deeper into the quagmire of war between right and left. A succession of cabinets tried to rule unsuccessfully amid growing signs of out-and-out civil strife in the city streets.

In time the threat of anarchy and civil war brought together the warring factions of the center both inside and outside the Christian Democratic Party. In July last year Mr. Fanfani came back to power with the largest parliamentary vote of confidence in 12 years.

Since then he has moved his party steadily leftwards away from the more conservative policies which caused such controversy under his Christian Democratic predecessors. In February this year he backed local coalitions with the Nenni Socialists, the radical group that broke its alliance with the Communists after the Hungarian revolution in 1956.

In both practice and theory Mr. Fanfani has shown himself attuned to implications of peaceful coexistence with communism. In an article in the magazine Foreign Affairs, he summed up his thinking:

"Our aim is not to die in a bloody war against communism. Our aim is to outlive communism to build a better society that will make communism old fashioned and sterile."

#### BRIEF BIOGRAPHICAL SKETCH

Full name: Amintore Fanfani.

Claim to fame: Prime Minister of Italy.

Birthplace: Pieve Santo Stefano, Italy.

Birthday: February 6, 1908.

Education: Catholic University of Milan.

Jobs: Professor, political history, University of Milan; member, Senior Teachers Council of Political Economy, Venice, 1938-43; member secretariat, Christian Democratic Party; Minister of Labor, 1948; Minister of

Agriculture and Forestry, 1951-53; Minister of Interior; national secretary, Christian Democratic Party, 1954; Prime Minister, 1954 (22 days), July 1958-January 1959, July 1960 to present.

Family: Married and father of seven children.

Hobbies: Playing piano, composing music, gardening.

[From the Washington Star, June 13, 1961]

#### HEADLINE PERSONALITY: SEGNI IS POLITICAL SYMBOL OF ITALY

Antonio Segni, Italian Foreign Minister here on a state visit with Prime Minister Fanfani, is in many ways symbolic of the postwar merry-go-round of Italian politics.

He has been Prime Minister himself twice, Deputy Prime Minister once, besides holding at least three ranking Cabinet posts in a succession of governments since 1946.

When Prime Minister in September 1959, he paid his own state visit to President Eisenhower. And that visit was less than 10 months after Prime Minister Fanfani had paid his own first hurried visit to Washington to consult with Secretary of State Dulles about the Middle East.

#### PROFESSOR IN POLITICS

In another way, Mr. Segni also is symbolic of the brand of Christian Democratic leaders who have ruled Italy continuously since the war. Although actively interested in politics since his youth, his first and enduring profession was university teaching.

After a succession of law professorships in universities all over Italy, he has become a member of the law faculty at Rome University. Today this "gentleman farmer from Sardinia" still teaches in classrooms well insulated from the turbulent tides of Italian politics.

Mr. Segni's teaching career began when he retired from politics during Mussolini's reign. In 1923 he had organized the Popular Party, the forerunner of the present Christian Democratic Party. During his retirement he became an expert on agriculture, and in postwar Italy became author and administrator of a widely acclaimed land reform program.

That program gained him the unflattering title "White Communist," among affected large landowners. But Mr. Segni himself lost about 250 acres, or about one-fourth, of his family estate to settlers in northern Sardinia under his reform law.

At 70, the Foreign Minister is deceptively frail looking. Many of his critics have made the mistake of underestimating his stamina and determination. He lives almost entirely on vegetables and milk, and does not discard his winter clothing until far into the warm Italian spring.

From the time Mr. Segni first was elected to the Chamber of Deputies in 1946, he has steadily risen in the Christian Democratic hierarchy. Pundits in Rome have come to the conclusion that his famous stomach troubles are a convenient pretext for retiring to the bedroom when political storms need weathering.

Mr. Segni's success is due to a curious combination of fatalism and practicability. Although associated with the progressive land reform, compared with present Prime Minister Fanfani, he is more to the right in his own party. He does not believe that history, like rivers, can be made to run uphill—one way of saying that radical changes often bring catastrophe.

#### HIS PHILOSOPHY OF POLITICS

Recently he stated his personal philosophy in these terms:

"In my view, the statesman is like an engineer who harnesses waterpower, who deals with a live, moving force regulated by its own laws which cannot be violated without risk of catastrophe. If one understands this element well, he can guide it, he can

avoid difficulties, he can channel it and exploit its power for good purpose."

In foreign policy, Mr. Segni is a welcomed asset in any discussion on strengthening the North Atlantic alliance. He is a staunch anti-Communist of the more subtle scholarly type like Prime Minister Fanfani. But during Mr. Segni's second period as Prime Minister in 1959, he decided Italy should accept American intermediate-range ballistic missiles on her territory against strong Soviet protests.

#### BRIEF BIOGRAPHICAL SKETCH

Full name: Antonio Segni.

Claim to fame: Italian Foreign Minister, here on state visit with Prime Minister Fanfani.

Birthplace: Sassari, Sardinia.

Birthdate: February 2, 1891.

Education: Degree in jurisprudence, University of Sassari, 1918.

Jobs: Professor of civil law at Universities of Perugia, Cagliari, and Pavia and Rome. Rector of University of Sassari.

Founder of the Popular Party, forerunner of the Christian Democratic Party, in 1923. In post-war Italian Governments, Undersecretary and Minister of Agriculture, Minister of Education, 1953, Deputy Prime Minister and Minister of Defense 1958-59, Prime Minister June 1955-May 1957, February 1959-March, 1960.

Family: Married, father of four sons.

Hobbies: Hunting, books, Beethoven records.

#### TOWN AFFILIATION: FRIENDSHIP FOR PEACE

Mr. HUMPHREY. Mr. President, one of the most quoted statements in recent months has been the eloquent inaugural plan of President Kennedy. He said:

Ask not what your country can do for you—ask what you can do for your country.

I think the President might well have added another request, one which might help to satisfy those who have criticized him for not being specific. That request would be:

Ask what thousands of your fellow citizens are doing for their country, and join their efforts.

One of the most effective and challenging efforts is the town affiliation program, which has been developed through the American Municipal Association and the civic committee of the people-to-people program. Here is a specific, practical way for individual Americans to contribute their energy and work to their country's efforts for freedom and peace.

The town affiliation program is a new and dramatic movement which is as important in a tense world as the biggest foreign-aid program or the broadest propaganda effort.

I think the need was best summed up by a report of Dr. Ronald W. Barr, the mayor of Montevideo, in my own State of Minnesota. Dr. Barr and his wife traveled to Montevideo, Uruguay, earlier this year, as a result of a town affiliation between the two cities. They talked with hundreds of citizens of Uruguay, and Dr. Barr emphasized one distinct impression he gained from these people:

They were not interested in dealing with Americans at the Government level—

He said—

But were anxious to meet and exchange ideas with the average American citizen in

a friendly atmosphere unencumbered by protocol.

The attitude of the Uruguayans Dr. Barr met is typical. Millions of people throughout the world want to meet and know and understand Americans as individuals and as human beings, not as Government officials or as an abstract, collective character. This desire is appropriate, and—in a sense—is a compliment to America. It is a compliment because millions of people throughout the world realize that the Government of the United States is only a part of our national character and identity.

This is a major difference between the United States and the Soviet Union.

In the Soviet Union, the Government is the dominant, all-powerful element of an organized society. The Government dictates; the Government controls; the Government speaks the distinct and contrived policy and mood of the entire nation. In short, the Government is the totality of the Soviet nation. That is what we mean when we refer to totalitarianism.

In our free society, the Government strives to express the will of the people, but its power is limited and given, by the people. We believe in the concept of popular sovereignty—government of the people, by the people, and for the people.

Government in the United States is like the tip of an iceberg. It can be seen from afar, but it is held up and sustained only by the greater power and force and substance of the people.

The real strength of America is the people. The real greatness of America is the freedom and the individual dignity of its citizens.

We are not a nation of government officials. We are not a nation of politicians. We are not a nation of diplomats or international public relations experts.

Our people are not tools of the Government. They are farmers and workers and businessmen and professionals bound together by their love of freedom and their dedication to human rights.

Our land is not a machine of the state. It is a land of separate farms and free business and private industry and distinct, self-governing communities.

This is the story of America which we must tell the people of the world.

Yes, this story can be told in part by the Government, through the U.S. Information Agency and other missions overseas.

But it can be told most effectively and most successfully by the American people themselves, through their schools and churches and clubs and unions and communities.

The town affiliation program offers the efficient framework through which individual Americans can speak the real story of America to the people of other lands. But the town affiliation program is not a one-way street. Its purpose is true friendship, which requires our understanding of other peoples.

Today more than ever we need to understand the character, the mood, and the aspirations of the people of other nations. We need to know more deeply

and thoroughly that millions of human beings in the vast underdeveloped regions of the earth are struggling for a new life of freedom and opportunity.

We need to know that a revolution is sweeping the world—not a Communist revolution, but a revolution against the intolerable conditions of the past—poverty, hunger, ignorance, and social injustice, and this revolution is winning.

We can read the terse statistics of human needs and learn that 83 percent of the world's people are underfed, 62 percent are illiterate, and 70 percent are sick or poorly housed.

But we do not truly understand—and we are not ready for effective action—until we become compassionately aware of the character and needs, the joys and sufferings of individual human beings in other lands.

Here, too, town affiliations offer the means by which individuals in America can learn from individuals in other nations.

This willingness to learn is vital today. For too long, America has been pictured overseas as a ponderous giant boasting of its superior way of life.

We need a touch of humility in our attitude toward the peoples of other nations. We need to extend not just our frequently superior skills and the tools to use them, but also the hand of friendship, as neighbors, as partners, as equals.

Today, tens of thousands of Americans are extending that hand of friendship to people overseas. More than 150 American cities now are affiliated with "sister cities" in other nations. The American cities in the program represent every section of the country, and every size—from New York City to Oakland, Nebr., population 1,600.

These town affiliations have gone far beyond ceremonial functions.

Tens of thousands of schoolchildren in American communities now correspond regularly with children in their sister cities overseas.

Hundreds of student exchanges have been arranged.

Businessmen, doctors, lawyers, union leaders, and others have exchanged knowledge, advice, and information with their counterparts in foreign cities.

City officials have arranged reciprocal visits to their sister cities, reporting back to their fellow citizens what they saw and learned. Special classes have been organized to teach local citizens the language and culture of their sister city.

There are countless examples of town affiliations leading to specific projects of help and assistance in times of need. A 5-year-old boy in Villaviciosa, the Philippines, will be able to walk again because the people of Forest Heights, Md., extended help for modern medical treatment of his crippled legs.

When Hagerstown, Md., was gripped by severe unemployment last winter, the citizens of Wesel, Germany, offered substantial help.

Some may scoff at such examples. Some may condescendingly admit that the exchanges of sister cities are all very fine, but they are too humble to have any significant effect on a restless and tense world.

Perhaps it is time for us to modify our "think big" approach to international relations and to "think right." Perhaps it is time for us to add something deeper and more basic to our big economic aid programs, our huge technical assistance plans, and our massive military aid projects.

The Government programs of economic and technical assistance are needed and should be increased, but we must also extend the little, human touches of friendship to others.

The United States today plans to step up its foreign-aid programs. We are today prepared to boost our defense budget. Our Government has committed the Nation to a vast new program for the exploration of outer space, including a multi-billion-dollar program to place a man on the moon.

The record of 150 American cities affiliated with communities in 36 nations is good, but the sister-city program must be expanded.

The American Municipal Association has reported to me that the names of 150 more foreign cities are on file with requests for sister cities in the United States.

To be blunt, 150 foreign cities have extended the hand of friendship and have been left standing without a response.

The requests of those 150 foreign cities must be answered by American communities willing and eager to establish town affiliations. And we need to do more to stimulate, encourage, and promote additional sister-city relationships—with the initiative coming from American communities.

A hundred and fifty town affiliations are not enough. Three hundred town affiliations are not enough. We need 3,000 or even 5,000 sister-city affiliations to approach the magnificent potential of American communities joining in friendship and understanding with communities of other nations.

Our ideal should not be limited. Our approach should not be timid. We should hope for the day when every one of America's 13,000 communities has joined as a working neighbor with a foreign community.

Such an expansion of the town affiliation movement can come only through the initiative and effort of citizens and leaders in the communities. The town affiliation program must be sustained as a true and spontaneous people-to-people effort.

But the Government can and should be ready to assist the American Municipal Association and the people-to-people program in any way necessary. If the leaders of the town affiliation program seek additional help, I am confident the Government will respond—with no strings attached.

It remains the responsibility of individual citizens and community leaders to stimulate and develop an expansion of the town affiliation program. I, for one, intend to do all I can to help promote the concept and practice of the town affiliation program in communities of the United States, and I hope each of my colleagues will exert every effort to encourage communities in their own States to develop sister city affiliations.

Mr. President, I believe that the Congress of the United States should go on record in support of the town affiliation program. For that purpose, I submit for appropriate reference a Senate concurrent resolution commending the town affiliation program of the American Municipal Association and the civic committee of the people-to-people program.

I ask that the text of this resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, under the rule, it will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 28) was referred to the Committee on Foreign Relations, as follows:

Whereas the need for establishing direct friendly relationships among the people of the free world has never been more critical; and

Whereas the American Municipal Association and the civic committee's people-to-people town affiliation program provides one of the most effective means for the people of this country to establish more friendly ties with citizens of all ages and interests in the cities, towns, and villages throughout the free world; and

Whereas over 150 communities from more than 40 countries throughout the free world representing an approximate population of over 25 million people are actively seeking affiliations with American cities; and

Whereas the town affiliation program offers to many Americans one of the most effective means of responding to President Kennedy's challenge "to ask what you can do for your country" by working directly with citizens of foreign lands in an exchange of ideas, projects and visits which will strengthen the bonds among the peoples of the free world: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That the town affiliation program of the American Municipal Association and the civic committee, people-to-people program, is commended as a major step forward in increasing good will and understanding and bringing the people of all nations together in a bond of mutual trust, friendship and cooperation, and, therefore, the citizens of all communities in our country join with the citizens of communities throughout the world in town affiliations based on mutual interests, respect, and understanding.

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

Mr. HUMPHREY. I yield.

Mr. KEATING. I wish to ask the Senator if the resolution simply approves the work which they are doing.

Mr. HUMPHREY. That is correct.

Mr. KEATING. I believe the work of this group is very significant. I have had personal contact with some of those who are in the work. A great many devoted people are deeply involved in it. They are working there for no reason except to promote a better relationship between our country and other countries. I would be happy if the Senator from Minnesota would do me the honor of permitting me to cosponsor the resolution.

Mr. HUMPHREY. I shall be delighted. I thank the Senator.

Mr. KEATING. Mr. President, I ask unanimous consent that I may be added as a cosponsor of the concurrent resolution.

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

Mr. HUMPHREY. Mr. President, I conclude by saying that I had the privilege of addressing the National Civic Committee of the People-to-People Program at a Carlton-Sheraton luncheon, at which time I discussed some of the possibilities of expansion of what we call the town affiliation program for friendship, freedom, and peace. I really believe it offers a great opportunity for voluntary action.

When people ask, "What can I do?" and when newspapers ask, "What can the citizen do?" I suggest that there are more than 13,000 towns and cities in the United States, and there is an opportunity for each town or community to affiliate with a community overseas and not only become acquainted with that overseas community, but to have that overseas community become better acquainted with America. It is in this way that we obtain a more mature understanding of the world in which we live, and so establish a basis for an effective foreign policy.

#### NOMINATION OF JOSEPH C. SWIDLER

The Senate resumed the consideration, in executive session, of the nomination of Joseph C. Swidler to be a member of the Federal Power Commission.

Mr. SMATHERS. Mr. President, how much time is left on this side?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be extended by 15 minutes and that 21 of those be given to the Senator from Wisconsin [Mr. PROXMIRE].

Mr. KEFAUVER. Mr. President—

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

Mr. SMATHERS. Mr. President, I believe the Senator from Montana intended to withdraw his request.

Mr. MANSFIELD. Yes. I withdraw that request.

Mr. LONG of Louisiana. Mr. President, the request was agreed to, and it would take unanimous consent to rescind the order.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to rescind the order.

Mr. KEFAUVER. Mr. President, reserving the right to object, the Senator from Wisconsin has been waiting all afternoon—

Mr. SMATHERS. Mr. President, it is evident that the Senator from Wisconsin is going to wait, so I ask unanimous consent that the agreement entered into in response to the request of the majority leader be laid aside.

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

Mr. SMATHERS. Mr. President, I yield to the Senator from Tennessee 4 minutes.

Mr. KEFAUVER. Mr. President, I am delighted to support the President's nomination of Mr. Joseph C. Swidler to membership on the Federal Power Commission.

Over the quarter century during which Mr. Swidler served with the Tennessee Valley Authority—for 12 years as its General Counsel—I came to know him as a hard worker and a most able one, a man of excellent character and integrity.

Mr. Swidler will bring to the Federal Power Commission not only an outstanding organizational ability but also, and perhaps more importantly, a recognition of the interests of that usually "silent party" so often overlooked by some of our ratemaking agencies—the consumer.

Mr. Swidler is a native of Chicago. He attended the public schools there, the University of Illinois, the University of Florida, and the University of Chicago. He received his Ph. B. degree from the University of Chicago in 1929 and his J.D. degree in 1930.

From 1930 to 1933, Mr. Swidler was engaged in private practice in Chicago, and also served as one of the editors of Public Utilities and Carriers Service, a legal service in the utility field. For several months in 1933 he served as Assistant Solicitor for the Department of Interior, leaving to enter TVA employment in Knoxville, Tenn. He served on loan to the Department of Justice as Counsel, Alien Property Bureau, in 1941 and to the War Production Board as Counsel, Power Division, in 1942.

During his service with TVA, Mr. Swidler was active in the development of the TVA power program and participated in all the major acquisitions of utility properties. He also served as Chairman of the Board of the TVA retirement system. In the 12 years in which he was General Counsel of TVA, he also served as Secretary of the Corporation. Since 1957, Mr. Swidler has been in private practice in Nashville, Tenn.

Between 1943 and 1945, he served in the Navy on the staff of the Assistant Secretary of the Navy.

Mr. Swidler is 54 years of age. He is married to the former Gertrude Tyrna of St. Louis, and they have two children; a daughter, 16 years of age, and a son, 12 years of age.

Mr. President, the nomination of Mr. Swidler to this important post has been acclaimed with enthusiasm by many people of my State and Mr. Swidler's adopted State. One excellent example is an editorial which appeared in the Nashville Tennessean on January 28, 1961. I ask unanimous consent that it appear in the RECORD at this point.

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

**MR. JOSEPH SWIDLER FINE CHOICE FOR FPC**

President Kennedy has made an exceptionally good choice in naming Mr. Joseph C. Swidler, a Nashville attorney, chairman of the Federal Power Commission.

Mr. Swidler is a highly capable man who is hard working at any task, and his background in government is considerable. Few are more familiar with the legal jungles of utilities. If anyone can, he should be able to deal with the delays of adjudicatory proceedings—which was a major complaint of the Landis report on regulatory agencies.

Formerly General Counsel of the Tennessee Valley Authority, Mr. Swidler joined

the agency shortly after it was created. It was his mammoth task to start preliminary work and to carry through the many and long-drawn-out legal cases which were to establish precedents for the agency. His record with TVA is one that is notable.

On any basis—merit, experience, or integrity—Mr. Swidler meets the requirements for taking over tasks in the FPC. His many friends in the Valley and elsewhere commend his appointment and wish him well.

Mr. KEFAUVER. Mr. President, I understand the issue before the Senate today is action on the confirmation of the nomination of Mr. Swidler to be a member of the Federal Power Commission. The matter of the chairmanship will be one to be worked out between the present Chairman and the President. It is not an issue before the Senate.

Mr. President, Mr. Swidler is a very hard worker. We know that for many years the Federal Power Commission has been behind in handling cases before it. I am sure Mr. Swidler will do much to expedite the work of the Commission. He has a judicial temperament. He will be fair to the companies involved and at the same time he will think about the consumer interest and the public interest.

Mr. President, in my opinion this nominee is one of the best the President has chosen. He is one of the best men the President could possibly find to be a member of the Federal Power Commission.

Mr. Swidler is the President's personal choice for membership on the Commission. This is not a case in which either my colleague [Mr. GORE] or I sponsored Mr. Swidler, wrote letters for him and got support for him, because Mr. Swidler was not an applicant. It is not the case that we would not have been glad to sponsor Mr. Swidler, but it never occurred to us. I did not know he was interested. We simply did not think about it. The first either Senator from the State where Mr. Swidler lives, Tennessee, knew of the nomination was when Mr. Swidler came to our offices and said he had been offered the position, but wished to talk with us before giving an answer. The President has made an excellent personal choice.

I know that by the selection of Mr. Swidler the President has considered the needs of the Federal Power Commission. In my opinion Mr. Swidler will make an outstanding member, will be fair to the companies involved, and will think about the long-neglected consumer interest and what is best in the public interest.

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

Mr. KEFAUVER. If I have any time to do so, I am happy to yield.

The PRESIDING OFFICER. The Senator has a half minute remaining.

Mr. MANSFIELD. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Tennessee has a half minute remaining.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time may be extended 2 minutes and that the 2½ minutes may be allocated to the Senator from Tennessee [Mr. GORE].

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

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

Mr. KEFAUVER. Mr. President, I yield all my time to my colleague.

Mr. GORE. I thank my distinguished senior colleague for his very able remarks. I wish to associate myself with them fully.

Mr. President, the nomination is a worthy one, and I believe that the public service which we shall see from this nominee will be a matter of pride for the entire Senate.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I am happy that I shall have the opportunity to vote for the confirmation of the nomination of the Honorable Joseph C. Swidler to be a member of the Federal Power Commission.

I first met Mr. Swidler in 1947 when I was a member of the Committee on Public Works of the Senate and Mr. Swidler was an attorney for the Tennessee Valley Authority. In that year we held long hearings involving the operations of the Tennessee Valley Authority. I became well acquainted with Mr. Swidler. I recognized his ability and his fair attitude.

I have known Mr. Swidler, since that time, as lawyer and counsel for the Tennessee Valley Authority, and also as a private attorney.

Mr. Swidler is well known in my State of Kentucky. He is known by those who have worked with him in the Tennessee Valley Authority, by lawyers in our State, and by many of our officials. He is held in high respect for his ability, and his integrity and his character.

Mr. Swidler will be able to bring his knowledge and experience of power problems to the service of the Commission and of the country. I am very happy that I shall have the opportunity to cast my vote to confirm the nomination of Mr. Swidler.

Mr. DIRKSEN. Mr. President, I yield 10 minutes to the distinguished Senator from Kansas [Mr. SCHOEPEL].

The PRESIDING OFFICER. The Senator from Kansas is recognized for 10 minutes.

Mr. SCHOEPEL. Mr. President, shortly the Senate will vote on the confirmation of the nomination of Mr. Swidler to be a member of the Federal Power Commission. I sat through all the hearings with reference to the nomination of Mr. Swidler before the Commerce Committee, and I found him to be forthright, frank, and—I must say quite frankly—there was quite a contrast between Mr. Swidler's attitude before our committee and the attitude of the gentleman whose nomination this body confirmed yesterday.

I have every reason to believe that Mr. Swidler is a very able man. He has had great experience. With respect to one part of the Federal Power Commission responsibility, as to oil and gas regulation, he very frankly indicated he did

not have the experience and the background that he had in regard to the electrical industry. I appreciated his frankness. He impressed me as being a person who is willing to cope with the problems as he sees them, fairly and equitably.

I rise this afternoon at this late hour to discuss one phase of the nomination which is before us. This relates to the chairmanship of the Federal Power Commission.

During the course of Mr. Swidler's testimony before the Commerce Committee, he stated that so far as he knew there had been no change in the President's probable intention to appoint him as Chairman of the Federal Power Commission.

When reminded that the President might not have the power to designate a Chairman at this time, Mr. Swidler stated:

This is the President's legal problem, and I presume that he has legal advice.

The fact is that the President has no legal problem whatsoever in this regard, and I believe the record with respect to the tenure of the Chairman of the Federal Power Commission should be made crystal clear before the Senate acts on Mr. Swidler's nomination.

The law is so clear that there is virtually no room for dispute.

Section 1 of the Federal Power Act as enacted in 1930, title 16, United States Code, section 792, has always provided that the Chairman of that Commission when chosen as Chairman shall "act as such until the expiration of his term of office."

This provision, as I shall show, was not modified in any way by the 1950 reorganization plan for the Federal Power Commission.

In 1950, I was a member of the Senate Committee on Expenditures in the Executive Departments which considered the reorganization plans submitted by then President Truman.

One of them, Reorganization Plan No. 9, of 1950, dealt with the Federal Power Commission and, among other things, authorized the President to select the Chairman of the Federal Power Commission, instead of having him selected by the members of the Commission.

In considering the reorganization plan, our committee also had before it a resolution of disapproval. The resolution was reported unfavorably by the committee and was defeated by the Senate, with the result that the reorganization plan went into effect.

I have recently had occasion to review the legislative history of that reorganization plan and its consideration by the Senate.

The record is clear and the evidence all supports the belief that the plan did not change the clear purpose of section 1 of the Federal Power Act, which provides that the Chairman of the Federal Power Commission shall continue as Chairman until the expiration of his term on the Commission.

The principal comment on this aspect of the 1950 reorganization plan is found in the statement of Federal Power Commissioner Thomas Buchanan.

He flatly told the Senate Committee on Expenditures in Executive Departments:

The provision (in the plan) for the selection of the Chairman by the President changes only the method of choosing and does not affect the term of the Chairman so selected under the existing law.

Commissioner Buchanan's statement goes on to show a specific application in terms which were very similar to the situation which exists today in the Commission:

The term of a Federal Power Commissioner is presently 5 years, therefore, a President in the 4th year of his term might select as Chairman the member of the Commission nominated by him and confirmed by the Senate during that year. Under the terms of plan No. 9 as applied to the old law, the Chairman so selected would serve as such not only during the 4th year of the Presidential term in which he was appointed, but likewise 4 years of the succeeding term even though there may be a change in the Presidential office.

It is also worth noting that Senator Edwin C. Johnson, who was then chairman of the Senate Committee on Interstate and Foreign Commerce, quoted Commissioner Buchanan's statement during the Senate debate on the 1950 reorganization plan, and then told the Senate:

I have not discovered anyone who has found any fault with Mr. Buchanan's facts in regard to this proposal (CONGRESSIONAL RECORD, vol. 96, pt. 6, p. 7381.)

The record, thus, clearly shows that under the law and under the 1950 reorganization plan, the Chairman of the Federal Power Commission serves as Chairman until the expiration of his term as a Commissioner.

In this connection, I ask unanimous consent to have inserted in the RECORD at the conclusion of my remarks a legal memorandum prepared by the Legislative Reference Service of the Library of Congress on this subject.

The PRESIDING OFFICER. Without objection it is so ordered. (See exhibit 1.)

Mr. SCHOEPPPEL. In the light of this legislative history, I believe that any attempt to install a new Chairman during the term of the present Chairman would clearly be an invasion of the independence of the Federal Power Commission, an attempt to usurp power of Congress to prescribe the term of the Chairman, and a violation of the very laws the President has sworn to uphold.

*Weiner v. U.S.* (357 U.S. 349), decided by our Supreme Court in 1958, removes any doubt that might have existed concerning the power of the President to remove a member of an independent commission.

The President simply does not have that power unless it be for cause, and political preference does not constitute a legal cause.

Since the President of the United States has enormous power and influence, there undoubtedly are devices by which he could bring pressure on a member or the Chairman of an independent regulatory agency in an effort to accomplish a particular purpose.

I have every reason to believe that the President should not overtly or covertly abuse the power he possesses, in an effort to place a person of his own choice in the position of Chairman of the Federal Power Commission, under the present status of the law.

Chairman OREN HARRIS, of the House Committee on Interstate and Foreign Commerce, has introduced H.R. 5863, which would amend the Federal Power Act so that its Chairman would serve at the pleasure of the President.

Congress may, as we all know, if it wishes, enact this or similar legislation and bestow on the President greater power over the Federal Power Commission and its Chairman than he now possesses.

If this is done, all of us naturally would expect the President immediately to designate a person of his choice as Chairman of that Commission. Such action would then be in accordance with the power given to the President by Congress.

In the meantime, the President must abide by existing law and I am confident he will do so. I believe that the policy I have stated is a safe policy to pursue until such time as the law is changed.

#### EXHIBIT 1

##### SOME INFORMATION CONCERNING THE TENURE OF THE CHAIRMAN OF THE FEDERAL POWER COMMISSION

1. What is the tenure of the Chairman?  
The term of a member of the Federal Power Commission is 5 years from the date of expiration of the term for which his predecessor was appointed, except that a member appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed only for the unexpired term of his predecessor.

One of the five commissioners is designated by the President to serve as chairman and "Each chairman, when so designated, shall act as such until the expiration of his term of office" (16 U.S.C. sec. 792). The history of this section is worth noting. In 1930 (46 Stat. 797) the law provided that "chairmen shall be selected by the Commission itself, each chairman when so elected to act as such until the expiration of his term of office." This provision of the 1930 act was modified by section 3 of Reorganization Plan No. 9 of 1950 (64 Stat. 1265) which stated:

"The functions of the Commission with respect to choosing a chairman from among the commissioners composing the Commission are hereby transferred to the President."

Under the terms of the Reorganization Act of 1949 any reorganization plan submitted to Congress by the President would have the force of law unless disapproved by Congress and, having the force of law, would supersede only those provisions of existing law with which it was inconsistent or in conflict. Since Reorganization Plan No. 9 of 1950 mentioned nothing about the term of the Chairman to be designated by the President those provisions of the 1930 act dealing with his term seemingly would still be in effect. Although title 16 of the United States Code has not been enacted into positive law, the first paragraph of title 16, United States Code, section 792 is an accurate compilation of existing law on the term of the Chairman of the Federal Power Commission.

2. When does the term of the present Chairman expire?

The term of the present Chairman, Jerome K. Kuykendall, a Republican, expires on June 22, 1962.

3. Can he be replaced before his term expires?

4. Are there any precedents in any other regulatory agencies?

There have been several cases dealing with the President's power of removal and with attempts by Congress to curtail it. None of the cases, however, has dealt with the removal of a Federal Power Commissioner.

In 1926, the Supreme Court indicated that the power of the President to remove an officer, other than a judge, in whose appointment he participates, is unlimited and therefore not subject even to express qualification by congressional enactment. *Myers v. U.S.* (272 U.S. 52). Nine years later, in *Humphrey's Executor v. U.S.* (295 U.S. 602 (1935)), the Court narrowed the scope of the President's removal power, by sustaining a provision included in the act establishing the Federal Trade Commission which prohibited the President from removing a Commissioner except for inefficiency, neglect of duty, or malfeasance in office. The Court distinguished this result from the Myers case by reason of the fact that the Federal Trade Commission was an independent regulatory agency exercising predominantly quasi-judicial and quasi-legislative functions and Congress might appropriately permit the Commissioners to exercise these functions independently of executive control.

More recently, in *Wiener v. U.S.* (357 U.S. 349 (1958)) the Court held that even in the absence of any express statutory limitation, the President was not entitled to remove without cause a member of the War Claims Commission which exercised functions almost wholly adjudicatory in power.

Although there is no express statutory limitation on the President's power to remove a Federal Power Commissioner, since the functions of the Commission are both quasi-judicial and quasi-legislative, it seems likely that the Court would follow the holdings in *Humphrey's Executor* and *Wiener* if presented with the case of removal of a Federal Power Commissioner without cause before the expiration of his term. Because the Court has tended to judge each agency on its own functions, however, no truly definitive answer can be given in the absence of a decision involving the Federal Power Commission.

Mr. DIRKSEN. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. DIRKSEN. I know of no expressed opposition on the minority side to the confirmation of the nomination of Mr. Swidler, which is pending before us. However, we felt that we ought to raise a question and make a legislative record because of a colloquy that took place before the committee in which Mr. Swidler was queried as to whether there had been any change in the President's intention to appoint him as Chairman of the Federal Power Commission. When he was reminded of that question, Mr. Swidler stated that, insofar as he knew, there was no change in the President's intention. When the question was raised that there might be some legal problem, his answer was:

It would be the President's legal problem, and I presume he has legal advice.

We have previously gone through some difficulties of that type, going back as far as the Commissioner of the Federal Trade Commission, Mr. Humphrey, who was removed from the Commission by President Roosevelt. That case was ultimately ventilated by the Supreme Court.

A more recent case, in 1958, was the case of Wiener against the United States, which concerned the War Claims Commission. A Commissioner was removed, and there were some difficulties in connection therewith. The question arose as to the inherent constitutional power of the President to remove a person in that status from a quasi-judicial body.

As I understand from the record, in the instant case, Mr. Swidler was nominated only for membership on the Federal Power Commission. Nothing was said about his being designated for the chairmanship of that Commission. But since Mr. Swidler indicated that there had been no change in the President's intention insofar as he knew, the question whether Mr. Swidler might be elevated to the chairmanship, notwithstanding the provisions contained in existing law, would be saved for some later disposition.

The present Chairman of the Federal Power Commission would have to be removed or dismissed, or he would have to resign before a new Chairman could be installed. I believe that the language of the statute is quite clear with respect to the incumbent who occupies the position at the present time.

Title 16, United States Code, section 792, states, in effect:

The Chairman, when chosen, shall act as such until the expiration of his term of office.

The language appears to me to be clear. The Chairman, when chosen, shall act as such until the expiration of his term of office. That language was contained in the act of 1930, as amended. The act was further amended by Reorganization Plan No. 9, which was incorporated in the statute in 1950. The Act gave the President the power to choose a Chairman instead of having the Commission choose the Chairman, but the provision had no effect upon the remainder of the language in the statute, which provided that the Chairman should hold office during his tenure.

The term of the incumbent Chairman continues for some years. If the language of the statute means anything to me, it means that for the tenure of his office he will serve as the Chairman of the Federal Power Commission. The President has authority to name the Commissioners. He also has authority to interpose certain restrictions upon the budget of the Commission, and what could be requested of the Congress by way of administrative expenses. But the President's power is limited, and that limitation is spelled out pretty well in the case of *Weiner v. The United States* (357 U.S. Reports, p. 349). The case is a war claims case that came up in the June term of 1958 before the Supreme Court. The case concerned the removal of a Commissioner, who filed suit for back pay in the Court of Claims, and the Court of Claims did exactly nothing about it. But the case went to the Supreme Court of the United States.

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

Mr. DIRKSEN. I yield myself an additional 5 minutes.

Incidentally, the Court of Claims was divided with respect to the petition that was filed by Mr. Wiener, and then the case went up on a writ of certiorari. There is some rather interesting language in the Court decision that I believe ought to be made a part of the Record. The decision is not unduly long, and I ask unanimous consent that the entire decision be made a part of my remarks.

There being no objection, the decision was ordered to be printed in the Record, as follows:

Mr. Justice Frankfurter delivered the opinion of the Court.

This is a suit for back pay, based on petitioner's alleged illegal removal as a member of the War Claims Commission. The facts are not in dispute. By the War Claims Act of 1948 (62 Stat. 1240), Congress established that Commission with "jurisdiction to receive and adjudicate according to law," section 3, claims for compensating internees, prisoners of war, and religious organizations, sections 5, 6, and 7, who suffered personal injury or property damage at the hands of the enemy in connection with World War II. The Commission was to be composed of three persons, at least two of whom were to be members of the bar, to be appointed by the President, by and with the advice and consent of the Senate. The Commission was to wind up its affairs not later than 3 years after the expiration of the time for filing claims, originally limited to 2 years but extended by successive legislation first to March 1, 1951, 63 Stat. 112, and later to March 31, 1952, 65 Stat. 28. This limit on the Commission's life was the mode by which the tenure of the Commissioners was defined, and Congress made no provision for removal of a Commissioner.

Having been duly nominated by President Truman, the petitioner was confirmed on June 2, 1950, and took office on June 8, following. On his refusal to heed a request for his resignation, he was, on December 10, 1953, removed by President Eisenhower in the following terms: "I regard it as in the national interest to complete the administration of the War Claims Act of 1948, as amended, with personnel of my own selection." The following day, the President made recess appointments to the Commission, including petitioner's post. After Congress assembled, the President, on February 15, 1954, sent the names of the new appointees to the Senate. The Senate had not confirmed these nominations when the Commission was abolished, July 1, 1954, by Reorganization Plan No. 1 of 1954 (68 Stat. 1279), issued pursuant to the Reorganization Act of 1949 (63 Stat. 203). Thereupon, petitioner brought this proceeding in the Court of Claims for recovery of his salary as a War Claims Commissioner from December 10, 1953, the day of his removal by the President, to June 30, 1954, the last day of the Commission's existence. A divided Court of Claims dismissed the petition (135 Ct. Cl. 827, 142 F. Supp. 910). We brought the case here (352 U.S. 980) because it presents a variant of the constitutional issue decided in *Humphrey's Executor v. United States* (295 U.S. 602).<sup>1</sup>

<sup>1</sup> An earlier quo warranto proceeding initiated by petitioner was dismissed; an appeal from this judgment was dismissed as moot by stipulation of the parties. The Government's contention that that judgment estops petitioner from relitigating certain issues in the present proceeding does not, in the special circumstances presented on this record, call for consideration on the merits. It was not urged, as in the particular situation it should have been, as a

Controversy pertaining to the scope and limits of the President's power of removal fills a thick chapter of our political and judicial history. The long stretches of its history, beginning with the very first Congress, with early echoes in the Reports of this Court, were laboriously traversed in *Myers v. United States* (272 U.S. 52), and need not be retraced. President Roosevelt's reliance upon the pronouncements of the Court in that case in removing a member of the Federal Trade Commission on the ground that "the aims and purposes of the administration with respect to the work of the Commission can be carried out most effectively with personnel of my own selection" reflected contemporaneous professional opinion regarding the significance of the Myers decision. Speaking through a Chief Justice who himself had been President, the Court did not restrict itself to the immediate issue before it, the President's inherent power to remove a postmaster, obviously an executive official. As of set purpose and not by way of parenthetical casualness, the Court announced that the President had inherent constitutional power of removal also of officials who have "duties of a quasi-judicial character \* \* \* whose decisions after hearing affect interests of individuals, the discharge of which the President cannot in a particular case properly influence or control." *Myers v. United States*, *supra*, at 135. This view of Presidential power was deemed to flow from his "constitutional duty of seeing that the laws be faithfully executed."<sup>2</sup>

The assumption was shortlived that the Myers case recognized the President's inherent constitutional power to remove officials, no matter what the relation of the executive to the discharge of their duties and no matter what restrictions Congress may have imposed regarding the nature of their tenure. The versatility of circumstances often mocks a natural desire for definitiveness. Within less than 10 years a unanimous Court, in *Humphrey's Executor v. United States* (295 U.S. 602), narrowly confined the scope of the Myers decision to include only "all purely executive officers" (295 U.S., at 628). The Court explicitly "disapproved" the expressions in Myers supporting the President's inherent constitutional power to remove members of quasi-judicial bodies (295 U.S., at 626-627). Congress had given members of the Federal Trade Commission a 7-year term and also provided for the removal of a Commissioner by the President for inefficiency, neglect of duty, or malfeasance in office. In the present case, Congress provided for a tenure defined by the relatively short period of time during which the War Claims Commission was to operate—that is, it was to wind up not later than 3 years after the expiration of the time for filing of claims. But nothing was said in the act about removal.

This is another instance in which the most appropriate legal significance must be drawn from congressional failure of explicitness. Necessarily this is a problem in probabilities. We start with one certainty. The problem of the President's power to remove members of agencies entrusted with duties of the kind with which the War Claims Commission was charged was within the lively knowledge of Congress. Few contests between Congress and the President have so recurrently had the attention of Congress as that pertaining to the power of removal. Not the least significant aspect of the Myers case is that on the Court's special invitation Senator George Wharton

Pepper, of Pennsylvania, presented the position of Congress at the bar of this Court.

Humphrey's case was a cause célèbre—and not least in the Halls of Congress. And what is the essence of the decision in Humphrey's case? It drew a sharp line of cleavage between officials who were part of the Executive Establishment and were thus removable by virtue of the President's constitutional powers, and those who are members of a body "to exercise its judgment without the leave or hindrance of any other official or any department of the Government" (295 U.S., pp. 625-626), as to whom a power of removal exists only if Congress may fairly be said to have conferred it. This sharp differentiation derives from the difference in functions between those who are part of the Executive Establishment and those whose tasks require absolute freedom from Executive interference. "For it is quite evident," again to quote Humphrey's Executor, "that one who holds his office only during the pleasure of another, cannot be depended upon to maintain an attitude of independence against the latter's will" (295 U.S. p. 629).

Thus, the most reliable factor for drawing an inference regarding the President's power of removal in our case is the nature of the function that Congress vested in the War Claims Commission. What were the duties that Congress confided to this Commission? And can the inference fairly be drawn from the failure of Congress to provide for removal that these Commissioners were to remain in office at the will of the President? For such is the assertion of power on which petitioner's removal must rest. The ground of President Eisenhower's removal of petitioner was precisely the same as President Roosevelt's removal of Humphrey. Both Presidents desired to have Commissioners, one on the Federal Trade Commission, the other on the War Claims Commission, "of my own selection." They wanted these Commissioners to be their men. The terms of removal in the two cases are identic and express the assumption that the agencies of which the two Commissioners were members were subject in the discharge of their duties to the control of the Executive. An analysis of the Federal Trade Commission Act left this Court in no doubt that such was not the conception of Congress in creating the Federal Trade Commission. The terms of the War Claims Act of 1948 leave no doubt that such was not the conception of Congress regarding the War Claims Commission.

The history of this legislation emphatically underlines this fact. The short of it is that the origin of the act was a bill, H.R. 4044, 80th Congress, 1st session, passed by the House that placed the administration of a very limited class of claims by Americans against Japan in the hands of the Federal Security Administrator and provided for a Commission to inquire into and report upon other types of claims. See House of Representatives Report No. 976, 80th Congress, 1st session. The Federal Security Administrator was indubitably an arm of the President. When the House bill reached the Senate, it struck out all but the enacting clause, rewrote the bill, and established a Commission with "jurisdiction to receive and adjudicate according to law" three classes of claims, as defined by sections 5, 6, and 7. The Commission was established as an adjudicating body with all the paraphernalia by which legal claims are put to the test of proof, with finality of determination "not subject to review by any other official of the United States or by any court by mandamus or otherwise" (sec. 11). Awards were to be paid out of a War Claims Fund in the hands of the Secretary of the Treasury, whereby such claims were given even more assured collectibility than adheres to judgments rendered in the Court of Claims. (See S. Rept. No. 1742, 80th Cong., 2d sess.) With minor amendment (see H.R. Conference

Rept. No. 2439, 80th Cong., 2d sess. 10-11), this Senate bill became law.

When Congress has for distribution among American claimants funds derived from foreign sources, it may proceed in different ways. Congress may appropriate directly; it may utilize the Executive; it may resort to the adjudicatory process (see *La Abra Silver Mining Co. v. United States*, 175 U.S. 423). For Congress itself to have made appropriations for the claims with which it dealt under the War Claims Act was not practical in view of the large number of claimants and the diversity in the specific circumstances giving rise to the claims. The House bill in effect put the distribution of the narrow class of claims that it acknowledged into Executive hands, by vesting the procedure in the Federal Security Administrator. The final form of the legislation, as we have seen, left the widened range of claims to be determined by adjudication. Congress could, of course, have given jurisdiction over these claims to the district courts or to the Court of Claims. The fact that it chose to establish a commission to "adjudicate according to law" the classes of claims defined in the statute did not alter the intrinsic judicial character of the task with which the Commission was charged. The claims were to be "adjudicated according to law," that is, on the merits of each claim, supported by evidence and governing legal considerations, by a body that was "entirely free from the control or coercive influence, direct or indirect" (*Humphrey's Executor v. United States*, *supra*, 295 U.S., 629), of either the Executive or the Congress. If, as one must take for granted, the War Claims Act precluded the President from influencing the Commission in passing on a particular claim, a fortiori must it be inferred that Congress did not wish to have hang over the Commission the Damocles' sword of removal by the President for no reason other than that he preferred to have on that Commission men of his own choosing.

For such is this case. We have not a removal for cause involving the rectitude of a member of an adjudicatory body, nor even a suspensory removal until the Senate could act upon it by confirming the appointment of a new Commissioner or otherwise dealing with the matter. Judging the matter in all the nakedness in which it is presented, namely, the claim that the President could remove a member of an adjudicatory body like the War Claims Commission merely because he wanted his own appointees on such a Commission; we are compelled to conclude that no such power is given to the President directly by the Constitution, and none is impliedly conferred upon him by statute simply because Congress said nothing about it. The philosophy of Humphrey's executor, in its explicit language as well as its implications, precludes such a claim.

The judgment is reversed.

Mr. DIRKSEN. I wish only to highlight a few paragraphs in the decision. The court was referring to an earlier case which had gained considerable notoriety. It was known as the Myers case. It was a case in which President Franklin Roosevelt had removed a postmaster. This is what the Supreme Court said:

Speaking through a Chief Justice who himself had been President, the Court did not restrict itself to the immediate issue before it, the President's inherent power to remove a postmaster, obviously an executive official. As of set purpose and not by way of parenthetical casualness, the Court announced that the President had inherent constitutional power of removal also of officials who have "duties of a quasi-judicial character \* \* \* whose decisions after hearing affect interests of individuals, the discharge of which the President cannot in a partic-

"ground why the cause should not be reviewed by this court." Rule 24(1) of the Revised Rules of the Supreme Court of the United States. In thus disposing of the matter, we do not mean to imply any support on the merits of the Government's claim.

<sup>2</sup> *Ibid.*

ular case properly influence or control." (*Myers v. United States, supra*, p. 135).

Then the Court went on to hold, because there was an assumption:

The assumption was short-lived that the Myers case recognized the President's inherent constitutional power to remove officials, no matter what the relation of the executive to the discharge of their duties and no matter what restrictions Congress may have imposed regarding the nature of their tenure.

The Court finally gets down to the nub of the matter, and I read only two more paragraphs:

If, as one must take for granted, the War Claims Act precluded the President from influencing the Commission in passing on a particular claim, a fortiori must it be inferred that Congress did not wish to have hang over the Commission the Damocles' sword of removal by the President for no reason other than that he preferred to have on that Commission men of his own choosing.

For such is this case. We have not a removal for cause involving the rectitude of a member of an adjudicatory body, nor even a suspensory removal until the Senate could act upon it by confirming the appointment of a new Commissioner or otherwise dealing with the matter. Judging the matter in all the nakedness in which it is presented, namely, the claim that the President could remove a member of an adjudicatory body like the War Claims Commission merely because he wanted his own appointees on such a Commission, we are compelled to conclude that no such power is given to the President directly by the Constitution, and none is impliedly conferred upon him by statute simply because Congress said nothing about it. The philosophy of Humphrey's Executor, in its explicit language as well as its implications, precludes such a claim.

The judgment is reversed.

The Supreme Court of the United States, therefore, reversed the Court of Claims, and I suppose in due course Mr. Wiener was paid and his cause was justified.

If that language in the Federal Power Commission statute means anything, it means that the Chairman, once designated by the Commission, holds office as Chairman for the tenure of his office. If Mr. Kuykendall, the present chairman, has 4 or 5 years remaining in his term, it is my judgment that, so long as he engages in no conduct which might cause him to be charged with misconduct in office, there is no way that the President of the United States can remove him. Therefore, there is no way that the President could designate a new Chairman of the Federal Power Commission. If this is undertaken at some future time, I would apprehend, on the basis of previous experience and the cases that have come to my attention, this matter probably would land in the courts.

It would reflect no great credit upon the Senate, knowing the situation and being familiar with the comment Mr. Swidler made before the Commerce Committee in response to a question, if we entirely ignored this question. I believe the Senate could very properly be scolded and reprimanded for having failed to take account of it, particularly since this subject has been ventilated in the press and in the public prints for quite some time.

I therefore wanted to be sure, along with my distinguished friend from Kansas [Mr. SCHOEPPEL], who is the ranking Republican member on the Commerce Committee, and whose sentiments I endorse, that there be something to refer to. It would bring into purview the interpretation of a statute enacted by Congress under which the Federal Power Commission was created. It would bring into purview the interpretation of a reorganization plan not disapproved by the Congress which was incorporated in the statute. In the language of the Court, in all its nakedness, the incumbent Chairman will occupy that place unless he resigns, or unless he be ousted by court order.

The language is clear as crystal that he is the Chairman for the tenure of his office.

I do not wish to have litigation saved up for some future date simply because the Senate failed to take account of the situation and failed to do its duty in that respect.

We do not oppose Mr. Swidler. We only say that he is not the Chairman-designate. As the language is carried in the hearings on Mr. Swidler, he was nominated for the remainder of the term expiring June 22, 1965, and for nothing else. If an effort is made to remove the present Chairman, or to pressure him into resignation, I gather, of course, that there will be resort to the courts. So a little legislative history had to be made. The court can refer to it if and when this matter comes before the court for judicial decision.

We have nothing more to say about it. We have said nothing derogatory about Mr. Swidler. We do not oppose his nomination, but we want to be sure that the language which Congress wrote into the Federal Power Commission Act, the language that was incorporated in the act under the reorganization plan with respect to the chairmanship of that independent regulatory body, be properly preserved. The Commission is not a creature of the President of the United States. It is a creature of Congress. I believe the intent and will of Congress as expressed in the statute should be and must be preserved and followed.

Mr. PASTORE. Mr. President, it was my privilege as a member of the Committee on Commerce to attend most of the hearings on the nomination of Joseph C. Swidler to be a member of the Federal Power Commission. I was very much impressed with Mr. Swidler.

On the floor of the Senate, we hear much debate concerning private power and public power. From our consideration of this nomination, I find comfort in the fact that the consumer interest will be protected by Mr. Swidler. I was convinced of that at the time of the hearings; I am convinced of it now.

I am very happy to support the nomination of Mr. Swidler. I commend it highly to the Senate. I hope the nomination will be unanimously confirmed.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

The Senator from Kansas [Mr. SCHOEPPEL] alluded to the fact that Representative HARRIS, of Arkansas, a great and distinguished Member of Con-

gress with whom it was my privilege to serve for many years, has also given thought to the question of the chairmanship and the language of the existing statute.

On March 23 of this year, Representative HARRIS introduced a bill to amend the Federal Power Act with respect to the number and terms of office of members of the Commission, and for other purposes. The bill provides for a Commission of seven members. Under the bill, the President would designate the Chairman. No one quarreled with the right of the President to do so. Congress can confer that power, if it wishes to do so.

But we are dealing at present with existing law, and that is the point we make if an effort should be undertaken with respect to the present Chairman of the Federal Power Commission.

Mr. President, I am ready to yield back the time remaining on this side.

Mr. MANSFIELD. Mr. President, I yield back the time remaining on this side.

The PRESIDING OFFICER. All time is yielded back.

Mr. DIRKSEN. Mr. President, so far as I know, there is no demand on this side for a yea-and-nay vote.

Mr. JAVITS. Mr. President, I wish to express my support of this nomination, without in any way passing on the legal questions which have been debated and which may be involved in the matter of the chairmanship of the Federal Power Commission.

I had an opportunity to interview Mr. Swidler. I believe he can do a good job as a member of the Federal Power Commission. I wish to express this view before the vote is taken on the nomination, without in any way, as I have said, impinging upon the legal questions which may ultimately be involved, or without in any way affecting them. My remarks are strictly devoted to the capability of Mr. Swidler to be a member of the Federal Power Commission.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Joseph C. Swidler, of Tennessee, to be a member of the Federal Power Commission?

The nomination was confirmed.

Mr. THURMOND. Mr. President, I desire the RECORD to show that I voted against the confirmation of the nomination of Joseph C. Swidler to be a member of the Federal Power Commission.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified.

Mr. DOUGLAS. Mr. President, now that the nomination of Mr. Swidler has been confirmed, I am very happy to state that I had the pleasure of voting for confirmation of his nomination.

I should like to add a word of personal appreciation of the confirmation of Mr. Swidler's nomination, because while he is now a resident of Tennessee, and has been for many years, he began his legal career in the city of Chicago.

It so happens that about 30 years ago, when I was locked in more or less mortal

combat with the late Samuel Insull, and believed, first, that there were financial irregularities in the Insull empire, and that the holding-company structure of the Insull empire was very shaky, and second, that the economies in the generation and transmission of electricity and gas were not being passed on to the consumers, with other Chicagoans I helped organize the Illinois Consumers & Investors League, and we engaged Mr. Swidler as our counsel.

Mr. Swidler was then a young attorney associated with David Lilienthal; and he had prepared the very accurate reports on utility regulation and legislation which were being published by the Commerce Clearing House.

The ensuing 2 years were about as strenuous as any I have ever passed in my life; and I may say I learned something about the nature of the tactics of private utilities and something about the nature of politics, both in my city and State and in the Nation. For many months I doubted whether I would be able to survive the attacks which Mr. Insull and his followers directed. The issues which were carried before the Illinois Commerce Commission were quite important, and raised some fundamental questions in regard to the effectiveness of public utility regulation.

Fortunately for me, at least, Mr. Insull collapsed before I did, and went to Paris while one of the crucial suits was on. From Paris, some months later he went to Greece—closely pursued by the law; and finally he was picked up on a boat in the Aegean Sea, while clothed in some doubtful habiliments.

During that strenuous period of time, Mr. Swidler was our counsel, and he presented our cases with decorum and ability.

In 1933, he was appointed by my friend, Harold Ickes, to be a member of the legal staff of the Department of the Interior. Possibly I had something to do with his appointment. From there, he was appointed to the Tennessee Valley Authority; and he went on to have a fine career of distinguished public service.

Earlier in his life, Mr. Swidler demonstrated the quality of courage which I believe is very greatly needed in the general field of private-utility regulation, but frequently is conspicuous by its absence on the part of the regulators.

I am confident that Mr. Swidler will be a brave public servant. Certainly he is a most competent public servant; and I know of no one in the country who knows public utility law as thoroughly as he does. He will be a defender of the consumers' interests, and he will also be fair in his judgments and in his rulings. Perhaps out of the dust and out of the storm and lightning of battle, we may get some reconciliation.

In any event, I am very happy at the action of the Senate in confirming his nomination. I wish to congratulate the Senate on the quality of this appointment—as I did on the quality of the appointment of Mr. Morgan, whose nomination the Senate confirmed yesterday—and I desire to state that I think the Nation has gained a great public servant.

#### LEGISLATIVE SESSION

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

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

#### SENATOR THRUSTON B. MORTON

Mr. KEATING. Mr. President, it has been my pleasure during the past 3 years to occupy a desk in this Chamber adjacent to that of the distinguished junior Senator from Kentucky, the Honorable THRUSTON B. MORTON.

During a large part of that time, my friend has not only been a tireless representative in this body for his illustrious State, but also has served as chairman of the National Committee of the Republican Party.

I have marveled at the extreme proficiency with which he has managed both of these demanding assignments. He has led the Republican Party from a relatively low point to a national position of virtual equality with the mighty party represented by Members on the other side of the aisle. At the same time he has given his State service of the same high order that sons of Kentucky have traditionally rendered in this body.

Senator MORTON has now turned over his duties at the Republican National Committee to an outstanding Congressman from my own State. He, therefore, will henceforth be free to devote even more of his time and efforts to advancing the interest of his great State.

Mr. President, I ask unanimous consent that at this point in the RECORD there be printed an editorial commending the junior Senator from Kentucky from the June 13 issue of the New York Herald Tribune, and a column on the same subject from the same date by that newspaper's perceptive correspondent, Earl Mazo.

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

#### WHILE THE CAT'S AWAY, THE MICE AND SO FORTH

Political mice are traditionally known for the persistence of their playfulness when the cat's away. They have not been idle in Kentucky while THRUSTON MORTON has been trying to serve his party as national chairman—and succeeding amazingly well—in addition to representing his constituents in the Senate. He may have a stiff reelection fight on his hands.

Voting is 17 months away, but what looks like a comfortable surplus of time may be a mirage if Democrats in abundantly Democratic Kentucky unite behind Lt. Gov. Wilson Wyatt as their senatorial candidate. As Earl Mazo points out elsewhere on this page, General Eisenhower's presence at the Morton party in Cincinnati last night is witness to Republican awareness not only of the party's debt to the Senator but the urgency of helping him to get reelected.

Senator MORTON deserves his party's assistance on three counts:

He has served ably as a Senator, following a sensible middle-of-the-road course and avoiding the irritating branding irons of both extremes.

He has served ably as national chairman, picking up organizational strings at a low point in history and pushing on to a near victory in November.

His Republicanism—moderate, enlightened, tunable to the needs of the Nation—is the formula of the future. He, like Kentucky colleague JOHN SHERMAN COOPER, and GOP gubernatorial candidate James P. Mitchell, of New Jersey, can renew the party's virility and sense of direction. These and men of similar temperament are the party's best bets for tomorrow's leadership.

Now that THRUSTON MORTON has received his well-done and farewell from the President who asked him to become national chairman, he can return to his old Kentucky home to check on the mice. If he faces them with the confidence and good will with which he has met larger national party crises, he will strengthen his hand for the second-term reckoning that is 17 months away.

#### THE REPUBLICANS' KENTUCKY GENTLEMAN (By Earl Mazo)

WASHINGTON.—General Eisenhower, who isn't much for attending political dinners, went out of his way last night to show up at a fund raiser given by the Republican organization of Cincinnati. The speaker was Senator THRUSTON B. MORTON, the recently resigned Republican national chairman.

It was Senator MORTON's last major appearance in the party's behalf outside Kentucky until after his own campaign for reelection is over 17 months hence. And former President Eisenhower came to demonstrate, graphically, his friendship and high esteem for the Senator.

General Eisenhower and other top-echelon Republicans regard THRUSTON MORTON to be one of the finest public figures in Washington. And they consider his continued service in Congress a must.

But it is well known he faces serious obstacles in the balloting next year. He will have a formidable opponent in Lt. Gov. Wilson Wyatt, the probable Democratic nominee for Senator, one of Ambassador Adlai Stevenson's closest friends and political associates. Even more of a challenge is the fact that Democrats outnumber Republicans something over 2 to 1 in Kentucky, and thus, at best, it is extremely difficult for anyone labeled "Republican" to win a statewide contest.

The Republican national chairmanship brought prestige to the Senator and was in many ways a boon to his State. But it also required him to take positions from time to time that were more partisan than was natural for him. And that could prompt many home-State Democrats to judge him by party affiliation alone.

On the other hand, Senator MORTON's strongest boosters, like General Eisenhower, believe it possible that the distinction with which he led it might, in the long run, make of his Republican chairmanship an overall vote-getting asset.

The tall, good-natured Kentuckian took over the party organization in April 1959, at President Eisenhower's behest. The great Democratic sweep—and Republican disaster—of the 1958 elections had just passed, and according to the Gallup poll, the Republican Party had sunk to its lowest point with the voters in this century. The Gallup report said the party was in even worse shape than after the Franklin Roosevelt triumph in 1936 which practically decimated its membership in Congress and its Governors.

Senator MORTON's task was to breathe life into his harried political troops, inspire good men and women—"new faces"—to join the fray as candidates and workers in the Republican cause, dispel the apathy that prompted contributors to snap shut their wallets, and restore confidence all around. At the same time, he was to keep up with his duties and responsibilities as a Senator.

It was some job.

And the verdict of those who know is that THURSTON MORTON did it superbly and selflessly. Though losing the Presidency by a fraction of a percentage point of the total vote. Republicans gained substantially on all fronts. Significantly, Senator MORROW turned over to his successor a party with more zip than it has shown in many years.

Originally, Senator MORROW hoped to resign the national chairmanship and begin concentrating on his own reelection effort last fall. But he stayed on at the urging of President Eisenhower and just about every other high-level party figure. All felt party unity could best be assured during the touchy postelection period only with Senator MORROW in charge.

He left the chairmanship early this month, after achieving agreement from all factions on his successor, Representative WILLIAM E. MILLER, of New York, and thus averting a possible party-splitting fight for the chairmanship.

That Senator MORTON succeeded in this, as he has in much else, was no surprise to his admirers. They knew the charming, homespun THURSTON MORTON as a natural politician who, in a sense, isn't really a politician.

A grandfather (S. Thurston Ballard) had been Lieutenant Governor of Kentucky when Senator MORROW was a child more than 40 years ago. But he did not "take a fling" at politics himself until after World War II.

Like President Kennedy and former Vice President Nixon, Senator MORROW had served in the Navy—and then been elected to Congress in 1946. He remained in the House of Representatives (for three terms) until General Eisenhower was elected President. In the Eisenhower administration he became an Assistant Secretary of State, and in 1956 he ran for Senator—and won.

Recently, when a visitor from Kentucky was asked by a Democratic Senator how come the fine, Democratic Bluegrass State had produced, of all things, the Republican national chairman, the reply was: "Well, THURSTON'S a genuine Kentuckian, you know."

Senator MORTON and his antecedents for generations back were born in or near Louisville. In fact, he is descended (on one side of the family) from Dr. John Walker, who reputedly was the first white man to build a log cabin west of the Alleghenies. And that was a long time ago.

Mr. DIRKSEN. Mr. President, I associate myself with the remarks of the distinguished Senator from New York. The distinguished Senator from Kentucky has been by all odds one of the ablest and most vigorous chairmen of the Republican National Committee ever had in its entire history. I have often been astonished by the vigor with which he addressed himself to those responsibilities and how freely he gave of his time to journey into every section of the country, first in the interest of the country, and then in the interest of the party. He is to be commended for the long and arduous labor which he performed.

But that is nothing new to a Kentuckian. Kentuckians know what hard work is, and they work to a purpose. So Senator MORTON was merely following the great traditions of Kentucky and in the footsteps of the great men from Kentucky who have graced not only this body but the other body, as well.

Mr. COOPER. Mr. President, I join with the distinguished Senator from New York [Mr. KEATING] and the distinguished Senator from Illinois [Mr. DIRKSEN] in the tribute they have just

paid to my colleague, the distinguished junior Senator from Kentucky [Mr. MORTON]. It is not necessary for me to say that my colleague has made a great chairman of the Republican National Committee. We know that he has lifted our party, and we are very proud that in the conduct of the duties of his office he performed them on the highest plane, first for our country, and then for our party.

That attitude has also attended his distinguished service in the Senate of the United States. Senator MORROW is held in great respect and affection in the State of Kentucky. I believe that that confidence and respect will be expressed a little more than a year from now, when the people of Kentucky return him to the Senate of the United States.

Mr. PASTORE. Mr. President, I wish to join in the congratulations which are being extended to the distinguished Senator from Kentucky [Mr. MORTON]. Now that he has relieved himself of the mantle of the direction of the Republican Party, I find comfort in the belief that the chances of the Democratic Party will be better in the next election.

#### FEDERAL-AID HIGHWAY ACT OF 1961

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of the bill (H.R. 6713), the Federal-Aid Highway Act of 1961.

The motion was agreed to; and the Senate resumed the consideration of the bill (H.R. 6713) to amend certain laws relating to Federal-aid highways, to make certain adjustments in the Federal-aid highway program, and for other purposes.

#### LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader what he plans for the rest of the day and, if he can tell us, what the plan will be for tomorrow's legislative session.

Mr. MANSFIELD. Mr. President, we shall spend a little time this evening—not too much—on a further discussion of the highway tax measure.

I ask unanimous consent that when the Senate adjourns tonight, it adjourn until 11 o'clock tomorrow morning.

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

Mr. MANSFIELD. The purpose of the early meeting of the Senate tomorrow is to see if it will not be possible to consider and vote on the pending measure tomorrow. If the Senate concludes action on the highway tax measure by tomorrow night, it is the intention of the leadership to have the Senate adjourn until Monday. However, if action is not completed on the highway tax bill by tomorrow night, the Senate will meet on Friday for the further consideration of the bill.

Mr. DIRKSEN. Mr. President, it is my understanding that tomorrow the very distinguished Republican Senator-

elect from Texas is to be installed in office with suitable ceremony.

Mr. MANSFIELD. That is my understanding; that is what I have been told; that is what I anticipated.

Mr. DIRKSEN. I anticipate that that will be the order of business immediately after the morning hour tomorrow.

Mr. MANSFIELD. At the pleasure of the distinguished minority leader. I put all Senators on notice to that effect, Democrats as well as Republicans.

Mr. DIRKSEN. We have had a tentative arrangement to have a full-dress discussion of the so-called reorganization plans. That discussion should have eventuated today, but it did not. That is only a part of the difficulty we sometimes encounter.

Time is marching. Action must be taken on two reorganization plans before the 26th of June. I wonder whether it would be possible, tentatively, to make that discussion the order of business for Monday next, because a number of resolutions of disapproval will be available for consideration.

Mr. MANSFIELD. I am perfectly willing to agree to that suggestion, and I give notice that on Monday next the Senate will discuss the proposals enunciated by the distinguished minority leader.

Mr. DIRKSEN. I thank the distinguished majority leader.

#### OIL DEPLETION ALLOWANCE

Mr. PROXMIRE. Mr. President, the distinguished senior Senator from Delaware [Mr. WILLIAMS] has introduced what I believe to be an excellent bill. He kindly permitted me to be a cosponsor of it, with him. The bill substantially reduces the oil depletion allowance, although it will still keep it high enough so that there will be ample reward of the oil industry and ample incentive exploration, and so forth. But the bill will conserve enough for the Federal Treasury—so the Senator from Delaware has calculated, and he has Treasury support for it—so that it will be possible to reduce the Federal income tax from the present top effective rate of 87 percent to 60 percent.

I think the bill is a fine one, because it will reduce what is obviously a ridiculously high and confiscatory personal income tax, and will do it without bringing any loss to the Treasury. In fact, it will result in a substantial gain to the Treasury.

The bill is a very fine one, and I am very proud to be a cosponsor of it. I hope it will be enacted into law.

#### DEFICIT SPENDING VERSUS ECONOMIC FREEDOM

Mr. PROXMIRE. Mr. President, this morning, in the Washington Post, the distinguished economics professor, Seymour E. Harris, Littauer professor of political economy at Harvard University, had a letter printed which attacks the Senator from Arizona [Mr. GOLDWATER]. I know Prof. Seymour Harris from having attended the Harvard Graduate School and having served as a teaching

fellow and tutor. I think he is a fine and able economist, but I must side enthusiastically with the Senator from Arizona [Mr. GOLDWATER] in this dispute.

In his letter, Professor Harris advances a particular thesis, and I am taking the time to discuss it because it is a thesis which is championed, unfortunately, by many economists.

When I was in Wisconsin on Memorial Day, I had a meeting with representative economists from the University of Marquette and the University of Wisconsin, including economists from both the Madison and Milwaukee campuses, and discussed the Joint Economic Committee report and my dissent from it.

I found the economists, whom I considered to be representative, all felt, as does Prof. Seymour Harris, that the economic policy of our Government should be one of deliberately incurring a deficit at this time, and a very substantial deficit. The thesis of Prof. Seymour Harris is set forth in this way:

It is my view that when buying is not adequate to take production off the market, then the Government has a responsibility to increase the total amount of spending; and the means are a reduction in taxes or (and) a rise of public spending.

He goes on to say that the Federal Government should reduce taxes or engage in more spending, resulting in a \$10 billion deficit in fiscal year 1962.

I take the time to discuss this matter because Dr. Harris is a distinguished professor, who is highly honored in the economic profession, and his views on this particular issue are unfortunately widely shared.

In a free society the Government should not deliberately incur a deficit whenever economists may feel that demand is not adequate. What Professor Harris is advocating here is what a large number of economists in America are advocating.

They make as vigorous a case as they can for this policy, as does Professor Harris in his letter, which I shall put in the RECORD later; but it seems to me the record they make falls very short of persuading prudent men, in a time of relative prosperity, that the Government should go a great deal further into debt at a time when personal income is high and when corporate profits are relatively very high.

Under these circumstances if we deliberately incur a \$10 billion deficit, I ask what we should do in wartime, in a period of great military crisis, or when we have a very serious recession or depression.

Professor Harris goes on to say:

I doubt that an average deficit of \$4 billion in a \$500-\$600 billion economy growing at the rate of \$20-\$25 billion yearly would greatly damage the dollar.

Incidentally, that is about the only reference Professor Harris makes in his letter to any damaging consequences of running a deficit. It is possible a \$4 billion deficit would not greatly damage the dollar. But my argument is that we are not considering a \$4 billion deficit. We shall have far more than a \$4 billion deficit if Congress accepts the President's recommendations.

In order to reduce the deficit, it will be necessary for us to either enjoy a substantial improvement in economic conditions, and thus obtain a great increase in revenues, or we shall have to increase taxes, or we shall have to reject substantial and significant parts of the administration's request to the Congress for additional spending.

Furthermore, nowhere in the letter by Dr. Harris is there an indication that a \$4 billion deficit would do the job, or, indeed, that a \$10 billion deficit would put to work the 5 million people who are out of work. That is not argued. There is a sort of vague feeling that, if we can run a big enough deficit, we can do it.

The fact is, as I have said before, we ran a very great deficit for 10 years, during the period between 1931 and 1940. During that 10-year period we had a deficit every single year which was about 4 percent of the gross national product, and which was the equivalent of a \$20 billion deficit each and every year in terms of today's economic conditions. During that entire period we did not reduce unemployment below 14 percent, which is more than twice the present level.

On the basis of experience, therefore, there is nothing in the record of the 1930's to indicate that we can solve the unemployment problem merely by incurring deficits.

Economists like to say, as I am sure Dr. Harris would say, that all we have to do for 4 or 5 years is do as we did during the war years, when the deficits were greater, and we put people to work. Indeed, we did, but I point out that not only did we have deficits, but we did not function under conditions of freedom. We had price controls, wage controls, taxes to limit profits, and a system which deliberately restricted the freedom of the working man and of entrepreneur and of the businessman.

If that is what is advocated, indeed, we can have full employment, but we shall have to pay the price of freedom for it. Professor Harris goes on to say in his letter that the debt is small. He says this:

I wonder if the Senator—

Referring to the distinguished Senator from Arizona [Mr. GOLDWATER]—

realizes that the Federal debt is only half as large as it was at the end of the war vis-a-vis the gross national product and that the Federal debt is 30 percent of all debt as compared with 60 percent at the end of the war.

It is true that the debt is smaller, relatively, than it was at the end of the war. It is true that it is smaller as compared with private and State and local debt. But the fact is that it is an extremely heavy burden. It seems to me that nowhere do these economists consider the fact that a \$285 billion or a \$290 billion debt constitutes a very great burden, and, of course, even more of a burden for the American people if State and local debts have risen in the meantime, and they have skyrocketed since 1946. Personal debt is five times what it was in 1946. Indeed, I calculated the other day that the average person has

to work 2 months a year simply to pay back his creditors in amortization and interest on debt obligations.

Under the circumstances, when taxes are necessarily increased to service the national debt, obviously the Federal debt is a burden. It is not lighter because all these other debts place a heavier burden upon the taxpayer.

Dr. Harris says what the Wisconsin economist said to me:

I have discussed these issues with a great many economists. The almost universal view is that despite the upward movement of business, we shall have about 6-percent unemployment at the end of 1961 and 1962—unless corrective measures are taken. And this will happen even though gross national product will rise from \$503 billion in 1960 to \$530 billion in the last quarter of 1961.

Dr. Harris goes on to indicate that the proper economic view, he thinks, is a deliberate increase in deficit spending. Professor Harris says that if he were in the position of the President he might not advocate this, but that it is the correct economic position, the difficulty being that the President must consider political aspects. By "political aspects" he does not mean the impact of excessive debt on a free society, but means the attitude of Members of Congress and of the public, concerning whether the public can be educated to the sophisticated view that the way to solve the unemployment problem is to deliberately incur a substantial deficit. He further says:

He [the President] unlike the economist, has to take account of the views of Senator GOLDWATER and many other Congressmen who are fearful of deficits, and voters generally, however misinformed, who are frightened of Federal deficits in this age of universal financing by debts. He has to keep in mind the fact that the application of good economics might jeopardize the Kennedy program of 1961.

Mr. President, I think it is not true that this is good economics. It is true that many economists subscribe to it, but it is about time, if the economists wish to argue this position—and they tend to do so, either publicly, as the distinguished Dr. Harris has done in his letter to the Washington Post and Times Herald, or, more frequently, privately among themselves—they should come forward with a balanced argument which will take into account the impact of the burden of the enormous national debt we have. The fact is that after incurring the debt in the 1930's, in World War II, and after World War II, we now have a sterile expenditure; that is, we spend \$9 billion a year to service the national debt. What do we get for it? We are not buying anything for the American people. We are not buying defense for America. We are not providing for the needs of people in America who need assistance for one reason or another. We are simply paying for a burden which has been previously accrued.

Although this burden might be rationalized from various standpoints as being useful in the economy—it is a pretty sophisticated rationalization—I think every taxpayer knows that when the Government has to pay \$9 billion a year

to service the national debt the effect on the taxpayer is higher taxes, and this can only be construed to be a burden.

In considering the deficit road to fuller employment, the economists must give the burden of the debt far more weight than they have given it in the past.

In conclusion, I agree that 4.8 million or 5 million unemployed constitute an extremely serious problem. This is the No. 1 economic problem in America. We should do all we can to solve the problem and we should ask our economists to help us. I agree wholeheartedly that this is not simply structural unemployment. We cannot solve it simply by more education, or by passing depressed areas legislation, although that is wise, necessary, and desirable. We cannot solve the problem merely by passing good legislation such as President Kennedy proposed—at least not by this method alone—to put people to work by providing more skills and by training more people. It is an excellent proposal, but it will solve only part of the problem.

We have a deficit of demand in America. Neither a monetary policy involving lower interest rates nor the fiscal policy of deficit spending offer a satisfactory answer. Therefore, I urge and invite the economic community, the professors and experts who devote their lives to these problems, to try to provide some far more satisfactory answers than they have provided before. Their present answers might have been useful in some other kind of economy, but not in a free, democratic economy, in which we must and should rely overwhelmingly on free enterprise, which constitutes 90 percent of the production in America.

Excessive Government deficits could lead to a heavier and heavier burden of national debt, and this is not a satisfactory answer.

Mr. President, I ask unanimous consent that the entire letter of Dr. Harris be printed in the RECORD at this point.

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

#### ANALYZING DEFICIT SPENDING

In his syndicated column, the able and distinguished Senator GOLDWATER criticizes a remark made by the writer in a debate at the Harvard Law School Forum with the Senator. I had suggested the wisdom of a \$10 billion Federal deficit in fiscal year 1962.

The Senator found this frightening, and especially the fact that I presumably offered this as advice in the inner circles of the Kennedy administration. The Senator may be less disturbed if he knows that I did not offer this advice to the President or to other high officials in the administration, I was speaking as a professor of economics.

It is my view that when buying is not adequate to take production off the market, then the Government has a responsibility to increase the total amount of spending; and the means are a reduction in taxes or (and) a rise of public spending.

That does not mean that all our problems will be solved by Government deficits. In fact, structural unemployment, which may well account for one-third of all unemployment, will greatly be reduced by Government deficits; but a substantial proportion will be untreated—for example, in seven employments where the total number

of jobs declined from 4½ to 3 million since the end of the war, specific measures (e.g., retraining) are also required. And we should not merely depend on deficits.

Yet prosperous conditions help and proper fiscal policies induce prosperity. In the postwar years in these seven industries, employment declined by 1 percent in the good years and 8 percent in the bad ones. That suggests the relevance of general conditions.

I have discussed these issues with a great many economists. The almost universal view is that despite the upward movement of business, we shall have about 6 percent unemployment at the end of 1961 and 1962—unless corrective measures are taken. And this will happen even though gross national product will rise from \$503 billion in 1960 to \$530 billion in the last quarter of 1961, and \$560 billion at the end of 1962. This assumes the normal rate of recovery. By 1963 with a likely inventory downturn, the situation could be even more serious.

What I would like to convince the learned Senator from Arizona is the following:

1. The deficit of \$12 billion in 1958-59 was not a disaster. In fact it pulled us out of the depression.

2. A deficit of \$10 billion or even \$12 billion in bad years (one out of three is postwar) would cost in interest less than 1 percent of the annual rise of GNP expected by almost everyone in the 1960's. Surely this cannot wreck the economy.

Indeed, economists are generally aware that too great recourse to deficit financing may be costly to the position of the dollar. But I doubt that an average deficit of \$4 billion in a \$500-\$600 billion economy growing at the rate of \$20-25 billion yearly would greatly damage the dollar.

3. It is the almost universal view of economists, inclusive of a top Eisenhower adviser, that the quick reversal from a \$12 billion deficit to a \$3 billion or more surplus in 1958-60, and a sharp rise of interest rates made the 1959-60 recovery unusually short.

4. What is especially troublesome now is that we reach a budgetary surplus long before we reduce unemployment to (say) 3½ percent. Hence corrective action has to be taken lest the rapid improvement of Federal financing, and hence reduced spending, once more makes the recovery abortive and leaves us with much cyclical unemployment. The remedy is obviously reduced taxes or (and) more spending. Hence my urging of a \$10 billion deficit in fiscal year 1962.

5. I wonder if the Senator realizes that the Federal debt is only half as large as it was at the end of the war vis-a-vis the GNP and that the Federal debt is 30 percent of all debt as compared with 60 percent at the end of the war.

6. There is one way of containing the deficit. That is adequate monetary policy: the better this policy, the less need of deficits to stimulate the economy. It is indeed difficult to get the rate of interest down. But the Senator, disturbed by deficits, might easily persuade his friends at the Federal Reserve to try harder. They are far from heroes of the present recovery.

Indeed, they started earlier than in previous recessions. But they have not tried hard enough. With large excess capacity, large unemployment and weekly wage rates (real) down by several percent in a recent 12-month period, is not the Federal Reserve still unnecessarily disturbed by the inflation threat?

So far I have written as an economist. If I were asked by the President, would I offer him the same advice? Not necessarily so. The President's responsibility is to make political decisions. Indeed he ought to know the pure economics of the problem.

But it is his problem to decide whether or not a \$10 billion deficit (say \$5 billion beyond the expected deficit) will go. He, unlike the economist, has to take account of the

views of Senator GOLDWATER and many other Congressmen who are fearful of deficits, and voters generally, however misinformed, who are frightened of Federal deficits in this age of universal financing by debts. He has to keep in mind the fact that the application of good economics might jeopardize the Kennedy program of 1961.

Indeed he has the responsibility to lead Congress and the public though there is danger in blocking too far ahead; but even more the job of education is with the economists and the media of communication. We have not as yet done an adequate job here.

SEYMOUR E. HARRIS.

#### REGULATION OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, and ask unanimous consent to have printed in the RECORD, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

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

The bill (S. 2080) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

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

#### TITLE I—TABLE OF CONTENTS AND DEFINITIONS

##### Table of contents

Sec. 101. This Act is divided into titles and sections according to the following table of contents:

##### Table of contents

Title I—Table of Contents and Definitions  
Sec. 101. Table of contents.  
Sec. 102. Definitions.

##### Title II—Campaign Practices

Sec. 201. Organization of political committees.  
Sec. 202. Registration of political committees.  
Sec. 203. Reports by political committees.  
Sec. 204. Reports by others than political committees.  
Sec. 205. Reports by candidates.  
Sec. 206. Formal requirements on filing reports and statements.  
Sec. 207. Supervision of the administration of the Act.  
Sec. 208. Duties of the Clerk of the House of Representatives and the Secretary of the Senate.  
Sec. 209. Duties of clerks of United States district courts.  
Sec. 210. Duties of the Registrar of Election Finance.  
Sec. 211. Additional Assistant Attorney General.  
Sec. 212. Prohibition of certain contributions.  
Sec. 213. General penalties for violations.  
Sec. 214. Expenses of election contests.  
Sec. 215. Effect on State laws.  
Sec. 216. Partial invalidity.  
Sec. 217. Repealing clause.

##### Title III—Registry of Election Finance—Authority and General Provisions

Secs. 301-305. Office and personnel.  
Sec. 306. Regulations.  
Sec. 307. Appropriations.

Title IV—Amendments to Criminal Code  
 Sec. 401. Definitions.  
 Sec. 402. Prohibition of certain purchases.

## DEFINITIONS

SEC. 102. As used in this title and title II, unless the context clearly indicates otherwise—

(1) The term "election" includes a general, special, or primary election, including a preferential primary, and a convention or a caucus of a political party held for the purpose of nominating candidates;

(2) The term "candidate" means an individual whose name is presented at an election for nomination for, or election as, President or Vice President, or Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is nominated or elected;

(3) The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures in an aggregate amount exceeding \$1,000 in any calendar year for the purpose of influencing or attempting to influence in any manner whatsoever the election of a candidate or candidates or presidential electors or vice presidential electors;

(4) The term "contribution" includes a gift, subscription, loan (whether or not made in the regular course of business), advance, or deposit, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution;

(5) The term "expenditure" includes a payment, distribution, loan (whether or not made in the regular course of business), advance, deposit, or gift, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure;

(6) The term "person" includes an individual, partnership, committee, association, corporation, labor organization and auxiliary or allied committees, and any other organization or group of persons; and

(7) The term "State" includes the Commonwealth of Puerto Rico, any possession of the United States, and the District of Columbia.

## TITLE II—CAMPAIGN PRACTICES

*Organization of political committees*

SEC. 201. (a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such chairman and treasurer have been chosen. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their agents.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received. It shall be the duty of the treasurer to see to it that all contributions received by or for a committee shall be kept separate from any personal funds and deposited in a special account.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the name and address of every person making any such contribution, and the date thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the name and address of every person to whom any such expenditure is made, and the date thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on behalf of a political committee exceeding \$100 in amount. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of ten years from the date of the filing of the statement containing such items.

*Registration of political committees*

SEC. 202. (a) Each committee or other organization which anticipates receiving contributions or making expenditures in an aggregate amount exceeding \$1,000 in any calendar year for the purpose of influencing or attempting to influence in any manner whatsoever the election of a candidate or candidates or presidential or vice presidential electors, shall, within 10 days after its organization and between January 1 and January 10 of each calendar year, file with the Registry of Election Finance created by Title III an official statement of intention and (subject to the provisions of section 209(b)) shall transmit a copy of such statement to the clerk of the United States district court for the district in which the principal office of the committee or other organization is located.

(b) The statement of intention shall include—

(1) the name and address of the organization;

(2) the names, addresses, and relationships of affiliated or connected organizations;

(3) the area, scope, or jurisdiction of the organization;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, office sought, and party affiliation of each candidate the organization is supporting, and if an entire party or ticket is endorsed, the name of the party or ticket, specifying whether national or State or local level is included;

(7) whether the organization is a continuing one;

(8) what disposition of residual funds will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes or other repositories used;

(10) whether the organization is required by law to file reports with State or local officers, and if so, the names, addresses, and positions of such persons; if not, the address of the clerk of the district court with whom duplicate copies are filed.

(c) Any committee or other organization which changes from prenomination to post-nomination status or from primary to general election status, or which changes candidates or parties which it is endorsing shall file an amended statement of intention.

(d) Any registered committee or other organization which disbands or determines it will receive contributions or make expenditures of not to exceed \$1,000 shall so notify the Registry of Election Finance.

*Reports by political committees*

SEC. 203. (a) The treasurer of a political committee shall file reports of receipts or expenditures with the Registry of Election Finance, on forms to be prescribed by it, and shall transmit a copy of such reports (except as provided in section 209(b)) to the clerk of the United States district court for the district in which the principal office of the committee is located. Such reports shall be filed, complete as of the last day of the preceding month, between April 1 and April 10, July 1 and July 10, October 1 and October 10, and January 1 and January 10, of each

calendar year, and additional reports as of the tenth day next preceding the date on which an election is to be held, and as of the thirtieth day following an election, with respect to which contributions were received or expenditures made by such committee. In each instance reports shall be filed not later than the third day following the reporting date as above provided. When conflicts in reporting dates occur between preelection and postelection reports and quarterly filing dates, the preelection report shall be required at its regular time. However, if the preelection report covers any of the period 10 days prior to or subsequent to a quarterly reporting period, the preelection report shall serve as the quarterly report and shall include all the information which would ordinarily be included in the quarterly report in addition to the information which would, under any circumstances, be included in the preelection report. The following quarterly report shall begin its period of coverage from the terminal date of the coverage for the preelection report which replaced the preceding quarterly report. In the case of conflicts in postelection reports, if the reporting date occurs within 10 days of a quarterly report, the later in point of time shall include the earlier. Each report under this section shall contain—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the name and address of each person who has made a contribution to or for such committee in one or more items in the aggregate amount or value, within the calendar year, of \$100 or more, together with the amount and date of such contribution; and for the purposes of this paragraph the term "contribution", as used herein, shall not include transfers of funds to or from political committees or candidates;

(3) the total sum of individual contributions made to or for such committee during the calendar year and not stated under paragraph (2);

(4) the name and address of each political committee or candidate from which the committee received any transfer of funds, together with the amounts and dates of all such transfers;

(5) each loan to or from any person, together with the names and addresses of lenders and endorsers and the date and amount of such loan;

(6) the total amounts of proceeds from (A) the sale of tickets for events such as dinners, luncheons, rallies and similar fund-raising events provided each ticket is sold for less than \$100; (B) mass collections made at such events; and (C) sales of items such as campaign pins, buttons, hats, ties, literature, and similar materials; the listings to be for total amounts for each event under clauses (A) and (B) listed separately, and totals for all items combined under clause (C) listed separately;

(7) each rebate, refunds, or other receipt not otherwise listed under paragraphs (2) through (6);

(8) the total sum of itemized receipts in each general receipt category, and the total sum of unitemized receipts in each general receipt category, by or for the committee during the calendar year;

(9) the total sum of all receipts by or for such committee during the calendar year;

(10) the name and address of each person to whom an expenditure has been made by such committee in one or more items in the aggregate amount or value, within the calendar year, of \$100 or more, and the amount, date, category, and purpose of such expenditure;

(11) the name and address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses of whatever amount has been made, including the amount, date, category, and purpose of such expenditure;

(12) the total sum of itemized expenditures in each general expenditure category, made by such committee during the calendar year, and the total sum of unitemized expenditures in each general expenditure category made by such committee during the calendar year;

(13) the total sum of expenditures made by such committee during the calendar year.

(b) Each receipt by a committee shall be described by a receipt code letter; and to complete the identification, each receipt shall be described by its nature and purpose as well:

(C) Contribution  
(T) Sale of tickets or collection (total only) (joint coding of C and T identifies an individual contribution (C) in the form of a ticket sale (T))

(I) Sale of items (total only)

(L) Loan or advance

(R) Rebate or refund

(TR) Transfer of funds

(M) Miscellaneous

(c) Each item of expenditure shall be described in sufficient detail to accurately identify it, as follows:

(1) In the case of printed matter, the report shall state specifically whether cards, pamphlets, circulars, posters, dodgers, booklets or other such advertisements, writing or other statements (such as reprints from periodicals, books, newspapers or other publications).

(2) In the case of newspaper advertisements, the names of the newspapers, and dates of advertisements, shall be included.

(3) In the case of radio and television time, the names of the stations or networks, and dates of programs (including only inclusive dates of spot announcements), shall be included.

(4) In the case of expenditures clearly made on behalf of a candidate or candidates for Federal office or offices, for printing and advertising, for radio and television time, the statement shall include the name or names of the candidate or candidates in whose behalf the expenditure was made, and the office or offices.

(d) Each expenditure shall be described by general category number and letter; to complete the identification, each expenditure shall be explained as to nature and purpose as well, as follows:

(1) Personnel

a. personal services (by individuals only, paid by commissions, fees, and other payments, for such as legal work, advertising counsel, public opinion polling, and similar purposes)

b. salary (including activity for which employed)

c. personal benefits (hospitalization, taxes, fringe benefits, and similar items)

(2) Field expenses

a. internal (all expenses away from headquarters, including employee expense account payments and organizational expenses, travel, and events such as rallies whenever not allocable under (7))

b. external (nonorganizational, for outside services, such as provided by advertising agency or public relations firm, and not allocable under (3))

(3) Broadcasting

a. radio

b. television

c. radio-television (when not separable)

(4) Publicity and literature

a. newspapers, periodical advertising

b. printing, purchase, distribution of literature

c. outdoor billboards

d. other

(5) Office overhead

a. telegrams

b. telephone

c. postage

d. freight

e. rent

f. utilities

g. equipment

h. stationery

i. supplies

j. petty cash

k. other

(6) Election day expenses

a. poll watchers

b. cars and drivers

c. other

(7) Transfers of funds

a. to other committees

b. contributions to candidates

c. expenditures allocable to candidates

d. expenditures allocable to other committees

(8) Fundraising costs

a. materials (literature, booklets, distribution, promotion)

b. events (payments to caterers, restaurants, and other establishments, for dinners, luncheons, parties, rallies, and similar functions)

c. items (pins, buttons, jewelry, ties, and similar articles)

(9) Miscellaneous (candidate qualifying fees, and similar items, to be identified specifically)

(e) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report only the amount need be carried forward.

(f) The reports required to be filed by subsection (a) of this section shall also contain a list of the names of candidates in whose behalf contributions were received or expenditures made. In the case of political committees supporting more than one candidate (and State and local candidates), the amount of the total expenditures allocable to each candidate—

(1) shall be in the same ratio as expenditures on behalf of each candidate for printing and advertising, radio time, and television time bears to the total of such expenditures, or

(2) where no expenditures were made for Federal candidates for any of such purposes there shall be charged to each Federal candidate an amount equal to the full expenditure divided by the total number of candidates, Federal and State; except that expenditures specifically designated for an individual candidate shall be charged to such candidate.

(g) Debts or unpaid bills in the single amount or value of \$100 or more, which are incurred during a campaign for nomination or election, by or on behalf of the candidate, and which remain unpaid at the end of forty-five days following the date of the election, shall be listed separately (on space provided for that purpose on the reporting form) on the postelection report and shall be kept current on all subsequent reports until the debt is retired. Listing shall be in the same manner as in the case of expenditures and shall include the general category number and letter for each obligation as well as the nature and purpose of the debt. There shall also be listed the total amount or value of debts and unpaid bills of less than \$100.

#### Reports by others than political committees

Sec. 204. Every person (other than those filing reports pursuant to sec. 203) who makes an expenditure in one or more items aggregating \$100 or more within a calendar year, other than by contribution to a candidate or political committee, for the purpose of influencing, in two or more States, election of candidates, shall file with the Registry of Election Finance, on a form to be prescribed by it, an itemized detailed report of such expenditures in the same manner as required of the treasurer of a political committee by section 203, and shall file a copy thereof (subject to the provisions of sec. 209(b)) with the clerk of the United

States district court for the district in which such expenditures are made.

#### Reports by candidates

Sec. 205. (a) Every candidate shall file with the Registry of Election Finance, on a form to be prescribed by it, reports of receipts and expenditures and (except as provided in sec. 209(b)) shall transmit a copy thereof to the clerk of the United States district court for the district in which the candidate resides. Such reports shall be complete as of the same days and shall be filed at the same time as in the case of reports required to be filed by political committees by section 203; except that where a candidate in order to qualify for the general election must run in two successive primaries in one party no second report on the first primary will be required for those candidates participating in the second primary if reports filed for the second primary are cumulative and supplementary of the report filed before the first primary. Such reports shall contain a correct and itemized detailed report of contributions received and expenditures made by him in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, in the same manner as required of the treasurer of a political committee by section 203, including amounts expended from his own funds.

(b) The reports required to be filed by subsection (a) shall be cumulative, but where there has been no change in an item reported in a previous report, only the amount need be carried forward.

#### Formal requirements on filing reports and statements

Sec. 206. The reports and statements required by this title to be filed by a candidate, a treasurer of a political committee, or by any other person, with the Registry of Election Finance and the copies thereof required to be filed (subject to the provisions of sec. 209(b)) with the clerk of the United States district court—

(1) shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths;

(2) shall be deemed properly filed when delivered to the specified recipient, or when deposited in an established post office within the prescribed time, duly stamped, registered, and properly addressed, but in the event it is not received, a duplicate of such report or statement shall be promptly filed upon notice of its nonreceipt by the officer with whom it is required to be filed; and

(3) a copy shall be preserved by the person filing it for a period of one year from the date of filing.

#### Supervision of the Administration of the Act

Sec. 207. To assist the Congress in appraising the administration of this Act and in developing such amendments or legislation related thereto as it may deem necessary, the Committee on Rules and Administration of the Senate, in the case of candidates for President, Vice President, or Senator, as well as in the case of political committees supporting candidates for election to such offices, and the Committee on House Administration of the House of Representatives, in the case of candidates for Representative, Delegate, or Resident Commissioner, as well as in the case of political committees supporting candidates for election to such offices, shall exercise continuous watchfulness of the administration of this Act by the executive agencies concerned. It shall be the duty of these committees—

(1) to study all pertinent reports and summaries submitted to them by the Registrar of Election Finance, and such other materials as may be necessary;

(2) to ascertain whether candidates, political committees, or others have failed to file

reports or statements as required by this Act or have filed defective reports or statements;

(3) to report violations of this Act to the appropriate law-enforcing agencies of the Government and to review such reports and statements at regular intervals to ascertain the action taken by those agencies. Any department, official, or agency administering the provisions of this Act shall, at the request of the committee, consult with the committee, from time to time, with respect to their activities under this Act;

(4) to take such other action as shall be necessary and proper to supervise the administration of this Act; and

(5) to report to the Senate or the House of Representatives, respectively, from time to time, on their activities under this Act.

*Duties of the Clerk of the House of Representatives and the Secretary of the Senate*

Sec. 208. It shall be the duty of the Clerk of the House of Representatives and of the Secretary of the Senate—

(1) to preserve copies of the reports and statements filed under this title for a period of ten years from the date of receipt;

(2) to make such reports and statements available to every Senator or Representative in, or Resident Commissioner to, the Congress of the United States, or to any person authorized by them during regular office hours;

(3) to make such reports and statements available for such inspection within twenty-four hours of their receipt by them; and

(4) to permit copying of any such report or statement by hand, by machine, or by photographic means, upon written request made by the chairman of any committee of the Congress or any subcommittee thereof, at the expense of such committee or subcommittee.

*Duties of clerks of United States district courts*

Sec. 209. (a) It shall be the duty of the clerks of United States district courts—

(1) to receive and maintain in an orderly manner all reports and statements required by this Act to be filed with such clerks;

(2) to maintain such reports and statements for public inspection for a period of ten years from the date of receipt;

(3) to make such reports and statements available for public inspection during regular office hours;

(4) to make available for public inspection each report and statement within twenty-four hours of its receipt and for at least eight hours per day for three consecutive calendar days following any filing date; and

(5) to permit copying of any such report or statement by hand, by machine, or by photographic means as requested by any person, at the expense of such person.

(b) In States where the secretary of state or other State official is authorized to perform the duties specified in this section, the filing of reports and statements under this title shall be with such State official in lieu of the filing with the clerk of the United States district court.

*Duties of the Registrar of Election Finance*

Sec. 210. It shall be the duty of the Registrar of Election Finance—

(1) to develop after consultation with the Attorney General prescribed forms for the making of the required reports and statements;

(2) to prepare and publish a manual setting forth uniform methods of bookkeeping and reporting, as recommended for easy conformance with the requirements of the law and the use of the prescribed forms;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this Act;

(4) to make such reports and statements available for public inspection within twenty-four hours of their receipt during regular office hours, and such reports shall be made available for at least eight hours per day for three consecutive calendar days following any filing date;

(5) to permit copying of any such report or statement by hand, by machine, or by photographic means, as requested by any person; and to provide that typewriting and calculating and photographic machines be available for use by any persons at rates determined by cost;

(6) to preserve such reports and statements for an indefinite period from date of receipt, from which time they shall be available for public inspection;

(7) to make within twenty-four hours of receipt by photographic means at least two copies of all reports and statements, and to retain one for use in compiling summaries, and send one to the Secretary of the Senate or the Clerk of the House, as the case may be;

(8) to prepare and publish a summary of all reports within ten working days following the last of the quarterly and postelection due dates, and within three calendar days of the preelection report due date; such summary shall contain compilations for each report containing the total receipts and expenditures, the total for each category of receipt and expenditure as coded in the reports, the total for each category of amount of contribution as follows: up to \$99; \$100 to \$499; \$500 to \$999; and \$1,000 and over, and the name, address and the amount contributed by each contributor, listed alphabetically, shown to have contributed the sum of \$500 or more; such summaries shall be grouped according to candidates and parties within each State listed;

(9) to prepare and publish an annual report with cumulative compilations of total annual contributions and expenditures for all candidates and party and nonparty committees; total amounts expended according to coded categories and broken down into candidate, party, and nonparty expenditures on the national, State, and local levels; total amounts expended in elections for nomination and in general elections; total amounts contributed according to categories of amounts of contributions on the national, State, and local levels for candidates, party and nonparty committees; aggregate amounts contributed by any contributor shown to have contributed the sum of \$500 or more;

(10) to notify all candidates of the requirements of the law; and to notify committees, upon their registration, of their registration numbers and their obligations under the law, as set forth in the manual under (2) above;

(11) to prepare and publish registration lists of candidates and committees, broken down into States and candidacy levels, on the first Monday of each month in years in which Federal elections are to be held, and on the first Monday of each quarter in years in which Federal elections are not to be held;

(12) to prepare and publish special biennial and quadrennial reports comparing the various totals, categories, and levels of candidacy with previous similar election years;

(13) to prepare and publish a separate annual report citing administrative problems, costs, initiation of enforcement proceedings and results and recommendations for change in the content or administrative or enforcement procedures of the law;

(14) to prepare and publish such other reports as may be requested; to send copies of all summaries and reports to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives; to send copies to the clerks of all Federal district courts, to secretaries of state of the several States, or to other State or local repositories;

to send copies free of charge to all other persons who request them;

(15) to distribute free of charge copies of all summaries and reports to all wire services, periodicals or other agencies of mass communication entitled to representation in Senate or House Galleries; to distribute to all domestic newspapers represented in the Senate and House Press Galleries all summaries and reports containing information pertinent to their States and localities;

(16) to ascertain whether candidates, political committees or others have failed to file reports and statements or have filed defective reports and to give notice to delinquents to correct or explain defective reports or statements; to publish names of delinquents along with report summaries;

(17) to report violations to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives and to the Attorney General and Bureau of Internal Revenue when action on their part may be called for.

*Additional Assistant Attorney General*

Sec. 211. There shall be in the Department of Justice an additional Assistant Attorney General, learned in the law, who shall be appointed by the President, by and with the advice and consent of the Senate, shall receive compensation at the rate prescribed by law for other attorneys general, and shall, under the direction of the Attorney General, be in charge of an Election Finance Division of the Department of Justice concerned with all matters pertaining to the enforcement of the Federal Elections Act of 1961 and related legislation.

*Prohibition of certain contributions*

Sec. 212. (a) It is unlawful for any person to make a contribution or expenditure in connection with any election of candidates in any name other than his own, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this subsection.

(b) It is unlawful for any individual under the age of 18 years to make a contribution or expenditure in an amount exceeding \$100 in connection with any election of candidates or for any candidate, political committee, or other person knowingly to authorize, ratify, accept, or receive any contribution prohibited by this subsection.

*General penalties for violations*

Sec. 213. (a) Any person who violates any of the provisions of this title shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) Any person who willfully violates any provision of this title shall be fined not more than \$10,000 and imprisoned not more than two years.

*Expenses of election contests*

Sec. 214. This Act shall not limit or affect the right of any person to make contributions or expenditures for proper legal expenses in contesting the results of an election.

*Effect on State laws*

Sec. 215. This Act shall not be construed to annul, or to exempt any candidate from complying with, the laws of any State relating to the nomination or election of candidates, unless such laws are directly inconsistent with the provisions of this Act.

*Partial invalidity*

Sec. 216. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

*Repealing clause*

Sec. 217. The Federal Corrupt Practices Act, 1925, and all other Acts or parts of Acts inconsistent herewith are repealed.

TITLE III—REGISTRY OF ELECTION FINANCE—  
AUTHORITY AND GENERAL PROVISIONS

*Office and personnel*

SEC. 301. There is created an establishment in the legislative branch of the Government to be known as the Registry of Election Finance.

SEC. 302. (a) The Registry of Election Finance shall be under the control and direction of a Registrar of Election Finance, assisted by a Deputy Registrar of Election Finance, both of whom shall be appointed by the President, by and with the advice of the Senate, and who shall receive basic compensation at the rate of \$— and \$—, respectively.

(b) The Deputy Registrar of Election Finance shall perform such duties as may be assigned to him by the Registrar and during the absence or incapacity of the Registrar, or during a vacancy in that office, shall act as Registrar. The Registrar shall designate an employee of the Registry to act as Registrar during the absence or incapacity of, or during a vacancy in the offices of, both the Registrar and the Deputy Registrar.

SEC. 303. (a) Except as hereinafter provided in this section, the Registrar and the Deputy Registrar shall hold office for fifteen years and shall not be eligible for reappointment. The Registrar or the Deputy Registrar may be removed at any time by concurrent resolution of Congress, after notice and hearing, when in the judgment of Congress, the Registrar or Deputy Registrar has become permanently incapacitated or has been inefficient or guilty of neglect of duty or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any Registrar or Deputy Registrar removed in the manner provided in this section shall be ineligible for reappointment to that office. When a Registrar or Deputy Registrar attains the age of seventy years, he shall be retired from his office.

(b) Any Registrar who shall be so retired for age after serving at least ten years in his office, or who completes his term, shall receive an annuity during the remainder of his life equal to two-thirds of the salary payable for his office at the time of retirement or completion of term, except that the annuity of any Registrar who completes his term shall be reduced by one-fourth of 1 per centum for each full month he is under the age of sixty-five at such completion. Any Registrar who becomes permanently disabled from performing his duties shall be retired and shall receive an annuity during the remainder of his life equal to two-thirds of the salary payable for his office at the time of retirement if he has served at least ten years therein or equal to one-half of such salary if he has served less than ten years. The annuities provided for herein shall be paid by the Registry of Election Finance. No person receiving benefits under this section shall receive any other retirement benefits under any other law of the United States.

SEC. 304. The Registrar shall, in accordance with the civil service laws and the Classification Act of 1949, as amended, appoint and fix the compensation of such other officers and employees as may be necessary to carry out the provisions of this Act.

SEC. 305. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the Registry of Election Finance. Books or records of account or minutes of proceedings of the Registry, and properly authenticated copies or transcripts of any books, records, papers, or documents of the Registry, shall be admitted as evidence with the same effect as the books, records, and minutes and the copies and transcripts referred to in section 1733 of title 28, United States Code.

*Regulations*

SEC. 306. The Registrar is authorized to promulgate such regulations as he finds necessary to carry out the provisions of this Act.

*Appropriations*

SEC. 307. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

TITLE IV—AMENDMENTS TO CRIMINAL CODE

*Definitions*

SEC. 401. Section 591 of title 18 of the United States Code is amended to read as follows:

“§ 591. Definitions

“When used in sections 597, 599, 602, 608, 609, and 610 of this title—

“(1) The term ‘election’ includes a general, special, or primary election, including a preferential primary, and a convention or a caucus of a political party held for the purpose of nominating candidates;

“(2) The term ‘candidate’ means an individual whose name is presented at an election for nomination for, or election as, President or Vice President, or Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is nominated or elected;

“(3) The term ‘political committee’ includes any committee, association, or organization which accepts contributions or makes expenditures in an aggregate amount exceeding \$1,000 in any calendar year for the purpose of influencing or attempting to influence in any manner whatsoever the election of a candidate or candidates or presidential or vice presidential electors;

“(4) The term ‘contribution’ includes a gift, subscription, loan (whether or not made in the regular course of business), advance, or deposit, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution;

“(5) The term ‘expenditure’ includes a payment, distribution, loan (whether or not made in the regular course of business), advance, deposit, or gift, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure;

“(6) The term ‘person’ includes an individual, partnership, committee, association, corporation, labor organization and auxiliary or allied committees, and any other organization or group of persons; and

“(7) The term ‘State’ includes the Commonwealth of Puerto Rico, any possession of the United States, and the District of Columbia.”

*Prohibition of certain purchases*

SEC. 402. Subsection (b) of section 608 of title 18 of the United States Code is amended to read as follows:

“(b) Whoever purchases any goods, commodities, advertising, or articles of any kind or description, the proceeds of which, or any portion thereof, directly or indirectly inures to the benefit of or for any candidate or any political committee shall be fined not more than \$5,000 or imprisoned not more than five years, or both: *Provided, however,* That this subsection shall not apply to the purchase and sale by candidates and committees of campaign pins, buttons, and similar materials for prices not exceeding \$5 per article: *And provided further,* That nothing in this subsection shall be construed to prohibit the purchase from any political committee of any goods, commodities, advertising, or articles sold by such political committees on a nonprofit basis, nor shall it interfere with the usual and known business, trade, or profession of any candidate.”

Mr. PROXMIRE. Mr. President, we have long ago accepted the idea in the

United States that the people of this country should know how much money is received and spent by candidates for public office, and should be able to learn the sources of these funds and the manner in which they are spent. Both the Congress and the State legislatures have placed laws on the statute books designed to achieve this.

Widespread public knowledge of these matters is the best possible way to assure that the collecting and spending of money by candidates—so necessary to election—will be done in a way which is most in accord with the public interest.

No person or group of persons should own a Representative or a Senator or a President. No corporation, no labor union, no trade association should provide such a large percentage of a candidate's campaign funds that he becomes beholden for his very existence. No candidate should buy his way into office, and election campaigns should not be allowed to become mere spending contests.

There are laws on the books today which both limit contributions and spending and provide for the reporting of this use of money. In both of these areas, however, the laws have proved to be woefully inadequate and seem to encourage evasion. The bill which I am introducing today is a bill designed to provide a new and effective system for the reporting and disclosure of campaign contributions and expenditures.

Many years ago Prof. Louise Overacker, who made one of the very first comprehensive studies of money and politics wrote that she felt that—

Publicity of contributions as of expenditures—pitiless, continuous, and intelligent publicity, extending to (candidates and) nonparty as well as party organizations—is the least that a democracy should demand.

Or, to quote Dr. Herbert E. Alexander, director of the Citizen's Research Foundation, to whom I am greatly indebted for help in preparing this bill—

Requirements that political costs be reported and made public rest on recognition of the principle that a contribution to, or expenditure for, a political activity or campaign is a public act committed for a public purpose. That purpose is the official function of electing men to office—and it invariably costs money. If the people are given full and accurate information on the financing of candidates, political parties and committees—they will be better able to act to their best interests when casting their votes. Publicity has a unique cleansing power which tends to reduce the potential influence of financial pressure on elected officials by inhibiting the contributor's expectation of favors and the official's willingness to grant them. Moreover, publicity provides information concerning the distribution, unequal or otherwise, of financial resources among rival candidates and parties, and may serve to keep expenditures at reasonable levels through the fear that excessive spending will cause the electorate to react adversely.

Unfortunately, the laws as they are now written at the present time do not seem to limit expenditures but merely encourage these expenditures to be hidden.

The distinguished Senator who made a very careful and thorough investigation of this problem recently reported

that, in his judgment, less than one-third of the expenditures in a recent national campaign were reported and became public knowledge. Two-thirds of the expenditures never became public knowledge.

Federal statutes on this subject date back to 1910, although they were revised in 1912 and again in 1925 and 1927. They require the filing of general election reports by candidates for the U.S. Senate and House of Representatives, and by political parties and committees functioning in two or more States or in a subsidiary intrastate capacity. The reports must include the name and address of each person who has contributed \$100 or more, the date and amount of the contribution, the name and address of each person or firm to whom payments of \$10 or more have been made, the purpose of the payment, and certain other information.

The statements of candidates for the Senate are filed with the Secretary of the Senate, and those of candidates for the House as well as those of reporting parties and committees with the Clerk of the House. The Senate reports are made available to the public for 6 years, those in the House for 2.

At present the receiving agents are not empowered to audit regularly the reports or to prosecute for violations. Nor are they authorized to notify proper investigatory or enforcement agencies of violations. The effects of this system are, first, that it is impossible to ascertain with any degree of accuracy the actual amounts spent in given campaigns or campaign years; and, second, that reporters or others interested in digesting and passing on information contained in the financial reports or those participating in the electoral process are discouraged and easily misled when they have to deal with incomplete and inaccurate data. Thus the purposes of public disclosure—to study and publicize accurate facts about the financing of elections—are defeated.

The kind of reporting and disclosure system which I hope the bill will provide will meet certain basic needs. The first of these is that the coverage of laws should be broadened. Certain candidates and other committees presently excluded from the filing of reports should be required to file them; certain activities presently excluded from coverage should be made reportable; reports should cover campaigns for nomination as well as for general election.

The second need is that ample information be made available prior to the election, when it can have its greatest effect. And, finally, we need machinery which will ensure the filing of both comprehensive and uniform data.

It is very important that we have the reports prior to the election. The fact is that in my State and in many other States, since it is not necessary to file after 10 days before the election until after the election is over, there is a natural tendency for candidates and the committees to dam up their contributions and spending until the last 10 days, and then they can spend as much as they wish to in the crucial closing days of the election. Of course, the

voter would not know until the barn door was wide open and the horse was stolen, and nothing could be done about it.

This data should be received by a single, well-staffed, Federal repository charged with the duties of auditing, tabulating, summarizing, publishing, and preserving it.

The leading weaknesses of existing law are in its limited scope and inadequate publicity procedures.

The regulations and machinery set forth in this bill to assure adequate reporting of campaign contributions and expenditures might well be sketched here.

First. A political committee in any State, district, or possession which in any 1 year accepts contributions or makes expenditures of more than \$1,000 to influence a nomination or election for any Federal office will have certain obligations before the law.

Within 10 days of its organization and each year after, a political committee will file a statement of intention. It will declare its principal officers, the candidates it is supporting, and its financial structure.

Each political committee shall have a chairman and a treasurer. It will be the duty of the treasurer to keep such detailed and exact records and receipts necessary for his report.

Quarterly reports will be required of the political committee treasurer. Ten days before any election and 30 days after, additional reports are to be submitted. Each report will contain:

The name and address of each person who has made a contribution in aggregate amount of \$100 or more, together with the amount and date;

The name and address of every political committee or candidate from which the committee received a transfer of funds;

Similar data on loans, lenders, and endorsers;

The proceeds from fund-raising dinners, rallies; mass collections; sales of pins, buttons, hats, and so on; and

The name and address of each person to whom an expenditure in aggregate amount of \$100 or more has been made, together with the amount, date, and purpose.

So that they may be readily used by public information media and scholars, the reports will be uniform. Each receipt by a committee will be described by a code letter. Each expenditure will be described by category number and letter. Thus the nature and purpose of each transaction will be easily identifiable.

Similar reports will be required of every candidate and of any other person who makes an expenditure of more than \$100.

Second. These reports and statements are to be filed with the Registry of Election Finance and with the U.S. district court or the appropriate State office in those States where campaign accounting procedures are established.

Third. The Senate Committee on Rules and Administration and the House Committee on House Administration will oversee administration of this act.

These committees will ascertain failure to report or defective report and will call violations to the attention of the appropriate law-enforcing agencies of the Government.

Fourth. Copies of the reports and statements will be preserved for 10 years by the Clerk of the House of Representatives and the Secretary of the Senate. They will make the reports available to the Congress within 24 hours of their receipt.

Copies will be made available for public inspection by the clerk of each U.S. district court within 24 hours and for 10 years thereafter.

Fifth. A Registry of Election Finance will be established in the legislative branch of the Government. The Registrar, appointed by the President with the advice and consent of the Senate, will:

Publish a manual of uniform methods of bookkeeping and reporting to enable easy fulfillment of the law's requirements;

Forward copies of reports and statements to the appropriate Senate, House, district court, and State officers within 24 hours of their receipt;

Publish a summary of all reports quarterly, annually, biannually, quadrennially and within 3 days of the pre-election report due date;

Notify all candidates of the requirements of the law;

Distribute copies of all summaries and reports to all wire services, periodicals, or other agencies of mass communication entitled to representation in the Senate or House galleries;

Distribute to all domestic newspapers represented in the galleries all summaries and reports with information pertinent to their States and localities;

Give notice to delinquents to correct or explain defective reports or statements;

Publish names of delinquents along with report summaries; and

Report violations to the responsible committees of the Senate and the House, the Attorney General, and the Bureau of Internal Revenue.

Sixth. An additional Assistant Attorney General will be established. He will supervise the Election Finance Division of the Department of Justice and enforce the Federal Elections Act of 1961 and related legislation.

Seventh. At one stage in the drafting of this bill it provided for new, higher, limitations on total expenditures for congressional candidates. After the most serious study and deliberation I have concluded that publicity itself will serve as the principal limitation. I do believe, however, that some limit should be set. However, I am leaving that question to the committee.

Although we have studied this subject at length, I think hearings should be conducted and consideration should be given to this specific limit before the committee arrives at a definite figure.

Eighth. Violations will be punishable by a fine of not more than \$1,000 or a prison sentence of not more than 1 year, or both.

Willful violations will be punishable by a fine of not more than \$10,000 and a prison term of not more than 1 year.

This bill comprises, then, an extension of the scope and coverage of present disclosure law so as to include first, reports on primary elections and nominating conventions; second, reports of candidates for nomination or election for President or Vice President; third, reports in hitherto uncovered districts and territories; and fourth, a reordered and nationalized scheme of the number, timing, and content of the reports.

This bill comprises an extensive sharpening of the largely nonexistent publicity features of present law so as to include first, a simplified system of coding receipts and expenditures to allow easy access to particular information; second, distribution to those public, press, and political agencies to effectively inform the people; and third, a publicity procedure separate from the legal enforcement apparatus.

A contribution to, or expenditure for, a political activity or campaign is a public act committed for a public purpose.

The greater the effectiveness of our reporting and disclosure law, the greater public confidence in the electoral process will be, and the greater the chance for the election of officials free of commitments or obligations contrary to the public interest.

#### FEDERAL-AID HIGHWAY ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 6713) to amend certain laws relating to Federal-aid highways, to make certain adjustments in the Federal-aid highway program, and for other purposes.

Mr. BYRD of Virginia. Mr. President, the Senate Finance Committee has considered title II of the Federal-Aid Highway Act of 1961 and is favorably reporting the bill with only three amendments.

Estimates of revenue requirements now available indicate that \$37 billion is now required to finance the Federal share of the Interstate Highway System. In addition, through September 30, 1972, \$15,463 million is required for the primary, secondary and urban road systems. These two figures add to a total of \$52,463 million as the highway financing requirements.

Revenues provided by present law are expected to account for \$42,803 million of this total. Additional funds provided by this bill come very close to meeting all of the additional revenue requirements. Over the period from July 1, 1961, to September 30, 1972, they are expected to amount to \$9,367 million, or with present revenue requirements come within \$293 million of the expenditure requirements of the program over the 11½-year period.

In terms of the immediate annual revenue effect, this bill raises \$678 million in new revenues. By new revenues I do not include any revenues which are imposed by present law and merely transferred from the general fund to the highway trust fund. This \$678 million is 21 percent of the revenue anticipated for the highway trust fund for the fiscal

year 1962 in the absence of this legislation. This is a very sizable revenue increase which has been provided by the committee primarily because of its interest in maintaining the highway program on a pay-as-you-go basis.

These tax increases provided by the committee are as follows: First, the gasoline and related motor fuel taxes are continued at the present rate of 4 cents a gallon until September 30, 1972. In the absence of this legislation these taxes would have reverted to 3 cents at the end of this month. The new revenue anticipated from this tax source will range from \$524 million to \$726 million a year over the next 11 years. Except for the tax on diesel fuel, this is the same as proposed by the President. The President recommended a 7-cent a gallon tax on diesel fuel.

Both the House and your committee, however, concluded at least for the present that it would be better to maintain the same rate of tax on diesel fuel as in the case of gasoline. To grant a tax differential in this respect would change the relative competitive position of gasoline-powered and diesel-powered trucks.

Second, the taxes on tires for highway-type vehicles and inner tubes are increased to 10 cents a pound. Presently these tax rates are 8 cents and 9 cents, respectively. The increase of these rates to 10 cents a pound corresponds with the President's recommendations and is the same under both the House bill and the committee's amendments. The tax on tread rubber, however, under the House bill would be raised from 3 cents to 5 cents a pound. The committee's bill increases this tax to 4 cents a pound. This will be explained in greater detail in connection with my discussion of the committee amendments but I would like to say at this point that your committee concluded that a 33½-percent increase in tax was a large enough increase for an industry which is predominated by small businesses. The administration would have increased this tax on tread rubber from 3 cents to 10 cents a pound.

It is expected that the increase in annual revenue from these tire, inner tube, and tread rubber taxes will range from \$71 million to \$90 million a year. This is \$4 to \$8 million less than under the House bill because of the 4-cent instead of 5-cent tax for tread rubber.

The third additional revenue source under the bill is the increase in the tax on trucks weighing over 26,000 pounds. Both the House bill and the committee's amendments increase this tax from \$1.50 per 1,000 pounds to \$3 per 1,000 pounds. The President's proposals would have increased this to \$5 per 1,000 pounds. The increase provided by the House and your committee, however, already represents a 100 percent increase in this tax and we do not believe that a further increase can be justified at this time. This doubling of the use tax on trucks is expected to result in an annual increase in this revenue source of from \$79 million to \$108 million a year.

The provisions I have just described are the new revenue sources provided by the bill. However, the bill also makes

certain other changes affecting the financing of the highway trust fund and also the general fund.

One of these other changes affecting the financing of the highway trust fund is the 3-month extension of the trust fund itself. Under present law the trust fund would have ended on June 30, 1972. Both the House and the committee's bill extend the life of the trust fund for an additional 3 months or until September 30, 1972. This also involves the continuation of the tax rates of the various taxes going into the trust fund for this additional 3-month period. Thus, the 4-cent tax on gasoline and motor fuels under this provision will not revert to 1½ cents until September 30, 1972.

Similarly, the 10-cent taxes on tires and inner tubes will not revert to their former rates until this date nor will the 4-cent tax on tread rubber or the \$3 tax on truck use expire until the end of this 3-month period. This also means that the taxes now dedicated to the trust fund will continue in this status for this additional 3-month period. Although the administration did not initiate this so-called stretchout of the highway trust fund, the Under Secretary in his appearance before your committee indicated that the administration now endorses this proposal. The effect of continuing the highway trust fund for these additional 3 months will be to increase revenues of the fund by \$1,150 million.

The second provision affecting highway trust fund financing is the transfer of the remaining half of the revenue from the manufacturers' tax on trucks, buses and trailers from the general fund to the highway trust fund. At present there is a 10-percent tax on the manufacturer's price at which trucks, buses and trailers are sold. Five percentage points of this 10-percent tax already are dedicated to the highway trust fund. The House bill would have dedicated the remaining half of this tax to the trust fund effective as of July 1 of this year. The committee, however, has amended this provision to provide that this 5 percentage points will not be transferred to the highway trust fund until July 1, 1962.

This postponement was made at the strong urging of the administration so that the highway bill will not affect the current budget plans of the administration. By postponing the effective date of this transfer by 1 year, there will be an opportunity for the administration to adjust to this change as future budgets are considered. This amendment has the effect of decreasing the highway trust fund revenues by \$143 million. This is a 1-year effect only since in the fiscal year 1962 and subsequent years the transfer will be made under the committee's bill in the same manner as under the House bill.

The third provision affecting the financing of the highway trust fund relates to the taxes on passenger cars and auto parts and accessories. In 1959 Congress provided that beginning July 1, 1961, half of the 10-percent tax on passenger cars and 5 percentage points of the 8-percent tax on auto parts and

accessories was to be transferred from the general fund to the highway trust fund for the 3-year period beginning July 1, 1961, and ending July 1, 1964. The President has strongly recommended that this transfer of funds from the general fund to the highway trust fund not be made and both the House and your committee have concurred in his recommendation. Thus, for this 3-year period the transfer for \$2½ billion from the general fund to the trust fund which otherwise would have occurred as a result of this bill will not take place. The continuation of the tax on gasoline, coupled with the other revenue increases provided by this bill, approximately offset this loss of revenue to the highway trust fund in the 3-year period and, of course, in years thereafter represent an additional source of revenue for the trust fund.

In addition to the new revenues and provisions affecting the financing of the highway trust fund, the bill as reported by the committee contains some other technical provisions relating to various excise taxes. Two of these changes were provided in the House bill and are continued in the committee's version of the bill. Thus, provision is made in the bill for paying the use tax on highway motor vehicles on a quarterly basis instead of an annual basis. Also, an exemption from the tax on gasoline is provided where the gasoline is sold for nonfuel purposes in the manufacture of another article. This is primarily concerned with the exemption of gasoline from tax when it is used in the manufacture of plastics and other petrochemicals. Presently, other petroleum products can be used in the manufacture of these products free of tax but not gasoline. There appears to be no reason for this distinction. Both of these amendments which are in the committee's bill will also be found in the House bill.

A third technical amendment made by the committee relates to shrinkage or evaporation of gasoline in the case of retail dealers. The committee has added an amendment granting retail dealers a 1-percent allowance for gasoline sold by these retail dealers. I will describe this further in just a moment in connection with my discussion of the committee amendments.

As I have indicated, the committee amendments made by the Senate Finance Committee are three in number. The first amendment postpones for 1 year the effective date of the transfer of the 5 percentage points of the manufacturer's tax on trucks, buses, and trailers from the general fund to the highway trust fund. Under the committee's amendment this transfer is to occur on July 1, 1962. Under the House bill this would occur on July 1 of this year. The transfer of this tax from the general fund has been postponed for 1 year at the request of the administration, so that the current budget will not be further thrown out of balance by this change. For subsequent budgets, however, there will be ample opportunity for the administration to take into account this transfer in making its plans. The committee's amendment will save \$143 mil-

lion for the general fund for the fiscal year 1962. It will not affect apportionments for the highway program before the fiscal year 1964 and then its effect will be quite small and divided at least between 2 years.

The second committee amendment relates to the tax on tread rubber. The House bill would increase this tax from 3 cents to 5 cents a pound. The committee's amendment limits the increase in this case to 4 cents a pound. The committee concluded that an increase of 3⅓ percent was as large an increase as should be made in an industry of this type which is predominately composed of relatively small businesses. If larger increases are made, retread tires will be at a disadvantage relative to new tires in competing for their share of the market.

In this connection it should be noted that the increase in tax in the case of new tires provided by this bill is 25 percent, where even with the committee's amendment the increase in the case of the tax on tread rubber is the 3⅓ percent which I have already mentioned. The effect on the revenues of this committee amendment is small, varying from \$4 to \$9 million a year during the 11-year period for which this tax is in effect.

The third amendment provided by the committee makes a 1-percent allowance to retail dealers in the case of gasoline for evaporation and shrinkage. The way the tax works at the present time retail dealers buy gasoline on a tax-paid basis and then when they sell the gasoline to the extent there has been a loss through shrinkage or evaporation there is no way for them to recoup their taxpayment from the purchaser. Information presented to the committee during its hearings indicates that 13 States already provide a shrinkage or evaporation allowance with respect to their State gasoline tax. These are: Georgia, Florida, Minnesota, Michigan, New Hampshire, Idaho, Ohio, North Dakota, Utah, Wisconsin, Tennessee, Colorado, and Texas. In two of these States the allowance is 2 percent, and in three of the States it is one-half of 1 percent. However, in the

majority, or eight of the States, the allowance is 1 percent, the same as provided by the committee's amendment. In this connection, it should be noted that Congress in 1959 dealt with a similar problem in the case of wholesale distributors of gasoline by imposing the tax at the time they make their sales. Such a possibility was considered in the case of retail dealers but discarded in favor of the allowance because of the serious administrative problems which would arise if this tax were imposed at the time of the sale by the retailer.

As I have already indicated, this bill for the most part is in accord with the President's recommendations, and in my view it certainly goes a long way in providing the new revenues which he has requested. It does not impose the full additional tax on trucks requested by the administration, however. In this respect it has departed from the administration's proposal primarily in the case of the truck use tax and in the case of the diesel fuel tax. An increase in the truck use tax of 100 percent has been provided by the House and the committee but the President requested an increase of 233 percent. Similarly, in the case of the diesel fuel, the committee has provided for a rate of 4 cents a gallon rather than permitting the tax to revert to 3 cents a gallon. However, the President wanted a tax of 7 cents a gallon in this case.

The committee concluded that while it was proper to make a substantial increase in the tax on trucks, it did not believe that it was proper to impose the exceedingly large increases proposed by the President. In this connection it should also be remembered that the Federal Government is not the only governmental unit imposing taxes on trucks. Table 2 of the committee report indicates that State road-user taxes already represent 2 to more than 3 percent of total operating costs in the case of truck combinations.

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

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

*Estimated operating costs and taxes of selected motor vehicles under committee bill*

Vehicle type	Operating costs excluding road-user taxes	State road-user taxes	Federal motor vehicle taxes <sup>1</sup>		
			Present <sup>2</sup> law	Increase made by committee bill	Combined effect of present law and committee bill
Automobile.....	8.59	0.62	0.55	0.01	0.56
Single-unit trucks:					
2-axle, 4-tire.....	22.05	.71	.52	.01	.53
2-axle, 6-tire.....	24.83	1.24	.89	.02	.91
Combination with semitrailers:					
3-axle (40,000 pounds gross vehicle weight):					
Gasoline-powered.....	33.60	2.10	1.37	.17	1.54
Diesel-powered.....	32.45	1.87	1.21	.17	1.38
4-axle (55,000 pounds gross vehicle weight):					
Gasoline-powered.....	35.80	2.40	1.63	.18	1.81
Diesel-powered.....	34.65	2.03	1.37	.18	1.55
5-axle (72,000 pounds gross vehicle weight):					
Gasoline-powered.....	42.27	3.24	2.11	.24	2.35
Diesel-powered.....	41.82	2.72	1.72	.24	1.96

<sup>1</sup> Includes all Federal excise taxes on motor fuel, motor vehicles, tires, parts, and accessories, and other taxes closely associated with motor vehicles or their use, whether or not they are dedicated to the highway trust fund.

<sup>2</sup> Present law as in effect for Oct. 1, 1959-June 30, 1961.

Source: U.S. Department of Commerce, Bureau of Public Roads.

Mr. BYRD of Virginia. Mr. President, these percentages, taken with the Federal road-user taxes under the proposal, will amount to from 3 to more than 5½ percent of total operating costs. In this connection it should be remembered

that these items are expressed in terms of percentages of operating costs and that the taxes involved in many cases will substantially exceed the profit margins involved. I ask unanimous consent to have printed at this point in the REC-

ORD table 10, taken from the committee's report.

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

*Federal excise payments per mile to the highway trust fund under present law, the President's proposal, House bill, and your committee's bill, compared to cost responsibility indicated by the incremental and differential benefit cost studies*

Vehicle type	Cents per mile						Ratio to automobile tax responsibility indicated by incremental cost study					Ratio to automobile tax responsibility indicated by differential benefit study				
	Incremental cost	Differential benefit	Present law <sup>1</sup>	President's proposal <sup>2</sup>	House bill	Your committee's bill	Incremental cost	Present law <sup>1</sup>	President's proposal <sup>2</sup>	House bill	Your committee's bill	Differential benefit	Present law <sup>1</sup>	President's proposal <sup>2</sup>	House bill	Your committee's bill
Automobile.....	0.313	0.323	0.307	0.320	0.315	0.313	1.00	0.98	1.02	1.01	1.00	1.00	0.95	0.99	0.98	0.97
Single unit trucks:																
2-axle, 4-tire.....	.267	.356	.437	.451	.517	.516	.85	1.40	1.44	1.65	1.65	1.10	1.35	1.40	1.60	1.60
2-axle, 6-tire.....	.458	.458	.664	.702	.802	.799	1.46	2.12	2.24	2.56	2.55	1.42	2.06	2.17	2.48	2.47
Combinations with semitrailers:																
3-axle, 40,000 pounds gross vehicle weight:																
Gasoline powered.....	1.428	1.263	1.191	1.592	1.518	1.513	4.56	3.81	5.09	4.85	4.83	3.91	3.69	4.93	4.70	4.68
Diesel powered.....	1.428	1.263	1.023	1.882	1.371	1.367	4.56	3.27	6.01	4.38	4.37	3.91	3.17	5.83	4.24	4.23
4-axle, 55,000 pounds gross vehicle weight:																
Gasoline powered.....	1.808	1.452	1.428	1.833	1.781	1.774	5.78	4.56	5.86	5.69	5.67	4.50	4.42	5.67	5.51	5.49
Diesel powered.....	1.808	1.452	1.167	2.117	1.541	1.534	5.78	3.73	6.76	4.92	4.90	4.50	3.61	6.55	4.77	4.75
5-axle, 72,000 pounds gross vehicle weight:																
Gasoline powered.....	2.527	1.779	1.880	2.387	2.309	2.298	8.07	6.01	7.63	7.38	7.34	5.51	5.82	7.39	7.15	7.11
Diesel powered.....	2.527	1.779	1.486	2.691	1.938	1.927	8.07	4.75	8.60	6.19	6.16	5.51	4.60	8.33	6.00	5.97

<sup>1</sup> Tax ratio in effect Jan. 1, 1961.

<sup>2</sup> Included in the President's message of Feb. 28, 1961.

Source: U.S. Department of Commerce, Bureau of Public Roads.

Mr. BYRD of Virginia. Mr. President, this table shows the so-called tax responsibility of the various classes of motor vehicles under the two most widely accepted methods for computing this cost. For vehicle combinations such as trucks, tractors, and trailers, this table shows that the payments provided under the bill with one exception fall between the charges which would be made under the differential benefit method of computing costs and the so-called incremental method of computing costs. This means that under the bill the cost reflected by the various taxes imposed in all but one case imposes sufficient taxes to meet the standards in one of these two widely recognized methods of determining the proper allocation of cost. These cost methods are those presented by the Bureau of Public Roads in the cost allocation study it made pursuant to the provisions of section 210 of the Highway Revenue Act of 1956.

Mr. HRUSKA. Mr. President, I commend the distinguished Senator from Virginia for the splendid statement he has made and the clear fashion in which he has set it forth.

There is one point in particular which will be very happily received by the retail gasoline dealers in my State, and I feel certain that that is true of the gasoline dealers in other States, as well. It has to do with the 1-percent shrinkage and evaporation, which has long been considered as harsh and inequitable, under the present provisions of the law. The new provision will give them somewhat of a parity with the wholesaler, who has been allowed, since 1959, I believe, to compute his tax on the basis of the deliveries actually made.

I especially thank the Senator for the committee's action in that respect.

I desire to make an inquiry in this regard. The present tax rate on gaso-

line is 4 cents a gallon. In what year did it become 4 cents a gallon?

Mr. BYRD of Virginia. That was on October 1, 1959. The additional 1 cent was to have expired on June 30 of this year. The tax has now been continued, and will continue to be 4 cents.

Mr. HRUSKA. I feel certain that, in common with many other Senators, the Senator from Virginia has received, as I have, many communications from constituents asking that the Senate keep faith with the people of the Nation by making this a truly temporary tax of 1 cent for a specified and declared purpose.

I ask the Senator from Virginia why the tax was not returned to the rate of 3 cents, the rate which prevailed prior to the so-called temporary increase in rate.

Mr. BYRD of Virginia. At the time I voted for the increase, I stated that I would not vote for a continuation of it. However, the cost of roads has been so greatly increased above the original estimates that the House committee thought it necessary to continue the 4 cent tax until 1972. Also the alternative provided by present law, which this bill terminates, would have been to take passenger car and auto parts revenues from the general fund, thereby increasing the deficit.

Mr. HRUSKA. Had the additional 1 cent not been continued, what would have been the effect on the financing of the road bill? From what source would the revenue have come?

Mr. BYRD of Virginia. The revenue from the 1-cent increase in the tax starts in 1962 and will amount to \$524 million. In 1973, the revenue from this source will be \$902 million.

If that tax had not been continued, it would have been necessary to cut back the entire road program, for the reason

that other taxes have been increased as heavily as the people could bear.

Mr. HRUSKA. Would there not have been another alternative? There could have been an appropriation from the general fund of an equivalent amount, could there not?

Mr. BYRD of Virginia. There could have been; and that is what was provided for by the bill enacted in 1959. That bill diverted a little over \$800 million a year for a 3-year period beginning the first of next July.

The President took the position that to divert such a sum from the general fund would create a very large deficit. As a result he sent a message to Congress, as the Senator from Nebraska knows, asking that the gasoline tax be continued in lieu of a diversion from the general fund.

Mr. HRUSKA. What amount of revenue is produced by the 1-cent a gallon tax?

Mr. BYRD of Virginia. In the first year, it will be \$524 million; it will reach \$902 million in the last year, which is 1973.

Mr. HRUSKA. The first year will be fiscal 1962?

Mr. BYRD of Virginia. That is correct.

Mr. HRUSKA. If that tax had not been continued, it would have meant that if the program had been continued at its present pace, the general fund would have incurred an additional deficit of \$524 million. Is that a correct statement?

Mr. BYRD of Virginia. Yes.

Mr. HRUSKA. In that event, the deficit in the general fund would have been \$524 million?

Mr. BYRD of Virginia. That is correct. The President wrote a very strong message, as the Senator knows, asking that the diversion from the general fund

not be made, but that the gasoline tax be continued.

Mr. HRUSKA. That was the alternative, and it was a fearsome alternative, because there are some persons who believe that the budget deficit is already large enough, without increasing it, roughly, another \$1½ billion.

Mr. BYRD of Virginia. Those who think as the Senator from Nebraska and I do are in a dilemma, because if we took that amount out of the general fund, we would increase the deficit to that extent. At least, the gasoline tax has the basis of fairness. It places the cost of constructing highways on those who use and destroy the roads. That, I believe, is better than taking the money from the general fund.

Mr. HRUSKA. If it were made an addition to the deficit of the budget, it would be a burden placed upon our grandchildren and their grandchildren. Is not that about the size of it?

Mr. BYRD of Virginia. The Senator is absolutely correct.

Mr. HRUSKA. I thank the Senator from Virginia.

Mr. HARTKE. Mr. President, shortly the Senate will be called upon to vote on extending the present incentive program by which States may receive additional funds for the Interstate and Defense Highway System provided they ban billboards within 660 feet of the roads. To do so means purchasing additional right-of-way.

In order that I might be guided in voting upon this matter, I contacted the Indiana State Highway Commission to see exactly what this incentive program means to my home State and whether this commission favors extension of the program. I ask unanimous consent to print below the text of the wire to me by the secretary to the commission.

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

INDIANAPOLIS, IND., June 13, 1961.

HON. VANCE HARTKE,  
Senate Office Building,  
Washington, D.C.:

Indiana State Highway Commission favors retention of billboard clause in highway legislation providing 1 percent additional Federal participation Interstate System. Believe simplification of Federal regulations are necessary to a practical application of such a provision. Present one-half percent incentive is considered hardly sufficient to cover additional cost of acquiring rights of property owners whereby the erection of billboards on private property would be restricted. An extension of the time beyond July 1, 1961, and increase in incentive amount will create additional State interest not now apparent.

ROY WHITTON,  
Secretary to Commission.

#### ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of Virginia. Mr. President, I move that the Senate adjourn, under the order previously entered, until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 59 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, June 15, 1961, at 11 o'clock a.m.

#### NOMINATIONS

Executive nominations received by the Senate June 14, 1961:

##### DIPLOMATIC AND FOREIGN SERVICE

Robert M. McKinney, of New Mexico, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Switzerland.

##### U.S. MARSHAL

Robert F. Morey, of Massachusetts, to be U.S. marshal for the district of Massachusetts for the term of 4 years, vice Ralph W. Gray, deceased.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 14, 1961:

##### FEDERAL POWER COMMISSION

Joseph C. Swidler, of Tennessee, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1965.

##### DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

John Joseph Gunther, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the unexpired term of 5 years from March 4, 1957, vice Andrew Parker, resigned.

##### DIPLOMATIC AND FOREIGN SERVICE

##### AMBASSADOR

Ben S. Stephansky, of Illinois, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

##### JUDGES

Albert A. Ridge, of Missouri, to be U.S. circuit judge for the eighth circuit, vice Archibald K. Gardner, retired.

Frank W. Wilson, of Tennessee, to be U.S. district judge for the eastern district of Tennessee, vice Leslie R. Darr, retired.

##### PATENT OFFICE

Edwin L. Reynolds, of Maryland, to be First Assistant Commissioner of Patents.

Horace B. Fay, Jr., of Ohio, to be an assistant Commissioner of Patents.

Arthur W. Crocker, of Maryland, to be an Examiner in Chief, U.S. Patent Office.

##### U.S. ATTORNEYS

Warren C. Colver, of Alaska, to be U.S. attorney for the district of Alaska for the term of 4 years.

Donald H. Fraser, of Georgia, to be U.S. attorney for the southern district of Georgia for the term of 4 years.

Charles L. Goodson, of Georgia, to be U.S. attorney for the northern district of Georgia for the term of 4 years.

Herman T. F. Lum, of Hawaii, to be U.S. attorney for the district of Hawaii for the term of 4 years.

Sylvan A. Jeppesen, of Idaho, to be U.S. attorney for the district of Idaho for the term of 4 years.

Richard P. Stein, of Indiana, to be U.S. attorney for the southern district of Indiana for the term of 4 years.

Kenneth Harwell, of Tennessee, to be U.S. attorney for the middle district of Tennessee for the term of 4 years.

Claude Vernon Spratley, Jr., of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years.

Ernest Morgan, of Texas, to be U.S. attorney for the western district of Texas for the term of 4 years.

Harold Barefoot Sanders, Jr., of Texas, to be U.S. attorney for the northern district of Texas for the term of 4 years.

William W. Justice, of Texas, to be U.S. attorney for the eastern district of Texas for the term of 4 years.

Woodrow B. Seals, of Texas, to be U.S. attorney for the southern district of Texas for the term of 4 years.

##### U.S. MARSHALS

James H. Dillon, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin for the term of 4 years.

Floyd Stevens, of Michigan, to be U.S. marshal for the western district of Michigan for the term of 4 years.

Charles N. Bordwine, of Virginia, to be U.S. marshal for the western district of Virginia for the term of 4 years.

Hugh Salter, of North Carolina, to be U.S. marshal for the eastern district of North Carolina for a term of 4 years.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 14, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

James 4: 7-8: *Submit yourselves therefore unto God, draw nigh unto Him and He will draw nigh unto you.*

Eternal God, we are drawing nigh unto Thee in prayer at this noon hour, joined to one another in a fellowship of common needs and common supplications.

Thou knowest the feeling of frustration and loneliness that often goes on within us when we realize how helpless we are, during these days, in our efforts to do something for troubled humanity.

May we understand more fully that however deep the miseries and however desperate the struggles of mankind may be we need not give way to despair or allow ourselves to become bitter and disheartened, for Thy grace is abundantly sufficient.

Inspire us always to put the set of our heart, its bent and innermost bias on the side of a faith that is sensitive and responsive to the leading of Thy Holy Spirit for our soul is not capable of being its own guide.

Hear our prayer through the merits and mediation of the Christ, our Saviour. Amen.

#### THE JOURNAL

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

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2972. An act for the relief of Mrs. Cornelia Fales;

H.R. 3572. An act to place in trust status certain lands on the Crow Creek Indian Reservation in South Dakota; and

H.R. 4500. An act to donate to the heirs of Anthony Bourbonnais approximately thirty-six one-hundredths acre of land in Pottawatomie County, Okla.

The message also announced that the Senate had passed bills of the following

titles, in which the concurrence of the House is requested:

S. 162. An act creating a Commission to be known as the Commission on Noxious and Obscene Matter and Materials;

S. 302. An act to amend the act of June 22, 1948, as amended, relating to certain areas within the Superior National Forest, in the State of Minnesota, and for other purposes;

S. 553. An act for the relief of Olga G. Coutsoubinas and Spyridon G. Coutsoubinas;

S. 811. An act to establish a Wabash Basin Interagency Water Resources Commission; and

S. 1750. An act to strengthen the Federal Firearms Act.

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 Senate to the bill (H.R. 5000) entitled "An act to authorize certain construction at military installations, and for other purposes."

#### THE WASHINGTON POST

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I have obtained a 1-hour special order today for the purpose of commenting upon and setting the record straight with regard to an article which appears in today's Washington Post by Drew Pearson regarding our distinguished majority leader.

I hope members of the Committee on Public Works in particular will be present during that special order.

#### COMMITTEE ON UNEMPLOYMENT

Mr. HOLLAND. Mr. Speaker, I ask unanimous consent that the Committee on Unemployment may be permitted to sit during general debate in the House for the balance of the week.

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

There was no objection.

#### STATES RIGHTS

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I understand that it will be in order today to consider a privileged resolution for which 1 hour of general debate is provided. Now, to me that means that we will be sitting in the House this afternoon as a jury deciding one of the most important issues ever to come before this House. That decision will be made on what are the rights of the States guaranteed by the Constitution

and the voting privileges of the electorate. I hope that the resolution can be amended by unanimous consent and that additional time can be granted. When Mr. Chambers was asked to step aside there was no chance for the opposition to present its case.

#### MASTER PLAN TO TRANSFER AUTHORITY FROM CONGRESS TO THE EXECUTIVE BRANCH

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, the master plan to transfer authority from Congress to the executive branch is now clear.

The first example was the farm bill which would let the administration write farm programs, and limit Congress to a 60-day veto privilege.

The second example is the new foreign aid bill, which would take away congressional control of our strategic materials stockpile.

The original stockpile act requires a joint resolution of Congress before any of the 100-odd metals and minerals can be disposed of except for national defense.

The new foreign aid bill would let the administration make the decisions, limiting Congress to this same 60-day veto privilege.

This privilege is empty. Administration leaders in Congress could easily cause delays to prevent veto resolutions from coming up for vote within the 60 days.

The original stockpile act gave Congress exclusive control to minimize the danger that these vast Government holdings—now worth over \$8 billion—might disrupt market prices.

The new bill would give the President such power to release metals and minerals that he could manipulate market prices almost at will.

Let us not surrender congressional duty for a meaningless 60-day veto privilege.

#### SCARBECK ESPIONAGE

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, I think that we have all been somewhat shocked by the arrest of Mr. Scarbeck, one of our Foreign Service officers in Poland. But, today I read on the front page of the Wall Street Journal a very remarkable statement:

The information Scarbeck allegedly gave to Poland was believed to be of a political rather than a military nature. However, Press Officer Lincoln White of the State De-

partment said, "Any espionage is of major importance."

Mr. Speaker, that is just dandy; a gentle slap on the wrist and the remark that any espionage is of major importance. I am so glad that the State Department realizes it.

#### SPEAKER SAM RAYBURN

Mr. McINTIRE. 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 Maine?

There was no objection.

Mr. McINTIRE. Mr. Speaker, it is indeed a high honor for me to join with my colleagues on this historic occasion in paying tribute to our beloved Speaker for his distinguished service of many years.

All of us harbor in our hearts a grand respect and a deep affection for SAM RAYBURN, especially those of us who have through many terms of Congress been exposed to generous offerings of his wisdom, fairness, kindness, and friendship. He has held high for all of us to see those standards that exemplify a real American and a great public servant, and we of this membership have learned from him that it is indeed a signal honor to serve in this high legislative body.

It is my privilege, then, Mr. Speaker, to join in paying tribute to Speaker RAYBURN, and as I cherish the memory of past association with him so do I look forward to other equally pleasant relations in the future.

May the grace of God visit itself upon the Speaker of the House of Representatives, serving to reinforce the grand character of this great citizen from Texas.

#### ROUSH-CHAMBERS ELECTION CONTEST

Mr. McCORMACK. Mr. Speaker, in connection with the debate on the Roush-Chambers election matter today, I ask unanimous consent that general debate may continue for not longer than 2 hours; in other words, to provide an additional hour of general debate. That time, under my unanimous consent request, is to be equally divided between the chairman of the subcommittee and the ranking minority member, the gentleman from Ohio [Mr. SCHENCK]; also, that upon the termination of debate, the previous question shall be considered as ordered.

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

There was no objection.

#### CREDITS AGAINST UNEMPLOYMENT TAX

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2585) relating to the credits against the employment tax in the case of certain successor employers.

The Clerk read the title of the bill.

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

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 (a) section 3302 of the Internal Revenue Code of 1954 (relating to credits against tax imposed by Federal Unemployment Tax Act) is amended by adding at the end thereof the following new subsection:*

"(d) SUCCESSOR EMPLOYER.—Subject to the limits provided by subsection (c), if—  
 "(1) an employer acquires during any calendar year substantially all the property used in the trade or business of another person, or used in a separate unit of a trade or business of such other person, and immediately after the acquisition employs in his trade or business one or more individuals who immediately prior to the acquisition were employed in the trade or business of such other person, and

"(2) such other person is not an employer for the calendar year in which the acquisition takes place, then, for the calendar year in which the acquisition takes place, in addition to the credits allowed under subsections (a) and (b), such employer may credit against the tax imposed by section 3301 for such year an amount equal to the credits which (without regard to subsection (c)) would have been allowable to such other person under subsections (a) and (b) and this subsection for such year, if such other person had been an employer, with respect to remuneration subject to contributions under the unemployment compensation law of a State paid by such other person to the individual or individuals described in paragraph (1)."

(b) The amendment made by subsection (a) shall apply with respect to the calendar year 1955 and each calendar year thereafter. Provisions having the same effect as the provisions added to the Internal Revenue Code of 1954 by such amendment shall be deemed to be included in the Internal Revenue Code of 1939 and shall apply with respect to the tax imposed by section 1600 of such Code for the calendar years 1951 through 1954.

With the following committee amendment:

Page 1, line 7, strike out "(d)" and insert "(e)".

The committee amendment was 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.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] and I, along with the authors of the various bills, be permitted to extend our remarks immediately following the passage of each of these bills we are now considering.

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

There was no objection.

Mr. MILLS. Mr. Speaker, the bill, H.R. 2585, would permit the State unemployment taxes paid by a predecessor employer during the year to be claimed as a credit against the Federal unemployment tax liability of a successor employer for that year. The relief provided by this bill would be retroactive to all years after 1950.

Last year the Congress passed a similar bill but it was vetoed by the President

solely because of its retroactive effect. However, your committee is of the opinion that justice requires retroactive tax relief in this area in order to preclude the Federal Government from being unjustly enriched by reason of a defect in present law which operates to impose a double tax in a situation in which only one tax was manifestly intended.

Mr. Speaker, as Members of the House will recall, under present law contributions made by employers to State unemployment funds may be claimed as a credit against the 3.1-percent Federal unemployment tax. Ordinarily since wages paid by a predecessor employer are deemed to be paid by a successor with respect to the calendar year in which the successor succeeded to the business, the successor employer is entitled to a credit against its Federal unemployment tax for State unemployment taxes paid by its predecessor. However, in some situations, although a predecessor has been considered an employer for State unemployment tax purposes, it has not been considered an employer for Federal unemployment tax purposes. In these situations, the successor has been denied a credit against its Federal unemployment tax for the State unemployment taxes paid by its predecessor and has been unjustly taxed by the Federal Government.

The amendments contained in H.R. 2585 will apply to calendar years beginning after 1950. Since the effective date provision does not refer to a period of limitations for claiming credit or refund, no refunds or credits will be allowed where the calendar year involved is closed by the running of the statute of limitations.

This bill was unanimously reported by your committee.

Mr. BYRNES of Wisconsin. Mr. Speaker, the purpose of H.R. 2585 is to correct a technical deficiency in the Federal tax laws pertaining to unemployment taxes. The legislation is intended to prevent the imposition of a double tax in the case of Federal and State unemployment taxes.

Under existing law a corporation which is merged or consolidated in a second corporation within the first 20 weeks of the year is not treated as an employer for the purposes of Federal unemployment tax but generally is so considered for most State unemployment taxes. As a consequence the corporation that is to be merged is required to pay the State tax and the successor corporation is required to pay the Federal tax but is unable to obtain credit against the Federal tax for the State taxes paid by the first corporation. H.R. 2585 would correct this imperfect operation of the credit for State taxes by allowing to the successor corporation the same credit for State taxes paid by the merged corporation as if the latter had been the employer.

This legislation was favorably reported by unanimous vote of the membership of the Committee on Ways and Means. Congress passed a similar bill last year, H.R. 6482, which was vetoed. The President in his veto message indicated approval of the principle of the legislation but objected to the retroactive applica-

tion of the change. The bill which is now before the House is also retroactive and would be effective for calendar year 1951 and subsequent years. Very careful consideration was given to the question of retroactivity by the Committee on Ways and Means. We have decided that tax equity requires that this correction be made retroactively in order to avoid the unjust enrichment of the Federal Government as a consequence of a technical error in present law.

#### LIMITATION ON DEDUCTION IN CASE OF CONTRIBUTIONS BY INDIVIDUALS TO CERTAIN CHARITABLE ORGANIZATIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2244) relating to the deduction for income-tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30-percent limitation of adjusted gross income.

The Clerk read the title of the bill.

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

Mr. GROSS. Reserving the right to object, Mr. Speaker, this does not bring additional organizations or individuals within that privilege?

Mr. MILLS. Not at all. This bill provides that a person may make a contribution to a charity that in turn maintains an educational or hospital or religious objective in mind for use of its funds up to a 30-percent limitation, just as he can do individually under the present law.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

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

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 (a) section 170(b)(1)(A) of the Internal Revenue Code of 1954 (relating to limitation on amount of deduction for charitable contributions by individuals) is amended by striking out "or" at the end of clause (ii), by inserting "or" at the end of clause (iii), and by inserting after clause (iii) the following new clause:*

"(iv) a corporation, trust, fund, or foundation exempt under section 501 and not denied exemption under section 502 (relating to feeder organizations), 503 (relating to organizations engaged in prohibited transactions), or 504 (relating to organizations accumulating income) which is organized and operated exclusively for the purpose of distributing its net earnings for any taxable year on or before the 15th day of the third month following the close of such taxable year and such portion of the principal as may be deemed desirable to one or more of the organizations referred to in clauses (i), (ii), and (iii) of this subparagraph."

(b) Section 170(b)(1)(B) of such Code is amended by striking out "any charitable contributions to the organizations described in clauses (i), (ii), and (iii)" and inserting in lieu thereof "any charitable contributions described in subparagraph (A)".

Sec. 2. The amendments made by this Act shall apply only with respect to taxable years beginning after December 31, 1961.

With the following committee amendment:

Page 2, strike out lines 1 to 12, inclusive, and insert:

(iv) a corporation, trust, fund, or foundation exempt from tax under section 501 which is organized and operated exclusively for the purpose of distributing its net earnings for each taxable year on or before the 15th day of the third month following the close of such taxable year to one or more of the organizations referred to in clauses (i), (ii), and (iii) of this subparagraph and which, if it may distribute any portion of the principal, may make such distribution only to one or more of the organizations referred to in such clauses.

The committee amendment was 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.

Mr. MILLS. Mr. Speaker, the bill H.R. 2244, which was introduced by our colleague on the Committee on Ways and Means, the Honorable A. S. HERLONG, JR., of Florida, and which was unanimously reported by the Committee on Ways and Means, with amendments, would increase, from 20 to 30 percent, the limitation on the amount of adjusted gross income that individual taxpayers are permitted to deduct as contributions to certain charitable organizations.

Under present law, individuals are generally permitted to deduct up to 20 percent of their adjusted gross income for contributions made to, or for the use of, charitable organizations. However, if such contributions are made directly to churches, operating schools or hospitals, or related medical research organizations, this limitation is increased to 30 percent of their adjusted gross income.

The bill provides that for taxable years beginning after December 31, 1961, this 30-percent limitation shall also apply to contributions made to charitable organizations which are organized and operated exclusively for the purpose of distributing currently their entire net earnings to charitable organizations to which, under present law, contributions are subject to the 30-percent limitation. This would permit taxpayers to be subject to the same deduction limitation whether they make direct gifts or indirect gifts to organizations that qualify as recipients entitling the donors to the maximum 30-percent limitation.

As amended by your committee, provision has been made to insure that any distributions of principal by the charitable organizations must be made to the types of charitable organizations to which any contributions made would be subject to the 30-percent limitation. With this amendment, and except for a change in the effective date of this bill, the bill is identical with the one that was unanimously approved by the House of Representatives last year.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 2244 would liberalize the limitation on the amount that individual

taxpayers are permitted to deduct as contributions to certain specified types of charitable organizations.

Present law permits individual taxpayers to deduct up to 20 percent of adjusted gross income for contributions made to charitable organizations. Furthermore the law provides that as much as 30 percent of adjusted gross income can be deducted if the additional 10 percent of such contributions is made directly to churches, operating schools, or hospitals, or related medical research organizations.

The bill, H.R. 2244, deals with the designation of organizations that qualify for the additional 10 percent limitation. The bill would provide that this additional 10 percent deduction is to be available in the case of contributions to a foundation if the foundation is organized and operated exclusively for the purpose of turning over each year its entire net earnings to one or more of the types of organizations that qualify an individual under existing law for the additional 10 percent deduction.

This legislation is substantially similar to legislation which passed the House last year, H.R. 6066, except that the effective date has been changed and a further restriction has been added to the bill.

#### IMPORTATION OF CERTAIN ARTICLES FOR RELIGIOUS PURPOSES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4449) to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes.

The Clerk read the title of the bill.  
The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

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 paragraph 1774 of the Tariff Act of 1930, as amended (19 U.S.C. 1201, par. 1774), is amended to read as follows:*

"PAR. 1774. Altars, pulpits, communion tables, baptismal fonts, shrines, mosaics, iconostases, or parts, appurtenances, or adjuncts of any of the foregoing, whether to be physically joined thereto or not, and statuary (except granite cemetery headstones, grave markers, and feature memorials, and excepting casts of plaster of paris, or of composition of paper or papier mâché), imported in good faith for the use of, either by order of, or for presentation (without charge) to, any corporation or association organized and operated for religious purposes, including cemeteries, schools, hospitals, orphanages, and similar nonprofit activities staffed and controlled by such corporation or association."

Sec. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the thirtieth day after the enactment of this Act.

With the following committee amendments:

Page 1, line 4, strike out "par. 1774)" and insert "par. 1774)."

Page 1, line 5, insert quotation marks at the beginning of the line.

Page 1, line 9, insert "granite" before "grave markers".

Page 1, line 9, insert "granite" before "feature".

Page 1, line 10, strike out "paris," and insert "Paris."

Page 1, lines 10 and 11, strike out "composition" and insert "compositions".

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.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 4449, as amended by the Committee on Ways and Means, and which was unanimously reported by your committee, is threefold: First, to add iconostases to the list of articles for which free entry is presently provided in paragraph 1774 of the Tariff Act of 1930, as amended; second, to provide for the free entry of adjuncts and appurtenances of the named articles whether to be physically joined thereto or not; and, third, to extend the application of paragraph 1774 to cemeteries, schools, hospitals, orphanages, and similar nonprofit activities staffed and controlled by corporations or associations organized and operated for religious purposes. A bill identical in substance passed the House of Representatives and the Senate last year.

This bill was introduced by our colleague on the Committee on Ways and Means, the Honorable THADDEUS M. MACHROWICZ.

Your committee was advised by the interested departments of the Government that this bill would assist in solving certain difficult interpretative questions which have arisen under present provisions of paragraph 1774 of the Tariff Act of 1930, as amended.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 4449 would permit the duty-free importation of certain religious articles for religious purposes. Present law permits free entry for many articles of a religious nature including pulpits, shrines, baptismal fonts, and mosaics. H.R. 4449 would add to the enumerated list of articles altar screens or partitions known as iconostases. In addition, the bill would make certain clarifications in the law. This would be accomplished by providing that articles which are appurtenances or adjuncts of the enumerated articles shall be accorded the free entry privilege and by clarifying the types of organizations to which the free entry privilege would be extended.

#### PREPAID DUES INCOME OF CERTAIN MEMBERSHIP ORGANIZATIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 929) to amend the Internal Revenue Code of 1954 to permit the prepaid dues income of certain membership organizations to be included in gross income for the taxable years to which the dues relate.

The Clerk read the title of the bill.

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

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 (a) subpart B of part II of subchapter E of chapter 1 of the Internal Revenue Code of 1954 (relating to taxable years for which items of gross income are included) is amended by adding at the end thereof the following new section:*

**"Sec. 456. Prepaid Dues Income of Certain Membership Organizations.**

**"(a) YEAR IN WHICH INCLUDED.**—Prepaid dues income to which this section applies shall be included in gross income for the taxable years during which the liability described in subsection (e) (2) exists.

**"(b) WHERE TAXPAYER'S LIABILITY CEASES.**—In the case of any prepaid dues income to which this section applies—

**"(1)** If the liability described in subsection (e) (2) ends, then so much of such income as was not includible in gross income under subsection (a) for preceding taxable years shall be included in gross income for the taxable year in which the liability ends.

**"(2)** If the taxpayer ceases to exist, then so much of such income as was not includible in gross income under subsection (a) for preceding taxable years shall be included in gross income for the taxable year in which such cessation of existence occurs.

**"(c) PREPAID DUES INCOME TO WHICH THIS SECTION APPLIES.**—

**"(1) ELECTION OF BENEFITS.**—This section shall apply to prepaid dues income if and only if the taxpayer makes an election under this section with respect to the trade or business in connection with which such income is received. The election shall be made in such manner as the Secretary or his delegate may by regulations prescribe. No election may be made with respect to a trade or business if in computing taxable income the cash receipts and disbursements method of accounting is used with respect to such trade or business.

**"(2) SCOPE OF ELECTION.**—An election made under this section shall apply to all prepaid dues income received in connection with the trade or business with respect to which the taxpayer has made the election; except that the taxpayer may, to the extent permitted under regulations prescribed by the Secretary or his delegate, include in gross income for the taxable year of receipt the entire amount of any prepaid dues income if the liability from which it arose is to end within 12 months after the date of receipt. Except as provided in subsection (d), an election made under this section shall not apply to any prepaid dues income received before the first taxable year for which the election is made.

**"(3) WHEN ELECTION MAY BE MADE.**—

**"(A) WITH CONSENT.**—A taxpayer may, with the consent of the Secretary or his delegate, make an election under this section at any time.

**"(B) WITHOUT CONSENT.**—A taxpayer may, without the consent of the Secretary or his delegate, make an election under this section for its first taxable year (1) which begins after December 31, 1959, and (2) in which it receives prepaid dues income in the trade or business. Such election shall be made not later than the time prescribed by law for filing the return for the taxable year (including extensions thereof) with respect to which such election is made.

**"(4) PERIOD TO WHICH ELECTION APPLIES.**—An election under this section shall be effective for the taxable year with respect to which it is first made and for all subse-

quent taxable years, unless the taxpayer secures the consent of the Secretary or his delegate to the revocation of such election. For purposes of this title, the computation of taxable income under an election made under this section shall be treated as a method of accounting.

**"(d) TRANSITIONAL RULE.**—

**"(1) AMOUNT INCLUDIBLE IN GROSS INCOME FOR ELECTION YEARS.**—If a taxpayer makes an election under this section with respect to prepaid dues income, such taxpayer shall include in gross income, for each taxable year to which such election applies, not only that portion of prepaid dues income received in such year otherwise includible in gross income for such year under this section, but shall also include in gross income for such year an additional amount equal to the amount of prepaid dues income received in the 3 taxable years preceding the first taxable year to which such election applies which would have been included in gross income in the taxable year had the election been effective 3 years earlier.

**"(2) DEDUCTIONS OF AMOUNTS INCLUDED IN INCOME MORE THAN ONCE.**—A taxpayer who makes an election with respect to prepaid dues income, and who includes in gross income for any taxable year to which the election applies an additional amount computed under paragraph (1), shall be permitted to deduct, for such taxable year and for each of the 4 succeeding taxable years, an amount equal to one-fifth of such additional amount, but only to the extent that such additional amount was also included in the taxpayer's gross income during any of the 3 taxable years preceding the first taxable year to which such election applies.

**"(e) DEFINITIONS.**—For purposes of this section—

**"(1) PREPAID DUES INCOME.**—The term 'prepaid dues income' means any amount (includible in gross income) which is received by a membership organization in connection with, and is directly attributable to, a liability to render services or make available membership privileges over a period of time which extends beyond the close of the taxable year in which such amount is received.

**"(2) LIABILITY.**—The term 'liability' means a liability to render services or make available membership privileges over a period of time which does not exceed 36 months, which liability shall be deemed to exist ratably over the period of time that such services are required to be rendered, or that such membership privileges are required to be made available.

**"(3) MEMBERSHIP ORGANIZATION.**—The term 'membership organization' means a corporation, association, federation, or other organization—

**"(A)** organized without capital stock of any kind, and

**"(B)** no part of the net earnings of which is distributable to any member.

**"(4) RECEIPT OF PREPAID DUES INCOME.**—Prepaid dues income shall be treated as received during the taxable year for which it is includible in gross income under section 451 (without regard to this section)."

(b) The table of sections for such subpart B is amended by adding at the end thereof the following:

**"Sec. 456. Prepaid dues income of certain membership organizations."**

Sec. 2. The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1960.

With the following committee amendments:

Page 4, line 4, strike out "1959" and insert "1960".

Page 6, line 19, strike out "member." and the quotation marks, and insert "member."

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.

ENROLLMENT OF H.R. 929

Mr. MILLS. Mr. Speaker, I ask unanimous consent that in engrossing the bill (H.R. 929) to amend the Internal Revenue Code of 1954 to permit the prepaid dues income of certain membership organizations to be included in gross income for the taxable years to which the dues relate, the Clerk be instructed to strike out the word "prepared" on page 6, line 20, an insert the word "prepaid". That is a typographical error.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, H.R. 929, which was introduced by our colleague, the Honorable JOHN BYRNES, and which was unanimously reported by your Committee on Ways and Means, provides that prepaid dues income of certain membership organizations may, at the election of such organizations, be included in their gross income ratably over the period of time during which such organizations are under a liability to provide services to their dues-paying members. Except as to effective date, the provisions of this bill are the same as those that were contained in the bill H.R. 11266, which was unanimously approved by the House on August 24, 1960, but which was not acted upon by the other body prior to the adjournment of the 86th Congress.

The membership organizations to which this bill applies are limited to those which compute their income on an accrual basis; which have no capital stock; and, which make no distributions of net earnings to members. Furthermore, in order for this bill to apply, the liability of such organizations to provide service to their members must extend beyond the end of the current year but may not extend beyond a period of more than 36 months. Finally, since under present law it has been held that such organizations must include the full amount of any prepaid dues in income in the year of receipt, in order to mitigate the effect of the revenue loss involved, the bill contains a special transitional rule which operates to spread the revenue loss attributable to any given year over a 5-year period.

The bill would be effective for taxable years beginning in 1961 and provides substantially similar treatment to that provided for prepaid subscription income by the Technical Amendments Act of 1958.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 929, which has just passed the House, was unanimously reported by the Committee on Ways and Means. The legislation is identical with H.R. 11266 which passed the House in the 86th Congress, except for a change in effective date.

The bill is concerned with the relationship of income tax accounting to generally accepted accounting principles with respect to prepaid income arising from

membership dues. H.R. 929 pertains to the way in which prepaid membership dues shall be treated for income tax purposes by the receiving membership organization.

The membership organizations to which H.R. 929 applies are those which have no capital stock and which make no distributions of net earnings to members. Under the bill prepaid dues income is to be included in income for tax purposes ratably over the period during which a liability to render services exists as a consequence of the payment of membership dues. The bill requires that the liability involved must extend beyond the end of the current taxable year but not beyond a period of more than 36 months.

It will be recalled that the Internal Revenue Code of 1954 as originally enacted contained section 452 which provided an election to taxpayers to report prepaid income over the period of time that the prepaid income was being earned. Section 452 was subsequently repealed by the Congress. At the time the section was repealed the Congress indicated the intention to give further study to the tax treatment of prepaid income as well as prepaid expenses with a view to developing appropriate accounting provisions for the tax treatment of these types of transactions. In 1958 the Internal Revenue Code was amended to provide for the spreading forward of prepaid subscription income in the case of newspapers and periodicals. H.R. 929 would permit the spreading forward of prepaid membership income.

#### INFORMAL ENTRIES OF IMPORTED MERCHANDISE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3668) to amend the Tariff Act of 1930 to authorize informal entries of merchandise where the aggregate value of the shipment does not exceed \$400.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

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 498(a)(1) of the Tariff Act of 1930, as amended (19 U.S.C. 1498(a)(1)), is amended by striking out "\$250" and inserting in lieu thereof "\$400".*

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. MILLS. Mr. Speaker, the purpose of H.R. 3668, which was unanimously recommended by the Committee on Ways and Means, is to amend section 498 of the Tariff Act of 1930, as amended, to permit the extension of the informal customs entry procedure to import shipments not exceeding \$400 in value. The present bill is identical with a bill which passed the House last year.

Section 498(a)(1) of the Tariff Act of 1930 presently provides the Secretary of the Treasury with the authority to pre-

scribe rules and regulations for the declaration and entry of merchandise, imported in the mails or otherwise, when the aggregate value of the shipment does not exceed \$250. The Secretary of the Treasury is authorized to establish, by regulation, ceilings within the \$250 limit for different classes or kinds of merchandise or different classes of transactions. Section 498(a)(1) permits informal customs entry to be made and obviates the requirement in section 484 of the Tariff Act of 1930, as amended, for formal customs entry. Formal entry must be made in writing by the consignee or his agent and must generally be accompanied by a certified invoice, a bill of lading, a statistical enumeration of all the goods in the shipment, a declaration, and other related documents. Informal entries require a shorter written form and less complicated customs procedures apply.

Section 498(a)(1) originally provided a \$100 limitation upon the value of imported merchandise that was permitted informal entry. Section 16(d) of the Customs Simplification Act of 1953 increased the figure from \$100 to \$250 and granted the Secretary of the Treasury the discretion to fix a lower ceiling for different types of merchandise and transactions. H.R. 3668 would change the \$250 figure to \$400.

Under the informal entry procedure complex and cumbersome procedures are eliminated for small-value importations. The effect of the pending bill, which was introduced by our colleague, the Honorable PETER F. MACK, JR., would be to lessen the administrative burden on business firms and individuals when engaged in importing goods valued up to \$400. The Secretary of the Treasury would retain discretion to establish a lower ceiling for certain types of merchandise and transactions when circumstances warrant his doing so. The Committee on Ways and Means was advised that raising the limit to \$400 would not affect the amount of duties collected.

Mr. BYRNES of Wisconsin. Mr. Speaker, this legislation would amend the Tariff Act so as to increase from \$250 to \$400 the aggregate value of merchandise which may be imported under an informal customs entry procedure. Formal entry requires that the entry must be made in writing by the consignee or his agent and must be accompanied by a certified invoice, a bill of lading, certain statistical information, a declaration, and other related documents. Informal entries involve considerably less administrative burden and require a shorter written form.

The bill was unanimously reported by the Committee on Ways and Means.

#### AUTHORIZING ACCEPTANCE OF GIFTS TO BE USED TO REDUCE THE PUBLIC DEBT

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 311) to authorize the acceptance by the Government of gifts to be used to reduce the public debt, together with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 3, line 1, strike out "section 1" and insert "the first section of this Act".

Page 3, line 4, strike out "proceeds of the redemption, or sale, of any such gift" and insert "proceeds of such gift, or the proceeds of the redemption or sale of such gift, as the case may be".

Page 3, line 19, strike out "the Act" and insert "this Act".

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, as Members will recall, the purpose of H.R. 311 as it passed the House of Representatives was to specifically authorize the Secretary of the Treasury and the Administrator of General Services to accept gifts of money or other property which are made on the sole condition that they are to be used for the reduction of the public debt.

The Senate added a technical amendment to this bill designed to more effectively carry out the basic purpose of the House bill. The Senate amendment in no way changes the objective of the bill, but simply makes several technical and clarifying changes.

#### EFFECTIVE DATE OF THE QUALIFICATION OF PLUMBERS UNION LOCAL NO. 12 PENSION FUND

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1877) relating to the effective date of the qualification of Plumbers Union Local No. 12 Pension Fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954, together with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, after line 8 insert:

"Sec. 2. (a) Section 809(d)(11) of the Internal Revenue Code of 1954 (relating to deductions in computing gain from operations in the case of certain mutualization distributions) is amended by striking out 'in 1958 and 1959' and inserting in lieu thereof 'in 1958, 1959, 1960, and 1961'.

"(b) Section 809(g)(3) of such Code (relating to application of section 815 to certain mutualization distributions) is amended by striking out 'in 1959' and inserting in lieu thereof 'in 1959, 1960, or 1961'.

"(c) The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 1959."

Page 2, after line 8, insert:

"Sec. 3. (a) Paragraph 1102(b) of the Tariff Act of 1930, as amended (19 U.S.C. 1002; par. 1102), is amended by striking out 'Cashmere goat,' and by inserting after 'other like animals' the following: '(including hair of animals like the Cashmere goat)'.

"(b) Paragraph 1102 of such Act is further amended by adding at the end thereof the following new subparagraph:

"(c) Hair of the Cashmere goat, in the grease or washed, 18 cents per pound of

clean content; scoured, 21 cents per pound of clean content; on the skin, 16 cents per pound of clean content; sorted, or matchings, if not scoured, 19 cents per pound of clean content.

"(c) The amendments made by this section shall apply to articles entered or withdrawn from warehouse, for consumption, on or after the date of enactment of this Act, and to articles covered by entries or withdrawals which have not been liquidated or the liquidation of which has not become final on such date of enactment."

Page 2, after line 8, insert:

"Sec. 4. The pension fund of the slate, tile, and roofing industry in New York City, which was created as a result of an agreement between the Composition Roofers, Damp and Waterproof Workers Association, Local Union Numbered 8, and several employer associations and other individual employers in the industry, and which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, shall be held and considered to have been a qualified trust under such section 401(a) and to be exempt from taxation under such section 501(a), for the period beginning July 1, 1957, and ending November 24, 1958, but only if it is shown to the satisfaction of the Secretary of the Treasury or his delegate that the trust has not in this period been operated in a manner which would jeopardize the interest of its beneficiaries."

Amend the title so as to read: "An Act relating to the effective date of the qualification of Plumbers Union Local Numbered 12 Pension Fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and for other purposes."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1877) relating to the effective date for the qualification of Plumbers Union Local No. 12 Pension Fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954, with Senate amendments, and concur in the Senate amendments.

Mr. Speaker, the bill, H.R. 1877, as passed by the House on May 10, was introduced by our colleague, the Honorable THOMAS P. O'NEILL, JR., of Massachusetts. It provides relief for the Plumbers Union Local No. 12 Pension Fund, Boston, Mass., by treating the fund as a qualified employees' trust which would be exempt for taxation for the period from its inception on September 1, 1954, to June 3, 1959, the date on which the Internal Revenue Service ruled that this fund would qualify for tax-exempt status. An identical bill for the relief of this union pension fund was introduced by the distinguished majority leader, the Honorable JOHN McCORMACK, of Massachusetts.

The other body added three amendments to the House bill. The first amendment continues for 2 years, 1960 and 1961, the provision in the Life Insurance Company Income Tax Act of 1959 permitting certain stock companies which had adopted a plan of mutual-

ization prior to 1958—when the act became effective—to deduct amounts expended by them in redeeming outstanding stock from their shareholders in compliance with the plan of mutualization. The problem arose because of the fact that some of the mutualized companies did not have sufficient funds available to redeem all of their stock at the time their plan of mutualization was adopted. Consequently, they had been redeeming their stock gradually out of annual earnings. The 1959 act permitted them to continue their plan of mutualization adopted prior to 1958 and to obtain a deduction for purposes of the phase 2 tax on underwriting income of amounts so expended, but only for the years 1958 and 1959. The amendment of the other body was necessitated because it was understood that one such mutualized company had been unable to redeem all of its outstanding stock within the period provided in the Life Insurance Act. A 2-year extension as provided by the amendment allows ample time for this company to complete its plan of mutualization. I am not objecting to this amendment, but I believe this is the last time such an extension should be enacted.

The next amendment added by the other body provides for reduced tariffs in the case of Cashmere goat hair. The existing rates of duty on Cashmere goat hair are the rates originally enacted by Congress in 1930. The proposed rates are the same as those which were in effect pursuant to the bilateral trade agreement with Iran until the recent termination of that agreement. There is no known commercial production of cashmere hair in the United States. Furthermore, it does not appear that imported cashmere is closely competitive with domestic sheep's wool and mohair. Under this amendment, the reduced tariffs will apply regardless of the country in which the cashmere hair is produced.

The last amendment is similar in purpose to the original House bill. It provides relief for the pension fund of the Composition Roofers, Damp & Waterproof Workers Association, Local Union No. 8, by treating the fund as a qualified employees' trust under the Internal Revenue Code for the period beginning July 1, 1957 and ending November 24, 1958, the date on which the Internal Revenue Service ruled that this fund qualified for tax-exempt status. This amendment is similar in purpose to H.R. 1545 which was sponsored by my colleague on the committee, the Honorable EUGENE J. KEOGH, of New York.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 1877 as it passed the House provided for the retroactive qualification under the Internal Revenue Code of a pension fund designated as the Plumbers Union Local No. 12 Pension Fund. The Senate in acting on this legislation amended the bill to take care of the qualifying problems concerning another union pension fund. In addition, the Senate added two other amendments not pertaining to pension funds.

The first of these amendments would continue for 2 years—1960 and 1961—the provision of the Life Insurance Company Income Tax Act of 1959 which

permitted certain stock life insurance companies to deduct amounts expended in redeeming stock from shareholders pursuant to a plan of mutualization. The extension of this privilege for 2 years is required by the fact that at least one mutualized company was unable to complete its plan of mutualization within the period provided in the 1959 act.

The second Senate amendment not pertaining to pension funds provides for reduced tariffs in the case of imports of Cashmere goat hair. It is my understanding that there is no commercial production of cashmere in the United States. The reduced tariffs provided under the Senate amendment would be the same as those that were in effect under the trade agreement with Iran until that agreement was terminated.

Mr. Speaker, it is appropriate that the House should agree to the Senate amendments.

#### AMENDING SECTION 4 OF EMPLOYMENT ACT OF 1946

Mr. DAWSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6094) to amend section 4 of the Employment Act of 1946, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Strike out all after the enacting clause and insert "That subsection (f), of section 4, of the Employment Act of 1946 (15 U.S.C. 1023(f)), is hereby amended to read as follows:

"(f) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated such sums as may be necessary."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently, no quorum is 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. 80]

Anderson, Ill.	Fenton	Landrum
Avery	Flynt	Loser
Bailey	Fogarty	McVey
Barrett	Grant	Macdonald
Bass, N.H.	Gray	Madden
Carey	Green, Oreg.	Mason
Cederberg	Hansen	Michel
Celler	Hardy	Moulder
Coad	Hollfield	Norrell
Cooley	Hosmer	O'Konski
Corman	Jensen	Pillion
Curtis, Mass.	Jones, Ala.	Powell
Durno	Kearns	Roberts
Ellsworth	Kilburn	Roosevelt
Evins	Kyl	St. Germain

Shelley Thompson, La. Wels  
 Shriver Thompson, N.J. Williams  
 Smith, Calif. Tuck  
 Teague, Tex. Walter

The SPEAKER. On this rollcall 381 Members have answered to their names, a quorum.

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

#### CONTESTED ELECTION—J. EDWARD ROUSH AGAINST GEORGE O. CHAMBERS

Mr. ASHMORE. Mr. Speaker, I call up House Resolution 339 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Whereas the Committee on House Administration has concluded its investigation, including a recount of the ballots cast at the election of November 8, 1960, in the Fifth Congressional District of Indiana, pursuant to H. Res. 1; and

Whereas such investigation and recount reveals that J. Edward Roush received a majority of the votes cast in said district for Representative in Congress: Therefore be it

Resolved, That J. Edward Roush was duly elected a Representative to the Eighty-seventh Congress from the Fifth Congressional District of Indiana, and is entitled to a seat therein.

Mr. ASHMORE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, on January 3 this House by the adoption of House Resolution 1 directed the Committee on House Administration to investigate the election of U.S. Representative from the Fifth Congressional District of Indiana, on November 8, 1960.

House Resolution 1 further provided that neither of the principals, that is, Mr. J. Edward Roush or Mr. George O. Chambers, should be sworn in as a Member of Congress until the completion of the investigation and the determination by the House as to who was duly elected and entitled to be seated as a Member.

Your Elections Subcommittee was appointed on February 15, 1961. On February 21, 1961, the subcommittee conducted a public hearing, at which time both the principals and their attorneys testified. The subcommittee decided at that meeting that a thorough investigation of this case would necessitate a complete recount of all ballots cast for Congressman in the Fifth Congressional District of Indiana on November 8, 1960.

Within a few days, in fact, within less than 1 week, after this decision of the subcommittee, several members of the committee, the committee clerk and counsel, plus 12 auditors and 1 certified public accountant from the General Accounting Office, were in the Fifth District of Indiana beginning the investigation and recount.

The work in Indiana consumed 2 full weeks. I was there throughout the investigation, and generally there were one or more committee members there from each of the parties.

In Indiana during our work there we separated all good ballots from the questionable ballots. The ballots about which there was no question under the

law of Indiana, in other words, those that were recognized as good, were left in Indiana after we had inspected them and checked them and made records for whom these ballots had been cast. All irregular or questionable ballots under the Indiana election laws, were brought to Washington for inspection by the full subcommittee.

In addition to that, all absentee ballots whether they were good, bad or questionable, and related papers were also brought back to Washington for inspection and final determination by the full subcommittee. We found numerous irregularities in the marking of ballots in the Fifth Congressional District of Indiana. For example, the law of Indiana says that all ballots shall be marked with a blue pencil. Many of the ballots were not marked with a blue pencil. The law of Indiana goes further and says that to check your ballot or mark your ballot for the candidate you prefer, you should make a crossmark and that the crossmark must be made with that blue pencil that the precinct officials provide each voter. The election laws of Indiana say furthermore, for illustration, that a checkmark—a checkmark if you use that rather than a crossmark—makes the ballot void. Nevertheless, some precinct officials and some county election boards throughout the district—and they varied in what they did in this regard—accepted as good those ballots marked with a checkmark. Some accepted those ballots as good and valid that were marked with a crossmark when the crossmark was not made with a blue pencil, or when the crossmark was not made within the party circle, or not made within the individual candidate's square on the ticket. Some crossmarks were outside of the circle or square, and in that case under the law of Indiana, the ballot had been held void by the courts.

Some other precinct officials and some other county election boards did not accept as valid this type of ballots that I have cited to you for illustration. In other words, there was a complete lack of uniformity in marking and in the counting of ballots in this district. Therefore, we found it was imperative to adopt ground rules or a general policy in deciding which ballots were good and which ballots would be determined as bad. Your committee applied these same rules throughout the district. Briefly, let me say we probably were liberal in declaring ballots valid rather than void, and there are plenty of precedents in this House for this policy because it is based on the sound theory that a voter should not be disenfranchised for some technical error or for some mere inadvertence. As a matter of fact, the intention of the voter—and I emphasize that phrase because it is used throughout the decisions or precedents of the House of Representatives in contested election cases. The intention of the voter was usually the controlling factor in passing upon these questionable ballots by your committee. This is a basic principle and it has been followed by many courts in many States, as well as by the House of Representa-

tives for a long period of years. So if the ballot indicated an honest effort, if it showed on its face the voter was trying to comply with the law and the voter's intention could be clearly determined and ascertained by the subcommittee, then that voter's ballot was accepted.

Mr. Speaker, perhaps, I should say just a few additional words about the method or the procedure used by the committee, although I do not want to take up much more time.

When we brought these questionable ballots to Washington we brought several of these auditors with us to work with our regular committee staff. These gentlemen divided all the ballots that were brought back into certain categories, dependent upon what the irregularity or error might be with reference to each particular ballot. They were separated, put into groups, sealed in envelopes, and kept under lock and key until brought out package by package, group by group, or category by category, and opened in the presence of the committee and handed to us to pass judgment upon.

For example, category 6 consisted—as an illustration purely—of 180 ballots all marked with a checkmark, or all marked with a cross not within the circle, or some other type of irregularity under Indiana law. Of course, we had several other types of irregularities under the Indiana laws. But when the committee members were handed this group of ballots we would look at as many as we liked. We would always look at some of those ballots to determine whether or not we understood the irregularity as explained to us by the staff, and to satisfy our own minds in every particular regarding them, although we did not go through the entire group and inspect them and determine for whom they were cast. We avoided that. We did not want to know, and I can conscientiously say that I believe every member of that subcommittee did not have any desire to determine for whom these ballots were cast as we passed upon these various irregular groups. Then if we were satisfied about the irregularity shown to us by the staff and what we had observed with our own eyes, we would vote to accept or reject that particular group of ballots without knowing for whom they had been cast. Then they were resealed and the packages signed by me and the ranking minority member of the committee. They then remained under seal, lock, and key until the day when they were separated as to the respective candidates and counted.

Then, at the final meeting these envelopes that had been sealed after we had determined their validity or invalidity were brought out and the votes tallied for the respective candidates in the presence of the committee there in the committee room. Each ballot was doubly checked and doubly counted by two teams consisting of three people, two staff members, and one member of the committee. When we had done this and satisfied ourselves that we had arrived at the proper conclusion, and the results were honestly and conscientiously arrived at, the tally showed that Mr. Roush

had received 99 more valid votes than Mr. Chambers. The subcommittee and the full committee unanimously adopted the report and unanimously recommends the adoption of House Resolution 339.

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

Mr. Speaker, first I would like to sincerely commend the chairman of the subcommittee, the gentleman from South Carolina, [Mr. ASHMORE] and the members of the Subcommittee on Elections for the diligent work and hard work, and the sincere way in which they approached this very difficult and unpleasant problem. I would also like to express our appreciation to the members of the committee staff, the legal section of the Library of Congress Reference Service, the professional staff of auditors and accountants loaned to us by the General Accounting Office, and others who worked on this problem. There is an understandable difference in the well-founded opinion by many Members of the House on the question of the observance of State election laws as compared with precedents which have been established in the House. Under the Constitution of the United States, however, each House of the Congress is given the responsibility of determining the seating of its Members when a question is raised. This responsibility has been under House rules given to our Committee on House Administration.

There is another question which is disturbing some of us, and that is the possible overlap of jurisdiction of a special committee appointed each 2 years for the purpose of studying campaign expenditures. Many of us believe that the special committee in this past 86th Congress went too far and went beyond its proper jurisdiction in the actions recommended by its chairman on January 3 of this year.

Mr. Speaker, I think this is a matter which the Members of the House should seriously consider when the next committee of that kind is appointed, because the organization of the House may well be determined by a very close majority or even a disputed majority of the House at some time in the future. Thus the Members of this House of Representatives should very carefully examine the jurisdiction of any special committee to be appointed in the future for the purpose of investigating campaign expenditures.

Mr. ASHMORE. Mr. Speaker, I yield such time as he may desire to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Speaker, did I understand the gentleman to say a while ago that this is a unanimous report?

Mr. ASHMORE. Yes.

Mr. CHELF. By the subcommittee?

Mr. ASHMORE. Yes, and by the full committee also.

Mr. CHELF. In the subcommittee and the full committee it is unanimous?

Mr. ASHMORE. That is right.

Mr. CHELF. I thank the gentleman.

Mr. ASHMORE. Mr. Speaker, I yield 5 minutes to the chairman of the Committee on House Administration, the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, I take this time to express appreciation for the

splendid work done by the Subcommittee on Elections in the matter now before us.

Without doubt and without qualification, I have never known a more thorough investigation of an election contest case. It has been conducted in a most judicious manner. This means it has, in all respects, been conducted objectively, impartially, and I believe wholly without regard to personality or party.

Mr. Speaker, a matter of this nature is, of course, sensitive and serious. It is not only serious for the individuals directly involved, but is a serious matter for the electors of the Fifth Congressional District of the State of Indiana. This is as it should be. The matter of suffrage is fundamental in our system of government. I testify that the subcommittee bore this fact in mind at all times during the course of their investigation. With this in mind, I know that a most conscientious job was done by the subcommittee.

Those of you who have been familiar with these efforts will, I am sure, join me in assuring our colleagues that the subcommittee, chaired by the able gentleman from South Carolina [Mr. ASHMORE] has performed most creditably and sincerely a rather difficult task. It is also appropriate to include in our appreciation the staff of the Committee on House Administration. Mr. Julian Langston, staff head of the committee, has spent long and arduous hours in coordinating all efforts. Mr. Sam Still, on loan from the Legal Section of the Library of Congress, rendered most essential expert legal advice. The General Accounting Office furnished the committee invaluable assistance by the assignment of 13 auditors and accountants headed by Mr. Sidney F. Hecker. To all these gentlemen we express our thanks and commendation.

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

Mr. BURLESON. I yield to the gentleman from Kentucky.

Mr. CHELF. I would like to join the gentleman from Texas in commendation of this subcommittee and the full committee.

I think they have done a fair and honest and reasonable job; a clean job. A very difficult assignment it was. However, the fact that there was no criticism by anybody, from any newspapers or periodicals or radio, convinces me and should convince the country that there was no partisanship in it. I am very grateful and I am very thankful to this subcommittee as well as the full committee for their fine undertaking, and I join with the gentleman in commending both sides of this aisle. This is another example of why I am proud to be a Member of the House of Representatives.

Mr. BURLESON. I thank the gentleman.

Mr. WILSON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I yield to the gentleman from Indiana.

Mr. WILSON of Indiana. In the minority views I find that certain ballots were counted which were not initialed by the clerk of that county. Now, of course, the Indiana election laws require

that in order for a ballot to be valid, it must have the initials of that county clerk; is that not true?

Mr. BURLESON. I will say to the gentleman that the committee followed precedent after precedent of the House that these precedents may, can, and do, historically outweigh the preponderance of the State law. The precedents of the House have always prevailed. That does not mean, of course, that State law is ignored but that reasonableness and commonsense, melded with the two, the State law and the precedents of the House, has been exercised in this matter.

Mr. WILSON of Indiana. The gentleman has not answered my question. Did you count the ballots that were not properly initialed by the county clerks of the respective counties?

Mr. BURLESON. If the gentleman puts it that way, the answer is definitely "no."

Mr. WILSON of Indiana. Every ballot counted was properly initialed by the county clerk of that respective county?

Mr. BURLESON. In the judgment of the committee the answer is "yes."

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. ASHMORE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, if the gentleman will turn to page 22 of the report, the second paragraph from the top, he will find this language:

*Resolved*, That the placing of the county clerk's signature on the back of the absentee ballot and the placing of the initials of the precinct clerks on the back of the regular ballot be declared directory rather than mandatory: *Provided, however*, That on the back of an absentee ballot there must appear at least the initials of the county clerk (which may be made by one of his assistants): *And further provided*, That the clerk's seal must be affixed to each absentee ballot.

That was one of the ground rules that we set up, which applied to all cases.

Mr. WILSON of Indiana. Then, do you say that those rules were followed without exception?

Mr. ASHMORE. Yes.

Mr. WILSON of Indiana. I thank the gentleman.

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

Mr. ASHMORE. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I think I should at this time make just a very brief observation, because it is certainly pertinent in view of the discussion just had. I expect to get time a little later on, but I think it ought to be understood that this recount should never have been ordered in the first place, because it is apparent to anybody who will look at the record and see this tremendous file of statistics that what has happened here is that the judgment of the people in Indiana, in charge of our elections, is to be superseded by a determination here made by the Congress of the United States, if it is so made, in complete derogation of the certificates and the action of the election authorities and the elected officials of the State of Indiana. So, for that reason, before

it is too much misunderstood, I wanted to make it clear that as far as I am concerned—and I believed this from the beginning—there was no justification whatsoever for indulging in this recount.

Mr. SCHENCK. Mr. Speaker, I yield 15 minutes to the gentleman from California [Mr. LIPSCOMB], the ranking minority member of the Subcommittee on Elections.

Mr. LIPSCOMB. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, at the outset I would like to compliment the distinguished chairman of the subcommittee [Mr. ASHMORE]. He at all times during the investigation and study conducted himself in a fair and orderly manner. He was dedicated to this recount. Also, the majority and minority members on the subcommittee contributed many hours of dedicated service to the Congress in going through this entire recount. Nevertheless, the minority members of the subcommittee feel that there are certain aspects of this matter which must, we believe, be brought to the attention of the House of Representatives. We, therefore, submitted additional views, which are included in the report on House Resolution 1.

Some 450,000 people of the Fifth Congressional District of Indiana have been denied representation in this body for over 5 months. On November 8, 1960, almost 215,000 persons went to the polls in the Fifth District of Indiana, and cast their ballots for the candidate of their choice for Congress. Over 1,200 local precinct officials, judges, and clerks, many of whom had served for years, proceeded to count the ballots and their findings were certified to the various county election boards who in turn certified the results to the secretary of state of Indiana.

In certificates of election dated December 5, 1960, and January 2, 1961, both of which documents were forwarded to the Clerk of the House of Representatives by the secretary of state of Indiana, the secretary of state certified the election of 11 Representatives to Congress from that State, naming each Representative.

These were the same certifications pursuant to which 10 Members from Indiana, 3 Democrats and 7 Republicans, were administered the oath of office and sworn in as Members of the 87th Congress. Only George Chambers was singled out to stand aside.

We believe that pursuant to the certifications of election by the State of Indiana, George Chambers should have been administered the oath of office and sworn in as a Member of the House of Representatives on January 3, 1961, to have enabled the Fifth District of Indiana to have representation in the House during the course of this recount and investigation.

We believe there is ample precedent for this position.

Notwithstanding the precedents, which are discussed in the additional views, the House on January 3, 1961, without debate or explanation adopted House Resolution 1, which had the effect of nullifying the certification of Mr. Chambers and denying him a seat.

We have examined the original election returns as filed for each county by the clerks of the circuit court in the Fifth District of Indiana and have examined the corrections made by those clerks within the 10-day statutory period allowed for corrections under Indiana law following the election. The original returns and the legally filed corrections showed that George Chambers at all times had a majority.

After the time had expired under Indiana law for the correction of errors, an error was found on a tally sheet in one precinct in Grant County. This prompted Mr. Roush to attempt to secure a State recount which was denied since there is no provision of Indiana law authorizing a State recount for a legislative office. An appeal was made to the Special House Committee to Investigate Campaign Expenditures.

The Special Campaign Expenditures Committee sent two investigators to Indiana who verified that an error existed in one precinct on the basis of a recount of 31 absentee ballots in that precinct. As a result of the recount, Mr. Roush was considered to have lost 4 votes and Mr. Chambers 11 votes and these changes, according to the special committee, would have given Mr. Roush a 2-vote majority.

However, this same special campaign expenditures committee refused to take into consideration an error found in Jay County which would still have left Mr. Chambers with a three-vote majority. A certificate of this error under the official seal of the clerk of the circuit court of Jay County, dated November 18, 1960, was received in evidence by the special committee.

The special campaign expenditures committee chose to ignore the vital evidence offered by the Representative-elect and the circuit court clerk but accepted that of their own investigators.

Apparently as a direct result of and on the basis of that investigation a certificate of error was issued and filed by the clerk of the court of Grant County, citing the investigation conducted by the special campaign expenditures committee. This certification, if within legal requirements, would indicate Mr. Roush had a majority of two votes, but this result of course was based on the special committee's recount of absentee ballots in one precinct in Grant County and its refusal to consider the error in Jay County which would have left Mr. Chambers with a three-vote majority.

We believe it did not meet legal requirements.

It should be pointed out that the actions of the Indiana officials in certifying to the election of Mr. Chambers as reflected in the official returns should not have been questioned. One certification, dated November 15, 1960, to the Governor of Indiana was by a Democratic Secretary of State, and the two

later certificates, referred to previously, dated December 5, 1960, and January 2, 1961, were by a Republican Secretary of State, the office having changed hands following the election, on the 1st of December 1960.

However, the Clerk of the House of Representatives, Mr. Ralph R. Roberts, prepared, at public expense, an official-appearing document setting forth an alleged compilation of the votes from the different counties in the Fifth Congressional District of Indiana, which compilation purported to certify that of the total votes cast Mr. Roush had been elected a Member of the 87th Congress by two votes, but this document, again, took cognizance only of the claims made by the special campaign expenditures committee and the subsequent certification by the clerk of the court of Grant County, totally ignoring the five-vote error in Jay County which would have given Mr. Chambers a three-vote majority.

According to Mr. Roberts, this pseudo-certification was requested by the chairman of the special committee on campaign expenditures. It is not clear to whom copies of this document were circulated but none to our knowledge were circulated to the Republican Members of the House.

Even had Mr. Roberts possessed clear-cut authority to issue such a document, it was misleading, and in fact purported to indicate a different election outcome than that certified by the State of Indiana which Mr. Roberts himself acknowledged in preparing the official roll for the 87th Congress. The document may well have been instrumental in denying Mr. Chambers his prima facie right to a seat.

The persons authorized by Federal and State law to issue a certificate of election were the elected officials of Indiana, the Governor and the secretary of state.

We of the minority of this subcommittee view with concern the method which was employed by the Clerk of the House in issuing this document designed to cast doubt on the right of a properly certified Member-elect to a seat in this body. This was contrary to the procedures we believe should be followed under which properly certified Members-elect are accorded a seat in the House, with questions pertaining to contested elections being referred to the Committee on House Administration.

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

Mr. LIPSCOMB. I yield to the gentleman from Florida.

Mr. CRAMER. I want to confirm what the gentleman said. I have the privilege of being the ranking minority member on the special elections subcommittee on campaign expenditures. Our subcommittee would authorize, so far as I know, any action by the chairman consistent with the action taken, that is, the issuance of this bogus certificate. As a matter of fact, in your statement that the Republican Members were not circulated this certificate, I wish to inform the gentleman and the House that the ranking Member was not even advised of the existence of such a

certificate, let alone was he circulated a copy of it.

Mr. LIPSCOMB. I thank the gentleman from Florida.

Since 1841 there has been a Federal contest statute setting up a mode for determining contests for a seat where there is some question as to the count. This committee has repeatedly said that it will not set itself up as a mere counting board. Under the contest statute the cost to the taxpayer could have been \$4,000, whereas the cost of the Roush-Chambers contested election investigation, while not known exactly, we believe could easily amount to \$100,000 or more. It has also extended over a 5-month period, involving considerable time of the 10 members of the subcommittee.

To avoid such a situation, and one which could be very serious should it occur in more than one district in a single State or even in several States, we believe serious thought should be given to the possibility of Federal legislation to require the various States to establish adequate procedures for contested election situations such as this. Such legislation possibly could specify that State contested election procedures be exhausted prior to the issuance of certificates of election. If this were done the House of Representatives would then seemingly be bound by the precedents, long established, that a Member having a certificate that he was duly elected be seated and any question concerning his final right be referred.

Deep concern must be expressed over the manner in which members of the Armed Forces were disfranchised in this election, and we believe that a general review, and clarification if necessary, of all State laws pertaining to and affecting the rights of members of the Armed Forces to vote would be in order, to the end that members of the Armed Forces are given their fullest opportunity to vote, unaffected by arbitrary action on the part of local and State authorities, as, for example, along the lines as was revealed by this investigation.

Again in our opinion, the Roush-Chambers contested election, while it was a long and sometimes arduous task, was directed in a thorough and fair manner by Chairman ASHMORE.

At the same time there are very disturbing elements to the case which we felt compelled to bring to the attention of the House at this time in the interest of assuring that all qualified persons are given the right to vote and, equally, their right to representation in the Congress of the United States. We hope that the House, its officials, and the States may be guided in the future by the experiences and findings of the subcommittee during the course of this investigation.

Mr. Speaker, in closing, I would like to commend Mr. George O. Chambers for his exemplary conduct during this investigation and study.

His position is shown in the following statement which he has released to the press:

STATEMENT OF GEORGE O. CHAMBERS, FIFTH INDIANA DISTRICT

The issue as to who should represent the Fifth District of Indiana has at long last been decided. Although we all regret that

a situation such as this could occur and leave some 450,000 taxpaying American citizens without a voice in the House of Representatives, we can all be thankful for one thing—it can happen here. We still have a two-party system.

While the decision of the Congress, through its House committees, is not to my liking nor to that of my friends and supporters, I do not accept the decision in this matter as a defeat, either personally or of those who worked so sincerely in the November election; for whose help, I again express my heartfelt appreciation. Neither do I consider this the end of our endeavors, and I call upon you to consider this the beginning of a drive for our principles and purposes in 1962, with a determination that our influence not be limited to the Fifth District but be extended to all areas of influence to the end that 1962 will speak in terms of majorities about which there will be and can be no question.

It is not my desire to unjustly criticize those who have participated in the extension of the campaign from November 8, 1960, up to this time by making strong or abusive charges, and I hope that those who have had sympathy for my position in this matter will not formulate such thoughts in their own minds. No one knows better than I how easy it is to be bitter in times of adversity; but I know equally as well that bitterness never cultivated a desire to do better the next time. Bitter words never attract much support. Therefore, rather than become bogged down in despair and saying "what's the use," I urge you now to make your pledge for a determined drive for our principles in the years ahead.

Now that the decision is made, Mrs. Chambers and I plan to return to Anderson in a few days where I shall resume the practice of law in my home city with the gentlemen who have carried on in my absence, my associates, William Byer and Charles Gaus. I shall also continue my interest in politics and my concern for the legislation we may expect from the 87th Congress.

At this point I would like to commend those who formulated the laws in Indiana and, particularly, my colleague in the practice of law and my opponent in the realm of politics, John R. Walsh, for his firm adherence to the law in the performance of his duties as secretary of state of Indiana, without the biased influence of political bigotry.

Also, I wish to commend and express my gratitude to the Members of the House who serve on the Subcommittee on Elections, particularly to the subcommittee chairman, Representative ROBERT T. ASHMORE, of South Carolina, as well as to the subcommittee staff, for the equitable manner in which the recount was conducted.

During these past months, the guidance and help extended to me and to the Fifth District by Representative CHARLES A. HALLECK, minority leader of the House, and his staff, have been such that I am at a loss for the proper words with which to adequately express my gratitude and admiration. Without CHARLEY'S assistance, it is doubtful that the Fifth District would have had an official champion in the House of Representatives, and my personal position here would have been intolerable and without purpose.

Throughout this situation, the ladies and gentlemen of the press have extended every courtesy to me and Mrs. Brown, my secretary, for which I am most appreciative. We hold them in high esteem for their friendly attitude, courtesy, and the fair manner in which they have presented the facts of this matter through various news media to the public.

I am grateful especially for the encouragement and support given to me by the people of the district, regardless of party affiliation. The assistance from the district, as well as

the help, cooperation and office materials furnished by friends on both sides of the aisle here on Capitol Hill, was invaluable and is deeply appreciated. I feel I would be negligent, and indeed ungrateful, if I failed to mention the loyalty and help given to me and the district by Mrs. Nancy Brown during these difficult months. Her unwavering support in this situation has been an encouragement to me, for in addition to my uncertain official status in the Congress, I was also a stranger to Washington and a newcomer to Capitol Hill. Her experience, contacts, and working knowledge of the Congress have proven invaluable. I appreciate her standing by us, despite the odds.

As Mr. Roush assumes his responsibilities as the Representative from the Fifth District, I charge that his obligations will be doubly heavy in the months ahead, for, much like President Kennedy, he possesses no mandate from the people of the Fifth District. He must remember that nearly 50 percent of the voters of Indiana's Fifth District hope they will not be saddled with another spree of inflation and further shackling of their endeavors by increased taxation, an ever-growing national debt, and more Federal controls. He must remember that it is still the desire of many Hoosiers to be free to run their own businesses; to educate their own children; to be secure in their own homes; to take care of their own old folks, sick or well, and to be just good neighbors assuming the human responsibilities with which our Maker originally charged us. I trust and pray that Mr. Roush will be granted the guidance, the keen insight, and the fair judgment to enable him to faithfully carry out his duties in the best interests of all of the people of the Fifth District.

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

Mr. CHAMBERLAIN. 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 Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I wish to congratulate the gentleman from California [Mr. LIPSCOMB] for his fine statement and wish to associate myself with the remarks that he has made.

As has been pointed out, the minority members of the subcommittee have submitted additional views with respect to House Resolution 1 and the recount of the votes of the Fifth Congressional District of Indiana in the general election held November 8, 1960. In order that these additional views of the minority may be identified with the debate on the pending resolution, I include them at this point in the Record.

The following are the additional views of GLENARD P. LIPSCOMB, CHARLES E. CHAMBERLAIN, CHARLES E. GOODELL, and JOHN B. ANDERSON which are included in the report pursuant to House Resolution 1:

We acknowledge and accept the final decision reached by the Subcommittee on Elections and believe the recount in the Roush-Chambers matter was directed in a fair and orderly manner by Subcommittee Chairman ASHMORE. Nevertheless, there are certain aspects of this case which we believe should be brought to the attention of the House of Representatives.

Some 450,000 people of the Fifth Congressional District of Indiana have been denied representation in this body for over 5 months. On November 8, 1960, almost 215,000 persons went to the polls in the Fifth District of Indiana, and cast their ballots for the

candidate of their choice for Congress. Over 1,200 local precinct officials, judges and clerks, many of whom had served for years, proceeded to count the ballots and their findings were certified to the various county election boards who in turn certified the results to the secretary of state of Indiana.

In certificates of election dated December 5, 1960, and January 2, 1961, both of which documents were forwarded to the Clerk of the House of Representatives by the secretary of state of the sovereign State of Indiana, the secretary of state certified the election of 11 Representatives to Congress from that State, naming each Representative.

These certificates of election read as follows:

"STATE OF INDIANA, OFFICE OF THE SECRETARY OF STATE, SECRETARY OF STATE

"To Whom These Presents Come, Greeting:

"I, Charles O. Hendricks, secretary of state of the State of Indiana do hereby certify that the following named persons were elected at the general election held on November 8, 1960, to serve as U.S. Representatives in the 87th Congress from the State of Indiana:

"RAY J. MADDEN, First District.  
 "CHARLES A. HALLECK, Second District.  
 "JOHN BRADEMAs, Third District.  
 "E. ROSS ADAIR, Fourth District.  
 "George O. Chambers, Fifth District.  
 "RICHARD L. ROUBUSH, Sixth District.  
 "WILLIAM G. BRAY, Seventh District.  
 "WINFIELD K. DENTON, Eighth District.  
 "EARL WILSON, Ninth District.  
 "RALPH HARVEY, 10th District.  
 "DONALD C. BRUCE, 11th District.

"CHARLES O. HENDRICKS,  
 "Secretary of State."

These were the same certifications pursuant to which 10 Members from Indiana, 3 Democrats and 7 Republicans were administered the oath of office and sworn in as Members of the 87th Congress. Only George Chambers was singled out to stand aside.

We believe that pursuant to the certifications of election by the State of Indiana, George Chambers should have been administered the oath of office and sworn in as a Member of the House of Representatives on January 3, 1961, to have enabled the Fifth Congressional District of Indiana to have representation in the House of Representatives during the course of this recount and investigation.

We believe there is ample precedent for this position. Following is set forth a portion of section 236, Manual of the House of Representatives, 87th Congress, 1st session (H. Doc. 459, 86th Cong.), page 80:

"A certificate of election in due form having been filed, the Clerk placed the name of the Member-elect on the roll, although he was subsequently advised that a State supreme court had issued a writ restraining the Secretary of State from issuing such certificate (Jan. 3, 1949, p. 8). Where the prima facie right is contested the Speaker declines to administer the oath (I, 550), but the House admits on his prima facie showing and without regard to final right a Member-elect from a recognized constituency whose credentials are in due form and whose qualifications are unquestioned (I, 528-534). If the status of the constituency is in doubt, the House usually defers the oath (I, 361, 386, 448, 461). The House also may defer the oath when a question of qualifications arises (I, 474), but it may investigate qualifications after the oath is taken (I, 156-159, 420, 462, 481), and after investigation unseat the Member by majority vote (I, 428)."

In 1933 when a Member was temporarily asked to stand aside Mr. McCORMACK, the distinguished Representative from the State of Massachusetts, made the following statement:

"There is a long line of precedents to the effect that where the qualifications of a

Member are questioned, he has a prima facie right to be sworn in and then have the whole question of disqualification referred to the committee" (CONGRESSIONAL RECORD, vol. 77, p. 74).

The Member, Francis H. Shoemaker, Farm-Labor candidate for Representative at large from Minnesota, was seated and his qualifications referred.

Again on January 7, 1959, when there appeared some question as to the original count in the Brooks Hays-Dale Alford case, Mr. McCORMACK, the distinguished majority leader, offered a resolution that Mr. Alford, who had been certified, be seated and the matter referred. Again Mr. McCORMACK advised the House that this resolution was "in accord with existing precedents" (CONGRESSIONAL RECORD, vol. 105, p. 14).

Notwithstanding these precedents, the House on January 3, 1961, adopted House Resolution 1, which had the effect of nullifying the certification of Mr. Chambers and denying him a seat. When House Resolution 1 was offered the previous question was immediately moved on the resolution, and thus without debate and without explanation a vote was had. The previous question was ordered by a straight party line rollcall vote of 252 Democrats to 166 Republicans. Immediately following, the resolution was adopted by a division vote of 205 to 95.

Just how did this all come about? We have examined the original election returns as filed for each county by the clerks of the circuit court in the Fifth Congressional District of Indiana and have examined the correction made by those clerks within the 10-day statutory period allowed for correction under Indiana law following the election. The original returns and the legally filed corrections showed that George O. Chambers at all times had a majority.

After the time had expired under Indiana law for the correction of errors, an error was found on a tally sheet in Jefferson Township in Grant County. This prompted Mr. Roush to attempt to secure a State recount which was denied since there is no provision of Indiana law authorizing a State recount for a legislative office. An appeal was made to the Special House Committee To Investigate Campaign Expenditures.

The Special Campaign Expenditures Committee sent two investigators to Indiana who verified that an error existed in one precinct on the basis of a recount of 31 absentee ballots in that precinct. As a result of the recount, Mr. Roush was considered to have lost 4 votes and Mr. Chambers 11 votes and these changes, according to the Special Campaign Expenditures Committee, would have given Mr. Roush a 2-vote majority.

However, this same Special Campaign Expenditures Committee refused to take into consideration an error found in Jay County which would still have left Mr. Chambers with a three-vote majority. A certificate of this error under the official seal of the clerk of the circuit court of Jay County, dated November 18, 1960, was received in evidence by the Special Campaign Expenditures Committee.

This is how the Special Campaign Expenditures Committee disposed of this vital evidence:

"George O. Chambers submitted to the committee an affidavit dated December 1, 1960, which will be found as exhibit N of the hearings. In said affidavit and in supporting data submitted therewith George O. Chambers alleged that there had been an error in tallying the votes in south precinct, Bearcreek Township, which resulted in Mr. Chambers receiving five votes fewer than the number to which he was entitled. If this contention is sound, the result would be to put Mr. Chambers in the lead by three votes. The staff did not investigate Mr. Chambers' allegations." (H. Rept. 2236, 86th Cong., 2d sess., pp. 9-10.)

The Special Campaign Expenditures Committee thus chose to ignore the vital evidence offered by the Representative-elect and the circuit court clerk but accepted that of their own investigators.

Apparently as a direct result of and on the basis of that investigation a certificate of error was issued and filed by the clerk of the court of Grant County, citing the investigation conducted by the Special Campaign Expenditures Committee. This certification, if within legal requirements, would indicate Mr. Roush had a majority of two votes, this result, of course, based on the Special Campaign Expenditures Committee's recount of absentee ballots in one precinct in Grant County and its refusal to consider the error in Jay County which would have left Mr. Chambers with a three-vote majority.

We believe it did not meet legal requirements for two reasons: (1) It was not filed within the statutory period of 10 days following the election; and (2) the Special Campaign Expenditures Committee of the 86th Congress had no authority to correct errors in votes cast for Representatives to the 87th Congress.

House Rule XI, 9(k) vests jurisdiction over contested elections, credentials, and qualifications of Members of the House in the Committee on House Administration, as follows:

Rule XI. All proposed legislation, messages, petitions, memorials, and other matters relating—

9 \* \* \* (k) \* \* \* to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally \* \* \* shall be referred to (the Committee on House Administration).

It should be pointed out that the actions of the Indiana officials in certifying to the election of Mr. Chambers as reflected in the official returns should not have been questioned. One certification, dated November 15, 1960, to the Governor of Indiana was by a Democratic secretary of state, and the two later certificates, referred to previously, dated December 5, 1960, and January 2, 1961, were by a Republican secretary of state, the office having changed hands following the election, on December 1, 1960.

However, the Clerk of the House of Representatives, Mr. Ralph R. Roberts, prepared, at public expense, an official-appearing document setting forth an alleged compilation of the votes from the different counties in the Fifth Congressional District of Indiana, which compilation purported to certify that of the total votes cast Mr. Roush had been elected a Member of the 87th Congress by two votes, but this document, again, took cognizance only of the claims made by the Special Campaign Expenditures Committee and the subsequent certification by the clerk of the court of Grant County totally ignoring the five-vote error in Jay County which would have given Mr. Chambers a three-vote majority.

According to Mr. Roberts, this pseudo-certification was requested by the chairman of the Special Committee on Campaign Expenditures. It is not clear to whom copies of this document were circulated but none to our knowledge were circulated to the Republican Members of the House.

Even had Mr. Roberts possessed clear-cut authority to issue such a document, it was misleading, and in fact purported to indicate a different election outcome than that certified by the State of Indiana which Mr. Roberts himself acknowledged in preparing the official roll for the 87th Congress. The document may well have been instrumental in denying Mr. Chambers his prima facie right to a seat.

The persons authorized by Federal and State law to issue a certificate of election

were the elected officials of Indiana, the Governor and the secretary of state.

We view with concern the method which was employed by the Clerk of the House in issuing this document designed to cast doubt on the right of a properly certified Member-elect to a seat in this body. This was contrary to the procedures we believe should be followed under which properly certified Members-elect are accorded a seat in the House, with questions pertaining to contested elections being referred to the Committee on House Administration.

The subcommittee did not simply conduct a recount of the votes cast in the Fifth District as a recount is generally understood. The subcommittee opened the bags containing ballots rejected and not counted by the local election boards. The subcommittee found a total of 1,663 nonabsentee and absentee ballots that had been previously rejected or invalidated. Of this total there were 1,046 nonabsentee paper ballots and 617 absentee ballots.

The subcommittee first ruled on the non-absentee ballots and validated 693 ballots, adopting a most liberal view and rejecting the previous decisions of the local precinct boards. For instance the subcommittee validated ballots not marked with a blue pencil, ballots not endorsed by the clerks, and ballots marked with check marks rather than a cross (X) in cases where such ballots had been originally rejected by local election authorities as not conforming to State law.

The subcommittee thus ignored the decisions of the local boards with respect to the nonabsentee paper ballots. However, when the matter of the validity of the absentee ballots was before the subcommittee the majority reversed the manner of proceeding and adopted a policy of accepting the decisions of the local authorities, particularly the decisions of the county and State boards of elections.

The Subcommittee on Elections evaluated the validity of 62 absentee ballots from servicemen and 23 absentee ballots from servicemen's dependents (a total of 85 ballots) which had been rejected in most instances by county election boards, some few being rejected by precinct officials, on grounds they did not technically comply with Indiana requirements, as those requirements were interpreted, applying to registration of members of the Armed Forces. Of these, 8 were opened with ballots still in envelopes and 77 were in unopened envelopes. The subcommittee ruled only two of these ballots valid in spite of the fact that some of these ballots had been returned by members of the Armed Forces over a month before the election.

We are concerned with the manner in which servicemen were denied their right to vote because of decisions by the county and State boards of elections and regret that the subcommittee, in spite of the fact that there is much uncertainty as to just what Indiana law specifies in the way of registration by members of the Armed Forces, did not persist in its liberal interpretation of the law when the servicemen's ballots were before us.

Since 1841 there has been a Federal contest statute setting up a mode for determining contests for a seat where there is some question as to the count. This committee has repeatedly said that it will not set itself up as a mere counting board. Under the contest statute the cost to the taxpayer would have been \$4,000, whereas the cost of the instant contested election investigation, while not known exactly, we believe could easily amount to \$100,000 or more. It has also extended over a 5-month period, involving considerable time of the 10 members of the subcommittee.

To avoid such a situation, and one which could be very serious should it occur in more than one district in a single State or even

in several States, we believe serious thought should be given to the possibility of Federal legislation to require the various States to establish adequate procedures for contested election situations such as this. Such legislation possibly could specify that State contested election procedures be exhausted prior to the issuance of certificates of election. If this were done the House of Representatives would then seemingly be bound by the precedents, long established, that a Member having a certificate that he was duly elected be seated and any question concerning his final right be referred.

In our view, deep concern must be expressed over the manner in which members of the Armed Forces were disfranchised in the instant election, and we believe that a general review and clarification, if necessary, of all State laws pertaining to and affecting the rights of members of the Armed Forces to vote would be in order, to the end that members of the Armed Forces are given their fullest opportunity to vote, unaffected by arbitrary action on the part of local and State authorities, as for example, along the lines as was revealed by this investigation.

We would say again, in conclusion, that in our opinion the Roush-Chambers contested election matter, while it was a long and sometimes arduous task, was directed in a thorough and fair manner by Chairman Ashmore.

At the same time there are very disturbing elements to the case which we felt compelled to bring to the attention of the House at this time in the interest of assuring that all qualified persons are given the right to vote and, equally, their right to representation in the Congress of the United States. We hope that the House, its officials, and the States may be guided in the future by the experiences and findings of the subcommittee during the course of this investigation.

Mr. ASHMORE. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. McFALL] a member of the subcommittee.

Mr. McFALL. Mr. Speaker, I wish at this time to offer my commendation to the chairman of the subcommittee, Mr. ASHMORE, of South Carolina, for an exceptionally meritorious job in handling this whole election recount and as well to commend the ranking minority member, the gentleman from California [Mr. LIPSCOMB] who with his minority members also did an exceptionally good job. I should also offer my congratulations and those of the entire committee to the staff: Mr. Julian Langston, the able clerk of the committee, Mr. Sam Still, special counsel for the committee, Mr. Sidney Hecker and Tommie Crook who did such a very fine job in the auditing of all of these intricate and involved figures. I would like to say just one thing in addition with reference to some of the remarks made previously that this election recount should never have been held.

I believe the results which the committee has reached best substantiate the action of the House in not seating Mr. Chambers. There were allegations of irregularities in the count which were substantiated by what the committee found in the recount of the vote in the district.

If you will refer to page 2 of the report you will see that if we had recounted only the votes which had been counted in the precincts by the local officials that Mr. Roush would have won by some 17 votes. The proof of the pud-

ding, I suppose, is in the eating. When we recounted all of the votes in the precincts, without regard to any votes which were not counted by the precinct people, we found that Mr. Roush received 17 more votes than Mr. Chambers. In my mind, this is substantial reason for seating Mr. Roush without consideration of any of the other actions of the committee with reference to the other votes which had not been counted in the precinct. We found there 163 ballots which had not been counted by precinct officials. This was, of course, not as a result, in my opinion, of any fraud, but merely mistake. When you get a group of election officials up at 5 o'clock in the morning and work them until 5 o'clock the next morning, and they count thousands and thousands of ballots, there will be mistakes. We found 163 additional ballots. Of these additional ballots Mr. Roush received a 20-vote majority, which gave him a 17-vote victory in the election. Under any circumstances, other actions of the committee brought the total majority for Mr. Roush to 99 votes. But, I repeat, if we had merely recounted the votes determined valid by the local boards Mr. Roush would have been the victor by 17 votes.

Mr. SCHENCK. Mr. Speaker, I yield 6 minutes to the distinguished minority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I am against this resolution. I do not think it should be adopted, and I am going to tell you why.

As I indicated earlier, in my opinion, it was a mistake to order this recount in the first instance. The gentleman from California has just referred to the counting of certain ballots or the failure of the election boards to count certain ballots. That may have happened; I do not know, but the fact of the matter is that an election was held in my State last November 8, just as others were held in all of the States across the Union. We have dedicated people serving on those election boards. We have State election machinery to tabulate results and to certify as to who is elected. We had an election in the Fifth District in Indiana. The votes were counted by these people at the precinct level. They were tabulated in the county clerk's offices throughout the Fifth District. Those results were then sent to Indianapolis, to the secretary of state. All of this was done by the proper officials of my State, even as it is done by the proper officials of your State; and let me say right now you are dealing with some serious business if you get this sort of thing going, because you may be having a lot of recounts in the future.

After the election was held and the ballots counted and tabulated in the office of the secretary of state in Indianapolis, a certificate of election was issued to George Chambers. As has been pointed out, that certificate was signed by a then Democratic secretary of state, who was formerly a Member of this body. A certificate was signed by the Governor and forwarded to the Clerk of the House in Washington.

Some little question rose about whether or not that certificate was proper. I dispute there was anything irregular about it. But subsequent to that time, on December 5, the secretary of state certified all 11 of us from Indiana, including George Chambers, as having been elected and declared elected by the sovereign State of Indiana. That certificate is here, and that is the one on which I was sworn in.

There has been talk about phony certificates. The distinguished gentleman from California [Mr. LIPSCOMB], talked about a phony certificate that was circulated around here. That is one presumed to be a certificate gotten up by the Clerk of the House, for Mr. Roush with absolutely no authority.

But in order that there be no question about the original certificate, another certificate of election was issued to George Chambers by the secretary of state and the Governor of Indiana under date of January 2. That certificate, too, was filed with the Clerk of the House.

When I got back here I found to my utter amazement there was some question raised.

In spite of all of this having been accomplished as it was, and with nothing to cause any intervention at all, a couple of staff members from the Committee on Expenditures and Elections went out to Indiana. They spent a couple of hours out there, looked at one precinct, and refused to look at a 5-vote mistake in another precinct. They came back here and said: We do not know who was elected.

But we in Indiana knew who was elected, George Chambers. That is what the Governor said, that is what the two secretaries of state said.

The real question here is, Are you going to override these determinations of a sovereign state under proper procedures, no allegations of fraud, are you going to put the House Administration Committee to the job of recounting every close election that comes up from a district?

Let me say to my friends on the right side of the aisle, I served on the House Administration Committee with the gentleman from Oklahoma, distinguished as he is, now sitting in the chair as Speaker pro tempore, and we never undertook any such recounting business.

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

Mr. HALLECK. I yield to the gentleman from Texas.

Mr. BURLESON. I have a great appreciation of the gentleman's remarks about the origin of this effort. I know he does not intend to say or to imply that the committee investigating this matter did so on its own initiative and instigated and conducted it. Of course we acted in accordance with a resolution that was presented, and with the gentleman's long service I have heard it said that the House should work its will, that we may do anything a majority wishes to do. So in this instance the majority directed the committee to make the investigation.

I just want to get the record straight.

Mr. HALLECK. I am casting no reflection on the Committee on House Administration.

Mr. BURLESON. May I make a further point. The gentleman from South Carolina may have mentioned it. I think I am correct, and I will stand corrected if I should be incorrect. Taking the ballots which were counted originally and which were reported to the House on a certain occasion, to which the gentleman refers, actually by a recount of the committee of those identical ballots, the gentleman from Indiana, Mr. Roush, would still have won by 17 votes.

Mr. HALLECK. Well, now, let me say to the gentleman I was not on the subcommittee. My position is that the original mistake was made when the resolution was adopted, and it has put us in this position: What you are doing, if you adopt this resolution, is to supersede the determination made by a sovereign State, certified to by a sovereign State, with a recount here that it already has been admitted flies in the face of our election laws in the State of Indiana.

Now, I think that is wrong; I think it is a bad precedent. Let me ask you, my friends, whether you are in the majority or we are in the majority, are we by the simple expedient of asking a man to stand aside by a Member of the House to then adopt a resolution refusing to seat him and directing the Committee on House Administration to recount all the ballots? If you have a copy of those hearings, you ought to see the detail; long pages in there. Yes, you did as much counting as they did out there November 8 or the morning of November 9. I hear somebody say "Maybe more." All right. It has been demonstrated you certainly did count more, and you counted some 800 ballots more in the net total than were counted in Indiana.

Now, again, I want to come back to the proposition. You surely counted more for Mr. Roush. It is a bad precedent that will be set here today if this resolution is adopted. Let me ask, how close does the election have to be to justify this sort of business? 100 votes, 200 votes, 500 votes? You know, there is another thing. It is costing over \$100,000; it is not costing the contestor a nickel. He has all to gain and nothing to lose by having this complete recount. I do not think that is very sound practice. I think in your State as in mine, where provision is made for a recount, the contestor has to put up the money to pay for the recount.

Now, I do not believe if the Members of the House of Representatives had fully understood the situation at the time the original resolution was adopted, that it would have been adopted. I began to inquire about procedures, and I asked all responsible people in charge for time to debate it. I was under the impression that we would have time to explain the matter and to let the membership know just what was involved. I have had Members on the Democratic side say "Why, we understood there were two certificates, one to Roush and one to

Chambers." Nothing could be further from the truth. The only certificates were those that were held by George Chambers, all three of them. But, I know Democrat after Democrat here in the House of Representatives voted under the understanding that they both had certificates. Well, you can imagine, after I understood I was to have time, how shocked and astounded I was, that the previous question was ordered, shutting off debate and foreclosing any possibility of an explanation.

Just previous to this action, I had pledged in presenting Speaker RAYBURN to the House that in matters affecting the security of our country there would be no partisanship among us. Well, in any event, the debate was shut off. I did not like it. I did not think it was giving us a square deal. I would like to have had the membership know just what they were getting into, but we were not given that opportunity. I do not like to have to say anything about it here today, but I would be less than honest with my conscience and what I conceive to be my responsibility to this great legislative body if I did not speak here the sentiments that I am expressing.

I have always understood, ever since I came here, that if a man came here from a sovereign State with a valid certificate of election, he would be sworn in. Here, the opposite was done, because you on the Democratic side had the votes to do it. We tried to vote down the previous question on the resolution in order to open the matter up for some consideration. We were voted down on a straight party vote. All I can say is that I am against this resolution, and I do not think it should be adopted. If it is adopted, I say it is a bad day for the House of Representatives.

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

Mr. HALLECK. I yield to the gentleman.

Mr. ASHMORE. If I understand the gentleman correctly, he is objecting to the fact that an investigation was ordered by the House of Representatives on January 3, 1961?

Mr. HALLECK. That is right.

Mr. ASHMORE. The gentleman is not objecting to the manner in which this House Administration Elections Subcommittee has conducted this investigation?

Mr. HALLECK. Let me say to the gentleman from South Carolina that there is no Member in this House in whom I have greater confidence. I do not know that I would have done everything that was done in the subcommittee, but as I have understood it, the subcommittee members, working together, finally decided on certain ground rules and, as a result, you have come up with the recommendations which you have made here today. My criticism, as I say, goes to what I think is the heart of this whole matter. It is not sufficient justification to say, "Well, the result of the recount by the rules set by the committee shows Mr. Roush was elected." That is not sufficient justification.

The real thing that is wrong here is that you started it in the first place, because, as I say, if you are going to make a recount by people here without regard to State laws, why, anything could happen, and probably would.

Mr. ASHMORE. Mr. Speaker, I yield to the chairman of the Committee on House Administration, the gentleman from Texas [Mr. BURLESON] 2 minutes.

Mr. BURLESON. Mr. Speaker, for the record, I am not arguing with the gentleman from California nor the minority leader with reference to the cost of this investigation, but Members might wonder how the subcommittee was able to spend \$100,000 in connection with this investigation. As a matter of fact, we have paid out approximately \$11,500 in expenses thus far. We have a few bills which have not yet come in amounting to probably \$1,000.

I will go a bit further and say that if the salaries of the 13 accountants and auditors, borrowed from the General Accounting Office, as well as the counsel borrowed from the legal section of the Library of Congress, were included, then I do not know how much the cost would be. Also, there is the matter of the salaries of these two gentlemen, for which a resolution will be presented. We have employed no one who is not already on the Government payroll, but borrowed from other agencies. Up to this point it is my estimate that the total cost would probably not exceed \$30,000.

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

Mr. BURLESON. I yield to the gentleman from Indiana.

Mr. HALLECK. Of course, you may have borrowed these people from other agencies, but they are paid by the Government. They had other things to do. I do not see how anyone can argue that that is not chargeable. Although it had to be done, is it not true that you had big MATS planes flying back and forth from Washington to Kokomo almost every day for a considerable period of time?

Mr. BURLESON. Not every day. The Elections Subcommittee spent 12 days in Indiana and there were a total of four round trips made by MATS planes between Washington and Kokomo.

Mr. HALLECK. Pretty regularly.

Mr. BURLESON. I am not arguing about what the gentleman says about the people on the Government payroll. I merely wish to clarify the estimated cost figure for this investigation.

Mr. HALLECK. I am sure the gentleman is fair. He is always fair.

Mr. BURLESON. I thank the gentleman. They are on the payroll, anyway. I just wanted to make that point. I am satisfied with the record.

Mr. SCHENCK. Mr. Speaker, I yield 7 minutes to the gentleman from Florida [Mr. CRAMER], a member of the Special Committee on Expenditures appointed last year.

Mr. CRAMER. Mr. Speaker, I rise in opposition to the resolution. It is going to be my intention to vote against it. I do so largely as a protest against the manner in which the motion was presented and debate cut off at the time

this matter was up for consideration under House Resolution 1, as has been explained by the gentleman from Indiana, the minority leader.

The motion that was submitted, that neither Chambers nor Roush should be seated—and I want this point to be made perfectly clear—was not consistent with the recommendations of the subcommittee on which I served. There was no recommendation made by that subcommittee nor was there any authority given to the chairman by the action of the subcommittee directing that chairman to present any such motion. Therefore, that motion was the responsibility directly and solely of the Democratic leadership of the House.

This is what bothers me about what transpired. Obviously our subcommittee did not have time to go into this matter and make a full recount. It has been correctly stated that as far as Roush's objections are concerned the Special Subcommittee on Elections went in and examined the contested ballots in that one precinct objected to by Roush but, on the other hand, they made no effort whatsoever to examine the objections made by Chambers. That was pointed out on the insistence of the minority as contained on page 10 of the recommendations of the Campaign Expenditures Committee.

As a matter of fact, that report specifically said, as the gentleman from California pointed out, that the only certification available to us was one showing that Chambers had won by 12 votes. The other certification available was one subsequently made indicating Chambers had won by 5 votes. The only certification before the House was one by the Secretary of State.

I repeat the remark I made to the gentleman from California, our subcommittee did not authorize anyone nor was it a part of its findings that the Clerk of the House or anyone else should have the authority to issue any certificate. I think that clearly shows that the certificate that supposedly was issued in support of Mr. Roush's election was a bogus certificate and it had no validity in fact.

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

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. SCHENCK. I wonder if the gentleman would make clear that he is talking about his subcommittee. Does the gentleman actually mean the special subcommittee appointed for the purpose of investigating expenditures?

Mr. CRAMER. That is correct.

Mr. SCHENCK. The gentleman is not referring to the Subcommittee on Elections?

Mr. CRAMER. That is correct; the Campaign Expenditures Committee.

Mr. SCHENCK. I thank the gentleman.

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

Mr. CRAMER. I yield to the gentleman from South Carolina.

Mr. ASHMORE. I appreciate the gentleman from Ohio making that distinction clear in reference to this other

committee, which has been made on so many occasions today. I wish the record would also show, if the gentleman from Florida will yield further, that no Member of this Special Investigating Expenditure Committee is a member of our Subcommittee on Elections and the Committee on House Administration. They are separate and distinct and one has nothing whatsoever to do with the activities of the other; is that correct?

Mr. CRAMER. The gentleman is absolutely correct. This committee was appointed as a special interim committee to investigate elections immediately following the election and preceding the convening of the next Congress, that is, the 87th Congress. This committee was appointed for the purpose of overseeing expenditures in elections after every election.

So what happened? The motion was made and the resolution was up for consideration, without giving the House, as the distinguished minority leader said, the slightest opportunity to discuss these issues, and debate was cut off. There was no discussion made by the chairman of this Special Campaign Expenditures Committee that any such motion was made. I was not advised that such a motion would be made. I was not advised that the debate would be cut off. As a matter of fact, I still have my pencil notes and remarks which I was prepared to make at the time in discussing what I thought was the right action that should be taken on that resolution, House Resolution 1. That resolution, House Resolution 1, should have been voted down. Why? For the reason that the people of the Fifth District of the State of Indiana have been denied the right to be represented in this, the highest legislative body in the entire world, for the last 5 months, despite the fact that every certificate of a valid nature indicated Chambers was elected; and I think that is wrong. Another reason I think it is wrong is that there is no precedent for such action. As a matter of fact, there is precedent for the opposite action and for nothing else.

As a matter of fact, the committee on which I serve, and I was not on it at that time, the campaign expenditures committee in the previous Congress, the 86th Congress had recommended in the Alford-Hays dispute, specifically recommended, that the distinguished gentleman from Arkansas [Mr. ALFORD] stand aside. That was the recommendation of the committee. But that was not the recommendation in this instance, and despite that the House of Representatives accepted the certification and permitted Mr. ALFORD to sit. Now what conclusion can you possibly draw from that? What standards are being used? Is it because you have the votes and because you belong to the Democratic Party that you are entitled to fair treatment and you are entitled to be seated, but if you belong to the party that happens to be in the minority, that is the Republican Party, then you do not have the right to be seated despite the fact that all precedent is to the effect that you do have the right to be seated under certification that is submitted by the

proper State authority? I cannot see any other test, and I say to you this might easily come to haunt those of you who are in the majority at the present time. I thought that the previous test was the proper test, and I am sorry to see it subverted in this manner.

The SPEAKER. The time of the gentleman has expired.

Mr. ASHMORE. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Speaker, I think the point should be made in regard to this effort to overthrow the recount on the basis of something that was done in January, that all of these arguments and speeches about what was wrong on that day were not made the next day when people could have had the time to talk about it. They were made only after the recount showed that the Republican candidate had been defeated. Basically, the complaint that the gentleman from Indiana makes is as to the effect that the Democrat, Mr. Roush, had approximately 100 more votes than the Republican candidate. I think it is proper that the House of Representatives should seat the candidate who gets the most votes. I fail to understand why the position is being taken by Members of the minority that a candidate should be supported even when he is defeated. That is all this boils down to. The matter develops as to why the House of Representatives through its proper committees was called upon to make the recount. This is because of Indiana law that we have now and which we have to accept. I call your attention to the bottom of page 4 of the report which cites the Indiana case which holds that for legislative office there can be no recount, and this case developed as a result of a contest for the State senate. The Indiana court held that the State senate was the judge of the qualifications and election of its members. That is why we came to have the recount. The recount was held under very deliberative circumstances. Although we had disagreement about individual ballots, we agreed on the general outcome that was involved; and I do not think we or the public at large should get the idea that this storm of oratory being let loose today is anything but politically inspired—looking to the elections of 1962.

The recommendation made unanimously by the House Subcommittee on Elections of the Committee on House Administration, and by the Committee on House Administration itself was based on the fact that our count showed that Mr. Roush had 99 more ballots than Mr. Chambers. I think every Member of the House of Representatives believes that the candidate who received the majority of the valid ballots is the one who should be seated. I am sure all this debate today will be recognized for what it is, politics.

Mr. SCHENCK. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Speaker, the gentleman from Mississippi [Mr. SMITH], who just spoke, stated that something should have been done on the day when Mr. Chambers was ordered to step aside.

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield.

Mr. SMITH of Mississippi. I might point out that I said this should have been made the day after. When the resolution was offered the previous question was moved immediately and that cut off all debate. Protests should have been made the day after this "high crime"—and I put quotation marks around it—was fresh in everybody's mind.

Mr. BRAY. No one is talking about high crimes. At that time the previous question was moved and there was no opportunity for anyone to make a statement. If the gentleman was on the floor he will remember it; if he was not he can read the RECORD and refresh his mind on it.

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

Mr. BRAY. I yield.

Mr. HALLECK. I must say that the attempted explanation by the gentleman from Mississippi is a pretty weak reed on which to lean—to make a speech the day after the action had been taken. I do not want to characterize it as I feel it should be characterized for I do not want to indulge in unparliamentary language.

Mr. O'NEILL. I think in fairness to the minority leader that had he been on his toes and asked to be heard that he would not have been refused.

Mr. HALLECK. I had inquired, may I say, as to getting time. The gentleman from Massachusetts is a fair, fine Member of this body. The bid was made but I am sorry to say debate was shut off.

Mr. BRAY. Mr. Speaker, I want to talk very briefly on exactly how the election law of Indiana operates, and the reason I am mentioning it is that I want this body to realize what we are trying to accomplish in having the strong election laws that we do. There are reasons why we have the election laws that we do in Indiana. It is a very close State politically. Through the last century it has been perhaps as close politically as any State in the Union. Every election is fought out very bitterly, and there was in the early days a great deal of fraud. This is why we pick our election boards in Indiana differently from the way they do it in most of the States, and why we have the laws regarding the counting of ballots that we do. Both parties in Indiana subscribe to these laws.

In the primaries, the Democratic and Republican Parties in each precinct elect a precinct committeeman, and the precinct committeeman picks the respective election board members for his party. He picks a clerk, and a sheriff, and a judge. The clerk and the sheriff are not members of the board.

I believe this is important when you see why we have passed the laws in Indiana that we have. In Indiana we have paid a great deal of attention to this matter.

There is also an inspector for each precinct picked by the precinct committeeman of the majority party in the last election. The majority party is the party that carried a majority for secre-

tary of state in that county in the preceding election. The precinct committeeman of the party in each county that carried a majority of the vote for secretary of state in the 1958 election appoints the inspector of the election board for that precinct. So there is on each election board an inspector from the majority party and two judges, one from the majority and one from the minority party. That is very important in the consideration of this matter, for the following reasons.

In the Fifth Congressional District each of the counties went Democratic in 1958 for secretary of state but one. So you had 370 election boards with a 2-to-1 Democratic majority. Only 18 of the boards have a Republican majority. The Democratic boards in this district outnumbered the Republicans more than 20 to 1, so in the precincts in the Fifth District more than 95 percent of the election boards were 2 to 1 Democratic. I am merely pointing out there was no great Republican opportunity, if they desired, to pull fraud in this election.

Then of the 10 county clerks by whom these returns were certified, 6 were Democratic and 4 Republican.

The man who received the returns and made the certificate was the Honorable John Walsh, secretary of state at that time, a Democrat, and a previous Member of this House.

Because of the tremendous fight and the bitterness in the elections, we have very strict election laws in Indiana. We found out years ago that ballots could be smuggled into the polls unless you had a special pencil to mark them for Democrats and Republicans alike. By Indiana law special pencils are in the election supplies opened by the inspector in the presence of the other members of the board and must be used to mark each ballot and must be destroyed as soon as the polls are closed. In Indiana it is illegal to count any ballot—except absentee votes—marked otherwise. Yet many such ballots were counted by the committee in direct violation of Indiana law.

In order that there shall be no identifying mark on the ballot, the Indiana law is clear that the cross must be in a circle or a square. A checkmark must not be counted but many such ballots are counted by the committee contrary to Indiana law. Many other Indiana laws were violated in the counting of these ballots.

In closing I want to point out that 695 ballots were counted by the committee which were thrown out by Indiana law as interpreted by the election boards in the Fifth Indiana District, 95 percent of these boards being composed of a 2-to-1 Democratic majority. Six of ten county clerks certifying the returns to the State were Democratic.

It is a dangerous precedent to change the rules in the middle of the game, to change Indiana election laws to suit the will of Congress.

Mr. ASHMORE. Mr. Speaker, I yield 5 minutes to the distinguished majority leader [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I think the gentleman from Mississippi [Mr. SMITH], well described the speeches

made by our Republican friends and the positions taken by our Republican friends as "politics" and looking forward to the 1962 elections in this particular district. The distinguished minority leader said it would be a sad day in the House of Representatives if this resolution was adopted. It would be a sad day if it was not adopted.

No sooner had the polls closed in this congressional district than everyone in that district and throughout Indiana knew a mistake had been made when the county clerks certified, with the known knowledge of a sharp error in one of the precincts, in Jefferson Township of Grant County, that Chambers was the winner by three votes. Everyone in the congressional district and in the State knew that with the votes certified Roush was elected.

What are the facts in that precinct? There were only 19 applications for absentee ballots, yet there were 31 absentee ballots cast in the contest for Congress. For the office of President, Governor, and every other office in the State voted in that precinct, there was not more than 17 absentee ballots cast. So that meant there were 19 applications for absentee ballots and 17 of them had voted.

In the contest for Congress, there were 31 absentee ballots counted; 22 for Mr. Chambers and 9 for Mr. Roush. So, if the House did not take the action that it did on the opening day, it would have been in violation of equity and justice, because everyone knew that on the basis of the accredited and certified votes Roush was elected. Oh, I am not going into the certification before the 10-day period, which was not in conformance with the law—I do not like to use the words "in violation of the law"—not in conformance when they jumped the gun on Roush. Under the State law, as heretofore stated, there could not be a recount for a legislative office, so they could not go into that precinct and take out the ballots where they knew there was an error. Why, if Mr. Chambers got the whole 17 absentee votes cast and Roush got none, on the basis of certification, Roush was elected by 2 votes, because taking 5 from 22 would take it down to 17 for Mr. Chambers, and he was certified in the total congressional vote, elected by 3 votes, but taking 5 votes away from him, that meant Roush was elected by 2 votes. The select committee under the chairmanship of the distinguished gentleman from Tennessee [Mr. DAVIS], looked into this matter and they made a report to the House that Roush was elected. This was a committee whose fairness nobody questions. Going into the whole district, there are bound to be mistakes made here and there, although this precinct is very significant; it is hard to explain to me, and I am very temperate when I say it was an error. But, there are bound to be some mistakes made here and there in the count, and this committee, after a count that nobody questions, said Roush was elected by 99 votes.

Those who filed additional views on the Republican side called attention to the fact that the Special Committee To Investigate Campaign Expenditures did

not investigate Mr. Chambers' claim for five additional votes in a Jay County precinct. The Subcommittee on Elections did investigate this claim and found the allegation to be baseless. There were five tally marks recorded in an inner margin, out of place, on one of the two tally sheets. The duplicate tally sheet did not show these additional tallies. There was a recount of another election race in Jay County underway by the time the Special Committee To Investigate Campaign Expenditures received this claim from Mr. Chambers. The recount showed that these tallies were in error and the totals of the precinct were correct as originally certified. Do my Republican friends think the people of that district, even those who voted for Mr. Chambers, would want Mr. Chambers seated if he was not elected? The evidence indisputably shows that Mr. Roush was elected. When the polls were closed it was known that on the figures, by reason of this mistake, that he was elected. And, in the light of that, in equity and justice, what were we to do?

Those who filed additional views on the Republican side called attention to two cases that have nothing to do with this. The Shoemaker case involved the question of qualification. He was asked to step aside. Then there was the Alford case. There is no comparison between the Alford case and the Shoemaker case and this case.

Mr. Speaker, it is very fortunate that the House did do as it did. It is very fortunate that the House did it, because the people of that district now know and the people of Indiana now know that the man who got the majority of the votes is going to be seated in this body. He has been unofficially serving his district here, and I think that is fine and honorable. If Mr. Chambers is not seated, that is all very fine, because my remarks have nothing at all to do with criticism of Mr. Chambers.

The original certificate of election presented by Mr. Chambers was prematurely issued. The Indiana statutes give clerks of the circuit courts 10 days after their first certification to correct errors. The certificate was issued to Mr. Chambers on the 15th of November, less than 10 days after the election and well prior to the necessary 10-day period following the various clerks certifications to the secretary of state. The second certificate was filed on January 3. It was issued by a Republican Governor in face of the fact that the Special Committee To Investigate Campaign Expenditures unanimously reported that Mr. Roush was apparently the winner by two votes. That is, both certificates were contradicted by certificates of error filed by various county clerks and by the facts found by the Special Committee To Investigate Campaign Expenditures. The certificate of election is merely prima facie evidence of election. Such evidence is admissible only when not contradicted by facts. And in this instance the evidence was clearly contradicted. There are those who say the House broke precedence by not seating the man who held the certificate of election. I say the House followed its long established pre-

cedent in refusing to seat a man who has fewer votes than his opponent. The fact is that Mr. Chambers was not elected. The fact is that the people of the congressional district and the State of Indiana as a whole knew the next morning that Roush was elected because of the mistake alone in Jefferson Township Precinct No. 1 of Grant County where 31 absentee ballots were counted for Congress, when at the most there were 19 applications for absentee ballots filed, and the most votes for any office was 17. Oh, you say that was a mistake. Yes, certainly it was a mistake against Mr. Roush. Everyone knew he was elected, and the action of the House confirms what was right, what was just.

I compliment the committee. Nobody disputes the fairness of the committee, and the honorable thing to do is to carry out not the mandate of the House but the mandate of the people of that congressional district as shown by the vote to seat Roush today.

Mr. SCHENCK. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I must say to the distinguished majority leader, as a Hoosier who was in Indiana on the day after the election, that we regarded Mr. Chambers as elected, as we regard him as elected today. If the majority leader had taken into account in his tabulation an error made in another county in favor of Mr. Chambers, as has been heretofore pointed out, the gentleman from Massachusetts [Mr. MCCORMACK], would have come up with the result that Mr. Chambers did have the majority.

Mr. Speaker, at the outset, let me make it very clear that, although I am critical of the result reached in the Roush-Chambers contested election case, this criticism certainly does not extend to members of the Committee on House Administration. The chairman of that committee, the gentleman from Texas [Mr. BURLESON], the chairman of the subcommittee, the gentleman from South Carolina [Mr. ASHMORE], the gentleman from Ohio [Mr. SCHENCK], and the gentleman from California [Mr. LIPSCOMB], are all gentlemen of the highest caliber and greatest ability. I respect them and all members of the committee.

However, Mr. Speaker, the whole history of this case is one which I think is unfortunate, unfair, and has led to an improper result. In the first place, the action of the Special House Committee To Investigate Campaign Expenditures left untabulated certain corrections in Mr. Chambers' favor and, consequently, gave to some who were not fully informed a wrong impression.

Next, the action of the Clerk of the House in preparing a document which has been characterized as a "pseudo-certification" was apparently without proper authority and was certainly misleading.

In this case we have the situation in which Mr. Chambers had been declared duly elected by two Indiana Secretaries of State, one a Democrat and his successor, a Republican. These certifications were completely disregarded and resulted

in the denial of representation to the people of a congressional district for a period of almost a half year. Within the period of my service in the House, no regularly certified candidate has been denied his seat, even though a contest was in progress. On the contrary, it has been the custom, based upon precedent, to seat a man who is duly certified by his own proper State officials and then to carry forward the election contest.

However, I think a thing which disturbs me perhaps more than these others is the disregard which was shown for the election laws and practices of the State of Indiana. I think it is wrong for a committee of this Congress to substitute its judgment as to what ballots should be counted for the laws of a sovereign State. Indiana statutes spell out our election procedures and whether Members of this House agree with them or not they are the laws of the State. If they are to be changed, this should be done in the proper manner by State legislature, but simply to disregard the laws with respect to what constitutes a valid ballot is certainly Federal intrusion into the affairs of a State.

To cite only one example, under Indiana law, on a paper ballot a vote is required to be indicated by placing an "X" in a circle or square. It is clearly indicated on the ballot that the vote must be an "X" and not be a checkmark or other device. This is to assure that there will be no distinguishing marks on any ballot and we in Indiana think that is a good law. The committee, however, decided otherwise and counted ballots marked in a variety of ways, a number of them not valid under Indiana law.

I ought not to conclude without mentioning the cost to the Federal Government of this procedure. It is estimated at \$100,000, whereas if the regular contest procedure had been followed it would have been \$4,000.

I feel sure that, if the ballots had been counted according to the laws of the State of Indiana, the holder of the certificate of election, Mr. George Chambers, would have been declared the duly elected Representative in Congress from the Fifth District.

Mr. ASHMORE. Mr. Speaker, I yield myself 2 minutes.

The gentleman has made reference to the fact that in some instances the election laws of Indiana were overruled as a result of the action of this committee. I want to say, and I tried to state it in my opening remarks, that the election laws of Indiana were not uniformly observed. In some instances we would have a ballot marked with an improper crossmark or with an improper instrument, or with the mark not being in the correct place, as required under the law. Some precinct and county officials did consider that a good ballot and counted it. But, in the next county or precinct we found that they did not consider the same type marking good. So, it was necessary to set up uniform methods of passing on all of these ballots.

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

Mr. ASHMORE. I yield to the gentleman from Indiana.

Mr. ADAIR. My point is this: The uniform method should have been the one established by the laws of the State of Indiana.

Mr. ASHMORE. Well, they were not following the laws of the State of Indiana.

Mr. ADAIR. That was, of course, the fault of the several boards, but the rules were there, and they should have been followed.

Mr. ASHMORE. On that point I want to say that this committee as long as I have been associated with it has always been reluctant to overrule or refuse to follow any State election laws. You probably know I am a conservative and a believer in States rights, and I like to follow that principle. We do so when we think it wise. If not, then we go to a higher authority, and I cite you here what I mean.

"There have been many instances in which the House, through its Committee on Elections, has held that decisions of a State court are not binding on the House in the examination of ballots to correct deliberate or inadvertent mistakes and errors." Of course, we have full authority for that, because under the Constitution of this country this House itself is the final judge of its membership and we must therefore be in a position and have authority to determine the good ballots from the bad, if we are going to have the final word as to who shall sit as a Member. This is set forth in Cannon's Precedents of the House of Representatives, volume 6, section 143, page 261, in the case of Brown against Hicks. I quote further from Hines Precedents:

Your committee maintains that the authority of the House of Representatives to judge of the elections and qualifications of its Members is infinite. Since the formation of the Government the House has often signified its willingness to abide by the construction given by a State court in good faith, to its statutes. But the decisions of a State court are not necessarily conclusive on the House, and will only guide and control it when such decisions commend themselves to its favorable consideration.

That very language was included as one of our ground rules.

Mr. Speaker, I have no further requests for time.

Mr. SCHENCK. Mr. Speaker, I yield 6 minutes to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Speaker, I rise in opposition to the report of the House Administration Election Subcommittee concerning the contested election in the Fifth Congressional District of Indiana.

I would like to make it perfectly clear that nothing I say here today should be construed as being directed personally against either Mr. Ed Roush or Mr. George Chambers, the two principals involved in this dispute. I have known both of these gentlemen for many years and have a high regard for their integrity and their ability to properly represent the good people of the Fifth District of Indiana.

Likewise, nothing that I say here today should be construed to indicate any lack of faith in the diligence or the integrity

of the Members of this House subcommittee. I know the members of this subcommittee are trustworthy and honest, and are august and true Members of this body.

I feel that it is my responsibility to inform the Members of this body so that they may be perfectly aware of the possible implications of this tragic involvement in election affairs—affairs rightfully the business, and the sole responsibility—of an individual sovereign State.

In the Roush-Chambers case, we have but one congressional seat in question.

It took nearly 6 months, with some of the very finest minds of this body, to settle this matter. What a horrible waste of time, of money, and of talent. Please consider, my good friends of this House, what would be the result if 10 or 12 seats were in question. I am afraid that if this had been the case, Congress would be in final adjournment before a bona fide decision could be made.

The people of the Fifth District of Indiana were without representation in this National Congress for 6 long months. Both Mr. Chambers and Mr. Roush worked under the most difficult conditions, without proper staffs and without finances, in an attempt to jointly represent the people of their district. Neither had a vote on this floor on the important matters which have been considered. More than 213,000 voters in Indiana were denied this representation.

I do not question the wisdom or integrity of this House. I have found the Members to be honest and almost redundant in their efforts to resolve matters before us in a fair and equitable manner. I believe this to be the true purpose of this body and a representative form of government.

I would like to point out the possibility, however, of the majority party—be it Republican or Democrat—to contest any close election of any Member. For example, the Republicans, should they have a majority, could refuse to seat any Member of the Democratic Party, and this is likewise true of the Democrats when they are in the majority. This precedent was established by the action taken by this body, and could possibly affect every Member seated here today.

State laws vary greatly in regard to elections. Some of our States allow the vote at the age of 18 years; most require an age of 21 years; some require literacy tests. Especially in this latter case would election results be subject to challenge based on this precedent.

A total of 213,000 voters—10 fine Indiana counties—but did you know that nearly 70,000 of these votes were cast on paper ballots? The proportions of this recount are staggering—70,000 individual paper ballots, each requiring an individual determination as to its validity.

The 370 Fifth District precincts have Democratic inspectors. Only 18 of the precincts have Republican inspectors; 6 of the 10 counties have Democratic clerks, while only 4 have Republican clerks. Certainly these facts point out that the vast majority of the local Fifth District election officials were members of the Democratic Party.

There was no misconduct in this election. Some wild charges were made; newspaper articles appeared. However, in the final analysis all of these charges were discounted and definitely proven false.

The difference in election results in the Fifth District of Indiana accrued through the varied interpretations of ballots in question—mostly paper ballots—whose validity were subject to determination by individual election boards.

Whose findings is Congress reversing? The 370 precincts with Democratic inspectors and 18 precincts with Republican inspectors.

Gentlemen, I am just a resident of a northern State who believes in the rights of the individual States. When I was a full-time resident on a farm back in Indiana I assumed that there were many in Congress who believed in States rights. I have heard this many times.

If this body accepts this subcommittee report, serious doubts and serious questions arise in my mind as to the sincerity of those beliefs.

Do we believe in States rights only when our own States are affected?

In conclusion, I have at hand a 1960 general election report of Indiana which was sent to me only last week by Charles O. Hendricks, secretary of the State of Indiana. On page 19 appear the results of the congressional districts for the U.S. Congress election. For the Fifth Congressional District, this report shows for Mr. Roush a total of 106,870 bona fide votes; the total for Mr. Chambers is shown as 106,882. These figures plainly show that, according to local election officials in Indiana, Mr. Chambers was the victor in this contest.

If this body accepts the committee's report then we must conclude without revocation that Mr. Roush was elected by the Congress of the United States, not by the people of the Fifth Congressional District of Indiana.

Mr. SCHENCK. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. BRUCE].

Mr. BRUCE. Mr. Speaker, I suppose you could best describe this as an exercise in futility when we recognize the division in the House, and I am equally certain that there is no one in the House who would even attempt to match the forensic pyrotechnics of the magnificent nonpartisan address made by our distinguished majority leader.

Mr. Speaker, I am sure that we all realize that politics is wholly a one-sided game, and only those on this side play politics, on the other side they do not. This is taken for granted.

Obviously politics enters into an argument like this. There is no one, in my opinion, so naive as to believe that it does not; and obviously, we are vitally concerned about the election in 1962; and I say to you gentlemen you are going to seat Mr. Roush today. There is no question about that; you have the numbers, we do not. But I can guarantee to you gentlemen that George Chambers will be seated in the House of Representatives in 1963.

As far as the statement made by our distinguished majority leader that on the morning after the election everybody in Indiana knew that Mr. Roush had been elected, I challenge that. I live in Indiana and several of the Congressmen, 7 out of 11 who live in Indiana, were absolutely convinced that Mr. Chambers had been elected.

When you look at the control of the precincts as mentioned by the gentleman from Indiana [Mr. ROUBERUSH], 370 precincts with Democratic inspectors, 18 precincts with Republican inspectors, 6 counties with Democratic clerks with 274 Democratic inspectors and 18 Republican inspectors; 4 counties with Republican clerks, with 96 Democratic inspectors, certainly one cannot draw any conclusion but that the election error factor would be in favor of those whose hands controlled the election machinery.

In spite of this George Chambers was elected under the laws of the State of Indiana. Anything else I can say is repetitious. He came down here with a certificate of election. There was a bogus certificate issued by Mr. Roberts, Clerk of the House. There was no precedent for it. It was of no legal standing and was fraudulent by implication. It was made available to the Democrat membership but not to the Republican membership.

There have been many Members who have spoken to me, as they did to Mr. HALLECK, the minority leader, and they feel as we do. To the best of my knowledge Mr. Chambers is still certified by the State of Indiana. We realize that with the majority report supported by the minority, Mr. Roush is going to be seated today. I congratulate him on being seated. But again I would like to assure the membership of the House that we on this side have come to know Mr. Chambers. I did not know him before the recent election. We have come to respect him and I am sure if we were not to talk politics, that on the basis of merit, on the basis of laws, on the basis of the constitution of the sovereign State of Indiana, Mr. Chambers would have been seated here on January 3. I know there will not be a Member of this House on this side who will not dedicate his full time, his full energy to be sure that justice is done under the laws of Indiana and that in 1963 George Chambers will be seated in the Congress.

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

Mr. SCHENCK. Mr. Speaker, may I inquire how the time stands?

THE SPEAKER. The gentleman from Indiana has 9 minutes remaining.

Mr. SCHENCK. Mr. Speaker, I yield the remainder of my time to the gentleman from Indiana [Mr. WILSON].

THE SPEAKER. The gentleman from Indiana is recognized for 9 minutes.

Mr. WILSON of Indiana. Mr. Speaker, I asked to be placed last today because I consider this a most serious matter on which we are voting. I had prepared about a 25-minute speech which I wanted to place before this body which I think is sitting as a judicial body pre-

siding over what is certainly one of the greatest constitutional questions with which we are going to be confronted, States rights. The issue strikes at the very heart of constitutional government and its guarantee of States rights.

There are many ways of skinning a cat, but every way for skinning it is bad for the cat. That is the very situation we are in here.

I do think my good friend and colleague from Mississippi, and also my good friend and colleague from Massachusetts did not intend to impugn the motives of we folks who see the other side of this issue. It was charged that our only purpose was to prepare a campaign for 1962. But let me tell you gentlemen, you have prepared our campaign for 1962, and do not doubt it for 1 minute.

I am going to depart wholly from my prepared speech because I do not have time to make it. Any time you deprive a sovereign State of its right to elect and send to Congress elected officials you do not need to come back to States like Indiana and expect a repetition of that sort or an endorsement. Mr. Chambers was the only man ever certified by the secretary of state as of 2:30 yesterday afternoon. The secretary of state has never been notified of any contest in the State for the seating of a Member. So far as he is concerned, only one man was elected. I would not be down here in the well of the House speaking today had this committee thrown out all ballots that were not cast in accordance with the voting laws of the State of Indiana. But if you elected to take ballots out of my precinct and count them, I would certainly resent it. That is the reason I take the floor of the House. We do not count ballots in my district that are marked with a lead pencil. This committee saw fit to do that. We do not take ballots with a checkmark, but this committee saw fit to count those ballots. We do not take ballots that are not properly initialed by the clerk and members of the election board, but this committee saw fit to count such ballots, according to the additional views in the report. It is not difficult, therefore, to see that the election laws of the State of Indiana have been bypassed.

The only thing the committee should have done if they desired to issue a fair and impartial report to this House was to throw out all ballots that were not in keeping with the laws of the State of Indiana, which laws sent me to Congress and sent the rest of the Members who have been seated here. We are going to pass today on a resolution to seat a man who was not elected by the laws of the State of Indiana.

And let me tell you Members over here on this side of the aisle, south of the Mason and Dixon line, you are going to rue the day if you pass favorably upon this legislation. We have a new administration, we have a new Attorney General, who is not looking with too much favor on some of the voting rules and regulations of the South. We have a little trouble down in the South now over States rights. You are setting a

precedent here today, and you will never hear the end of it, because you will find many times that the rights which you think were yours by virtue of your being a sovereign State are taken away.

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Indiana. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. I would like to point out that the committee made very clear, the majority members of the committee, that it did not favor the overriding of State laws. The additional facts which the gentleman has quoted with such great respect carries the recommendation that the Congress shall enact broader laws about voting which were advocated by the gentleman's party in the recommendation before this committee and which have been cited by the gentleman in respect to his remarks. I would like to know which side of the fence the gentleman is on or is he on both of them, which seems to be the best way to operate?

Mr. WILSON of Indiana. Just go ahead and talk, because the more you talk the more you put your foot in your mouth. That reminds me of an old nursery rhyme, which I think all of you have heard, that men of words and not of deeds are like gardens full of weeds. You know, all you had to do was to go to the State of Indiana, look up its election laws, and count the ballots that were cast in accordance with the election laws of the State of Indiana, and you could have come up with an answer here that would not have been questioned. But, when you single out and take it upon yourself to decide what constitutes a valid ballot in the State of Indiana, you are usurping the prerogatives of about 5 million or 6 million people in that State, and certainly I cannot see where you get such authority. What we lack in quantity, folks, we make up in quality, I assure you. I may have overstated the number, but the quality is there.

Mr. Speaker, since the Founding Fathers conceived this great Nation, there have been many who have held that the many States which form the Union are the masters of the Union. They have held that the States are endowed with God-given, constitutional rights that are inalienable. There have been others who have contended—and with a growing measure of success—that the Federal Government is supreme and omnipotent, that it has authority over the States in all matters. This abrogation of the fundamental principle of States rights has been accomplished without any constitutional grounds whatsoever.

Mr. Speaker, will we see, in this Chamber today, another victory scored by the advocates of big government? Will we see, here today, the flag of 1 of our 50 sovereign States trampled in the dust, and the wishes of its people and the authority of its laws flouted?

In short, Mr. Speaker, will we see here today a reiteration of the principle that is so popular nowadays here—that States

rights are nonexistent and that States are totally subservient to Federal prerogatives?

I do not intend to discuss personalities. George Chambers is a good friend of mine. So, I have reason to believe, is Ed Roush. I number both Indiana Gov. Matthew Welsh and former Gov. Harold Handley in my circle of friends, as I do Secretary of State Charles Hendricks and his predecessor, John Walsh.

The real issue here today, the overriding issue in this case, is simply this. It is the usurpation of Indiana's right to govern itself, to choose its officers and its representatives without interference from the Federal Government. The real issue here is States rights, and it behooves every Member here to consider this case in that light before deciding on the matter.

The way the George Chambers-Ed Roush election controversy has been handled since last November leads me to several conclusions. In a way, I think, we have been treated to a modern-day version of the old coin flipping game of "heads, I win; tails, you lose." The Federal Government, with various tactics and through at least one employee of this House, has been doing the flipping.

Indiana has been on the losing end of the flip every time.

I would like to remind the gentlemen in this House, Mr. Speaker, that the next time it could be another State that is singled out for the same treatment.

Due to some of the most deceptive juggling of figures it has been my disgust to hear about, the Committee on House Administration was probably so confused by the time it arrived on the Chambers-Roush scene that it had much trouble slashing away the underbrush to get at what looked like the real truth.

I want to state here and now that as of yesterday afternoon at 2:30, the secretary of state of Indiana, Charles O. Hendricks, still carried George O. Chambers as the winner of the congressional race in the Fifth Congressional District of Indiana. He has never been notified of any change.

Mr. Speaker, I was sworn into office for my 10th term in this Chamber on January 3, along with nine other Congressmen from Indiana. We were all sworn; we all took the same oath, on the authority of the same certification that listed Mr. Chambers as the Congressman from the Fifth District.

But he was asked to stand aside.

If George Chambers' certification was not valid, then neither was mine. Neither was the certification valid for the distinguished minority leader, nor for the other five Republicans and three Democrats—all of whom took the oath and are now members of this body.

The secretary of state of Indiana certified in a registered letter to Ralph Roberts, an employee of the House of Representatives who bears the title of Clerk, that Mr. Chambers was elected by 12 votes. The actual vote was 106,882 to 106,870.

Yet, I see on page 2 of the committee report where the actual count, according to county clerks and the secretary

of state, was 106,872 to 106,869—again in favor of Mr. Chambers, but only 3 votes.

Mr. Speaker, the secretary of state of Indiana says those figures were never supplied by him.

Who gave any committee any right to alter the figures of the State of Indiana? Those figures were not finalized by the secretary of state until time had expired for any corrections.

Where is the constitutional permission for such arbitrary action? If we approve this report, are we not giving any future committee the right to go into any State, count ballots at its whim, regardless of their validity and legality?

We are told in the report that a special campaign expenditure committee was first sent into Indiana to study this election. We are told in the report that this group legalized an error in the tabulations of the vote in Grant County. This error, we are told, gave Mr. Roush a two-vote margin.

Mr. Speaker, from what constitutional source did this committee derive the right to go about making decisions on vote totals? And, if it was given this right, and if it was allowed to set itself up as a recount board, why, then, didn't it also certify as correct, errors reported to it from Jay County?

Maybe it was because the Jay County errors would have given Mr. Chambers a majority. It seems to me that if the special committee had time to investigate allegations of error on behalf of Mr. Roush, it could certainly find time to give equal consideration to errors that favored Mr. Chambers.

Let us return for a moment to this matter of certification.

If George Chambers had been certified by strictly Republican officials under suspicious circumstances, someone might charge politics.

The facts are, however, that Mr. Chambers was certified as the winner of this election by Mr. John Walsh, a former Member of this body and a Democrat, who was secretary of state until the month of December 1960. It is to his credit that he acted in a statesman-like manner in this dispute, certifying the man whom he truly believed to have been elected.

His successor, Mr. Hendricks, also certified Mr. Chambers as the elected Congressman from the Fifth District.

These certifications from Indiana, these reports from a sovereign State, were passed over by Ralph Roberts. He circulated an official-looking document to make it appear that Mr. Roush and not Mr. Chambers had been elected. Of course, we Republicans were not afforded the courtesy of receiving one of Mr. Roberts' efforts.

Now, Mr. Speaker, do you begin to see why I feel Indiana has been placed in a "heads, I win; tails, you lose" position? Do you see how other States could, in the future, be at the mercy of an employee of the House who assumes authority never delegated nor planned?

Will these be the ground rules of the future? Will we see taken into consideration errors favoring the right

man, so-called? Will we see disregarded errors of the so-called wrong man? If a certification of election from any State is in favor of the wrong man, will we again see it thrown out? Will we again see its validity ignored? Will we again see an employee of this House engage in manipulation of figures and get away with it?

Now, Mr. Speaker, the question arises in my mind: Should George Chambers have been seated pending a question of his qualifications? The answer can be nothing other than "Yes" if we are to preserve the integrity of the States.

There is ample precedent for this position. It is pointed up in the committee report on this case.

I read in the report that although the Speaker declined to administer the oath, "the House admits on his prima facie showing and without regard to final right as a Member-elect from a recognized constituency whose credentials are in due form and whose qualifications are unquestioned." This is found on page 66 of the report, with the proper authorities quoted.

Back in 1933, when the right of another Member to be seated was questioned, the distinguished majority leader found himself on the other side of the fence when he said:

There is a long line of precedents to the effect that where the qualifications of a Member are questioned, he has a prima facie right to be sworn in, and then have the whole question of disqualification referred to the committee.

And the gentleman was seated.

Again in 1959, the distinguished majority leader found himself on the horns of a dilemma. Again the tactic followed was to seat the Member and then investigate his qualifications.

Now it appears someone wants to change the rules. It appears someone wants to set a precedent here—and it is a dangerous one at that.

Presumably, these rules changes are being asked for in good faith. I cannot question that. But I can conjecture that there was enough confusion created prior to January 3 to prevent the seating of Mr. Chambers.

Now, I have talked about the election of Mr. Chambers, his certification by two secretaries of state, an investigation by a special committee, and the activities of Ralph Roberts.

What about the recount?

To quote the secretary of state of Indiana—"It wasn't a recount like I'd ever heard of before."

The committee did not conduct a recount as Indiana people know it.

It opened bags of previously rejected ballots and found a total of 1,663 ballots, of which 617 were absentee ballots. It proceeded to count many of these ballots. In counting them it did not use people experienced in Indiana and in Indiana election laws. It struck out on its own and counted ballots marked with checks instead of X's; it counted ballots marked with improper pencils; it counted ballots not endorsed by election clerks.

In short, it counted ballot after ballot that had been thrown out by legally constituted Indiana election officials as

not conforming to the requirements of the State election laws. These ballots were and are illegal in Indiana, and should not, under any circumstances, have been counted.

There may be some men in this Chamber today who would have suffered a fate similar to that of Mr. Chambers had similar practices been followed in their States.

By counting most of these illegal ballots, the committee increased the number of voters and, according to its findings, Mr. Roush was the winner.

But in counting these ballots, it did not count 77 out of 85 absentee ballots from servicemen and dependents who voted in the fifth district election. I never thought I would live to see the day when a congressional committee disfranchised a serviceman.

In this ballot counting operation, we again can note a paradox.

When nonabsentee ballots were counted, the committee was liberal. But when absentee paper ballots came up for study, the committee grew very exact, indeed.

In my conversation with the secretary of state yesterday, I was told that he has never had any committee recount cleared through his office. Nothing has ever been filed in his office by any agency or officer of this House. All he has is a return receipt from Ralph Roberts' office attesting to the fact that the certifications were received.

Mr. Speaker and Members of the House, I ask you, in all sincerity, to consider today before you act. Consider the precedent you are being asked to set. Consider that if you approve this report you will be seating as a Member of Congress a man who has never to this day been certified by any secretary of state of Indiana in any form.

The only person who ever certified this man was Ralph Roberts, a salaried employee of this House who is known as Clerk of the House. He took it upon himself to make decisions and initiate policies that he was never hired to make or initiate.

Look at what has happened since last November 8.

Thrown out the window have been the certifications of a Democrat and Republican secretary of state.

Thrown out the window has been the signature of the Governor of Indiana.

Thrown out the window have been absentee ballots from servicemen, some of which I am told were on hand a month prior to election day.

Thrown out the window has been the will of the sovereign State of Indiana.

Thrown out the window have been the laws and statutes set up by the State of Indiana to govern its elections, its regulations for marking ballots, for their admissibility and validity.

Will we adopt this committee report and set a dangerous precedent? Will we make possible a repeat of this occurrence? Will we set up machinery by which the Federal Government can, in the future, control the admission of Members of Congress?

Mr. Speaker, we are, in the final analysis, here today, voting whether or not to take away another slice of the free-

dom of the individual States. We are, in effect, voting not only on a Member of the House of Representatives in the Fifth District of Indiana—we are voting whether or not the Federal Government will have the right in the future to dictate to the States who they may or may not elect to Congress.

In a larger sense, I would like to conclude with this statement. Before casting a vote on this matter, think about the way the rights of your various States have been eroded away, one after another. Then reflect that here is another right that is being snatched up by the Federal Government.

It is a proposition that will affect every State—not just Indiana—unless it is beaten down here.

Mr. SCHENCK. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY of Indiana. Mr. Speaker, the House of Representatives has set a dangerous and ill-advised precedent in the matter of conducting a recount in Indiana's Fifth Congressional District. This House has made a travesty of States rights under the guise of "playing fair."

If some Americans had doubted previously the evils of big government, they should be convinced now that the Federal level of government can trample on any State's sovereignty at the expense of the individual citizen. The work of the duly-constituted election officials in Indiana's Fifth District was in effect nullified as a result of the recounting of ballots by the subcommittee which was instructed to investigate the election.

As the House questioned the results of the election as determined by Indiana officials, I now question the results as certified by the subcommittee. I certainly do not doubt the sincerity of purpose and truthfulness of my colleagues who served on the subcommittee, but I do deplore the fact that ballots were counted which had been rejected by various precinct boards in November of 1960. In effect, Members of this body were telling officials of the State of Indiana that they did not know how to judge ballots properly. As a result, many ballots were counted during the recount which had been excluded previously.

Not only do I seriously object to this procedure, but I also fear the grave consequences if this is to be done in all future instances. Are we not going to abide by the manner of elections for the House as provided in the respective State constitutions? Is the House of Representatives going to regulate the "times, places, and manner of holding elections" in all places, or is the House going to be selective and choose the areas which suit the majority leaders in each instance? I say that if this body is going to study in minute detail the election of each Member, we should say so and set up the vast bureaucratic machinery necessary to carry out the investigations. If the House does not intend to engage in such frivolity but intends to concentrate on the important issues of the day, I demand that we leave the election of Mem-

bers of this House to the sovereign States of this Republic.

We have heard for many months the statements of leaders of the majority party, and principally the President, to the effect that this Nation was in a terrible mess and we should "get moving again." In spite of this "scare talk" and demands for immediate action on pending legislation, we saw a subcommittee of this House spend 4 months on one district's election, thus denying any representation to a great segment of Indiana.

In the final analysis of this deplorable situation, the issue should not be whether a member of one party or the other represents Indiana's Fifth District, although most of us were sure of the outcome long before the results were officially announced, the issue is whether or not this House shall engage in petty, political maneuvering every 2 years in choosing selected Representatives. I, for one, am certain that the people do not want vacillation from this body—the want consistency. And the people will make sure that they are heard in 1962 when Representatives all across this great land will be elected by decisive majorities, to insure that the voters of each respective district, not the Representatives from other States, will choose their own representation in this body.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. WILSON of Indiana) there were—ayes 138, noes 51. So the resolution was agreed to.

A motion to reconsider was laid on the table.

#### SWEARING IN OF MEMBER

Mr. ROUSH appeared at the bar of the House and took the oath of office.

#### GENERAL LEAVE TO EXTEND

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just passed.

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

There was no objection.

#### PAYMENT OF CERTAIN AMOUNTS IN CONNECTION WITH ROUSH-CHAMBERS ELECTION CONTEST AND INVESTIGATION

Mr. ASHMORE. Mr. Speaker, I offer a privileged resolution (H. Res. 340) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That the House of Representatives having considered the question of the right of J. EDWARD ROUSH or George O. Chambers, from the Fifth Congressional District of Indiana, to a seat in the House in the Eighty-seventh Congress pursuant to H. Res. 1, Eighty-seventh Congress, and having decided that the said J. EDWARD ROUSH is entitled to a seat in the House in such Congress with the result that the said J. EDWARD ROUSH is entitled to receive and will be paid the compensation, mileage, allowances, and

other emoluments of a Member of the House from and after January 3, 1961, there shall be paid out of the contingent fund of the House such amounts as are necessary to carry out the provisions of this resolution in connection with such decision of the House, as follows:

(1) The said George O. Chambers shall be paid an amount equal to compensation at the rate provided by law for Members of the House for the period beginning January 3, 1961, and ending on the date of such decision of the House.

(2) The said J. EDWARD ROUSH and the said George O. Chambers each shall be paid an amount equal to the mileage at the rate of 10 cents per mile, on the same basis as now provided by law for Members of the House, for each round trip between his home in the Fifth Congressional District of Indiana and Washington, District of Columbia, in response to the request of the Committee on House Administration for his appearance before the committee in connection with the investigation authorized by H. Res. 1, Eighty-seventh Congress.

(3) The said J. EDWARD ROUSH and the said George O. Chambers each shall be reimbursed for those expenses actually incurred by him in connection with the investigation by the Committee on House Administration authorized by H. Res. 1, Eighty-seventh Congress, in accordance with that part of the first section of the Act of March 3, 1879 (20 Stat. 400; 2 U.S.C. 226), which provides for payment of expenses in election contests.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### DEGREES CONFERRED ON HON. EDWARD P. BOLAND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include certain citations.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, one of the ablest and one of the most dedicated Members of Congress and of our own body is the distinguished gentleman from Massachusetts [Mr. BOLAND]. The gentleman comes from Massachusetts, but it is not for that reason alone that I have profound respect for him and value deeply his friendship. The years he has served with me have only increased the admiration that I have for him, if that were possible, for his ability and his dedication to service.

When any one of the Members of our body is honored by being the recipient of an honorary degree, in a sense and indirectly it is an honor bestowed on all the Members of the House of Representatives and upon the great House of Representatives itself.

Mr. Speaker, it is always a great honor to be singled out by a college or university for an honorary doctorate, but our esteemed colleague, the Honorable EDWARD P. BOLAND, Congressman from the Second Massachusetts District, received such honors from two great colleges last week.

Congressman BOLAND, who has rendered distinguished and effective service to his community, his State, and his country for 25 years, recently received

an honorary doctor of laws degree from American International College in Springfield, Mass.; and also recently a similar honorary doctorate from St. Michael's College, Winooski Park, Vt.

Mr. Speaker, I am sure my colleagues will be interested in the citation which accompanied Dr. BOLAND's honorary degrees from both colleges and I include them in my remarks.

I know I speak the sentiments of all of my colleagues in extending congratulations to our distinguished friend from Massachusetts [Mr. BOLAND].

EDWARD P. BOLAND, DOCTOR OF LAWS

(Citation by American International College Springfield, Mass.)

From the time you were first elected to public office at the age of 23, as a legislator in our great and general court, next as registrar of deeds, and now as a Representative in our Congress, you have given remarkable evidence of true statesmanship.

You have been alert, efficient, forceful and patient; and your concern for the welfare of your constituents as well as for the needs of our Nation is appreciated.

We are proud of you as a native son of Springfield, and we are proud now to count you as an honorary alumnus of our college.

By virtue of the authority vested in me by the board of trustees of American International College, I hereby confer upon you the degree of doctor of laws, honoris causa, with all of the rights, honors, and privileges pertaining thereunto.

JOHN F. HINES,  
President.

Given this 4th day of June 1961.

EDWARD P. BOLAND, DOCTOR OF LAWS

(Citation by Saint Michael's College, Winooski Park, Vt.)

St. Michael's has always been proud of the caliber of its loyal alumni from Springfield, Mass. Today it is proud to add another Springfield alumnus to its roster: the Honorable EDWARD P. BOLAND, U.S. Representative from the Second Congressional District of Massachusetts. When the cry for good men in public office has become a stale but repeated cliché, there is happily an EDWARD P. BOLAND to give the rebuttal—25 years of public service: three terms in the Massachusetts Legislature, registrar of deeds for Hampden County, Congressman from Massachusetts for five successive terms, unopposed in his last two candidacies. In Washington his service has ranged from the House Appropriations Committee, the Subcommittee on Public Works, to the Subcommittee on Independent Offices. In 1959 he received the annual service award of the Jewish Brotherhoods of Springfield "for dedicated and unselfish service to his constituents, his country, and his fellow man." For these, and other distinguished services, Congressman BOLAND, we confer on you today the degree of doctor of laws, honoris causa.

Very Rev. GERALD E. DUPONT, S.S.E.,  
President.

Mr. Speaker, St. Michael's College also conferred an honorary doctorate on another of our colleagues here in the Congress, the distinguished senior Senator from Vermont, the Honorable GEORGE D. AIKEN; honorary doctorates also went to the Most Reverend James J. Navagh, Roman Catholic Bishop of Ogdensburg, N.Y., and Michael W. McCarthy, of Manhasset, N.Y., financier, Catholic lay leader, and chairman of the board of Merrill Lynch, Pierce, Fenner & Smith, Inc.

American International College also presented honorary doctorates to Gen.

Lauris Norstad, U.S. Air Force, the Supreme Allied Commander, Europe, and commander in chief, U.S. European Command; Richard Hooker, former editor and publisher of the Springfield Republican; Miss Marian Anderson, internationally recognized American contralto; Dr. J. Seelye Bixler, president-emeritus of Colby College, Maine; Kingman Brewster, Jr., provost-designate of Yale University; and Miss Alice Burton Beal, assistant superintendent of the Springfield public schools in charge of elementary education.

Mr. Speaker, I ask permission to have the citations, accompanying the honorary doctorates of these distinguished men and women, printed with my remarks in the RECORD:

**GEORGE D. AIKEN, DOCTOR OF LAWS**

The senior Senator from Vermont needs no introduction to this assembly, for he is "Mr. Vermont" throughout our fair State. It is doubtful if he needs an introduction on any platform in the Nation, since his rare record on the floor of our Senate has made him and his Vermont an image of rugged integrity and sage counsel in the eyes of a respectful country. One might almost say that he has, in his person, distilled the essence of Vermont virtues and saved them from the caricature of well-meaning folklorists—that local offshoot of Madison Avenue advertiser sometimes found growing on the shady side of Green Mountain. One thinks of Robert Frost as the Poet of New England. One always thinks of Senator AIKEN in the same breath with Mr. Frost, as if one man wrote the part and the other enacted it.

His record, from grassroots to national responsibility, is almost too well-known to review: master of the Putney Grange at 18 to ranking minority member of the Senate Agriculture Committee in the flower of his maturity, with a long litany of success in the steps intervening—town representative in 1931; speaker of the Vermont House in 1933; Lieutenant Governor in 1935; Governor of Vermont from 1937 to 1939; elected to the U.S. Senate in 1940, to which august Chamber he has been returned ever since by overwhelming approval, to serve as member of the Senate Foreign Relations Committee, the Joint Atomic Energy Committee, as well as Committees on Labor, Public Welfare, Civil Service, Expenditures and Pensions.

Republicans publicly identify him as their progressive spokesman. Democrats privately suggest that he is of their persuasion, spiritually. But they are both right. For Senator GEORGE D. AIKEN is above doctrinaire labels, as the statesman who looks beyond the next election to the next generation is above the politician. We feel fortunate (whoever happens to occupy the White House) that the President must go to such a man for advice and consent. We feel fortunate that such a man is in our midst to remind today's graduates that there need be no dichotomy between tradition and progress.

Because you, Senator AIKEN, represent the best of both these essentials to our national welfare, we are honored indeed to bestow on you our degree of doctor of laws, honoris causa.

**MOST REV. JAMES J. NAVAGH, DOCTOR OF LAWS**

In a day of racial violence misrepresenting America to a world ready to exploit real or alleged injustice for propaganda purposes, His Excellency, the Bishop of Ogdensburg, is a redeeming figure among national spokesmen. Not only for his steadfast defense of the rights of Negroes in the North, but for his courageous stand on this same issue while he was auxiliary bishop of Raleigh, N.C., the

Most Reverend James Navagh, has blazed an enlightened path for fellow Americans to follow. In the vital area of rural life problems also, he has set a sterling example. Director of the National Catholic Rural Life Conference, he has written a penetrating study of "The Apostolic Parish" which not only won the plaudits of American sociologists, but has been translated for European readers as well. To you, Bishop James Johnston Navagh, inspiring example of citizen and churchman, St. Michael's College is proud to present the degree of doctor of laws, honoris causa.

**MICHAEL W. MCCARTHY, DOCTOR OF LAWS**

Today the phrase "business as usual" is apt to connote the smug isolationism of pre-war world, pre-space age irresponsibility. But not as we apply it to the achievements of Michael William McCarthy. In Mr. McCarthy's meteoric rise from stock boy in a grocery store to stockbroker for the largest investment firm in the world, "business as usual" means business in the American tradition: industry, courage, creative vision—big in its opportunities, large in its responsibilities.

Mr. McCarthy's career puts a modern foundation under the old pioneer dream and the Horatio Alger legend. Born in a Minnesota town (population 1,700), he went to work after high school for Mutual Stores, Inc. Two years later he was office manager.

In the very trough of the great depression of 1932, when caution was keynote, Mr. McCarthy went out on a limb—to success—in founding a new chain of stores in California. Such foresight and faculty for decision has led him today to his position as chairman of the board of directors of Merrill Lynch, Pierce, Fenner & Smith, a firm which last year grossed \$130 million in commissions and \$27 million in pretax profits, which holds in its vaults some \$5 billion worth of securities, and which holds in its trust the confidence of massive institutions and modest widows. Such exercise of responsibility has won for Michael McCarthy (Wall Street's Mr. Big to his colleagues) successive appointments as governor of the American Stock Exchange, governor of the Association of Stock Exchange Firms, and governor of the New York Stock Exchange.

For your fulfillment of the American dream of opportunity open to talent, and for your embodiment of the virtues making for high public trust, Michael William McCarthy, we salute you this day as doctor of laws, honoris causa.

**LAURIS NORSTAD, DOCTOR OF SCIENCE**

Your meteoric rise to positions of great responsibility in the Armed Forces of our country is significant of the special trust and confidence placed upon you by our Nation.

In both peace and war your qualities as a military leader in the field of aviation, first as a pilot, then in the areas of administration, strategic planning and operations, justly earned for you five promotions in less than 3 years' time.

Now, as Supreme Allied Commander, Europe, and Commander in Chief, U.S. European Command, you have won the confidence of our allies and the respect of our potential adversaries.

The North Atlantic Treaty Organization forces under your command give daily evidence of the determined strength of the free world. For your quiet and capable leadership in these uneasy times we are truly grateful.

To you, decorated by the Government of France and six times by our own Nation, we are proud to add our recognition of your achievements.

By virtue of the authority vested in me by the Board of Trustees of American International College, I hereby confer upon you the degree of doctor of science, honoris causa,

with all of the rights, honors and privileges pertaining thereunto.

**RICHARD HOOKER, DOCTOR OF LETTERS**

Distinguished son of Yale University, from which you were graduated more than 60 years ago, you have given unstintingly of your time and talents to the field of good journalism and public affairs.

While a correspondent in Washington and newspaper editor, you became the close associate and respected adviser to many of our Nation's Presidents.

As a historian, lecturer, author, and journalist, you have won national admiration from your colleagues, and your learned and discerning editorials have set a high standard for others to follow. We are privileged, indeed, to have you wear the hood of our beloved college.

By virtue of the authority vested in me by the Board of Trustees of American International College, I hereby confer upon you the degree of doctor of letters, honoris causa, with all of the rights, honors, and privileges pertaining thereunto.

**MARIAN ANDERSON, DOCTOR OF HUMANICS**

Throughout your lifetime, your lovely voice has enchanted the peoples of the world.

Honored by numerous universities and colleges and decorated by seven nations, you have been acclaimed by Presidents, emperors, kings and queens, and millions of people everywhere.

Despite the great number of awards and honors bestowed upon you, you have worn them all with modest grace and deep humility.

You have given greatly of your time, your strength, and your talents as our unofficial representative abroad and recently as official delegate to the United Nations. America is indeed grateful, and we, too, are proud to add our simple tribute to a wonderful woman whose magnificent voice, warmth, and sincerity have made her beloved throughout the world.

By virtue of the authority vested in me by the board of trustees of American International College, I hereby confer upon you the degree of doctor of humanics, honoris causa, with all the rights, honors, and privileges pertaining thereunto.

**JULIUS SEELYE BIXLER, DOCTOR OF LETTERS**

Since the year you were graduated with honors from Amherst College, you have, with notable success, devoted your life to the pursuit of scholarly excellence.

You were a respected professor in a number of colleges and universities—overseas as well as at home—before being called to Colby College as its president.

At Colby you served for 18 years with great distinction, and upon your retirement you continued unselfishly to lend your talents to the fields of higher education and advanced research.

As a gifted teacher, author, lecturer, and administrator, you have been honored by a dozen institutions of higher learning, and we, too, would pay you deserved recognition.

By virtue of the authority vested in me by the Board of Trustees of American International College, I hereby confer upon you the degree of doctor of letters, honoris causa, with all of the rights, honors, and privileges pertaining thereunto.

**KINGMAN BREWSTER, JR., DOCTOR OF LAWS**

Born in nearby Longmeadow, educated in the schools of this Commonwealth, and the recipient of degrees from Yale University and the Harvard Law School, you have given your time and talents unstintingly to the many who have sought your counsel.

You have served your country as a naval aviator, Assistant General Counsel in the Of-

file of the U.S. Special Representative in Europe, in connection with the Marshall plan, and as a consultant for our State Department and the International Cooperation Administration.

Your special knowledge in the fields of government, international affairs and law has been of distinct value to students in the institutions where you have taught and lectured.

Now, in further recognition of your abilities, Yale has appointed you provost of the university, into which position of responsibility you enter with our good wishes for your assured success.

By virtue of the authority vested in me by the Board of Trustees of American International College, I hereby confer upon you the degree of doctor of laws, honoris causa, with all of the rights, honors, and privileges pertaining thereunto.

ALICE BURTON BEAL, DOCTOR OF HUMANE LETTERS

Daughter of our great Commonwealth, educated in her schools and institutions of higher learning, you have interested yourself most effectively in the education of our Nation's youth.

As a public school and college teacher, and later as superintendent of elementary education in our State department of education, you have given proof of your abilities as a respected educator.

The citizens of Springfield were fortunate in attracting you to our city as assistant superintendent of schools in charge of elementary education. This college knows at first hand of the special interest you show toward the children of our schools and of your willing leadership in civic and community enterprises.

By virtue of the authority vested in me by the Board of Trustees of American International College, I hereby confer upon you the degree of doctor of humane letters, honoris causa, with all of the rights, honors, and privileges pertaining thereunto.

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

Mr. McCORMACK. I am happy to yield to the gentleman from Texas.

Mr. THOMAS. Mr. Speaker, I should like to echo the thoughts expressed by our distinguished majority leader about our able, our kind and good friend, the gentlemen from Massachusetts [Mr. BOLAND]. It has been my privilege and pleasure to serve with him, elbow-to-elbow, on the Independent Offices Appropriation Subcommittee, as well as the Deficiency Appropriations Subcommittee. There is no finer gentleman any place than Mr. BOLAND. So those degrees that he received were certainly earned and well deserved. I would like to see him get one or two more.

He is just one of the finest. The people are indeed fortunate to have him as a Representative. He is able and energetic, and the very soul of honor. He makes an outstanding legislator for them and for the Nation as a whole. We are proud of him.

Mr. McCORMACK. I know the remarks of my friend will make EDDIE BOLAND very happy.

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

Mr. McCORMACK. I yield to the gentleman from Massachusetts.

Mr. LANE. I also join with the majority leader in his kindly remarks about our colleague from Massachusetts, the Honorable EDWARD P. BOLAND. I, too, reflect the sentiments of the House here

when I say that EDDIE BOLAND is a very able and very capable legislator. He is most conscientious. I know of no Member who gives so unselfishly of his time and puts in more effort and work on the Committee on Appropriations and his legislative duties than our colleague from Massachusetts. So I am more than pleased that he has been honored by two of our outstanding colleges by awarding him degrees. I am satisfied that these honors are justly deserved for a Member of the House who has been so willingly giving of his time and efforts for his constituents and the people of the United States.

Mr. McCORMACK. I appreciate the remarks made by my friend.

Mr. DONOHUE. Mr. Speaker, at recent graduation exercises of two outstanding educational institutions in this country, the American International College in Springfield, Mass., and St. Michael's College, in Winooski, Vt., my distinguished friend and our esteemed colleague from the Second Congressional District of Massachusetts was awarded, separately, the honorary degree of doctor of laws.

An award of such high degree, from one university would be a singular distinction in itself but such recognition, by two great universities, is a unique honor indeed. I know I speak the unified sentiments of this House in extending our warmest congratulations to our Massachusetts colleague for the high recognition bestowed upon him by these colleges and for the indirect distinction he has, in turn, had bestowed upon this body.

Of course, we, as his fellow Members here, proudly feel that we had assayed and found superlative the patriotic character and eminent abilities of our colleague long before these discerning universities saw fit to formally confirm our combined judgment.

For the past 8½ years we have observed first hand the constantly growing legislative stature of "EDDIE" BOLAND as he has steadily risen to a position of leading responsibility in the vitally important Appropriations Committee and in the admiration of our membership. In a comparatively short period he has marked himself as one of the Nation's outstanding financial authorities and most learned lawmakers in modern congressional history.

For those of us who have known "EDDIE" BOLAND through the years, this is by no means a surprising development; it is only what was to be expected. From his early youth, EDDIE seemed to instinctively know his extraordinary talents and industry could be best devoted to, and developed in, the most exacting field of public service. Happily for his community, his State, and his country, the people of his area appeared to instinctively recognize their good fortune to have such a gifted man offer himself to their service; the exercise of their original instinct was soon most fruitfully productive of concrete proof of their basic discernment. For the past 25 years of his still young life his people have consistently and repeatedly elected him to positions of great public trust and, over the past 10 years, they have increasingly

approved him to the elevated responsibility of U.S. Representative.

In return for the confidence his people have placed in him, "EDDIE" BOLAND has dedicated himself to the fullest discharge of his Representative duties with a sincerity, an industry, a zeal, and a determination that is unsurpassed by any other Member of this House.

Here is a man who conducts his life in the truest tradition of a gentleman, a scholar, a statesman, and a patriot.

The people of Massachusetts and your colleagues here join, "EDDIE," in proudly saluting you as a doctor of laws, twice over, who has doubly earned and merited the conference of such a distinguished degree. May the good Lord keep you with us for the assumption of increasing responsibilities in the service of your country during many years to come.

Mr. BURKE of Massachusetts. Mr. Speaker, I want to join with the sentiments expressed by the majority leader, Hon. JOHN W. McCORMACK, concerning the honors paid to the very able gentleman from Massachusetts, Mr. BOLAND.

I have known Congressman BOLAND's record of 25 years devoted to public service. We served together in the Massachusetts Legislature 22 years ago. I have always admired him for his honesty, his integrity, and his ability. He is one who well deserves the honorary doctorate in laws degrees conferred on him by American International College in Springfield, Mass., and St. Michael's College in Winooski Park, Vt. He is one of the hardest working Congressmen in this House, and he has presented to his people of the Second Massachusetts District an excellent record of performance.

Mr. Speaker, Congressman BOLAND's high ideals and principles are known to all of us. He has always placed his Nation first, while serving in the Army in World War II and in the Congress. His record in Congress is a living profile in courage. It has been a pleasure to serve with him in the Massachusetts Legislature and in Congress. I know that the people of Massachusetts take pride in his accomplishments and the honors that have been conferred upon him.

Mr. PHILBIN. Mr. Speaker, I was gratified to learn of the very high honorary degrees conferred upon my dear friend and esteemed colleague, Congressman EDWARD P. BOLAND, of Massachusetts, at commencement exercises at the famous St. Michael's College in Winooski, Vt., and the equally famous American International College at Springfield, Mass.

Both of these institutions are well known throughout the Nation for their high order of scholarship, extensive curriculums, enlightened teaching staffs, and competent management. The leadership of these great schools, comprised of well known and very able educators, have contributed very impressively to American higher education.

The significant honors that have come to Congressman BOLAND are richly deserved since he has demonstrated throughout his entire public career those qualities and attributes of a highly qualified and dedicated public servant that

bring luster not only to himself, but to his district, State, Nation, and the great, historic, world-famed legislative body of which he is such an outstanding and distinguished Member.

As Congressman BOLAND's dear friend and warm admirer, I am very happy indeed to congratulate him and his family for the high degrees he has received and the high academic honors which have been so appropriately bestowed upon him.

While these cherished doctorates are highly coveted, I have every confidence that Congressman BOLAND will wear these new laurels with his usual becoming modesty and grace.

I am proud of his honors and wish him many more happy years of dedicated service in the Congress and public life. He is destined for many more brilliant achievements.

#### THE EMPLOYMENT SECURITY AMENDMENTS OF 1961 (H.R. 7640)

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

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

There was no objection.

Mr. KING of California. Mr. Speaker, President Kennedy has transmitted to the Congress a proposal designed to strengthen and broaden the Federal-State unemployment compensation program. I have today introduced H.R. 7640, which embodies the proposal made by the President.

As is indicated in the letter of the President, the administration bill, which I have introduced, proposes to extend the protection of the Federal-State unemployment compensation program to over 3 million additional workers, provide minimum standards with respect to the weekly benefit amount to be paid to eligible employed workers, provide requirements to insure that compensation will not be denied to an otherwise eligible worker solely because he is taking training to which he was referred by a State agency, provide equalization grants to the States, establish an additional Federal unemployment compensation program for workers who have exhausted all benefit rights, and to increase the taxable wage base from \$3,000 to \$4,800.

I am very pleased to introduce this legislation at the request of the administration and, as I have indicated in an announcement which I have already issued, it is my intention to press for favorable action on this proposal just as soon as the Committee on Ways and Means has completed its agenda relating to the President's tax message and the President's health insurance message, which already have been scheduled for consideration by the committee.

For the information of all Members and the interested public, I am including at this point in the body of the RECORD a statement prepared by the administration in explanation of the bill. This detailed explanation is preceded by a brief topical summary of the principal

provisions of the bill. These documents are as follows:

#### BRIEF TOPICAL SUMMARY OF THE ADMINISTRATION'S UNEMPLOYMENT COMPENSATION BILL

1. Coverage: The bill would extend protection of the Federal-State unemployment compensation program to over 3 million additional workers by extending coverage of the Federal Unemployment Tax Act to—

A. Employers of one or more;  
B. Nonprofit organizations except (1) ministers and members of religious orders, (2) so-called "sheltered workshops" (generally a facility for the purpose of rehabilitating workers whose earning capacity is impaired by physical or mental conditions); and (3) service remunerated at rate of less than \$50 per quarter.

C. Agricultural processing workers. The bill would also revise the definition of "employee" to include the so-called ABC tests. (Under the revised definition, anyone who performs services for another is to be considered an employee unless it is determined that: (A) the worker is free from control in performing his duties, (B) the service is either outside the employer's usual course of business or is performed outside his place of business, and (C) the worker is customarily engaged in an independently established business of the same nature as the services which he performs for his principal.)

2. Weekly benefit amount: Beginning January 1, 1964, States are to pay a weekly benefit amount of at least 50 percent of a worker's average wages up to a maximum of at least 50 percent of the State's average wage for 1964 and 1965, 60 percent of such wage for 1966 and 1967, and 66½ percent of such wage for 1968, and following years.

If a State law does not so provide, tax credits of employers in the State will be reduced, not denied. They could be the lower of (a) the State's 4-year average annual benefit cost rate, or (b) 2.7 percent.

3. Federal requirement that State laws provide that compensation will not be denied to an otherwise eligible worker solely because he is taking training to which he was referred by State agency.

If State law does not so provide, tax credit of employers in the State will be denied.

4. Wage base and tax: Effective for taxable years after 1963, increases taxable wage base to \$4,800 and makes permanent present temporary Federal tax increase of 0.4 percent.

5. Equalization grants: Provides equalization grants to a State (if it meets Federal requirements with respect to weekly benefit amount) of two-thirds of State's benefit costs in excess of the greater of: 2.7 percent of State wages or the ratio of unemployment compensation payments in all States to total wages in all States.

6. Additional Federal unemployment compensation program: Establishes a Federal program of additional unemployment compensation to workers who have exhausted all benefit rights—

A. At all times for workers with long attachment to labor force: 78 weeks out of last 3 years and at least 13 weeks in each year.

B. During recessions upon proclamation of President and upon determination by Secretary of Labor that exhaustions reach 1 percent of covered employment and insured unemployment exceeds 5 percent, both over a 3-month period. Program would end when exhaustions fall below 1 percent for 3 consecutive months.

C. Additional unemployment compensation payable to workers who had an entitlement to State benefits of 26 or more weeks of total unemployment, or, if entitlement is for less than 26 weeks, the workers must have had, after exhaustion, weeks of unemployment equal to the difference between their State entitlement and 26 weeks.

D. Amount of additional compensation: Fifty percent of State entitlement up to a maximum of 13 weeks of total unemployment.

E. No denial of additional compensation if worker is taking approved training; no payment, however, if worker refuses without good cause to attend training to which he is referred by State agency.

7. After 1963 tax credit would be denied to maritime employers in a State if State requires contributions pursuant to section 3305(f) of the Federal Unemployment Tax Act without complying with the conditions therein specified.

STATEMENT IN EXPLANATION OF ADMINISTRATION BILL TO PROVIDE FOR THE ESTABLISHMENT OF A PERMANENT PROGRAM OF ADDITIONAL UNEMPLOYMENT COMPENSATION, TO PROVIDE FOR EQUALIZATION GRANTS, TO EXTEND COVERAGE OF THE UNEMPLOYMENT COMPENSATION PROGRAM, TO ESTABLISH FEDERAL REQUIREMENTS WITH RESPECT TO THE WEEKLY BENEFIT AMOUNT AND LIMIT THE TAX CREDITS AVAILABLE TO EMPLOYERS IN A STATE WHICH DOES NOT MEET SUCH REQUIREMENTS, TO ESTABLISH A FEDERAL REQUIREMENT PROHIBITING STATES FROM DENYING COMPENSATION TO WORKERS UNDERGOING OCCUPATIONAL TRAINING OR RETRAINING AND DENY TAX CREDITS TO EMPLOYERS IN A STATE WHICH DOES NOT MEET SUCH REQUIREMENT, TO INCREASE THE WAGE BASE FOR THE FEDERAL UNEMPLOYMENT TAX, TO INCREASE THE RATE OF THE FEDERAL UNEMPLOYMENT TAX, TO ESTABLISH A FEDERAL ADDITIONAL COMPENSATION AND EQUALIZATION ACCOUNT IN THE UNEMPLOYMENT TRUST FUND, AND FOR OTHER PURPOSES

This bill contains two titles.

Title I would amend the Social Security Act by establishing new titles XVI and XVII and by amending present title IX. Title XVI would establish a permanent national program of additional unemployment compensation for unemployed workers who have exhausted the benefit rights provided for them by State law and title XV of the Social Security Act. Title XVII would provide for equalization grants to States with heavy unemployment. Title IX of the Social Security Act would be amended to establish a new Federal additional compensation and equalization account in the unemployment trust fund and to make other necessary changes.

Title II would amend the Federal Unemployment Tax Act by extending coverage of the unemployment compensation system to more than 3 million workers, by providing for the enforcement of the conditions under which maritime workers may be covered by States, by reducing tax credits for employers in States which do not meet the Federal requirements with respect to benefit amount, by denying tax credits to employers in States which deny benefits to workers who are taking approved training, by increasing to \$4,800 the wage base for the Federal unemployment tax, and by continuing the increased rate of the Federal unemployment tax effective for taxable years 1962 and 1963.

#### TITLE I

##### Amendments to the Social Security Act

A new title XVI in the Social Security Act would be established by title I of this bill. The purpose of title XVI is to provide a self-supporting program of additional unemployment compensation for weeks of unemployment beginning after June 30, 1962, or after the end of the calendar month following the month in which this title is enacted, which ever is later, to the unemployed whose entitlement to State or title XV benefits plus weeks of unemployment after exhaustion of such entitlement have been the equivalent of 26 weeks of total unemployment since the beginning of their current compensation period, and who exhausted their benefit

rights under State and Federal unemployment compensation laws after March 31, 1962. Thus, the additional unemployment compensation program would commence immediately following the program established by the Temporary Extended Unemployment Compensation Act of 1961.

The additional unemployment compensation provided in title XVI would be payable in nonrecession and recession periods to workers with substantial past attachment to the covered labor force. To other workers, however, such additional unemployment compensation would be payable only in a recession period (as determined by the Secretary), upon proclamation of the President.

The additional compensation in both recession and nonrecession periods, would be payable only to an individual who has exhausted his State or title XV benefits, and has been entitled to at least 26 weeks of State or title XV benefits, or if he has been entitled to a lesser duration, has been unemployed since his exhaustion of benefits long enough for the combination of benefit weeks to which he was entitled and weeks of unemployment to total 26. For this purpose, an individual who exhausts his State or title XV benefits will be considered to have been entitled to benefits for the number of weeks specified in the monetary determination or determinations with respect to his most recent benefit year. Thus a worker entitled to State benefits of 26 times his weekly benefit amount could immediately after his exhaustion of State benefits (whether or not he actually received benefits for 26 weeks) become eligible for additional benefits. A worker entitled to State or title XV benefits of less than 26 times his weekly benefit amount, however, would need an uncompensated period of unemployment after exhaustion of his State or title XV entitlement before he could be eligible for additional benefits equal to the difference between his State or title XV entitlement and 26 weeks of total unemployment. For example, a worker entitled to State benefits of 20 times his weekly benefit amount would need the equivalent of 6 more weeks of total unemployment after he exhausted his State entitlement before he could become eligible for additional benefits. The general effect of this provision is to restrict the Federal compensation to the long-term unemployed, without limiting the program's application to workers in States which provide 26 or more weeks of benefits. Long-term unemployment is a national problem which should be financed on a nationwide basis.

The maximum amount of additional compensation payable under the bill with respect to a single compensation period, or for individuals claiming under section 1602 with respect to a single extended duration period, would not exceed the lesser of the following amounts: (1) 50 percent of the amount of the individual's regular benefits under State law or title XV for the compensation period in which he last exhausted his benefit rights, or (2) 13 times his regular weekly benefit amount. Thus in States which provide 26 or more weeks' duration of regular benefits, those who exhaust State benefits would be entitled to additional compensation of 13 weeks of total unemployment under the Federal program. Workers who receive State benefits for a shorter duration would receive less in Federal compensation.

While the maximum duration of the additional compensation is limited, no overall limitation on total Federal and State compensation with respect to a compensation period is provided. Some States provide benefits in excess of 26 weeks and should not be discouraged from doing so, if in their judgment their economies require a longer normal duration.

For workers entitled to State or title XV benefits of less than 26 weeks, the bill provides that they would certify to their unem-

ployment during the remainder of the period prior to eligibility for additional compensation in accordance with regulations prescribed by the Secretary. To be counted for this purpose, weeks should be weeks for which the claimant could have received benefits if he had been entitled to 26 weeks of State benefits; that is, he should be able to work, available for work and free from disqualification. Weeks of partial unemployment should be accumulated toward the 26 weeks, as they would have been under the State law. The Secretary's regulations would cover the manner in which individuals would establish the fact that they had been unemployed, able to work and available for work and otherwise not disqualified during the weeks between exhaustion of State or title XV benefits and eligibility for additional benefits.

Additional unemployment compensation would be payable at the same weekly amount for total unemployment as the individual received under the State law or title XV under which he last exhausted his rights before he filed a claim for the current compensation period (or for individuals claiming under section 1602, the current extended duration period).

Under new title XVI additional compensation would be payable to individuals with a record of long attachment to the labor force during nonrecession as well as recession periods.

To qualify for additional compensation during nonrecession periods, the bill requires an individual to have been regularly employed in covered employment in each of at least 78 weeks during the 156 consecutive-week period, or during the 12 consecutive completed calendar quarters, immediately preceding his most recent benefit year and to have been so employed in at least 13 weeks of each year of such period. The 78-weeks-of-employment requirement is imposed to insure that extended compensation for the persistently unemployed is made available only to those with such evidence of continued past attachment to the labor force as to present little doubt that they have been earning their living for some years by work in covered employment.

The bill does not specify a test of regular employment. In order to permit flexibility in regard to such a test, it is believed that this matter should be provided for in regulations of the Secretary. Regular employment in a week might be determined on the basis of hours or days of work or amounts of wages. A week of less than full-time earnings or employment would be sufficient for this purpose, as it is now in the case of all State laws which determine entitlement to benefits on the basis of weeks of employment.

The need for providing additional protection for workers with long-term employment records who are experiencing prolonged unemployment is evidenced by the impact of industrial change in our dynamic economy on workers with long records of regular employment in basic industries. That this problem is not confined to recession periods is indicated by the fact that more than 1 million claimants exhausted their benefit rights in nonrecession years such as 1955. In 1960, more than one-third of all claimants in 11 States used up their benefit rights before finding work. More than one-fifth did so in States providing 26 weeks of duration to most or all claimants, such as Ohio, Pennsylvania and Vermont. Between the 1958 and 1961 recessions, the number of unemployed out of work for more than 15 weeks never dropped below 700,000.

Employment opportunities have declined markedly in many industries which formerly provided steady work at good wages and a secure future for millions of American workers. To list steel, textile, automobile and aircraft manufacturing, coal mining and railroad transportation, for example, illus-

trates situations where technical advance and productivity gains have made it possible to obtain greater production with a smaller work force from year to year. In many centers of these industries, abandonment of older plants, or shifts in methods have caused the discharge of workers with long employment records, despite the protection of seniority rules. Rapid technological changes including those resulting from automation may well displace over a million workers per year at present production rates in this decade.

Displaced semiskilled and unskilled older workers remain out of work long because they do not generally have the education and ready adaptability to perform the increasingly technical jobs called for by the growing industries which need more manpower. The faster growing trade, service, and research industries demand different skills and abilities than are possessed by displaced miners and factory hands and railroad workers. And where such workers are located in areas which have a persistent excess of jobseekers over job opportunities leading to prolonged unemployment of even the younger skilled workers, the situation of the older, unskilled, and less-educated, although long-experienced workers, strikingly calls for longer unemployment insurance protection.

In their causes and effects, these problems are national in character and involve a national responsibility. A variety of measures to stimulate employment opportunities and to improve the skills of the work force are required to meet this responsibility. Unemployment insurance is the principal program for mitigating the hardships attendant upon unemployment by maintaining the income of unemployed workers and by keeping up the purchasing power of the community. In spite of the need for strengthening some aspects of the program, unemployment insurance has long proved its basic worth. Operations are quickly and automatically responsive to changes in economic conditions. In general, however, the program now does not provide protection for unemployment which lasts more than 6 months.

In view of the difficulty which many workers with long employment records are encountering and will encounter in securing new employment after they have been laid off, it seems clear that income maintenance for more than 6 months must be considered as an important feature of such an overall program. The Congress has already recognized this need for longer unemployment insurance protection in the case of railroad workers. A Federal program to provide extended duration for other workers with long work experience is fully warranted and would be provided through the additional unemployment compensation provided in the bill.

During recession periods additional unemployment compensation would be payable to individuals who exhaust their State or title XV rights and have no further rights under any other State or Federal law, and whose weeks of State or title XV entitlement plus subsequent weeks of (total or partial) unemployment total the equivalent of 26 weeks of total unemployment, whether or not these individuals qualify under the test of substantial past attachment to the labor force required in nonrecession periods. Such additional unemployment compensation would be payable for any extended duration period beginning after June 30, 1962, to individuals who have exhausted their State or title XV benefits within the 6 calendar-month period preceding the month in which an extended duration period begins and after March 30, 1962. An extended duration period is a period beginning on the day specified in a proclamation of the President after the Secretary of Labor determines that the following two conditions obtain: (1) the total number of claimants

throughout the country who have exhausted their regular State benefits during the 3 preceding calendar months equals or exceeds 1 percent of the total number of workers covered by State laws (such 1 percent is at present about 400,000); and (2) the average weekly number of covered workers certifying to a week of unemployment during each of these 3 months adjusted for seasonal variation and expressed as a percentage of covered employment in all States equals or exceeds 5 percent. The beginning of this program is made subject to Presidential discretion to assure that it is not triggered when there is not sufficient need, as for example, at the bottom of a moderate recession with a fast recovery expected. The period would end on the day following the Secretary's determination that the total number of exhaustions of regular State benefits during the 3 preceding consecutive calendar months was less than 1 percent of all covered workers, except that payments would continue for weeks of unemployment beginning no later than 90 days following the Secretary's determination to individuals with respect to whom additional unemployment compensation was payable for weeks beginning prior to the Secretary's determination.

The number of exhaustions is a good test as to whether additional benefits are needed. However, it is necessary to apply the test over several months, since exhaustions may rise in a single month without unemployment having increased seriously. In order to be sure that a recession period exists, the rate of insured unemployment over a period of several months also assures that the increase in unemployment is not so temporary as not to justify paying additional benefits. On the other hand, the rate of insured unemployment is not a good indication that recessionary conditions have ceased, since one reason for a decrease in insured unemployment may be that there has been a rise in the number of persons who have exhausted regular unemployment benefits.

With the Temporary Unemployment Compensation Act of 1958 and the Temporary Extended Unemployment Compensation Act of 1961, the Federal Government has twice acknowledged its responsibility to extend unemployment insurance payments beyond the benefit duration provided by State programs during recession periods.

Since the end of World War II, the Nation has experienced four recessions, 1949-50, 1953-54, 1957-58, and 1960-61. Cyclical unemployment of serious proportions has become one of the principal problems challenging our economic growth. Extensions of unemployment compensation at such times would be best provided by a permanent standby program. A permanent program of this type would eliminate the need for establishing temporary ad hoc measures.

Employment conditions since the beginning of 1961 indicate that the long-duration unemployment which we are experiencing would have made such a program as that proposed available from January 1 of the present year. The seasonally adjusted national rate of insured unemployment has exceeded 5 percent since August 1960. Exhaustions of benefit rights of the volume required for starting the program began with October 1960 and remained above this level through December.

Payments of additional unemployment compensation under this title, both in recession and nonrecession periods, would be made by the States under the terms of agreements with the Secretary of Labor entered into for this purpose. Such agreements would be similar to those which have been entered into under title XV of the Social Security Act and under the present Temporary Extended Unemployment Compensation Act. In general, the agreements

would provide that payments be made subject to the terms and conditions of the various State laws. In the absence of an agreement with a State, the bill provides for the Federal Government to make payments of additional unemployment compensation. This provision is similar to one appearing in title XV of the Social Security Act.

The bill also provides, as a complement to other measures designed to encourage and facilitate a broadening of retraining opportunities for workers who will thus be aided in finding jobs, that a claimant will be paid compensation for a week during which he is in training or retraining that has been approved by appropriate agencies. The training or retraining would be approved by an accrediting agency, or if there is none for the particular training or retraining, such training or retraining would have to meet quality and supervision standards approved by the Secretary. The training or retraining would be approved also by the State employment security agency as suitable for achieving the occupational objective of the individual after testing and counseling when appropriate. Many workers experiencing prolonged unemployment, and entitled to additional unemployment compensation under the bill, will be able to find work much more readily if they undertake approved training or retraining. Thus, there would seem to be justification for denying additional compensation to an individual who refuses, without good cause, to attend such approved training or retraining.

#### Equalization grants

Section 102 of the bill would add a new title XVII to the Social Security Act to provide for an equalization grants program under which the Federal Government would underwrite two-thirds of the benefit costs in excess of a specified level in each State which meets the requirements of the Federal Unemployment Tax Act, including the benefit requirements added by section 208 of this bill. During nonrecession years, the Federal Government would finance two-thirds of the benefit costs in each State in excess of 2.7 percent of taxable wages. In those years during which the national average benefit cost rate exceeds 2.7 percent of taxable wages, the Federal Government would finance two-thirds of the costs of benefits in any State whose benefit cost rate exceeds this national average cost rate.

Although differences in benefit costs from State to State may be due partly to differences in benefit formulas, the primary influence is the incidence of unemployment over which there appears to be little control. Experience indicates that the rate of insured unemployment and benefit costs vary widely from State to State. Benefit cost levels have been increasing in recent years as a result of changes in labor force characteristics and industrial technology. These changes are expected to continue and to further increase benefit costs.

At present, a State with higher than average unemployment can have higher than average unemployment taxes, or it can keep its costs down by providing inadequate benefits. The higher tax rate may discourage industry, and thus increase the unemployment problem. The inadequate benefits are more serious in a situation of high unemployment than at other times, since they affect more people and for longer periods. Under section 208 of this bill, the Federal Government would establish a level of benefit adequacy for all States to meet. To enable States to meet these benefit expenditures without too much hardship on their employers, the bill proposes that a State which meets the Federal benefit requirements will receive Federal assistance in paying benefit costs which exceed either 2.7 percent of taxable payroll or the national average rate, whichever is higher. States which do not provide benefits equal to the

Federal requirements will not be eligible for equalization grants.

The equalization grants are limited to two-thirds of the State costs in excess of the specified level. Because the remaining third must be paid by the State, the State will have a financial interest in assuring that benefits are not excessive.

There are practical limits to the extent to which an individual State may meet rising benefit costs through increases in employer tax rates. While the effect of tax rates upon the location of industry is not subject to precise measurement, the widespread belief in the importance of such rates in attracting and holding industry is persuasive to State legislatures and effectively limits the degree to which a State may impose tax rates above those existing in other States. In addition, it appears inequitable to impose upon employers in a particular State the full burden of disproportionately high costs to meet a level of unemployment largely beyond its control and resulting from the influence of national factors in the economy.

#### Federal additional compensation and equalization account

Section 103 of the bill amends title IX of the Social Security Act to establish a Federal additional compensation and equalization account within the Unemployment Trust Fund, and to add to section 903(b)(1)(B) a requirement that a State law be approvable under section 3309 of the Federal Unemployment Tax Act if the State is to be eligible for a distribution of excess funds under section 903.

The additional taxes of 0.4 percent (hereinafter explained) are to be transferred to the Federal additional compensation and equalization account beginning with respect to taxable year 1964, and all payments made under the proposed additional compensation and equalization grants programs will be charged against this account.

Since payments under the two programs begin prior to the date when the additional revenue provided by the bill will be collected, section 103 authorizes the appropriation and transfer to the additional compensation and equalization account of funds necessary to make such payments from the general funds of the Treasury. The amounts so transferred are repayable (without interest) to the general fund of the Treasury at such times as the amount in the account is determined to be adequate for the purpose.

The costs of the additional unemployment compensation and equalization grants programs that would be established under sections 101 and 102 of the bill will vary directly with economic conditions. The heaviest cost will be experienced during periods of business recessions when perhaps one-third of the States may be eligible for the proposed equalization grants and when additional unemployment compensation will be payable to long-term unemployed individuals whether or not they meet the test of substantial past attachment to the covered work force. During periods of favorable economic conditions, benefit costs in a very limited number of States are expected to exceed 2.7 percent so that total equalization grants will be relatively low during such periods. Similarly, the benefit costs of providing additional compensation are expected to be lower during such periods since fewer exhaustions are experienced during prosperous periods and additional compensation is limited to only those exhaustees with a substantial work history.

It is estimated that costs under the two programs provided for in the new titles XVI and XVII of the Social Security Act will average about 0.41 percent of taxable wages under a \$3,000 taxable wage base or about 0.26 percent under a \$4,800 taxable wage base. This assumes that 1 out of every 4 years will be a recession year. As hereinafter explained, section 206 of the bill

would increase the taxable wage base under the Federal Unemployment Tax Act to \$4,800, and section 207 of the bill would make permanent the temporary increases in the net Federal unemployment tax of from 0.4 to 0.8 percent which was provided in the Temporary Extended Unemployment Compensation Act for calendar years 1962 and 1963. The additional revenues from these changes should be sufficient to permit prompt repayment of the advances authorized under the bill to cover 1962 and 1963 costs, as well as covering costs for later years on a current basis. Barring unforeseen developments, it is anticipated that repayment of advances from the general fund of the Treasury may commence in 1965. The length of time required for full repayment of advances will depend upon the time and severity of future recession periods as well as the extent to which actual costs experienced agree with estimates. As cost experience is accumulated, a reappraisal of the financing provisions will be made.

**TITLE II—AMENDMENTS TO THE FEDERAL UNEMPLOYMENT TAX ACT IN THE INTERNAL REVENUE CODE OF 1954**

Title II of the bill would amend the Federal Unemployment Tax Act in the Internal Revenue Code to effect an extension of the coverage of the Federal-State unemployment insurance system to over 3 million additional employees. This would be done by extending the Federal unemployment tax to employers of one or more at any time, by revising the definition of employment to include certain agricultural processing services and services performed for nonprofit organizations not presently covered, and by revising the definition of "employee." This title would also amend the Federal Unemployment Tax Act to permit enforcement of conditions presently required to be met by the States in extending their unemployment insurance laws to maritime employers, to establish Federal requirements with respect to State weekly benefit amounts and to provide reduced tax credits for employers in a State not meeting such requirements, to deny tax credit for employers in States which deny benefits to workers who are taking approved training, to increase the taxable wage base from \$3,000 to \$4,800, and to provide for the continuation of the tax rate effective for taxable years 1962 and 1963 to finance the costs of the new additional unemployment compensation and equalization grants programs provided under title I of the bill.

*Employers of one or more*

Section 201 of the bill would bring about 1.7 million more workers under the Federal-State unemployment insurance system by extending the application of the Federal Unemployment Tax Act to employers of one or more, if the employment includes services covered by the act. The coverage would be achieved by deleting the definition of "employer" from section 3306 of the Federal Unemployment Tax Act, and by making appropriate deletions from section 3301 and other sections of such act.

At present, while the Federal Insurance Contribution Act (OASDI) applies to employers of one worker at any time, the Federal Unemployment Tax Act applies only to employers who have at least four workers in 20 weeks during the taxable year. The unemployment insurance laws of 28 States have a similar limitation on the size of the firms subject to the law. In 20 States, employers with one or more workers are covered, although in 13 of these, employers with less than a given amount of payroll or number of weeks of employment are excluded. The remaining four States limit coverage to employers with three workers, in three instances combined with a weeks-of-employment test.

Experience under the Federal OASDI program and under the laws of the 20 States which cover at least some employers of one or more workers has demonstrated that such coverage is feasible to administer. Those covering employers of one or more at any time avoid the administrative burden of determining whether payroll or number of weeks requirements are met. Experience has also demonstrated that protection of these employees is needed. In general, in the States which cover firms with fewer than four workers, the proportion of workers who receive benefits under the program is greater for small firms than for the larger ones. State experience indicates, on the other hand, that extension of coverage does not impose an unreasonable financial burden on small employers.

Since small firms are covered in some States, those workers receive the protection of Federal programs providing additional unemployment compensation, but their employers do not contribute to the Federal funds from which such compensation is paid. In those States, the employer with three workers has an unfair competitive advantage over the employer who has four workers.

Although States can cover small employers on their own initiative, it is apparent that for the most part they have been waiting for the Federal Government to act. Existing laws of nearly all of the States provided for automatic extension of the coverage of their laws if coverage under the Federal act is extended. Such provisions mean that Federal elimination of the size-of-firm restriction on employers could give unemployment insurance protection to the workers involved without the need for State legislative action. In the few States which have size-of-firm restrictions, but no automatic coverage, the employers can elect State coverage until the State legislature acts.

*Nonprofit organizations*

Section 202 of the bill would extend the protection of the unemployment insurance system to about 1.3 million employees of nonprofit religious, charitable, educational and humane organizations, by revising the exclusion in section 3306(c)(8) of the Internal Revenue Code. The proposal would not cover the handicapped in sheltered workshops. No estimates are available on the number of such workers. Nor would the proposal cover about 600,000 individuals, more than half of whom are ministers and members of religious orders and the remainder of whom are primarily students employed by their educational institutions, student nurses, interns, and individuals earning less than \$50 per quarter.

About half of the workers who would be added are employed in hospitals, and about one-third by educational institutions. Only a small percentage are employed by religious and charitable institutions supported by donations.

The workers who would be covered include a wide range of occupations, not distinguishable from those performed in covered employment. They are printers, typists, elevator operators, cooks, busboys, janitors, scrubwomen, as well as teachers, nurses, and professional social workers. About 40 percent of the hospital workers are food, maintenance, and custodial workers. Such evidence as is available indicates that employees of nonprofit organizations have a risk of unemployment as do presently covered workers. While certain professional groups in the nonprofit field may frequently have the protection of tenure and stable employment, with provisions for severance pay, the same could be said for many presently covered workers. Other nonprofit organization employees, particularly in the nonprofessional occupations, are often low paid and have a high rate of turnover, which generally indicates unemployment.

To make nonprofit organizations liable to pay unemployment compensation contributions would not change the special status they enjoy in regard to Federal income tax and, in some instances, to property taxes. They are already covered, to some extent, by workmen's compensation, and such coverage has not affected their special status. Moreover, the traditional exemption of nonprofit organizations from revenue raising taxes should not be carried over to programs designed for the protection of their workers.

A substantial part of the funds of nonprofit organizations comes from sources other than voluntary contributions. Many such organizations sell goods and services in competition with profit-making organizations. Again, using hospitals as illustrative since they employ half of the workers who would be covered by the proposal, a study of one group of 85 nonprofit hospitals indicated that only 10 percent of their revenue came from gifts and endowments, while about 70 percent represented payments by patients and their insurance carriers.

In about 23 States, action by State legislatures would be necessary to bring about mandatory coverage of services for nonprofit organizations, because Federal action would not automatically extend such coverage. Three States have provided fairly broad or universal coverage of these workers, and four others cover certain activities. In addition, some of the organizations have elected coverage. But only about 60,000 to 100,000 of the 1.3 million have been covered. Thus, it seems that Federal action is needed if this group is to be protected.

*Employee*

Section 203 of the bill would extend coverage to about 250,000 additional workers by revising the definition of "employee" to incorporate three tests which have become known as the ABC tests of employment relationship. Under the revised definition, anyone who performs services for another is to be considered an employee for the purposes of the statute unless it is determined that: (A) the worker is free from control in performing his duties, not only under the contract but also in fact, (B) the service is either outside the employer's usual course of business or is performed outside his places of business, and (C) the worker is customarily engaged in an independently established business of the same nature as the services which he performs for his principal.

The ABC tests relate to the degree of control that is or can be exercised over the individual in the performance of services, the integration of the individual's work in the business for which he renders services, and the extent to which the individual is an entrepreneur. If all of the tests are met, the individual is not an employee and his services are excluded from unemployment insurance coverage.

The common law test of master-servant relationship is not an appropriate guide for separating those who should be protected against the risk of unemployment from those who are entrepreneurs and not to be insured against unemployment.

The common law test stems primarily from efforts to establish a just standard for determining when one person should be held responsible for the tortious acts of another. Since these acts normally result from the negligent manner in which work is done, the right to control the manner of performance provides a sound criteria of liability. In unemployment insurance, however, the dependence of an individual upon another for his livelihood is the primary consideration, not the degree of control to which the individual is subject in performing the services.

The revised definition would provide criteria specifically designed to carry out the purposes of unemployment insurance. Test (A) includes the normal "control"

test, but is so phrased as to preclude determinations made on the mere form of the employment contract without regard to the degree of control actually exercised. Test (B) relates to the integration of the individual's services into the business. It is a dual test; if the individual's services are either outside the usual course of the employer's business, or are performed outside of his places of business, the individual meets this requirement for exemption from unemployment insurance coverage.

The (C) test requires a showing that the individual is customarily engaged in an independent business. It requires, in effect, that the worker be an entrepreneur and that the services be rendered by him in that capacity. It calls for an enterprise that exists apart from the relationship with the particular employer and could survive the termination of that relationship. It thus approaches, as nearly as a formal test can, the economic line that bounds the risk of unemployment.

The change would give unemployment insurance coverage to such occupational groups as outside salesmen in manufacturing and wholesale trade, shop operators working under lease agreements, and house-to-house salesmen, depending, of course, on specific situations. These individuals cannot realistically be deemed to be independent businessmen.

The proposal would make the Federal act more consistent with the provisions in many State laws. About 26 State laws now contain the ABC tests, and a number of others contain one or two of these tests. Substitution of these tests for the master-servant relationship in the Federal act would eliminate difficulties which some States have had with the interpretation of their own definitions, since some State courts have indicated a belief that the State law could not extend coverage beyond that of the Federal act. As there has sometimes been uncertainty over the relationship of the ABC tests to the common law concepts, the proposal makes clear that the ABC test is distinct from, and not a mere rephrasing of, the common law rules.

#### *Agricultural processing workers*

Section 204 of the bill would extend unemployment compensation protection to about 200,000 agricultural processing workers, that is, those engaged in drying, packing, packaging, processing, freezing, grading, storing, or similar activities performed in the employ of cooperative organizations, commercial handlers of fresh fruits and vegetables, or farm operators who produce 50 percent or less of the commodity being processed. This coverage would be accomplished by changing the definition of "agricultural labor" contained in section 3306(k) of the Federal Unemployment Tax Act to that contained in the Federal Insurance Contributions Act since 1950.

The services performed by agricultural processing workers are similar to those performed by workers in industrial and commercial establishments presently covered by the unemployment compensation system. Agricultural processing workers operate mechanical equipment such as graders or conveyors; they include stationary engineers tending steam boilers, box assemblers, truck operators, receiving clerks, and electricians as well as workers who handle, sort, grade, wash, polish and pack the fruits and vegetables.

#### *Equal treatment of Great Lakes seamen*

Section 205 of the bill provides that if the Secretary of Labor has made a finding that a State law does not meet the requirements of section 3305(f) with respect to the coverage of maritime workers, the Federal unemployment tax liability of maritime employers is to be determined without any tax credit being allowed for any amount such

employer paid under the law of such State. This section is intended to correct a longstanding State violation of a Federal requirement.

Section 3305(f) of the Federal Unemployment Tax Act, enacted in 1946, gives States permission to require contributions from maritime employers subject to several conditions. In granting this permission, however, Congress did not provide any sanction to insure enforcement of these conditions.

One of the conditions of section 3305(f) is that maritime workers must be treated, for purposes of wage credits, like shoreside workers. However, while the 1946 amendments allowed time for States to adjust their laws to this and other conditions, the Ohio law, unlike that of any other State, did not then and still does not provide Great Lakes seamen with treatment comparable to shoreside employees. Under the Ohio law, shoreside employment may be declared seasonal only if the period of operation is less than 36 weeks in a year. While there are restrictions on the benefit rights of a shoreside seasonal worker, such a worker may combine seasonal and nonseasonal wage credits for benefit purposes. By contrast, Great Lakes employment is declared seasonal in the statute, with a 40-week period beginning with the fourth Sunday in March, and wage credits earned in Great Lakes shipping may not be combined with any other wage credits.

This discrimination against Great Lakes seamen by Ohio is particularly significant because most Great Lakes shipping is covered under the Ohio law, regardless of the residence of workers. Even if vessels travel mainly between ports in other States, they are subject to the Ohio law if the offices controlling their operation are located in Ohio. The restrictions on benefit rights are therefore felt by residents of all the States which have Great Lakes ports.

In view of the Federal Government's constitutional jurisdiction over maritime employment, the present language of section 3305(f) means that a State which discriminates against maritime workers is acting without authority when it taxes maritime employers on the basis of wages paid to such workers. The proposed amendment would prohibit maritime employers from receiving Federal tax credit for such unauthorized taxes collected by the State.

#### *Definition of wages*

Section 206 would raise the tax base under the Federal Unemployment Tax Act to \$4,800 by amending the definition of "wages" in section 3306(b), effective for taxable years after 1963.

The present \$3,000 limitation on the tax base was established in 1939 in order to bring about uniformity in employer reports under the unemployment insurance and old-age and survivors' insurance programs. Since 1939, however, average weekly wages have more than tripled. Thus, in contrast to the estimated 95 percent of total covered wages taxed in 1939, only 63 percent of covered wages are currently taxed, with the gap steadily increasing with the rise in wage levels. Under the OASI program, the wage base is geared to statutory benefit levels and is now \$4,800, but no comparable adjustments have been made in the taxable wage base under the Federal Unemployment Tax Act.

Continued use of the \$3,000 wage base has contributed to a steady decline in State reserve funds, since employer contributions, limited to this base, do not increase in proportion to rising benefit liabilities of the unemployment insurance program. This is of concern to the Federal Government as well as to the States, because there is a national interest in a soundly financed program and a Federal responsibility for assisting States whose reserves become inadequate.

States hesitate to take independent action in this area. Currently only nine of them

use a higher wage base than is used in the Federal Unemployment Tax Act, and all but one use a base lower than \$4,800. The laws of 26 others, however, provide for basing contributions on a wage base higher than \$3,000 if and when the Federal Government does so. These States, it appears, are postponing an increase in the wage base until the Federal Government takes action.

An increase in the wage base to \$4,800 would be especially desirable in the dozen or so States currently faced with seriously low reserves. In other States, the increased income would be used to build up reserves which have been declining. States which do not need additional revenues can adjust their tax structures so that the tax yield remains at approximately the same level.

An increase in the wage base would reduce the inequities created by the "freezing" of the base at the present \$3,000. Currently, low-wage employers pay a much higher effective tax rate than do high-wage employers since a much greater proportion of their payroll is subject to contributions under the Federal Unemployment Tax Act. Financing new programs or rising administrative costs solely by increases in tax rates would make the Federal tax even more inequitable.

Also, continuation of the present base will operate, as it does at present, to prevent Federal tax income from growing, although administrative costs are increasing. The increased Federal unemployment tax revenues that would be derived from the \$4,800 taxable wage base would build the Federal unemployment account to the specified \$550 million and the employment security administration account to the specified \$250 million faster than under the present law (thereby saving interest on advances from the revolving account to the employment security administration account), and would also contribute to the financing of the Federal additional unemployment compensation and equalization grants programs established by title I of this bill.

Already more of the proceeds from the recent increase in the Federal unemployment tax (Public Law 86-778) to 0.4 percent of taxable wages is needed for administrative costs of the program than was expected. (The congressional expectation was that at least 0.1 percent of taxable wages would be used for the rebuilding of the Federal unemployment account.) The \$3,000 limitation on the taxable wage base, if not increased, will continue to prevent Federal tax proceeds from increasing at the same rate as increases in administrative costs.

#### *Increase in the rate of tax*

For the purpose of financing the Federal additional unemployment compensation and equalization grants programs which would be established under title I of the bill, section 207 would raise the net Federal unemployment tax from 0.4 percent to 0.8 percent, effective with respect to wages paid after calendar year 1963. Under the Temporary Extended Unemployment Compensation Act, this increased rate of tax is made applicable with respect to wages paid in 1962 and 1963 in order to finance the temporary program provided under that act. Section 207 would continue this rate of tax with respect to wages paid after 1963.

#### *Benefit requirements*

Section 208 would add a new section 3309 to the Federal Unemployment Tax Act. This new provision would require State laws to provide that the weekly benefit amount payable to any individual for a week of total unemployment, exclusive of any compensation payable with respect to dependents, be the lesser of:

- (1) the maximum weekly benefit amount payable under the State law; and
- (2) an amount equal to not less than one-half of the individual's average weekly wage.

This requirement is intended to insure that eligible claimants at benefit levels below the maximum are entitled to receive, when totally unemployed, a weekly benefit amount equal to at least one-half of their average weekly wage, exclusive of any additional benefits which the State law may provide for claimants with dependents. Each State would have complete latitude to control weekly benefits above the Federal requirement. Thus, those States which pay benefits equal to more than one-half of average weekly wages to individuals at low wage levels or even those at higher wage levels could continue to do so.

At the present time 12 States augment basic weekly benefits for claimants with dependents. Such dependents' allowances are customarily paid in addition to the basic weekly benefit amount determined solely by the claimant's earnings, on the ground that basic benefits represent the minimum necessary insurance protection for any claimant. According to this bill, 50 percent represents this necessary minimum. Consequently, the bill provides that the 50 percent computation to determine the individual's weekly benefit amount is exclusive of dependents' allowances.

New section 3309 also requires State laws to provide that the maximum weekly benefit amount payable to any individual for a week of total unemployment, exclusive of dependents' allowances, is an amount equal to at least the following percentages of the statewide average weekly wage:

(1) 50 percent for benefit years beginning on and after January 1, 1964, and before January 1, 1966;

(2) 60 percent for benefit years beginning on and after January 1, 1966, and before January 1, 1968;

(3) 66 $\frac{2}{3}$  percent for benefit years beginning on and after January 1, 1968.

To provide a weekly benefit equal to at least half their wages for the great majority of covered workers should they become unemployed, the maximum weekly benefit, exclusive of dependents' allowances, would have to be more than one-half of average wages in the State. The bill would require the maximum to equal at least two-thirds of the statewide average weekly wage in covered employment to be reached, however, in three stages. This gradual approach to the ultimate effective date for the two-thirds maximum is intended to give States time to adjust their financing arrangements to accommodate the additional costs that the higher maximum may entail. The purpose of having the maximum become effective with benefits years beginning on and after the dates specified is to avoid imposing on the States the administrative expense of making redeterminations for individuals who begin benefit years prior to these dates. The proposal relates the maximum basic weekly benefit to the statewide average weekly wage, thus taking account of differences in wage levels among the States and of changes in wage levels within a State.

In 46 States the benefit schedules in effect as of January 1, 1961, contained maximum weekly benefit amounts that were less than 50 percent of the respective State's average weekly covered wage.<sup>1</sup> In each of these States, the maximum would prevent a substantial number of claimants from receiving 50 percent of their average weekly wage. In 31 States, for example, regardless of how high their weekly wages may have been, one-half or more of all 1960 claimants received the statutory maximum weekly benefit amount. In 17 States, moreover, 3 out of

every 5 claimants in that year received the statutory maximum, even though their weekly wages in many cases might have been more than double this benefit. For most workers then, in more than 30 States, the program has been tending to become a flat benefit system rather than one where weekly benefits are related to weekly wages. In contrast, in 1939, the second year in which benefits were paid in most States, maximum weekly benefits were over 50 percent of the average weekly wage in all but two States, and were over 60 percent in all but 16 States.

#### *No denial of compensation during training*

Section 209 would add a new paragraph to section 3304(a) of the Federal Unemployment Tax Act requiring, as a condition for employers in a State to receive normal tax credit, State laws to provide that compensation shall not be denied to an otherwise eligible individual for any week during which he is attending a training or retraining course with the approval of the State agency. This new requirement provides also that such individual shall be deemed to be available for work and actively seeking work in a week during which he is attending such training or retraining course, and that he shall not be disqualified for refusing to accept work during his attendance at such course.

It has generally been held under most State laws that an individual is not available for work unless he is willing to quit his course at any time that a suitable job is offered to him. It has generally been held also that attendance at such a course is not good cause for refusing a job offer. Further, where a State law has an active search-for-work requirement, individuals who are attending a training or retraining course have been held not to meet this requirement.

The change in occupational skills required by modern industry results in persistent unemployment of those who do not have such required skills. It has become clear, therefore, that for many claimants occupational training or retraining is essential if they are to be suitably reemployed. Yet the laws of only 10 States furnish any assurance that workers will not be denied unemployment compensation if they undertake occupational training or retraining. Accordingly, it is necessary to require States not to deny unemployment compensation to an individual who takes such training so that he can have the assurance that he can complete the course that he has undertaken. Section 101 of this bill provides similarly that Federal additional compensation under new title XVI shall not be denied to a worker who is taking approved training or retraining.

#### *Limitation on credit against tax*

In order to provide a reasonable incentive for States to comply with the proposed Federal requirements with respect to benefit amount, section 210 of the bill would amend the tax credit provisions of section 3302 of the Federal Unemployment Tax Act. A State would not be required to meet the Federal benefit requirements in order to have an unemployment insurance program which is part of the Federal-State system. A State which does not meet the requirements would still be entitled for that year to Federal grants for administration under title III. Employers would still be entitled to some tax credit but not necessarily to a credit of 2.7 percent.

Tax credit for employers in a State which meets the Federal requirements with respect to weekly benefit amount would be determined as it is now. Tax credit for employers in a State which does not meet these requirements would be the lower of (a) the State's 4-year average annual benefit cost rate, and (b) 2.7 percent. All employers in that State, regardless of their individual tax rates assigned under the experience rating

provisions, would pay an additional Federal tax equal to the difference between the 4-year average cost rate in the State and 2.7 percent.

Presumably Congress provided the 2.7-percent tax credit to employers who paid State contributions on the assumption that on the average it would cost that amount to provide adequate benefits. This bill provides that, to the extent a State can finance an adequate program with taxes of less than 2.7 percent, employers will continue to be given the full 2.7-percent tax credit. In a State providing an inadequate program, however, employers would be allowed tax credits equal to no more than the actual cost of such program.

#### *Effective dates*

Under section 211, amendments made by title II of the bill would be effective with respect to remuneration paid after 1963 for services performed after 1963, except that the amendments made by sections 205, 208, 209, and 211 would be effective January 1, 1964.

### THE KENNEDY ADMINISTRATION AND DEFENSE CONTRACTS FOR NEW YORK STATE UNEMPLOYMENT AREAS

Mr. STRATTON. 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 New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, one of the major matters of concern to Members of Congress from the State of New York has been the number of defense contracts coming into our State. This has been of concern to us not only because of the fact that other States, California in particular, have been getting an increasingly larger share of defense contracts in comparison with the share that traditionally has come into New York, but also because New York State has been suffering very heavily from unemployment, currently has the dubious distinction of having 10 percent of the total of unemployed citizens in the Nation, and some 14 major areas of distress across the State.

Because of this situation President Kennedy, last fall when he was a candidate for President, stressed his interest in helping the unemployment areas of our State and pledged his efforts to do everything possible as President to see that defense contracts were channeled into the unemployment areas of New York as well as other States. Very largely as a result of this clear statement of policy, I am convinced, President Kennedy reversed a longstanding trend in the State of New York by carrying our State for the Office of President. In fact his overwhelming majority of over nearly 400,000 votes was the largest of any State in the Nation. It is, therefore, of great interest to the people of New York what has actually happened in getting defense contracts into New York in the days which have elapsed since the Kennedy administration took office.

The other day, Mr. Speaker, there came to my attention as a member of the Armed Services Committee of the House a compilation by the Department

<sup>1</sup> Although Puerto Rico joined the Federal-State unemployment insurance system Jan. 1, 1961, it is excluded from this statement and the remainder of this document since data for measuring the adequacy of its program have not become available.

of Defense which indicated the amount of defense contracts going into the various unemployment areas of the Nation, including the 14 designated unemployment distress areas of New York State. This compilation also made a comparison between the amount of defense contracts coming into these areas during the first 3 months of 1961, the opening months of the Kennedy administration, and the amount which came in during the preceding months of the Eisenhower administration.

Mr. Speaker, I think it should be brought to the attention of this House and of the people of New York State the extent to which these preliminary figures demonstrate the most remarkable way in which the President of the United States has acted to carry out his pledge to the people of New York State. The total volume of Government defense contracts coming into New York State unemployment areas during these first 3 months of 1961, based on the official figures supplied by the Department of Defense, increased by some 43 percent over the total amount of defense contracts to New York State unemployment areas during the last 3 months of 1960, the closing months of the Eisenhower administration. Just think of that—an astounding increase of 43 percent in just 3 months, or a dollar volume increase from \$36,579,000 to \$51,825,000.

In addition to that these official figures reveal that 10 out of the 14 designated unemployment areas in New York State received a greater dollar volume of defense contracts during the first quarter of 1961 than they received during the last quarter of 1960.

Mr. Speaker, I make this point not only for the sake of commending our President and his administration for the magnificent way in which they have moved to deal with our unemployment problem in the critical areas of New York State, but also to make the record absolutely clear on this point and to eliminate any confusion or misunderstanding which may have been created as the result of some remarks published in the RECORD for June 6, in which a Member of the other body suggested that the Kennedy administration has been guilty of causing "a real depression for New York State contractors," and it was charged that defense contracts to New York had in fact dropped by 5 percent.

Mr. Speaker, just to emphasize further how unemployment areas in our State have benefited during the first 3 months of the Kennedy administration in comparison with the last 3 months of the previous administration defense contracts for the Buffalo area, for example, jumped from \$10,770,000 to \$25,028,000, and those for Utica-Rome jumped from \$9,643,000 to \$11,593,000.

The only area to suffer any significant decline was the Albany-Schenectady-Troy area, which dropped from \$9,687,000 to \$3,641,000. But the major volume of contracts in these areas go to the General Electric Co. in Schenectady, and since the heavy industrial products manufactured in Schenectady, such as large motors and turbine generators, are not

the kind that defense agencies requisition every other day, figures based only on a 3-month period are likely to be somewhat misleading. Also, these 1961 defense figures do not include the recent \$8 million order for Schenectady turbines placed by the Interior Department, a nondefense agency which still has been most welcome in my home city.

The following unemployment areas in New York State, Mr. Speaker, received a greater percentage of defense contracts during the first 3 months of the Kennedy administration: Amsterdam, Buffalo, Elmira, Gloversville-Johnstown, Jamestown-Dunkirk, Ogdensburg-Massena-Malone, Plattsburgh, Syracuse, Utica-Rome, and Wellsville.

Those communities which showed a drop in defense contracts over the period were: Albany-Schenectady-Troy, and Auburn. The Olean-Salamanca area, which received no contracts, had only been certified as an unemployment area as of January of this year, and hence no comparative figures were available.

Amounts of contract awards for each area are listed below:

Labor surplus area	Total, January- March 1961	Total, October- December 1960
Albany-Schenectady-Troy	\$3,641,000	\$9,687,000
Amsterdam	913,000	217,000
Auburn	184,000	1,476,000
Buffalo	25,028,000	10,770,000
Elmira	2,378,000	420,000
Gloversville	234,000	42,000
Jamestown-Dunkirk	665,000	374,000
Newburgh-Middletown-Beacon	524,000	784,000
Ogdensburg-Massena-Malone	58,000	13,000
Olean-Salamanca	0	0
Plattsburgh	5,946,000	2,883,000
Syracuse	389,000	0
Utica-Rome	11,593,000	9,643,000
Wellsville	272,000	270,000

And so, Mr. Speaker, on the basis of these figures things are definitely looking up for New York State with President Kennedy in the White House. It is my sincere hope that with this new spirit of concern for our unemployment areas that is being manifested here in Washington under this administration the problems which have beset us in New York will gradually be corrected and this great State of ours, which has always in the past been in the forefront of industrial production, will once again assume the position of leadership for which it is deservedly known as the Empire State.

#### SOVIET DEPORTATION OF THE BALTIC PEOPLES IN 1940—LITHUANIANS, LATVIANS, ESTONIANS

Mr. McCORMACK. 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 Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, World War II caused the death of tens of millions of people, and inflicted indescribable misery to peoples numbering several hundred millions. In Europe, among the war's most helpless victims

were the peoples of the three small, independent republics in the Baltic countries—Lithuania, Latvia, and Estonia. The tragedy of the Lithuanians, as well as those of Latvians and of Estonians, was caused by the evil men in the Kremlin.

These people had endured the czarist Russia's autocratic yoke for more than 100 years, and had regained their independence at the end of the First World War. In their historic homelands, they devised their own democratic government, and were living happily. But as the clouds of war, in 1939, began to darken the skies, they became apprehensive of their own fate. The governmental leaders in all three of these countries were fully aware of the dangers threatening them, but they were helpless to avert the impending tragedy.

Soon after the outbreak of the war, Lithuanians and their two unfortunate neighbors were ruthlessly bullied by the Kremlin. They were forced to sign mutual assistance pacts with the Soviet Union. Then early in 1940, under some flagrant pretext, the Governments of Lithuania, Latvia, and Estonia were accused by the Kremlin of anti-Soviet activities. Soon the Red army moved into these countries, and many of the government leaders fled the country. In June, Soviet occupation of these countries was complete. Soon they were forced against their will to become integral part of the Soviet Union.

In the meantime wholesale arrests and imprisonments of prominent men in every walk of life were proceeding; terror gripped the people; no one felt safe, even women and children were, in many cases, faced with summary arrest and imprisonment. In the course of the Soviet occupation in 1940-41 and since 1944 tens of thousands were arrested in Lithuania alone, forcibly placed in freight cars, and then exiled to the wilderness of Asiatic Russia. During the period from June 14 to 21, 1941, 34,260 persons were deported to remote areas in Siberia and the Arctic. Today, very little is known of the fate of these innocent and helpless souls. Some have undoubtedly died, while others probably still suffer under cruel Communist totalitarian tyranny, still cling to the hope of their freedom.

The fate of Latvians and Estonians was not much different. As a matter of fact, Soviet treachery was well coordinated in carrying out the ruthless plan of conquest and enslavement of the peoples in all these three countries. The Red army's occupation of the three countries took place at the same time; and the subsequent arrest and imprisonment of Latvians and Estonians took place simultaneously. These tens of thousands shared the same fate as the exiled Lithuanians. They, too, were shipped off to distant regions of Asiatic Russia, where they are suffering under inhuman treatment in the hands of the Communist tyrants. On this 21st observance of that evil and tragic event, let us all hope and pray that the survivors will some day regain their freedom from Communist totalitarian tyranny.

**A MEMORIAL TO THE CONGRESS THAT THE UNITED STATES CEASE ALL TRADE WITH CUBA**

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I want to take this opportunity to once again point up the fact that the United States is continuing to import goods from Communist Cuba. Though this fact may be well known by Members of Congress, it may not be prominent in the minds of the public. A necessary step in public education was taken recently by one of the Nation's leading newspapers when it carried an article on Cuban trade on its front page.

No excuse exists for the continuation of this activity. For many months now, I have protested this matter to the State Department. My requests have been met with inaction coupled with such reassurance as "the matter is under consideration." Now, according to a news article, "most Government economists consider the trade insignificant—and perhaps of as much value to Americans as to Cubans."

Compared to the volume of trade this Nation carried on with Cuba before its Communist dictator came to power, the present figures seem fractional. This is to be expected when we were forced by insults and unfriendly acts to sever diplomatic relations with Cuba. In 1958, a year before Castro came to power, the United States imported \$528 million in goods and materials from Cuba. Now, after being humiliated, and having property of U.S. citizens confiscated, the United States continues to import over \$30 million in Cuban goods.

Who are these Government economists that call the flow of Cuban goods insignificant? Thirty million dollars may be a minor figure when compared to total U.S. imports, and \$30 million may be dwarfed by our gross national product. But the issue is not the volume we trade with Cuba, it is the fact that we trade with Cuba. This is not an economic issue, it is a moral issue.

If the pronouncements of a few Government economists are statements of our Government's position then these statements become sad comments on America's moral structure.

Mr. Speaker, since Castro's rise to power, our prestige has suffered greatly in Latin America. We have suffered unprecedented harassment. Our dignity has been desecrated by such recent antics as an effigy burning of our President and public destruction of Havana's statue of the American eagle, symbol of United States-Cuban ties since the turn of the century. The theme of Communist Cuba's first May Day celebration was U.S. degradation.

I ask the membership to ponder the absurdity of our position.

Mr. Speaker, I should like to call your attention to a resolution adopted by the Legislature of the State of Florida, and

just sent to me. This memorial proclaims Cuba a threat to this Nation, is critical of Cuban confiscation of U.S. interests, proclaims the humiliation suffered by this country absurd, and condemns existing trade with Cuba. I insert it at this point in the RECORD:

**HOUSE MEMORIAL 1693**

Memorial to the Congress of the United States to provide that the United States cease all trade with the Republic of Cuba

Whereas the Republic of Cuba, located within 90 miles of the United States, has been led by its leaders into the bloc of Communist nations whose avowed purpose is to destroy the United States and its form of government; and

Whereas the Republic of Cuba has intentionally attempted to discredit the United States in the eyes of the world; and

Whereas untold hundreds of millions of dollars of property owned by Americans have been confiscated by the Republic of Cuba without due process of law or just compensation; and

Whereas Americans and freedom-loving Cubans have been felled by bullets which well might have been purchased from Communist nations, with dollars earned by trading with the United States; and

Whereas the Government of the United States has deemed it proper to sever diplomatic relations and curtail trade with the Republic of Cuba; and

Whereas to continue any trade whatsoever, and thereby contribute to the economy of a country who with each new day humiliates the United States by any means available, is an absurdity of the highest degree; and

Whereas the people of Florida join with all other freedom-loving people in feeling that the relatively small amount of trade left with the Republic of Cuba should not be used to finance the purchase of arms for the continuation of the Cuban bloodbath: Now, therefore, be it

*Resolved by the Legislature of the State of Florida,* That the Congress of the United States be and it is requested to take the appropriate steps necessary to cease all American trade with the Republic of Cuba so long as diplomatic relations between the two nations do not exist; be it further

*Resolved,* That copies of this memorial be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the House of Representatives of the United States; and to each member of the Florida congressional delegation.

(Filed in office, secretary of state, June 5, 1961.)

Mr. Speaker, I have introduced House Concurrent Resolution 215 on April 12. It expresses the will of Congress that trade with Cuba be halted. This resolution is pending before the Ways and Means Committee, and no action has yet been scheduled. I respectfully submit that the Members of this body should use the power given them by the American people to put this resolution into effect.

Great inconsistencies exist in our Government. We have severed diplomatic ties with Cuba, formally branded it a Communist satellite as alien to this hemisphere as Russia itself, and supported an anti-Communist liberation attempt. We must collect ourselves. The American people are gravely concerned over their position in the Caribbean. I ask this Congress to express its will that Cuban imports be halted, and to direct its voice to those in our Government

whose responsibility it is to effect a more coordinated and representative policy toward Cuba.

**WHERE WE STAND ON NUCLEAR TEST BAN NEGOTIATIONS**

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 40 minutes.

Mr. HOLIFIELD. Mr. Speaker, I have chosen this time today to speak on what I consider one of the most important questions that faces our Nation. That is the question whether we shall extend the nuclear test ban negotiations in Geneva and maintain the moratorium on nuclear weapons tests or not.

Mr. Speaker, there have been increasing questions and growing demands for a reexamination of the U.S. position on the negotiation of a nuclear test ban with the Soviets.

This concern is understandable in view of the extended period of negotiation, and the apparent unwillingness of the Soviets to reach a workable agreement with adequate controls. That we have reached a nuclear stalemate was underlined in the series of "nyets" which President Kennedy reported he received in his conference in Vienna with Chairman Khrushchev.

In making any reexamination of our position and charting our future course, I believe it is important that we keep the various factors which must be considered in proper balance. We have made some mistakes in the past in going overboard on the test ban without proper consideration and consultation. Let us not make similar mistakes again.

First off, I believe we should dispose of some misapprehensions as to what the President intends to do, which resulted from certain news stories. These stories have been construed to indicate that the President intends to negotiate indefinitely, and that the President sees no need to resume nuclear testing. But if we look at what the President actually said we get another picture. An Associated Press story quoted the President as follows:

For the present we are going to stay in Geneva (at the nuclear test negotiations) and stand by the draft treaty we have presented.

And if we look to the President's statement on the need for testing it was confined to our nuclear rocket program. In the same AP story the President was quoted as saying:

I know of no test which is now necessary for our program in outer space.

We are also hearing recommendations from various quarters as to the necessity and urgency of resuming weapons tests. This is somewhat peculiar since most of those now making suggestions were silent for more than 2 years while the Geneva test ban negotiations dragged on under the previous administration.

I would like to emphasize that these negotiations are too important to become a partisan issue. It was not, and

is not, a partisan issue in the Joint Committee on Atomic Energy, of which I have the honor to be chairman. I would especially pay tribute to my Republican colleagues in the House and Senate who are members of the Joint Committee and who have strong convictions on this subject, but who have been willing to go along with one last effort by the new administration to achieve an agreement on this difficult subject.

As a matter of fact, I have rather strong views on this subject myself. In making these remarks, I wish it to be distinctly understood that I am expressing my personal opinions based on my 15 years' experience as a member of the Joint Committee on Atomic Energy and based on the information available to me as a result of that membership. Some of you may recall that I was chairman of an ad hoc subcommittee of the Joint Committee which visited the AEC Los Alamos and Berkeley Laboratories in 1949 to review the status of advanced weapons development. It was this subcommittee which helped persuade President Truman to proceed with the hydrogen bomb program.

I recall in 1956 when a hullabaloo was raised over proposals by Adlai Stevenson to stop further tests of hydrogen weapons because of the alleged fallout problem. In 1957 I chaired hearings by the Joint Committee's special Subcommittee on Radiation in which we were able to bring considerable perspective as to the hazards of fallout from weapon tests.

During and following these hearings various proposals for limiting the fallout hazard were made. Thus Senator ANDERSON proposed limiting the amount of fission products put into the atmosphere in any one year, and Congressman Carl Durham, the former Chairman of the Joint Committee on Atomic Energy, proposed confining tests to underground shots and thereby avoid the fallout problem entirely.

I also recall that in August 1958 President Eisenhower announced that the United States would be willing to enter into a moratorium on all weapons tests while an agreement with adequate controls was being worked out. In retrospect, I regret to say that there were several things wrong with this proposal:

First. It was based on inaccurate scientific data derived from only one underground test.

Second. It confused the fallout objectives of the test ban arrangements with disarmament. World opinion had been aroused over the alleged fallout hazards, and the banning of atmospheric tests would have taken care of this problem.

Third. It took away our bargaining power, and gave the Soviets an incentive to drag out negotiations so as to have a de facto moratorium without any corresponding controls.

Fourth. It was made without any significant bipartisan discussions or consultations with the Joint Committee on Atomic Energy and other congressional committees, prior to its announcement.

I go over these matters not to rake over past history for its own sake, but to hope that we can learn some lessons for our current situation. In 1958, in my judgment, we went too far in getting tied

up in a moratorium on all tests. In 1961, we should be careful not to make a similar mistake in the other direction.

In 1958 my colleagues and I went along with the President's proposal, pointing the need for avoiding any stalling of negotiations.

We also indicated that continuing technical review of research and development for improved controls was necessary. In 1960 our Radiation Subcommittee, under my chairmanship, along with the Subcommittee on Research and Development, held extensive hearings from a group of representative experts on the technical aspects of a nuclear weapons test ban. Among other things, the subcommittee made the following observations as to the possibilities and problems of the proposed Geneva system:

Specifically, there was general agreement as to the following:

1. The Geneva control system of 180 stations will require augmentation and improvement to restore the capability for detection and identification of underground seismic events to the value of 5 kilotons estimated by the 1958 Conference of Experts (hereinafter experts).

2. It is possible to increase the difficulty of detection and identification of underground seismic events by decoupling nuclear explosions by a factor of up to 300.

3. To establish a capability for the Geneva control system to detect and identify underground seismic events of yield equivalent to that of a 20-kiloton fully decoupled explosion, it will be necessary to increase greatly the number of stations and to improve the instruments and techniques of seismic detection.

4. A vigorous and sustained program of research and development is necessary to improve our instruments and our techniques of detection, identification, and inspection of underground nuclear explosion tests.

5. An increase in the number of stations in the Geneva control system, in order to lower the threshold of underground seismic events which it can detect and identify, will result in a considerable increase in the number of unidentified events which may require inspection.

The subcommittees were also impressed by the importance of the time factor in relation to nuclear test cessation. The United States has not tested any nuclear weapons since its Hardtack II series in the fall of 1958. It appears from the testimony that at least for the next several years it will not be possible to identify underground events whose seismic signals record the equivalent of a non-muffled nuclear explosion of 20 kilotons or less, although they may be detected. Further, it appears that for this same time period it will not be possible to detect muffled tests of 100 kilotons or more set off deep underground in large cavities. Therefore, it seems that for the next several years and possibly thereafter there could be a race between improved means of detection and identification as against improved means of concealing and muffling nuclear tests.

Several members of the Joint Committee have served as congressional advisers on the Geneva Conference, and have sat in on the negotiations several times.

My most recent visit to the Geneva Conferences occurred just 10 days ago, with my colleague MEL PRICE and three Members from the other body. We were accompanied by the Joint Committee staff director, Jim Ramey, and George

Murphy on the staff. Our group attended 4 days of negotiations—the 309th, 310th, 311th, and 312th sessions—May 25, 26, 29, and 30.

We attended a number of special, private briefings with Ambassador Dean, his deputies, and various technical and administrative experts on his staff. We express our confidence in the ability of Mr. Dean and the U.S. staff. Within the limits of the present status of the negotiations and their instructions, they have been acquitting themselves in an excellent manner.

We observed little constructive results in the basic areas of discussion and no change in the unyielding attitudes of the Soviet negotiators. Such minor concessions as have been made by the Soviets are more than nullified by their regressive proposal for a three-man administration. This proposal of the Soviets entails a built-in veto on all vital control procedures and actions.

We found that there is good reason to believe that world opinion is becoming more favorable to the United States. Foreign paper editorials credit the United States attempts to reach an acceptable agreement as being constructive and in good faith. Comments from prominent officials and people in the free and neutral world have also been favorable.

We were there at the 311th session when Ambassador Dean reviewed the 13 concessions which the United States had made. It was at this session when he discussed the last concession which the United States proposed—the so-called escalation proposal on numbers of inspections.

I would like to incorporate at this point in my remarks excerpts from the verbatim report of the 274th meeting of March 21, 1961, which contains the U.S. concessions.

The SPEAKER pro tempore (Mr. YATES). Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

EXTRACTS FROM AMBASSADOR DEAN'S STATEMENT AT THE 274TH MEETING OF THE CONFERENCE ON THE DISCONTINUANCE OF NUCLEAR WEAPONS TESTS, TUESDAY, MARCH 21, 1961

MR. DEAN (United States of America). I thank the representative of the Soviet Union for his kind words of greeting. While I cannot accept all that he has said in his general review of the negotiations, or of the state of the world, or of the workings of the office of the Secretary-General, or of his analysis of the workings of the administrator, I can nevertheless assure the representative of the Soviet Union that we are more than anxious to do all in our power to help us all reach the long sought common objective of the many meetings around this table, that is, to reach a sound and effective treaty to ban nuclear weapons test detonations.

With regard to all the statements about the administrator, and whatever France may have done, my delegation will of course study our colleague's remarks in the verbatim record before we reply and before we draw any conclusions, which we shall outline later.

Today it is a double privilege for me to be able to take my place at this table as the head of the U.S. delegation. First, of course, I feel a deep sense of humility in the realization that President Kennedy has seen

fit to entrust me with the great responsibility for leading the efforts of my country in Geneva to achieve results which are equitable and just in these long and drawn-out, but nevertheless highly significant, nuclear test ban negotiations—significant not only for us, but for the entire world. Second, I am indeed fortunate to find myself in the company of such distinguished colleagues from the United Kingdom and the Soviet Union—men with whom I am already acquainted through pleasant associations at other international gatherings. I am also looking forward to developing a real friendship and fruitful collaboration with the distinguished representative of the Secretary-General of the United Nations, Mr. Narayanan.

Both my colleagues, Mr. Ormsby-Gore and Mr. Tsarapkin, have had the good fortune of having been able to acquire over a period of time an intimate knowledge of the history and detailed issues of our conference. For my part, I have had to compress this learning period into a relatively brief time. But this mode of preparation for our joint task has provided me with an unusual opportunity, I hope, to develop general overall perspective in which I have become able to see more clearly the basic meaning of the efforts here of our three delegations.

I trust that the views of my Government will be evident in the remarks which follow. Above all, I would like to emphasize that my delegation has returned to Geneva with but one objective. That is, to complete the work of drafting and signing as soon as possible a sound and fair treaty, and one which is compatible with the framework announced on March 29, 1960, by Prime Minister Macmillan and President Eisenhower. Such a treaty would offer good prospects for a permanent ban of nuclear weapon tests throughout the world under a system of adequate international controls.

"We are," as President Kennedy said but 1 week ago, "engaged in an enterprise which could not only contribute to halting the proliferation of nuclear weapons but also have implications for the future of disarmament and arms limitation negotiations and the future peace and security of the world. The U.S. Government is determined to do all that is possible to conclude a safeguarded agreement on a sound and equitable basis."

I recall, furthermore, the strong words in favor of an effectively controlled treaty expressed on many occasions by Premier Khrushchev, not least of all in his letters of April 23 and May 15, 1959, to President Eisenhower. I am sure that all of our Governments believe that such a treaty is sorely needed in today's troubled world as a first step in positive collaboration for peaceful ends among the major military powers.

Unfortunately, I have noticed in the past verbatim records of this Conference that suspicions all too frequently appear to have been held on all sides regarding the motives behind the behavior and positions of other delegations at these talks. Let us hope that little time will be wasted henceforth in this way. For my own part, I intend to assume that all of us and all three of our Governments mean what we and they say when announcing the desire to conclude our work fairly, rapidly and successfully. Furthermore, I am confident that this common desire can be translated before too long into a fair and equitable treaty containing reasonable and effective provisions.

To say this does not at all mean that I am unaware of the distance remaining between our present position and our future goal. But whatever genuine differences of opinion may arise on specific issues, all of our attention should be directed to careful and reasonable exploration aimed at discovering ways to overcome the remaining obstacles.

In our efforts around this table we must all be willing to consider new approaches which differ in some respects both from our previous positions and from our optimal desires. Obviously, adjustments will be necessary on each side in the future as they have been in the past.

My hope about the success of our work stems from my belief that each side here is returning to work with a full recognition of the momentous issues involved. During the past 2 months the U.S. Government has had every aspect of these negotiations under the most intensive review. We considered in great detail the position of each delegation on every issue, major and minor, and then, after careful study and reflection, we reached decisions on what might be offered here in an attempt to resolve these issues. Throughout we have consulted with the United Kingdom Government and have now arrived at a common position. The specific proposals which I shall now set forth are, I am happy to say, in every sense the joint proposals of the United Kingdom and United States delegations.

At this first meeting I shall outline our position on the major questions. The necessary elaboration, as well as a review of other problems, will follow at subsequent meetings. If we can settle these major issues in constructive ways we shall be far along toward concluding a treaty. I shall now outline these major positions, as follows:

First, one of our first projects was to review the U.S. seismic research program as put forward in Geneva last May, to see where we might reasonably accommodate ourselves to the views of the U.S.S.R. We now believe that a somewhat longer period is needed for the required research than the 2 years originally estimated. We are also ready to assume now that for all practical purposes the official starting date of the research program will coincide with the signature of our treaty, assuming of course that negotiations can be concluded in the relatively near future. However, it is still possible that we may wish to seek the agreement of the U.S.S.R. to an earlier starting time for the seismic research program. As regards the content of the program, our scientists have found no basis for changing this in any significant respect from that which we outlined last May.

Since we have previously said that the research program and moratorium period should be coterminous we now propose that the moratorium should have a duration of 3 years. As under our previous plan, the last few months of this 3-year period would be utilized for consultations among the three of us to determine what should be done with regard to maintaining, changing, or eliminating the threshold of seismic magnitude 4.75 after the moratorium and its attendant limitations on the freedom of action of each of us are due to expire. The moratorium would, of course, become effective on the date of treaty signature.

Second, on a related issue, namely, on the safeguards which are to surround the explosion of nuclear devices in the seismic research program, I can say that the Western governments are willing to follow in general outline the four safeguard steps proposed by the U.S.S.R. at the 214th meeting on June 15, 1960.

Indeed, our two Governments have long been in general accord on some of the four steps. Please note that I use the words "in general" because the full details of these steps have not been spelled out by the U.S.S.R.

Although our move, taken in order to reach agreement, involves an unprecedented step in this age of heretofore complete secrecy on nuclear devices, I am able to inform you that if agreement on other treaty provisions is in sight, the President of the

United States is prepared to request appropriate action from the Congress in regard to the Atomic Energy Act so as to allow the United States to show the Soviet Union the internal mechanism of the nuclear devices to be used in the seismic research program.

This is indeed a forward step in our negotiations. In return we ask only that the Soviet representative confirm his indication made at the 254th meeting on October 13, 1960, that, if the Soviet Government should, pursuant to a seismic research program, decide to detonate its own nuclear research devices, it would permit us the same inspection procedure which the United States is now proposing.

While on this subject, both Western representatives would like to urge their Soviet colleague to have his Government reconsider its decision of June last not to implement the seismic research program planned by Soviet experts and communicated to their Western colleagues during May 1960.

We are certain that the U.S.S.R. could make a valuable contribution to the efforts of the two Western countries. A Soviet seismic research program would clearly be a sign of Soviet good will and readiness to cooperate in what will have to be a great range of common endeavors involved in implementing this treaty. It could be an extension of the type of coordinated action included in the International Geophysical Year and would add much to the sum total of scientific knowledge.

This is quite apart from the participation, which will occur in any case, of Soviet scientists in the carrying out of the United Kingdom and United States seismic research programs. That participation will serve a useful purpose. If, at the end of the research program, all three powers are in general agreement on what has been achieved by that program, it will help each of us to decide what to do at the end of the moratorium period.

Third, a matter closely connected with the seismic research safeguards issue is the problem of the conditions under which nuclear devices may be exploded for peaceful purposes, which could play a major role in the development of world resources. On the assumption that appropriate action will be taken in regard to the U.S. Atomic Energy Act, the Western delegations are now willing to accept the same safeguards procedures for these peaceful purpose detonations as for seismic research explosions. They believe, however, that the control commission should be given the right to work out in the future other possible procedures—which may in due course suggest themselves as practical—provided that any such new procedures would have been concurred in by all three original parties before they could enter into effect.

Fourth, I now turn to the very difficult question of a ban on tests at altitudes above the atmosphere and of the controls to be installed to monitor such a ban. Obviously, this is a most important portion of our treaty. I am sure that the position which I am about to announce will be satisfactory to all of us.

Briefly, the United States and the United Kingdom propose that we agree to a total ban at high altitudes and that we adopt the main recommendations to monitor this total ban of technical working group 1, made on July 10, 1959. This will mean the inclusion in the control system of ground-based equipment, of a satellite to detect electrons trapped in the earth's magnetic field, and of far-earth and solar satellites.

It should be noted that this is one field in which almost unbelievably rapid scientific advances are taking place. There may be a desire eventually to modify or alter the system recommended by technical working group 1, either because it will no longer seem necessary in its entirety or because it

does not display adequate capabilities. We have already agreed to article 14 of annex I (GEN/DNT/22/Rev.1), which provides that the Commission, with the concurrence of the three original parties, may change or eliminate control measures in phases II and III of system installation. This may be particularly relevant to high altitude controls. In any case, both for this high altitude area and for all other aspects of the control system, we should like to propose extending this power of the Commission to phase I measures as well.

At this point I may add that it will be possible to install high altitude controls only if our three countries cooperate closely in working out the details of the system, in developing and improving the essential measuring instruments to be placed aboard the satellites, in launching the satellites themselves, and in coordinating the data received. Actually, as I have noted before, this can be one of the most promising by-products of the signature of this treaty, namely that we begin to work together on projects of vital importance to mankind's future as we all did so effectively in the programs of the International Geophysical Year. It is our earnest hope that the Soviet Union will view this challenge as a great common opportunity to establish new habits of joint activity to which we each can contribute much.

Fifth, let me move on to the topic of control posts. A considerable amount of discussion in previous meetings has been devoted to problems relating to the phasing of the installation of the ground-based control system as set forth in annex I. In particular, the Soviet Union has objected to the placement of 21 control posts in the territory of the Soviet Union. It has proposed that some of these should be reallocated to neighboring areas of Asia, with their construction scheduled for phase II.

On the other hand, the Western delegations have stated previously that in working out the assignment of the control posts on original party territory they were guided by the principle that as great a capability for detecting and locating seismic events on a completely scientific basis should be developed by the end of phase I as would be both feasible and consistent with the grid spacing recommended by the experts in 1958.

However, if the Soviet Union still wishes to adhere to its former view we would now, after exploring the matter with our scientists and in a spirit of cooperation, be willing to move 2 of the stations which we had proposed locating just within the borders of Soviet Asia into adjoining territories, thus leaving 2 in Soviet Europe, 1 on a Soviet island and 16 in Soviet Asia, or a total of 19. In turn, the United States would want to reduce the stations on its territory by 1, to a total of 16, by moving 1 post across its northern or its southern border. The United Kingdom totals would remain unchanged.

In other respects we affirm our previous proposal made by the United Kingdom and United States at the 248th and 249th meetings, respectively, on September 29 and October 3, 1960, for a subdivision of the 4 years of phase I into parts A and B. Furthermore, we urge that onsite inspections should start as soon as the control system begins to produce seismic signals which satisfy the objective criteria. This should be toward the conclusion of phase I-A, but in any event no later than at its end. By this time enough control posts will have been built on the territories of the original parties to make the recording of such signals a practical certainty.

Sixth, in general we reaffirm our approach to the problem of fixing an annual quota for onsite inspections in our three countries. We continue to favour the inspection of an agreed percentage of either located or unidentified events. As an alternative we,

for our part, believe it essential to choose an annual number for onsite inspections which bears a reasonable scientific relationship to the anticipated annual number of seismic events which will remain unidentified in each country under the simplified initial criteria. Otherwise no realistic element of deterrence will be built into the system. It is on this basis that we have named—and now reaffirm—an annual quota of 20 onsite inspections for the Soviet Union.

While on this general subject of inspections I should mention that we are now prepared to meet the Soviet proposal made at the 108th meeting on July 9, 1959, that there be an equal quota number set for each original party. This annual quota of 20 on-site inspections would thus apply not only to the Soviet Union; but the same quota would apply also in each case to the United States and the United Kingdom. Again this illustrates the spirit in which we approach this meeting.

And, speaking of matters of quota arrangements and inspection procedures, the Western delegations would very much appreciate detailed Soviet comments on the Western draft article on inspection (GEN/DNT/96) tabled on July 13, 1960, and on the relevant portions of annex I (GEN/DNT/22/Rev.1) submitted on July 20, 1960.

Seventh, one more thing on the subject of on-site inspection. I should make it clear that after careful review with our experts we do not see any reason for removing our objections to the Soviet position regarding criteria. In particular, we are advised that the criteria on which we have all agreed for locating a seismic event, which are based on having an adequate number of mutually consistent arrival times, are sufficient. To add, as the Soviet Union has proposed, a further, scientifically unnecessary requirement that the event must be located within a given area, could serve unjustifiably to eliminate many, if not indeed all, suspicious events from on-site inspection.

Eighth, insofar as organizational matters are concerned, I wish to outline these basic points today. We are convinced of the soundness of the proposals which we have tabled (i) to regulate the staffing of the inspection teams, (ii) in relation to special aircraft flights, and (iii) in relation to the job of control post chief. All these involve crucial points in control operations where self-inspection must be made impossible.

Ninth, with regard to budgets, we are willing to agree to what the Soviet Union first demanded explicitly in its veto list of January 30, 1959, and then sought implicitly in its package plan of December 14, 1959. This is the right of each original party to exercise a veto in the commission in approving the total annual budget of the organization, though not on individual budget items. In all other respects normal commission decisions on financial items would be taken by a simple majority, as will be provided in article 5.

In this connection we are also prepared to agree in principle that the contributions of the United States and the Soviet Union to the organization budget shall be equal, with the United Kingdom paying a smaller share.

Tenth, finally I must mention the composition of the control commission itself. I am about to say here what I had written before hearing the remarks of my colleague from the Soviet Union on the administrator to which we will reply later. What the Soviet Union is demanding, that is a parity of seats between Western and Soviet bloc States, is unprecedented in an international organization. The U.S. delegation has on many past occasions offered cogent reasons in justification of a commission made up of the three original parties plus one Western ally, one Soviet ally, and two neutrals.

We thought this perfectly fair then, and continue to think it so now.

Nevertheless, this has failed to satisfy the Soviet Union. Continued Soviet insistence on a formula of three Soviet bloc states, one neutral, and three Western allies has produced a deadlock so far on this subject. We have inevitably had to take this into account in our consideration of what might be done to conclude the treaty which we would like to see come about.

In making this review we return to our fundamental concept of how the control organization must conduct its affairs if it is to be an efficient instrument. That is that the day-to-day scientific operations of the organization must proceed in such a way that action will not be dependent on voting by the Control Commission.

Of course, the Commission will have many important decisions to make all the time about the general direction and administration of the control organization, about establishing its procedures, and about the activities of the staff. However, the Commission should not have to concern itself with the normal functioning of the control posts and of the data-processing sections of the headquarters, all of whose work will be carried out under previously established objective rules and procedures. The Commission will not vote on whether a given seismic event does or does not meet the criteria of eligibility for inspection or on whether an original party may or may not use up one on-site inspection under the quota available to it for inspecting an eligible event on the territory of another original party. In other words, what I hope we all want is the adoption of an effective and fast-acting control system on which all will have good reason to rely.

We submit that if the control system is to be installed rapidly and properly, if the chiefs of control posts and the personnel of inspection teams on original party territory are to be nationals of the other side, if the seismic criteria are properly drafted so as to make unidentified events objectively eligible for inspection, if inspections can be carried out promptly by permanently organized and well-trained teams, if the annual number of on-site inspections under the quota, for each country, is adequate, and if quotas for original party territory can be used without Commission voting or delay, then we should have an efficiently operating control system. In those circumstances we could be in a position to undertake a special and new approach to the question of the composition of the Commission and to adopt a formula which meets the wishes of our Soviet colleagues—at least, as expressed to us prior to today's meeting.

What I am saying is that, first, contingent on agreement on a control system which is reliable, rapid and effective, and which in its day-to-day tasks operates largely independently of Control Commission participation as regards, at the very least, the original parties, and further, is contingent on agreement on other vital parts of the treaty, the United States and the United Kingdom would be prepared to accept East-West parity on the Control Commission.

Assuming these events, our proposal then would be that, as a part of an otherwise acceptable treaty, the Commission should consist of 4 Western States, 4 Soviet bloc States, and 3 neutrals, for a total of 11. Enlarging the Commission from the previously agreed figure of 7 would allow the burdens of membership to be allocated more widely among the parties and would avoid the problem of overloading the single neutral member suggested under the previous Soviet proposal. I would ask my distinguished colleague from the U.S.S.R. to give careful consideration to this proposal of ours respecting the Control Commission.

I have put forward today the broad outline of the overall Western proposals for an "equitable and sound treaty," to use President Kennedy's words, for the discontinuance of nuclear weapon tests. I have reaffirmed my government's strong desire to conclude a detailed test ban treaty as expressed in this outline. I have explained the general approach which my delegation is adopting to the negotiations as such. And I have set forth in broad outline the Western positions on the chief issues still outstanding.

All in all, our two delegations have made really major moves. The research period has been extended and, with it the moratorium to the same extent. We agree that the internal mechanism of nuclear devices to be detonated either in the seismic research program or for peaceful purposes shall be inspected, and President Kennedy has stated that he is prepared to seek the necessary congressional action. In addition, we are ready to adopt a full ban on high altitude tests and to install the high altitude monitoring system recommended by the experts. We have proposed a reduction in the number of control posts to be constructed in the Soviet Union.

We have agreed to the Soviet proposal which calls for the concurrence of the original parties in the adoption of the annual budget. Finally, provided that there is satisfactory agreement on the totality of other treaty provisions, including assurance of an effective, reliable, and fast-acting control system, we will put forward as a part of the whole treaty a proposal that calls for the establishing of East-West parity in the Control Commission.

I think it is clear that our entire reexamination of all proposals has been on an objective, scientific basis. In consequence, we have adhered to certain of our former carefully considered positions, including various items in inspection arrangements such as objective criteria for determining the eligibility of events for inspection, adequate on-site inspection quotas, a prompt beginning of on-site inspections, and a composition of inspection teams which will exclude self-inspection.

Since we have made the major moves which I have outlined here today, the United Kingdom and the United States delegations now appeal to the Soviet Union to meet us on these other essential requirements.

We have now set forth in general terms an overall proposal for a nuclear test ban treaty which ought to be acceptable to the Soviet Union. Wherever possible we have met the Soviet Union more than half way. These major contributions to agreement on our part are offered in good spirit and with the sincerest intention to reach agreement at an early date.

In view of all that I have said I hope that it will now be possible for Mr. Tsarapkin to share our view that agreement on this important treaty is now in sight. This would mean that the peoples of the world could anticipate an end to all nuclear weapon tests anywhere by a solemn treaty which would play an important part in bringing lasting peace to a troubled world.

**Mr. HOLIFIELD.** Mr. Speaker, I also ask unanimous consent to include a summary of the U.S. test ban treaty prepared by the U.S. Geneva delegation.

The **SPEAKER** pro tempore. Without objection the documents the gentleman refers to may be inserted.

There was no objection.

(The matter referred to follows:)

**SUMMARY OF DRAFT TEST BAN TREATY  
EXPLANATORY INTRODUCTION**

The United States and United Kingdom delegations to the Conference on the Discontinuance of Nuclear Weapon Tests introduced in the Conference on April 18, 1961,

the full text of a Treaty for the Discontinuance of Nuclear Weapon Tests consisting of 24 articles and 3 annexes. Both the United States and United Kingdom delegations declared their readiness immediately to sign a treaty along the lines of the draft submitted.

The treaty completely prohibits weapon test explosions in the atmosphere, in outer space, underwater, and—except for explosions producing smaller seismic signals—underground. Tests producing such explosions would be temporarily prohibited through a moratorium voluntarily undertaken by each nuclear power, while an effort was made through a seismic research program to improve methods of monitoring them with a view to lowering the treaty threshold.

A worldwide control post net of 180 stations is to be set up, under the treaty, within 6 years; in the same period, earth and solar satellite systems are to be launched to detect outer space explosions.

Unidentified seismic events are to be inspected by teams of specialists. Control operations are undertaken by an international staff so constituted as to avoid self-inspection.

Nuclear explosions for research and other peaceful purposes are permitted under strict safeguards.

Thus, for the first time since it began, the Conference has before it a complete treaty with provisions for adequate controls, on the basis of which the nuclear test ban negotiations can be brought to a successful conclusion.

Under the procedures of the Conference, the text will become available to the public with the release of the April verbatim records, early in June.

A summary of the principal provisions of the new treaty text follows. (Draft articles already adopted by the Conference and remaining unchanged in this text are designated as adopted.)

**PREAMBLE**

As already adopted by the Conference, the preamble recites the desires of the parties to reduce international competition in armaments; to move toward the elimination and prohibition of nuclear weapons under effective international control; and, accordingly, to bring about the universal, permanent and controlled discontinuance of nuclear weapon test explosions.

**ARTICLE 1**

The portion of this article already adopted binds each party to the treaty to prohibit and prevent nuclear weapon test explosions at any place under its jurisdiction or control and to refrain from causing, encouraging, or participating in the carrying out of nuclear weapon test explosions anywhere.

In accordance with the agreement reached among the three parties at the Conference to limit the treaty prohibition as regards the underground environment to explosions which can be readily detected and identified, a new paragraph is proposed for this article excepting from the prohibition underground explosions recorded on seismographs as events of a magnitude less than 4.75. (Underground weapon tests producing smaller seismic signals would be barred under a moratorium of agreed duration unilaterally adopted by each original party.)

**ARTICLE 2**

This article, previously adopted by the Conference, provides for the establishment of a control organization to assure that the obligations of the treaty are carried out by the parties, and engages each party to cooperate fully with the organization as provided in the treaty.

**ARTICLE 3**

This already adopted article establishes as elements of the control organization a Control Commission, a detection and identifica-

tion system, a chief executive officer known as "the Administrator," and a conference of parties to the treaty. It designates Vienna as the location of the headquarters of the organization.

**ARTICLE 4**

This article is altered in accordance with the new Western proposal that the Control Commission shall consist of 11 members: the 3 original parties, plus 3 parties associated with the U.S.S.R., 2 parties associated with the United Kingdom or the United States, and 3 parties not associated with any of the original parties. The original parties will always be represented on the Commission; the other members are elected by the Conference for 2-year terms. This article is proposed on the understanding that its adoption is contingent on agreement on a reliable, rapid, and effective control system and on the conclusion of an acceptable treaty.

**ARTICLE 5**

This new article directs the Control Commission to determine which parties or countries are associated with any of the original parties for the purposes of the treaty. Advice on this subject jointly tendered by the three original parties will be binding on the Commission.

**ARTICLE 6**

This article, which deals with the functions of the Control Commission directs the Commission to establish procedures and standards for the installation and operation of all elements of the system and to maintain supervision over the system to insure its timely installation and effective operation in accordance with the treaty. The Commission is to appoint the Administrator with the concurring votes of the original parties; approve the appointment by the Administrator of the five Deputy Administrators, including a first deputy requiring approval by the original parties and four other deputies, two approved by each original nuclear side; and decide on the location of the components of the system, including permanent flight routes for special air sampling flights. The Commission will also determine the extent to which existing facilities should be used in installing and operating satellite systems for the detection of outer space nuclear weapon test explosions.

**ARTICLE 7**

This unchanged Western text provides that the Commission shall be so organized as to be able to function continuously and that, except as otherwise provided by the treaty, Commission decisions shall be made by simple majority of the 11 members.

**ARTICLE 8**

This previously adopted article contains provisions regarding the composition, organization, and functions of the conference of parties to the treaty, which will normally meet annually at the headquarters of the organization. The Conference will make the bulk of its decisions by simple majority vote. Besides its power to discuss and make recommendations to the parties and to the Commission, the Conference elects the nonpermanent members of the Control Commission, considers Commission reports, approves the budget recommended by the Commission, approves reports to and agreements with the United Nations and other international organizations, and, by a two-thirds vote, must give its approval to proposed amendments to the treaty. In addition, it will decide other matters referred to it for this purpose by the Commission and propose matters for the Commission's consideration and report.

**ARTICLE 9**

In this article the functions and duties of the Administrator and the standards and the composition by nationality of the per-

sonnel manning various portions of the international staff are described in some detail. The Administrator operates under the supervision of the Control Commission and carries out its policy directives. He is the chief executive officer of the control organization.

He and his staff are required to function as international civil servants, and the parties to the treaty undertake not to impair the international status of the Administrator and the staff or to influence them in their duties. Detailed stipulations are included with regard to the staffing of various components of the system, to insure proper efficiency, integrity, and balance. Thus the permanent administrative, scientific, and technical staff of the headquarters is to be composed of one-third nationals of the U.S.S.R., one-third nationals of the United Kingdom or the United States, and one-third nationals of other countries.

The same proportions are used to staff land-control posts on the territory of any original party and on ships; the chief of each control post in original party territory must be a national drawn from the other nuclear side.

In land control posts situated outside the territory of the original parties, not more than one-third of the scientific and technical staff may be drawn from the host country; the chief must not be a host country national. As in the case of the headquarters, the total technical staff must be so composed that the total number of nationals of the U.S.S.R. and countries associated with it equals the total number of nationals of the United Kingdom or United States and other countries associated with either of them.

Onsite inspection groups may not include technical personnel who are nationals of the country in which the inspection is to occur, though the host country may designate observers to accompany the inspection groups; in the territories of original parties, the technical staff of an inspection group will be drawn from the other nuclear side.

The Administrator dispatches special aircraft flights when required. When these are undertaken, the technical operators may not be nationals of the party under investigation or another party associated with it; on flights investigating events in the territory of original parties, the technical operators must come from the other nuclear side. Other provisions of this article provide that the Administrator shall develop a program of research and development for improving the system and shall recommend for Commission approval the sites and standards for the various system components and their equipment.

#### ARTICLE 10

This article prescribes in detail the basis on which onsite inspection of unidentified seismic events will take place under the treaty. The Administrator is required to give prompt notice whenever system reports indicate that such an event has occurred. For territory under jurisdiction of one of the original nuclear sides, the other may, up to the level of its annual quota, request that inspection be undertaken in the area eligible for inspection.

The Administrator will thereupon immediately dispatch an inspection group.

In other territories the Control Commission decides, up to the annual allowed quota of inspections in the territory of the party concerned, whether an inspection shall be carried out.

The party concerned and its associates which are represented on the Commission may not participate in this decision.

In areas not under the control of any sovereign state, the Administrator decides whether to undertake an on-site inspection. If he does not, the Commission may direct him to do so.

The article prescribes a quota of 20 inspections per year in each original party's territory.

For other parties there is a minimum annual quota of two inspections, or a higher number as ultimately determined by the Commission, after consultation with the party, by a two-thirds majority.

Pending this determination, the quota is proportionate to the area of each party, though never less than two annually.

Annual on-site inspection quotas are to be reviewed by the Commission within 3 years after the treaty enters into force and annually thereafter. But no revised number can be less than 2 nor less than 20 percent of the average annual number of events exceeding the seismic magnitude threshold of 4.75 located by the system in the territory of the party concerned.

Provisions are further made for inspection to be carried out at the request or with the agreement of a party, regardless of the quota.

#### ARTICLE 11

In this article all parties agree to accept the components of the system on their territories and to permit them to be installed and to operate in accordance with the treaty provisions.

#### ARTICLE 12

In this article each party accepts various specific obligations designed to insure satisfactory cooperation with the control system.

The commitments relate to adequate and expeditious transportation, arrangements for using existing meteorological and commercial aircraft flights over ocean areas for air-sampling, the availability of aircraft for special flights and permission for overflight, the use of existing weather or geophysical exploration vessels, the admission of inspection groups to inspection areas and assistance to them, and arrangements for the construction, launching, and tracking of satellites as well as for a high altitude research program.

#### ARTICLE 13

This article prescribes the conditions under which detonations for peaceful purposes shall be undertaken. It includes provisions for safeguards to insure that, through disclosure of the devices used and observation of the detonations, no party will gain any military advantage.

The Control Commission must insure that the detonation is to be carried out in accordance with these provisions before authorizing a peaceful purposes detonation.

Each original party is given the opportunity to inspect devices and drawings and observe the preparation for and firing of the devices.

#### ARTICLE 14

Three years after the treaty comes into force the Commission, under this article, is to review the system to determine whether improvements should be made. The Commission may undertake similar reviews at annual intervals thereafter on request of the Conference or any original party.

#### ARTICLE 15

This article describes the general budget and financial procedures of the organization. Under its terms the Conference is to fix the assessment of each party on the basis of recommendations by the Commission.

The annual contributions of the Soviet Union and the United States are to be equal.

Decisions of the Commission and of the Conference on all financial questions are to be made by majority vote, but Commission decisions on the scale of contributions and the total amount of each annual budget will require the concurring votes of the original parties.

#### ARTICLE 16

This article states that the privileges and immunities of the organization, its staff, and the representatives of parties to it, as well

as the legal rights of the organization in parties' territories shall be as set forth in annex II of the treaty. Like the article itself, annex II has already been adopted by the Conference, and the new draft does not propose any changes.

#### ARTICLE 17

This already adopted article authorizes the conclusion of agreements of relationship with the United Nations and with any future international organization for the supervision of disarmament and arms control measures.

#### ARTICLE 18

This adopted article states that the treaty annexes are an integral part of the treaty itself. Thus, they are as fully binding on the parties as the text of the treaty itself.

#### ARTICLE 19

This article declares that the essential parties to the treaty, are first, the U.S.S.R., the United Kingdom and the United States, and second, any other state whose adherence the Commission decides is necessary to secure an effectively controlled permanent discontinuance of nuclear weapon test explosions or to permit the installation of required elements of control.

All these states must participate if the provisions of this article are to be fulfilled.

Other applicant states may become parties to the treaty if the Commission decides that their adherence would contribute to the achievement of the purposes of the treaty.

#### ARTICLE 20

This article describes the procedures for signature, ratification, acceptance, and entry into force of the treaty.

#### ARTICLE 21

This previously agreed article provides for registering the treaty with the United Nations Secretariat. Other agreements made by the organization are also to be registered with the United Nations.

#### ARTICLE 22

This agreed article states that the treaty will remain in force indefinitely subject to the inherent right of a party to withdraw if the treaty provisions, including those providing for the timely installation and effective operation of the control system, are not being fulfilled and observed.

#### ARTICLE 23

This agreed article provides that amendments to the treaty and its annexes come into force for all parties when adopted by a vote of two-thirds of the members of the Conference and ratified in accordance with their respective constitutional processes by two-thirds of the parties, including all original parties.

#### ARTICLE 24

This article, also previously agreed, makes the English and Russian texts equally authentic and provides for deposit of the treaty in the archives of the depositary government.

#### ANNEX I

This annex describes the technical characteristics and the operation of the detection and identification system.

Part I states that the system includes features derived from the report of the Conference of experts of August 20, 1958, the report of the technical working group on high altitude nuclear explosions of July 15, 1959, and the conclusion of technical working group II of seismic improvement of December 18, 1959. The components of the system are listed as follows: headquarters, regional offices, land control posts and ship-based control posts, systems of satellites, radio-chemistry laboratories, air and water sampling facilities, onsite inspection facilities, and communications facilities. The equipment of each of these components is described.

Part II of the annex outlines the organizational structure of the headquarters and the duties of its various professional staffs. Besides directorates for administration and supply, the headquarters will include a research and development center, a data analysis center containing a central radiochemical laboratory, a central inspection office, a communications center, an operations center, and a weather center. Provision is made for regional offices of the organization as the Commission may determine them to be necessary for the effective administration and operation of the system.

This section of the annex also directs the establishment of a network of control posts which when complete will include at least 170 land control posts spaced about 1,700 kilometers apart in continental areas not normally subject to earthquakes and about 1,000 kilometers apart in continental seismic areas. Ship-based control posts (10 in number) are to be employed in ocean areas which do not contain suitable islands. Provisions are included for determining the location of control posts and ensuring the continuous operation of their various types of detection equipment.

The annex also calls for daily routine air sampling flights over ocean areas, and for special air sampling flights to search for possible radioactive clouds in order to collect samples of radioactive debris.

Special aircraft flights may be initiated when fresh debris is detected or an acoustic signal is recorded establishing the time and position of a possible atmospheric nuclear explosion; they are to follow permanent flight routes laid down in advance in such a way that any cloud containing radioactive debris will be intercepted within 2 to 5 days of the suspected event.

Water sampling operations may be undertaken to collect radioactive debris whenever hydroacoustic signals recorded at control posts establish the time and position of a possible underwater explosion; provision is made for conducting such operations within 4 days after they have been directed by the Administrator.

Debris is analyzed at the radiochemical laboratories of the system.

The annex further describes in detail the criteria on the basis of which seismic events determined to be of seismic magnitude of 4.75 or greater, as defined in the annex, shall be eligible for onsite inspection.

Part II continues by setting forth the composition, duties and functions of onsite inspection groups which are to conduct onsite inspections as directed by the Administrator. It ends with a description of the satellite systems designed to detect nuclear explosions at high altitudes.

Part III of the annex deals with the reporting and evaluation of data collected by system components.

Part IV describes support facilities such as communications facilities, and the provision of supplies and services. It further provides for the installation of system components in three phases, the first being divided into two subphases.

Subphase 1A ends within 2 years after the treaty enters into force; subphase 1B within 4 years after the treaty enters into force.

Phase 2 begins within 1 year after the treaty enters into force and ends within 5 years after entry into force.

Phase 3 extends from 2 to 6 years after the treaty enters into force.

A number is included for the installation of control posts and satellite systems in each phase and subphase.

In U.S.S.R. territory 10 control posts are to be completed in subphase 1A and 9 in subphase 1B; in U.S. territory 12 in subphase 1A and 4 in subphase 1B.

The single control post in the United Kingdom territory, the 20 on oceanic islands (largely in United States and United Kingdom territory) and the 10 on ships

are all to be installed in subphase 1A. Thus a total of 46 control posts (one of the Soviet posts and six of the United States posts are on oceanic islands) will be installed by the end of 2 years after the treaty comes into force; 13 more within 4 years; 71 more by the end of 5 years; and the final 50 by the end of the 6-year phasing period.

The installation of high altitude satellite systems is to be completed within the same 6-year period.

The Commission may decide, with the concurring votes of the original parties, to postpone or alter any portion of the installation schedule.

#### ANNEX II (PRIVILEGES AND IMMUNITIES)

This adopted annex describes the legal capacity and status of the organization and the privileges and immunities enjoyed by it and by its staff and representatives accredited to it.

#### ANNEX III

Only a few minor changes are made in this previously adopted annex, dealing with the Preparatory Commission.

On the day after the original parties sign the treaty, the preparatory commission, consisting of a representative of each of the three original parties, will come into existence.

The preparatory commission will conduct the necessary studies and make the necessary preparations to bring the Control Commission into being.

As soon as the treaty enters into force, which will occur when the three original parties deposit instruments of ratification, the Preparatory Commission will be expanded to include 11 members, and it will thereafter exercise all functions of the Control Commission, until the Control Commission is elected by the Conference.

[Excerpts from policy statements on U.S. position on resumption of weapons tests]

#### STATEMENT BY PRESIDENT EISENHOWER: EXPERTS' REPORT ON DETECTION OF NUCLEAR TESTS, AUGUST 22, 1958

The United States welcomes the successful conclusion of the Geneva meeting of experts who have been considering whether and how nuclear weapons tests could be detected. Their conclusions indicate that, if there were an agreement to eliminate such tests, its effective supervision and enforcement would be technically possible.

This is a most important conclusion, the more so because it is concurred in by the experts of the Soviet Union. Progress in the field of disarmament agreements depends upon the ability to establish effective international controls and the willingness of the countries concerned to accept those controls. The fact therefore of an agreement on technical possibilities of inspection and control opens up a prospect of progress in the vitally important field of disarmament.

The United States, taking account of the Geneva conclusions, is prepared to proceed promptly to negotiate an agreement with other nations which have tested nuclear weapons for the suspension of nuclear weapons tests and the actual establishment of an international control system on the basis of the experts' report.

If this is accepted in principle by the other nations which have tested nuclear weapons, then in order to facilitate the detailed negotiations the United States is prepared, unless testing is resumed by the Soviet Union, to withhold further testing on its part of atomic and hydrogen weapons for a period of 1 year from the beginning of the negotiations.

As part of the agreement to be negotiated, and on a basis of reciprocity, the United States would be further prepared to suspend the testing of nuclear weapons on a year-by-year basis subject to a determination at the

beginning of each year that: (a) the agreed inspection system is installed and working effectively; and (b) satisfactory progress is being made in reaching agreement on and implementing major and substantial arms control measures such as the United States has long sought. The agreement should also deal with the problem of detonations for peaceful purposes, as distinct from weapons tests.

Our negotiators will be instructed and ready by October 31 this year to open negotiations with other similarly instructed negotiators.

As the United States has frequently made clear, the suspension of testing of atomic and hydrogen weapons is not, in itself, a measure of disarmament or a limitation of armament. An agreement in this respect is significant if it leads to other and more substantial agreements relating to limitation and reduction of fissionable material for weapons and to other essential phases of disarmament. It is in this hope that the United States makes this proposal.

#### STATEMENT BY THE DEPARTMENT OF STATE: EXTENSION OF VOLUNTARY SUSPENSION OF NUCLEAR WEAPONS TESTS, AUGUST 26, 1959

The President has directed that the unilateral suspension of nuclear weapons testing by the United States currently in effect be extended throughout this calendar year. This decision was taken in the light of the agreed 6 weeks' recess announced today by the negotiating parties of the Geneva Conference on the Discontinuance of Nuclear Weapons Tests.

On August 22, 1958, the United States, in order to facilitate negotiations for a controlled discontinuance of nuclear weapons tests, offered to withhold further testing of atomic and hydrogen weapons for a 1-year period from the beginning of the negotiations unless testing was continued by the Soviet Union.

As announced, the United States did, on October 31, 1958, suspend all nuclear weapons tests. The United Kingdom did likewise.

On November 7, after the Atomic Energy Commission detected continuing nuclear weapons tests by the Soviet Union on November 1 and November 3, respectively, the President stated that "this action by the Soviet Union relieves the United States from any obligation under its offer to suspend nuclear weapon tests. However, we shall continue suspension of such tests for the time being \* \* \*." As far as can be determined the Soviet Union has conducted no such tests since November 3, 1958.

In continuing its voluntary suspension of atomic and hydrogen weapons tests to December 31, 1959, the United States wishes to allow a reasonable period of time for the negotiations to proceed following their resumption on October 12, 1959.

[Excerpts from policy statements on U.S. position on resumption of weapons tests]

#### STATEMENT BY PRESIDENT EISENHOWER, DECEMBER 29, 1959

The negotiations with respect to the cessation of nuclear testing have now been in progress for 14 months. While now recessed, they will soon be resumed. No satisfactory agreement is yet in sight. The prospects for such an agreement have been injured by the recent unwillingness on the part of the politically guided Soviet experts to give serious scientific consideration to the effectiveness of seismic techniques for the detection of underground nuclear explosions. Indeed the atmosphere of the talks has been clouded by the intemperate and technically unsupported Soviet annex to the report of the technical experts. The distinguished American group of scientists who composed the U.S. delegation will make public from the

verbatim records of the Conference the facts which will completely refute this Soviet document.

We will resume negotiations in a continuing spirit of seeking to reach a safeguarded agreement. In the meantime, the voluntary moratorium on testing will expire on December 31.

Although we consider ourselves free to resume nuclear weapons testing, we shall not resume nuclear weapons tests without announcing our intention in advance of any resumption. During the period of voluntary suspension of the nuclear weapons tests the United States will continue its active program of weapon research, development and laboratory-type experimentation.

STATEMENT OF U.S. POSITION ON FREEDOM TO RESUME TESTING—CONFERENCE ON THE DISCONTINUANCE OF NUCLEAR WEAPONS TESTS, NOVEMBER 2, 1960

Mr. STELLE (United States of America). In your statement, Mr. Chairman, you also seemed to try and make the point that the United States was animated by a desire to renew testing, and that for that reason we somehow or other did not want to see success in these negotiations. This again is not a fact. I have said—and it is true—that every week and every month that an uncontrolled moratorium continues, during which there is no way for us to know whether in fact the Soviet Union is refraining from testing, adds to the concern of many of my countrymen and particularly those charged with the responsibility of the defense of the United States. The protraction of an uncontrolled moratorium on testing, with no controls at all, is therefore a matter of increasing concern.

You also tried to argue that the U.S. position on the moratorium somehow or other indicated a desire on the part of the United States to resume testing. This is, of course, ridiculous. We are free now, as our President said last December, to resume testing at any time we believe it to be in our national interest, subject only to the fact that we will announce any resumption of testing for any purpose. The moratorium was asked for by the Soviet Union almost in exchange for the Soviet Union's acceptance of the concept of a threshold treaty.

STATEMENT, U.S. POSITION ON FREEDOM TO RESUME TESTING—CONFERENCE ON THE DISCONTINUANCE OF NUCLEAR WEAPON TESTS, NOVEMBER 21, 1960

Mr. STELLE (United States). Also, my delegation has made it clear on the record that there is continually increasing concern on the part of responsible citizens and officials of the United States of America over the prolongation of an uncontrolled moratorium under which, in the absence of controls, there is no way in which the United States can satisfy itself as to whether or not this moratorium on testing is actually being observed. We need to make no justification for the resumption of testing. The President of the United States last December stated clearly that the United States did not consider itself bound any longer by a moratorium on testing and would be free to resume testing at any time we believe it to be in our national interest, subject only to a prior announcement. Again, I would ask the Soviet representative to study the record.

Mr. HOLIFIELD. Mr. Speaker, to sum up, the principal problems at the Geneva test ban conference as I saw them were:

First. The Soviet "troika" proposal. This proposal for a three-man executive commission composed of one representative of the Soviets, one from the West,

and one neutral, would be entirely unworkable.

Second. The parties were far from agreement on the numbers of onsite inspections permitted on Soviet territory to investigate seismic disturbances of over 4.75 magnitude. The United States-United Kingdom proposal is for 12 to 20 based on a scientific determination. The Soviet proposal is 3, based on political considerations.

Third. There are important problems as to whether an adequate detection system can be developed to control tests which register below 4.75 magnitude, as discussed in our Radiation Subcommittee report previously referred to.

Fourth. The time factor is of great importance. We must keep in mind that we have had a voluntary moratorium on all tests for 32 months. We face additional months of negotiations. If a treaty is finally signed, our proposal requires 3 more years of moratorium, banning all tests, from the date of the treaty signature. If the Soviet tactic is to obtain a test ban without controls for 5½ years or more, then they will have succeeded.

Following our visit to Geneva, I went to Paris at the President's invitation and with Mel Price, on Friday evening, June 2, gave him our analysis of the Geneva situation.

Well, as you know, the President reported subsequently to the people that Mr. Khrushchev was not in a conciliatory mood on nuclear testing. To be specific, the President stated as follows in his speech to the Nation on June 6:

I am hopeful that progress can be made on this matter [Laos] in the coming days at Geneva, so that it would greatly improve international atmosphere.

No such hope emerged, however, with respect to the other deadlocked Geneva Conference seeking a treaty to ban nuclear tests.

Mr. Khrushchev made it clear that there could not be a neutral administrator in his opinion because no one was truly neutral, that a Soviet veto would have to apply to acts of enforcement, that inspection was only a subterfuge for espionage in the absence of total disarmament, and that the present test-ban negotiations appeared futile.

In short, our hopes for an end to nuclear tests, for an end to the spread of nuclear weapons, and for some slowing down of the arms race, have been struck a serious blow.

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

Mr. HOLIFIELD. I yield.

Mr. STRATTON. I apologize to the gentleman from California for interrupting his train of thought, but I have had the privilege of seeing an advance report of his remarks and I have an important obligation off the floor in just a moment, and I do want to take this time simply to commend the gentleman from California for the position he is taking. I think it is a very courageous position and I think it is a very important position. I think he is doing a tremendous service in this regard and I hope he will be supported in a very substantial measure by the membership of this House.

I might say to the gentleman that in the past 2 weeks I have circularized a questionnaire in my district with respect to the issue of renewing nuclear tests, and the gentleman may be inter-

ested to know that the answers so far received in 85 percent of the cases support the position the gentleman is taking. Again I apologize for interrupting his train of thought.

Mr. HOLIFIELD. I thank the gentleman for his commendatory remarks.

Mr. WESTLAND. Mr. Speaker, the train of thought having been interrupted will the gentleman yield briefly?

Mr. HOLIFIELD. I yield.

Mr. WESTLAND. I am in the same position as the gentleman from New York, I have another engagement that I must meet. I have seen excerpts on the broad tape of the gentleman's speech. Do I understand the gentleman's position is going to be that there should be a cessation of these Geneva conferences and that we should resume nuclear testing?

Mr. HOLIFIELD. Not exactly, and I would like to go into that in some detail. I wish I could say "Yes," but there are specific modifications with which I think the gentleman will agree when he hears them.

Mr. WESTLAND. I have been very much in agreement with the chairman in his views on this matter and I hope I will continue to be in agreement with him. After seeing the broad tape excerpts I am really sorry I cannot be present to hear the gentleman's full speech, but do I understand he wants to resume nuclear testing for peaceful purposes but will permit the Soviets to inspect these tests? Is that correct?

Mr. HOLIFIELD. The gentleman must hear my speech in its full context. I cannot give him a yes-or-no answer until he sees my speech in its full context. I am not responsible for interpretations, but I am responsible for my speech, and I think the gentleman will agree with me possibly when he hears it all.

Mr. WESTLAND. May I say in conclusion that if the gentleman, chairman of the committee, is in favor of resumption of nuclear tests, I am very much on his side and will support him completely. I believe firmly that these Geneva conferences should be called off, that President Kennedy has not only gone the last mile, as stated in his campaign speeches, but he has gone the last 5 miles, and I think it is time to call the whole thing off.

I thank the gentleman.

Mr. HOLIFIELD. I appreciate the gentleman's remarks. He is a respected member of our Committee on Atomic Energy. I do not think he will find himself far from my position when he reads my speech in the RECORD.

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

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. PRICE. I thank the gentleman for his reference to the gentleman from Illinois. I desire to be associated with the statement the gentleman is making. I am wondering if the gentleman has any feeling in regard to recent pressures seemingly that have been brought on the President to set a time limit on negotiations in Geneva. There has been a concerted effort in recent weeks in political speeches calling upon the President of

the United States to set a time limit on present negotiations. Does the gentleman care to comment on such a recommendation?

Mr. HOLIFIELD. I am going to comment on that in the body of my speech, and if my comments are not adequate I will be glad to respond to any further questions of the gentleman from Illinois.

May I say that the gentleman from Illinois accompanied me on a trip to Geneva. He was there at all the conferences which I attended and all of the briefings which we had. He is rendering a great service to the people and the Joint Committee on Atomic Energy. The gentleman also accompanied me in making a report to the President on Friday night before he made his trip to Vienna on Saturday morning. I appreciate very much the gentleman's remarks.

Mr. PRICE. I hope the gentleman will bring out in the course of his remarks the fact that these negotiations are not of recent vintage. They have been going on for a long time.

Mr. HOLIFIELD. I will certainly attempt to bring that out.

In view of the President's statement on the situation I believe it is clear that within a short period of time the United States must reappraise its position and decide a new course of action. We cannot continue indefinitely with futile negotiations.

Any such reappraisal will have to take into account a number of questions, and balance a number of values and considerations.

Of course, the key question is what effect the test ban is having on our weapons development program relative to the Soviet program.

Undoubtedly, any weapons development program as sophisticated as the United States or Russian could be improved in various significant respects, if weapons testing of various sorts were undertaken. Thus, it has been publicly stated that the U.S. program could be assisted by testing through: First, getting lighter weight to yield ratios for warheads for our missiles; second, developing an anti-missile missile; third, developing improved small yield weapons; and fourth, improving safety features of weapons.

But, more important, in my judgment, is the ultimate general effect on weapons technology of a continuing test ban. It will inevitably stifle developments undreamed of at the present time. Concepts are now being considered by our scientists which could be as revolutionary as the H-bomb in 1949.

The tempo of technological development is almost unbelievably fast. Quantum jumps in every field of science occurs in a matter of months. Fusion of the light elements of hydrogen moved from theory to fact in just 33 months.

The revolutionary hydrogen weapon device test followed the Greenhouse fusion test just 17 months later. The key to this fantastic time period was testing at every link in the chain of development from theory to reality. Countless other examples could be given but time forbids and is unnecessary.

In view of these rather sobering circumstances, we must carefully consider our position relative to the Soviets. Most experts believe that we were ahead of the Soviets in weapon technology in the fall of 1958. If the Soviets have honored the moratorium as we have, it can be assumed that our technology still has an advantage. If the Soviets have not honored the moratorium it is possible that they have overcome such advantage as we had.

At this point someone always says, "Do you know whether the Soviets have been secretly testing during this 32-month moratorium?" My answer is, "No, we do not know if they have been testing, neither do we know that they have refrained from secret testing."

But we do have knowledge of Soviet Communist ideology. We know their goal is world domination. We know they preach the Communist dogma that the end justifies the means. We know that secrecy and covert violation of agreements is in line with the communistic doctrine.

So it seems to me that we must assume that the Soviets have tested, or will test, if they think they can get away with it. And since our detection system is not adequate to detect and/or identify small underground disturbances it is quite possible for the Soviets to conclude that they could get away with clandestine tests.

Thus in reappraising our position on the test ban, I believe the United States must assume the possibility or probability that the Soviets have been testing or will be shortly. In any event we cannot continue to gamble our destiny, when we base such a gamble on ignorance of our opponent's actions.

Any decision as to whether the United States should resume testing should of course be made by the President in the interest of the national defense, taking into account its international ramifications. I am sure that the President will heed the lessons of history and continue to consult with the appropriate committees of the Congress, and our allies abroad.

Assuming that the President decides that the United States must be in a position to resume testing, there remain a number of questions and alternatives. Among them are the following:

First. (a) Should the United States and United Kingdom immediately cancel negotiations with the Soviets, or (b) should we continue discussions? (c) should the United States set a deadline for Soviet agreement?

Second. Under either (a) or (b) should the United States proceed to undertake (a) weapons tests, (b) seismic tests, (c) plowshare shots?

In my opinion, the United States has little to gain from cancelling the Geneva negotiations, or even setting a deadline on the discussions. I want you to listen carefully to this. In the past months the United States has recouped considerable stature in world opinion from its sincere attempts to reach an agreement. So I believe we should continue to negotiate in good faith, or to be available to negotiate in the event a recess or adjournment occurs.

But I believe also that concurrently we should proceed with the things that need to be done in our testing program. This would mean that we should proceed to get in readiness to resume underground weapons tests whenever the President determines that our national defense requires it. Under the terms of the current U.S. position on resumption of testing, as announced in December 29, 1959, the United States considers itself free to resume nuclear weapons testing at any time, provided we announce our intent in advance. The U.S. position was stated as follows by President Eisenhower on December 29, 1959:

We will resume negotiations in a continuing spirit of seeking to reach a safeguarded agreement. In the meantime, the voluntary moratorium on testing will expire on December 31.

Although we consider ourselves free to resume nuclear weapons testing, we shall not resume nuclear weapons tests without announcing our intention in advance of any resumption. During the period of voluntary suspension of nuclear weapons tests the United States will continue its active program of weapon research, development and laboratory-type experimentation.

Under permission already granted I have inserted in my remarks quotations setting forth the U.S. position on resumption of testing.

I believe that the United States should immediately proceed with its research and development program on seismic detection to include tests of nuclear devices in underground shots. It is necessary to have nuclear shots in order to prove up their seismological detection capabilities. I make this statement, that in order to do this, I am willing that the Soviets should have full access to the devices. Remember, we are not testing weapons on this occasion, we are testing devices. And the information derived from the experiments in the manner outlined in the U.S. proposal of March 21, 1961, the Soviets should have access to.

The information from these underground tests for seismic detection purposes is a necessary and important part of any test ban system. I can see no merit in delaying them further. Since the Soviets can have full access to the devices and the tests, it will be difficult for them to claim that they are covert weapons tests.

I believe also that we should seriously consider going ahead with our plowshare underground shots.

These are the peacetime experiments with underground shots for oil shale conversion, in Colorado, and great excavation projects—things like that.

In undertaking any nuclear testing—whether for seismic, plowshare, or weapons purposes—it can be expected that our motives and purposes will be distorted and that world opinion will be inflamed to some extent. We may even be faced with an unfavorable U.N. resolution. If national security is at stake, this may have to be the price we pay.

Remember that the Soviets, for their purposes, for world domination, have never been retarded from going ahead with their program because of an unfavorable world opinion or an unfavorable resolution in the United Nations.

Undoubtedly the United States has gained much in world opinion by making a sincere effort to achieve a workable test ban treaty with adequate controls and inspection. We should continue to negotiate in good faith, as I have indicated.

In his message to Congress on May 25, 1961, President Kennedy stated that "we intend to go the last mile in patience to secure this gain—a test ban treaty—if we can."

But there comes a time when our extended inaction may be taken as a sign of weakness, by our friends as well as our adversaries.

In my personal opinion we have about "gone the last mile." I am hopeful that the President will arrive at a wise judgment on this important matter within a few weeks. He has access to all the national and international information on this problem. In the last analysis it is his responsibility to make the final decision. He must be the judge as to the timing and the method of procedure. People who are less well informed and less responsible for the effects of this grave decision should exercise restraint in this period of somber consideration. I believe the Congress and the people are ready to support the President at a time and in a method of his choosing.

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

Mr. HOLIFIELD. I am happy to yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, I want to express my personal appreciation of the great speech and the contribution that the distinguished gentleman from California has made today. There is no man more dedicated to the service of our country than is the gentleman from California; and there is no one more conversant with this delicate and highly specialized field that he has discussed than the gentleman himself.

The speech the gentleman has just made is one of decided service not only in the national interest of our country but is in the best interests of the free world.

As a Member of the House I am indebted to the gentleman for giving me the benefit of his profound knowledge and of his views and I know I speak the sentiment of my colleagues when I make that statement. These are trying times. The gentleman has discussed a most important subject, one of deep concern to all of us. His speech was based on knowledge on his own part. Again I congratulate the gentleman. I am very proud that he made the speech because it was decidedly in the national interest and in the best interests of the free world.

Mr. HOLIFIELD. I thank the respected majority leader.

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

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. RAYBURN. I want to join the distinguished gentleman from Massachusetts in complimenting the gentleman, because when the gentleman from California speaks on subjects like this he shows a wide range of knowledge

which means he has devoted time and energy to go deeply into these great questions. I appreciate him, and I appreciate his remarks.

Mr. HOLIFIELD. I thank the Speaker from the bottom of my heart. His words of commendation and the words of the majority leader mean a great deal to me, because this is a matter of grave concern, and it is a complicated subject. There have been many off-the-cuff statements, statements which indicate impatience with the President on this particular matter. But I say again, this is a matter of the President's responsibility, because he has access to all the information pertaining to this matter. It is given to him by the people most knowledgeable on the subject. He also knows the relation this may have to other trouble spots, such as Laos, Berlin, and other hot spots in the world.

I was not present at the conference with Khrushchev at Vienna, but I can use my imagination. I certainly am not one that will rise and demand that the President set a specific date when he is going to do this or that. I do not know what all of the President's problems are. I am expressing my opinion from the standpoint of considered and prayerful study on this subject for whatever it may be worth to my colleagues in the Congress and to the President. I realize he has other responsibilities and that this particular subject involves other very important considerations on the international level. As far as I am concerned, I am willing to leave this responsibility in his hands. I will express my opinion, but the responsibility is the President's in the last analysis.

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

Mr. HOLIFIELD. I yield to the gentleman from New Mexico.

Mr. MORRIS. Mr. Speaker, I take this opportunity to join with the other Members in this body in expressing to the great chairman of the Joint Committee on Atomic Energy, the gentleman from California [Mr. HOLIFIELD], my appreciation of his excellent speech. I know of the many hours of research and the many hours he has worked on this very complicated subject. I want to say to this House and to this Nation that it is an honor and a privilege to serve on this joint committee with the gentleman from California as its very able chairman.

Mr. HOLIFIELD. I thank the gentleman from New Mexico.

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

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

Mr. TOLL. Mr. Speaker, I am very happy to have the opportunity to listen to this very fine presentation by the gentleman from California. As one of the sponsors of the National Peace Agency Act, I have been following the subject rather closely. I am very happy that the gentleman has included with his remarks the exhibit he referred to so that the entire picture can be read and reviewed by Members of the House. I am particularly happy that he still holds out a hope to the people of the country that a solution may come about where

peace will prevail, and that the President is being given all possible opportunity to solve this problem.

Mr. HOLIFIELD. I thank the gentleman from Pennsylvania.

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

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I also would like to associate myself with the words of the gentleman in the well of the House, the gentleman from California, the chairman of the Joint Committee on Atomic Energy, who certainly is well versed on this subject. I am delighted to see he is leading the way today in urging a careful reappraisal of this policy. I agree with the gentleman that final decision will have to rest with the President, but I am equally certain that the time has come when we have to give this entire subject a very careful reappraisal.

Anybody who has studied the tactics of the Communists knows that they are masters of this business of delay. We are still waiting for a peace treaty to be negotiated in Korea, after 8 years. We are still waiting for some signs that they are willing to sit down and talk about disarmament. We know that they use the tactic of delay as a part of their political strategy which is aimed ultimately to destroy the world. Therefore, I think it may well be that we are losing precious time. I am sure that the decision which will be made by the President will be a wise one. I am encouraged by the fact that the President himself has said that he recognizes this whole thing has to be studied and reappraised when he said during the campaign that he wanted to make one personal effort on this and that then he would make a decision. I am mindful of the ramifications throughout the world that this decision will have. I do think the remarks of the gentleman today, because of his expert knowledge on this entire subject, certainly will go a long way to help the President make that decision, that the delaying tactics of the Soviets can no longer be tolerated. I agree with the gentleman in the forthright statement that he has made today.

Mr. HOLIFIELD. I thank the gentleman. I might point out that the present occupant of the Office of President has only been in that office for a little over 4 months, that is, since January 20, and he, of course, had to have time to get the information on this subject. But to those who are impatient, I point out that for 28 months this same moratorium dragged along without any termination. So I say to those who are impatient, it would be a good time to exercise a little patience and give the present occupant of the Presidency an opportunity to handle this very, very dangerous and complicated matter in a wise and statesmanlike way.

HON. JOHN W. McCORMACK

The SPEAKER pro tempore (Mr. YATES). Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 60 minutes.

Mr. EDMONDSON. Mr. Speaker, I have shared the feeling of appreciation which has been expressed here for the statesmanlike address that has just been delivered by one of the ablest men in this body, the gentleman from California [Mr. HOLIFIELD]. I appreciate the contribution he has made to all of us, and I am grateful that the special order I have this afternoon kept me on the floor of the House throughout the course of the speech made by the gentleman from California.

Mr. Speaker, the matter which I wish to speak about for a few minutes here this afternoon is not a pleasant one. It is the first time, as a Member of this body, that I have taken the time of the House of Representatives to take issue with any newspaper article appearing anywhere.

There appeared in this morning's Washington Post, and I am sure in other newspapers throughout the country, a column by Drew Pearson commenting upon our great and distinguished majority leader, the gentleman from Massachusetts. It aroused a number of questions which I am sure are of concern to many Members of this House. It aroused my own personal indignation primarily because I have come, in the period of my service, to respect the gentleman from Massachusetts as one of the great Americans of our time, and to admire the fairness and the firmness with which he has discharged his duties as leader of the Democratic Party in the House.

I do not have personal knowledge about some of the things which are stated in this column. My remarks will be addressed primarily to the points of which I do have immediate personal knowledge; and as I address myself to them I do so in the hope that the columnist who is responsible for this portion of the column will speedily correct the inaccuracies and the errors, the misleading impressions which have been spread and disseminated across the country.

Some Members of the House have told me that when you get into any kind of argument with a newspaper columnist you are about like the man down on the farm who gets into a kicking contest with an old mule—and I have even heard more colorful expressions of the mistake that is made by a man in politics who does this. For my own part, I spent a good part of my life in newspaper work. I worked for the daily newspapers in my own hometown of Muskogee for a period of years. I spent some time as a stringer for the United Press and some time as a Washington correspondent—on a very limited budget, I make haste to add—for several daily newspapers in Oklahoma while attending law school. So I have a wholesome respect for the newspaper profession. I have a great respect for the men of the Washington press corps who have the difficult job of reporting to the people what happens here in the Nation's Capital. I think in the main part they have done a splendid job. I think the Nation is indebted to them. To all of them who strive to present the truth to the people this democracy owes a great debt of gratitude, and all of us in this House

must acknowledge that same debt. But when there is printed in the newspapers of the country material which tears down unfairly, material which attacks maliciously, material which for no apparent reason seeks to destroy good reputations, then I feel it is incumbent upon us who want to see fairplay in the press as well as in politics to respond to that kind of writing when pursued by a newspaperman no matter how exalted he may be or no matter how many papers may reprint his material.

The material which deals with our distinguished majority leader is, in my humble opinion, of the character I have just described. I have no name calling to indulge in at the present time with regard to the author of this material. I have never believed, personally, in name calling in any contest for that matter, and I would hasten, if he sets the record straight on these points, to acknowledge a personal debt of appreciation to him for it, to retract anything I have said here today which appears to be unfair in the light of what he may do in the future. But if in the light of the corrected record he persists in leaving things stand where they are, then I am compelled to the conclusion that we have down on the prairies in Oklahoma polecats, coyotes, and rattlesnakes with a better developed sense of fairplay than the columnist who is responsible for this material which appeared today on page C-23 of the Washington Post.

The gentleman from Massachusetts is a man who has been associated from the very beginning, if my understanding of the record is correct, with a piece of legislation which is generally known as the northeastern water and related land resources compact. As a matter of fact, he is the author of H.R. 30, which pends today in the Committee on Public Works dealing with that subject.

When you read the material which was spread across the country today by Mr. Pearson you find no mention whatsoever of the long identification of the gentleman from Massachusetts with this cause, you do not find any mention of the fact that the matter which was before the Committee on Public Works related in any way to a bill offered by the gentleman from Massachusetts. Instead, you get the distinct impression from a reading of this material that the gentleman from Massachusetts "took issue" with the New England water resources compact. You are left with no conclusion from a reading of this article other than the conclusion, which is erroneous, that the majority leader is a foe of the New England water resources compact, which is, of course, the exact opposite of the truth.

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

Mr. EDMONDSON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Also I introduced the same bill in the last Congress that I introduced in this Congress, identically the same bill in the last Congress. The bill was reported out of the committee toward the end of the last session. In other words, the very bill I introduced in this Congress has been favorably acted

on by a committee in the last Congress and reported out.

Mr. EDMONDSON. That is correct. The inference in this column very clearly and unmistakably indicated that the gentleman from Massachusetts was showing his oar into waters that actually did not relate particularly and specifically to him, he was interfering with the work of a congressional committee when, as a matter of fact, the committee to which he made known his views was actually considering a piece of legislation long identified with the gentleman from Massachusetts and actually bearing his name when it was before the committee.

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

Mr. EDMONDSON. I yield to the gentleman from Oklahoma.

Mr. ALBERT. There are inferences in this column, which as I read it, are grossly unfair to the Speaker, the majority leader, and to my colleague from Oklahoma [Mr. EDMONDSON].

Mr. Speaker, I believe I am in a position to know something about the activities of the Democratic leadership of this House, both publicly and "behind the scenes." I think I know something about the roles which our great leaders play in this House, and I think I know something about the esteem in which each holds the other. I think I can testify personally and without equivocation that the leadership of SAM RAYBURN in this House has never been stronger, more active, more continuous, more effective, or more decisive than it is today. The testimonial to his leadership in this body on Monday last by his colleagues, by those who know him best, by those who observe him daily, by those who are in the best position of anybody in the world to assess the qualities of his leadership, should be sufficient to convince any reasonable man that SAM RAYBURN is today, as he has been for many years, the Speaker of Speakers in the entire history of this House.

Mr. Speaker, I think I know something about the leadership of our great majority leader. He and Speaker RAYBURN, in my opinion, comprise the strongest leadership team this Congress has ever had. In all respects Mr. RAYBURN is the Speaker; in all respects Mr. McCORMACK is the majority leader. And that, it seems to me, is as it should be. Both are strong men, and the House and the country are beneficiaries of that fact. I think I know what I am talking about when I say that no one on earth holds the Speaker in higher esteem than JOHN McCORMACK, and no one on earth holds JOHN McCORMACK in higher esteem than the Speaker. Not once in the association between these two great men, so far as I know, has the majority leader ever undertaken to go around the Speaker, in front of the Speaker, or in any manner to usurp the prerogatives of the Speaker.

Mr. Speaker, I also desire to pay tribute to my fine colleague, the gentleman from Oklahoma [Mr. EDMONDSON]. Everyone who knows the gentleman from Oklahoma loves him. There is no more discreet, judicious, intelligent, or industrious Member of this House.

Mr. EDMONDSON. I thank my good friend from Oklahoma. I think he has touched upon the more serious aspect of the article which is printed in today's paper. I personally was very much disturbed by the apparent effort to drive a wedge by this kind of propaganda between the ablest leaders this House has ever known and between the leadership of this House and the President of the United States.

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

Mr. EDMONDSON. I yield to our beloved Speaker.

Mr. RAYBURN. I desire to say it matters not what statement anyone may make regarding the love and affection and admiration I have for our great majority leader, the gentleman from Massachusetts, JOHN McCORMACK. Nobody on earth can destroy the faith and the confidence that I have in him as a leader, and nobody will ever drive a wedge between JOHN McCORMACK and SAM RAYBURN.

Mr. EDMONDSON. I am grateful and I am sure the entire membership is grateful to our Speaker and to our majority whip for their contribution to this special order.

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

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

Mr. McFALL. I would like to corroborate the gentleman's statement concerning the action of the committee. I am a fellow member of the Committee on Public Works, Mr. Speaker, and I was in attendance at the meeting at which reconsideration was granted on Mr. McCORMACK's bill. I joined with the gentleman who is in the well of the House in voting for that reconsideration. I felt that reconsideration was necessary. It was a courtesy that I personally would afford to any author of any bill whether he be the majority leader or any other friend of mine in the House; that if he did not want a bill with particular provisions in it to bear his name, then I certainly would not vote to send that bill out of committee. I also want to point out that the legislation which was sponsored by the majority leader is the exact compact which the majority of the New England States, who had formed that compact, had already ratified; not some idea that the majority leader had independently of those States, and that the changes which were made by the committee were not those which had been requested by those States.

Mr. EDMONDSON. I thank the gentleman from California.

I think several additional points should be made in pointing out the inaccuracies present in this column. It is made to appear, for one thing, that the distinguished chairman of the full committee, the gentleman from New York [Mr. BUCKLEY], who is identified as a New York Tammany leader, called for reconsideration of this measure. The rules of the House, of course, and of the committee do not permit me to divulge the details of executive sessions and I have no desire to breach those rules in any sense at this time.

But, I can state within the rules unequivocally and categorically that this account of what took place is false; that the gentleman from New York [Mr. BUCKLEY], did not ask for, call for, nor move for reconsideration. Furthermore, I think anyone who is familiar with New York politics knows that the gentleman from New York [Mr. BUCKLEY], is not a Tammany leader. I think this is a Pearsonism in which an effort is made to associate both reconsideration and Mr. BUCKLEY with something which Mr. Pearson considers to be undesirable. Yet, everyone who knows anything about New York politics, knows that the gentleman from New York [Mr. BUCKLEY], is from the Bronx and is not associated with Tammany. This is one of the many inaccuracies and errors which occurred in this account from the very time the author inadequately identifies the piece of legislation to his closing remarks about it. It is replete with inaccuracy, error, and misrepresentation.

Furthermore, I think it should be commented upon that the inference which is carried here and that our distinguished majority leader has not been working effectively and in harness with the President of the United States, John F. Kennedy, is misleading and unfair in the extreme.

Just the other day, on the 13th of June, at page 10178, the majority leader placed in the RECORD perhaps the best testimonial that could be offered as to how effective his leadership has been in behalf of the President's program, and the summary which appears there of the first 100 days of President Kennedy's administration is a testimonial far more impressive than anything else to the effective working relationship between our majority leader and the Nation's Chief Executive. That reference can be found at pages 10178, 10179, and 10180 of the CONGRESSIONAL RECORD for June 13.

I hope and trust that this will be the only occasion that I ever have as a Member of this body to comment upon a newspaper article of this kind. I think it is a disgrace, and I hope we do not have a repetition of it in the future. I certainly hope that appropriate corrections will be made in future columns by the author of this article.

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

Mr. EDMONDSON. I am happy to yield to my distinguished friend from California.

Mr. HOLIFIELD. I want to say to the gentleman that I have not read the newspaper article to which he has referred. I just came onto the floor a few minutes ago, but based upon the colloquy which I have heard from the floor I understand that there has been an attack by someone on the majority leader, and I would like to say that in my 19 years in the Congress I have found him to be honorable and thoughtful and kind in all of his dealings with me, and I want to express my confidence in the majority leader. There have been times when the majority leader and I have disagreed—a few times, but not many times—on legislative matters of different kinds, and we have voted differently at times, but

he has never upbraided me nor reproved me nor tried to influence my vote in any way.

I want the RECORD to show that I have tremendous love and respect for our majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. EDMONDSON. I thank the gentleman from California.

Mr. McCORMACK. Will the gentleman yield?

Mr. EDMONDSON. I will be glad to yield to my distinguished majority leader.

Mr. McCORMACK. I want to express my appreciation to the gentleman from Oklahoma, because his action is purely voluntary and spontaneous, and also for the generous remarks made by the Speaker, by the gentleman from California [Mr. McFALL], the gentleman from California [Mr. HOLIFIELD], and the distinguished majority whip from Oklahoma, CARL ALBERT.

I go through life trying to help and not hurt. If I cannot say a good thing about a person, I certainly will not say a bad thing.

I do not want to dignify this column, but I simply want to say that I would never say anyone is anticlerical. That would never enter into the mind of JOHN McCORMACK, never mind the distinguished gentleman mentioned in this article. I do not know who gave to the party who wrote this article such information, but whoever it was must have had a poisoned mind, if it is based upon what someone else told him.

It seems to me that the only decent thing anyone could do would be to ask the other fellow for his side of the story. That is nothing but elementary decency.

My position on the school bill is thoroughly known. I speak openly. I have always supported school legislation right down through the years, because I am for something for the overall school system. Where others might disagree, that does not mean that I am opposed to school assistance legislation. I am for it. I consider strengthening the overall school system to be in the national interest of our country. So the whole world knows my views. The press up here knows my views. They have talked to me outside. They know my views on the strategy of what I think is the best way to get legislation through. I am concerned with getting them all through. It is a question of strategy, and men might honestly disagree on that. I may have my opinion, but when the decision is made I follow it.

Any time the Speaker of the House of Representatives wants a bill programed I will program it. Any time a committee wants bills programed on a certain day I will try to do it. If the Committee on Education and Labor indicates on three bills the way they want them brought up, I will program them, because my job is to cooperate with the chairmen of the committees and those on the committees in favor of legislation. So we clarify that.

The one thing that hurts me is that 10 or 12 years ago when the gentleman who wrote this column was in trouble, when a determined effort was made to

impugn his motives, when an effort was made by powerful individuals and groups to influence newspapers throughout the country not to buy his column, that gentleman came to me. Tom McNamara, who is one of his righthand men, whom I like, came to me and asked me if I would make a statement defending this gentleman. I did. I did. And a few weeks later he was up in Boston having lunch with the publisher and the editor of one of the newspapers up there that purchased his column. He was fearful they were not going to continue the purchase. I happened to be in Boston at the time. This gentleman who wrote this column called me up and asked me if I would attend the luncheon with him. I said, "Sure," and I did. I do not know to what extent I was window dressing, but he thought my being there might help him, because the top men in the newspaper business in Boston are friends of mine. I assume he wanted me there because he thought I would be helpful. And I was there. I not only made a statement publicly in his behalf but I attended the luncheon. That is the thing that hurts more than anything else, because to me there is no greater sin than the sin of ingratitude.

#### U.S. MILITARY ASSISTANCE TO LATIN AMERICA

The SPEAKER pro tempore (Mr. YATES). Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

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

There was no objection.

Mr. RYAN. Mr. Speaker, the question of military aid to Latin America is wide open again. Representatives of the Department of Defense are requesting authority to increase arms shipments to that troubled region.

Two years ago Congress sought to curb the shipment of arms to Latin America. In 1959 the Committee on Foreign Affairs expressed the judgment—House Report No. 440, page 18—that there should be a reasonable reduction of military armament grants to Latin America as a first step toward carrying out the recommendations of the Subcommittee on Inter-American Affairs in its "Report on United States Relations With Latin America"—House Report No. 354, May 12, 1959. The subcommittee had pointed out that "the use by a regime of U.S.-supplied armaments in civil strife has garnered us the wrath of people—not only in the country affected but throughout Latin America—who tend to equate our armaments with the regime using them." It recommended "an orderly and gradual reduction" of armament grants with the "ultimate goal" the termination of such assistance to Latin America.

In line with these recommendations, the Mutual Security Act of 1959 amend-

ed section 105(b)(4) by adding the following sentence:

The aggregate amount of funds which may be obligated or reserved during the fiscal year 1960 for furnishing military assistance to American Republics shall not exceed the aggregate amount of funds obligated or reserved for such purpose during the fiscal year 1959.

The Mutual Security Act of 1960 carried forward the policy adopted in 1959 by further reducing the ceiling on the military grants to Latin America. The report of the Committee on Foreign Affairs—House Report No. 1464—reiterates the committee's belief "that the supplying of military equipment on a grant basis to the nations of Latin America should be terminated as soon as possible and that the program for fiscal year 1962 should be developed with this objective in view."

We now are being asked to step up arms shipments to a tension-ridden area. Before Congress decides to backtrack from its previous course, careful scrutiny must be given to the Defense Department's justifications for such a change.

What is happening in June 1961, that would warrant increased military assistance to Latin America? Certainly the appearance in the hemisphere of a Communist-dominated government is alarming. Certainly the power vacuum left by the assassination of Trujillo in the Dominican Republic is cause for deep apprehension. Shipments of Communist-supplied arms are reportedly being slipped into Central and South America, adding a menacing note to an already gloomy picture. Meanwhile, a tidal wave of change and unrest rolls over large parts of the area.

Recognizing the explosive mixture in Latin America, the central questions remain: Will U.S. armaments assure Latin America's future in the free world? Or will they contribute to turning the region into a bloody battlefield—a situation much desired by the Sino-Soviet bloc? Will increased arms assist in meeting the social and economic challenges of the region?

The New York Times yesterday published a thoughtful editorial on this crucial subject. I ask unanimous consent that it be reprinted in the RECORD as a contribution to the thorough debate I trust will ensue from the current attempt to depart from our past policy in Latin America.

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

There was no objection.

The editorial is as follows:

[From the New York Times, June 13, 1961]

#### ARMS TO LATIN AMERICA?

A very strange extension of the New Frontier is the effort of the Kennedy administration to perpetuate, and even to increase, military aid to Latin America. The long course of history, and especially the events of recent years, have shown that such a policy strengthens the military, favors dictators, and forces the individual countries to spend far more on defense than they can afford.

The question has arisen because Defense Secretary McNamara and General Lemnitzer,

Chairman of the Joint Chiefs of Staff, asked the House Foreign Affairs Committee last week for new authority to send arms to Latin America and southeast Asia and to make major changes in our military aid program. They will appear again on the same mission before the Senate Foreign Relations Committee this afternoon. Their argument is that such measures are needed to counter the Communist thrust in Latin America and southeast Asia. (At present there is a ban on arms aid for internal security forces in Latin America.)

Representative O'HARA of Illinois put his finger on the main objection to the proposed policy when he said that the Pentagon is asking for "a blank check from Congress to maintain governments in power; they can be strong only if cherished in the minds and hearts of the people." Representative HAYS of Ohio pointed to the example of Cuba. General Batista had an army of 30,000 men, supplied from rifles to tanks to airplanes by the United States. Fidel Castro had 1,000 guerrillas and the people behind them.

Arms are used in Latin America solely to maintain internal security, which would be legitimate except for the fact that the military keep themselves in relative luxury and hold the ultimate power in their hands to make and unmake governments. For international purposes, arms are of use only to maintain parity with or superiority over their immediate neighbors. The Pentagon, for instance, could not supply arms to Peru without also supplying arms to Ecuador and Chile.

The countries in Latin America which are most stable and most democratic, such as Uruguay, Costa Rica and Mexico, spend little or almost nothing for military defense. Arms only encourage right wing military dictatorships. This is decidedly not President Kennedy's professed policy. It is, in fact, quite the opposite—which makes this Pentagon move particularly surprising.

Communism in Latin America will be defeated by social reforms, economic development, and the growth of democracy—not by American arms.

#### CAPTIVE NATIONS WEEK

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, for the general information of the membership, captive nations week will be held on the week beginning on Sunday, July 16, of 1961. For the past 2 years, there have been Presidential proclamations issued setting forth such a week and extensive programs have been held for the past 2 years all over the United States acting upon these Presidential proclamations and upon the actions taken by this House and in the other body.

On March 8 of this year, I introduced what is known as House Resolution 211, commonly known as the resolution on the captive nations. This same resolution or similar resolutions have been introduced by many Members on both sides of the aisle.

Hearings have been held for several weeks before the distinguished Committee on Rules of the House on my resolution and on many of the others. I would hope that the Rules Committee would see fit to report out this resolution expeditiously and that the House would

consider it with equal expedition; and if and when it was adopted that this committee proceed to do what many of us think is a very important duty.

Let me make very clear that the resolution has in mind very specific legislative purposes. This is not just a hunting expedition, it is a resolution following the precedent when the Rules Committee reported out and this House created a special committee to investigate the Katyn massacre upon which I had the honor of serving when we investigated here and overseas the murder by Russian Soviet agents of thousands of Polish reserve officers and their bodies were discovered in a great grave in the Katyn Forest.

Subsequently the Rules Committee reported out and the House saw fit to adopt and create the Kersten committee, which studied among other things anti-communistic infiltration in various areas of the Government and the world, and the charge made by the Soviets, particularly by Mr. Khrushchev himself at his last appearance at the United Nations, and with the theme of the Soviets that this Nation and our allies and our other nations are colonial powers.

One of the chief purposes of this resolution is to make it clear that never in the history of the world have the evils of colonialism been practiced down through the pages of history by all such colonial powers taken together as are now being practiced with their most evil intent by the Soviet.

I developed this subject at some length when I introduced this resolution. I was joined by many Members on both sides of the aisle, and I will not repeat those extensive discussions. But I repeat for the purpose of emphasis, and so the Rules Committee may know, that there is a clear and distinct and purposeful and deliberate and very hopeful legislative intent resulting from the creation of a Captive Nations Committee born from this resolution as well as recommendations to the United Nations, to the learned societies here and abroad, as has been done quite properly under legislation that this House reported.

Mr. Speaker, the endorsement by letter, by personal visit, by telephone, that I have received in support of this captive nations resolution—very frankly, in the many years that I have been here I personally have never experienced anything like it. My office has simply been inundated with appeals in support of this proposal from all over the world. I have inserted excerpts of many of these in the CONGRESSIONAL RECORD since the date in March when the resolution was introduced. They have been voluminous, they have been extensive, they have been extraordinary in concept and content.

I have suggested 10 solid reasons for this resolution. I do not prefer this late in the day to examine them carefully one at a time. Let me take one that I have, No. 3 of the 10.

I take this to indicate an absolute need from my experience. When I first came here during the early years of World War II, I served upon the great Committee on Foreign Affairs of this House. I left the Committee on Foreign

Affairs to serve upon the great Committee on Appropriations. I still serve on that committee. I serve on the Subcommittee on Appropriations having jurisdiction over the Department of State and the Department of Justice. So I am not a stranger in all those years to this end and related problems. But I assure you, Mr. Speaker, that there is a hazardous gap in our official and private facilities as concerns this Nation to study systematically, objectively, and continuously all of the captive nations, especially those in the U.S.S.R.

Nowhere, in my judgment, and I have examined into this, is there any agency, public or private, performing this most essential task.

I see here the distinguished gentleman from Illinois [Mr. PUCINSKI]. Should I remind you, Mr. Speaker, that he was secretary and the chief investigator, as a matter of fact, he was my chief cook and bottle washer during the years of the Katyn massacre investigation. Without him much of that great work would not have been done. Since then, the good people of Chicago have seen fit to elect him to this House and to return him again this session. I take it for granted he wants me to yield.

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

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I rise to congratulate and commend the gentleman from Pennsylvania [Mr. FLOOD], for taking this special order today to call attention to his excellent resolution which he has sponsored for the creation of a Captive Nations Committee. I am proud to have the privilege of cosponsoring this resolution, following the great example set by the gentleman from Pennsylvania [Mr. FLOOD]. I do not know of anyone in this country who has over the years demonstrated a greater understanding and a greater desire to help the unfortunate people behind the Iron Curtain than the gentleman in the well of the House now, Mr. FLOOD.

I remember that as a member of the Katyn Committee he was, first of all, extremely instrumental in getting that committee established by the Congress. Then, as a member of the committee, his work, his efforts were absolutely indescribable. I recall when the gentleman was with the committee in Europe. Literally he worked around the clock. That may sound like an exaggeration, but it is not. He literally worked around the clock in order to assemble and correlate all of the evidence which for the first time presented and prepared the indictment under which the Soviet Union was indicted before the court of world opinion as the nation responsible for this monstrous crime.

Ever since then the gentleman has worked tirelessly to try to keep alive the hope and the spirit of those gallant people behind the Iron Curtain who had fallen prey to the Communists, through no choice of their own.

I think this entire Nation owes Mr. FLOOD a great debt of gratitude for his efforts. I certainly would like to add whatever support I can to the early enactment of this resolution which the

gentleman has sponsored to create a committee like this.

It seems that today the newspapers are full of headlines about Laos, the Congo, the Far East, and the southeast.

We too often forget that in those countries behind the Iron Curtain in Europe, commonly known as the captive nations, today there are some 180 million people whose tradition and dedication to democracy and the democratic rule goes back away before the very beginning of our own country and our own history. These people too often are led to believe that the free world is forgetting about them; that the free world is taking their tragic situation as a fait accompli. And, I believe that what this committee has proposed would revive the hope, would revive the spirit among these people who traditionally have belonged to the West and who yearn for the day when they can again join the family of free nations of the world.

We are concerned about various countries throughout the world, and yet we are too often oblivious of the great potential in these captive nations. These captive nations may well constitute the balance of power in the world today, and in the great ideological struggle between democracy as we know it and communism as the Kremlin knows it this great buffer of captive nations at the right time in world history may indeed provide the stimulus that will swing the pendulum in favor of survival for democracy. Therefore, I believe the committee that the gentleman has proposed deserves the unanimous support of this Congress simply because it would create a forum before which we could help keep alive the great contribution to these countries and keep alive their spirit, and I certainly do hope that the Members of the Congress are going to recognize the depth of sincerity with which the gentleman has offered this resolution. We know that the gentleman had been extremely instrumental in helping the Congress adopt a resolution 2 years ago in which we established, as an annual observance in this country, Captive Nations Week, which is observed in July. We know that this single act of the Congress of the United States has created a greater degree of fury in Mr. Khrushchev and the Kremlin than any other single thing we have done.

We recall how Mr. Khrushchev went into complete frenzy because this Congress of the United States had, by resolution, proclaimed that once a year the people of this country shall observe Captive Nations Week to let the people behind the Iron Curtain know that we have not forgotten them. It is true that we are preoccupied with many problems throughout the world today, but we are not going to forget these people, because these people are entitled to their freedom. Their history shows that they are freedom-loving people; the gallant Poles, the Czechs, the Lithuanians, the Bulgarians, the Latvians, the Estonians, the Yugoslavs. All of these people have glorious histories of struggle for freedom and the recognition of the dignity of man. And, I hope as we have followed the gentleman on previous historic occasions, that the Congress will

again rise in support of this resolution which he has introduced, because heaven knows in this great ideological struggle today, when the two systems of philosophy and ideology throughout the world are fighting for the mind of man, that this committee can make a profound contribution, just as did the committee that investigated the Katyn massacre in which the gentleman played such an important role. We must constantly keep reminding the free people of the world, we must constantly keep reminding the uncommitted nations of the world, we must constantly keep reminding the captive nations of the world that the United States has not forgotten them. I think the resolution which the gentleman has offered becomes even more important when we recognize the fact that every so often, and with perilous and dangerous frequency, new countries are being added to the orbit of the captive nations. The latest example, of course, is Cuba herself, 90 miles removed from the shores of our country. Therefore, the committee that the gentleman has proposed could serve a very fine and noble purpose in trying to remind the United States that it is so absolutely necessary and to provide programs of leadership which would give all of us hope that someday there will not be any captive nations; that we are going to have in this world an order and a family of nations living together under freedom.

I congratulate the gentleman for taking this time today and I congratulate above all his constituency for supporting his action over the years by constantly returning him to this Congress.

I hope that the wisdom of the gentleman's constituency will never diminish, because we need men with his courage to stand here in the well and fight for these captive nations that play such an important role in the fight for their freedom and their future development.

Mr. FLOOD. Mr. Speaker, the gentleman has been more than kind. Let me point out to him something that he knows, I am sure, that we have a tendency in this Nation, and on our side of this world, to believe that the Bolshevik, Communist Soviet is an impregnable fortress. The fact remains that it is the existence of the peoples in these captive nations and the exposed flanks and the exposed rears of any Soviet military action that is the greatest deterrent, and that has been more responsible than any other one thing why Khrushchev has not struck.

Let me ask the distinguished gentleman from Illinois, [Mr. PUCINSKI], in whose veins flows the proud blood of Polish ancestry, can you imagine what would happen to the ground forces of the Soviet with their lines of communication stretching from the Russian border to East Germany through Poland, if they had to move? They will not move through Poland. They will have to go over it, or around it, but they will never go through it on the ground, if they are talking about limited war. Khrushchev knows it; the Poles know it; the Poles know that Khrushchev knows that the Poles know that Khrushchev knows

it, and so on and so on. And so do you and so do I.

I intend to yield to my friend from Illinois [Mr. DERWINSKI]. This has never been a political problem. There has been no political controversy on this in the years I have been connected with it. Members on both sides of the aisle have worked with me fully and completely in all of our committees. That has been the position. So am I pleased to see here my distinguished colleague from Illinois, likewise a cosponsor of my resolution, and I take for granted he would like for me to yield to him—the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, I feel that the gentleman from Pennsylvania [Mr. FLOOD] is to be commended for taking time this afternoon to call this problem to our attention. I think—and I hope the gentleman will agree with me—that at the moment our problem is to remind the Members of the House that the resolution now lies before the Committee on Rules.

Mr. FLOOD. As always, my friend is practical.

Mr. DERWINSKI. Mr. Speaker, we hope at this moment that the Committee on Rules in its wisdom will see fit to approve the resolution so that we here in the House will be able to work our will. I am sure, as was indicated by the gentleman from Illinois [Mr. PUCINSKI] that it will have tremendous support in the House.

May I also point out to the gentleman that he has in the past given all the Members of the House enough information and enough meat so that they are completely aware of the need for this committee and the effectiveness that this committee would have.

Mr. Speaker, I should feel that we might think also of the fact that since the war generations of Americans have passed on to voting age and are coming into political realism, without having been reminded of these captive nations in the Soviet Empire. There are many people today whom we might stop on the street who might not be able to tell us that there ever was a country such as Estonia or Latvia. They may assume that the Ukraine is a permanent part of the Soviet Union.

Mr. FLOOD. I am afraid that is true. Mr. DERWINSKI. Therefore, we can provide a tremendous educational instrument by which American citizens, not only those of foreign extraction, who remember vividly these lands, but also those who at the moment may be untouched by the realization and the knowledge of colonialism and imperialism of the Soviet Union, can understand the situation.

I therefore wish to commend the gentleman and associate myself with him in his remarks.

Mr. Speaker, it is apparent from the recent conference President Kennedy held with Premier Khrushchev that, if anything, the cold war will increase in intensity. The pressures exerted by the Soviet slave empire against the free world will expand, rather than diminish.

Therefore, I am pleased to join my colleagues again this afternoon in urg-

ing the creation of a Special House Committee on Captive Nations. As I have indicated on previous occasions in discussing this subject, this matter is of prime importance since the captive nations represent the Achilles heel of the Soviet Empire.

People of all captive nations have a tradition and history of freedom, a desire to be free, a natural relationship of culture and religion to the West. In view of the bipartisan spirit we generate and display here in the House, on the questions of this proposed committee, I am hopeful that with the cooperation of the Democrat leadership, the Rules Committee will shortly approve one of the resolutions now before it.

May I point out to my colleagues the fact that the House Republican policy committee has urged the creation of this Special Committee on Captive Nations and our party pledges vigorous bipartisan cooperation. Our party leaders in the House of Representatives are determined to strengthen the stand of the President and the State Department in the crucial problems we face in foreign affairs. We Republicans feel strongly that this committee would make a magnificent contribution to the cause of justice and freedom by exposing the colonialism of the Soviet Empire, thus generating a tremendous counteroffensive in the free world, in the halls of the United Nations, and behind the Iron Curtain, with which to ultimately bring about a world free from the megalomaniacal tendencies of Premier Khrushchev and his fellow Communist tyrants.

May I reemphasize that the differences between my resolution which is supported by the Republican policy committee, and the resolution of the gentleman from Pennsylvania [Mr. FLOOD], are not great and can easily be adjusted so as to create maximum effectiveness in this proposed committee. Personally, I feel that in keeping with the spirit of bipartisan special committees, six majority and five minority members would constitute the soundest possible operation.

Mr. FEIGHAN and Mr. GLENN rose. Mr. FLOOD. Mr. Speaker, I want to be fair to my friends and be sure that Members from both sides of the aisle receive equal time, at least from me.

I must say that the gentleman to whom I shall first yield, Mr. FEIGHAN, was a member of the great Kersten committee, to which I formerly referred, and was experienced for years in investigation as a member of the Committee on the Judiciary, particularly on the problems with which this resolution seeks to deal.

Mr. FEIGHAN. I thank the distinguished gentleman from Pennsylvania, and I wish to compliment him on his wisdom and foresightedness in introducing this resolution. I feel, and I am quite sure the gentleman does also, that the captive nations are the Achilles heel of the entire Communist international conspiracy. This committee, by a continuous and systematic study of all the captive nations of Europe and Asia, would bring to light the truth and would expose the colonialism and imperialism

not only of the Russians but of the entire international Communist conspiracy spearheaded from the Kremlin. That is what Khrushchev and the Communists fear most.

You will recall when then Vice President Nixon reached the airport in Moscow the first words with which he was greeted by Khrushchev were, How could you do this to us? Khrushchev was referring to the passage of the Captive Nations Week resolution.

This recognition by Congress of the status of these captive nations submerged by Russian colonialism exposed the greatest vulnerability of the international Communist conspiracy. This exposé and their driving force for nationalism is feared more by Khrushchev and his evil henchmen than the hydrogen bomb.

It is most unfortunate that persons in high places in Government are unacquainted with the true facts of Russian imperialism. For example, when Vice President Nixon was in Moscow, he spoke to a young girl who said that she was Ukrainian. The Vice President said that Ukraine is the Texas of the Soviet Union. The only similarity between the Ukraine and the State of Texas is that the people of both love liberty and are prepared to fight for it. There the similarity ends. There is no other major similarity between the Ukrainian nation and the great State of Texas. Texas is a voluntary political unit of the United States, whereas Ukraine is not a voluntary unit of the Soviet Union—having been forcibly incorporated therein against the will of the people. Texas is self-governing, electing its officials in free and unfettered elections whereas Ukraine does not enjoy self-government and all officials there are handpicked by the Russian Communists in Russian style elections. Texas has a voice, and I might say a powerful voice, in the Congress and in our Government whereas Ukraine has no voice in the Presidium of the Soviet Union, other than the parrots selected by the Russians and even these stooges are allowed nothing more than the opportunity to acclaim whatever Khrushchev and the Russian crowd have decided in advance. The people of Texas speak English, the common language of our country, the people of the Ukraine speak Ukrainian which is not the common language of the Soviet Union because the Soviet Union is a multinational and multilingual empire. Texas has never been engaged in a state of war against the Federal Government since joining the Union, whereas the people of Ukraine have been engaged in a constant war against the Russian Communists for the past 40-odd years. I have heard no reports of the people of Texas desiring to withdraw from the Union, whereas the people of Ukraine have been attempting to do just that since they were forcibly incorporated into the Soviet Union.

Unfortunately many Americans and far too many in the free world are unaware of the fact that Stalin at Yalta insisted, demanded, successfully that because of his fear of the nationalistic spirit of the non-Russian nations in the

Soviet Union that two of the so-called republics of the Soviet Union be given membership in the United Nations—the Ukraine and Byelorussia. Also little publicized in the United States and elsewhere is the fact that in 1954 Stalin demanded that all of the non-Russian nations of the Soviet Union as well as Muscovy have long celebrations in commemoration of the independence of the Ukrainian nation. This occasion was to celebrate the 300th anniversary of the Treaty of Pereyslav. Under this treaty the Russians agreed to assist the Ukrainian nation in its war against Poland. The Russians at that time used the same tactics that they have used in recent years; namely, to put their troops, armaments, and fortifications within the boundaries of another nation. Instead of assisting the Ukrainian nation in its fight to retain its freedom, the Russians availed themselves of this opportunity of friendship to conquer and submerge the nation. The Russians broke the treaty just as they have broken every other treaty except a few which have been in their interest, such as the Ribbentrop-Molotov agreement. The Russians on this 300th anniversary celebration insisted that the celebration be observed on the basis of the big-brother Russia helping the little-brother Ukraine maintain its freedom and independence.

Mr. FLOOD. May I say this, that that is a very significant point the gentleman is making because, as he knows and I know, I never took such abuse in my life from the sob sisters in this Nation as being responsible for this captive nations resolution. Do you know what they said? They said our action in this House would make Khrushchev mad, and he would be unpleasant to everybody that came to see him. Is not that just ducky?

Mr. FEIGHAN. I had very much that same experience, being also a sponsor of that resolution. The one that was passed was introduced by our majority leader. But the gentleman will recall that Khrushchev took the opportunity to write an article in Foreign Affairs in which he tried to berate the Congress and, in typical Communist dialectical style, tried to show that Russia was just a big brother and protector of the once free and independent nations which Russia, by aggression and ultimatum by diplomacy, took over and continues to occupy against the will of the people. Fortunately, Dr. Edward M. O'Connor, in my opinion the most knowledgeable and greatest authority on the Soviet Union and on the Communist empire, answered Khrushchev in a lucid article in the Ukrainian Quarterly which presented the truth and exposed Khrushchev's lies and contradicted the falsehoods presented by Khrushchev in his article which this American magazine gave Khrushchev the opportunity to propagandize the uninformed American public.

Mr. FLOOD. That is just a matter of degree. How can you make anybody madder unless he is already mad?

Mr. FEIGHAN. Passage of this resolution would strike an effective blow for the cause of human freedom and

individual liberty. If this resolution passes we will be able to acquaint the people not only of the United States but of the world with the fact that the Russians are the greatest colonizers and imperialists in the history of mankind. We will also have an opportunity to break down this myth of the Russians that equates the Soviet Union with Russia. The Russians are the minority people of the Soviet Union.

As I said before, it is most unfortunate that Russian propaganda has been so successful that people equate the Soviet Union and Russia. The fact is that the non-Russian nations of the Soviet Union are not Russia. The true fact is that the Russians are the minority population of the Soviet Union. If this resolution is approved, the truth about Russia and Russian imperialism will be disseminated to the American people and the free world.

The gentleman from Pennsylvania by the introduction of House Resolution 211 has rendered a real public service in pointing up the fact that our national observance of Captive Nations Week for the past 2 years has become a matter of grave concern to the leaders of Russian communism. I am convinced that the concern of the Kremlin hierarchy over Public Law 86-90 is very deep and upsetting. The greatest fear held by the leaders of the international Communist conspiracy is that the people of the free world will awaken to the true nature of the vast empire which they have established by subversion, terror, and armed aggression. They have every reason to believe that should the full facts become common knowledge in the free world, the popular demand for justice toward the many non-Russian nations submerged behind the Iron Curtain will reach proportions which no democratic government can ignore, and this will lead to action, that is, positive action in support of the just aspirations of the captive nations. This is precisely what the Russian leadership has long sought to prevent because they would have no defense. Their position with regard to imperialism and colonialism is indefensible.

I would like to stress another aspect of the purposes for establishing a special Captive Nations Committee of the House. Such a committee would be a factfinding group. It would, by the process of hearings and studies, permit a continuous and systematic study of all the captive nations of Europe and Asia.

While a beginning has been made on this necessary work, particularly by the Select Committee To Investigate Communist Aggression of the 83d Congress, of which I was a Member, much has transpired during the past 5 years in all the captive nations which should be documented and printed in convenient form for use by colleges and universities, students of world affairs, government officials, and others interested in learning about the realities of the world in which we live.

I am also convinced that the work of such a House committee would strengthen the work of hundreds of committees set up by Governors, mayors, and private groups in the United States

for the purpose of carrying out appropriate ceremonies about the captive nations during the third week of each July. Such committees, by the very nature of their work, are bringing the American people closer to the realities of life under communism. Such knowledge not only strengthens our national will to resist, but provides the stimulus for positive political actions in support of human and national rights the world over.

President Kennedy has well said—The enemy stands without our gates. The threat of Red dictatorship is now only 90 miles off our coastline. This threat is real; it is close by. The American people are clamoring for positive action and programs in support of our own political ideals and way of life. A special Captive Nations Committee of the House would be one of the answers to the call for action at the national level.

There is another important consideration. The people behind the Iron Curtain, the people living in the captive non-Russian nations, look to the United States as the citadel of human freedom. They are our proven allies against the common enemy. They are the victims of the common enemy. They continue to resist the imposed order of communism and await the opportunity to cast off the Red chains of Moscow. Their hopes were lifted when Congress enacted the Captive Nations Week resolution. They saw in this action an affirmation that the people of the United States had not forgotten them and that our primary national objective remains individual and national freedom for all. The establishment of a special committee of the House to promote the ideals of Public Law 86-90 would lift up the spirits of millions of people behind the Russian Iron Curtain.

The platform of the Democratic Party carries a promise that this administration will never acquiesce in the enslavement of the captive nations through acceptance of a status quo with the men in the Kremlin. We must, by affirmative action, give purpose to this promise. No better evidence of our will to carry out this commitment could be given than the establishment of a special Captive Nations Committee of the House of Representatives.

It is my understanding that my great opposite party, the Republican Party, is in agreement and I sincerely urge the Rules Committee to give the membership an opportunity to express their will on this resolution because, in my opinion, the members of this committee will perform a much-needed service not only in the cause of human freedom and individual liberty, but in the preservation of our free way of life.

Mr. FLOOD. It is important to bring out just the point the gentleman is making, but it is especially important that the oncoming new nations on the threshold of democracy, the new peoples who have won their liberty, know where the devil in the piece lies. As the gentleman says, we must unmask the imperialists and the colonialists in exposing the Soviet.

Mr. FEIGHAN. If that were done last fall at the United Nations we might have had indeed a much better result, be-

cause our representatives sat idly by while the Russians, the greatest colonizers, were accusing us of colonialism and imperialism. If our Ambassador to the United Nations had had a little more knowledge and courage on that subject, he would have brought that out.

The gentleman from Illinois [Mr. DERWINSKI] mentioned Estonia, Latvia, and Lithuania. I do not know how many people know that the U.S. Government does not recognize the Russian puppet governments of Estonia, Latvia, and Lithuania, which are part of the U.S.S.R. In fact, our Government still recognizes the legitimate governments in exile and have continued to go on record that we will not recognize the forced takeover and occupation of these three Baltic States. We should never veer from this strong moral position.

We must keep alive the hopes for religious freedom and national independence of the more than 30 million Moslems within the borders of the Soviet Union.

I concur in the belief of the gentleman from Pennsylvania that the Russians, in nonnuclear war, would never dare to cross Poland. I feel certain that the Russians, if they trespassed Polish land, would receive the opposite treatment that the Nazis received when they crossed the border into the Ukraine. You well remember that in World War II the German Wehrmacht invaded the Ukraine. The Ukrainians surrendered their arms and agreed to fight against their big oppressor, the Russians.

The German Wehrmacht gave assurances to the Ukrainians that if they fought against their hated enemy and oppressor, Moscow, that the Germans would recognize their independence. It was with these assurances that the Ukrainians surrendered their arms to the Wehrmacht and expressed their willingness to fight against Moscow. The striped pants boys in Berlin and Hitler rejected the Wehrmacht proposal. Instead of accepting the offer of the Ukrainians to fight against the tyrants of Moscow, the Ukrainians were placed in concentration camps. In the later stages of the war, the Nazis again offered the Ukrainians the opportunity to fight against the despots of Moscow, but it was too late. Khrushchev and his henchmen realize the vulnerability of the nationalistic spirit within the non-Russian nations of the Soviet Union as well as the same spirit in the so-called satellite nations.

I strongly urge the Rules Committee to approve your Resolution 211.

Mr. FLOOD. I was so sick about that, when the United States of America sat silently and when little Chile and Canada and one other of the smaller nations had to come to the defense of America in the world. We sat silent in the face of that outrageous conduct. Little Chile and Canada and one other small nation took on this bull in a china shop and we said nothing.

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

Mr. FLOOD. I yield to the gentleman from New Jersey.

Mr. CAHILL. I, too, would join in commending the gentleman from Penn-

sylvania on his great interest and his great leadership in this cause and, particularly, to commend my good friend, the gentleman from Illinois [Mr. DERWINSKI] for the leadership he has manifested alerting all of us on this side as to the great importance and need for this committee. I want to reassure the gentleman from Pennsylvania that, under Mr. DERWINSKI's leadership, the Republican policy committee has unanimously approved this resolution and I, therefore, can reassure the gentleman from Pennsylvania that Republicans on this side earnestly join in urging the Committee on Rules to release this resolution.

Mr. FLOOD. Of course, we can hope that the members of your great party on the Committee on Rules will read your remarks at least.

Mr. CAHILL. I hope they do.

Mr. FLOOD. Mr. Speaker, I now am pleased to yield to my distinguished friend, the gentleman from Illinois [Mr. LIBONATI] who is also a member of the great Committee on the Judiciary, a well-known jurist and famous trial lawyer from the great city of Chicago. Because of the gentleman's many years of residence in that great city with so many people who are descendants of people from the captive nations, I am sure we can profit by listening to his words of wisdom on this subject.

Mr. LIBONATI. Mr. Speaker, I compliment the gentleman from Pennsylvania for his courage and daring in seeking establishment of another committee. I am sure the gentleman has thoroughly analyzed the jurisdiction of this committee and its purpose, which would be to focus attention on Captive Nations Week and the ultimate purpose of the observance of Captive Nations Week and to disseminate the information gathered by the committee so that the American people would be better informed. I would not like to see your committee tied up by circumstances so that you would be just using the impressions that are brought to you through the agencies of dissemination of information and what might be described as more or less general expressions of opinion of the times. I would like to see this committee have such strength and purpose as our distinguished majority leader once said in speaking on this same subject, namely, that this committee should be a virile and forceful committee and that it should shed the light of truth on all facets of such governments, whether they be good or bad.

I think you will agree with me that ultimately we will have to follow the same pattern that the Russians have followed. Ultimately, we may have to send men into these various countries—men who will be armed with the Bible and a gun. These men will work through the underground and, thus, contact the people of the country as was done in Italy during the Second World War when patriotic and devoted men fired by aspirations of freedom and liberty met with the people in the cellars and in embankments and mountain caves. So it was that they reached that moment of salvation, the moment that meant the

turning point in the souls of men when fear was instilled in those who were controlling the destiny of their land which they were seeking to release from the clutches of the Soviet grasp. I say to you we will never succeed as long as we behave like gentlemen and try to handle the ruffian with silk gloves. The ruffian must learn that we have men here who can be trained in that kind of warfare—not the kind of warfare conducted by armies marching out and presenting a solid front; not the kind of warfare where brigades of men present themselves on the line of battle. No; that is not the kind of battle that must be fought. The enemy must know that we have men who can be trained in the kind of warfare that was carried on by George Washington and his men against the Indians when the British troops had been defeated and our American woodsmen hid behind trees and fought the Indians and overcame the Indians and at least saved the remnants of the British Army. Our American woodsmen, our Yankee woodsmen, in that day and in that era were successful because they knew how to fight the kind of fight that the enemy was making.

So I say to you the President, as I understand from recent developments, is taking that attitude, and in his fervent way is trying to determine whether or not a new approach is necessary and a new attack. Talks have accomplished very little. Throughout all these talks and these conferences nation after nation has been gobbled up by this siren of governments and tyrant of nations.

I say to the gentleman that if his committee can focus the attention of the American people upon a new thought, a new action, a greater preparedness, a constructive purpose, and dominate in bringing aid to these freedom-loving peoples who are looking to us for succor and strength, for aid and technical intelligence, than I think your committee will function in conformity with American tradition and be a credit to the greatness of our country, and will show that we can fight an enemy either by guerrilla warfare, or undermining the confidence of those who sit upon a keg of powder. All that is needed is an honest election to place them in the immigrant status to which they really belong.

We have but to recall their persecutions of the Lithuanian nation in 1940 and 1941 when 60,000 were exiled to the wastes of Siberia. These freedom-loving patriots were rooted from their communities and under the lash driven to barren areas to join the ranks of enslaved prisoners of other nations worked in the Russian mines. It was through death alone that escape was possible.

The captivation of a great people, the Byelorussians, was the very beginning of a bloody trail of world domination—marked by numerous military operations. Their fate is sealed but their faith in the United States is one of devotion.

We have but to think of the historical saga of the Ukrainian freedom fighter Shevchenko to realize the terrible, vicious subjugation of a wonderful independent nation.

And again little Hungary reeling, bleeding, and now prostrate before their Russian masters. The superhuman fight for freedom in 1956 electrified the free world—yet the spirit of Hungary lives again even in defeat. In bondage her patriotic freedom-seeking heroes pray for the day of our intervention in their behalf. It is their only prayerful hope.

And then Poland, the happy land of spirited people 16 years ago, struggles under the Communist yoke. A people whose Constitution written in 1791, modeled after our own, live in abject fear of annihilation.

Communist leaders, through their worldwide organization, have integrated into every land. Through clever manipulation of clever propaganda such as false promises, bribery, intimidation, supplies, friendly services, support of public works, gifts, and loans—only for the purpose of eventually taking all back after taking over government.

Once the Communist leaders march the helpless people to the Marxian step of regimentation—their freedoms and liberties are no more.

I cannot but again reiterate at this time my statements on the floor of the House on February 11, 1961, in discussing the Lithuanian 43d anniversary of her independence, page 2289 of the RECORD:

The great problem today confronting the United States is, What can we do to liberate these small nations, throughout Europe and the Baltic area, who are now enslaved under the Russian power? How can we, with these nations in enslavement, consider our liberty secure, while these countries suffer inhuman bondage? Certainly the continuous use of pugnacious words will not be the solution and certainly not wishes and prayers alone will free these faithful patriots, who patiently wait for the day of liberation. Certainly education of the enemy will not secure their freedom. It is written in the blood of nations that rescue from enslavement by forceful repudiation will only come through internal eruption and revolt against their despotic control by the tyrants of our time.

If violence be necessary, then, in that event, our Government must stand by these captured nations, who have struggled for freedoms as we honor them. All must be free and we must further every endeavor toward the realization of this freedom. We can only protect our freedom by protecting and recovering for freedom-loving nations their freedoms.

If we are a strong nation with a gun in one hand and a Bible in the other, no one will dare oppose our right to defend a righteous cause. With God and preparedness on our side and the great leadership of the President of the United States, Mr. Kennedy—being dominant in his desire for uncontested supremacy in preparedness, to settle any dispute at the conference table or otherwise—we cannot fail doing something about gaining their independence. It is God's will that it shall so be.

Mr. FLOOD. The finest compliment I can pay the gentleman from Illinois on his brilliant statement is to say that I could not have said it better myself. I might say more than that, I might say that I assure you that if and when this committee is ever formed, and with the aid and the advice of the distinguished Speaker of this House, the distinguished majority leader, the distin-

guished minority leader, and if by any chance I should serve on this committee, you can be sure that we will not dance to any tune played by the career attachés of the State Department, or the CIA in conducting the processes of a special committee of the House of Representatives of the Congress of the United States. Make no mistake about that.

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

Mr. FLOOD. I will be pleased to yield to my neighbor and colleague from the great State of Pennsylvania, who comes from the city of Scranton—and it is after his ancestors that this great city has been named. His district is populated with the descendants of nearly all of the peoples from these captive nations, and he should know whereof he speaks, so I yield to the distinguished gentleman from Pennsylvania [Mr. SCRANTON].

Mr. SCRANTON. I thank the gentleman. I rise primarily to make two comments. This Captive Nations Committee has been discussed on the floor of the House, as we know, at least on two other occasions at this session of Congress.

I rise to commend the gentleman for his tremendous leadership in what I consider to be one of the most important items that has been presented to the House this year; and I say that advisedly and after a considerable amount of thought, and to remark on his last statement. Aside from the good that will accrue by this evidence of our interest in freedom for those behind the Iron Curtain, the creation of this committee will be stimulating to so many people in the United States who are concerned with these countries which were once their own native lands or the native lands of their ancestors.

The third reason that this committee should be formed is the one to which the distinguished gentleman from Pennsylvania just alluded; namely, that our own regular diplomatic service, highly qualified though it may be in a great many ways, is somewhat frustrated in dealing with this matter directly in view of the fact that the diplomats must deal with the regular qualified personnel of the present governments of those particular countries and not in the way this committee could deal; namely, directly and to the point.

Mr. FLOOD. I may say to my friend that during the investigations of the Katyn Committee we encountered this problem many times.

While there are many attachés in the career service and at various levels of the State Department for whom I have a very low opinion and have had down through the years, if I can understate the case, there are others whose concern equals that of the gentleman from Pennsylvania who would be delighted to see this done, because this committee under the sponsorship of the House and composed of the type of Member who will be named by the House, will be in a position to strike at this problem in ways that the career diplomats, for the reasons my friend said, and others most obviously could not. When he refers to that category of State Department

attaché, I would certainly go beyond that of certain others for apparent reasons.

Mr. SCRANTON. I wish to commend the gentleman because of the tremendous leadership he has taken in this field which is well known in our own area, our State and our Nation. It is extremely important for there to be a bipartisan approach to this matter, and to make certain that we get this resolution through the Rules Committee as rapidly as possible, so that this committee may go to work and do a job which it alone is privileged and able to do.

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

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I am sure the gentleman will join me in expressing great gratitude in having in this discussion today our illustrious majority leader. The gentleman speaks of the sob sisters and their work in opposition when efforts were made to establish by resolution the act of Congress in reference to captive nations.

Mr. FLOOD. I understand there was a lot to go around. I did not get it all.

Mr. PUCINSKI. I think the gentleman will agree with me that it was the skillful handling of this resolution and the thorough knowledge of the parliamentary procedure of the House which permitted us to get this resolution through the House and on the books of the Nation so that we can every year observe Captive Nations Week and give these people behind the Iron Curtain new hope and understanding and that they are the greatest deterrent to war. If Khrushchev could count on these people, I do not think we would have the peace we enjoy today. But, as the gentleman stated earlier, the one thing Khrushchev knows better than anybody in this world is that he cannot count on the captive nations in the event of any armed conflict, because their armies would be headed east instead of west. We owe a great deal of gratitude to our majority leader for joining the gentleman in his efforts 2 years ago to skillfully maneuver this very explosive resolution through the House of Representatives.

Mr. FLOOD. Let me say not only am I endeared to him because his name is McCORMACK, but I am on his side to begin with. All through the years I have been here in the activities in this area, I would never dream, and have never dreamed in this case without first consulting the distinguished majority leader from the great State of Massachusetts. I have sat and learned at his feet for more years than I care to make public. I grow older, he grows younger. I grow weak and tired, he grows strong and vigorous. While the first name of my distinguished friend from Illinois is "Roman," the distinguished majority leader, if I may use the metaphor, is the greatest Roman of them all.

Mr. Speaker, from the endorsements and scores of letters I have received supporting House Resolution 211, one can extract over a dozen sound and convincing reasons for the necessary creation of

the special committee which I have proposed. In brief form, however, I should like at this time to advance what I consider to be 10 solid reasons why such a committee should be formed.

First. From his vantage point President Eisenhower in two proclamations on Captive Nations Week summoned the American people to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations.

Second. President Kennedy in answer to a question raised on this subject during the presidential campaign said:

I am, of course, in agreement with the Presidential proclamations. The captive nations should be studied intensively. If a Joint Congressional Committee on the Captive Nations is the best way to insure such popular study, I would naturally not be opposed to it.

Third. There is a hazardous gap in our official and private facilities as concerns this necessary task of studying systematically, objectively, and continuously all of the captive nations, especially those in the U.S.S.R. Nowhere is there any agency, public or private, performing this essential task.

Fourth. Passage of House Resolution 211 would be the first concrete implementation of the Captive Nations Week resolution, passed by Congress in 1959. The fearful reaction of Moscow to this resolution shall never be forgotten. We can show now that we meant what we resolved then.

Fifth. House Resolution 211 is realistically based on the aggregative concept of the captive nations—meaning those inside the U.S.S.R. as well as outside, in Asia as well as in Eastern Europe. It emphasizes the strategic importance—indeed, the primary strategic value—of all these nations for peace and also for cold and hot war purposes.

Sixth. As advocates of freedom everywhere, we must always realize that the cold war is not just between Moscow's totalitarian empire and the free world, but also and essentially between the captive peoples and the imposed puppet governments. House Resolution 211 is based on this realization, and its passage would provide the necessary and prudent leverage for the captive nations in their cold war against colonial Russian domination.

Seventh. The studies, facts, and truths educed by a special committee would give the constant lie to the propagandized and overblown Russian image, particularly in the underdeveloped areas of Africa, Asia, and Latin America.

Eighth. Such a committee, engaged in continuous work based on the aggregative captive nations concept, would become a rich reservoir of new dimensions of thought, of new and fresh ideas, of solid and grounded recommendations for positive and constructive action against the traditional imperialism and colonialism of Moscow.

Ninth. The existence of such a committee would be a permanent reminder to Khrushchev that we do not now nor shall we ever write off the captive nations. This committee would give concrete evidence to the position expressed

by the President in his state of the Union message:

We must never forget our hopes for the ultimate freedom and welfare of the Eastern European peoples.

Tenth. With the second anniversary of Captive Nations Week Observance only 1 month hence, the House can take the lead in making this year's observance a still more successful one by creating this Special Committee on Captive Nations. The vital and basic subject of the captive nations in the aggregate perhaps deserves the resources of a joint committee and also the steadfast attention of a Cabinet officer, but we can take this first step to insure that the subject will receive adequate and continuous attention in the troublesome days ahead.

#### H. RES. 211

Whereas on the issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and

Whereas two Presidential proclamations designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and

Whereas the nationwide observances in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the observance of Captive Nations Week in 1960, Moscow displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy, and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian Empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the now famous U-2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Ibel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalitarian form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of "non-interference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the two Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

*Resolved*, That there is hereby established a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party and of whom five shall be members of the Committee on Foreign Affairs, to be appointed by the Speaker of the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1962.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, con-

sultants, and other employees as it deems necessary in the performance of its duties.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include copy of a resolution.

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

There was no objection.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. FLOOD. 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 subject I have just discussed.

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

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, I want to join enthusiastically in the chorus of those who support the establishment of a Special Committee on Captive Nations. As many Members have said, the situation of the Czechoslovakian people, the East German people, the Polish people, the Ukrainian people, the Lithuanian people, the people of Hungary, mainland China, and other subjugated nations, the situation of these people is not without its difficulties. Our dilemma has been how to give support and encouragement to these captive nations without making moves which, instead of helping them, would have the effect of tightening the Communist tyranny over these helpless and freedom-loving people.

Our interest and moral support for these nations will find new channels to help them, and will hearten them in their struggle against their oppressive tyrants, through a House Committee on Captive Nations.

Mr. Speaker, I have a very strong feeling that now is the time for the United States, as the leader of the free world, to go on the offensive and to take advantage of what appears to be a wave of anti-Communist revulsion beginning to sweep the globe. The establishment of a Committee on the Captive Nations in this House will encourage and give body and substance and vitality to this feeling of enthusiasm for freedom and liberty that is now, apparently, beginning to be reborn.

One further thought, Mr. Speaker. In any formula for liberating captive nations, we must not overlook, we must never abandon, the Cuban people or the people of the Dominican Republic.

Mr. HALPERN. Mr. Speaker, I would like to commend the gentleman from Pennsylvania [Mr. Flood] on his leadership in advocating a Special House Committee on the Captive Nations. I am privileged to have joined with him as a cosponsor of this proposal, my resolution being House Resolution 215, and I am pleased with the national attention that is being given to the objective of the resolutions. The consideration being given to these measures by Congress is highly commendable, and I cannot urge their enactment strongly enough.

Mr. Speaker, the existence of Communist regimes in the captive nations is due in large measure to the exercise of military and economic force and intima-

tion by the Soviet Union, which seeks to maintain puppet governments wherever it can get away with it. A Special Committee on the Captive Nations could serve to inform the American people and the Government—and the world at large—on the situation behind the Iron Curtain, and thus help immeasurably in the formulation of our national policy.

On this occasion, it is perhaps fitting to recall that not a single one of the Moscow-dominated regimes of Eastern and Central Europe came to power through a free election, or anything nearly resembling a free election. In every case, the Communist regime was imposed by fear of the bayonets of the Red army, or by actual physical presence of the Red army. Beginning with the Nazi-Soviet pact of 1939 and the Russian occupation of the small countries of the Baltic coast, and continuing through Red army depredations in the postwar period, the Soviet Union has consistently followed a policy of imposing puppet or stooge regimes wherever possible. I think it is safe to say, in fact, that in the entire 20th century, no free nation has ever voted in favor of a Communist regime in a free election.

The reality behind Soviet talk of the unity of the so-called Socialist camp has long been known to the suffering peoples of the captive nations and to scholars and experts on East European and Asian affairs. As if the reports of police terror, of the destruction of all democratic liberties, of rigid, centralized Communist dictatorship, of the kind of moral "doublethink" characterized so well in George Orwell's two famous books "Animal Farm" and "1984," were not sufficient to expose Soviet control for what it is—an unashamed exploitation by force of smaller and weaker peoples—Soviet actions in the Berlin uprising of 1953 and the Hungarian revolution gave added emphasis.

When the people of Hungary, pressed beyond endurance by Communist tyranny, cried out for bread and freedom, they were answered by—5,000 Soviet tanks. That is the reality behind the unity of the Socialist camp of which Mr. Khrushchev likes to boast.

Mr. Speaker, in dealing with the Soviet Union and its satellite nations, we must never forget that the monolithic facade sometimes presented by the Soviet bloc actually conceals sharp differences within the Iron Curtain area between the captive nations and their Russian master. Within every area of the Soviet bloc—within the Soviet Union itself—there are human beings yearning once again to be free, to enjoy the right to real national independence, to worship if they wish and as they wish, to be safe from persecution and exploitation.

That is why the resolutions to create a special committee on the captive nations are so important. To captive peoples, submerged nationalities, oppressed minorities within the Soviet bloc, these resolutions convey this message: that their deeply felt aspirations for freedom are known to the people of the United States, are a matter of concern to the Congress of the United States.

At the same time, the resolutions do something practical toward dealing with those aspirations. They create a special committee whose function it is to make the closest and most careful study of conditions in the captive nations, with special responsibility for recommending policies by which the United States can assist the captive nations, by peaceful means, to regain their freedom and independence.

Through the work of the special committee, the best scholarly and practical findings of men who have devoted their lives to study of the Communist world, who know the countries involved intimately, can be brought together and placed in the public record for use of the public and the National Government. In many cases, there already exists a tremendous store of factual, balanced, carefully weighed information and analysis on particular nations or problems, but unfortunately, much of this information rarely sees the light of day outside the university. Through the work of the special committee, this kind of material would be made available to the entire Nation and, indeed, to the entire world.

Mr. Speaker, I hardly need state that the Soviet Union, which at times appears so formidable—and which, indeed, is a formidable and dangerous opponent of this Nation and of freedom-loving peoples the world over—suffers from many weaknesses and debilities which it is our duty to exploit to the best of our ability. Not the least of these is the bitter resentment of Soviet domination by many of the peoples of the captive nations. The resolutions we are discussing here today would enhance our power to use this resentment—to use it in the interests of world peace, world liberty, and world decency.

Mr. CUNNINGHAM. Mr. Speaker, I would like to associate myself with the remarks made by the gentleman from Pennsylvania [Mr. FLOOD].

I have also introduced legislation to create a Special Committee on the Captive Nations, and I am happy to endorse everything that has been said about the need for such a group.

We are engaged in a vicious cold war battle against the forces of international communism. We must marshal every resource and use every possible device at our disposal to defeat this threat.

FBI Director J. Edgar Hoover has said recently that "the intelligence organizations of the satellite countries, carefully coordinated under Soviet leadership and control, have gained increasingly in experience and ability."

Thus we have clear evidence that the Soviet leaders are using the people of the captive nations to accomplish the Russian aim of world domination. It is equally clear that we must do everything in our power to encourage the freedom-loving people of these captive nations to retain their high ideals of individual freedom and national liberty which mark the histories of their individual nations prior to the advent of the iron rule of the Kremlin.

I sincerely believe that the creation of a special committee such as that proposed in the legislation under discussion

would be a blow struck for freedom for the oppressed people of these Iron Curtain countries.

#### SPECIAL COMMITTEE ON CAPTIVE NATIONS

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, it is a privilege for me to join my colleagues—sitting on both sides of the aisle—who seek support for the captive nations. It is, I think, both significant and praiseworthy that Republicans and Democrats alike have introduced similar resolutions to establish a Special Committee on the Captive Nations. There can be no effort more worthy of bipartisan endorsement than this creation of a new weapon to oppose Communist tyranny and propaganda.

It seems clear that this establishment of a new vehicle for the analysis and exposure of the plans for conquest by the Communist conspiracy will aid our fight in the cold war. The very existence of the captive nations—enveloped behind the Iron Curtain but with their innate and desperate craving for freedom unstilled—constitutes a powerful deterrent to the ignition of a hot war by our Communist enemies. If we wish this deterrent to continue in force and effect, we must demonstrate our identity and cooperation with the cause of the people of the captive nations.

Mr. Speaker, for these reasons—the establishment of a weapon in the cold war against the tyranny of communism, and the continuation of a bloc to the hot war of active Communist aggression—I commend my colleagues for their actions in support of the Committee on the Captive Nations.

#### FREEDOM OF INFORMATION CENTER

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, on May 2, 1960, I took the floor of the House to deliver a speech I had prepared entitled "Lobbying and Reporting: The Future of Representative Government"—CONGRESSIONAL RECORD, volume 106, part 7, pages 9141-9146.

I pointed out that with the increased reliance our citizens today must place upon national reporting for their information about public affairs the reporting profession has a new and basic responsibility to assume in the proper operation of representative government. Certainly the reporting profession al-

ways has had a function to perform in representative government, or any government for that matter, but the exclusiveness with which it now controls the important function of the representative reporting back to the people what he has found out in their behalf and why he has acted or voted as he has, has had its beginnings only about three decades ago.

I was happy to learn that there is such an institution as the Freedom of Information Center established at the School of Journalism, University of Missouri. I became aware of the existence of this institution just a few months ago when I received a publication entitled "Speeches, Third Annual Freedom of Information Conference, School of Journalism, University of Missouri, Columbia, November 17-18, 1960."

The speeches are all well worth reading, but there is one in particular I wish to call attention to. This is a speech by O. R. Strackbein whom most of us know quite well as the tireless lobbyist for the protective tariff approach to foreign trade.

I am placing Mr. Strackbein's speech in the RECORD following these remarks. It makes some very important points about reporting today. I think perhaps I can bring the matter up more graciously than many of my colleagues because I do not fully agree with Mr. Strackbein's thinking on the economics of foreign trade. The point is that national reporting through radio, television, newspapers, national magazines, national Sunday supplements of newspapers, books and book reviews, and so forth, has never given Strackbein's point of view, which many Congressmen share, a fair presentation.

This is a basic issue. The reporting process, by which I mean the original write, rewrite, headlining, placement, followup, cartooning, editorializing—and the counterpart of the other media—should report fairly and as equally as possible the various points of view that are expressed by the peoples' governmental representatives, and also the point of view of the peoples' special representative, their lobbyists who in their behalf exercise the constitutional right to petition the Congress. They must do this so that the people may participate intelligently in their Government.

The greatest error in public debate in America today is criticism out of context. Criticism out of context makes sensational news but frequently badly damages the progress of those who are hardest at work to correct the very errors to which the criticism has been directed.

So, in my criticism of the reporting profession in America, let me put it into context. Reporting in America is head and shoulders above reporting in any society in the world today or in the world of the past. I say this with all the criticism I have directed to it in the past and the criticism I am presently making. The people who are hardest at work to make reporting even better are not the outside critics like myself, but rather the conscientious people in the profession.

I hope the Freedom of Information Conference goes on to greater glory. I would be interested to know what they had to say about Mr. Strackbein's criticism, particularly the question he raised: Is there not some board or committee to which a complaint about the press could be directed. This same question, of course, should be raised about the other reporting media, radio, television, national magazines, book reviews and book publishing houses.

There should be no occasion for raising the bloody shirt of censorship when all one is suggesting is a system of self-discipline. The Bar Association handles its own grievances and has long established grievance committees to which any person may register a complaint. The same is true of the medical profession.

In fact, there are very few occupations which seek the appellation "profession" which do not establish grievance committees of some sort so that the public has some place to register their complaints.

The reporting profession should establish for itself a code of ethics and establish its own boards which will receive and act upon complaints from the public. Whether these boards would develop disciplinary techniques as strict as disbarment, losing a medical license or being defrocked would depend entirely upon the leaders of the profession. Mere public exposure with which the reporting profession is well acquainted, is one of the most powerful of all disciplines. This in itself might prove to be adequate.

If the reporting occupation is to become a full-fledged profession, as I think it must in order for government by the people to survive, there must also be a new look taken at the skills required to maintain professional competence. The art of reducing a rambling political speech by one of the people's representatives, a hundred-page technical bill introduced in the Congress, or a series of interrelated actions of politicians, into a few paragraphs of readable and accurate prose requires great talent and training. Nor can the goal of objectivity ever be more than an ideal toward which the reporting team strives. The difficulty of striving toward the goal, however, should never be used as an excuse for abandoning the attempt.

If our society expects professional skills we must be prepared to pay for them. So, my concluding observation is this: If we want better reporting, the owners of the media must pay salaries commensurate with the required skills. A great deal has been reported about the need for raising teachers' salaries if we are to have the quality education our society must have to keep moving forward. Practically nothing has been reported about the necessity of raising the salaries of the reporting profession if we are to have quality dissemination of public information to our people. This is as important to representative government as is an educated populace. Our people are dependent upon the reporting profession for the information they need in order to apply the education they have received.

I believe that paying high salaries will pay off economically. Quality reporting will get greater readership and greater listenership and from this comes the greater economic return, and, as I have been stressing, better government.

The following is Mr. Strackbein's paper:

#### OH, TOUCH NOT THE PRESS

(By O. R. Strackbein chairman, nationwide Committee on Import-Export Policy)

It is with some trepidation that I tread this platform in this great forum of journalism. From the point of view of the editorial world, I am a rank layman, an outsider or utliander, as the Boer of South Africa might have expressed it.

A few short years ago, I would not have dreamed that I would be here today or any other time. I was unaware that a Freedom of Information Center existed. This perhaps merely shows how ignorant the ordinary citizen who reads the newspapers can be. I am delighted to know that the center not only exists but has done and is doing a great deal to purify and guard the fountainhead of freedom.

The question naturally arises what brought the center to my attention and what in turn brought me here.

There is some irony to be found in this, as you will see.

I have read a number of the addresses before this conference delivered by other speakers in times past, and have been greatly impressed by the incisiveness of their analysis and their devotion to the ideal to which the center is dedicated. Much pioneering work has been done and, I gather, some practical results have been gathered in as fruits of some real effort.

I can only applaud.

One of the papers delivered before this Center in 1958 quoted from Walter Williams' "Journalist's Creed" in which he said that "the public journal is a public trust," and that "all connected with it are to the full measure of their responsibility trustees for the public," and "that clear thinking and clear statement, accuracy, and fairness are fundamental to good journalism." May I add that I have read the whole creed on a bronze plaque at the entrance of the National Press Club in Washington, D.C.

Absolutely wonderful. What better could be said?

How strange then to some of these workers in the vineyard of responsible journalism to find themselves the object of what must have seemed an outrageous attack by me something over a year ago. Here they were, in the very forefront of journalistic self-criticism and housecleaning—honored officials of the American Society of Newspaper Editors (usually referred to as ASNE)—and what was the reward? An attack that ignored all their good work. I began to feel badly about it and was almost at the edge of remorse when I found that these gentlemen were able to take care of themselves.

I quickly learned that these exalted editors were really very human. They jumped to their defenses with a ferocity that was almost sublime. It is now evident to me that they were wounded where it hurts most—in the innocence of their integrity. The rage of a woman scorned may be something beyond what is normal in hell itself; but the fury of a crusader, when his pride is wounded, churns like the angry ocean waters under the lash of a hurricane.

Who was this rude intruder who with muddy boots stomped into the sanctum of holies and asked subversive and outrageous questions?

The first echo bounced back like a radar signal hitting a speck of dust in outer space. One of those who responded said:

"Although ASNE's Freedom of Information Committee always stands ready to in-

vestigate any bona fide charges that legitimate public information is being suppressed, I certainly do not intend to ask the committee to spend its time examining generalized and emotional attacks and innuendos."

To me this response had something of the feel of cool water. I was not yet sensitive enough, however, to the developments in the journalistic world to detect the special meaning of the word "public" in relation to information. Evidently, suppression of public information had a sinister meaning all its own, not applicable to suppression of ordinary information. This came home to me later.

So dense was my ignorance that when I replied to the president of ASNE that I could not believe that there was not some board or committee to which a complaint about the press could be directed, he thought I was calling him a liar. I explained that what I meant was that there must be some such board to which recourse could be had. It seemed inconceivable that in a field of such great importance to the public and to the Nation there was not some recourse.

Later, I called attention to the Food and Drug Act, weights and measures regulations, requirements for the practice of medicine and law, teachers' certificates and degrees, etc. It seemed strange that the public could demand standards in these fields and could demand to know what went into our stomachs while it had nothing to say about our journalistic mental fare. I went so far as to say that all these professions had standards but that apparently anybody could practice journalism. I do not believe that this endeared me to my friends.

By this time, you will have noticed that I have been backing into my subject. The purpose was to take you along with me in my experience.

I should say a little more about my complaint, however, so that we may go forward from there. The original complaint arose from what I regarded as evidence, observed over some 10 years of time at first hand, that the press of this country, particularly the metropolitan press, had failed to give even remotely equal space, position, and substance to one side as compared with the opposing side of an issue that was national in scope and of historic interest to the American people. Specifically, the complaint said that there had been "systematic and evidently conscious downgrading of one side of news" while in contrast the favored side had been "disseminated to the point of saturation."

What might have been called the second wave of reaction from those who considered themselves accused, although I was not accusing anyone in particular, consisted of warding off the complaint in ad hominem fashion. This was variously couched but it meant that my complaint could be explained on the grounds that I was an interested party.

One reply said that "I think that I am justified in concluding that you are just like any other earnest and sincere lobbyist of some special interest who, by the very nature of his work, is bound to believe that the press as a whole does not give enough attention to the subject in which he is passionately interested."

Another respondent said that he understood and appreciated that I felt my point of view had not been sufficiently publicized; but he added:

"This is a thoroughly normal reaction of a partisan advocate but it does not support your conclusions and self-serving assumptions."

My reply to this letter was in part as follows:

"I don't know how any complaint, except one theoretically spawned in a vacuum, can arise from something other than an interest; nor do I know how or why anyone should complain if he has nothing at stake. All

complaints at law arise from \* \* \* injury to self-interest \* \* \*. You must be aware that it is impossible to get into a civil court without having a personal or fiduciary interest at stake.

"The person to whom a complaint is brought is just as surely inclined by self-interest to dismiss it as the complainant is motivated by self-interest to lodge it. Moreover, the one upon whom the complaint is served reacts from inertia and does not care to be bothered."

It seemed to me that what shocked these good people was that they who regarded themselves as keepers and promoters of the conscience of the press should find themselves attacked. I felt some support when recently I read in one of your bulletins the following:

"The center (i.e., this center where I am now speaking) to be of any genuine public service, would have to be as critical of U.S. news media as it would be of Government agencies accused of withholding news."

This was a quote from Walter Millis.

Perhaps it had not occurred to the press itself that Government secrecy or coverup is not the only impediment to the public's access to a full and unbiased presentation of public issues. Important as access to information from governmental sources is, this is only a part of the equation.

Mr. Murray Snyder, Assistant Secretary of Defense for Public Affairs, one of your speakers in 1958, voiced the same idea. He said:

"I assume that most of the business (i.e., of a freedom of information center) will originate with news media, but I anticipate that some complaints may come from individuals or organizations who name the media themselves as targets.

"I would not suggest that Government be in any way represented on the center's operating board. However, should not the reading public be represented there? After all, the lay reader is the injured party, whether his right to know is abused by a Government official, by a columnist or by an editor."

If this idea is sound (and who can doubt it?), upon whom does the task of vigilance devolve?

In the matter of governmental withholding of information or giving out precooked versions of this or that operation or alleged failure, the press itself is a party in interest and may be expected to activate itself. Perhaps even here the press needs some prodding from within; but it has enough at stake itself to launch complaints where they are justified.

The fact is that the press has set up a committee in this field (i.e., of governmental secrecy); and that that committee has been quite active. It is an important committee of the ASNE. I suspect that it had something to do with the establishment of the Special Subcommittee on Government Information often referred to as the Moss subcommittee, of the U.S. Congress.

But, assuming there are legitimate complaints against the press itself, who is to bell the cat?

Strangely enough, this is not the most difficult part of the question. The real question is where does he find the cat? A search, a thorough search, high and low, far and wide, will disclose that there is no cat. That is what I learned. How then do you put the bell on a nonexistent cat?

In the vernacular: That is a good question.

One of my honored correspondents during my foray into this No-Man's-Land had this to say:

"It is not the business of the committee (the Freedom of Information Committee of the American Society of Newspaper Editors) to evaluate charges such as yours; namely, that one side of a political, economic, or other cause is not given the same news

treatment as the other. I am afraid that is a battle you will fight best all by yourself."

This was clear enough.

Slowly I was beginning to see the light. The ASNE Freedom of Information Committee was established, as I was told, "to combat the withholding of news by governments—whether Federal, State, local, or, for that matter, foreign."

Obviously the press, as represented by the spokesman who replied to me, did not consider itself as a proper subject of inquiry through "emotional attacks and innuendoes," such as I suppose almost any unsolicited and unwelcome attack might be characterized.

Two responses made this quite clear. One said:

"I do not agree that there is a 'systematic and evidently conscious downgrading of one side of news.' Disagreeing with you on that, there is not much point in debating a remedy for the situation with you."

The other one, received on a previous occasion, from the publisher of a great metropolitan newspaper, reached a similar conclusion. It said:

"It is quite evident to me that you and I do not agree and since it's a free country, we are certainly both entitled to our opinions. I see nothing to be gained by continuing the discussion."

In other words, as beautiful expressions of sentiment, the terms "freedom of the press," the "right to know," etc., are dear to the editorial heart, but their reaction under attack is "don't bother me with the practical application of such mouthings."

My persistence was somewhat offensive, I believe, because one letter from the inner editorial sanctum ended with these perfumed words:

"I find your letters insulting and abusive and have no desire to continue a correspondence that has become a nuisance and a bore."

I knew then that I had struck paydirt.

Other people, i.e., laymen from the editors' point of view, reacted differently. A few Members of Congress responded. None disagreed with what I had said, and they had access to my full complaint. A few excerpts will faithfully reflect their replies (without attribution):

"I am deeply grateful for your thoughtfulness in sending me a copy of your letter of June 18 (i.e., to the ASNE). It is a masterpiece."

Another Member of Congress wrote:

"In my opinion, this is a most brilliant expression of the one-sided editorial policies of the average daily newspaper in this country."

Another Member said:

"If more of those who are affected by such practices would do as you have done, it might result in a change for the better."

"I hope you have given wide distribution to your letter of June 18th."

An attorney at law wrote:

"From every quarter I am receiving the most complimentary remarks possible concerning your letter of June 18 addressed to (the ASNE)."

"My partner states that it is the best article on the subject which he has ever read."

A corporation vice president wrote:

"I thought your letter to (ASNE) was a masterpiece. Unfortunately, however, I am afraid that its very greatness will insure its prompt burial."

A Texas ranchman wrote:

"I have just finished reading the copy of your letter to (ASNE), dated June 18. It is a masterpiece."

A managing editor of a midwestern newspaper, however, was not greatly impressed. He ranged himself alongside of his fraternity with these words:

"I think your charges are those of a person immersed in a subject so deeply he has

no concept of the responsibilities of a newspaper."

The sharp cleavage between the estimates of the newspaper editors on the one hand and the legislators and outsiders on the other is so sharp that the need for a referee becomes painfully apparent.

I found, however, that, as there is no cat on which to hang a bell, there is also no referee.

Well, to come to the climax, it was agreed to lay my complaint before the board of directors of ASNE at their meeting of October 31, 1959. I requested the opportunity to appear before the board to present my case. This request was denied.

After the ASNE Board meeting, the secretary of the Society wrote to me that the board of directors had directed him to advise me as follows (in part):

"That the Board of Directors has no authority from the membership of the American Society of Newspaper Editors to sit in judgment on the performance of individual newspapers, or on the performance of the press as a whole, and that complaints about news coverage should be directed to the individual newspapers involved."

Beyond that the board said that while they had no authority in the premises they had read the material submitted by me but had "discovered no concrete charges of the sort that would warrant an investigation or inquiry by the sort of tribunal he (i.e., the present speaker) advocates, even if such an agency did exist."

This was the finis written by the Board and presumably the swansong of the complaint itself.

The only remaining question is whether the press itself properly embodies the supreme tribunal with respect to complaints brought before it; or whether there should be an appeal.

Let me add here that subsequently the ASNE Bulletin offered me an opportunity to summarize my complaint and that this was published in the February 1, 1960, issue of that publication.

The position of the ASNE reminds me of the experience of a complainant to the Internal Revenue Service about a tax decision. He filed an appeal. After ample time, Internal Revenue reaffirmed the original decision. The complainant next asked how to file an appeal and he was informed how to go about it. Accordingly, he signed an appeal and awaited a reply. In the amplitude of time, he received a reply. Internal Revenue reaffirmed its previous decision.

The complainant was unhappy. He reread the letter to be sure that he had properly understood its conclusion. It was then that he took note of the signature. This was the same as that attached to the decision from which he had appealed.

How can justice or equity be assured when the person against whom a complaint is lodged renders the final decision on an appeal? Unless an appeal can be taken to an outside arbiter the recognized bases of a judicial decision are absent.

There are, of course, those among editors, completely sincere men, who believe that freedom of the press is so tender a flower that it admits of no obtrusive interference or rude intrusion from without. One of the nonjournalistic commentators on my complaint wrote as follows:

"Congratulations on your excellent letter to members of the Board of Directors of the Society of Newspaper Editors.

"You certainly handed to them the facts as they exist. The American press has long taken the attitude that they can do no wrong, and that their opinions and procedures are always correct."

I am glad to be able to point to a journalistic exception to this attitude, and I am sure there are many others in the press field. Speaking at Pennsylvania State University at

the first annual communications forum, November 8, 1959, Mr. Herbert Brucker, editor, the Hartford Courant, expressed himself on this point. He said:

"To say that our press is doing a better job than any other does not mean we are doing as well as we should.

"What has happened in the past when the critics have trumpeted charges that we are not meeting our responsibilities is that we have risen indignantly to say that ours, the finest flower of journalism, has no fault nor flaw. A dozen years ago, when Mr. Hutchins' Commission on Freedom of the Press issued its report, it was angrily denounced by the press, chiefly on the ground that no newspapermen had served on the commission. Somewhat less attention was paid to the question whether what the report said was valid. Again, when at the time of the 1956 presidential campaign the journalism fraternity Sigma Delta Chi sought to set up an objective test of how fairly that campaign was reported, the attempt was snowed under by the newspapers."

This is enough to show that there are eminent men in journalism who recognize the shortcomings of the press; but too many regard it as a strictly family affair and resist all outside interference.

In a letter to Dean Earl English of the School of Journalism, University of Missouri, December 17, 1959, the present speaker said:

"It is my belief that objective standards can be established in this field as a general guide to news editors; also that a code of journalistic practices can be set up, covering the ethical field and defining unfair practices as well as other malpractices.

"The interest of the reader as the consumer of news should be given greater weight, both in his capacity as a citizen who is entitled to be reliably informed by the media upon which he relies, and as a professional or businessman, or politician, or statesman, whose judgment could be misled by misinformation, by lack of information, or by partial and distorted accounts of the news."

Very little will be accomplished if the matter is left to self-regulation by the press. At the same time it seems entirely proper that the press should be represented on any board that might sit as an appellate tribunal; but in a minority position. Certainly, schools of journalism would be a good source of a part of the board membership. I would not say that the Government should be excluded; but, again, were it represented it should be as a minority.

First, of course, a journalistic code should be drawn up. Perhaps this has been done more than once without final success. It could best be accomplished by a small group with representation of newspaper editors, along with proper legal guidance. Next, methods of judging news coverage, fairness, objectivity, etc., should be agreed upon. Administration of the code should then take the form of receiving and hearing complaints rather than undertaking to ride herd on the press from day to day. No legal enforcement machinery need be provided at least at first; but decisions should be reached and given publicity.

Local boards, State boards, and a national board should be set up, constituted by persons of the highest standing, including media representation, with the locals operating essentially as screening boards, while the national board would act only on appeals from State boards.

There would be no element of censorship, but rather findings with respect to the justification of the complaints measured by the code of ethics and fair journalistic practices.

I firmly believe that editorial support would be forthcoming for such a proposal and enthusiastic acceptance by those who would rather do something about shortcom-

ings of the press than merely complaining about them.

In any study of the freedom of the press, this caution above all must be observed in a democracy: beware of the interlocking combination of the press and the Government when the two agree on a point of public policy.

It is then that a contrary voice of common sense cannot rise above the status of a voice crying in the wilderness, for it will gain little or no expression in the news columns.

It is also then that ideas such as those that guided depiction of the Communist Chinese as innocent agrarian revolutionaries can get into the saddle and easily override opposing voices to a disastrous destiny; or that Fidel Castro can be presented by honorable newspapers as faithful to his given name and raised to the heights of a popular revolutionary hero in successful disregard of uttered judgments to the contrary.

The gates of heaven, even in a democracy, cannot prevail against such a combination, for under its sway, thought is throttled as surely as under despotism.

Whether thought and expression are stifled by harsh repression or by a manufactured climate of opinion that holds a great majority in thrall, any challenging truth is crushed just as effectively; and the ascendant idea, propagated by a self-satisfied press, devoid of a code of impartial reporting, but fed in turn by a monolithic governmental policy, will culminate in whatever it may beget, often to the later great dismay and distress of the country.

So long as the rumblings seemed distant nobody would listen to contrary opinion. It did not fit and was not congenial to the implicit newspaper-governmental conspiracy of the time. It went against the manufactured climate of opinion; and there was no appeal. Therein lies one of the greatest dangers of today; and journalism is deeply implicated.

#### OLD IN TRADITION—YOUNG IN SPIRIT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes and to revise and extend my remarks.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, I would like to remind the House of today's twofold historical significance. Flag Day observances being held throughout the Nation serve as appropriate reminders of one of the events. It was 184 years ago today that our flag was adopted by the Continental Congress in a resolution which provided that—

The flag of the United States shall be 13 stripes of red and white, with a union of 13 stars in a blue field, representing the new constellation.

As we pause to recall this great event, it is appropriate that we pay tribute to another and still older institution of this great Nation—the U.S. Army—which also celebrates its birthday today.

On June 14, 1775—186 years ago—the War for Independence had been underway for almost 2 months. Minutemen had battled the British at Lexington, Concord, and Bunker Hill; and on that June day, a valiant band opposed the Redcoats at Boston. These were Americans who had shown a willingness to fight for their liberty. They were hardy

individuals who knew the terrain and knew their weapons, but they soon felt the need for organized unit action under a central Continental Army.

The Continental Congress, then convening in Philadelphia, took a major step to sharpen our armed strength by passing a resolution which began as follows:

Resolved, That 6 companies of expert rifemen be immediately raised in Pennsylvania, 2 in Maryland, and 2 in Virginia; that each company consist of a captain, 3 lieutenants, 4 sergeants, 4 corporals, a drummer or trumpeter and 68 privates.

With this resolution of June 14, our Army was born. And this newly created Army—reinforced by volunteer militia, and inspired by the leadership of a tall, square-jawed Virginian, George Washington, our first President, and Father of our Country—supplied a major part of the strength from which this great Nation emerged.

Today, Mr. Speaker, it is fitting that we honor its deeds and the 186 years of unflinching service which the Army has provided.

There was a time, however, when it seemed that America did not fully foresee the vital role of the U.S. Army. This was evident in the demobilization of 1784, when a fledgling nation involved with economic growth and westward expansion, reduced the Army to a caretaker force of 80 privates and a few officers.

Only one unit survived this demobilization—a unit which began in 1776 as Alexander Hamilton's company of New York Artillery. It exists as a battery of the 1st Rocket Howitzer Battalion, 5th Artillery, part of the famous 1st Infantry Division.

The demobilization that left this artillery battery as the entire U.S. Army was only temporary, for on the very next day Congress passed a resolution instituting the first American regiment. This regiment, originally created for a 1-year period and recruited from volunteer militia, is now the senior infantry regiment of the Regular Army, today's 3d Infantry. Affectionately named the "Old Guard" by General Winfield Scott, this regiment is well known to all of us here in Washington.

As we look at our Army today, we are acutely aware that it has not one but three components—the Active Army, the Army National Guard, and the Army Reserve. This force today enjoys a one-Army view and solidarity heretofore achieved only in the crucible of war.

So it is fitting that I call your attention to the many units and individuals of the Army Reserve, and to the fact that several of our National Guard units take fierce pride in their early beginnings. Some of these date back to colonial times, and have continued their dedicated service throughout the years in the finest traditions of the citizen-soldier.

But all of the components of our Army, whether old or new, Active or Reserve, are carrying on a tradition of service to the Nation. In 186 years, the Army has made outstanding contributions to America's victories in eight major wars and scores of minor conflicts. In the

process, it has produced great leaders; it has endured many hardships; it has had more than its share of heroes and heroic acts; and it has always placed duty, honor, country above all other considerations.

Nor have all of its contributions been strictly military, for the Army has produced benefits to many phases of American life. Certainly we are often reminded here of the Army's long service in the field of civil works. Well known also is the success of the Army's Redstone in the launching of our first artificial earth satellite as well as our first astronaut. But we are perhaps less aware of the many civilian benefits arising from its military research and development activities.

I refer to such contributions as nuclear power, blood plasma substitutes, new high-temperature alloys, heat-resistant and fire-retarding paints, helicopters, miniature electronic components, insecticides, and numerous others. Thus it is that the Army has played a vital role in the peacetime endeavors of America.

But in 1961, as in 1775, the Army's primary purpose is the military defense of American freedom. However, this defense poses an ever-greater challenge today—as it will in the future.

The cold war battle of nerves, the frequent outbreak of brushfire conflicts, widespread guerrilla and subversive activity directed against small nations of the free world, and the ever-present nuclear threat are new problems peculiar to the 20th century.

Global requirements for land forces under our collective security policy, and the magnitude of the dispersion that will be mandatory on any atomic battlefield of the future, place unprecedented demands on the Army in terms of firepower, mobility, communications, and scope of operations. These factors are producing new organizations and equipment, new weapons, revised tactics, and advanced thinking in today's modern Army.

To meet today's triple defense challenge in paramilitary warfare—in conventional warfare—or in nuclear warfare, the Army has, in being, a dual capable force, in possession of a complete range of firepower, thus providing our military structure with the flexibility it needs—able to react with a measured response.

Part of the Army's flexibility stems from our forward strategy concept. Under this concept, as you know, Army forces are deployed worldwide to protect vital strategic areas and establish a position of military strength in conjunction with our allies. In keeping with this strategic concept, over 40 percent of our Army is stationed overseas in approximately 80 nations and territories. In this way, local aggression can be met by trained forces already in position.

Strac, the Strategic Army Corps, stands ready to reinforce our overseas forces, or to move quickly to other trouble spots if the need should arise. This highly mobile three-division force is probably the most combat-ready land force ever created in peacetime. Its two airborne divisions and one infantry division operate from bases in this country,

and can be immediately deployed in cold, limited, or general war situations. First elements of Strac would be ready to move within an hour in the event of a crisis.

Backing up these deployed and strategic Reserve Forces are highly trained units of the Army National Guard and Army Reserve—our Army's reserve strength in depth. The National Guard and the Reserve—right along with our Active Army Forces—are working together today to weld an effective shield and a potent sword for the Nation.

No sketch of today's Army would be complete without some mention of one vital activity, long unpublicized but recently the object of a great deal of interest and attention. I refer, of course, to the Army's special forces.

Nearly a decade ago, the Army began training small groups of men in the techniques of organized guerrilla warfare, for it sensed far ahead that such special forces would be needed in war. But today, the exceptional value of these trained forces lies in the advice and assistance which they can provide to allied nations whose national sovereignty is threatened by irregular forces.

These special forces consist of small groups of highly trained specialists who are experts in organizing local patriots to counter infiltration, subversion, and guerrilla action directed against legally constituted governments.

This Army effort, then, is one which will pay big dividends in return for a relatively small investment. In effect, these special forces are a catalyst for generating an extensive free world defensive capability.

Forward deployed forces capable of decisive action—a highly mobile and powerful Reserve, the Strategic Army Corps—strength in depth in the form of the Army Reserve and the Army National Guard—special forces: all of these attest to the Army's noteworthy flexibility. But there is more, for the Army is equipped with a variety of nuclear and nonnuclear weapons. Thus, its response to aggression can be varied from a rifle bullet to mass destruction, as the situation demands.

Mr. Speaker, on this, its 186th birthday, I have no doubt that the Army will again fondly recall and dearly cherish the proud moments in its long and illustrious history.

But I am equally certain that today and tomorrow and thereafter, it will continue to look to the future. America's senior service will continue to seek ways and means to provide this Nation with a powerful and modern land force. It will strive to become still more versatile, more combat ready.

It will strive for ever-greater mobility, for quality weapons in the quantities necessary to meet our Nation's land force commitments, and for the quality soldier who is really the ultimate weapon in this or any other age.

Mr. Speaker, as our Army moves ever closer to a full two centuries of service to our beloved country, I feel that this House and a grateful Nation can do no less than to wish it many happy returns, and to pledge our full support in the uncertain future that lies before us.

If we do this, we may rest assured that the Army will be ready always to supply the necessary answer for those who would challenge our freedoms.

#### NUCLEAR TESTING

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

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

There was no objection.

Mr. RYAN. Mr. Speaker, I rise to discuss one of the most crucial issues which is facing this country and which was referred to earlier today by the distinguished gentleman from California [Mr. HOLFELD] and that is whether the United States should resume nuclear testing.

It is understandable with the deadlock in Geneva, after 317 sessions of fruitless negotiations, and considering this country's willingness to enter into an agreement with reasonable controls, as evidenced by our last treaty offer, that there are some who would favor resuming tests. However, it seems to me that this decision must be viewed in the light of what we would gain and what we would lose by such action.

The benefit in resuming testing is speculative. There are those who state that testing might produce new weapons, and, therefore, resumption would be of value. Assuming that this is true, let us balance the benefit against the disadvantages.

Although under present international conditions it is essential to maintain the military strength of the United States, the essence of the cold war is ideological. Khrushchev had made it clear that he intends to "bury us" not with missiles but by capturing the minds, imaginations, and convictions of the rest of the world. Castro's Cuba is an example. There was not one Soviet shot fired in Cuba, but Castro is now firmly aligned with the Soviet bloc. We are engaged in the greatest ideological debate in the history of mankind.

Infiltration and subversion have been employed by the Communist bloc to aid local rebellions, and weapons have been supplied in limited wars. In this type of a battle further nuclear testing will not contribute much.

It seems to me that we should be primarily concerned at this time with the effect upon world opinion. If we resume nuclear testing, the United States will be put into the position of further developing the most destructive weapons known to history, while the Soviet Union will seize upon the opportunity to propagandize itself as the only great power seeking peace.

James Reston in today's New York Times points out that no one has yet satisfied the President that our self-imposed test ban has impaired national security. This article is an intelligent analysis of the dilemma which faces the United States.

Mr. Speaker, I ask unanimous consent to include the article at this point in the Record.

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

There was no objection.  
(The article referred to follows:)

**KENNEDY POLICY—PATIENCE ON NUCLEAR ARMS**

(By James Reston)

WASHINGTON, June 13.—President Kennedy is taking an extremely cautious line about renewing underground nuclear tests. The Russians have been making a mockery of the test-ban talks in Geneva, and the powerful Joint Atomic Energy Committee in Congress has been pressing the President to renew the testing. Yet he is not convinced that a case has yet been made for testing, despite the provocations to do so, and he is therefore urging more patience on his colleagues.

There are a number of reasons for this. First, the President is still hopeful despite his failure to budge Khrushchev in Vienna that the Russians will in due course agree to a limited disarmament treaty and inspected test ban.

Progress was being made in this direction until shortly after Khrushchev's last trip to Peiping. Thereafter, the Moscow line hardened, and this has given weight to well substantiated reports reaching this Government from Hong Kong that Mao Tse-tung exacted a promise from Khrushchev not to sign a test-ban treaty at least for a stipulated, but unknown, period of time.

Second, Washington needs more time to make clear to the world what it has been proposing and how its proposals have been rejected month after month. In the last few months there has been increasing understanding in the world of the American position. Once the United States reduced its demands from 20 inspections a year to 12, at least the allied governments and the serious newspapers of the West were finally convinced that Washington not only wanted a nuclear test ban treaty but had proposed a reasonable treaty to this end.

There is less understanding, however, in the public at large. The Soviet proposals are simple and appeal to wishful thinking: ban the bomb, they say, and disarm everything. The American position has to deal not with the desires of men alone, but with the realities of controlling the system, so that it will really work in safety.

Such an argument, however, is complicated, and when the only alternative to endless negotiation is a threat to start nuclear testing and continue the arms race, this puts the United States in the unpopular position of talking about more arms while the Russians merely go on asking for the abolition of arms.

Finally, the President has to take into account the antitesting and antiarms race sentiments in allied countries, particularly Britain, so his decision for the moment is to go on talking about a test ban in Geneva, and to go forward with the preliminary disarmament talks with the Russians here next week.

**THE OTHER SIDE**

This has not been an easy decision and nobody knows how long it will last. For there are powerful arguments on the other side.

First, the policy of going along despite Soviet obstruction puts the United States in the position once more of the lady who vowed she'd ne'er consent, but consented anyway. This is becoming a habit around here.

Second, testing in outer space is probably necessary to the development of an effective defense against intercontinental ballistic missiles.

Third, there is a genuine fear among responsible members of this administration that the Russians may be testing during the

ban, while we are not, and that this, if true, would give them a critical advantage in the development of the latest monster, the so-called neutron bomb, which would cost less, avoid radioactive fallout, and could be used discriminately on the battlefield.

The main question the President has put to his advisers is whether the security of the United States is impaired by the present uninspected test ban, and nobody has been able to demonstrate to his satisfaction that it has. Many people here have their suspicions that the Russians are testing and therefore that the security of the country may be endangered, but they cannot prove it.

Accordingly, the President has decided on giving the talks another chance. He went over this again today with his disarmament adviser, John J. McCloy, and while the President may recall his Ambassador in Geneva, Arthur Dean, in order to demonstrate his dissatisfaction with the Soviet Government's negative attitude toward the talks, the decision for the present is to persevere despite all the pressures and frustrations, and to increase the publicity on why Washington is taking this line.

Mr. RYAN. Mr. Speaker, in light of all the arguments for and against resumption of these tests I believe that we should support the President and, to quote his words, "Go the last mile in patience."—President's message to Congress May 25, 1961—to achieve the goal of disarmament under effective international control.

**SOVIET DEPORTATION OF LITHUANIANS**

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the history of the Lithuanian people is full of tragic episodes, but the tragedy that began early in 1940 is perhaps the saddest in their long history.

In that year the Soviet Government forced upon helpless Lithuania impossible terms in a mutual assistance treaty. By its terms Russian forces were stationed in many strategic parts of the country. Then, Lithuanians were accused of fomenting anti-Soviet plots, and this flagrant and false charge was sufficient for the Russians to send the Red Army into Lithuania. By the middle of that year independent Lithuania was no more, and Lithuanians were enslaved under Red tyranny. In their studied attempt to eliminate all genuine Lithuanian movement in the country, Russians made wholesale arrests throughout the country. This continued for more than a year, and by mid-June of 1941 it is believed that nearly all prominent Lithuanians, some 50,000 in all, were arrested and exiled to Siberia.

To this day these innocent and helpless Lithuanians are, if still alive, suffering in concentration and slave-labor camps in distant Russian regions. In observing the anniversary of that tragic event, the peoples of the free world deeply sympathize with the lot of these Lithuanians, and pray for their eventual freedom.

**ORDERLY MARKETING ACT OF 1961**

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

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

There was no objection.

Mr. ROBISON. Mr. Speaker, as we are all so well aware, the President has proposed a very wide ranging legislative program to this Congress. To date, he has had considerable success in obtaining enactment of that portion thereof that, for the most part, represented warmed-over matters we had considered before. Having now finished his round of what he has termed as "useful" visits with various heads of State, I assume he will now focus his attention back on Congress and devote his very considerable persuasive talents toward encouraging us to finish promptly whatever remaining portion of that program he may decide to press for during the balance of this session.

Some of those items which will evidently fall within that category are most controversial. Our consideration thereof will, as it should, be thorough and time consuming, and this situation, coupled with the advent of that type of hot and humid Washington weather which creates a desire in all of us for cooler and quieter surroundings, will make of the next few weeks a very busy time indeed.

However that may be, there is one subject which deserves our attention as well as the attention of the President and his advisers. I refer, of course, to the increasingly serious threat to the survival of substantial parts of our economic machine posed by a virtual tidal wave of imports. Now, it goes without saying, that this is a most complex and difficult problem with which to deal under any conditions. Although the new administration must share the alarm over this subject which is being voiced, almost daily, by more and more of my colleagues, it has addressed itself thereto, so far, only in broad and general terms. This, I think, is understandable because it evidently has taken and will continue to take considerable time before that new administration can make the necessary judgments in this area that must precede its policy decisions.

Nevertheless, that same administration is already demanding that Congress must go along with the President's wish to sharply step up our costly efforts to improve the economic climate of other nations including some that are serious economic competitors of ours. I appreciate the seeming necessity for our doing so, particularly in view of the somber report brought back to us by the President after his recent conversations with an adamant Khrushchev. Nevertheless, I doubt very much whether we, as a nation, have yet found the answer to the age-old problem of having our cake and eating it, too, and it seems to me that, despite our acknowledged desire to go on building up the free world, our failure to do anything, this session,

about the import problem will go to the very heart of our continuing ability to do so.

Pending any specific proposals from the administration, a variety of legislative proposals dealing with this area of concern have been made by some of my colleagues on their own. Some would seek to turn the clock backward to the day of rigid protectionism which I believe, in this interrelated and interdependent world in which we live, is impossible to do. Others, accepting the inevitable, have proposed various forms of Federal financial assistance to those industries and those industrial areas that have suffered the most from import injury but, while this may become necessary in some instances, it would seem to me that such an approach only deals with the effect and not the cause of our trouble.

There are still others who, on the theory that the wide and growing differential between the working standards and wages we enjoy here at home and those in competing nations—many of which nations have been built up as competitors by virtue of our own generosity and with use of our own know-how—is the chief reason for our import problem, have introduced legislative proposals aimed at relating tariffs and/or quotas to that differential. This, too, could be a proper approach, but by the very nature of the subject matter, and by virtue of our lack of adequate information in this field, it would undoubtedly take a great deal of time to implement any such program.

Until recently, I have had some hope that this year we would see some action in yet another direction—a more indirect form of relief—and I speak, of course, concerning what is, to me, a self-evident need for depreciation reform that not only would result in faster economic growth, the creation of millions of new job opportunities and a stronger national defense, but would almost instantly help to renew and restore our ability to compete with foreign products. Unfortunately, the tax proposals that have now been made with considerable fanfare by the economic theorists of the New Frontier fall far short of what is here needed, and it seems to be evident that we will not be able to produce any effective results here this session.

So, Mr. Speaker, what do we do, short of hoping to somehow lift the labor standards in other nations, which may be a worthy ideal but is at best a long-term goal?

Well, one industry that has been hurt as much as any other here at home—while we have talked and fiddled—is the American shoe industry. In just 10 short years—from 1950 to 1960—shoe imports into the United States increased by 393 percentage points.

As for the specifics, in 1950 we imported 6.1 million pairs of shoes—other than rubber footwear—worth \$9.4 million, and exported 3.7 million pairs worth \$12.2 million. However, by last year—1960—shoe imports other than rubber footwear had zoomed up to 26.6 million pairs, worth \$53.3 million, while exports remained relatively stable at 3.2 million pairs worth \$10.9 million.

Those of us who come from shoe-manufacturing districts know this story only too well. Our shoe industry, and the people who work for and with it, has been hit and hit hard. Other industries, suffering comparable damage, have been well nigh demoralized, but not the American shoe industry. Instead, to its everlasting credit, it has declined to throw in the sponge, or to plead for a return to Smoot-Hawley, and asks only for a chance to try to more vigorously compete.

It is going to need our help in doing so, however, and has asked for Federal assistance of a new sort—one that does not cost anything. The National Shoe Manufacturers Association, Inc., in making its decision to compete rather than retreat, has looked at the success that has been achieved, in an experimental fashion, toward creating international trade understanding and cooperation through voluntary quota agreements, such as those now in effect with respect to Japanese imports of plywoods, cotton textiles and a few other products. It sees, here, a way to buy time, to hold the line, until the day when this or future Congresses can effectively deal with the overall import problems either along the lines that have been proposed, or in some new and enlightened fashion.

It is asking us, therefore, to give our immediate attention to the consideration of such legislation as S. 1735, introduced in the other body by Senator MUSKIE, of Maine, in which effort a number of other distinguished Senators have joined, or H.R. 7226, as introduced by the Honorable THOMAS P. O'NEILL, JR., of Massachusetts, or H.R. 7537, as introduced by myself here in the House, all bearing the title "Orderly Marketing Act of 1961."

These bills would add the prestige, power, and influence of the Tariff Commission and the President—working through the Secretaries of State, Labor, and Commerce—to the shoe industry's own efforts to work out voluntary quota agreements with competing industries in other nations. The bills—which may well need perfecting—envisage an investigation by the Tariff Commission into any situation wherein wage and working condition differentials between foreign and U.S. producers create an unfair competitive advantage in favor of the foreign producers, followed by a determination by the Tariff Commission as to whether or not such an unfair advantage exists to the injury of the whole or a part of any American industry, and, if it so finds, a recommendation to the President that he instruct the Secretary of State to cooperate with the affected industry in negotiating a voluntary agreement with the foreign country involved whereunder the share of our domestic market then enjoyed by those foreign producers is voluntarily fixed as a temporary quota. The emphasis is, thus, on voluntary reciprocity—on recognition of the need to promote an era of orderly rather than disruptive competition throughout the free world—on a cooperative sharing of the advantages of freedom, even as our President now strives to promote the idea of a sharing of re-

sponsibility for the preservation of freedom.

Mr. Speaker, none of us who have made this suggestion can know how well or how poorly it may work, but all of us believe it is worthy of trying. It would at the least give this Nation, which has for so long and with so little complaint shouldered the heaviest burden in the battle against a common enemy, the necessary breathing time within which to put our own house in better order, to nurture and strengthen our own economy once again, and to work through such new forums as the Organization for Economic Cooperation and Development—OECD—toward our goal of greater international understanding and cooperation.

Mr. O'NEILL's bill—H.R. 7226—and my bill—H.R. 7537—are now both before the Committee on Ways and Means. That committee, under the able and effective leadership of the Honorable WILBUR MILLS, of Arkansas, has much to do and little time left this year within which to do it. Nevertheless, our proposal is a relatively simple one, costing nothing, and, at least in my humble judgment, holds forth such promise that I hope it will have consideration and favorable action before we adjourn. Finally, in order that all Members may have full information concerning our proposal, I now ask unanimous consent to here include the full text of my bill H.R. 7537:

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

#### FINDINGS

SEC. 2. Over its history of industrial development, the United States has attained a wage level, working conditions, and a standard of living unparalleled by any other nation. Since World War II, the United States has sent abroad its technical knowledge and innovations and its dollars to help other nations grow and mature industrially. Working standards and wages in other countries, however, generally remain below our own. Many of these nations are now shipping goods to our country in increasing quantities. The landed wholesale prices of these goods are below our own, and, in some cases, below our own production costs. Certain United States industries, especially those where labor costs contribute a substantial proportion of total production costs have been injured or threatened by such competition. The following procedures are established to provide relief for such United States industries.

#### PROCEDURES

SEC. 3. (a) Upon request of the President, upon resolution of either House of Congress, upon application in a form prescribed by the Tariff Commission of the representatives of any domestic industry, or employee organization in a domestic industry, or of any interested party, or upon its own motion, the Tariff Commission shall make an investigation of any situation of which it is alleged that a differential between domestic and foreign costs of production in an industry is due to foreign wages and working conditions significantly lower than United States standards, and which gives foreign manufacturers or producers of articles imported into the United States an unfair competitive advantage over United States manufacturers or producers of such articles in the domestic market.

(b) In making any investigation under subsection (a) with respect to any article or articles imported into the United States, the Tariff Commission shall, to the extent practicable, consider (among other factors) a comparison of selling prices, wages and all other forms of reimbursement for work performed, labor productivity, production costs and the components thereof, levels of automation, working conditions, legislation or regulations pertaining to working conditions, and living standards as between the United States and the country or countries of origin of the imported article or articles under investigation.

(c) The Tariff Commission shall request the views of the Secretary of Labor and the Secretary of Commerce on relevant trade and international factors in all cases in which it deems such information necessary to the investigatory process under this Act. The Tariff Commission may in addition request the aid and views of any other appropriate agency or agencies.

(d) Should the Tariff Commission find, after investigation, that imports of articles produced in a foreign country or countries under wages or working conditions significantly below United States standards are being sold in substantial and increasing quantities in the domestic market, and further find that the effect thereof has been or may be to injure the whole or any part or parts of any American industry by:

(1) decreasing the domestic market for United States producers of such articles; and

(2) reducing employment of United States workers producing such articles; it shall recommend to the President that he instruct the Secretary of State to negotiate an orderly marketing agreement on imports thereof with the foreign country or countries involved. Such orderly marketing agreement shall provide that the foreign country or countries shall share in the growth or change in domestic consumption of the article or articles covered by the agreement. The share in domestic consumption of any article to be enjoyed in any one year by an individual negotiating foreign country under an orderly marketing agreement shall be fixed as a percentage of the expected total domestic consumption of such article during such year. The percentage so fixed shall not exceed the average percentage which imports of such article from such country during the last three full calendar years preceding the year in which the orderly marketing agreement is entered into were of the total domestic consumption of such article during such years. For purposes of this Act, the total domestic consumption of any article during any calendar year is the total of the domestic production of such article plus the imports of such article minus the total of the exports and reexports of such article.

(e) The Tariff Commission shall determine and publish each year the quantity of articles comprising the share of each foreign country in the expected total domestic consumption of any article for the following year under an orderly marketing agreement. Such determination and publication shall be made, for the first year for which an orderly marketing agreement is in effect, as soon as practicable after such agreement is entered into but not later than the last day prior to the beginning of such year, and shall be made, for each subsequent year, not later than three months prior to the beginning of such year. For purposes of this Act, the expected total domestic consumption of any article for any year is the average of the total domestic consumption of such article during the three full calendar years preceding the year in which the Tariff Commission makes its determination and publication.

(f) At any time after the first three years of operation under an orderly marketing agreement, the Tariff Commission may conduct an investigation, hold hearings, and recommend to the President a revision of such agreement, if it is alleged to be imposing a hardship on consumers. If, in the opinion of the Tariff Commission, a recommendation for revision in an orderly marketing agreement should be made, such recommendation shall in no case exceed an increase or decrease of 20 per centum in any foreign country's share of the domestic consumption of any article covered by such agreement. If, in the opinion of the Tariff Commission, the investigation demonstrates that the findings described in subsection (d) no longer apply or are likely to apply to imports of articles from the foreign country or countries participating in an orderly marketing agreement, the Commission may recommend to the President that such agreement be terminated.

(g) The Tariff Commission shall make and publish a report on each request, resolution, or application under subsection (a) with dispatch and in no event more than six months after such request, resolution, or application is received by it.

(h) The Tariff Commission shall, within ninety days after the date of reenactment of this Act, promulgate procedural regulations to give effect to the authority conferred upon it hereunder.

#### PRIZE-WINNING SPEECH BY DONALD B. YOUNG

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. PETERSON] 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 Illinois?

There was no objection.

Mr. PETERSON. Mr. Speaker, I am proud to share with this membership the prize-winning speech of one of my junior constituents, Donald B. Young, a junior at Carbon High School at Price, Utah. Don placed first in the "I Speak for Democracy" contest and I think you will find his viewpoint refreshing as well as heartwarming. So long as our youth believes that our way of life is worth defending I am convinced that communism will suffer absolute and decisive defeat. The article follows:

#### I SPEAK FOR DEMOCRACY (By Donald Bradley Young)

I am a boy in a country of millions of free people. One in millions in the free world, who is speaking for democracy.

How do I speak for democracy? I speak it every day. I speak it every morning when I awake and democracy's free early morning air fills my lungs as I walk to school. I speak it every time I enter my church and worship the way I want. I speak it when I express my feelings about our Government. And most of all when I live the way I do. I have food, I have clothes to wear, and I have friends to talk with and all the necessities we take for granted.

Democracy is the simple life, it is the little things, it's laughter, it's enjoyment, and just living your own individual life.

I like to think of democracy as the only life for me and I feel so strongly about it, I think that everyone should share in this privilege.

You can't always see democracy, but you can feel it. You can feel it as you shake a

friend's hand, the strong grip that gives you that safe and assuring feeling. You can feel it as a child feels it—safety and security. You feel it ever so strongly when given a friendly smile, word, or reassuring glance.

I don't say that democracy is the only way to have friends and love, but it seems that democracy offers so much better and so much greater opportunities for these things, that the thought brings a deep warm feeling when you have it.

One in thousands speaking for millions. Yes, I speak for everyone who has that warm deep feeling of safety and security that democracy possesses.

I'm speaking for myself and everyone in this world that looks for the simple life; I'm speaking for the one who likes that warm smile, that cheerful laughter and that gleam of security in a child's eyes.

I'm also speaking for someone else, speaking most of all for that person who doesn't have it. I'm speaking for the person who wants it and is fighting for it. If there is any great cause to give one's life for, it would be for democracy—a symbol of life, a symbol of God, and a symbol of oneness. This is democracy in its greatest fulfillment.

"If a thing is old, it is a sign that it was fit to live. Old families, old customs, old styles, survive because they are fit to survive. The guarantee of continuity is quality. Old-fashioned hospitality, old-fashioned politeness, old-fashioned honor in transaction and work have qualities of survival." The meaning of this quotation by Capt. Edward V. Rickenbacker can very well fit democracy; if it is old it has survived because it was fit to survive. If there is any one thing fit to live and last, it would be democracy. It was in the minds of the first civilized man and in the minds of the people ever since the beginning of time. It is old yet new, it was the way of life for the Athens citizen and it should be the way of life of every person in the world today.

God grants liberty only to those who love it, and are always ready to guard and defend it.—Daniel Webster.

Democracy is worth defending and worth sharing with everyone.

Yes, if there is anything God would look upon with joy and favor, it would be a free people, a free nation, and a free world.

#### IMPACT OF THE FEDERAL SURPLUS PROPERTY ACT

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] 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 Illinois?

There was no objection.

Mr. MONAGAN. Mr. Speaker, as a member of the Donable Property Subcommittee of the Government Operations Committee, I have been greatly interested in the Federal surplus property program.

In this connection, the comments made by the Honorable William J. Sanders, commissioner of education of the State of Connecticut, concerning the impact of the Federal Surplus Property Act on education in Connecticut are worthy of note.

Commissioner Sanders strongly supports this program and graphically outlines the manner in which it has aided education in the New England area.

I append to my remarks a letter by Commissioner Sanders embodying the

statements which he made concerning this important Federal program:

STATE OF CONNECTICUT,  
BOARD OF EDUCATION,  
Hartford, Conn., June 6, 1961.

Mr. E. G. BRADLEY,  
Regional Representative, Department of  
Health, Education, and Welfare, Boston,  
Mass.

DEAR Mr. BRADLEY: I am glad to confirm in writing the remarks I made on May 9, at the meeting of State supervisors of the Federal surplus property for the Northeastern States.

It is my opinion that the Federal surplus property has had a more effective impact upon the improvement of instruction in the schools of this area than any other Federal program including title III of the National Defense Education Act of 1958. Vocational education and industrial arts programs have profited dramatically from the machine tools and small tools available as well as from material (such as steel in various forms) made available for processing. Science programs in many schools under my supervision were redirected toward electronics because of the excellent equipment available. I attribute the reorganization that took place in many high school programs before the National Defense Education Act, to the equipment made available through this program.

One of the great advantages of the surplus program over the National Defense Education Act and other federally supported educational programs is that it has a minimum of Federal control. It has made equipment and supplies available without restricting the manner of their use, leaving this up to the judgment of the individual school systems. It is expected, of course, that there will be a considerable increase in Federal support of education. I sincerely hope that the outstanding contribution made to the schools in the time of their greatest need, which began with the end of World War II, by this surplus property program, will not be underestimated or minimized.

Sincerely yours,

WILLIAM J. SANDERS,  
Commissioner of Education.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ASPINALL for the balance of the week on account of official business, United Nations Committee, New York.

To Mr. CAREY (at the request of Mr. MULTER) for Wednesday, June 14, 1961, 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. EDMONDSON, for 1 hour, today.

Mr. RYAN, for 5 minutes, today.

Mr. DERWINSKI (at the request of Mr. CAHILL) for 30 minutes on tomorrow.

Mr. SIKES (at the request of Mr. LIBONATI), on tomorrow, for 15 minutes.

#### 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. DAGUE.

Mr. LANE and to include extraneous matter.

Mr. PHILBIN.

(The following Members (at the request of Mr. CAHILL) and to include extraneous matter:)

Mr. SHORT.

Mr. WALLHAUSER.

Mr. HESTAND.

Mr. SAYLOR.

Mr. MERROW.

(The following Members (at the request of Mr. LIBONATI) and to include extraneous matter:)

Mr. MULTER.

Mr. WILLIS.

Mr. PUCINSKI.

Mr. KEOGH.

Mr. DADDARIO in two instances.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 162. An act creating a commission to be known as the Commission on Noxious and Obscene Matter and Materials; to the Committee on Education and Labor.

S. 302. An act to amend the act of June 22, 1948, as amended, relating to certain areas within the Superior National Forest, in the State of Minnesota, and for other purposes; to the Committee on Agriculture.

S. 553. An act for the relief of Olga G. Coutsoubinas and Spyridon G. Coutsoubinas; to the Committee on the Judiciary.

S. 811. An act to establish a Wabash Basin Interagency Water Resources Commission; to the Committee on Public Works.

S. 1750. An act to strengthen the Federal Firearms Act; to the Committee on Ways and Means.

#### BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 13, 1961, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 1293. An act for the relief of Djura Zalenbaba;

H.R. 1360. An act for the relief of Anna B. Prokop;

H.R. 1467. An act for the relief of Modesta Pitarch-Martin Dauphinais;

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 Sotriopoulos;

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;

HR. 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;

H.R. 4713. An act for the relief of Robert Burns DeWitt; and

H.J. Res. 437. A joint resolution relating to the time for filing a report on renegotiation by the Joint Committee on Internal Revenue Taxation.

#### ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Thursday, June 15, 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:

1023. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to increase the amount of obligations, issued under the Second Liberty Bond Act, which may be outstanding at any one time"; to the Committee on Ways and Means.

1024. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to establish Federal agricultural services to Guam, and for other purposes"; to the Committee on Agriculture.

1025. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale"; to the Committee on Armed Services.

1026. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to provide for planning the participation of the United States in the New York World's Fair, to be held at New York City in 1964 and 1965, and for other purposes"; to the Committee on Foreign Affairs.

1027. A letter from the Comptroller General of the United States, transmitting a report on the review of civilian and military personnel utilization in district offices and of certain military pay functions, U.S. Coast Guard, Treasury Department, June 1960; to the Committee on Government Operations.

1028. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Bureau of Engraving and Printing, Treasury Department, for fiscal years 1959 and 1960; to the Committee on Government Operations.

1029. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of April 30, 1961, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

1030. A letter from the Secretary of the Interior, relative to the application for an increase in the amount of the small project loan for the Hights Creek Irrigation Co., of Kaysville, Utah, pursuant to the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

1031. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to amend section 9(d) (1) of the Reclamation Project Act of 1939 (53 Stat. 1187; U.S.C. 485), to make additional provision for irrigation blocks, and for other purposes"; to the Committee on Interior and Insular Affairs.

1032. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to fix the fees payable to the Patent Office, and for other purposes"; to the Committee on the Judiciary.

1033. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill for the relief of Arthur C. Berry and others"; to the Committee on the Judiciary.

1034. A letter from the Administrator, General Services Administration, transmitting a draft of a proposed bill entitled "A bill to authorize reimbursement to owners and tenants of certain lands or interests therein acquired by the United States for certain moving expenses and losses and damages, and for other purposes"; to the Committee on Public Works.

1035. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 4, 1961, submitting a report, together with accompanying papers and an illustration on a letter report on Marsh and Kellogg Creeks, Contra Costa County, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 31, 1957, and authorized by the Flood Control Act approved July 3, 1958; to the Committee on Public Works.

#### 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. HARDY: Committee on Armed Services. S. 1342. An act to provide that participation by members of the National Guard in the reenactment of the Battle of First Manassas shall be held and considered to be full-time training duty under section 503 of title 32, United States Code, and for other purposes; without amendment (Rept. No. 527). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 3227. A bill to amend section 1732(b) of title 28, United States Code, to permit the photographic reproduction of business records held in a custodial or fiduciary capacity and the introduction of the same in evidence; with amendment (Rept. No. 531). Referred to the House Calendar.

Mr. LANE: Committee on the Judiciary. House Joint Resolution 435. Joint resolution to provide for recognition of the centennial of the establishment of the Department of Agriculture, and for other purposes; without amendment (Rept. No. 532). Referred to the House Calendar.

Mr. SHRIVER: Committee on the Judiciary. House Joint Resolution 436. Joint resolution to provide for recognition of the centennial of the establishment of the national system of land-grant universities and colleges; without amendment (Rept. No. 533). Referred to the House Calendar.

Mr. LIBONATI: Committee on the Judiciary. H.R. 7358. A bill to amend section 4126 of title 18, United States Code, with respect to compensation to prison inmates for injuries incurred in the course of employment; without amendment (Rept. No.

534). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 535. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. FORRESTER: Committee on the Judiciary. H.R. 1960. A bill to amend chapter 85 of title 28 of the United States Code relating to the jurisdiction of the U.S. district courts, and for other purposes; without amendment (Rept. No. 536). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORRESTER: Committee on the Judiciary. H.R. 4473. A bill to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy; with amendment (Rept. No. 537). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 707. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation; without amendment (Rept. No. 538). Referred to the House Calendar.

Mr. MILLS: Committee on Ways and Means. H.R. 4591. A bill to continue until the close of June 30, 1962, the suspension of duties on metal scrap, and for other purposes; without amendment (Rept. No. 539). 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. LANE: Committee on the Judiciary. H.R. 1290. A bill for the relief of Ernest Morris; with amendment (Rept. No. 528). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 1492. A bill for the relief of Ernest John Large; without amendment (Rept. No. 529). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 4030. A bill for the relief of Robert A. St. Onge; with amendment (Rept. No. 530). 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. KING of California:  
H.R. 7640. A bill to provide for the establishment of a permanent program of additional unemployment compensation, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing occupational training or retraining and deny tax credits to employers in a State which does

not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment tax, to establish a Federal additional compensation and equalization account in the unemployment trust fund, and for other purposes; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 7641. A bill to authorize Federal assistance to Guam, American Samoa, and the Trust Territory of the Pacific Islands in major disasters; to the Committee on Public Works.

By Mr. O'BRIEN of New York:

H.R. 7642. A bill to authorize Federal assistance to Guam, American Samoa, and the Trust Territory of the Pacific Islands in major disasters; to the Committee on Public Works.

By Mr. SAYLOR:

H.R. 7643. A bill to authorize Federal assistance to Guam, American Samoa, and the Trust Territory of the Pacific Islands in major disasters; to the Committee on Public Works.

By Mr. WESTLAND:

H.R. 7644. A bill to authorize Federal assistance to Guam and American Samoa in major disasters; to the Committee on Public Works.

By Mr. KYL:

H.R. 7645. A bill to authorize Federal assistance to Guam, American Samoa, and the Trust Territory of the Pacific Islands in major disasters; to the Committee on Public Works.

By Mr. AYRES:

H.R. 7646. A bill to provide veterans mortgage protection life insurance; to the Committee on Veterans' Affairs.

By Mr. BAKER:

H.R. 7647. A bill to amend section 333 of title 38, United States Code, to provide for peacetime veterans a presumption of service connection of chronic diseases becoming manifest to a 10-percent degree of disability within 1 year from separation from the service; to the Committee on Veterans' Affairs.

By Mr. BENNETT of Michigan:

H.R. 7648. A bill to reinstate the World War II veterans education program, and to permit World War II veterans to obtain educational benefits thereunder; to provide an additional period during which Korean conflict veterans may initiate and pursue programs of education; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HENDERSON:

H.R. 7649. A bill to provide for research and technical assistance relating to the control of salt-marsh and other pest mosquitoes of public health importance and mosquito vectors of human disease; to the Committee on Interstate and Foreign Commerce.

By Mr. HORAN:

H.R. 7650. A bill to authorize the Secretary of the Interior to maintain Banks Lake Reservoir, Columbia Basin project, Washington, at a constant level for recreation purposes; to the Committee on Interior and Insular Affairs.

By Mr. KILDAY:

H.R. 7651. A bill to amend the Career Compensation Act of 1949 to authorize the payment of an accrued portion of incentive pay to certain aeronautically rated or designated officers who have been eligible to such pay for a minimum of at least 10 years and who subsequently are removed from the status to such eligibility due to the fact that a determination has been made that the requirement for them in this capacity is no longer necessary in the interest of national security; to the Committee on Armed Services.

By Mrs. MAY:

H.R. 7652. A bill to authorize the Secretary of the Interior to maintain Banks Lake Reservoir, Columbia Basin project, Washington, at a constant level for recreation purposes; to the Committee on Interior and Insular Affairs.

By Mr. CLEM MILLER:

H.R. 7653. A bill for the relief of certain counties, cities, and other political subdivisions of the State of California; to the Committee on the Judiciary.

H.R. 7654. A bill to provide for tariff import quotas on sheep, lambs, mutton and lamb; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 7655. A bill to provide veterans mortgage protection life insurance; to the Committee on Veterans' Affairs.

By Mr. VINSON:

H.R. 7656. A bill to amend section 815 (art. 15) of title 10, United States Code, relating to nonjudicial punishment, and for other purposes; to the Committee on Armed Services.

H.R. 7657. A bill to amend chapter 47 (Uniform Code of Military Justice) of title 10, United States Code, to provide a specific statutory authority for prosecution of bad check offenses; to the Committee on Armed Services.

By Mr. WATTS:

H.R. 7658. A bill to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities in reservoir areas; to the Committee on Public Works.

H.R. 7659. A bill to amend section 170(b) (1) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 7660. A bill to permit the burial in national cemeteries of mothers of deceased servicemen or veterans who died leaving no spouse or minor child entitled to be buried in a national cemetery; to the Committee on Interior and Insular Affairs.

By Mr. DAGUE:

H.R. 7661. A bill to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude from the provisions of that act wool products with

respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer; to the Committee on Interstate and Foreign Commerce.

By Mr. HERLONG:

H.R. 7662. A bill to amend section 1371 of the Internal Revenue Code of 1954 to allow a trust with only one individual as a current income beneficiary to be 1 of the 10 shareholders specified in said section; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 7663. A bill to amend section 3 of the act of January 5, 1905, incorporating the American National Red Cross, so as to include among the purposes of such corporation the establishment of a just and lasting peace; to the Committee on Foreign Affairs.

By Mr. McDOWELL:

H.R. 7664. A bill to establish the Franklin Delano Roosevelt Memorial National Park; to the Committee on Interior and Insular Affairs.

By Mr. McFALL:

H.R. 7665. A bill to authorize the modification of the existing project for the New Melones Dam and Reservoir, Stanislaus River, Calif., and for other purposes; to the Committee on Public Works.

By Mr. O'BRIEN of New York:

H.R. 7666. A bill to amend section 17(a) of the Revised Organic Act of the Virgin Islands pertaining to the salary of the government comptroller; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 7667. A bill to require the full and fair disclosure of certain information in connection with the distribution of household appliances in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H. Res. 344. Resolution declaring the Eastern Orthodox Church to be a major faith in the United States; to the Committee on the Judiciary.

By Mr. ROBISON:

H. Res. 345. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 7668. A bill to authorize the interment of Mrs. Mary L. Campbell in the Long Island National Cemetery; to the Committee on Interior and Insular Affairs.

H.R. 7669. A bill to authorize the interment of Mrs. Helen C. Wehner in the Long Island National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. CAREY:

H.R. 7670. A bill for the relief of Tommy Wen-Hsing Tang; to the Committee on the Judiciary.

By Mrs. CHURCH:

H.R. 7671. A bill for the relief of Louanna L. Leis; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H.R. 7672. A bill for the relief of Nikolaos Zannos Lakios; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 7673. A bill for the relief of Mrs. Maureen Selina Alfonso; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 7674. A bill for the relief of Alberto Tang Lu; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 7675. A bill for the relief of Stanislaw Bukowski; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 7676. A bill for the relief of George W. Ross, Jr.; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

181. The SPEAKER presented a petition of Henry M. Henderson, Atlanta, Ga., relative to a redress of grievance, and relating to the Constitution of the United States guaranteeing a republican form of government to every State in the Union, which was referred to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### Statement of Hon. Abraham J. Multer, of New York, Before the House Post Office and Civil Service Committee

#### EXTENSION OF REMARKS

OF

### HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. MULTER. Mr. Speaker, under leave to extend my remarks in the Record, I include the following statement made by me before the House Post Office and Civil Service Committee in support of H.R. 1042 and H.R. 1033 on June 13, 1961:

STATEMENT OF HON. ABRAHAM J. MULTER, OF NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE IN SUPPORT OF H.R. 1042 AND H.R. 1033, JUNE 13, 1961

Mr. MULTER. Mr. Chairman, allow me to express my appreciation for this opportunity to appear before the committee to explain the purpose of my bill, H.R. 1042.

If this legislation is enacted it will expunge from our law one of the harshest and most unfair pieces of legislation in our history. It would repeal Public Law 769 of the 83d Congress in its entirety. This law—the so-called Hiss Act—prohibits the payment of annuities or retired pay to retired civilian officers and employees of the Federal Government and to retired military officers and enlisted men who are or who ever have been convicted of certain criminal offenses or who commit certain acts in the future.

The penalties prescribed by the Hiss Act are so harsh as to border on the unconstitutional. This committee has received reports from the administration which indicate the numbers of persons presently being denied their annuities or retirement benefits as a result of this law. It is my firm belief that not only is repeal the simplest way to deal with what promises to develop into a very complicated problem, but that it will prove to be the most effective and cheapest way. If allowed to stand it will eventually be the subject of endless litigation with the probable result that its provisions will be chipped away by the courts until no law remains. In this process those bringing the suits and the Government will expend great sums which would be saved if the law is repealed.

This law was passed during what might be termed the witchcraft era on Capitol Hill. The motives of those who sponsored the legislation are not under attack here; I am sure they were of the highest. The bill, however, passed the House of Representatives without debate and went unchallenged—despite the warnings of the Civil Service Commission that its language was so vague and general that inequities and hardships were bound to result.

Perhaps the most tragic result was the number of cases where the Government had on its payroll persons whose convictions were known by the Government when it hired them. They had been convicted and punished for offenses which did not make them ineligible for public service. They were not only allowed to work for years but in many cases required to contribute to the civil service retirement fund. Others made such contributions voluntarily, but with the expectation that they would be entitled to pension benefits when they retired. With the passage of this bill, however, they and their families were suddenly denied these benefits and the years of contributions vanished into thin air.

This, I submit, is hardly in keeping with the basic American concept of justice and fairness.

About one-third of the crimes for which a person can lose his retirement rights are misdemeanors. As a result we have had the case where one employee lost an annuity valued at over \$49,000 for a conviction in which the court saw fit not to impose any fine or imprisonment. Another case involved a person who in his youth stole a ham from the Army. Many, many years later a very valuable property—his right to retirement pay—was lost because of that minor offense.

In view of the abuse which this law leads to and its doubtful constitutionality, I urge the committee to report favorably on H.R. 1042 so that this mistake can be rectified.

If the committee is unwilling to go that far, then the Congress must at least modify the law so that the inequities referred to are removed.

To accomplish this purpose I would support and urge favorable consideration of H.R. 1033, which I introduced on January 3, 1961, or H.R. 6141, introduced by this committee's distinguished chairman on April 10, 1961. These two bills are identical and would accomplish necessary revisions which will at least do part of the job. I have introduced a bill to repeal this act in every Congress since the 84th. I congratulate the chairman and this committee for proceeding with these hearings which I trust will result in favorable action by the Congress.

Thank you.

### General Walker Rebuked

#### EXTENSION OF REMARKS OF

**HON. EDGAR W. HIESTAND**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. HIESTAND. Mr. Speaker, I quote from an editorial from the June 13 issue of the Chicago Daily Tribune.

Maj. Gen. Edwin A. Walker has been admonished officially for "taking injudicious actions and for making derogatory public statements about prominent Americans."

The strangest thing about this strange business is that the Army's investigation started after it was alleged that the general was spreading the propaganda of the John Birch Society. Except for this accusation, a gallant officer with more than 30 years of unblemished service, including frontline duty in World War II and Korea, would never have been bothered. As it is, he has been denied promotion to command of the VIII Corps at San Antonio, Tex., and he has been publicly humiliated.

The whole affair strikes us as discreditable to the administration rather than to the general. The worst that can be said of him is that he spoke many months ago to a small audience in unflattering terms about a few prominent Democrats. The remarks were trivial and had long been forgotten when the recent Birch Society furor led someone to dredge them up.

President Kennedy, himself, felt called upon to order a formal investigation, as if General Walker had been guilty of a serious offense. In fact the general deserved high praise for instituting in his command a program of education in the evils and menace of communism. His purpose was to prevent a repetition of the disgraceful behavior of American

prisoners taken in Korea. He wished American soldiers to know why they had been drafted, why they were stationed in Europe, and what would be lost if the Communists were allowed to extend their empire.

This was what he called his probue teaching. It was a good and useful purpose he served and he should have been praised for it rather than admonished.

### Aid to Education

#### EXTENSION OF REMARKS

OF

**HON. EMILIO Q. DADDARIO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. DADDARIO. Mr. Speaker, a colleague who is on the Committee on Education and Labor has analyzed closely the impact of the proposed legislation on school aid as it will affect our State of Connecticut. The question is one of the formula selected for allocating Federal funds to the various States.

I have been making a serious study of the proposals to solve our educational problems and have looked carefully at the opinions which have reached me from Connecticut. I believe Congressman CHAIMO has performed a notable service in providing this information and his thoughtful and considered comments on two matters that trouble him about the legislation.

This material is of such great importance that I have secured his permission to have it reprinted so that it may be studied carefully by those seeking to prepare themselves on this bill. I offer his letter and supporting tables for the

RECORD:

JUNE 12, 1961.

HON. EMILIO Q. DADDARIO,  
House of Representatives,  
New House Office Building,  
Washington, D.C.

DEAR COLLEAGUE: Within the next 2 weeks it is expected that the House will debate H.R. 7300, the education bill. I look forward to this discussion because I believe that there is no more important task facing this Congress than that of securing for our youth and future generations the finest education which our Nation's acknowledged wealth can supply. To accomplish this goal, I have, as you know, consistently supported legislation which would make financial assistance from our National Government available to the country's schools. Because education forms the bedrock of our national defense and welfare, I will continue to favor such legislation. I hope that in this regard you agree with my position.

However, after studying H.R. 7300 I am sure you share some of my misgivings with the method selected for allocating Federal funds to the various States. It is my belief that the school systems that have been under the greatest pressure from population change and growth, and the school districts whose problems dramatized, at a very early stage, the great need for Federal assistance are the very same school systems due to receive the least amount of assistance under the bill passed by the Senate and the bill reported by the House Education and Labor Committee. I have reference to the schools in our fast growing urban-suburban areas; in the

highly industrialized, highly urbanized sections of our country.

I am deeply disturbed by the allocation formula now proposed in H.R. 7300 for two major reasons:

1. I do not believe the proposed formula truly reflects need. The so-called equalization plan contained in H.R. 7300 gives far too much weight to the hardships created by sparsity of population and industry and far too little consideration for the problems created by density of population and high mobility of urban-suburban families. The speed with which our urban areas have grown has nearly neutralized the relative per capita income wealth of these areas. When a sudden flood or similar disaster hits an area, we offer assistance whether it is a rich or poor community. It is my contention that the sudden growth and change in the complexion of our urban area populations has hit many regions of our country with the force and the suddenness of a tornado and has taxed to the limit their resources for maintaining a good school system.

Every day the United States becomes more urban, less rural. Only a half century ago a majority of American families still lived on farms or in rural areas. Today, four-fifths of all American families live in cities or in the suburbs which surround them. By 1975, only 15 years away, our explosive population will sweep 55 million additional people into metropolitan areas and 50 million into existing or newly created suburbs.

The enclosed table 1 shows the extent to which the metropolitan areas outside each of the 20 largest cities have grown in comparison with the central city itself during the past decade. From 1950 to 1960, 12 of the 20 cities decreased in population, but every metropolitan area increased in population tremendously. Comparing 1960 with 1950, the 20 biggest cities as a total grew 3.3 percent in population; but the 20 related metropolitan areas outside the central cities grew 55.9 percent. The Nation's population as a whole grew only 18.5 percent.

Suburban towns bordering on major cities need suddenly to supply all the facilities that the cities developed gradually over many years. The requirements of an ever-increasing number of families for schools, roads, water supply, waste disposal, and protection is forcing suburban finances to their limit. As you know, suburban schools in many areas are now overcrowded; double shifts are common; and programs for the exceptional and the handicapped are lacking. In our own State of Connecticut last year more than 29,000 students were attending school on a reduced-time basis.

In the central cities, schools are often antiquated and lacking in proper play space and athletic facilities. Because of inadequate physical plants, they are unable to provide a balanced and complete educational program. Furthermore, the central cities' problems have been accentuated by a diminishing tax base as families move to suburbia and as school age population increases relative to the adult population in these cities. As shown in table 2 enclosed, the 20 largest cities have gained substantially in school enrollment at a time when for many of them population has been static or declining. In nine cities, total population has decreased and school enrollment has risen. In three cities, total population has decreased, and school enrollment has also decreased, but by a smaller percent. In seven cities, both population and school enrollment have increased, but the increase is much greater for school enrollment. In only one city did population and school enrollment rise by about the same percent.

In the 20 largest cities, population has risen 3.3 percent in the past 10 years, while school enrollment has risen 22.4 percent, or 6.8 times as much. In the Nation as a

whole, enrollments have also outstripped population growth, but the difference is less dramatic. Total population is up 18.5 percent, total school enrollment is up 43.5 percent, or about 2.4 times as much.

Thus, in a decade when the largest cities have declined in relative population growth and economic strength, the burden of school support has been growing. The loss of high-income families to the suburbs and the influx of low-income families into the central cities have created school problems of crisis proportions.

In the light of these and many other problems peculiar to the urban-suburban school, I question the wisdom of discriminating against the urban areas of our country to benefit areas that may be relatively poorer in terms of per capita income but,

also, are sparsely populated and without the problems facing urban areas.

2. My second objection to the allocation formula proposed in H.R. 7300 is that it does not sufficiently recognize the value of the equalization factor already built into our tax structure. By denying the wealthier urban States equal per capita assistance, this formula accentuates the steeply graded progressive features of our tax system unjustifiably.

Shortcomings in our educational system are found throughout the Nation; inadequacies do not exist in one region alone. Every one of the 50 States is hard pressed to keep its schools equal to the task of providing an atomic age education. That this is a national problem and that all States require help has always been implied in gen-

eral education legislation before the House, but now it is denied in the allocation provisions of H.R. 7300. I firmly believe that the differences between the States regarding genuine need for assistance are amply taken into account through our progressive tax structure, and recognition of this fact should be made in the education bill.

When H.R. 7300 comes before the House, I shall attempt to amend the allocation provisions of the bill so that it more closely conforms with the views expressed above. I hope you will join with me. I earnestly solicit your comments, your counsel, and your support on the floor.

Best wishes.

Sincerely yours,

ROBERT N. GIAIMO,  
Member of Congress.

TABLE 1.—Trends in population in 20 largest cities and related metropolitan areas

City (1)	Population of central city			Population of metropolitan area outside the central city		
	1960 (2)	1950 (3)	Percent of change (4)	1960 (5)	1950 (6)	Percent of change (7)
1. New York, N.Y.	7,781,984	7,891,957	-1.4	2,912,649	1,663,986	+75.0
2. Chicago, Ill.	3,550,404	3,620,962	-1.9	2,670,509	1,556,906	+71.5
3. Los Angeles, Calif.	2,479,015	1,970,358	+25.8	4,263,681	2,397,553	+77.8
4. Philadelphia, Pa.	2,002,512	2,071,605	-3.3	2,340,385	1,599,443	+46.3
5. Detroit, Mich.	1,670,144	1,849,568	-9.7	2,092,216	1,166,629	+79.3
6. Baltimore, Md.	939,024	949,708	-1.1	787,999	455,691	+72.9
7. Houston, Tex.	938,219	596,163	+57.4	304,939	210,538	+44.8
8. Cleveland, Ohio	876,050	914,808	-4.2	920,545	550,703	+67.2
9. Washington, D.C.	763,956	802,178	-4.8	1,237,941	661,911	+87.0
10. St. Louis, Mo.	750,026	856,796	-12.5	1,310,077	862,492	+51.9
11. San Francisco, Calif.	742,855	775,357	-4.2	2,040,504	1,465,410	+39.2
12. Milwaukee, Wis.	741,324	637,392	+16.3	482,966	319,556	+41.7
13. Boston, Mass.	697,197	801,444	-13.0	1,892,104	1,609,128	+17.6
14. Dallas, Tex.	679,684	434,462	+56.4	403,917	309,039	+30.7
15. New Orleans, La.	627,525	570,445	+10.0	240,955	114,960	+109.6
16. Pittsburgh, Pa.	604,332	676,806	-10.7	1,801,103	1,536,430	+17.2
17. San Antonio, Tex.	587,713	408,442	+43.9	99,433	92,018	+8.1
18. San Diego, Calif.	573,224	334,387	+71.4	459,787	222,421	+106.7
19. Seattle, Wash.	557,087	467,591	+19.1	550,126	376,981	+45.9
20. Buffalo, N.Y.	532,759	580,132	-8.2	774,198	509,098	+52.1
Total	28,095,039	27,210,561	+3.3	27,556,034	17,680,893	+55.9
U.S. total <sup>1</sup>						

<sup>1</sup> U.S. total population, Apr. 1, was 179,323,175 in 1960 and 151,325,708 in 1950, an increase of 18.5 percent in 10 years; reported in "1960 Census of Population," PC (A1)-1, p. 3.

Sources: Final population figures from the U.S. Bureau of the Census. Central cities from press release dated Dec. 6, 1960, entitled "Cities of 100,000 Inhabitants or More, April 1, 1960"; metropolitan areas from release dated December 1960 entitled "Final 1960 Census Population Counts for Standard Metropolitan Statistical Areas."

TABLE 2.—Public-school enrollments and related figures, 20 largest cities

City (1)	Public-school enrollments		Percent of increase, past 10 years			
	1959-60 (2)	1949-50 (3)	School enrollments, 1949-50 to 1959-60 (4)	Population, 1950-60 (5)	Total effective buying income, 1950-60 (6)	Per capita effective buying income, 1950-60 (7)
1. New York, N.Y.	977,541	916,512	+6.7	-1.4	+20.1	+31.0
2. Chicago, Ill.	531,064	402,252	+32.0	-1.9	+38.2	+40.9
3. Los Angeles, Calif.	516,812	372,818	+38.9	+25.8	+56.6	+24.5
4. Philadelphia, Pa.	237,476	239,371	- .8	-3.3	-17.7	-21.8
5. Detroit, Mich.	278,428	247,819	+12.4	-9.7	+48.0	+63.9
6. Baltimore, Md.	163,238	124,250	+31.4	-1.1	+21.6	+22.9
7. Houston, Tex.	168,282	95,385	+76.4	+57.4	+87.6	+19.2
8. Cleveland, Ohio	132,242	107,728	+22.8	-4.2	+34.1	+40.0
9. Washington, D.C.	117,884	97,504	+20.8	-4.8	+45.9	+53.2
10. St. Louis, Mo.	101,066	97,152	+4.0	-12.5	+15.4	+31.9
11. San Francisco, Calif.	90,161	76,248	+18.2	-4.2	+24.0	+29.4
12. Milwaukee, Wis.	102,438	68,889	+48.7	+16.3	+45.6	+25.2
13. Boston, Mass.	95,415	99,724	-4.3	-13.0	+24.9	+43.6
14. Dallas, Tex.	127,721	61,734	+106.9	+58.4	+70.7	+9.1
15. New Orleans, La.	91,115	64,069	+42.2	-10.0	+25.1	+13.7
16. Pittsburgh, Pa.	70,744	70,056	+1.0	-10.7	+17.1	+31.1
17. San Antonio, Tex.	70,250	49,068	+43.2	+43.9	+58.5	+10.2
18. San Diego, Calif.	99,788	49,477	+101.7	+71.4	+152.6	+47.3
19. Seattle, Wash.	90,206	63,854	+41.3	+19.1	+43.9	+20.8
20. Buffalo, N.Y.	68,173	70,107	-2.8	-8.2	+42.5	+55.2
Total	4,130,044	3,373,449	+22.4	+3.3	+36.5	+32.2
U.S. total	36,037,937	25,111,427	+43.5	+18.5	+73.9	+46.7

Source: Col. 2, cities: American Book Co., calendar for 1961.

Col. 2, U.S. total: National Education Association Research Division, "Estimates of School Statistics, 1960-61," Research Report 1960-R15, Washington, D.C., the Association, December 1960, p. 20.

Col. 3, cities: U.S. Department of Health, Education, and Welfare, Office of Education, "Statistics of City School Systems," "Biennial Survey of Education,

1948-50," Washington, D.C., Superintendent of Documents, Government Printing Office, 1953, ch. 3, pp. 24-28.

Col. 3, U.S. total: U.S. Department of Health, Education, and Welfare, Office of Education, "Statistics of State School Systems," "Biennial Survey of Education, 1948-50," Washington, D.C., Superintendent of Documents, Government Printing Office, 1952, ch. 2, p. 46.

## Economic, Social, and Political Implications of Community Development

### EXTENSION OF REMARKS

OF

## HON. JOHN SPARKMAN

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 14, 1961

Mr. SPARKMAN. Mr. President, on May 12, 1961, I had the privilege of addressing the closing session of the Inter-Regional Conference on Community Development, which was held from May 6 to 12, in Seoul, Korea. To do so was a real privilege and an opportunity. I ask unanimous consent that the text of my address be printed in the CONGRESSIONAL RECORD.

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

#### ECONOMIC, SOCIAL, AND POLITICAL IMPLICATIONS OF COMMUNITY DEVELOPMENT

(By Hon. JOHN SPARKMAN, of Alabama)

It is a great privilege and pleasure for me to bring you the greetings of the people of the United States and their Government as this significant interregional conference draws to a close.

I wish that I could have been here with you for all the sessions of the conference. I have been deeply encouraged by what I have seen and heard of its achievements. I congratulate you on your good work, and I congratulate the Government of the Republic of Korea for its far-sighted initiative in making possible this gathering of men and women who share a common aim and seek to answer a common question.

The aim which has brought us together in simplest form a common desire to improve the lot of our fellow human beings: to see that the people of every continent achieve the new life that recent years have vividly shown them to be possible.

The hopes of mankind are today at flood-tide. This is the supreme fact of our time despite cold war and crises, despite missiles and armaments; for such sources of anxiety are far removed from the daily lives of most of the people of this earth.

Men's hopes today are aroused by the good news that has penetrated even the most backward and isolated villages in every part of the globe, that has quickened the hearts of people who were once resigned to endless generations of poverty, hunger, and disease.

It is the good news that life can be otherwise: that a road can someday be built which will bring in a doctor when the child is sick; that a school can be built to open up new worlds of literacy and knowledge; that better seeds and techniques are possible to bring a better harvest and a dependable livelihood; that land can be owned by the man who tills it; that the individual can determine his own future; that a more just society is no longer a dream, but a distinct and attainable possibility.

These are the urgent hopes that gave birth to community development. They are the hopes that infuse our common aim today.

But we who gather here seek to answer a common question as well. How can this aim be achieved with speed without sacrificing man's freedom? How can it be achieved without substituting for the tyranny of a harsh nature the tyranny of fellow men?

Our question concerns the possibility for rapid social and economic change within the framework of democracy. For the highest value and greatest strength of a democracy lies in the dignity of the individual—

in his freedom of choice and association, of religion and speech. How can we increase and preserve this dignity and freedom—and at the same time revolutionize the social and economic condition of his life?

Men are not free when they are hungry and wracked by disease; but they are no more free when the totalitarian state decrees their future. Here is our common dilemma.

And once again, community development provides our common answer. For it points the way to economic and social revolution within a democratic society where the dignity of the individual and his infinite capacity for growth are cherished and furthered. It points the way to personal freedom, and to economic and social justice for each man and woman.

These truths were understood in their fullest sense some years ago by such pioneers of community development as Prime Minister Nehru and the late President Magsaysay. Recognizing the urgent need for social justice, economic improvement, and increased political participation, these leaders initiated national programs of community development in their countries as a means of bringing democratic and orderly change.

In more recent years, the leaders of other nations have chosen a similarly wise and compassionate course.

Here in the Korean Republic, for instance, a modest pilot program was begun in 1958, with 274 villages to be included by 1960. By the end of this year this program will actually reach some 668 villages in 60 counties and 9 Provinces.

With 40,000 village-units in the Republic as a whole, the task remains a formidable one. Yet the beginnings are enormously promising, here as elsewhere, and the Government is now considering a nationwide development program.

The example of India and of the Philippines is inspiring the efforts of the Republic of Korea and is being repeated daily in other lands. In the months and years ahead, these beginnings hold a golden key to the future.

In creating that future, let us never lose sight of certain fundamentals. It is these fundamentals that I would emphasize once more to you today.

In the first place, let us remember the major role of community development as an element of continuity: as a link between the past and the future.

Community development assumes that social change can be assisted and its disruptive effects lessened by enabling the people in the thousands of small communities to play an active part themselves in directing change toward the fulfillment of their own needs. With the community as the unit of change, a people can move toward the future while assuring continuity with the past.

It was this function of community development that caused a man from Ghana to describe it as "using today to have tomorrow without losing yesterday." By tapping the energies of the people in those communities, we help them to become the creators of the new society rather than the passive creatures of the old.

Second, let us never forget the central role of individual participation in the extension of these programs. The question is not merely how we should move from traditional ways toward a new life style, but who shall control the direction and tempo of change, and under what banners.

As one expert has put it, "those who gain power to shape the future will name the future, and by this name those who are shaped will come to know themselves." Community development is directed toward helping people participate in shaping the future and naming it as their own.

Participation means a sense of belonging, a sense of creation and a stake in the new society. The farmer's pride in a school,

hospital, or road is compounded by the awareness that he contributed his own labor to it and that his own children will be happier and healthier because of it.

By emphasizing the participation of the people we are also decreasing the likelihood of unforeseen consequences resulting from planned change. In short, change can thus be integrated into the culture without boomeranging.

Some of you will recall the case of the agricultural extension agent who introduced a new high-yielding strain of hybrid corn to an American village in New Mexico. He had done everything right, it seems. He had tested the seed under local conditions, demonstrated it and was sure that there was a real felt need for it among the farmers.

The first year 40 of the 84 farmers planted small amounts and their production per acre doubled. The following year 60 of the 84 farmers planted hybrid corn and the agent considered it a success. But the third year the number dropped to 30, and the fourth year only 3 farmers planted it.

Why the drop, the agent asked these farmers. Didn't it thrive under local conditions? Yes. Didn't it yield more than the local variety? Yes, twice as much.

Then why did they reject it? The answer was that the farmers' wives had complained of the taste, color and texture of the flour and the fact that it didn't hang together well for tortillas, the local bread, which was their staple food. Obvious, one may say with hindsight. Perhaps; but there are many, many lessons here for us. And not the least has to do with participation and unexpected consequences.

A third major feature of community development is its concern with the balanced, integrated development of the community as a whole. In the past it has been our tendency to approach village problems in a fragmented, departmentalized fashion. Each department has had its own program and approach to villagers.

Such fragmentation has produced two obvious weaknesses. First, it is a projection of the point of view of the technician as a person with something to sell—rather than a steady focus on the real problems experienced by the individual villagers. Second, it has meant that in countries with severely limited technical resources, the services to the village of almost every technical department have been inadequate.

Community development is designed to avoid these inadequacies. It begins by focusing on the community and its needs and then goes on to link services to felt needs rather than vice versa.

The logic here is obvious, and it provides a means of overcoming the villagers' traditional suspicion and hostility toward Government representatives and programs. The fundamental question is: "How can we help you do what you want to do?" not, "Here's what you must do to improve your health, or agriculture, or roads." The community development worker then is free enough and flexible enough to follow the genuine concerns of the villager without fear that they are outside his job or department.

The significant point is that such an approach, based upon the felt needs of the villager, actually yields more effective results—even in specific technical fields like agriculture. The representative of the Government at the village level can therefore help the villagers begin to plan for the total development of their village over a period of time. This becomes the vital link between village development and national development.

Against the backdrop of such fundamentals, the genius of community development is clear: it is the most effective way of harnessing the motivation and aspirations of the millions of ordinary people to the gigantic effort of national development. The poten-

tially explosive rising tide of expectations becomes transformed into what President Kennedy has called the peaceful revolution of hope.

The part which community development has to play in this peaceful revolution has significant economic and political implications.

Its principal economic contribution comes through the tapping of latent resources in the form of unused or underused labor, skill, and knowledge. This is done through stimulating villagers to undertake projects of self-improvement such as the construction of schools, access roads and community centers, as well as the adoption of improved measures in public health or agriculture.

A first basic economic assumption underlying community development is that no country has an absolute shortage of resources which can only be met through a large input from outside. The greatest potential resource of a nation is the human resource and this resource must be emphasized to produce national wealth.

The assumption can be validated from the experience of those nations carrying on national programs of community development. Thousands of kilometers of roads have been repaired and constructed, thousands of schools and community centers have been constructed. These activities have been carried on with a minimum of cash investment by either the Government or the people.

Even in the field of capital development it is estimated that 30 percent of India's increased income during the first 5-year plan was allocated to savings. This is a significant contribution to the financing of a national development program.

Equally important, however, is a second economic truth: the incalculable potential contribution that can stem from increased initiative and self-confidence on the part of people who have successfully executed local projects. These "noneconomic" factors are as significant for national economic growth as capital formation. Community development, recognizing the central importance of human motivations, attempts to discover and build its program upon the deeply rooted needs and motivations of the people.

The problem of motivation is universal. In the United States, during World War II, our farmers increased their production sufficiently not only to meet the increased needs in the United States, but also to export to our allies. They did this by using agricultural methods which, for the most part, were already known to them but previously unused or underutilized. The added ingredient was the motivation to support the war effort.

The chief problem for community development is to provide a similar stimulus in our peaceful war against the common enemies of mankind—hunger, disease, ignorance, and insecurity.

As we build more creative and self-confident communities, we also broaden the horizons of villagers and give them a sense of participation in the larger society. In addition to its economic significance, this sense of participation has important political implications.

In many newly independent countries the community development program represents an important tangible effort on the part of the Government to achieve effective freedom for all of its citizens. It can also be the means of unifying the people in a movement for national improvement.

Where there have been great distances between the city and the country, between the ruling elite and the rural population, community development can be a bridge. For the first time, in many cases, the government is sending representatives to live in villages on an equal basis with the people as their "friends, philosophers and guides."

In this way there develops an acceptance of an identification with the national gov-

ernment. And on the other hand, the political leadership finds its position much more stable because it is based upon positive popular support.

Perhaps the most important political implication of community development is its contribution to developing and strengthening local institutions of self-government. The delegation of power to Panchayat Samitis, or Village Councils, in India, the Barrio or Village, Autonomy Act in the Philippines, and the Institution of Basic Democracies, as Pakistan's system of representative government is called, are all evidence of this.

But even where formal institutions for local self-government have not been established, village people—through organizing and carrying out self-help projects—are gradually accumulating the experience of cooperative decisionmaking and action which is at the heart of a free society. It is in this context of working together with one's neighbors on problems about which one cares that civic responsibility and political maturity will grow and flower.

It is not for us to make the judgment that people are not ready to assume the responsibility of making decisions for themselves. Those of us who believe, without reservation, in the essential dignity of man and who have a fundamental respect for the individual have no choice.

The path is clear. It is the responsibility of those who share these values to work continuously to help these people learn to make the most informed and mature decisions possible. This is part of what is meant when we make the commitment to help them to help themselves.

But this does not mean leading them by the hand or "leading them from behind" as is sometimes said. Nor does it mean simply giving them the feeling that they are making their own decisions, while in reality the choices have been limited and weighted so as to have them select a predetermined path.

It means most of all giving them room to grow. Growth is the fundamental process in life.

A farmer can inhibit the growth of plant, he can artificially shape or misshape it, he can accelerate its growth and protect it against disease and parasites or he can kill it. But he cannot fundamentally change the nature—and we might say—the destiny of the plant. He cannot eliminate its need for light and its seeking of light—he cannot eliminate its tendency to strike roots or its need for food and water and space.

The good farmer understands the nature of plants and one of his main efforts is to assist the plant in fulfilling its own potentialities. So he doesn't overfeed or overprotect. He gives it space to grow and see that it has the essentials for healthy growth.

Thus our job is to help create the conditions for healthy growth in our societies—to create the environment where people can fulfill themselves most completely.

This possibility is increased when the essential physical needs of life are met in a minimum way. However, we all know that there is no positive correlation between the full stomach and the fulfilled person. This is why we must not stop with the economic implications of community development. These are important, but not fundamental.

In my own country, we have had fewer problems of meeting basic physical needs, but today we are turning more and more to a consideration of the ingredients of a healthy community where people are able to find creative fulfillment.

The United States recognizes community development as a dynamic force leading to economic improvement, social advancement and orderly political growth.

We pledge our support to community development programs in those countries which have or desire to initiate such programs. We pledge our support whether the

community development program is modest or whether it has achieved the stature of a new institution of government.

In return, we ask only that the nations we help be prepared to help themselves toward the creation of just societies.

We ask that they be willing to put their own economic houses in order—that they be willing to establish minimum standards of economic effort and reform.

We ask that such efforts include the beginnings, at least, of a tax structure that taxes proportionately those who are best able to pay, a land ownership structure in which large and absentee landlords are no longer allowed to oppress the peasants, credit cooperatives, rural extension services, and workable curbs on luxury imports.

For if there is one lesson to be drawn from the fate of societies where such reforms were too long in coming, it is that the democratic revolution of community development is soon overtaken in such societies by totalitarian revolutions that destroy the hope for social justice and individual freedom.

Let one thing be clear: We Americans are not afraid of change which arises out of the hopes and aspirations which we ourselves share with millions of people throughout the world. Community development provides a large common denominator of these shared hopes.

Our sense of participation in these hopes was clearly expressed in President Kennedy's inaugural pledge:

"To those people in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves for whatever period required."

This is a strong reaffirmation of the basic commitment of the United States to support all movements and institutions that are expanding the frontiers of human freedom.

We shall do this in the full knowledge that responsible freedom is strong medicine. Once having tasted it, the people will never again allow themselves to be manipulated or exploited. And having shaped the future, they will name it as their own.

## Hold High That Flag

### EXTENSION OF REMARKS

OF

### HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. DAGUE. Mr. Speaker, today is Flag Day, the anniversary of Old Glory's birth and the day when we should rededicate ourselves to all of the noble precepts that have been woven into its shining folds in all these years of our independence. This emblem of our freedom should be flying high from every flagstaff where Americans gather around the world and each heart should beat high with the reaffirmation of those stalwart forebearers of ours who "pledged their lives, their fortunes, and their sacred honor" in defense of the liberties which this glorious banner symbolizes.

But something tragic has happened. Around the world today our flag is being treated with disrespect—in many places literally trampled under foot. And here at home a listless, apathetic citizenry seem indifferent to its message, seem to

care little that our prestige, which Old Glory personifies, has reached its lowest ebb. I say again "What has happened? Why have our leaders allowed our Nation to be reviled and pushed about? Why have we failed to measure up to those responsibilities of citizenship for which our national emblem stands?"

First, here at home we are being led willy-nilly into the labyrinth which is the welfare state. As a people we are being systematically taught to look to Uncle Sam with our hands outstretched, to count on him to do for us the things we should be doing for ourselves, as witness that as of this very moment we are embarked upon new and fearsome plans which will subsidize and regiment us in the fields of housing and education.

Yes, at this very moment we are already committed to another goal of deficit financing which will take us one more step along the path of insolvency at the end of which Nikita Khrushchev has promised to bury us.

How long, O Lord, how long? How long are we to turn away in shamefaced disgust when we see our leadership fail in those things upon which our national prestige depends? You know the list: failure to cope with Castro, an unwise and unprepared meeting with Khrushchev, indecision in Laos, a supine acquiescence in the infamous tractor blackmail, an inept emissary meeting rebuff after rebuff south of the border. I say again with prayerful supplication, "How long, O Lord, how long?"

And what does Old Glory say to us on this the anniversary of her birth? To me she says, "Stand up to those dictators and tell them that we have gone as far as we intend to go down appeasement's pathway. Say with firmness to the Kremlin's bloody bully "one more aggressive move in our direction and you will have had it." And to our wishy-washy allies, to those equivocating neutrals, to our wavering neighbors in this hemisphere, "Make up your minds and make them up quickly or off our handout list you go." And Old Glory, who has watched over our destinies these 185 years, knows that a determined and fortified America—fortified spiritually, economically, and militarily—will never have to fight.

### Tragic Days of Lithuania

#### EXTENSION OF REMARKS

OF

### HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. DADDARIO. Mr. Speaker, today we are reminded of the indignities which humans have suffered and continue to suffer in the hands of Communist domination. Twenty years ago on June 15, 1940, an early example of Soviet aggression was demonstrated in the Baltic nation of Lithuania. The people of this country had labored to maintain a bulwark against the Soviet force but in

1939 were attacked, overrun, and forced to accept Soviet garrisons and grant airbases. On June 15, 1940, they were confronted with an ultimatum demanding immediate formation of a government "friendly" to the occupation forces. A rigged election at that time produced a congress which unanimously requested incorporation of the states into the Soviet Union. On the nights of June 15 and 16 about 30,000 members of the Lithuanian intelligentsia were deported to Siberia and another 5,000 were enslaved in their homeland. This mass deportation of many thousands of men, women, and children, the extent of which has been largely blurred by secrecy, showed a clear indifference for national and human rights. The inhumanities manifest in this action will remain a blur on the pages of history.

The United States has never recognized this forced incorporation by the Soviet Union but has continued to give its moral support to the cause of the fight for liberty in Lithuania. Despite cruel plunder the Soviet masters have never succeeded in extinguishing the flame of courage and hope in the hearts of the subjugated peoples.

### The Boy Scouts and Flag Day

#### EXTENSION OF REMARKS

OF

### HON. GEORGE M. WALLHAUSER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. WALLHAUSER. Mr. Speaker, our flag waves today in troubled times. It flies at half-mast because of the battle-torn jungles of Laos, because of the strife-riddled infant nations of Africa, because of the stalemated conference tables in Geneva. In the face of challenge by the Communist doctrine of world revolution and global enslavement, it swells in defiant opposition. It is then most important, today, on the 164th anniversary of the adoption of the Stars and Stripes, that we Americans understand what our flag symbolizes.

It was Henry Ward Beecher who wisely remarked over a century ago, "A thoughtful mind when it sees a nation's flag, sees not the flag, but the nation itself." Our flag is more, then, than the 13 red and white stripes and 50 stars on a field of blue. It is a symbol of a free government representing a free people, of a common faith in the tenets of democracy so ably expressed in the Declaration of Independence, of a historic struggle to establish these principles as the first law of the land and an epic story of a people living nearly 200 years beneath its majestic swirl, of an American way of life, and, most important, of a promise.

To all those who pledge allegiance to Old Glory, both citizens by birth and citizens by choice, the Stars and Stripes returns a promise. In return for your support, it says, I will safeguard your freedoms and I will allow you to con-

tinue unimpeded in the pursuit of your happiness. Old Glory speaks to the free world and promises them an ally in the preservation of their own independence and sovereignty, a helping hand in time of political or economic crisis. To the Communist world, our flag gives warning, the same warning it was forced to deliver to Germany in World War I and Germany and Japan in the second global conflagration. I am proud of the heritage and ideals I represent and will resist with all the terrible might I can muster all efforts to encroach upon or destroy these. Yours is a short-term faith. Ultimately, freedom, native to the hearts of all mankind, no matter what nationality, and symbolized by me must emerge the victor.

Mr. Speaker, in our observance of Flag Day, I would like to pay tribute to the Boy Scouts of America, now in their 51st year, for their efforts to encourage all citizens to fly the U.S. flag at their homes on holidays and impart the meaning of the flag to them. The Boy Scouts, since their beginning in 1910, have played a large and important role in the training of citizens of this land. The flag occupies the positions of highest honor at unit meetings, courts of honor, and other scouting functions. The Boy Scouts of America have always required its members to have a knowledge of the history of the Stars and Stripes and the proper ways of showing respect for it. Scouts have come to know that the flag is a symbol of the history, ideals, goals, and hopes of our freedom-loving people.

### Soviet Deportation of Lithuanians

#### EXTENSION OF REMARKS

OF

### HON. EUGENE J. KEOGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. KEOGH. Mr. Speaker, Soviet Russia's violation of international treaties and elemental human rights have become commonplace in these days. One of the greatest manifestations of such inhuman behavior on the part of Soviet leaders was, however, practiced in the Baltic countries more than 20 years ago. Lithuanians had regained their freedom at the end of the First World War, and during the interwar years did their best to live in peace with all their neighbors, including their enemy, the Soviet Union. But Soviet leaders had their designs on Lithuania. They wanted to eliminate Lithuania as an independent entity. Unfortunately, they were successful in carrying out their designs, and by the middle of 1940 the country was overrun by the Red army and soon incorporated into the Soviet Union.

As soon as Communist Russians were in control of the country, they carried out mass arrests and imprisonments which, in the course of a year, placed some 50,000 able-bodied Lithuanians in Soviet prison camps in Asiatic Russia. These arrests and imprisonments were carried out under terrorism and unprece-

mented oppression. To this day the arrest and exile of these Lithuanians are remembered as the tragedy of Lithuania. The annual observance of this event is bound to impress the peoples of the free world that these Lithuanian exiles still suffer in Soviet prison camps.

### House Concurrent Resolution 330

#### EXTENSION OF REMARKS

OF

### HON. CHESTER E. MERROW

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. MERROW. Mr. Speaker, a conference has been in session in Geneva, Switzerland, since October 31, 1958, for the development and acceptance of a treaty to end atomic testing. Since the Soviet Union has shown no inclination to agree to the adoption of a system of inspection and controls, the United States should forthwith withdraw from the conference and immediately resume the testing of atomic weapons and devices.

Within the past few days, the Soviet Union has delivered an ultimatum to the other conferees on atomic testing stating that the terms of the Soviet Union must be adopted or the entire question must be considered in a general conference on disarmament. Negotiations with the Soviet Union have been fruitless, and I am convinced that the time has come to stop talking and start testing.

Furthermore, we have no assurance that the moratorium on testing has been honored by the Soviet Union, and we have no guarantee that the Communists are not now developing the neutron bomb. In terms of our own security, we must not be placed in a position where the Communists may be ahead of us in the development of atomic weapons.

Our survival is at stake, and on June 12, 1961, I introduced House Concurrent Resolution 330, which is as follows:

Whereas the United States has been engaged in the Conference on the Discontinuance of Nuclear Weapons Tests in Geneva, Switzerland, with the Soviet Union since October 31, 1958; and

Whereas although more than three hundred negotiating sessions have been conducted, the Soviet Union shows no inclination to agree to a system of inspection and controls; and

Whereas the Soviet Union has declared that it has established a moratorium on nuclear weapons tests, but there is no assurance that this moratorium has actually been followed; and

Whereas there is no guarantee that the Soviet Union is not now engaged in developing a neutron bomb and other atomic weapons and devices; and

Whereas the Soviet Union has demonstrated no willingness to agree to the principles contained in the draft of a proposed treaty made public by the United States delegation; and

Whereas the United States, in terms of its own security and survival cannot risk falling behind any nation in terms of atomic capabilities because of self-imposed and uni-

lateral restraints upon the further development of nuclear weapons: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should forthwith withdraw from the Conference on the Discontinuance of Nuclear Weapons Tests being conducted at Geneva, Switzerland, and immediately resume the testing of atomic weapons and devices.*

### Uxbridge Honors Old Glory

#### EXTENSION OF REMARKS

OF

### HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. PHILBIN. Mr. Speaker, throughout the land today, June 14, the Nation proudly unfurls the American flag in honor of Flag Day with special flag memorial exercises in many of our cities and towns, large and small.

This year Flag Day takes on an added significance in the historic town of Uxbridge in the lovely Blackstone Valley of Massachusetts because the American flag now flies day and night in this beautiful New England community. A friend, a constituent of mine, a prominent veteran and citizen, Rosaire Rajotte of the neighboring town of Northbridge, informs me that the successful campaign to have the flag at full staff 24 hours a day is largely due to the untiring efforts of a former U.S. Marine, Herman D. Arnold of Uxbridge, who is commander of the local Veterans of Foreign Wars post.

The flag was flown day and night at Uxbridge for the first time this past Memorial Day when the town became the second Massachusetts community to honor Old Glory in this manner. The city of Worcester has paid a similar tribute to the American flag since Armistice Day, 1933, when the flag was raised before the World War Memorial to be flown night and day ever since.

The flag at Worcester is illuminated by spotlights installed at the new World War Memorial completed at Lincoln Square in Worcester in 1959 after extensive road relocation and highway improvements in the Lincoln Square area.

While Worcester and Uxbridge are the only two communities in Massachusetts to fly the American flag night and day, there are several other places in the country where a similar tribute is paid to the flag.

During World War I, it was decided for patriotic reasons that there should be one building in the United States over which the flag should always be flown. Our own U.S. Capitol Building was selected for this honor.

Later, the flag was flown day and night over the grave of Francis Scott Key at Frederick, Md., and at Fort McHenry, in Baltimore, Md., as a fitting tribute to the original Star Spangled Banner.

At the present time, there is under consideration a proposal to have the American flag flown 24 hours a day at

the famed U.S. Marine Corps War Memorial which takes its inspiration from the inspiring action photograph of flag raising on Iwo Jima's Mount Suribachi, one of the famous incidents of World War II.

Like the tributes of Uxbridge and Worcester to Old Glory, this honor of the flag day and night at the Marine Corps War Memorial which overlooks Washington near the Virginia side of Memorial Bridge, would provide a most fitting tribute to the dedicated service of all marines to our Nation since 1775 in defense of the flag.

Mr. Rajotte informs me that Commander Arnold of the Uxbridge VFW post has served as commander for four consecutive terms. He is credited by Mr. Rajotte as being the leader of the campaign in Uxbridge to have the flag flown day and night under lights, thus making the town the first small community in the United States to pay this honor to our flag.

Commander Arnold served in World War II and in Korea. He wears the Purple Heart and a cluster, having been wounded twice in action.

I am pleased to salute and commend Commander Arnold and the membership of the Uxbridge VFW post for their effective contributions to their community, the State, and the Nation, and on this hallowed Flag Day offer my own fervent tribute of loyalty and affection. May Old Glory under God wave until the end of time over our free and ever greater, stronger, and happier Nation.

### The Hanford Steamplant and National Security

#### EXTENSION OF REMARKS

OF

### HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. VAN ZANDT. Mr. Speaker, the Congressional Joint Committee on Atomic Energy has reported out H.R. 7576, the AEC authorization bill for the fiscal year 1962. The only item of controversy in the legislation is the proposed \$95 million addition of electric generating facilities to the new plutonium production reactor at Hanford, Wash. During our recent hearings on this item, the point was raised that the reactor would "be the kind of facility that could be put on a power basis only" in the event of an international arms control agreement. Furthermore, it has been contended that, under circumstances resulting from a breaking of such an arms control agreement, production of plutonium in the reactor could be resumed "with some rapidity"; while startup of production-only reactors shut down on the signing of a disarmament agreement "would take a substantially long time."

These allegations are made by supporters of the proposed NPR electric generating facilities in an attempt to

show that a converted NPR would serve national security interests since, as they claim, the reactor would not be shut down if and when the United States becomes a party to any arms control or disarmament agreement. On its face, this argument appears most logical and might appeal to many Members of Congress as a justification for authorizing this project. However, a more careful examination of the facts available in the public record actually proves otherwise.

Any party to an international disarmament agreement whose interests are opposed to ours—the Soviet Union, for example—surely would insist that all U.S. weapons-grade plutonium production facilities be shut down and/or dismantled. Because we have a democratic republic, we make public the fact that there are a certain number of plutonium production reactors at Hanford and Savannah River—including the NPR now under construction. This means that Soviet Russia could, as a condition to agreement, require the United States to shut down all weapons-grade plutonium producing reactors, including the NPR, regardless of whether this reactor would have added to it by that time the electric generating facilities proposed in the Atomic Energy Commission's authorization bill. If the agreement were to come during the proposed period of dual-purpose operation, the NPR could very well become an international issue in itself since its major purpose is the production of weapons-grade plutonium.

Mr. Speaker, conversion of the Hanford reactor, therefore, would not serve the purposes of national security if its mere existence in any form—even with electric generating facilities—would serve to bar a workable international arms agreement. Any action on the part of the United States to insist that it be permitted to retain this reactor, with its weapons-grade plutonium production capability available on short notice, would not go unnoticed in the eyes of the world. Our prestige as a peaceful-minded Nation would be certain to suffer to some extent.

If the Russians were to agree to our retention of the Hanford steamplant, as a steamplant—and this does not seem likely—the argument could then be made that the Congress should, in the interest of national security, authorize construction and operation of additional dual-purpose reactors of the Hanford steamplant type. The result would be that, under the guise of safeguarding national defense interests, the Federal Government would enter the power industry on a truly wholesale basis.

These are only general points, however. The project at hand, which supporters assert would serve national security interests, is fraught with many inconsistencies on this very point.

**COULD REACTOR BE USED FOR POWER ONLY DURING PERIOD OF ARMS CONTROL?**

The Chairman of the AEC agreed that the converted NPR could be put on a power basis only. The words are not his; he merely agreed with them.

In his prepared statement before the Joint Committee on Atomic Energy,

however, the Chairman said that studies of NPR designs assumed that subsequent to primary production of weapons-grade plutonium, "and continuing through the remaining life of the facilities, the reactor would be operated under conditions optimized for power production; during this latter period, plutonium would be the byproduct."

Mr. Speaker, I want to assure every Member of this House that any arms agreement would be certain to outlaw production of weapons-grade plutonium, of this we may be certain. Any such agreement, therefore, would automatically outlaw any converted plutonium reactor—the NPR included—even though it would have as its avowed primary purpose, the production of electric energy.

**COULD REACTOR BE CONVERTED RAPIDLY FROM POWER ONLY TO PLUTONIUM PRODUCTION IF ARMS CONTROL AGREEMENT IS BROKEN?**

The AEC Chairman agreed also that the reactor could be reconverted with rapidity to production of weapons-grade plutonium if the need for such material should ever arise again after U.S. participation in an arms control pact.

Supporters of the Hanford steamplant appear to indicate in the public record that the plutonium produced in the NPR at any period will be weapons-grade material, but the record fails to make it clear that this is indeed so. Technical witnesses have pointed out that, in connection with production of electric energy, the reactor would not be operated at the maximum thermal level. One witness put it this way: "During that period of time—power only—the thermal operating level of the reactor would be reduced from that during the dual purpose period when it would be operated for maximum plutonium production."

This witness and other witnesses did not assure the Joint Committee, the Congress, and the people that production of weapons-grade plutonium would result from any form of operation of the NPR. Members of the Joint Committee naturally avoided detailed questions on this point because of the fact that much of the information related to plutonium reactors is classified. However, a simple assurance on this point should not intrude into the realm of classified data.

From these facts, one may summarize by drawing either of two conclusions which are related to the possibility that an arms control agreement would force the United States to shut down all plutonium production reactors.

First. If the converted NPR would produce weapons-grade plutonium at all times and under all circumstances of operation, it would have to be outlawed under such an agreement since we could not permit, in conscience, continued operation of Soviet dual-purpose reactors.

On this point, therefore, the argument that the reactor could be reconverted to plutonium production would have no validity.

Second. On the other hand, if the reactor would produce less-than-weapons-grade material during power-only operation, the core would be contaminated with the lower grade material and reconversion and reoptimization of the reactor

for plutonium production would be made difficult.

Again, on this point the argument that the reactor could be reconverted to plutonium production readily would have no validity.

**UNSPECIFIED ELEMENTS OF COST**

The public record does not show the cost of optimizing the reactor for power production, and it does not show the cost of reoptimizing the reactor for plutonium production in the event of future need.

To optimize the NPR for power production under an arms agreement, the Commission would have to optimize the reactor for byproduct production of plutonium, presumably of less than weapons grade. Reoptimizing the reactor with rapidity for resumption of production of weapons-grade plutonium would be next to impossible, even over a substantially long period. Without resorting to classified data, one is forced to conclude that the production-only reactors shut down on our participation in an arms agreement would be ready for resumed production just about as quickly as the converted NPR. In the alternative, one must conclude that the AEC would be required to fabricate and maintain, at considerable expense, an additional NPR reactor core which would be optimized for plutonium production and that the power-optimized NPR core would have to be removed to permit resumption of production of weapons-grade material.

**THE ORIGINAL PREMISE FOR HANFORD**

Apart from the record compiled so far this year—the public record, that is—supporters of the Hanford steamplant have overlooked the basic premise on which the NPR was authorized in 1958. At that time, the Joint Committee and the Congress, over the strenuous objections of the President, insisted that the United States needed, for security reasons, the new production reactor, if for no other reason than to replace not one but three old Hanford reactors built and placed in operation in 1944. These reactors will be about 18 years old when the NPR is started up in 1962; it was argued in 1958 that these old reactors had, by that time, all but outlived their economic usefulness. Because of security restriction, there is no way of knowing publicly whether the NPR has three times the thermal capacity of the old reactors—and three times the plutonium production capacity—but we must assume at least that the reactor is more efficient than the facilities to be replaced.

Supporters of the NPR in 1958 asserted that the Nation was in dire need of the additional plutonium production capacity. However, those who now desire to add electric generating facilities to the NPR would accept a net reduction in total production capacity by agreeing that the old reactors have seen their day and that the replacement, the NPR, can be operated for production of both plutonium and power—and later for power only—under circumstances which reduce production reactor effectiveness almost from the very start; they allot

only 2 years at the most for production-only purposes. This is the additional time it would take after startup to complete addition of the electric generating facilities—8 years for dual-purpose operations, and 25 years for the primary purpose of power production.

Mr. Speaker, taken as a whole, the relationship of the NPR to national security, in terms of the additional facilities for generation of electricity, is hardly a valid one. Supporters' arguments along this line are directly contrary to the basic concept and the spirit of the original NPR authorization.

I think we should all agree that rather than being in the best interest of national security, the authorization of the addition of electric generating facilities to the NPR could constitute another roadblock in the way of effective arms control or disarmament. For this reason, I propose to offer an amendment to H.R. 7576 when it is considered by the House of Representatives, the effect of which would delete from the bill the proposed addition of electric generating facilities to the new plutonium production reactor at Hanford, Wash.

**Address by Secretary of Labor Goldberg  
at Dedication of Library of Hebrew  
Union College-Jewish Institute of Religion,  
Cincinnati, Ohio**

**EXTENSION OF REMARKS**

OF

**HON. GEORGE A. SMATHERS**

OF FLORIDA

IN THE SENATE OF THE UNITED STATES

*Wednesday, June 14, 1961*

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of the brilliant, thought-provoking address delivered by Secretary of Labor Arthur J. Goldberg on June 3, 1961, on the occasion of the dedication of the library of the Hebrew Union College-Jewish Institute of Religion, Cincinnati, Ohio.

I commend the reading of the speech to every Member of the Senate and House. Certainly they will profit from reading it.

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

ADDRESS BY SECRETARY OF LABOR ARTHUR J. GOLDBERG AT DEDICATION OF LIBRARY OF HEBREW UNION COLLEGE-JEWISH INSTITUTE OF RELIGION, CINCINNATI, OHIO, JUNE 3, 1961

I am greatly honored and privileged to dedicate this new library of the Hebrew Union College-Jewish Institute of Religion.

As an outstanding rabbinical school, this college-institute continues to demonstrate that fidelity to Judaism is also devotion to the moral heritage that informs our civilization.

This building will be a splendid repository of the learning of the past—a treasure house of the truths of a great religion and the convictions of a people. Within it will be a record of man's success and failure in grappling with his own nature, with reality,

and with his own purpose and condition. History is filled with blind waste and magnificent triumph, with angry stupidity and dazzling discovery. In hours of trial a library offers us the opportunity to judge the results of past decisions.

It was Oliver Wendell Holmes, Jr., who said: "Continuity with the past is a necessity, not a duty."

Libraries in particular and educational institutions in general make continuity with the past possible. And we are bound to the past, creatures of time, but free to look to a future we ourselves help to make.

I wonder, then, how it is that modern society fails to resist the impulse to relearn, often in more bitterness, lessons learned so bitterly in the past.

Those who forget the past, said Santayana, are doomed to repeat it. Are we, today, forgetting the past?

I raise this question at this time and in this place because it seems particularly fitting to dedicate a monument to man's collective knowledge when voices are heard urging disengagement from history, withdrawal from the continuity of responsibility that has flowed from father to son in our free Nation.

These voices rejecting history are raised because of the genuine struggle of human conscience at a time of truly awesome responsibility. Good people are deeply troubled about man's course toward holocaust. They fear that a race of arms can end in the ravage of civilization.

We all stand in the shadows of the towering giant of nuclear power, the colossal bomb that can obliterate centuries. It is argued by these men of good faith that the sole moral position for a moral people who possess this weapon is to unilaterally divest themselves of it.

This manifestation of pacifism—not new in history—is of course accentuated by the character of the nuclear weapon. But the necessity of continuity with the past requires an answer to evident questions.

Will unilateral abandonment of defensive arms deter aggression? Will the unilateral pledge of our own disengagement actually turn tyranny aside and guarantee universal peace with justice?

In pondering these questions, we might turn—for one place—to here, to a library. Contemporary history offers some comparative examples. Many of you will remember the Oxford Oath era in Great Britain prior to the Second World War. Its feeling for peace, its rejection of war, its longing for order in the world's affairs were all emotions that good men could and did share.

This open commitment to disengagement did not stop Nazi aggression. I wondered then, and I do now, whether or not Hitler was encouraged by the policy of disengagement he sensed in the English people. Like every dictator, before and since, he incorrectly judged the stamina and will of a free people.

In this Nation, unlike some others, the argument to disarm unilaterally and to divest ourselves of nuclear capability does not enjoy the wide respectability of a movement. I believe that the President spoke for most Americans when he said: "Our arms do not prepare for war—they are efforts to discourage and resist the adventures of others that could end in war."

I am sure that in the light of the plain postwar record, everyone cognizant of fact and not deluded by propaganda—either of their own making or made for someone else's consumption—recognizes the sincerity and good faith of our efforts to achieve an enforceable ban on nuclear testing and genuine disarmament. I am sure that no one, except the propagandists and their victims, questions the good faith of our President who at this very moment is on a mission of peace—not peace in our time but for all time.

Disengagement, however, takes many forms. There are those respected among us who recognize that unilateral disarmament in the face of the postwar history of totalitarian aggression is an invitation to increased aggression. But they also seek to disengage the Nation from the performance of other actions necessary to strengthen our alliances and maintain the free world.

It is this "intellectual disengagement"—this withdrawal of assent to the total demand that freedom makes upon us—that I wish to discuss here.

I am not implying that all intellectuals seek disengagement. On the contrary, the Harvard Manifesto has, in our healthy and free society, brought forth a Princeton Pronouncement. But nevertheless, there is indication of a current of intellectual disengagement in our Nation today.

I suggest to the intellectual seeking peace through disengagement that he ponder an activist path toward peace which we can all share. This path leads toward the completion of our own Revolution in other free societies, and the making of a world order in which a balance of terror would lose its power. I would suggest to him the historical reminder that peace can only be attained in freedom, and that it is peace in freedom that we all seek and must work to attain.

The President, in the conduct of the foreign policy of his administration, has enunciated several concepts related to the pursuit of peace in freedom.

As a nation endowed by God with great resources and one of history's great examples of just government by law, we are charged with the responsibility to lead the free world. The President has aptly remarked: "This Nation was born of revolution and raised in freedom. And we do not intend to leave an open road to despotism."

Secondly, our whole history and purpose as a people makes it impossible for us to be neutral in our devotion to the cause of peace in freedom.

Thirdly, in terms of the world alliance we lead, the historical encouragement disengagement would give to those intent upon conquest, and the vacuum of responsibility it leaves in a world of growing nuclear mastery, makes it clear that a leader of freedom cannot disengage without leaving not only itself but all others allied with it the quick target of aggressive despotism.

Fourth, we welcome all allies devoted to peace in freedom. In this regard, I think we should all be clear—despite our own intellectual differences—that we respect the right of every nation to seek freedom and equality, order and independence in its own way, flying its own flag, charting its own course.

We support the revolution of peace and hope sweeping the world, and we offer that support, as the President stated, "regardless of which political or economic route they choose to freedom."

Fifth, we recognize the right of every nation not charged with our responsibility or armed with our resources to pursue a policy of noncommitment, whether to us or any other power. Our alliance is one of voluntary commitment to peace in freedom. It is not cemented with force, not held together with the bonds of political domination and fear. We do not force nations to be our allies. And we resist efforts on the part of others to compel, coerce, or subvert them to be their allies.

Finally, in this open posture of support for all nations seeking freedom, our sympathies are manifestly with those seeking to end injustice, tyranny and exploitation, anywhere in the world.

The volumes of history that will be contained in this library make it plain why this is so. Even before we were a nation, as a group of rebels seeking freedom we had the support of LaFayette, De Kalb, Kosciusko, Steuben, and others. They were brave men

who crossed distant seas to help us fight for liberty. After we were a nation, we extended the hand of help to Louis Kossuth, Garibaldi, Mazzini, Carl Schurz, Lamartine, and others because they shared the ideals of our own Revolution. Even more recently, I recall with no sense of regret serving as a member of the Committee to Aid America by Aiding the Allies. In those dark hours of 1940, our Government welcomed and sheltered thousands of exiles from Europe.

It is clear that the idea of freedom has always been basic to our national policy—and with it, sympathy for those fighting for freedom.

We extend our full measure of sympathy and support to the true revolution and not the false one, to the revolution that seeks freedom and does not suppress it.

We know too well from the lessons of history that tyranny often seeks to disguise itself by the assertion of humane goals. For us, means as well as ends are important. And for us, while we recognize any nation's right to achieve a fashion of economic system of its own making, we do not concede the right in moral terms to fashion a political system which denies liberty, human dignity, and the rights of man.

I believe that these concepts, which are basic to our President's foreign policy, deserve and command the support of all who believe in a democratic way of life.

Yet, as I read the manifestos being circulated recently, I find that while there is not disagreement with these principles there is a note of scepticism about our commitment to allow any nation to pursue its own social and economic path to peace and freedom. I believe this scepticism is totally unwarranted. Our words and deeds bear eloquent testimony to our total commitment to the just aspirations of people everywhere. This is what the President, speaking for all Americans, has said on this subject:

"Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and success of liberty."

"We stand for freedom. That is our conviction for ourselves—that is our only commitment to others. No friend, no neutral, and no adversary should think otherwise. We are not against any man—or any nation—or any system—except as it is hostile to freedom."

"Asia, Latin America, Africa, and the Middle East—theirs is a revolution which we would support regardless of the cold war, and regardless of which political or economic route they choose to freedom."

The President's actions have been consistent with his words.

In the United Nations, we have voted against colonial powers even at the discomfort of allies.

We have extended material and economic aid to other nations embarked on more sweeping reforms than those of Castro.

The downfall of dictatorships in Argentina, Colombia, and Venezuela was followed by American support for the democracies seeking to bring hope and security to their people.

Our quarrel with Castro, as the President stated "is not over the people's drive for a better life. Our objection is to their domination by foreign and domestic tyrants. Cuban social and economic reform should be encouraged. Questions of economic and trade policy can always be negotiated. But Communist domination in this hemisphere can never be negotiated."

The situation we face is not that of social reform. Let us regard it clearly as the President describes it: "The menace of external Communist intervention and domination in Cuba." The real issue is the survival of freedom in this hemisphere.

I am sure that all men of good will are united in seeking a world in which genuine nonintervention in the struggle of nations to attain peace and freedom is practiced. But the dilemma facing us as a nation is that we who believe in nonintervention are confronted by a force that practices aggression in many forms.

Consider the words of the President: "They send arms, agitators, aid, technicians, and propaganda to every troubled area. But where fighting is required, it is usually done by others—by guerrillas striking at night, by assassins striking alone, by subversives and saboteurs and insurrectionists, who in some cases control whole areas inside of independent nations."

The basic dilemma is that kind of situation which was described a little more than a century ago by John Stuart Mill:

"The doctrine of nonintervention," he wrote, "to be a legitimate principle of morality, must be accepted by all governments. The despots must consent to be bound by it as well as the free states. Unless they do, the profession of it by free countries comes to this miserable issue, that the wrong side may help the wrong, but the right side must not help the right. Intervention to enforce nonintervention is always rightful, almost moral, if not always prudent. Though it be a mistake to give freedom to a people who do not value the boon, it cannot but be right to insist that if they do value it, they shall not be hindered from the pursuit of it by foreign coercion."

Today, in 1961, we must ask:

Will the wrong continue unopposed to aid the wrong while the right declines to aid the right?

I submit these thoughts and questions in the spirit of good intention—not to try to create a pale unanimity of views but to encourage all Americans to consider the full responsibility we carry.

At the signing of the Constitution, Benjamin Franklin remarked that he had been observing the painting of a sun on the chair in which George Washington sat. He said that it gave him happiness to know now that it was a rising and not a setting sun.

I think the world knows now that the light of freedom will rise over the exploited peoples of the world. They know that this Nation will commit its power, and its people, to the alliance for genuine social advancement in every nation. They know we stand for freedom and oppose tyranny, wherever it may appear, whatever form it may seek to shield itself from recognition.

It is that knowledge, and our own firm resolution, that will fix the course of history. It is in that spirit I dedicate this new monument to history today.

### The Agricultural Situation and Farm Legislation

#### EXTENSION OF REMARKS

OF

### HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 14, 1961

Mr. HUMPHREY. Mr. President, on June 7, the junior Senator from Missouri [Mr. LONG] delivered a remarkable speech, before the American Stockyards Association, at St. Joseph, Mo., on the agricultural situation, and, in particular, the farm legislation pending before the Congress. I ask unanimous consent that this thoughtful message by a well informed U.S. Senator who gives

a great deal of his time, attention, and ability to the problems of our agricultural economy be printed in the RECORD.

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

ADDRESS BY SENATOR EDWARD V. LONG, OF MISSOURI, AMERICAN STOCKYARDS ASSOCIATION, ST. JOSEPH, MO., JUNE 7, 1961

I am particularly happy to have this opportunity to meet with the members of the American Stockyards Association. I am a livestock producer myself, and I have a deep interest in the welfare of the livestock industry in all its phases, from production on the farm to distribution in the retail stores.

This is a big industry, a multi-billion-dollar industry; and it's growing. The better our standard of living, the more meat we eat. And today livestock and livestock products represent the big end of our agriculture economy. In the national interest, the livestock industry must be a growing, progressive industry, and I welcome all opportunities to be of service to you.

And let me say right here that it isn't easy for men in Government to serve the livestock industry, because there are so many varied viewpoints. Judging from the mail I am getting these days, there is a lack of enthusiasm on the part of a number of livestock organizations for the proposed omnibus farm bill now pending before the Agriculture and Forestry Committee. And I, too, am not happy with some of the sections in the first draft of the bill; but I am disappointed that these organizations have not proposed more desirable alternatives.

I wonder if the officers of the organizations who oppose almost every farm bill that comes before the Congress are fully aware of what's happening to the American farmer in this highly industrialized society of ours.

The 2 million families on commercial farms in America have less income, relative to nonfarm incomes, than at any time since the 1930's. The farmer has been pushed down the scale, while others have climbed to new highs.

For example, in 1951-52, workers on farms, including owner-operators, received a return of 90 cents an hour for their labor as compared with \$1.63 for manufacturing employees. In 1960, farmers got 82 cents an hour—8 cents less—while workers in manufacturing were raised to \$2.29.

This imbalance has been creeping up on us for some time, and one of the reasons for it is that industry is highly organized and centralized, while agriculture, by its very nature, is decentralized.

Not since the 1930's have manufacturers permitted themselves to be swirled and tossed from one reef to another by the normal forces of supply and demand. They plan, they budget, they adjust production to sales, and they try to avoid market-glutting surplus.

For example, I saw an item in the magazine Business Week, the other day, reporting that the iron and steel industry was operating at 50 percent of capacity at the close of 1960. The machinery industries were operating at 70 to 74 percent of capacity; the auto, truck and parts industry was operating at 80 percent; and the petroleum and coal products firms were operating at 81 percent of capacity.

The operating rate for all manufacturing industries at the end of 1960, according to Business Week, averaged 77 percent of capacity. Yet, these manufacturers were paying their workers better wages. They were asking and getting slightly higher prices for their products than a year earlier, and their profits were about the same as for the previous year, operating at 77 percent of capacity.

Now, contrast manufacturers and farmers: In 1960, farmers produced at about 98 percent of capacity. They placed 28 million

acres of cropland in the conservation reserve. The Government removed another 6 to 8 percent of farm products from commercial markets with its storage and food-for-peace programs. But farm prices were 12 percent lower; returns per hour of labor to workers in agriculture were 11 percent lower and the profits—net realized income—of farmers was 26 percent lower than in 1947-49.

I heard no criticism of the manufacturers for their actions in reducing production when inventories accumulated. There was no grumbling about making the unemployment payments to the workers who were laid off by the manufacturers. There was no public clamor that manufacturers should lower prices and operate at full capacity.

Yet, when farmers propose enabling legislation which would permit them to develop orderly marketing programs to accomplish what business and labor already practice under existing legislation, some organizations predict dire consequences.

Quite frankly, I don't know any better way for a Senator to be of service to the livestock industry than to attempt to correct some of the misconceptions of the officers of organizations who should be working to improve the welfare of producers, but aren't. I don't know of any greater service I can perform for the livestock industry than to help this great industry develop effective means for planning, budgeting, and orderly marketing, when the occasion requires.

In your own industry, you have procedures established whereby you can charge rates which will assure you a reasonable return on your investment. Why shouldn't farmers be permitted to develop programs and procedures to stabilize their prices and returns?

Why shouldn't they be allowed to organize into cooperatives and stabilize market supplies and prices under Government marketing orders which have demonstrated their effectiveness in California, in fluid milk markets, and in the marketing of perishable fruits and vegetables?

As I understand it, this is a purpose of the omnibus bill now under consideration by the Agriculture Committees of the House and Senate.

At this particular stage in our economic development where agriculture is often the forgotten segment of our economy, the Nation should be grateful that we have a dynamic, hard-working, hard-hitting Secretary of Agriculture, who fights for farmers and their rightful share of the fruits of their labor. In spite of an urban background, Orville Freeman is making a great Secretary of Agriculture. He has made a tremendous impression on all who have come in contact with him. He has mastered the complexity of the farm problem. He appreciates the great technical success farmers have achieved. He is using our abundant food supplies as a precious asset at home and abroad. He is publicizing the success story of American agriculture and recommending legislation whereby farmers with the help of Government can improve their economic welfare.

For the first time in many years, Congress and the Department of Agriculture are working together. I was proud to vote for the emergency feed grains program in March. I believe I served the livestock industry well by that vote, for producers of hogs, cattle, turkeys and chickens were facing still more cuts in income if feed grains were not stabilized.

Agricultural economists told the Congress last November that if feed grain production continued unchecked, the hog market would be 17 percent lower by 1965; eggs would drop 13 percent and hang there; turkeys would drop 10 percent; and cattle 9 percent.

Bumper feed grain crops force record numbers of livestock; and, to force the sale of the additional meat, the stores cut the price and

pass it on back to the livestock producer. And the man with the Herefords or the Angus takes the loss.

If annual feed grain production can be stabilized at 140 to 150 million tons, instead of 167 million, for the next few years, livestock producers as well as feed grain growers will benefit.

With stabilization of feed grain supplies, livestock producers can look forward to modest increases in cash receipts of 5 to 10 percent by 1965. Without stabilization of feed grain supplies, the future would be bleak, indeed.

I am happy to report that participation in the emergency feed grain program for 1961 has exceeded expectations. Farm income will be higher as a result of the program and Government costs will be lower. The buildup in Government stocks will be stopped and perhaps there will be a modest reduction this year.

But this is only a 1-year program. We must develop a longer-term feed grains adjustment program. And we must come up with a good wheat program. We should divert about 30 million acres which have been devoted to the production of feed grains and wheat to soil-conserving uses. Only in this way can we adjust current production to current needs and gradually work off our excess stocks.

And keep this in mind: These adjustments must be gradual. They should interfere as little as possible with our free enterprise economy.

In a little more than 300 years, American farmers have converted vast areas of forests, fertile plains, and semidesert lands into highly productive farms. Sons and daughters from every country of Europe and from most parts of the world contributed to this great development. They brought the skills and know-how from their home communities. They brought crops and animals from all parts of the world and adapted and improved them.

Every farm family has been free to make as much or as little of its economic opportunities as it wished. Every farm family has shared the great American dream that there is no limit to the opportunities available to the children born on the farm.

We have buttressed individual enterprise in agriculture with the finest technical services and the most extensive research facilities in the world. Scientific developments in the last 75 years, largely originating in the Government-supported agricultural colleges, and the U.S. Department of Agriculture, have resulted in more progress in American agriculture during this period than any place else in the world in the previous 7,500 years.

In the last two decades, the American farmer nearly tripled his output per hour of work. Nothing like this has ever been known in the world before. It is one of the significant and important breakthroughs of human history.

As a result of this remarkable forward surge, one-third fewer U.S. farmers produce food and fiber for one-third more people than 20 years ago and provide them with better diets for a smaller proportion of their income than can be found anywhere else in the world.

For 1 hour's pay, an average industrial worker in the United States can buy a normal meal for four persons—a good meal consisting of beef sirloin, potatoes, cabbage, bread, butter, milk, and a serving of fruit. In Germany and England, it takes 2 hours' work to buy the same meal; in Austria, 4 hours; in France, 4½ hours; and in Italy, over 5 hours.

Nothing impresses Russian visitors to the United States more than our farms and our food supermarkets—especially the high quality of the foods and their low prices in terms of workers' wages.

The livestock industry is proud of its contributions to this magnificent record.

But the evidence is unmistakable; usual supply and demand forces will not achieve an equilibrium in agriculture at satisfactory price and income levels under the conditions of rapid technological advances operating today. The livestock industry must develop ways and means of operating at somewhat less than full potential capacity, as occasion demands, similar to the practices of other manufacturing industries.

Current industrial practices have not prevented technical progress in industry. They have not changed our basic free enterprise system with its emphasis on individual and corporate enterprise.

Livestock producers are searching for ways of adapting for agriculture the industrial practices which make it possible for an industry to adjust its production to market demands.

I know of no better way for a Senator to serve the livestock industry than to help them in this undertaking.

## How To Start Things Booming Again

### EXTENSION OF REMARKS

OF

### HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, June 14, 1961

Mr. WILEY. Madam President, stimulating the economy to full recovery, after our setback, will require a real reinvigoration of our free enterprise system.

Everyone knows that one of the challenges we are facing on the homefront is the challenge of inflation, the challenge which arises from the fact that if the amount of money we spent unbalances our economy, we shall have an inflated dollar, and that will deprive those who have insurance and those who have Government bonds of much that they have accumulated by their hard work and sweat. That is also a real challenge to our country, and it is one which we must not neglect.

When we think about spending, we must also think about what we are frittering away of those who kept the country solid in the days gone by, as well as at the present time. Therefore, in evaluating and determining what we shall spend now—and I shall not say that we should hesitate to spend a needed dollar, but we must be sure that it is really needed—we must carefully determine the facts.

In the face of economic, or other difficulties, we often look for new, miracle-type solutions. It is true that such ideas are always welcome and, in many cases, essential.

Nevertheless, we cannot—and must not—overlook the fact that improvement of existing methods and procedures can make an effective contribution to progress. That is what I was talking about a few minutes ago; namely, the imperative need to have economic, political, and military diagnosticians who know the needs and know how our funds can best be spent.

Recently, the Secretary of Commerce, the Honorable Luther Hodges, wrote an article, which was published in *This Week* magazine entitled, "How To Start

Things Booming Again." The article stresses—and rightly so—that a little more "oomph" in our enterprising system, particularly in selling, could be a real boon to our economy. It reemphasizes that "prosperity is everybody's business," and proposes constructive suggestions on spurring economic progress. I request unanimous consent that the article be printed in the RECORD.

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

**HOW TO START THINGS BOOMING AGAIN—PROSPERITY IS EVERYONE'S BUSINESS—THE SECRETARY OF COMMERCE, IN ONE OF THE MOST IMPORTANT ARTICLES WE'VE EVER PUBLISHED, WRITES A PRESCRIPTION FOR A BETTER AMERICA**

(By Luther H. Hodges, Secretary of Commerce)

It appears that I touched a sensitive spot when I said to a press conference recently: "If you really want to find what's wrong with this country, then you ought to see how little we are trying to sell. Try to go to a hotel and see how you are handled by the clerk or try a railroad for courtesy and you'll see we are not doing a half job of selling in this country."

Aggrieved cries came from representatives of industries I had cited as showing discourtesy and lack of attention to customers. Spokesmen for hotels, airlines, railroads all pointed out, and quite correctly, that for some years they have conducted training programs and customer service.

Yet all of us—housewives as well as businessmen—have had experiences of the kind I complained about. Your letters made plain to me that we need to put a lot more courtesy and enterprise into our selling. They'd be wonderful qualities in our daily lives, whatever our occupation, and applied to selling, would do much to get our economy moving to higher ground.

Listen to what a Tennessee man wrote me: "What an understatement you made. I have visited six auto dealers to try to trade for a new car. Only one dealer really tried to trade with me and I purchased his car, and honestly, I least preferred his make. One tried a little to sell me and the other four left the impression they would rather keep their cars."

Or a man from Lancaster, Pa.: "I am a small businessman and I know how rough it is to try and get someone to sell something."

A Norfolk, Va., man who has been in sales work 53 years says: "Customers should be treated right and not given any fancy upstaging. I could recite instances again and again of my own experiences, when I've wanted to buy something, some item I really needed, and had the cash right in my hands—and I just didn't get the service."

#### HOTELS AND AIRLINES, HEAR THIS

From Winston-Salem, N.C., comes a complaint that an airline "has thrown me off more flights because they have been oversold and haven't been the least bit courteous about it." After noting also that "in hotels with national reputations" he has been put "in rooms not reconditioned for occupancy," this citizen declares:

"If they would do a good job of selling their product, the public would bend over backward to support them."

The same anemic attitude toward salesmanship that is draining vitality from our domestic economy also drags our export level below what it can and should be.

The U.S. Department of Commerce sent export survey teams to key areas of the world last year. Our experts who went to Australia and New Zealand came back and told us of a startling number of cases in which

potential new customers had been almost literally turned away. They heard complaints from executives of more than 100 firms "down under." Though growing in the special soil of the export situation, most of them originate in the same root as our selling troubles at home—we're just not being courteous to the customer.

I was shocked and ashamed to hear that Australian businessmen, and many of their colleagues in other lands, said that a number of U.S. firms failed to answer their mail, acknowledge orders, or supply needed technical information.

The situation is similar in our own backyard—Mexico and Central America. Though we are still the leading supplier there, our share of the market has been declining, while West Germany, Japan and others are improving their positions. Why? Not just lower prices. The 150 local businessmen interviewed in this area said we could overcome a price disadvantage of as much as 15 percent—if we gave thoughtful consideration to the needs of the local distributors on such matters as credit, delivery, service, parts, and packaging.

Thoughtful consideration to the needs of the customer—that's our problem everywhere. But so pitifully little is being done about it in relation to the need! Only about 1 percent of the people engaged in sales and service are taking extension courses in distribution. And less than 10 percent of industry's research dollar goes to improve the efficiency of marketing the products that are improved with the other 90 percent.

#### NEEDED: 6 MILLION EXPERTS ON SELLING

Without more training, where will we get the 6 million additional people who will be needed during the next decade in sales, clerical, and service occupations? How will they learn to sell and service the deluge of new products that's on the way—even today, about one-third of all sales revenue is from products that did not exist 10 years ago.

Salesmanship alone, of course, will not provide a magic solution to our complex economic problems. The President has sent to Congress a whole package of constructive proposals to help us grow. But I believe salesmanship can give just that extra push we need to get moving toward the new heights of which our economy is capable.

If we did a better selling job at home, it could bring about a slight but important shift in how we consumers divide our income between spending and saving. During the prosperous year 1955 we spent 93.7 percent of our personal income after taxes; in the last quarter of 1960, only 92.4. A 1-percent shift in favor of spending would mean sales of about \$3,500 million more goods. Once consumer goods start moving faster, businessmen will be more inclined to invest in modern machinery, which is a key to prosperity at home to success in competing for the export market.

If we project a vigorous desire to serve we should also be able to do a much better job of selling abroad. Today we send only 4 percent of our gross national product into the channels of world trade, a far smaller percentage than other nations. We—business, labor, and Government together—have a heavy stake in increasing exports. For business it means greater profits. For labor, every \$6,000 of export sales provides one job. For the Government, and that means for all of us, it helps to keep the dollar sound, as the President has pledged to do.

Any businessman who really wants to sell his products or services at home or abroad can get help from the U.S. Department of Commerce.

Suppose he wants to know where the best domestic sales opportunities are. He can draw on \$135 million worth of our census statistics, some of them broken down as fine as a city block.

#### HELP IN SELLING OVERSEAS

If he wants to sell overseas (and I hope more manufacturers will—today less than 5 percent do) we can help him with information we and the State Department collect from 260 oversea points. (Much of this material is published in our Foreign Commerce Weekly, available for \$6 a year from the U.S. Government Printing Office. A bit of selling by Luther Hodges, with no apologies made.)

Businessmen and women who have tapped the resources of our Washington or field offices often tell us that this act was the starting point of their selling-success stories. Mrs. Helen Sullivan, export manager of Mixermobile Manufacturers, Portland, Oreg., offers this colorful example:

"The first step we took was to analyze the foreign market with the help of the local department of commerce.

"It was up to us to make each one of our prospective dealers feel that he was the only one who could sell Scoopmobiles for us and that his success was the most important job that we had.

"We followed with the very best possible service we could render. To illustrate: A cable from Stockholm advised us they had a machine down at Kiruna, at the Arctic Circle, and could we air freight the repair part. Well, I dashed downstairs to make sure we had the part, tagged it for export, sent out an S O S for the boxer-carpenter, and dashed back upstairs to make up the shipping papers. Within 40 minutes that part was on its way to the airport. The Swedes now think that Scoopmobiles are the next best thing to nude bathing."

We may never face the same problem as Mrs. Sullivan, but whether we're doing business across the Atlantic or on Broadway or Broad Street, let's take the "how can I help you?" approach.

Businessmen must study intensively the customer's needs and wants, using both Government data and personal investigation. Then they should do some critical self-questioning: "Is our product, in the form we now make and package it, just what the customer can best use? Could we perhaps adapt it just a little better to his requirements?"

Having made sure what the customer wants, they face the all-important step of presenting the product to him. That boils down finally to an effective person-to-person contact. The best advertising in the world will be useless if a rude or uninterested salesperson handles the job.

We must face up to our growing need for salespeople who radiate courtesy and an attitude of service to the customer, and have the knowledge about the product to be really helpful. Anyone who wants to make a career in selling must recognize that it takes training, and from time to time retraining, to keep up with change.

#### THE ONE WORD SECRET OF SELLING

Some may ask, "Is a career in sales worth that much effort?" I can testify that it is, both in financial reward and the satisfaction that comes from being of service.

The problem of salesmanship is not a problem for businessmen alone. What I am talking about is an attitude toward people, which concerns every one of us. It could be boiled down to the one word "courtesy," defined as a regard for the other fellow.

If we breathe this spirit into our transactions, we'll get results. I know I have always found this so. During my first campaign for public office, I introduced myself to a stranger and told him I'd like him to vote for me as Lieutenant Governor of North Carolina. "I will," he said.

I was so taken aback by his prompt response that I asked, "Why?"

He said, "Because you're the first person who's ever been interested enough to ask me."

SECRETARY HODGES' THREE-POINT CODE FOR SALESMAN

1. The customer is a human being. As such, he deserves and will get my respect and courtesy whether he buys anything or not.
2. The customer is an individual. He has his own special needs and feelings. I will seek to understand his feelings, just as I hope he will try to understand mine.
3. The customer has a right to information and the salesman an obligation to provide it. As a salesman who takes pride in his job, I will make it a point to learn all there is to know about my merchandise.

**Bids for Purchases of Coke**

EXTENSION OF REMARKS

OF

**HON. JOHN P. SAYLOR**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. SAYLOR. Mr. Speaker, through some strange machinations between the State Department and the Department of Defense, bids for purchases of coke by the Armed Forces installations in Europe are reportedly about to be made on a wide-open basis. In other words, although our coal producing areas are most predominant among the Nation's labor surplus regions, a department of the U.S. Government is willing to ignore these conditions completely and abjectly. By opening bids as presently planned, it is not unlikely that some of the coke may come from coal produced within Communist nations.

Actually, Mr. Speaker, the maneuver would not only deprive the American coal industry and American coal miners of an important business order; it would also preclude coke producers in this country of an opportunity to enjoy much-needed business.

The whole philosophy involved in this issue is most perplexing. One of the most sensational steps in the very first weeks of the new administration was to clamp down on purchases of foreign-made products by American personnel abroad as a medium of halting the outflow of gold from this country. I remember particularly an instance in which an officers' club was prohibited from purchasing materials in Europe that would have amounted to several thousands dollars. A laudable project, one might surmise at first glance, but the amount is infinitesimal when placed alongside the jackpot that the Defense Department is willing to invest in alien coke.

The expenditures for the officers' club would have come from the pockets of American servicemen; money for buying the coke is to come from the U.S. Treasury. In contrast to the few thousand dollars which were held up to curb the outflow of gold from this country, the coke purchases would amount to approximately \$18 or \$20 million. I submit that this matter is completely counter to the stated policy of the administration and that it constitutes a shameful retreat from responsibility in international affairs.

Mr. Speaker, today is Flag Day. It should not be necessary to remind the Congress that many of our unemployed miners, railroaders, and others depending upon a vigorous coal industry for subsistence are veterans who so heroically served the flag in the far corners of the world within the past two decades. These are the men for whom the postwar picture was painted in glowing relief, yet were to come home to find that their interests had been subordinated to the desires of the nations they had liberated—yes, and those they had fought.

In central and western Pennsylvania are hundreds of families who, because of the devotion of the Federal Government—particularly the State Department—to international causes, have been forced to subsist on submarginal income almost from the end of World War II. Few industries are escaping the impact of foreign commodities that are welcomed into our domestic markets. Those who depend upon the coal industries are major victims. They have had their jobs washed away by the deluge of residual oil entering the east coast.

Now that the U.S. Government has an opportunity to create some job opportunities by purchasing coke for our Armed Forces from this Nation's producers, there comes the strange announcement that the order can be filled by any nation, including those in the Red orbit.

I suggest, Mr. Speaker, that if Congress wishes to observe this June 14 within the true spirit of its meaning, we indicate to the State Department and the Defense Department that we will no longer tolerate policies that disregard the welfare of our people in order to placate the beneficiaries of our largess who somehow are able to develop so many sycophants among American personnel abroad.

I wish to include as a part of my remarks communications which I have received from American firms who are desirous of participating in the bids for the coke requirements of the Department of Defense:

BOSTON, MASS., June 12, 1961.

HON. JOHN P. SAYLOR,  
House Office Building,  
Washington, D.C.:

We request opportunity to bid on Department of Army's European coke requirements for fiscal year 1962.

EASTERN GAS & FUEL ASSOCIATES,  
C. R. WALTON, Vice President.

PITTSBURGH, PA., June 12, 1961.

HON. JOHN P. SAYLOR,  
Representative, Old House Office Building,  
Washington, D.C.:

We have two coke plants in Pennsylvania which are working at less than 40 percent capacity with resultant unemployment. We would be most anxious to bid on any coke sold to Armed Forces in Germany.

CARPENTERTOWN COAL & COKE CO.  
PITTSBURGH, PA.

NEW YORK, N.Y., June 12, 1961.

HON. J. P. SAYLOR,  
House Office Building,  
Washington, D.C.:

Unofficial advice received that State Department rules that domestic producers of coke will not be eligible to participate in U.S. Army requirements in Germany bids

opening June 14. Please use your good offices to protect U.S. producers.

UNITED EASTERN COAL SALES CORP.

PITTSBURGH, PA., June 13, 1961.

The Honorable JOHN P. SAYLOR,  
New House Office Building,  
Washington, D.C.

On connection with the coke requirements for Germany during the next heating season we have available 800 idle coke ovens and a plentiful supply of high-grade coal for use in these ovens respectfully submit this information as indication if need for coke to be furnished from United States.

EMERALD COAL AND COKE CO.  
W. L. AFFELDER, President.

WINSLOW-KNICKERBOCKER COAL CO.,

Philadelphia, June 9, 1961.

HON. JOHN P. SAYLOR,

Cambria Congressional District, Pennsylvania

DEAR SIR: We are writing to inform you that we are actively interested in the American Army Board tender, calling for 810,000 tons of coke for use throughout western Germany. This tender opens in Germany June 14, 1961. To date, our information from the chief of procurement in Germany is to the effect they will consider only coke purchased on an international basis.

Please be advised that we, acting as sales agents, are firmly of the opinion that the entire tonnage can, and should be, purchased from America. In this instance, one of our principals is Bethlehem Steel Co.

Since time is beginning to run out, we earnestly ask that you place these facts before the Department of Defense.

As you are well aware of the American gold situation, we feel proper action should be taken strongly and immediately. Some of the pertinent facts involved over and above the gold shortage are:

1. 1,000,000-plus tons of American coal will be coked in the United States of America.

2. The extremely valuable chemicals produced as byproducts are in severe shortage in this country, and America is forced to purchase these distillates from Europe at exorbitant prices and freights.

3. Our labor surplus areas need help desperately.

4. Large amounts of foreign coke are produced from coals within the Iron Curtain.

It would appear that the United States of America cannot overlook this coke movement as we not only will be competitive, but more important is the tremendous flow of our dollars going the wrong way.

We respectfully ask your cooperation in this matter.

Very truly yours,  
WINSLOW-KNICKERBOCKER COAL CO.,  
DAVID E. WILLIAMS III, President.

**Congressman Lane's Statement Before Veterans' Affairs Committee in Support of His Bill, H.R. 700**

EXTENSION OF REMARKS

OF

**HON. THOMAS J. LANE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following, which is part of my statement before the Veterans' Affairs Committee on June 13, 1961, in support of H.R. 700, my bill to remove

the discrimination that operates against disabled veterans under the National Service Life Insurance Act:

STATEMENT OF HON. THOMAS J. LANE, OF MASSACHUSETTS, BEFORE THE COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, IN SUPPORT OF H.R. 700, TO ESTABLISH A 1-YEAR PERIOD FOR THE ACQUISITION OF NATIONAL SERVICE LIFE INSURANCE BY INDIVIDUALS SUFFERING FROM A SERVICE-CONNECTED DISABILITY, JUNE 13, 1961

Mr. Chairman and members of the committee, the purpose of H.R. 700 is to remove the discrimination that operates against disabled veterans under the National Service Life Insurance Act. At the outset, we should recognize that there must be some difference between Government insurance for veterans and private insurance for civilians. It is standard practice for insurance companies to reject an application for life insurance when the applicant, upon examination, is found to have a disability.

I do not believe that the U.S. Government should follow such practices in denying coverage to disabled veterans of its military service. Their disabilities were caused by that service, and the Government has the moral duty to approve their applications for national service life insurance. In many cases, these disabilities were suffered by service men and women who neglected to take out insurance. In other instances, the disabilities were established after they had been separated from service, and it was too late for them to acquire such coverage.

According to the standards of good health that guide the Administrator, a veteran with a service-connected disability of 10 percent or more cannot qualify for NSLI. There seems to be a conflict between disability compensation and life insurance, whereby the presence of one rules out the other. Although these veterans receive monthly compensation at varying rates, neither they nor their survivors have any life-insurance protection as veterans to take care of those obligations that follow death.

There is irony in the fact that other veterans, and particularly those without any disabilities, are protected. Disabled veterans cannot qualify for any type of conventional life insurance—public or private. As a result of their sacrifices for the defense of our Nation and all of its people, these veterans find themselves in the paradoxical position where their own Government does not consider them a good risk for life insurance.

The National Service Life Insurance Act of 1940 overestimated the projected mortality rate of veterans. This, plus the advances of medical science that have lengthened the average life span of veterans, led to an overcharge on premiums paid. As a result, a large surplus was built up in the fund. To reduce this, a special insurance dividend will be paid this summer to veterans holding national service life insurance or U.S. Government life insurance. The administration has announced that there will be special refunds on premiums paid by 4.8 million World War II veterans, and 200,000 veterans of World War I. These will be in addition to the regular insurance dividends paid earlier. Korean veterans were offered less attractive national service life insurance contracts. No dividends would accrue for the nondisabled. A large surplus in the revolving fund developed. The availability of such insurance terminated on December 31, 1956.

I bring out these facts to show that the funds are "over-healthy" and would not, under any circumstances, be jeopardized by the proposal to make this insurance available to veterans with service-connected disabilities.

H.R. 700 will permit for 1 year after enactment, the granting of national service life insurance to such veterans, and will permit veterans with service-connected disabilities

less than total, a grace period of 1 year to obtain disability income protection under national service life insurance.

Obviously, this will apply only to a limited number of veterans out of the whole veteran population who, by reason of wounds, injuries and diseases suffered as a result of their military service, are most worthy of this protection.

It provides that such veterans will have the opportunity for 1 year, to come under the coverage of national service life insurance upon payment of the specified premiums.

## Neglecting Human Nature

### EXTENSION OF REMARKS

OF

### HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. SHORT. Mr. Speaker, we are being bombarded from all sides today with propaganda favoring medical care for the aged, financed through the social security program. This, of course, is to be expected since many campaign promises were made to pass legislation of this type—regardless of the fact that in 1960 Public Law 778, commonly called the Kerr-Mills Act, was passed, by an overwhelming vote of 381 yeas to 23 nays in the House and an equally overwhelmingly vote in the Senate of 74 yeas to 11 nays.

The Kerr-Mills Act requires matching funds from States who desire to take part in the program. It is administered locally, on the basis of need. Benefits and beneficiaries are determined locally where it would be well known who were the malingers willing to get "something for nothing."

That there are such malingers is a fact known to all who have any knowledge of human nature. This has been pointed up by an editorial in the Wall Street Journal of June 13, 1961, entitled "Neglecting Human Nature." The editorial reminded me of the fact that human nature will not be changed by legislation, regardless of how praiseworthy it may be. It mentions the experience not only of Great Britain, but in one of our own States, Colorado, which had to face this unpleasant facet of human nature after launching a program of medical care in 1956.

North Dakota was also mentioned as having learned from Colorado's experience. Our State has a good program, established many years ago, and financed by our State sales tax. In addition, on March 20 of this year, our State legislature passed the Medical Assistance for the Aged Act, in response to the requirement of the Kerr-Mills Act which made it necessary for States to either pass legislation or use already existing legislation on their books if they desired to join in the program of health care for the aged. One of the wise provisions in the North Dakota act is that minor medical expenses are not intended to be covered, thus removing quite a bit of the temptation inherent in all Federal

aid programs for people to "git while the gittin's good."

Kentucky, Massachusetts, Michigan, New York, Oklahoma, Washington, West Virginia, Puerto Rico, and the Virgin Islands have also passed the required measures and submitted their plans and are now making use of the program. North Dakota is among another five States who have passed the necessary legislation but are in the process of preparing their program for submission to the Federal Government for approval, and legislation is being considered by Delaware, Florida, Louisiana, Minnesota, the District of Columbia, and Guam.

Slowly but surely the Kerr-Mills Act is being implemented and put to use. I fail to see why the present administration is so insistent upon medical care for the aged under the social security program unless they do not care for the fact that the Federal Government cannot, under the Kerr-Mills Act, dictate who should be helped, the type of benefits they should receive, or more important—who should contribute. If they can successfully divert the attention of the public from the fact that Public Law 778 is wise legislation and being put to use, perhaps the social security approach can be sold. An official of the AFL-CIO, which of course supports the social security financing approach, has been quoted as saying "there is no massive disillusionment on the part of our people on what has happened to the States on the 1960 bill. Our people never really expected it to be an adequate answer to the health needs, and so far that opinion seems to be confirmed." Perhaps he should specify who "our people" are. It evidently doesn't mean many people represented by State legislatures in the 14 States who have passed the required enabling legislation in order to take part in this voluntary program for medical care for the aged.

I like to feel that wisdom is not reserved specifically to the Federal Government, but that it is altogether possible many in our State and local governments might possess just a mite at least of that precious commodity. There are times when it is difficult for the average person to remember that these all-wise Federal Government officials actually were born and reared in specific States and attained at least a portion of their wisdom back home. I am certain they were not all born in the shadow of the Capitol of the United States—the center of our Federal Government.

Let us cease downgrading our State and local governments, and treating them as poor relations with no educational advantages, and, of course, no wisdom. What is that magic alchemy which transforms the persons who come to Washington into the all-wise, all-benevolent creatures which some of the propaganda we read would have us believe them to be? Could it be that distance and the availability of unlimited tax funds from the States creates the magic?

In requesting permission to have the editorial "Neglecting Human Nature" inserted in the RECORD, I would like to

add a quotation of which it reminded me, which goes like this:

Whereas necessity ends, desire and curiosity begin; no sooner are we supplied with everything nature can demand, than we sit down to contrive artificial appetites.

And a further quotation:

A wise man will desire no more than he may get justly, use soberly, distribute cheerfully, and leave contentedly.

[From the Wall Street Journal, June 13, 1961]

#### NEGLECTING HUMAN NATURE

In their understandable concern with human problems, the advocates of Federal medical care for the elderly, paradoxically, seem almost oblivious to human nature. That is to say, the administration's immensely broad definition of "need" takes little account of the temptation thus offered to abuse.

We do not suggest for a moment that even a sizable minority of the 14 million prospectively eligible citizens would succumb to the lure of "something for nothing" at another's expense. In view of the generous array of benefits proposed, however, it would not take very many malingers to throw the administration's program out of whack while denying assistance to the truly needy.

Great Britain's increasingly costly government health service has encountered precisely this difficulty. Complaints are common that hospitals and waiting rooms are crowded with the healthy "sick" to the detriment of the genuinely ill.

But there's no need to look abroad. Consider the experience of Colorado, reported in this newspaper the other day. Its program of medical care for State pensioners was launched in 1956 with a \$10 million budget that seemed adequate for many years. Today, despite retrenching, Colorado's medical plan is running an estimated deficit of some \$600,000.

State Welfare Board Chairman Walter R. McKinstry speaks bluntly of the main reason: "When the State put up that money, it was like everybody had come into a big inheritance. Too many pensioners with colds and hernias decided it was time to go to the hospital. It wasn't long before we reached the bottom of the barrel."

Other States with similar programs are learning from Colorado's experience. North Dakota plans to demand contributions from the families of patients whenever possible. New Mexico which found that unlimited benefits were rapidly exceeding the budget, now restricts hospital care to cases involving the most serious illness. More generally, private health plans across the country are tightening safeguards against cheating under the spur of alarming rate increases.

To be sure, possible abuse of health-care privileges is not the only, or even the main, objection to a Government program of mass medication. But it is surely a real one, which deserves far more serious consideration than Congress has so far given it.

### Knowing Communism

EXTENSION OF REMARKS

OF

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. WILLIS. Mr. Speaker, on Sunday last, June 11, the distinguished chairman of the House Committee on Un-American Activities, under whom I have the good

fortune to serve, prepared an address for delivery at the graduation exercises of the Naval Reserves at the Willow Grove, Pa., Air Station.

No living American is more qualified to discuss the subject of his address, "Knowing Communism."

Unfortunately, my esteemed friend, "TAD" WALTER, was laid up with a virus infection on the date of his scheduled address and his prepared speech was delivered by Mr. Frank McNamara, research director of the committee. I am told that there was a standing ovation at the conclusion of the address, as well there should have been, because, having read it I can attest to its importance and appropriateness during these trying times.

The address follows:

Distinguished guests, ladies, and gentlemen, I feel particularly honored in having the opportunity to speak at this commencement exercise of the Willow Grove Naval Air Station's Reserve Officers School because, in addressing members of our military Reserves, I am addressing men who are potentially the most effective combatants our country has in the war it is now fighting for its very existence.

Many of you may wonder why I should say that Reserve officers can be more effective combatants than those in the active service. I say it because of the nature of the struggle in which we are engaged. Today we are actually at war, whether or not all of us realize it. It is not a war of our choosing. It is a war thrust upon us by others. A war that was first declared on us—and all free peoples—by Marx and Engels when they stated in the closing words of the Communist manifesto:

"The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions. Let the ruling classes tremble at a communistic revolution. The proletarians have nothing to lose but their chains. They have a world to win."

Lenin reaffirmed the existence of this state of war on numerous occasions. In one speech, delivered on November 26, 1920, he stated:

"As soon as we are strong enough to defeat capitalism as a whole, we shall immediately take it by the scruff of the neck."

And, in this same speech, he also declared:

"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."

Stalin was equally blunt about this state of never-ending war between the Soviet Union and the United States. In 1925, after referring to the two camps into which the world was—and still is—divided, the "socialist" camp, as he called it, headed by the Soviet Union and the capitalist bloc headed by Great Britain and the United States, he summarized the issue between them in these words: "Who will conquer whom?—That is the whole question."

Could anything be plainer than Khrushchev's "We will bury you"?—or his somewhat nicer sounding, but equally deadly statement made this March 21:

"We shall be happy when we build communism. But this is not enough. We shall be happy when the peoples of all countries stand under the banner of Marxism-Leninism, and when on the earth, on the whole earth, throughout the planet, the communist banner flies in a world communist society."

Last fall, 81 of the world's 87 Communist Parties met in Moscow and, on December 5, 1960, adopted a statement on what they, in their Aesopian language, called "the great struggle waged by the world Communist and working-class movement \* \* \* for the triumph of the cause of peace and socialism."

By that, they meant the victory of communism, the subjugation of every nation on earth to a global Red totalitarian dictatorship with its ultimate source of power in the Kremlin—and, of course, they also meant the utter defeat of the United States of America.

After so many unequivocal statements by the leaders of world communism, there should be no doubt in the mind of any informed, rational person about the fact that we are at war.

Is this a shooting war? It is—at times. It was a shooting war in Korea, and in Cuba, and before then in China, the Philippines, and Greece. Today, it is a shooting war in Laos and South Vietnam—as it has been in Quemoy and Matsu. At any moment, when Khrushchev, the supreme commander of the enemy forces, decides the time is ripe, it can—and will—become a shooting war in other parts of the world. Berlin, for example, is one other spot where, in the near future, we may be forced to either shoot or pull out in abject surrender.

But the important thing about this war is that it is not just a military or shooting war, here and there, now and then. It is a total war, encompassing every phase of human life and every conceivable weapon. Often the most deadly weapons used by our enemy in this war are not conventional military weapons—bullets, tanks, planes, bombs, battleships or missiles. They are, rather, political, propaganda, and agitational weapons which can be as deadly as any guided missile—leaflets handed out on a street corner or at a meeting, a petition to ban nuclear weapons tests, a summit conference or a trade deal, a sitdown demonstration against civil defense exercises, a student riot.

It is a war that, as the Communist leaders have told us over and over again, will not end until they are destroyed or they have destroyed the United States. The war goes on every hour of every day, every day of the year, on the economic front, on the diplomatic and political front, the trade front, and the propaganda front; in the fields of espionage and sabotage; in guerrilla warfare, and in the exchange of cultural, scientific, educational, and other professional delegations between this country and the Soviet Union.

Can the professional military man fight this type of warfare? Because of our tradition separating the military from political life, he can play only a very limited role as a combatant. In the field of military science, he can learn as much as is humanly possible and see that all those under him do the same, so that if and when a military showdown comes, our forces—on the sea, on the land, and in the air—will make the best possible showing. He can also give his troops some knowledge of nonmilitary or political warfare and try to impress its vital importance upon his personal friends who are not in service. But that is about the limit of the role the average active duty officer can play.

Reservists such as you are in a different category. You are primarily civilians. As such, you can play a most active role as effective combatants in the nonmilitary phases of this total war—the phases that may decide its outcome without a shot being fired. It is an ironic fact that, though for years we have been spending billions for our military defenses—far more than at any time in history when we have not been actively engaged in a shooting war—the outcome of this life and death struggle with communism may be decided without our military forces being totally committed.

Many of our traditional fighting men may play no role in the final phases of the most momentous war the United States has ever fought.

We must worry about the Soviet Empire's military forces—and certainly about our own. We would be fools if we did not do so. But Khrushchev would like to conquer us peacefully. He would prefer not to risk hydrogen bombs and nuclear missiles on Moscow. Through subversion and revolutions in other nations, by successful trade, political, economic, and diplomatic warfare, and by hoodwinking us into surrendering our ultimate defense weapons or into never developing them, Khrushchev could eventually leave us isolated in a Communist-neutralist world, bring us to our knees economically—and then give us the choice of surrender or annihilation.

Unfortunately, our front is not limited to the battle lines of some possible future military engagements. Our front today is in Korea, on Formosa, in Laos, South Vietnam, Cuba, Guatemala, the Congo, Indonesia, Yugoslavia—and even within the walls of the Kremlin itself.

Day-to-day battles in our war are being fought in these places and also in the policy-making sessions of the State Department; on the floor of Congress; in our schools, churches, and colleges; in trade unions; in parent-teacher associations and civic clubs; foreign policy discussion groups; letters to the editors of newspapers and magazines; in books, films, radio, and television programs; in every type of organization and activity, governmental, and private, from the street and community level up to the White House.

Each one of you belongs in the front line in these engagements, just as surely as you will belong at your battle stations, if a shooting war starts.

Today, I ask all of you to ask yourselves this question: "Am I prepared to fight effectively in these engagements?"

Before you can answer that question, you must ask yourself another one. It is this: "How much do I know about communism? And about political warfare?"

If the answer to these questions is "little or nothing," you know that you can be of little or no service to your country. The first rule of all warfare—and as men with military training, you realize this—is to know your enemy. You cannot fight an enemy you do not know, and you cannot successfully engage in any combat unless you know its fundamental principles and something of strategy and tactics. In this respect, you have an advantage over many civilians as far as the present crisis is concerned. Because of your military training, you can readily appreciate this truth and the fact that, if you lack knowledge in these fields, you must do something about it—or go down to defeat if you dare to enter the battle.

In addition, because you are military men, by avocation at least, you are aware of another basic principle of warfare that too many of our citizens—and, I am afraid, too many of our Government officials as well—seem to be completely unaware of: the fact that when you are engaged in warfare you have only one aim in view—victory, the defeat of your enemy. Until the moment he surrenders, you take the offensive whenever and wherever possible. You give him no quarter, and certainly, in any warfare in which the fate of your country is at stake, whether that warfare is military or non-military, there is no substitute for victory.

Very soon, before it is too late, we Americans—every one of us—must realize that if we are to remain free and if our country is to be saved, there can be no substitute for the defeat of the forces of communism everywhere. There can be no substitute for victory over Castro, over Khrushchev, over Mao Tse-tung, and Ho Chi Minh, and every other Communist leader and Communist Party in the world. This is the reality we are con-

fronted with. It is the reality we must perceive.

Why is victory not ours today? A few short years ago we were without question the most powerful, the richest nation on earth. Our educational level is high. Our schools and universities, as far as plant and technical facilities are concerned, are second to none. For about 15 years our national leaders have given at least verbal recognition to the fact that we have been in a cold war with communism. Some 13 years ago we took a definite foreign policy stand referred to as "containment." We announced to the world that, by military pacts and alliances, we would halt the spread of communism and contain it within its then-existing borders.

In spite of this, however, the Communists have since seized control of China. They have also seized control of North Vietnam and of Cuba. Laos may soon become their prey. The Soviet Union's influence and power has grown in many nations of Latin America and on the African Continent. Khrushchev now boasts that the balance of world power has changed—in his favor.

Are we inferior to the Communists? Is that why we are losing? Basically, of course, we are not. We are superior to them in many respects. But as a nation, we are inferior to the Communists in our understanding of the present struggle and of the enemy we face in it. They know us and our methods much better than we know them and theirs. For too long, we have been escapists. We have refused to face the harsh reality of the state we are in. For that reason, we have not adopted the only policy that can save us. We will continue to lose and the Communists will gain more and more power and territory until we learn to face the truth and act accordingly.

As a policy, containment was doomed to failure. It never would have been adopted by a nation that really understood communism. Under this policy, we, in effect, attempted to build a kind of maginot line around the Communist bloc countries to halt the spread of communism. But anyone who knows communism, could have told you how the Communists would penetrate this line.

They would do it—and have done it—with schools. Today, there is in Prague, Czechoslovakia, a Communist political warfare school which specializes in training Latin Americans in every form of subversion and warfare, military and nonmilitary. Hundreds, thousands of Communists spend months and years in this school, then return to their native lands to carry out their assignment of undermining the existing government and creating another Communist satellite. These are the kind of men who made Guatemala a Communist state after we had said we would contain communism. These are the kind of men who have taken over Cuba and who will probably take over British Guiana late this summer.

Communist agents pass readily back and forth through our NATO "maginot line." After their schooling behind the Iron Curtain, they return to their native countries as teachers, trade union leaders, writers, government employees, and so forth. They live among their fellow countrymen—hundreds and thousands of them—working day and night, for years on end, to complete their mission.

What can the United States do to defeat these men? Can we send a battalion of marines down to some Latin American country to engage these "civilians"—educators, trade unionists, newsmen, and government workers in open military combat? The very idea is ridiculous.

Can the Voice of America, broadcasting a few hours a day to the Latin American countries, offset the effect of the day-to-day propaganda and agitational activities of these men and women? Again, the answer is obvious.

Close to 40 years ago, Communists from all parts of the world began flocking to Moscow to attend the notorious Lenin School of Political Warfare. More recently, they have been attending similar institutions in Red China, Poland, Czechoslovakia, and Rumania. Many Americans wonder why it is that one Communist or a handful of Communists in this country can manipulate thousands of their fellow citizens into serving Soviet interests. The answer is because these American Communists, too, are graduates of the Lenin School. They have been taught not only the fundamental principles of nonmilitary, or political, or psychological, or fourth dimensional warfare—whatever you choose to call it—but also the use of every weapon that can be utilized in this type of combat.

Today, scattered in the four corners of the earth, there are hundreds of thousands of Communist agents who are graduates of such schools. They have been taught how to use machineguns and tommy guns, street fighting and guerrilla warfare, sabotage and demolition techniques, and, as I indicated a moment ago, all the weapons of political warfare. These men and women are Moscow's shock troops, operating behind the enemy's lines and within his borders. They are the ones who are making successful Communist revolutions.

NATO alone will never stop them, and neither will the Middle East Treaty Organization or any other purely military alliance established by the United States with its free world allies. The Voice of America and USIA alone are completely inadequate to stop them.

They will be stopped and the spread of communism halted only when the free world has within its own ranks an equal number of equally trained political and psychological warfare agents who are capable of meeting—and defeating—these Communist agents on their own ground.

The free world, under U.S. leadership, must match in number, skill, knowledge, and power—everywhere in the world—these Communist agents of destruction with our own agents of freedom.

It will cost money, and more than money—time, hard work, devotion, study of the enemy, and unceasing battle against him. But freedom cannot be secured cheaply or easily.

Sixty years ago Lenin called for men and women who would devote to the Communist revolution "not merely their spare evenings, but the whole of their lives." He got them. Khrushchev still has them. That is why we are in peril today.

I believe it is not so much great additional sums of money that are needed, as it is better allocation of the money we are now spending—of using it to really fight our enemy, instead of trying to buy and bribe halfhearted allies—and trying to convince the Communists that they should not act like Communists, but like us.

And most important of all, what this Nation needs today—on all levels—is the abandonment of escapism and wishful thinking. We must face reality, the reality of an actual state of war, with only one possible solution—victory.

And victory comes only, as you all know, from a will to win, a determination that there can, and will be, no other outcome; that victory will be ours and our enemy defeated just as quickly as we can bring it about.

I am afraid that all of you know from your contacts and experience in civilian life, that this is not the spirit of many Americans today. I hope you realize that it must become the spirit of the overwhelming majority of the people of this country; that such a spirit is as vital to the preservation of our Nation today as the spirit of 1776 was vital to its creation 180 years ago.

I trust that, having completed your courses of military study here, you will con-

tinue them as active reservists—and, equally important, that as citizens and soldiers of your country you will do everything humanly possible to make this spirit the American spirit of years immediately ahead.

### H.R. 7546

#### EXTENSION OF REMARKS

OF

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1961

Mr. PUCINSKI. Mr. Speaker, recently I introduced H.R. 7546, a bill designed to provide medical assistance in our veterans' hospitals to members of the armed forces of nations who were allied with the United States in World Wars I and II. My proposal has been referred to the House Committee on Veterans' Affairs for further consideration.

I sincerely hope that this measure will be approved by the Veterans' Affairs Committee and subsequently by the Congress of the United States.

This proposal would make eligible for medical and surgical care in veterans hospitals those gallant soldiers who fought so heroically as our allies in both World Wars I and II, but who, for reasons beyond their control, have not been able to return to their native lands, particularly after World War II.

It appears to me that our Nation has an opportunity to show its gratitude to these heroic soldiers who have made a vast contribution in the defense of freedom, only to find at the conclusion of World War II that they were unable to return to their native lands because the Communists took over their countries in violation of the Atlantic Charter.

Most of these soldiers who have been lawful residents of the United States are today American citizens. It would seem to me that by denying these men the same medical care we provide American soldiers in our veterans hospitals merely compounds the great injustice which these allied soldiers have suffered at the conclusion of the war.

Our existing laws guarantee every American soldier hospital, surgical, and medical care in veterans hospitals for a service-connected disability. The pres-

ent law also provides hospital, surgical and medical care to American veterans with non-service-connected disabilities on a "beds available" basis.

My amendment would provide the same degree of care for World War I and II soldiers who fought with the armed forces of nations allied with the United States and who since have been lawful residents of the United States for at least 10 years.

There are men and women in America who fought gallantly in the Polish Armed Forces, for example, during World War II and who, for reasons beyond their control, were not able to return to their native Poland after the war.

This same situation applies to soldiers who fought with armies of many of our other allies in Europe and in the Far East.

I believe these people have made a great contribution toward allied victory and just as we have recognized the contribution of our American soldiers, it would appear to me that common decency dictates we ought to provide these allied soldiers with at least the medical care which they need today and in many instances cannot afford in private hospitals.

It would appear to me that this is the least the United States can do for these heroic defenders of freedom. We need only look at the great sacrifice of the Polish armies at Tobruk, Monte Cassino or Normandy Beach to fully appreciate the depth of the gratitude we owe them for their heroism. I could list any number of great battles which led to victory for the allies with the dogged support of soldiers fighting under the banners of their respective countries.

I might add, Mr. Speaker, that Great Britain and Canada both have adopted similar legislation many years ago as a token of their gratitude to allied soldiers who are lawful residents of these two nations. As far as I have been able to determine, this would place no particular hardship on existing facilities now available in Veterans' Administration hospitals.

My bill also provides that these allied soldiers who are now lawful residents of the United States would be eligible for Government-insured housing loans under the present Veterans' Administration housing program. These allied heroes of World War II are today mak-

ing a great contribution to our own country. It would appear to me that in the name of decency these men's heroic sacrifice should be given at least this amount of recognition.

It is my hope that in appraising the merits of this legislation, my colleagues will keep in mind the fact that allied soldiers now living in the United States were never given an adequate opportunity to establish their financial independence because most of them suffered limited employment opportunities when they came to America after the war as a result of their language difficulties. It would indeed be tragic to deny these allied soldiers adequate medical care when we recall their great contribution to the cause of freedom. I have included in this proposal for medical care soldiers of World War I, because, ironically, there is still a relatively small number of allied soldiers from that war who are today suffering perhaps the most pitiful medical needs and who, for all these years, have not been able to get decent medical care because they fought in the common cause for survival of democracy as members of an allied force.

This humanitarian gesture of providing medical and hospital care for allied soldiers, it would appear to me, deserves the unanimous approval of the Congress of the United States.

Mr. Speaker, a copy of H.R. 7546 follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 109 of title 38, United States Code, is amended by adding at the end thereof the following:*

"(c) (1) Any person who served in the active service in the armed forces of any government allied with the United States in World War I or in World War II who has been a lawful resident of the United States for at least ten years, and who during such service was a member of forces which actually participated in armed conflict with an enemy of the United States shall, by virtue of such service, be entitled to hospital and domiciliary care and medical services under chapter 17 of this title, and to the benefits of chapters 31 and 37 of this title, to the same extent as if such service had been performed in the Armed Forces of the United States.

"(2) For the purposes of this subsection, World War I shall be deemed to have begun on July 28, 1914, and World War II shall be deemed to have begun on September 1, 1939."

## HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 15, 1961

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

Proverbs 3: 5: *Trust in the Lord with all thine heart; and lean not upon thine own understanding.*

Eternal and ever gracious God, with eager and earnest hearts we are seeking the blessing of Thy favor as we assemble in this Chamber to discharge the duties of our high vocation.

Help us to cultivate every noble instinct and every lofty impulse and may

we strive humbly and reverently to make our whole life a glorious adventure to achieve the true, the beautiful, and the good.

Show us how we may bear courageously the ills that befall us and the troubles that overtake us along the way for no explorer has ever discovered a land where hearts do not break and tears do not flow.

Deliver us from the fears which darken our days and dwarf our powers, holding us back from that which we can be and were meant to be.

Grant that under the direction and discipline of Thy Holy Spirit our own spirits may discover and develop that better self which unites us to Thee and

our fellow man in the bonds of love and peace.

Hear us in Christ's name. Amen.

### THE JOURNAL

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

### FOURTH SUPPLEMENTAL APPROPRIATION BILL, 1961

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow, Friday, to file a report on the fourth supplemental appropriation bill, 1961.