

steps leading to this crisis of the Western Hemisphere.

In my opinion, the free world's failure to formulate a purposeful and sustained policy concerning the captive nations of Europe is a direct cause leading to the establishment of the first captive nation in the Western Hemisphere. A policy which grants and permits the Soviet Union's subversion and overthrow of legitimate governments in Europe has resulted in the Kremlin's challenging the United States on our own frontier.

This course of events is really not surprising. For although there are those policy-makers in the free world who think in terms of so-called spheres of influence, the Communists neither know nor respect any limitation on their world aspirations.

"The forces of communism," declared our congressional report 5 years ago, "are committed to making colonies of all nations by any means available, with no recognition of any standard except that might makes right."

Predictably, when the free world assures the Communists that they need fear nothing from us in their own so-called sphere, the Communists intensify their efforts to extend that sphere. Their goal remains world domination, nothing less.

In 1956, when Khrushchev declared "hands off Hungary," the West accommodated. We heard much expert talk then about so-called spheres of influence and the alleged political and military realities of Eastern and Central Europe. The result is that today the Soviet dictator is emboldened to tell us, in the same strident tone, "hands off Cuba."

Where now are the experts who ceded the freedom of 100 million Europeans on the basis of their inhabiting areas within the so-called Soviet "sphere"? Surely these authorities must now recognize that Soviet imperialism is not satisfied by concessions, nor is it derived from or limited by geography.

Cuba, we may be assured, is not a Soviet satellite because of its geographical proximity to the Soviet Union. I submit that the same can be said for the captive nations of Europe. Subversion, force, denial of the right to self-determination, these are the political and military realities which support Soviet domination over Budapest and Havana.

The point is clear, if only our experts will see it. The nations of Eastern and Central

Europe are not Communist-dominated because of political inevitability, but because the forces of Soviet tyranny have been permitted a free hand by vacillating and indecisive Western policies.

If we begin by accommodating ourselves to Russian domination in Eastern and central Europe, we inevitably must end by accommodating ourselves, whether we like it or not, to this same domination in the Western Hemisphere.

But this the people of the United States, who bear the greatest share of responsibility for free world policy, will never permit. And that is why I am hopeful that we may yet learn from Havana the lesson of Budapest.

Let us hope that these points are now brought home, to our policy framers as well as our people.

First, that we cannot cede or abandon any people or nation anywhere to Soviet tyranny, but must hold as a tenet of our world policy and faith the ultimate self-determination of all peoples.

To believe or to act otherwise is not simply immoral—it is irresponsible to the interests of Western civilization.

Second, that Communist ambition is global in scope and must be met by global counterstrategy.

Our failure has been that we continue to meet the Communists on cold war battlefields, within the bounds and upon the terms which their interests dictate. Berlin, Vietnam, Cuba, these are the stakes in the world struggle today. Significantly, they are all Western stakes.

A global counterstrategy for the West would mean that Khrushchev would not be given a free hand to pick and choose pressure points convenient only to the Soviet timetable. The vulnerable segments of the Soviet empire can and should be targets for Western political strategy.

Third, that we take the lead in extending the meaning of anticolonialism to include the nations of Eastern and Central Europe, as well as those in other parts of the world.

If the principle of self-determination means anything, it must be universal and unqualified. Our policymakers speak of taking the lead in the so-called revolution of rising expectations. Let us not overlook the expectations and hopes of the suffering peoples of Eastern and Central Europe, and let us not forget the brutal suppression of their revolutionary goals.

Here the United Nations faces one of its longstanding challenges, a challenge that cannot be evaded. For the repression of the European captive nations cannot be ignored by the United Nations if its pronouncements concerning self-determination are to be taken seriously.

Self-determination of peoples and nations is not subject to two definitions, one for the underdeveloped parts of the world and the other for Soviet captive peoples and nations. Let the moral finger of the United Nations point accusingly at Communist repression—and let the free world exert its influence in the United Nations toward that end.

Lastly, let the lesson be learned that the greatest hope for world peace and the security of the free world lies in carrying the cold war battle to the enemy—in extending the boundaries of freedom. Communism and Soviet imperialism will not recede or soften or mellow of its own accord. History shows that only the unremitting pressure of freemen, and men who would be free, can subdue tyranny.

Can we then look ahead to "policies of action, courageously and firmly executed?" We may hope that the swift pace of events in this hemisphere in recent weeks may spur courageous and firm action. Two years ago, almost to the day—on September 28, 1960—a program for such action was put forward in simple and direct language.

"I am tired of reading what Khrushchev is doing," said John F. Kennedy to an audience at Erie, Pa. "I would like the people of the world to be reading what the American President is doing, and what the United States is doing, not merely what Castro is doing or Khrushchev is doing or Kadar or Gomulka is doing."

These words of a man who is now President of the leading Nation of the free world reflect the feeling of the people of the United States and of anti-Communist lovers of freedom everywhere.

The time is overdue for this country and its allies to be up and doing. We must seize the initiative in the cold war through policies aimed at the ultimate elimination of Soviet imperialism—not only in the Western Hemisphere, but throughout the globe.

We live for a day when there need be no assembly of captive European nations. Only, however, when the lesson of Budapest and of Havana is truly learned by freemen—and acted upon by the forces of freedom—can we be assured that this day will come.

SENATE

THURSDAY, SEPTEMBER 20, 1962

The Senate met at 10 o'clock a.m., and was called to order by the Vice President.

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

Oh God, in whose strong hands are the threads of every life which seeks its pattern on the loom of Thy righteous will, back of all our thinking and striving we are conscious of something divine that haunts us and will not let us go—something at work behind our fallible minds. Sometimes in the stillness we hear it like soft bells at evening pealing; sometimes in hours of mystic insight we feel it, and rising above the trifles which so often clutter our days, our hungry and empty hearts cry out, "Nearer, my God, to Thee, nearer to Thee." If that petition is but answered in these stern, strange times in which

our lot is cast, if really in our hearts we draw near to Thee, then at Thy fire our little candle will blaze as we bring Thy light to every shadowed area of human need.

Even so, send us forth in the Spirit of the Master whose we are and whom we serve. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 19, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 19, 1962, the President had approved and signed the act (S. 167) to authorize the Attorney General to com-

pel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 3475. An act to provide further for cooperation with States in administration and enforcement of certain Federal laws; and

S. 3529. An act to amend the Manpower Development and Training Act of 1962 with regard to reimbursement of the railroad unemployment insurance account.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 1171) to assure continued fish and wildlife benefits from the national fish and wildlife conservation areas by authorizing their appropriate incidental or secondary use for public recreation to the extent that such

use is compatible with the primary purposes of such areas, and for other purposes.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 10129) to amend the act of September 7, 1957, relating to aircraft loan guarantees; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. WILLIAMS, Mr. FRIEDEL, Mr. BENNETT of Michigan, and Mr. SPRINGER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11151) making appropriations for the legislative branch for the fiscal year ending June 30, 1963, and for other purposes; that the House receded from its disagreement to the amendments of the Senate Nos. 36, 41, and 44 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate No. 45 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12648) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1963, and for other purposes; that the House receded from its disagreement to the amendments of the Senate Nos. 4, 25, and 40 to the bill, and concurred therein, that the House receded from its disagreement to the amendment of the Senate No. 38 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate Nos. 1, 2, 6, 19, 44, 47, 48, 49, 50, 51, 52, 53, and 54 to the bill.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. HUMPHREY, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Post Office and Civil Service.

The Subcommittee on Flood Control, Rivers and Harbors of the Committee on Public Works.

The Subcommittee on Business and Commerce of the Committee on the District of Columbia.

The Committee on Armed Services.

Mr. HUMPHREY, Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

Mr. HUMPHREY, Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations 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 sundry nominations, which were referred to the Committee on Armed Services.

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

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

U.S. DISTRICT JUDGES

The Chief Clerk read the nomination of Irving Ben Cooper, of New York, to be U.S. district judge for the southern district of New York.

Mr. HUMPHREY, Mr. President, several Senators have asked that this nomination be passed over until the end of the day—only because at this particular moment they are unable to be present due to other duties. We shall take up the nomination later on.

The VICE PRESIDENT. The nomination will be passed over.

The Chief Clerk read the nomination of Inzer B. Wyatt, of New York, to be U.S. district judge for the southern district of New York.

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

CHIEF JUDGE OF THE JUVENILE COURT, DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Morris Miller, of the District of Columbia, to be chief judge of the juvenile court of the District of Columbia for a term of 10 years.

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

ASSOCIATE JUDGE OF THE JUVENILE COURT, DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Marjorie McKenzie Lawson, of the District of Columbia, to be associate judge of the juvenile court of the District of Columbia for a term of 10 years.

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

Mr. HUMPHREY, Mr. President, I am particularly pleased that Marjorie McKenzie Lawson was nominated and that her nomination to be associate judge of the juvenile court of the District of Columbia has now been confirmed. She is very talented and able; and I think this appointment will set a very fine precedent for bringing into our judiciary ladies of the legal profession who have demonstrated great competence in the law and the judicious temperament which is so important, particularly on the juvenile court. I have known Mrs. Lawson for some time, and I hold her in the highest esteem and respect. I feel that this nomination, in particular, deserves commendation.

SECRETARY OF LABOR

The Chief Clerk read the nomination of W. Willard Wirtz, of Illinois, to be Secretary of Labor.

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

Mr. HUMPHREY, Mr. President, I wish to express a word of praise and a word of commendation in regard to the nomination of the Secretary of Labor. Mr. Willard Wirtz, who succeeds Arthur Goldberg as Secretary of Labor, is an experienced and able lawyer, and has demonstrated his competence in the field of government. He has an intimate, working knowledge of labor-management relations. He has been the Under Secretary of Labor to the former Secretary of Labor, Mr. Goldberg, who has been nominated to the position of Associate Justice of the Supreme Court of the United States.

Mr. Wirtz has been deeply involved in recent months in the settlement of a number of labor disputes, and at the present time he is taking the leadership in bringing about solution of a labor-management dispute involving the Chicago & North Western Railway.

I have known Mr. Wirtz for many years. I regard him as a good friend, and I feel that he will be an outstanding Secretary of Labor. I wish him well in his new duties.

The VICE PRESIDENT. That completes the nominations on the Executive Calendar.

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

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

LEGISLATIVE SESSION

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

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

Mr. HUMPHREY, Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON ARMED FORCES RESERVES CONSTRUCTION PROGRAM FOR YEAR 1963

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on the Armed Forces Reserves construction program for the year 1963 (with an accompanying report); to the Committee on Armed Services.

REPORT ON OVERCHARGES BY SHIPBUILDING DIVISION OF BETHLEHEM STEEL CO., QUINCY, MASS.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overcharges by the shipbuilding division of Bethlehem Steel Co., Quincy, Mass., for overhead costs reimbursed by the Government under cost-type contracts, dated September 1962 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERR (for Mr. CHAVEZ), from the Committee on Public Works, without amendment:

H.R. 12818. An act to amend the act of July 13, 1946, to authorize the construction, maintenance, and operation of certain additional toll bridges over or across the Delaware River and Bay.

By Mr. JOHNSTON, from the Committee on the Judiciary, with an amendment:

S. 3070. A bill to amend title 28, United States Code, to provide for additional commissioners of the U.S. Court of Claims, and for other purposes (Rept. No. 2113).

PROPOSED INTERNATIONAL CONFERENCE ON THE CONSERVATION OF FISHERY RESOURCES—REPORT OF A COMMITTEE (S. REPT. NO. 2112)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably Senate Resolution 392, to express the sense of the Senate concerning an International Conference on the Conservation of Fishery Resources, and I submit a report thereon.

The resolution was reported unanimously. Inasmuch as this is a matter of some urgency, I ask unanimous consent for the immediate consideration of the resolution.

Mr. HUMPHREY. Mr. President, I understand that the resolution has been given clearance by the minority.

Mr. MAGNUSON. Mr. President, the resolution calls upon the United States to initiate, with other nations, a world conference on the conservation of fishery resources, a conference which is long overdue.

I ask unanimous consent for the immediate consideration of the resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That it is the sense of the Senate that the President should propose an International Conference on the Conservation of Fishery Resources to consider the technical, economic, and scientific problems relating to the conservation, utilization, and regulation of living marine resources in the high seas and estuarine waters of the world, and that government, industrial, scientific, and technical participation in such Conference on as wide a basis as may be practicable should be encouraged.

The preamble was agreed to.

INCLUSION OF A DISTRICT JUDGE OR JUDGES ON JUDICIAL COUNCIL OF EACH CIRCUIT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 2114)

Mr. JOHNSTON. Mr. President, from the Committee on the Judiciary I ask unanimous consent to submit a report to accompany H.R. 6690, to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit, together with the individual views of the junior Senator from New York [Mr. KEATING].

I ask unanimous consent that the report, together with the individual views, be printed.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from South Carolina.

PAYMENT OF INTEREST BY DOMESTIC BANKS ON TIME DEPOSITS OF FOREIGN GOVERNMENTS—REPORT OF A COMMITTEE—MINORITY AND SUPPLEMENTAL VIEWS (S. REPT. NO. 2115)

Mr. MUSKIE. Mr. President, on behalf of the Senator from Virginia [Mr. ROBERTSON], from the Committee on Banking and Currency, I report favorably, without amendment, the bill (H.R. 12080) to permit domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors. Along with the report, the Senator from Wisconsin [Mr. PROXMIRE] filed minority views and the Senator from Illinois [Mr. DOUGLAS] filed supplemental views. I ask unanimous consent that the minority and supplemental views may be printed together with the report.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Maine.

ADDITIONAL FUNDS FOR COMMITTEE ON ARMED SERVICES—REPORT OF A COMMITTEE

Mr. SYMINGTON, from the Committee on Armed Services, reported an origi-

nal resolution (S. Res. 397) to provide additional funds for the Committee on Armed Services, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That S. Res. 295, agreed to February 22, 1962, authorizing a study by the Committee on Armed Services on strategic and critical stockpiling, as amended by S. Res. 345, agreed to June 14, 1962, is further amended on page 2, line 14, by striking "\$80,000" and inserting in lieu thereof "\$115,000".

BILLS INTRODUCED

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

By Mr. SMATHERS:

S. 3735. A bill for the relief of Dr. Olga Marie Ferrer; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. LONG of Louisiana, Mr. HUMPHREY, Mr. RANDOLPH, Mr. SMATHERS, Mr. MORSE, Mr. BARTLETT, Mr. SALTONSTALL, and Mr. BIBLE):

S. 3736. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies; to the Committee on Finance.

S. 3737. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

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

By Mr. SCOTT:

S. 3738. A bill to amend section 109 of title 38, United States Code, to provide benefits for members of the armed forces of nations allied with the United States in World War II; to the Committee on Labor and Public Welfare.

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

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON ARMED SERVICES

Mr. SYMINGTON, from the Committee on Armed Services, reported an original resolution (S. Res. 397) to provide additional funds for the Committee on Armed Services, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. SYMINGTON, which appears under the heading "Report of a Committee.")

PROPOSED LEGISLATION RELATING TO SMALL BUSINESS

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill relating to the income tax treatment of small business investment companies. Joining me as cosponsors of the bill are Senators LONG of Louisiana, HUMPHREY, RANDOLPH, SMATHERS, MORSE, BARTLETT, and SALTONSTALL. I ask unanimous consent that following my remarks the text of this bill be printed in the RECORD, together with an analysis of the bill which I have prepared.

I also introduce, for appropriate reference, a bill amending the Small Business Investment Act of 1958. Joining me as

cosponsors of this bill are Senators LONG of Louisiana, HUMPHREY, RANDOLPH, SALTONSTALL, SMATHERS, MORSE, and BARTLETT. I ask unanimous consent that following my remarks the text of this bill also be printed in the RECORD, together with an analysis of the bill.

Mr. President, I further ask unanimous consent that both of these bills lie on the table for a week.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills and analyses will be printed in the RECORD, as requested by the Senator from Alabama.

The bills, introduced by Mr. SPARKMAN (for himself and other Senators), were received, read twice by their titles, referred as indicated, and ordered to be printed in the RECORD:

S. 3736. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies; to the Committee on Finance.

S. 3737. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that both bills may lie at the desk for a week.

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

Mr. BIBLE. Mr. President, I am not clear whether I am listed as a cosponsor of the bills just introduced. If not, I ask permission that I may be included as a cosponsor.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senator from Nevada [Mr. BIBLE] be included as a cosponsor of each of the two bills.

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

Mr. SPARKMAN. Mr. President, a few weeks ago marked the fourth anniversary of the enactment of Senate bill 3651 which was titled the "Small Business Investment Act of 1958."

This fourth anniversary of the passage of what has been termed by a leading financial journal "the most significant piece of legislation dealing with the economically important issue of small business" represents a good vantage point for analyzing the progress of the SBIC program and its present posture.

It seems to me that there are two major features to note—and they appear to be contradictory. First of all, no one can fail to be impressed by the hearty growth achieved by this youthful industry. On the other hand, during the past several months some observers of the program have been preparing obituary notices for the SBIC concept: This is the second and conflicting phenomenon.

I would like to take a few minutes today to delve more deeply into the program. I believe that it is proper that I take the time of the Senate for this purpose, since the SBIC program is uniquely a creature of the Congress. As far back as 1950, I joined with the late Senator Maybank, of South Carolina, and our former colleagues, Senators Scott Lucas, and Joseph O'Mahoney, in sponsoring legislation calling for the establishment of capital banks which would make long-term credit and equity capital more

readily available for worthy small business firms.

Through the years following 1950, both Houses of Congress studied this need and possible solutions. The legislative branch of the Government took the initiative in defining the need and designing the structure for solving it. Although we had the cooperation of many agencies of the executive branch, it was we who were the advocates. Furthermore, in the years since 1958, Congress has proposed from time to time amendments to the SBIC program which would make it operate more effectively. This is the purpose of the bills which I have introduced today.

The Small Business Committee recognized last year the need for taking a close look at this program. Early this year, we undertook a study of the industry which included a number of public hearings as well as gathering detailed information from the individual companies by means of a questionnaire. Fortunately, the committee has the information at this particular time and is in a position to draw sound conclusions regarding the posture of this new financing industry.

Let us look first at some facts which are easy to understand; then we can try to make some interpretation from them.

On March 19, 1959, the first two SBIC's were licensed; 3 years later, on March 19, 1962, there were 517 SBIC's licensed to do business; today there are over 600. The first two licensees brought \$650,000 into the program; today, there is over \$525 million committed to the SBIC's—the overwhelming majority of its dollars invested by private citizens.

Back in 1958, we believed that most of the companies would call upon the Government for half of their capital, but that has not been the case. At the present time, there are 7 private dollars in the program for every \$1 committed by the Small Business Administration. The bills which I have introduced would stimulate even greater participation by private capital and private credit in this program.

The record shows that much of the money now invested in SBIC's is already in use, since more than \$200 million has been invested in and loaned to small business enterprises in the 3 years from the granting of the first licenses through March 31, 1962.

I believe that I can say without contradiction, then, that substantial progress has already occurred in transforming SBIC's from a legislative dream to an operating reality. I have personally been proud of the growth of the program and the contribution it has made to our national economy through its timely aid to growing independent businesses.

But now I turn to the large dark cloud which some observers see hovering over the SBIC's. During the past month or so, a number of financial writers have read the portents and have concluded that these are "Shaky SBIC's," as the Wall Street Journal headlined its story on July 16. I quote from the article:

The risky business of providing risk capital for small businesses unable to raise

money through more conventional sources is proving to have more hazards than many small business investment companies bargained for. These new lending institutions, brought into being by an act of Congress only 4 years ago, were given special tax treatment and the privilege of borrowing on reasonable terms from the Government. Nevertheless, they are beset these days with a host of troubles stemming from the declining stock market, touchy relationships with their customers, a snarl of Government redtape, occasional bad investments and some miscalculations about the nature of this fledgling financial field.

Mr. President, it is quite true that the quotations from the stock of the 48 SBIC's which have raised capital through public offerings have declined precipitously during the past 12 months. One private market service publishes an index of SBIC stock prices; on June 30, 1961, the index stood at \$18.27. By June 30, 1962, it had tobogganed to \$7.40. Naturally, this leads to serious questions about the health of the program.

During the past year, several of the larger SBIC's have sustained sizable losses on investments they have made and several others have stated that they fear such losses in the near future. Here again is a bearish factor depressing the SBIC outlook. One of the bills I have introduced would provide for statutory loss and bad debt reserves for SBIC's—something which is vitally needed by the industry.

One of the larger SBIC's which raised \$15 million through a public stock offering has indicated that it wants to get out of the SBIC field and become a conventional investment company. This development, too, has served as a basis for gloomy predictions about the future of the industry.

It is also true, as the Wall Street Journal stated, that the organizers of other SBIC's have found themselves without the time or the skills to operate profitably; a few of them have surrendered their licenses and others are not in active operation.

Finally, some members of the industry have found it difficult to understand the actions of those administering the program for the SBA; there have been some differences of opinion and some misunderstandings.

These, then, are five factors which lead to pessimism—which, for some observers, overshadow the bare facts of progress which I cited earlier.

Is there any way to analyze the present situation? Has the period of achievement passed, to be succeeded by a rapid decline into oblivion? Were we wrong when we conceived this program? Were the investors and managers wrong when they financed it?

Obviously, there are no easy answers, but I do believe that solid facts can be found which we can utilize in our study. None of them alone is conclusive; all of them together may not be conclusive, as a matter of fact. Nonetheless, I believe strongly that a sound reply should be made to the Cassandra whose dire prophecies are based upon a superficial analysis of scattered readings.

In the first place, I believe that the strongest possible answer to those who

would bury the program can be found in the continuing and accelerating pace of SBIC activity. Those SBIC's which have been in the program longest are, by and large, those who are most convinced of its essential soundness. Both of the first two licensees have greatly increased their initial capital—and both are now seeking additional funds; these are only two examples—48 of the more than 600 SBIC's have been able to sell their stock to the public; an additional 77 have increased their capacity to invest in small businesses by raising extra capital privately. Since the passage of the 1961 amendments to the Small Business Investment Act, 46 SBIC's have raised their private capitalization and have asked SBA to purchase subordinated debentures.

This seems to me to be unanswerable evidence—this show of faith in the program backed by private dollars committed by individuals who have actually owned and managed SBIC's for a period of time. If it is true that the program is "shaky," I doubt very much that these practical businessmen-investors would choose SBIC's over all the alternate forms of investment opportunities.

In addition to the fact that more dollars are being invested in SBIC's, I would cite proof that more dollars are being invested in small businesses by the present SBIC's. SBA reports show that over \$200 million had been loaned to or invested in small businesses by March 31, 1962. This contrasts with the \$79,500,000 of 1 year earlier and the \$152,200,000 figure reported on September 30, 1961. Thus, it is apparent that the managers of the SBIC's are not sitting on their hands, content with investing their idle funds in Government bonds. As a matter of fact, all available evidence indicates that the pace of placing SBIC dollars to work for small business firms has accelerated in the weeks since March 31.

Therefore, two concrete proofs can be demonstrated: First, SBIC's are raising more dollars, and, second, SBIC's are investing more dollars in eligible business enterprises.

Perhaps the most difficult feature of the entire SBIC operation is the appraisal of the present and potential value of a small business. This is true at the time the business applies for financial assistance; it remains true after the firms receive SBIC help. For that reason, my next point is not capable of definite proof.

Nonetheless, I believe, on the strength of the study of the Senate Small Business Committee and on the basis of other independent analysis, that the small business investment companies have made sound investments. Although there have been a few well-publicized losses, the bulk of the SBIC portfolios appear sound. The public companies list their investments in their annual reports and it appears that most of their client companies have made progress with the help of SBIC funds and show promise of further substantial growth.

In addition, our committee heard from the presidents of many SBIC's during our field hearings this spring. All of

them testified that they felt that most of their investments were working out and that they expected some of them to be exceptionally successful. This, of course, is the pattern we expected, for no one ever believed that every small business would suddenly become a Ford Motor Co. or an IBM as soon as it received SBIC funds.

The printed record of the committee's hearings is replete with case studies showing the value of SBIC financing to dozens of individual small firms. Let me give just two or three examples.

Down in Atlanta, two brothers started a business in the basement of a bakery. As they put it:

Our ideas were million-dollar ones. As is usually the case, our savings accounts and pocketbooks were not.

Mr. President, these two young men manufacture glass patio doors. Starting operations in mid-1959, they soon ran out of capital and called on an Atlanta SBIC for help in March 1960, and again in January 1962. The two brothers now employ 90 people and the firm expects 1962 sales to total some \$4 million. This is a profitable venture, too, and the profits have been proceeding along with the volume.

Up in New York, a manufacturer of ultrasonic products reports that its sales have soared from \$38,000 in fiscal 1960, to \$2,150,000 in fiscal 1962. Similarly, it lost \$100,000 in 1960, lost \$200,000 in fiscal 1961 and turned the corner with a \$2,000 profit in fiscal 1962. The firm's management expects to earn \$160,000 during the present year—based on first quarter sales and earnings. Here again, the small business gives much of the credit for this amazing growth to the timely advance of \$500,000 from two SBIC's.

Out in Oregon, a small-business firm with a good product but a negative net worth sought out an SBIC as a last resort. After receiving \$80,000 of SBIC money and quite a bit of management counseling, the firm started making a profit and has increased its volume 1,800 percent. Its president told our committee that his firm "feels that a very profitable future is in sight. Without the financial avenues opened to us by the SBIC, our organization would have collapsed, and all the work, time, and money we had invested in this small corporation would have been lost."

I assure my colleagues that hundreds of similar cases could be drawn from the committee's files and from the annual reports of the 600 SBIC's now in operation. These are only a few I recall from our hearing record.

This, then, seems to me to be a third strong plank underpinning the SBIC program; namely, the worth of the small businesses to whom the investment companies have advanced funds.

A fourth factor of strength is the growing rapport between the industry and its regulator, the Small Business Administration. Congress has directed the SBA to license small business investment companies and to regulate their operations. Naturally, during the early months of the program, there were misunderstandings and areas of friction, as

both the operators and the regulators tried to learn how to make this new machine work. Now, after almost 4 years, much of the pioneering and the educating has taken place and the SBIC's now realize that they must operate completely within the framework of an industry affected with a public interest, while the Investment Division of SBA has learned that SBIC's are essential elements of the free enterprise system which must make a profit—or at least, have the chance to make a profit—if they are to survive. The ground rules have been established; many of those who had no concept of how SBIC's should operate are gone; and the SBA and the industry are working closely together on all remaining problems.

Closely related to the preceding point is the greater maturity of the industry. Through its trade association, the National Association of Small Business Investment Companies, the industry has taken several steps which speak well of its goals and principles. In the first place, it requires all of its members to subscribe to a rigorous code of ethics and trade practice rules which spell out the peculiar responsibilities of an SBIC to the Government, to the small businessman, and to other SBIC's.

Further, the association has just announced that it is initiating an executive training program in conjunction with one of the Nation's leading educational institutions, the University of Wisconsin. Beginning this September, the University of Wisconsin and NASBIC will sponsor a rigorous seminar which will undoubtedly give the entire industry a better insight into how to make SBIC's better instruments for financing small business and for making profits for those who invest in the SBIC program. One of the major problems uncovered by the Small Business Committee's study was the shortage of top management personnel within the industry. The SBIC is a new and different sort of institution, and not too many people have a full understanding of the general concept of SBIC financing. This is another positive step initiated by the industry itself, which proves that we are dealing with no "fly by night" or "quick buck" institution when we in Congress lend our support to the further growth and greater effectiveness of the SBIC concept.

Finally, I would like to point out one "silver lining" which has generally been overlooked by those who have reported on the dark clouds surrounding the recent dip in the stock market. In addition to the serious declines in the quotations for almost every business listed on the various stock exchanges, the fall has brought an almost complete halt in the flotation of new offerings. Naturally, a number of SBIC's have been caught by this moratorium and have been forced to delay their efforts to raise additional funds through public offerings. On the other hand, many eligible small businesses with good earnings records and excellent growth prospects have also been turned away from the public security market and, for these seasoned firms, the SBIC represents a fine alternative source of funds.

For this reason alone, most of the larger SBIC's report a substantial rise both in the quantity and quality of applicants for financing. The present relationship being developed between the investment banker and the SBIC is certain to continue in the future and gives me a further reason for confidence that the SBIC concept is valid today and holds great promise for tomorrow.

Mr. President, I am confident that this program will continue to succeed. It must if the capital requirements of the American independent businessman are to be met. The surface has only been scratched; small business has legitimate needs for hundreds of millions of dollars every year for capital. In 1957, the Federal Reserve Board estimated the equity needs of small business to be about \$550 million annually. The program now has sufficient funds to take care of just 1 year's minimum requirements. Therefore, there will have to be a fivefold increase merely to fulfill the 1957 estimate.

As the business and financing community become better acquainted with the SBIC program; as the Congress continues to support its legitimate requirements through passage of legislation such as I have proposed today; as the SBA works in close harmony with the industry, existing and future small business investment companies will continue to grow and to prosper.

And through the assistance they receive from SBIC's, tens of thousands of independent small businesses will be able to make their individual contributions to a vigorous, competitive, and growing American economy.

The bills, introduced by Mr. SPARKMAN (for himself and other Senators), together with an analysis of each bill, are as follows:

S. 3736

A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 165 of the Internal Revenue Code of 1954 (relating to deduction for losses) is amended by redesignating subsection (1) as subsection (j), and by inserting after subsection (h) the following new subsection:

"(1) **SMALL BUSINESS INVESTMENT COMPANIES.**

"(1) **RESERVE FOR LOSSES ON CERTAIN INVESTMENTS.**—In the case of a small business investment company operating under the Small Business Investment Act of 1958, there shall be allowed, in lieu of any deduction under subsection (a) for any loss sustained on any investment described in section 1243 (a) (1), a deduction for a reasonable addition to a reserve for losses on such investments.

"(2) **AMOUNT OF ADDITION TO RESERVE.**—The reasonable addition to a reserve for losses under paragraph (1) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this paragraph shall not be greater than the lesser of—

"(A) the amount of its taxable income for the taxable year, computed without regard to this section, or

"(B) the amount by which 20 percent of the taxpayer's total investments described in section 1243(a) (1), at the close of the taxable year with respect to which this section applies, exceeds its reserve for losses on such investments at the beginning of the taxable year."

SEC. 2. (a) Section 166 of the Internal Revenue Code of 1954 (relating to deduction for bad debts) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following new subsection:

"(g) **SMALL BUSINESS INVESTMENT COMPANIES.**—In the case of a small business investment company operating under the Small Business Investment Act of 1958, the reasonable addition to a reserve for bad debts under subsection (c) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this subsection shall not be greater than the lesser of—

"(1) the amount of its taxable income for the taxable year, computed without regard to this section, or

"(2) the amount by which 20 percent of the taxpayer's total loans to small business concerns, at the close of the taxable year with respect to which this section applies, exceeds its reserves for bad debts at the beginning of the taxable year."

SEC. 3. Section 532(b) of the Internal Revenue Code of 1954 (relating to exemptions from accumulated earnings tax) is amended—

(1) by striking out "or" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and insert in lieu thereof ", or"; and

(3) by adding after paragraph (3) the following new paragraph:

"(4) a small business investment company operating under the Small Business Investment Act of 1958."

SEC. 4. (a) Section 542(c)(11) of the Internal Revenue Code of 1954 (relating to exception of small business investment companies from definition of personal holding company) is amended to read as follows:

"(11) a small business investment company which is licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958 and which is actively engaged in the business of providing funds to small business concerns under that Act in accordance with regulations prescribed by the Small Business Administration pursuant thereto. This paragraph shall not apply if any shareholder of the small business investment company owning, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), 10 percent or more of the outstanding stock of such small business investment company owns at any time during the taxable year, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), a 10 percent or more proprietary interest in a small business concern to which funds are provided by the small business investment company or 10 percent or more in the value of the outstanding stock of such concern. For purposes of the preceding sentence, a shareholder of a small business investment company shall not be considered as owning any proprietary interest in or stock of a small business concern solely by reason of his ownership directly or indirectly of stock of such small business investment company."

SEC. 5. (a) Section 851(a) of the Internal Revenue Code of 1954 (relating to general rule for definition of regulated investment company) is amended—

(1) by striking out "or" at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", or"; and

(3) by adding after paragraph (2) the following new paragraph:

"(3) which, at all times during the taxable year, is a small business investment company operating under the Small Business Investment Act of 1958 (whether or not registered under the Investment Company Act of 1940, as amended)."

(b) Section 851(b) of such Code (relating to limitations on definition of regulated investment company) is amended by adding at the end thereof the following new sentence:

"Paragraphs (2), (3), and (4) shall not apply to any corporation which is a small business investment company operating under the Small Business Investment Act of 1958, whether or not such company is registered under the Investment Company Act of 1940, as amended."

SEC. 6. (a) Section 1243 of the Internal Revenue Code of 1954 (relating to losses of small business investment companies) is amended to read as follows:

"SEC. 1243. **LOSS OF SMALL BUSINESS INVESTMENT COMPANY**

"(a) **GENERAL RULE.**—In the case of a small business investment company operating under the Small Business Investment Act of 1958, if—

"(1) a loss is on equity securities (including stock received pursuant to an option or conversion or exchange privilege) acquired pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section, and

"(2) such loss would (but for this section) be a loss from the sale or exchange of a capital asset,

then such loss shall be treated as a loss from the sale or exchange of property which is not a capital asset.

"(b) **SPECIAL RULE FOR DETERMINING AMOUNT OF LOSS ON STOCK.**—Under regulations prescribed by the Secretary or his delegate, for purposes of determining the amount of loss (if any) from the sale or exchange by a small business investment company of stock acquired by such company pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section (including stock received pursuant to an option or conversion or exchange privilege), the basis of such stock shall be reduced (but not below zero) by an amount equal to the amount of any distribution received by such company with respect to such stock on or after the date of enactment of this subsection, to the extent that any such distribution is made by the distributing corporation out of its earnings and profits accumulated prior to the date of the acquisition of such stock by such company."

SEC. 7. Section 1371(a)(2) of the Internal Revenue Code of 1954 (relating to definition of small business corporation) is amended to read as follows:

"(2) have as a shareholder a person (other than an estate or a small business investment company operating under the Small Business Investment Act of 1958) who is not an individual;".

SEC. 8. The amendments made by sections 1 and 2 of this Act shall apply to taxable years ending on or after March 31, 1962. The amendments made by section 4 of this Act shall apply to taxable years beginning after December 31, 1958. The amendments made by section 6 of this Act shall apply to tax-

able years ending after June 11, 1960. Except as herein otherwise provided, the amendments made by this Act shall apply to taxable years ending on or after the date of the enactment of this Act.

ANALYSIS OF BILL (S. 3736)

This bill amends the Internal Revenue Code with respect to the income tax treatment of small business investment companies, as follows:

Sections 1 and 2: These sections provide for the establishment by SBIC's of reserves for losses and bad debts, and will allow an SBIC to deduct reasonable additions to these reserves. The amount of such reserves is limited to 20 percent of the SBIC's total investments or loans, as the case may be.

Section 3: This section will exempt SBIC's from the accumulated earnings tax imposed by section 532 of the Internal Revenue Code.

Section 4: This section will clarify section 542(c) (11), which excepts SBIC's from the definition of a personal holding company, and will bring the self-dealing qualification contained in that section in line with the SBA regulation prohibiting self-dealing. Under the present law, an SBIC is not considered a personal holding company unless a shareholder of the SBIC owns a 5-percent or more proprietary interest in a small concern to which the SBIC has provided funds. In applying this section, the Internal Revenue Service maintains that stock acquired by the SBIC in a small concern must be attributed to the shareholders of the SBIC, in proportion to their respective stockholdings in the SBIC, to determine whether or not any one of such shareholders owns as much as 5 percent of the small concern. Section 4 of the bill would avoid this interpretation by IRS by providing that a shareholder of the SBIC shall not be deemed to own the stock of a small concern solely by reason of his ownership of stock in the SBIC.

In addition, this section of the bill provides for the loss of exempt status in a case of self-dealing only where the common shareholder owns a 10-percent interest in the SBIC (as contrasted with present law applying to any shareholder) and also owns 10 percent of the small concern (as contrasted with the present 5 percent). These are the percentages presently contained in SBA regulations prohibiting self-dealing.

Section 5: This section will allow all SBIC's to qualify as regulated investment companies, so as to enable them to pass through income to their shareholders. This privilege is presently afforded publicly owned SBIC's which have registered with the Securities and Exchange Commission under the Investment Company Act of 1940. The section will also make inapplicable to SBIC's the portfolio and income restrictions provided by subsections (2), (3), and (4) of section 851(b) of the Code. This is made necessary by the unique nature of SBIC's and their investments.

Section 6: This section will allow losses on any equity securities to be deducted against ordinary income. This treatment of SBIC losses was limited in the original act to losses suffered on convertible debentures, since, at that time, the convertible debenture was the only type of equity security authorized to be used by an SBIC. The act has since been amended to permit the use of other forms of equity securities, and section 6 of the bill will bring the tax laws in line with the act, as amended. A special rule is included in the bill which is applicable to losses on stock. This rule will prevent an SBIC from recovering the amount of its investment in a small concern through tax-free dividends paid by the small concern out of earnings and profits accumulated prior to acquisition of the stock by the SBIC,

and thereafter receive a full deduction from ordinary income in the event of a loss from the sale of the stock.

Section 7: This section will permit a small corporation to qualify under subchapter S of the Code to be taxed as a partnership notwithstanding the fact that the corporation has an SBIC as a shareholder.

Section 8: Except where otherwise provided in the bill, the amendments made by the bill will apply to taxable years ending on or after the date of the enactment of the bill.

S. 3737

A bill to amend the Small Business Investment Act of 1958

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 "Small Business Investment Act Amendments of 1962."

SEC. 2. The second sentence of section 302(a) of the Small Business Investment Act of 1958 is amended by striking out "\$400,000" and inserting in lieu thereof "\$1,000,000" and by striking out "three years" and inserting in lieu thereof "five years".

SEC. 3. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies, the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to lend funds to such companies either directly or by loans made or effected in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis. Such loans shall bear interest at such rate and contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of the Administration's share of loans made and outstanding under this subsection (b) to any one company at any one time (including direct loans, the Administration's share of loans made hereunder pursuant to agreements to participate on an immediate basis, and commitments to lend directly or on an immediate participation basis, but excluding loans made hereunder pursuant to agreements to participate on a deferred basis and any obligations acquired pursuant to such deferred participation agreements) shall not exceed an amount equal to 50 per centum of the paid-in capital and surplus of such company or \$4,000,000, whichever is less. The total amount of the Administration's share of all loans made and outstanding under this subsection (b) to any one company at any one time, including loans made hereunder pursuant to agreements to participate on a deferred basis and any obligations acquired pursuant to such deferred participation agreements, shall not exceed an amount equal to the paid-in capital and surplus of such company or \$8,000,000, whichever is less.

"(2) All loans made under this subsection (b) shall be of such sound value as reasonably to assure repayment."

SEC. 4. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"Sec. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 per centum of the combined capital and surplus of such small business investment company authorized by this Act."

ANALYSIS OF BILL (S. 3737)

Section 1: The act will be cited as the "Small Business Investment Act Amendments of 1962."

Section 2: This section will increase the amount of subordinated debentures of an SBIC, which SBA is authorized to purchase under section 302(a) of the Small Business Investment Act of 1958, from \$400,000 to \$1 million. These funds will continue to be made available by SBA for the purpose of aiding in the formation and growth of SBIC's, and will continue to be provided on a dollar-for-dollar matching basis with the private capital and surplus of the SBIC. The present law requiring that such funds not be provided by SBA if they are available from private sources on reasonable terms would remain in effect.

The section will also increase from 3 years to 5 years the time after licensing within which an SBIC may sell its subordinated debentures to SBA under section 302(a).

Section 3: This section will expand the lending authority which SBA now has under section 303(b) of the Small Business Investment Act. Under the present law, SBA may lend funds to an SBIC (so long as such funds are not available from private sources on reasonable terms) through the purchase of their interest-bearing obligations. The total amount which may be loaned and outstanding to any one company at any one time may not exceed an amount equal to 50 percent of the paid-in capital and surplus of the company or \$4 million, whichever is less, and such loans must be of such sound value as to reasonably assure repayment. In order to stimulate the extension of private credit to SBIC's, and to encourage and promote maximum utilization of private credit facilities by SBIC's, it is proposed by section 3 of the bill to expand this lending authority, as follows:

1. The Administration will be authorized to make loans under section 303(b) either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or a deferred basis. Such loans will continue to bear interest at rates fixed by the SBA and must be of such sound value as to reasonably assure repayment.

2. Exclude loans made in cooperation with banks or other lending institutions through agreements to participate on a deferred (standby) basis from the loan limit provided in the present law, i.e., 50 percent of capital and surplus or \$4 million, whichever is less. By so doing, SBIC's will be able to obtain loans which exceed the present limit from private lending institutions on the basis of an SBA agreement to take over the loan whenever called upon to do so by the private institutions. This section of the bill provides, however, that the total SBA share of all loans to any one company, including those made on such a standby basis, shall not exceed the amount of the paid-in capital and surplus of the company or \$8 million, whichever is less.

Although present law contains no prohibition against loans by SBA under section 303(b) in participation with others, either on an immediate or a deferred basis, it is felt that granting specific authority for the making of such loans is advisable. At present, SBA has a program under which deferred (standby) participation loans are made under section 303(b) of the act. The existing program works in this way: When a licensee applies for a direct loan from SBA under section 303(b) of the SBA, SBA will not issue its commitment to purchase the licensee's obligations unless the latter certifies as to its inability to obtain the needed funds from private sources alone, as well as its inability to obtain such funds from private sources under the standby program. If a

private financial institution is willing to provide the licensee with the loan funds under an SBA standby arrangement, SBA thereupon processes the loan application of the licensee, including the obtaining of executed loan documents and related instruments, in the same manner and under substantially the same terms as when SBA issues a loan commitment to a licensee and purchases the obligation of the licensee directly. However, where the standby arrangement is involved, the SBA commitment to the licensee indicates that either SBA or the private source will disburse the loan funds and will hold the note. Simultaneously with the issuance by SBA of a loan commitment to a licensee under the standby program, SBA and the private lending source (ordinarily a bank) execute an agreement under which—

(a) SBA assigns to the bank the executed note of the licensee and bank assumes the obligation under the SBA loan commitment to disburse funds to the licensee under the note, but only when so directed by SBA.

(b) Bank may reassign the note to SBA at any time and SBA will thereupon pay bank the outstanding principal under the note. Recoveries of unpaid interest by SBA are prorated between SBA and bank.

(c) SBA may at any time require bank to reassign the note upon payment to bank by SBA of the outstanding principal thereunder. If at the time SBA ever exercises its right of reassignment, there is no default under the note in principal or interest, SBA will pay bank, in addition to outstanding principal, any accrued interest under the note.

(d) The commencement of bankruptcy or similar proceedings involving the licensee-borrower effectuates an automatic reassignment of the note from bank to SBA and the obligation of SBA to pay bank outstanding principal.

(e) Bank pays SBA a service and commitment charge of 1 percent per annum upon outstanding principal under the note while held by bank.

In providing specific statutory authority to make deferred participation loans, it is not intended to require SBA, in the exercise of that authority, to follow the exact procedures which are presently in use. However, it is intended to ratify and approve those procedures, and it is expected that the expanded authority granted by section 3 of the bill will be administered in a way very similar to the present SBA "standby" program.

Finally, it should be pointed out that section 3 of the bill does not fix a percentage limitation upon SBA's share of a loan made under section 303(b) on an immediate participation basis. This matter is left to the discretion of the agency. In the case of deferred participation agreements, it is intended that SBA be authorized to cover the entire amount of a loan by its agreement to participate on a deferred basis. Both immediate participations and deferred participations are, of course, subject to the limitations specifically provided in the bill.

Section 4: This section will repeal the dollar limitation upon the amount of funds which an SBIC may provide to a single small business concern. Presently, section 306 of the SBIC provides that the amount of such funds shall not exceed 20 percent of the combined capital and surplus of the SBIC, or \$500,000, whichever is less. To assure sufficient diversity of the SBIC's portfolio, the present 20-percent limitation will remain in effect. Reliance would be placed upon the SBA size standard regulations to assure that SBIC funds are provided only to concerns which have traditionally been classified by these regulations as "small."

Mr. HUMPHREY. Mr. President, I associate myself with the remarks of

the Senator from Alabama, particularly with regard to his comment that the SBIC industry has, in 4 short years, achieved a measure of maturity in the financial community.

It is gratifying to note the large number of responsible financial institutions that have become associated with the SBIC program. I feel this augurs well for its future. An example of this can be found in the recent entry into the program of the Chase Manhattan Bank, the second largest commercial bank in the Nation. I understand that the Chase Manhattan SBIC will begin business with a capitalization of \$3 million. While this is a relatively modest sum considering the fact that, under the 2-percent limitation, Chase Manhattan could invest a total of approximately \$14 million in its SBIC, it is nevertheless significant that a conventional financing institution with the experience and prestige of Chase Manhattan has seen fit to become a part of this small business program.

It is my understanding that 80 of the small business investment companies now in operation are affiliated with commercial banking institutions. Of these, 20 are wholly owned by commercial banks and the remaining 60 have banks as stockholders. All told, more than 100 banks have indicated their confidence in the program, including such well-known institutions as the Bank of America, the First National of Chicago, the Citizens & Southern Bank of Atlanta, and the Morgan Guaranty Trust Co. of New York.

The Senator from Alabama referred to an article in the Wall Street Journal which characterized the SBIC's as being shaky. Frankly, I think it safe to say that those institutions to which I have just referred are not especially famous for investing their capital in shaky enterprises. It would appear that their entry into this program is a clear indication of the growing maturity of these new investment firms.

The Senator from Alabama and I have just introduced bills which would accomplish needed changes in the tax treatment of SBIC's and in the Small Business Investment Act. The enactment of these bills would be most helpful in promoting the success of this program.

I enjoyed observing the optimism expressed by the Senator from Alabama with regard to the SBIC program. I share his optimism and I shall always be prepared to support any effort to make this program the success that Congress intended it to be.

Mr. SPARKMAN. Mr. President, I appreciate the remarks of the distinguished Senator from Minnesota. The bills relate to the Small Business Investment Corporation. They are good bills. I hope we will succeed in having them enacted.

Mr. President, the Senator from Florida [Mr. SMATHERS] fully intended to speak on the bills; but since he cannot be present at this time, I ask unanimous consent that a statement prepared by him be printed at this point in the RECORD. The Senator from Florida is a co-sponsor of the bills.

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

STATEMENT BY SENATOR SMATHERS

In view of the pessimistic forecasts on the future of the SBIC program, which the distinguished Senator from Alabama has discussed, and because of the interest I have had in this program and the support which I have given it from the beginning, I would like to comment briefly on my view of the program at this particular time.

As has been said, the small business investment company program is growing steadily, and is gaining stature in the financial community. I am convinced that it is becoming a significant force in making available the annual capital needs of small business. Large amounts of money have been coming into the program from private sources and these funds are being used solely for small business purposes.

This channeling of investor funds into small concerns is something that we never had prior to the establishment of this program. Of course, there were a few wealthy individuals and groups who engaged in providing venture capital to small business, but these were wholly inadequate to meet the needs. In addition, although substantial gains were possible in these investments, the risk of losses was so great that only the wealthy could afford to go into the field. Through the SBIC program, with its cushion against losses through specially designed tax provisions, a flow of capital from the private investor to be utilized solely for small business, has become a practical reality.

The result of increased investments in small business through the SBIC's is an increase in national productivity and employment as well as the fulfillment of the primary consideration of helping small business place itself in a better competitive position.

I know of one specific instance which especially demonstrates the value of the program. Until recently, the Defense Department had only one major source from which to purchase a highly important component item. A small firm capable of producing the item was unable to compete for the contract because of inadequate capital. An SBIC, after studying the small firm's potential, agreed to provide the needed financing and the small business is now a competitive bidder and has been supplying a substantial part of the Defense Department's need. By providing a small firm with the means to become competitive and to survive, this SBIC contributed not solely to the welfare of this particular business, but also to the elimination of a sole-source procurement situation.

I have cited this specific SBIC investment because I think it is an excellent example of both the direct and the indirect advantages that flow throughout our economy from the maintenance of a strong and healthy small business community.

When equity capital is needed and is not available, the trend of small firms is toward consolidation with competitors or with a big business. It is my hope that the SBIC program will slow down and perhaps even reverse this trend and help small concerns to preserve their identity and continue as a significant force in the American economy.

As the Small Business Committee stated in its most recent annual report, a primary factor in the success of the program has been and will continue to be the flexibility of the act under which this type of financing can be provided. There's not only flexibility in the methods of providing assistance to small concerns but provision has been made for the SBIC industry to serve all segments of the small business community.

The needs of small business are vastly different. A small retailer, for example, may require \$20,000 to \$30,000 in long-term credit for the expansion which will enable him to grow and prosper; whereas, a small manufacturer competing with the giants of American industry may have just as great a need for \$2 to \$3 million in equity capital for plant expansion and equipment.

There is a vast difference between the needs of these two members of the small business community but small they are and survive they must if our free enterprise system is to function as it should.

BENEFITS FOR MEMBERS OF ARMED FORCES OF NATIONS ALLIED WITH THE UNITED STATES IN WORLD WAR II

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to amend section 109 of title 38, United States Code, to provide benefits for members of the armed forces of nations allied with the United States in World War II. My amendment would make benefits available to a person who served in active service in the armed forces of any government allied with the United States in World War II who has been a lawful resident of the United States for at least 10 years, and who during such service was a member of forces which actually participated in armed conflict against an enemy of the United States. Such a person would derive benefits—as hospital and domiciliary care and medical services—to the same extent as if his service had been performed in the Armed Forces of the United States.

I have studied the treatment accorded to similar war veterans in other countries. For instance, the British Royal Air Force Benevolent Fund gives able and extensive assistance to former members, and their dependents, of the two Polish fighter squadrons which fought with the RAF against the Luftwaffe in the Battle of Britain. The members of these squadrons escaped from the near-total destruction by Hitler of the Polish armed forces, made their way to France and ultimately to England, finally to perform distinguished service for the RAF. The Benevolent Fund of the RAF now provides grants and loans to those in need of assistance, makes interest-free loans to those in need of money to buy tools, and helps obtain employment to those out of work. In this way, the British people show their gratitude to those who fought for Britain.

Investigation shows a pressing need for legislation dealing with this problem in our country. Thousands of brave men of different nationalities served the goals of the free world in the Second World War. The Polish people were especially notable for their exemplary bravery and service. After the hostilities had ended, many of these distinguished soldiers came to the United States. Here, together with their families, they hoped to rebuild their lives and salvage the dreams the war had reduced to rubble. Financial reward cannot exhaust our gratitude. But it could make the lives of these brave men a bit easier.

Mr. President, the United States has always been proud of its tradition of faithfulness to friends. I now ask that

those who fought for the principles which we hold most dear now be assisted by passage of this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3738) to amend section 109 of title 38, United States Code, to provide benefits for members of the armed forces of nations allied with the United States in World War II, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had concurred in the amendment of the Senate numbered 1 to the bill (H.R. 1960) to amend chapter 85 of title 28 of the United States Code relating to the jurisdiction of the United States district courts, and for other purposes, with an amendment, in which it requested the concurrence of the Senate, and that the House had concurred in the amendment of the Senate numbered 2 to the bill.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. MASON, Mr. BYRNES of Wisconsin, and Mr. BAKER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 9943. An act for the relief of Stella McKee;

H.R. 12082. An act to amend the Internal Security Act of 1950; and

H.R. 13067. An act to amend title VIII of the National Housing Act with respect to the authority of the Federal Housing Commissioner to pay certain real property taxes and to make payments in lieu of real property taxes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 9943. An act for the relief of Stella McKee; and

H.R. 12082. An act to amend the Internal Security Act of 1950; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 20, 1962, he presented to the President of the United States the following enrolled bills:

S. 4. An act to provide for the establishment of the Padre Island National Seashore;

S. 149. An act for the relief of the estate of Gregory J. Kessenich;

S. 319. An act to amend part I of the Interstate Commerce Act in order to provide that the provisions of section 4(I) thereof, relating to long- and short-haul charges, shall not apply to express companies;

S. 1161. An act to provide for the use of lands in the Garrison Dam project by the Three Affiliated Tribes of the Fort Berthold Reservation;

S. 1307. An act to amend section 128 of title 28, United States Code, to constitute Richland, Wash., a place of holding court for the eastern district of Washington, southern division, and to waive section 142 of title 28, United States Code with respect to the U.S. District Court for the Eastern District of Washington, Southern Division, holding court at Richland, Wash.;

S. 1924. An act to amend the act of August 27, 1954 (68 Stat. 868) with respect to the Uintah and Ouray Reservation in Utah;

S. 2357. An act to provide for the regulation of credit life insurance and credit accident and health insurance in the District of Columbia;

S. 2511. An act to provide for the production and distribution of educational and training films for use by deaf persons, and for other purposes;

S. 2696. An act to correct certain land descriptions in the act entitled "An act to declare that the United States hold in trust for the pueblos of Santa Ana, Zia, Jemez, San Felipe, Santo Domingo, Cochiti, Isleta, and San Ildefonso certain public domain lands";

S. 2971. An act to declare that certain lands of the United States are held by the United States in trust for the Jicarilla Apache Tribe of the Jicarilla Reservation;

S. 3086. An act to provide for a reduction in the workweek of the Fire Department of the District of Columbia, and for other purposes;

S. 3154. An act to amend Public Law 86-184, an act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State;

S. 3315. An act to relieve owners of abutting property from certain assessments in connection with the repair of alleys and sidewalks in the District of Columbia;

S. 3317. An act to amend the provisions of law relating to personal property coming into the custody of the property clerk, Metropolitan Police Department, and for other purposes; and

S. 3580. An act to amend the Atomic Energy Community Act of 1955, as amended, to provide for the disposal of federally owned properties at Los Alamos, N. Mex., and for other purposes.

U.S. POLICY WITH RESPECT TO CUBA

Mr. CLARK. Mr. President, I rise in support of the resolution on Cuba unanimously reported by the Foreign Relations and Armed Services Committees. In my opinion, this resolution, in clear and candid terms, states the correct position for our country to take with respect to the troubled conditions in that Caribbean island 90 miles from our shores.

All Americans must feel anger and frustration at the situation in Cuba. Castro's Communist subversion of the Cuban revolution has hoisted a Red flag within sight of our shores. I share the common concern about the recent arrival of Soviet technicians and weapons, both Mig fighters and short-range missiles. Khrushchev's insulting warnings

to the United States have raised everyone's blood pressure.

But in this situation there is a heavy obligation on those of us in public office to help our Nation keep events in perspective; to avoid aggravating a tense international problem with cheap, rash talk for political gain.

This is no time for warhawks. This is no time to call for the imposition of a naval blockade, in itself an act of war. This is no time for garrulous old men to deal lightly with the lives of young men whom they might send to war.

I repudiate the belligerent, irresponsible, demagogic talk, and I support wholeheartedly the pending resolution—a resolution supporting the intelligent position of the President of the United States, which has been brought forward by the combined Armed Services and Foreign Relations Committees.

I hope it will be unanimously adopted by the Senate, and thus state in unmistakable terms our national will and desire to protect the interests of freedom in our hemisphere, and at the same time to repudiate the unwarranted, irresponsible and belligerent efforts of many to force the United States of America into an unwanted and unneeded war in violation of solemn treaty obligations against unilateral acts of intervention.

I am happy to state my position in support of the policy of drawing a cordon sanitaire around Cuba and thus protecting the effort of our Latin American allies to maintain their freedom with our support.

Mr. MAGNUSON. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield to my friend from Washington.

Mr. MAGNUSON. Without going into details on the joint resolution, as to which I expect to have something to say later in the afternoon, the Senate is about to consider some so-called maritime bills today.

Mr. CLARK. So I have heard.

Mr. MAGNUSON. We have all been working to preserve the American merchant marine in many ways. There are many ways in which we can tackle the problem with respect to which the joint resolution will deal.

I should like to quote from a UPI dispatch which appeared in the morning newspaper:

Two Italian freighters loaded with Russian goods for Cuba remained tied up in port today because crew members refused to continue the trip.

The reference is to a port in Italy.

Port sources said the tieup could worsen this week when two more ships carrying Russian goods to Cuba are due.

I make the suggestion that all the so-called NATO countries which are engaged in this struggle with us against the Russian ideology, which is so repugnant to us, which has now spread its ugly ramifications into Cuba, if they are sincere in regard to the effort—I am sure they are, and I do not question it—could take the same action. They can see what at least a few Italians have done in regard to the blockade of Cuba. I call upon the maritime nations which belong to NATO to take a good long look at this

procedure, because it could be very effective.

Mr. CLARK. I thank my friend for his helpful interjection. I, too, commend the action by the Italian crews.

The VICE PRESIDENT. The time of the Senator from Pennsylvania has expired.

Mr. CLARK. I hope that shipping interests in other NATO countries will exhibit a similar desire.

Mr. MAGNUSON. Yes.

The VICE PRESIDENT. The time of the Senator from Pennsylvania has expired.

THE CHICAGO & NORTH WESTERN RAILWAY STRIKE

Mr. CURTIS. Mr. President, President Kennedy's dilemma over what to do next about the strike against the Chicago & North Western Railway is a very real one, and until he faces up to the action it compels he is impaled squarely on its horns.

His tortuous path along the rocky road of labor disputes is well lighted by two editorials recently appearing in the New York Times and the Chicago Sun-Times. They ask the obvious question, "Why, Mr. President?"

Why do we see firm action by the President to back up his extra-legal board in the aerospace industry, a board whose findings were favorable to labor, and then have him avoid, like the smallpox, the findings of the statutory board in the Chicago & North Western Railway strike, a legally authorized board, whose findings are opposed by labor?

In the aerospace strike he said, "Management, get in line or take the consequences for halting our missile program." In the railway strike, the board recommendations having been ignored, the President says "make concessions."

Mr. President, the Chicago & North Western strike is surrounded with despair. Beet farmers either ship their beets or end up broke. Farm produce, merchandise of every kind, and even commuters, must move. If they do not, the slump in the Midwest's economy will make the stock market slump almost as palatable as a yacht race on a sunny afternoon.

Labor experts doubt that the injunctive relief contained in the Taft-Hartley Act covers this railway strike. If we disagree, and believe it can be employed, use it. If Taft-Hartley does not seem to apply, recommend to leaders in the Congress its incorporation in the Railway Labor Act.

Another expedient available, is the bill S. 794, introduced by the Senator from Illinois [Mr. DIRKSEN] on February 6, 1961, to amend the Norris-LaGuardia Act, the National Labor Relations Act, and the Railway Labor Act. Hearings were held on this bill in the 86th Congress with no final action and the current bill has been before the Senate for 19 months. It contains a quick and reasonable remedy. It will protect the rights of all parties.

Mr. President, earlier this week, in the matter of a relatively few hours, this body passed the most comprehensive and far-reaching trade bill ever passed by

any Congress. Under it, we have given authority exceeding that ever before given a Chief Executive of this great Nation. Your demands are given great weight. Whatever you need to cope with the railway strike will, I am sure, be promptly yours for the asking.

I ask unanimous consent to have printed at this point in the RECORD various editorials on the subject.

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

[From Omaha (Nebr.) World Herald, Sept. 15, 1962]

SUGAR IN THE FIELDS

The Chicago & North Western strike, which has idled the Nation's third largest railroad, has inflicted widespread economic hardship. Sugarbeet producers, particularly, are threatened with considerable loss.

Sugarbeets have no value except in the processing of sugar, and the only place they can be processed into sugar is in a sugar factory, which in many cases is a considerable distance from the beet fields. The period of time between the maturity of sugarbeets and the start of freezing weather normally is a short one. Rapid and orderly transportation of the crop is essential. Beet producers feel that if they don't have the crop moving in volume by October 1, their financial loss may be heavy.

The Federal Government has made routine efforts at conciliation. The White House has issued the usual expressions of concern. But freight cars stand idle and rails rust. We imagine that some of the sugarbeet producers may wish that President Kennedy would perform with some of the firepower he displayed when the steel companies tried to raise prices. But that—as yet, at least—is not the way the ball bounces.

[From the Madison (Wis.) State Journal, Sept. 17, 1962]

CONCESSIONS, IF THAT IS THE WORD

President Kennedy's highly original suggestions on how to end the Chicago & North Western Railway strike should interest Midwest farmers whose sugarbeets may rot in the fields and Wisconsin papermill workers now jobless because of the tieup.

"I am hopeful that both sides will make sufficient concessions, if that is the word, to permit an agreement," said the President at his news conference last week.

What concessions, exactly, does the White House have in mind by the North Western management?

It already is on record as pledging that telegraphers shifted to lower paid jobs would get the difference in pay for 5 years; that those laid off would get 60 percent of their old pay for 3 to 5 years, even if working at other jobs; that those required to move would have their moving costs paid, and guaranteed against loss in sale of their homes; that retraining would be offered the furloughed (laid off) workers; that pension and hospitalization benefits would be continued for the part-pay period.

These offers by the railroad, made before the strike began and restated since, would seem to most Americans as about as far as an employer can reasonably go in protecting workers if no longer needs and can no longer afford.

The telegraphers insist that they are not demanding a "job freeze" or a veto over management rights to hire only the men it needs. Yet their refusal to consider the North Western offer belies their protest. And the fact that neither Mr. Goldberg nor his successor, Mr. Wirtz, even once criticized the North Western refusal to make a new offer is pretty good evidence that the original offer was fair.

Mr. Kennedy thinks that "both sides" should make new concessions to end a costly and senseless strike. His proposal is about as nonpolitical as his trips to open new dams and inspect missile plants.

[From the Fargo (N. Dak.) Forum and Moorhead (N. Dak.) News, Sept. 7, 1962]

JOB SECURITY BIG ISSUE IN NORTH WESTERN STRIKE

The strike of the Order of Railroad Telegraphers against the Chicago & North Western Railway does not involve any dispute over wages or hours, but it relates solely to job security.

It is a disturbing problem not only for the participants, but for the public, particularly to the public in the States through which the railroad runs. The railroad had to close down operations since other railroad unions would not cross the picket lines.

The railroads of the country are in difficult times. Faced with increasing competition from other carriers, they have found that under their type of setup and the Federal and State controls over them, some way must be discovered to get their properties back on paying basis. That is why they have been talking mergers. It is why they have been trying to find ways to economize—they know they must find ways. There have been railroad heads who have declared that they must have mergers, must put economies into force or private enterprise will be out—that it will be necessary for the Federal Government to operate the railroads as a last resort.

While there has been much talk of mergers, little has been done about it. In the meantime, railroads have been concerned about doing what they can to get their own houses in order. Modern communications has been one approach. Prior to the employment of these techniques it was necessary to man each local station with a telegrapher even though many stations were no more than 5 or 6 miles apart. With the new techniques, the North Western has been eliminating local station telegraphers wherever possible.

When management refused to accede to a job security demand that would require union consent for the elimination of any telegrapher's post that existed prior to 1957, the strike was on.

A similar demand is on file against the New York Central, but an emergency board appointed by President Kennedy rejected it on August 30.

It is possible, under the Railway Labor Act, for the telegrapher's union soon to call a strike against the New York Central. The law requires a delay of 30 days before a strike can start—after the board's report is made public.

In the Chicago & North Western dispute, a Presidential Emergency Board recommended on June 14, 1962, that the union's demand for veto power over jobs be withdrawn. The Board also proposed that the railroad and the union "negotiate a comprehensive program of employee protection."

The union rejected the recommendations. The railroad accepted them.

In commenting on the strike, the Washington Post says:

"By striking the North Western the union is attempting to set a pattern which would make it exceedingly difficult for the hard-pressed railroads to institute economies through the elimination of superfluous jobs. Five factfinding boards have rejected the union's demand for a job freeze. One such board said: 'A job freeze is like an economic cancer. It may serve to hasten the end of an enterprise which might otherwise be able to provide more jobs in a healthy economic climate.'"

The President's Emergency Board proposed a displacement allowance. That is, a worker transferred to a lower paid job would receive

for 5 years the difference between the new wage and his former average as a telegrapher. It also called for a furlough allowance—minus any other earnings received. This would continue for 3 years for an employee having 5 to 10 years' service. A 15-year man would get allowances for 5 years. Severance pay in a lump sum also was recommended—and the railroad said it was ready to put the plan into effect if the union dropped its demand for a job freeze.

But the union says that the North Western has brought about "an excessive elimination of jobs." It contends there has been no collective bargaining for eliminating a post or as to benefits.

President Kennedy made several appeals for a peaceful solution. The Department of Labor tried to bring about mediation efforts. All legal procedures of the Railway Labor Act have been exhausted.

In the current issue of the U.S. News & World Report it is said that "the administration's final weapon—in the event of a prolonged strike—could be an appeal to Congress for special legislation to bar railroad strikes and require arbitration of the issues—binding settlement by outsiders."

[From the Pierre (S. Dak.) State News, Sept. 12, 1962]

UNNECESSARY RAIL STRIKE

It seems as though the railroad operating unions are trying to turn back the clock. Evidence of this is the costly strike against the Chicago & North Western Railway—a strike that affects Highmore and every other town serviced by the company.

In striking against the method of laying off excess employees they are saying, in effect, that the operating conditions of 30 to 40 or even 50 years ago must be considered the operating conditions of today—despite the enormous technological advancements made in railroading in the modern era.

They seem to be saying, in effect, that all railroad jobs must be maintained even when the need for them has passed and the cost imposed by obsolete work rules has been a major element in bringing much of this vital industry to near-insolvency. And they are saying, in effect, that the recommendations made by a distinguished Presidential commission which studied the problem for more than a year should be disregarded. The commission proposed not only a modernization of the work rules, but generous benefits of many kinds for displaced and transferred workers. Apparently, the industry accepted the plan—and the unions will have nothing to do with it.

These seem the only conclusions that can be drawn from current union actions. The strike against the Chicago & North Western Railway Co. is doing immeasurable damage to the economy, to the public interest and to labor itself. For we believe that labor, from Jimmy Hoffa on down, is now weaving the rope that will hang it.

Meanwhile, some things can be said with certainty. One is that no group, whether it be railroad, teamster, newspaper, etc., no matter how powerful, can blatantly ignore the national interest and get away with it indefinitely. Another is that a depressed industry cannot long be a source of highly paid, necessary jobs, much less those that progress has made useless. A third is that railroads must continue to serve this country. And fourth, if worse comes to worst, the Government would be forced to take them over. No one in his right mind would want that.—Highmore Herald.

[From the Sheboygan (Wis.) Press, Friday, Sept. 7, 1962]

EARLY ACTION NEEDED

Approximately 1,000 members of the Order of Railroad Telegraphers went on strike last week. This idled 15,500 other railroad em-

ployees and shut down operations on more than 10,000 miles of track in the nine States in which the railroad operates.

If the railroad and its employees were the only ones affected, this could be classified as just another unsettled dispute between the railroad and its union employees. Unfortunately that is not the case. This strike is so far-reaching that it endangers the welfare and economic livelihood of countless innocent people who have no voice in this dispute.

It would be impossible to estimate the economic loss that will be caused by this strike. It is sure to run into hundreds of millions of dollars, and the loss will certainly snowball if the strike is prolonged. Both management and the union have indicated that a quick settlement appears impossible at this time.

Sheboygan is especially hard hit because the only rail service passing through the city is the Chicago & North Western line. Press news stories have told the plight of many local industries which will have to shut down unless this rail service is resumed. Similarly, wire stories have told how the strike is beginning to throttle the economy of the nine Midwest and Great Plains States normally served by the railroad.

The gravest danger of the present situation is that the strike could put some of the industries out of business permanently. When plants shut down, their customers turn to other sources for the products needed, and they might never come back to the industries that formerly served them.

The tremendous economic effect of a strike can well be illustrated by that of the Milwaukee breweries' union in 1953. Breweries in other cities not affected by the strike prospered when beer consumers quenched their thirst with their products during the 2-month period that the strike was on. The Milwaukee breweries have not fully recovered from that strike to this very day because of the permanent loss of many of their former customers.

Besides the frightening economic loss and the inconvenience caused everybody affected, the strike has even created a safety hazard in the areas of the large cities in the Middle West. Thousands of suburban commuters who normally were served by the railroad are driving their cars to work, resulting in the jamming of all highways entering metropolitan areas in the Midwest.

All of which proves that the public interest has been vitally affected by this strike. If there is no legal way to stop it, certainly some new legislation should be adopted by Congress so that nothing like this could happen again to railroads or any other type of transportation affecting the general public.

Obviously better machinery is needed for handling such disputes. Perhaps a special transportation court could be created to settle the issues at stake while the common carriers continue to operate. Certainly some solution must be found for this sort of problem.

Furthermore, we do not believe that the most ardent labor leader could conscientiously endorse an arrangement that would concentrate such unconscionable power in the hands of so few. The very idea runs counter to the democratic principles on which our constitutional Government is founded.

The right to strike is basic in our economic structure which we like to refer to as the capitalist system of private initiative and enterprise. In the ordinary strike, union and management pit their existence against each other until one or the other gives in; but when the welfare and very existence of many other businesses and thousands of employees are threatened by the strike, and when the welfare and safety of entire communities and States are endangered, a mere

handful of men have exercised a power that it was never intended that they should have.

They have, by their action created a statewide, if not national emergency and it seems to us it is time for the appropriate authority to exercise its present powers and bring this serious threat to our economy, to our safety and to our very lives to a halt.

NEEDED: A POLICY OF FIRMNESS AND ACTION TOWARD CUBA

Mr. BENNETT. Mr. President, I rise in full support of Senate Joint Resolution 230 which was unanimously adopted Wednesday by the Senate Armed Services and Foreign Relations Committees. The joint resolution unmistakably warns the Soviet Union and its Communist allies of the Castro regime that the present do-nothing policy of the United States toward Cuba is at an end. The two committees are to be commended for presenting the resolution in a form which requires the President's signature, to make it the law of the land. Both Congress and the American people are far ahead of the President in their willingness and earnest desire for prompt, affirmative, and resolute action to meet the Communist military threat in Cuba. He too will be compelled to take notice of the great concern of Congress as he signs the joint resolution.

It is my purpose today to discuss the great need for Senate approval of the joint resolution and to recommend a course of action to implement it.

The time has clearly arrived for the Government of the United States to confront Cuba and its Communist allies with a policy of firmness and action rather than the present policy of vacillation and tardy reaction. The American people and the peoples of the free world are entitled to a long overdue demonstration of decisive leadership from the President. It will be fatal to continue the present policy of drift, timidity, improvisation and indecision.

TWENTY MONTHS OF FAILURE

The American people were treated to a series of impassioned statements during the 1960 presidential campaign concerning the menace of communism just 90 miles from our shores. We were told that if the then Senator Kennedy were elected President, this threat would be ended. But what has been the record?

President Kennedy inherited a detailed plan which was formulated and developed by the preceding Eisenhower administration calling for training and full support of Cuba's freedom fighters in their effort to liberate Cuba from its Communist masters. The freedom fighters were promised air and sea cover. But the administration panicked and refused to give the promised air support. President Kennedy announced that it would not be given just as the invasion began. This shocking statement was reiterated twice by the President himself and four times with even more emphasis by Secretary of State Dean Rusk. This announcement virtually ruled out the possibility of any general uprising in Cuba.

Thus the Cuban freedom fighters were abandoned on the shores of the Bay of Pigs and left to be slaughtered because

our Government panicked and refused to honor its promises. This was one of the most disgraceful episodes in U.S. history. As a result, our prestige and standing in Latin American countries particularly, and throughout the world generally, reached its lowest point ever. Even the liberal New York Times columnist, James Reston, so friendly to the Kennedy administration, was moved to state of the President at the time:

The confidence in his prudence, his poise, his sense of direction and proportion—so joyfully observed after so long in the allied world—have dropped steeply if they have not been destroyed.

In short, he is the author not only of a defeat but of a clumsy defeat, which he has followed with lectures to the press and to the public, as if they were responsible.

We Republicans refused to make this a political issue, hoping and believing that President Kennedy would profit by this debacle. Unfortunately, the lessons apparently have not been learned.

RUSSIAN TAKEOVER OF CUBA

The almost total poverty of U.S. policy toward Cuba has been highlighted during the past few days as the Russians continue their military buildup and complete takeover of Cuba. Military and other supplies have been sent in vessels owned by our NATO allies and shipped in airplanes coming through Canada. Havana is ringed by military hardware manned by Russians and Cubans. Dozens of Soviet Mig fighters have been shipped in, and the number may reach 200. Military equipment, along with thousands of so-called technicians, are pouring into the island. A Cuban parachute corps will be sent to Russia to complete training. Russian-manned radar checks all aircraft flights, while it is believed that former estates near Havana will be used for rocket launching sites. In short, the Soviet takeover of Cuba is complete. While all this has been going on, the administration has sat idly by doing nothing, waiting for the dust to settle, hoping somehow to muddle through.

ADMINISTRATION'S CUBA POLICY ONE OF INDECISION, IMPROVISATION, AND VACILLATION

In the face of this dangerous threat, we are told by the Kennedy administration that we must wait until the Soviet military buildup in Cuba becomes an imminent menace, and then we shall act, and only then. In short, our Government tells us that we must wait until the Communists can do us real harm before action is taken. Meanwhile, nothing is to be done to prevent this threat from arising. Even though history has conclusively demonstrated that the Communists appreciate and respond only to firm, resolute action, the administration proposes that instead we give the Reds an uninterrupted diet of weakness and vacillation.

As a substitute for a meaningful policy, an attempt has been made by the administration to divert attention from the very real crisis in Cuba. On the one hand we are told that Berlin is the real problem, not Cuba, and by implication that we should not worry much about the Castro government and the Soviet military buildup in Cuba. Inspired leaks

were given to the press by administration spokesmen espousing this peculiar dogma which maintains that if we have two problems, we should only worry about one.

WE MUST FACE UP TO CUBA OR LOSE ALL LATIN AMERICA

Even though it is most embarrassing to the administration we must direct our attention to Cuba and to Latin America as well as to Berlin. The fact remains that our present policy toward Cuba is an open invitation for further Communist inroads in Latin America. They have seen the administration panic at the Bay of Pigs, and they see our present indecisive timidity. We are, therefore, driving them toward an active anti-American neutralism, if not outright collaboration with the Communists. As the Latin American expert for the Washington Daily News, Virginia Prewett, observed in an article on September 17:

President Kennedy's announced determination to act against Castro only if Russia makes Cuba strong enough to attack the United States or Latin America militarily is inviting the anti-American mice out to play throughout the hemisphere.

As a result, Latin America is rapidly slipping toward anti-U.S. neutralism or pro-Communist control without the firing of a single shot by Castro.

In conclusion she says:

President Kennedy's limited defense of Cuba is inviting our hemisphere opposition to boil furiously, while we are a noncontender.

This same theme was developed in a Wall Street Journal editorial for September 18:

If the the United States continues to appear weak and lets the Soviets move about the Western Hemisphere with impunity, there is no telling how far they will go. That is why we think the public discussion, not to mention Government planning, should center on all possible ways of ending the Soviet immunity.

I shall ask unanimous consent that both of these articles appear in the RECORD at the conclusion of my remarks.

The United States is, therefore, consigned to a role of "noncontender" while administration policies invite our hemisphere opposition to move away from us while the Soviets move about the Western Hemisphere with impunity.

On the other hand, another effort to divert attention from Cuba has been made by the New Frontier. President Kennedy's special adviser on African and Asian affairs, Chester Bowles, managed to build a magnificent strawman in a speech given, with White House blessing, on September 16. Instead of presenting a firm, workable policy toward Cuba, he attacked those who are concerned about the utter lack of such a program. He clearly implied that all those who have such a concern advocate an outright invasion of Cuba and that the only alternative to invasion is a continuation of the present do-nothing policy. This may be a neat debating trick, but it will not fool the American people. We know that there are many other things that can be done, many alternatives available. If these are the only two choices that can

be dreamed up by administration spokesmen, it is little wonder that our policy toward Cuba has been so disastrous.

In summary, then, the administration policy has been one of reaction, not action; brave words without brave action; statements that the Monroe Doctrine still is our policy without implementing it; this, coupled with attempts to divert attention from Cuba and the crisis facing Latin America by creating strawmen and by saying we should look only at Berlin and not Cuba. Of course we must look to Berlin, but we must also face up to the Cuban threat immediately.

A PROGRAM OF ACTION

The present situation calls for firm action. We should immediately meet with the Organization of American States in an effort to obtain a concerted economic and political quarantine of Cuba. We must demand that our NATO allies, including Canada, must stop shipping military hardware in NATO-owned vessels or in planes that are permitted to land in NATO countries on the way to Cuba. Russia and Cuba must be immediately advised that the military buildup in Cuba must stop and that Russian military personnel must leave the country. We should also give our full support to the Cuban freedom fighters. If these efforts fail, then the United States should promptly apply a blockade against Cuba. We can do nothing less if we wish to stop a Communist takeover of other Central and Latin American countries and if we wish to stop the remainder of the countries from concluding that the United States is an irresolute ally which, because of fear and timidity, is unwilling to protect its national interests and the interests of the Western Hemisphere.

Immediate action is vital; further delay will be fatal. The American people are waiting for the President to lead. He will have their unwavering support if he acts now and decisively.

Since I prepared this speech there have been two excellent comments on the Cuban situation, one in a Life editorial and the other written by the noted columnist William S. White. I ask unanimous consent that these, along with the two articles previously mentioned, may be printed in the RECORD following my remarks.

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

[From the Washington Daily News, Sept. 17, 1962]

WE'RE FACING DISASTER IN SOUTH AMERICA (By Virginia Prewett)

President Kennedy's announced determination to act against Castro only if Russia makes Cuba strong enough to attack the United States or Latin America militarily is inviting the anti-American mice out to play throughout the hemisphere.

As a result, Latin America is rapidly slipping toward anti-U.S. neutralism or pro-Communist control without the firing of a single shot by Castro.

The Organization of American States, our hemisphere defense system, is being nibbled to death.

Haiti, with two Communist cabinet ministers, recently warned the OAS it's preparing charges against the Dominican Republic.

Informants say Haiti will accuse its Dominican neighbor of plotting an invasion.

Haiti is thus generating counterpressure for Moscow against the Dominican Republic, since the Dominicans are pushing charges in the OAS that Cuba is inciting subversion in their country. The United States is trying to get the Republic started in self-government after 30 years of Trujillo dictatorship.

Bolivia, which has a Communist Vice President, recently bolted the OAS. The trumped up excuse is a dispute with Chile over use of the River Lauca waters. This argument, bumbling along for years, was only lately blown up as a reason for disrupting the OAS.

BRAZIL SLIPPING

Brazil, already "neutralist," is slipping deeper into the power of President Joao Goulart's anti-American associates. Senator Goulart has maneuvered his supporters into top army commands, but civil war is still a possibility.

Senator Goulart's triumphal visit to the United States last April rescued his then tottering prestige and fostered his power drive.

Argentina, only 2 years ago a showcase of recovery with the cooperation of U.S. private and public capital, has been economically shattered by the upsurge of totalitarian Peronism aided by communism.

Peronism and communism are manipulating labor. Huge packing plants and textile factories are closed, with slowdowns in other industries. Millions of letters are undelivered in paralyzed post offices. Newspapers are reduced to skeletonized forms. The Government is 2 months behind in paying civil servants.

DIVIDED

While the Peronist-Communist combination gathers momentum from Russia's strong play in Cuba, antitotalitarian forces are divided, disoriented, virtually leaderless.

Central America's "President" Louis Somoza of Nicaragua has just warned that U.S. inaction against communism in Cuba may "force" Latin Americans into the Soviet bloc. This hints that President Somoza, who inherited a family dictatorship but is now being pressured to democratize his country, may soon start playing the Communists against the United States.

President Kennedy's limited defense on Cuba is inviting our hemisphere opposition to boil furiously, while we are a noncontender.

[From the Wall Street Journal, Sept. 18, 1962]

THE SOVIETS' IMMUNITY

The trouble with a lot of the talk about Cuba, it seems to us, is not that it is "rash," in President Kennedy's word. It is that the public discussion has grown too narrow, making it sound as though the United States had only two choices: Either do nothing at all about the Soviet occupation of Cuba, or else immediately mount a military invasion to take over the island.

The President himself leaves this implication. His stated policy is to do nothing at present, but to act boldly at any time the Communist buildup in Cuba endangers or interferes with the security of the United States or its hemispheric allies.

It may be that these black-and-white alternatives are the only ones left. After all, the United States has already used up a lot of economic and political weapons. It cut Castro off from Cuba's prime sugar market; it embargoed exports to Cuba of everything but some food and medicine; it succeeded in getting a somewhat grudging denunciation of Castro from the Organization of American States and his exclusion from the Inter-American Defense Board.

Still, today's either/or atmosphere obviously encourages the proponents of each alterna-

tive—those eager to rush into Cuba without further ado, and those who don't want the United States to fight anywhere for anything. And this atmosphere deters people from taking thought to see if there are any other possible ways for dealing with this expanding Soviet base on our doorstep.

Certainly some other possibilities exist, whether or not they necessarily represent wise courses for the United States. One would be an attempt to force the Soviet hand in Cuba by applying pressure elsewhere, as for example curbing trade with the Soviet bloc. Similarly, there could be diplomatic pressures, including breaking relations with the Soviet Union.

Or, to confine the response to Soviet Cuba itself, the United States could tell the Kremlin that unless it voluntarily stops shipping arms and men to Cuba, the United States will do the stopping. If they refused, that would of course mean a blockade as far as all military shipments to or from Cuba are concerned.

Now a blockade is a military act but it is not of itself war. If the Soviets refrained from making it an occasion of war, then the effect would be to isolate Cuba. The Soviets would still have their base but it wouldn't do them much good. In such circumstances Castro and Cuban communism might or might not collapse from economic strangulation, but at least we would have neutralized the threat to our security.

Or the United States could go further and tell the Soviets to get out of Cuba altogether if they don't want to be evicted. Again, a course clearly risking strong Soviet reaction. Yet it might be remembered that the Soviets have always backed down in the face of Western firmness; even the Korean war probably would not have occurred had not the Soviets thought the sailing was clear. In the case of Cuba, military experts think it extremely doubtful that the Soviets would fight for it; there is too much against them, and its intrinsic importance may not be all that great to them.

We cite these courses not in advocacy but to suggest there still is ground between total inaction and a precipitate plunge into Cuba. Words, it is clear, are not enough.

Right after the Bay of Pigs debacle a year ago April, President Kennedy had strong words to say about our course in Cuba; so did he last week. Yet in the interim the Soviets have secured and greatly strengthened their Caribbean base with no opposition from the United States.

If the United States continues to appear weak and lets the Soviets move about the Western Hemisphere with impunity, there is no telling how far they will go. That is why we think the public discussion, not to mention Government planning, should center on all possible ways of ending the Soviet immunity.

[From Life magazine, Sept. 21, 1962]

WHAT SHOULD MONROE DOCTRINE MEAN? BLOCKADE

Khrushchev's arms buildup in Cuba is an insolent challenge to the Western Hemisphere which has so far drawn no adequate response from the President of the United States. The White House is wrapped in what appears to be indecision. A measure of indecision is understandable, for we have been skillfully ambushed by Khrushchev. But the President must act, and we urge him to invoke the Monroe Doctrine, a foundation stone of U.S. foreign policy, to prevent Castro's further import of Communist arms.

What has happened to the Monroe Doctrine? When Khrushchev pronounced it "dead" 2 years ago Eisenhower denied it and so has Kennedy. But Khrushchev is evidently trying to prove it dead or to find out what it means. Being unilateral, the Doctrine has always meant just what the United States says it means, including what

kind of "colonization" it is intended to forbid. But to mean anything to Khrushchev, the doctrine needs a fresh definition of the kind the United States will risk a fight for. Kennedy owes the world that clarification.

In his statement admitting the Cuban buildup Kennedy said it is not yet a serious military threat to the United States. He made a distinction (hardly tenable) between offensive and defensive weapons, implying that a continued buildup will raise the "gravest issues"—that is, issues of U.S. preventive action. We suggest that the issue is sufficiently grave already; that the presence of massive Soviet arms and soldiers in this hemisphere is hostile to the Monroe Doctrine, and that it should be specifically defined to exclude them. Russian arms have turned Cuba into a Russian colony as abject as East Germany. If not yet a threat to the continental United States, they are such to the harassed governments of Venezuela, Guatemala, Honduras and several other members of our hemisphere security system, not to mention our Marine base at Guantanamo or the Panama Canal. And they are a political threat to the U.S. position as a world power.

How then can Kennedy stop further Communist arms to Cuba and make an updated Monroe Doctrine stick? He has taken some first steps. He is bringing pressure on our NATO allies not to let their ships be chartered for this traffic. Dean Rusk has proposed an informal meeting of Western Hemisphere foreign ministers to discuss possible OAS action. Moreover, Kennedy has promised to continue helping Caribbean nations patrol their shores against arms smuggled from Cuba.

These steps are not enough. The next one, we suggest, is that the U.S. Navy, with whatever Latin American support we can muster, stop and search all vessels, especially Soviet vessels, entering Cuban waters and suspected of carrying more Soviet arms or men. The men would be sent home, the arms dumped in the sea.

Rusk has discouraged a blockade talk on the ground that it would be an act of war. But a blockade against armaments is less warlike than Khrushchev's massive arming of Castro. It is less bellicose than Khrushchev's irresponsible rodomontade of last week, in which he accused the United States of plotting an invasion of Cuba and threatened nuclear war. An arms blockade—although it may mean war—is not necessarily a formal act of war, especially if the 139-year-old Monroe Doctrine is interpreted to require it.

In so interpreting it, we must of course seek assent from our Latin allies, with whom we have increasingly shared responsibility for the doctrine's definition since 1933. But we have not surrendered this responsibility; the Latins are inclined to evade it; and our whole hemisphere security system depends in the last analysis on U.S. power. Said Kennedy last year: "If the nations of this hemisphere should fail to meet their commitments against outside Communist penetration * * * this Government will not hesitate in meeting its primary obligations which are to the security of our Nation."

It is true that U.S. interests and security are now global, not merely hemispheric. Kennedy himself seems unduly impressed with Khrushchev's argument that if we support NATO bases near Russia's Turkish border, why can't Russia have bases in our backyard? Though our interests are global, we have a prior commitment to this hemisphere; and there is no law telling us we must not resist aggression until our declared enemy is as worldwide as we.

The Soviet buildup near Florida is the most direct challenge to the Monroe Doctrine since Maximilian invaded Mexico. The reassertion of the doctrine against this threat will reassure our uneasy allies and put spine in the inter-American system. Above all, it

will let Khrushchev know that Kennedy, who once said, "Our restraint is not inexhaustible," is not the victim of permanent indecision. A blockade has its dangers, including that of physical sailor-to-sailor contact with the enemy, though the conflict will remain as limited as Khrushchev desires. There is far greater danger in continued piecemeal acceptance of the worldwide Communist advance.

[From the Washington Evening Star, Sept. 19, 1962]

Beware "AFTER ALL" View on Cuba—Rationalizing of the Soviets' Takeover With Free World's Bases Is Found Faulty

(By William S. White)

A curious line is running through much public and private comment about the presence in Castro Cuba of Soviet arms and Soviet "technicians." It might be called the argument of after all, and it goes thus:

It is very upsetting, of course, that the Soviet Union has now made a publicly boasted military lodgment in this hemisphere. But, after all, the United States has forces of its own or allies of its own in many places confronting Russia, too.

Of this sort of reasoning the only possible query is how "sophisticated," how "objective," can you get? Isn't this another way of saying that there is, underneath, not much difference between us and our record and intentions and the Soviet Union and its record and intentions?

Is there no distinction between the positioning of American forces in free countries which have asked for our protection and the positioning of Soviet forces in countries which have been brutally and simply overrun—say Hungary and Poland?

We have troops in West Germany, yes. But is West Germany under our rule as East Germany is under Nikita Khrushchev's rule? President Kennedy, whose whole administration has been involved in endless and often losing arguments with Chancellor Adenauer, would hardly say so.

For a decade we have had troops or military associations in a Europe running from Turkey on the east to Italy on the south and France on the west. But have we dominated any of those countries? Charles de Gaulle of France would hardly prove so. For American foreign policy has been as notably unsuccessful in dominating General de Gaulle as it has been in dominating Chancellor Adenauer or the Turks or the Italians or the Belgians or any of the others.

And where and when have we used a foreign base or lodgment to assault another nation? How many times has the Soviet Union done so since the Second World War? Half-a-dozen? More like a dozen?

If the afterallers are even partly right, what is the moral justification for foreign aid, for the North Atlantic Treaty Organization, and all the rest? And what of our long record, backed by unbroken history, of seeking no territory, no conquest? If we are, indeed, to be measured alongside the Soviet Union by our own voices what is the use of anything at all?

The afterall logic comes to this: Here, after all, are two giant powers. If we have the right to maintain foreign bases, though our bases are maintained with the consent and on the eager appeal of the host nations, then so does the Soviet Union, even though its bases are maintained at gunpoint and in some instances over the dead bodies of the host nations.

If this is objectivity, so then is the epigram which says that the rich and poor have an equal right to sleep in the public parks.

What price the objectivity, say of a Chester Bowles, a presidential adviser who says we must not attack a Cuba infected with Soviet military communism because we should then be charged in the United Na-

tions by the Russians with blatant aggression and very likely they (the Russians) would win their case?

The naked right of self-defense cannot possibly be alerted by any such mere "Alice-in-Wonderland" propaganda case in the U.N. or elsewhere.

There are only two possible excuses for not putting a stop right now to Soviet penetration. One is the official judgment that as of now we are not directly menaced. The other is the estimate, on which President Kennedy is banking, that the job can be done through collective Pan American action. Because he is President, his judgments must be accepted now; because there can be only one President at a time and because only a President can either know all of the facts or act upon them, anyhow.

But if his judgments turn out wrong, and wrong because of any heed paid to the afterallers, there will be measureless tragedy for his administration and for this country.

U.S. POLICY WITH RESPECT TO CUBA

Mr. KUCHEL. Mr. President, there is a seething bitterness among the American people today. They watch the ugly contemptible situation in a Communist-dominated island located 90 miles off the American coastline. They are filled with a bitterness perhaps unparalleled in modern times at the Soviet Union's making of Cuba a Communist power in this hemisphere.

That feeling is shared by the people's representatives in this Chamber. Shortly the U.S. Senate, in my judgment, will unanimously pass Senate Joint Resolution 230, which yesterday was reported to the Senate unanimously by both the Committee on Armed Services and the Committee on Foreign Relations.

Mr. President, I ask unanimous consent that the text of the resolution may be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection to the request of the Senator from California?

There being no objection, the joint resolution (S.J. Res. 230) was ordered to be printed in the RECORD, as follows:

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety"; and

Whereas in the Rio Treaty of 1947 the parties agreed that "an armed attack by any State against an American State shall be considered as an attack against all the American States, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations"; and

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extra-continental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union"; and

Whereas the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States is determined—

(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

Mr. KUCHEL. Mr. President, the passage of the joint resolution will demonstrate that the American people are united behind the President of the United States. The passage of the joint resolution will demonstrate that the Congress of the United States, the American people's representatives, reconfirm in the President the responsibility which under the Constitution is his, to take such steps as may be necessary and appropriate in the defense not alone of the American people, but in the defense also of freedom in the Western Hemisphere; and to prevent any attempted exportation of communism by Cuba, or the Soviet Union, or any Communist power, into any part of this hemisphere.

I am, as an American and not a partisan, most grateful and proud of what our two committees have done. I look forward to demonstrating with my vote, in conjunction with the votes of every Democrat and every Republican in this Chamber, the fact that the American people and the American Government intend to see that communism does not constitute a growing cancer in the Western Hemisphere. Firmness in our policy against Communist imperialism must be an unflinching American position any place in this globe where the threat arises.

Mr. MAGNUSON. Mr. President, I wish to associate myself, in case the time limitation might not allow all of us to say what we would like to say on Cuba and on the joint resolution, with the remarks made by the Senator from California and by the Senator from Pennsylvania. Apparently Senators are united on this issue, regardless of political party. Apparently we are all united in the belief that Castro must go. We are dedicated to that proposition, whether we be Republicans or Democrats.

I think the best illustration of that fact for the American people, as Americans rather than Republicans or Democrats, is what is taking place in the Senate today. The distinguished Senator from California is a Republican candidate for the U.S. Senate in a State, a neighbor to mine. I am a Democratic candidate for the U.S. Senate in my State. We are both united in believing that Castro must go, and we shall be dedicated to that proposition.

Mr. KUCHEL. I thank my friend.

TRIBUTE TO SENATOR MAGNUSON

Mr. BARTLETT. Mr. President, an article in the September-October 1962 issue of the National Defense Transportation Journal paid high tribute to Senator MAGNUSON and observed that he had been selected by the Joint Chiefs of Staff of the Department of Defense to receive the thirteenth annual National Transportation Award of the National Defense Transportation Association. The award will be presented to Senator MAGNUSON on October 31, 1962. The citation accompanying the award stated, among other things:

His inspiring leadership and enthusiasm, sturdy principles and progressive spirit, and his valuable and noteworthy service in the cause of transportation preparedness have merited for him the respect of the entire transportation world.

Mr. President, the recognition accorded Senator MAGNUSON by this award is richly deserved. In both Houses of the Congress and on both sides of the aisle no one would dispute that he is Mr. Maritime.

Mr. President, whether the mode of travel or cargo shipment is over water, on the surface or in the air, I believe there is no man in Congress who has been more dedicated to, or contributed more, to the achieving and realization by our country of the most modern and efficient transport system in the world.

Mr. President, I ask unanimous consent that the article be printed at this point in the RECORD.

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

SENATOR MAGNUSON WINS TRANSPORTATION AWARD

Senator WARREN G. MAGNUSON, of Washington State, has been selected by the Joint Chiefs of Staff of the Department of Defense to receive the 13th annual National Transportation Award of the National Defense Transportation Association. His selection was based on achievements in transportation which "contributed to the effectiveness of the transportation industry in support of national security."

The award will be formally presented to Senator MAGNUSON at NDTA's 17th annual transportation and logistics forum which will be held in San Francisco, October 28-31. Actual presentation of the award will take place during the association's annual banquet the evening of October 31 in San Francisco's Sheraton-Palace Hotel.

The citation accompanying the award said that Senator MAGNUSON, during his career in Congress, "has been particularly active and effective in the field of transportation legislation bearing upon all modes of transportation."

"In his capacity as chairman of the Senate Committee on Interstate and Foreign Commerce, he has constantly and consistently led the way in endeavors designed to enhance and to improve our national transportation system throughout. His successful efforts range through the Magnuson-Monroney aid to airports bill, the Federal Aviation Act, congressional approval of the International Rail and Highway Commission studies, development of the world's first nuclear-propelled merchant ship, the N.S. *Savannah*; the world's first oceangoing hydrofoil vessel, the H.S. *Denison*; the Transportation Act of 1958, and most recently the report developed under his guidance, as a result of Senate Resolution No. 29 of the 86th Congress.

"His inspiring leadership and enthusiasm, sturdy principles and progressive spirit, and his valuable and noteworthy service in the cause of transportation preparedness have merited for him the respect of the entire transportation world," the citation concluded.

Born in Moorhead, Clay County, Minn., April 12, 1905, Senator MAGNUSON came to Washington, D.C., January 1937, as a Member of the House of Representatives from Seattle, Wash., where he served until assuming his Senate seat on December 13, 1944. He now ranks 9th among Democrats and 11th in seniority in the membership of the Senate of the 87th Congress.

Senator MAGNUSON holds important positions in the Senate for the advancement of his and the Nation's transportation objectives.

He is chairman of the Senate Committee on Commerce and chairman of the Subcommittee on Independent Offices of the Senate Committee on Appropriations, which weighs the funding needs of 29 Government agencies, including all regulatory agencies and of the Federal Aviation Agency, the National Aeronautics and Space Administration, Interstate Commerce Commission, and the Office of Emergency Planning.

Senator MAGNUSON is also a member of the Senate Committee on Aeronautical and Space Sciences, chairman of the Standing Subcommittee on Merchant Marine and Fisheries, and of the Special Subcommittee To Study Operation of the Military Air Transport Service and the Military Sea Transportation Service, chairman of the Special Subcommittee To Study Methods of Advancing Foreign Trade Between the United States and Asia, and Between the United States and Canada and Iceland.

In addition, Senator MAGNUSON is the recognized spokesman for transportation in the nine-member Senate Democratic policy committee on which he serves, and he heads the Congressional Board of Visitors to both the U.S. Coast Guard Academy and the U.S. Merchant Marine Academy.

OTHER AWARD WINNERS

Senator MAGNUSON, as the 1961 winner of the National Transportation Award, heads a list of many transportation-field leaders who have been honored in previous years. They include Morris Forgash, chairman of the board and president of the United States Freight Co., selected as the 1960 winner for sparking industrywide interest in a basic set of standards and dimensions of transportation equipment; Stephen D. Bechtel, Sr., 1959 winner, selected for his strengthening of transportation facilities through engineering and construction, mainly in the building of oil and natural gas pipeline systems; Robert G. LeTourneau, 1958, for his development of heavy-duty handling, hauling, and loading equipment; William T. Faricy, 1957, for his efforts to strengthen transportation as a leader of the Association of American Railroads; Donald J. Russell, 1956, for his contribution to the solution of emergency transportation problems; Donald W. Douglas, Sr., 1955, for his work in both military and civilian transportation, and Charles H. Weaver, 1954, for the design and construction of the nuclear powerplant for the submarine *Nautilus*.

The National Defense Transportation Association, a military-civilian group of transportation professionals established the National Transportation Award in 1949 to promote transportation preparedness and to foster a keener realization of military transportation requirements.

SENATOR TO DELIVER MAJOR ADDRESS OCTOBER 31

Senator MAGNUSON is expected to deliver a major transportation message when he speaks to NDTA delegates at their annual banquet.

MAGNA CARTA

Mr. SCOTT. Mr. President, the Baronial Order of Magna Carta is a highly esteemed, patriotic organization, with its headquarters in Philadelphia. Its members are to be found in the various States of the Union—many of them in Pennsylvania. The sureties of Magna Carta were the barons and nobles chosen to see to it that the English King did nothing to stay or destroy the liberties granted under the famous Document of Runnymede, approved in 1215.

Every year the annual meeting of the officers and members of the order is held usually in Philadelphia or its environs. These meetings are usually held at the home of members; and a feature involved is the display of the banners of the original sureties. Weather permitting, the dinner that is served is on the lawn of the host. These occasions are well attended; and the wives and daughters of the members lend the "eloquence of their presence." The annual meeting falls on a Saturday in the early summer, at which business is transacted, and the social aspects observed.

On the day following the annual meeting, Sunday, a Magna Carta service is held in Old Christ Church, in the heart of Philadelphia, and an address is delivered, concerning Magna Carta, by an outstanding publicist. The banners of the ancient sureties are carried in the church procession. Following the service the order makes bestowal of its annual award of merit to the speaker.

The last annual meeting of the order occurred June 16, 1962, at the home of Charles Edgar Hires, former marshal—chief officer of the order—in Bryn Mawr, in Metropolitan Philadelphia. The meeting is designated the annual grand chapter. Col. Thomas R. White, Jr., is the present marshal.

An interesting feature of this meeting was the election of Gen. Douglas MacArthur as an honorary life member of the order. He is eligible for membership under his ancestral lines. The motion for this action was made by former Congressman Maurice H. Thatcher, of Kentucky, a member of the order and on its governing board of sureties.

On the next day, June 17, at the Magna Carta service held in Christ Church, Hon. John C. Bell, Jr., chief justice of the Pennsylvania Supreme Court, was the speaker, and he delivered a most interesting and patriotic address. Following its delivery, Justice Bell was presented with the order's annual award of merit for outstanding public service.

Mr. President, I ask unanimous consent for inclusion of this excellent address in the RECORD.

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

ADDRESS OF JOHN C. BELL, JR., CHIEF JUSTICE OF THE SUPREME COURT OF PENNSYLVANIA, AT CHRIST CHURCH, PHILADELPHIA, JUNE 17, 1962

We are gathered today to celebrate the 747th anniversary of one of the greatest and probably the most famous document in English history, the Magna Carta. It is particularly appropriate that these commemorative services should be held in Philadelphia, the city which is the birthplace of liberty,

and in Christ Church, because it is probably the most famous church in our country. This historic church is rich in tradition, glorious in its spirituality, and wonderful in the influence which it has exerted in Philadelphia and on the Founding Fathers of our Nation. It was chartered by the Bishop of London in 1695, upon petition of 36 persons, including physicians, lawyers, carpenters, a baker, a dyer, a judge of the Admiralty, and two "pirates." It was the first Church of England parish in this colony, and thus the mother church of the diocese of Pennsylvania. It was a shrine of American patriots during Revolutionary times, and especially when the Declaration of Independence was being drafted and signed, and the Constitution was adopted. George Washington, Benjamin Franklin, and many other leaders of our country worshipped at Christ Church and many of them are buried here.

The Protestant Episcopal Church in the United States was formed in Christ Church after the Revolution, and William White, who was its outstanding rector for 57 years, was not only chaplain of the Continental Congress, but also became the first bishop of Pennsylvania.

Its spiritual leadership has been combined with temporal leadership and works of charity and benevolence. Through the influence of members of its congregation, four churches in nearby counties have been established, as was the University of Pennsylvania, the Episcopal Academy, and the Philadelphia Divinity School. After 260 years since its founding, Christ Church has lost nothing of its spirituality and its dynamic activity as a church and parish. Its parish groups and organizations are constantly aiding the poor, the helpless and the needy, and spreading the Kingdom of God at home and abroad. Its fame and historic appeal is evident from the fact that some 175,000 people visit Christ Church every year, and of this number approximately 50,000 are schoolchildren, scouts and young people.

Our ancestors who founded America, believed that God created men in equality and willed them to be free in body, spirit and soul. Our forefathers crossed 3,000 miles of a wild unknown ocean and gave up security, in order to live and worship in freedom. In words and in deeds they proclaimed their belief in God, and in freedom from any absolute temporal ruler. They proclaimed this in the Declaration of Independence, they established it by a revolution, and they ordained and protected it with a Constitution. That is why it is so appropriate that the Baronial Order of Magna Carta is holding its services today in this historic church.

Magna Carta was wrested by the barons and knights of England from King John at Runnymede, on the 15th day of June 1215. It is not generally known, but Magna Carta was an 18-inch-square sheepskin document which was ensealed, not signed, because neither the King nor any of the nobles could write. Magna Carta has been universally recognized as the bulwark of English liberties. The most important grant of liberties in this great charter was: "No Freeman shall be taken, or imprisoned, or be desseised of his Freehold, or Liberties, or free Customs, or be outlawed, or exiled, or any otherwise destroyed; nor will we not pass upon him, nor condemn him, but by lawful Judgment of his Peers, or by the Law of the Land. We will sell to no man, we will not deny to any man either Justice or Right."

Magna Carta did not create new and novel rights.

It was in essence a recognition and restoration of certain rights and liberties which had previously been enjoyed by the nobles of England, but which had been usurped and abrogated by King John. It was the inspiration and basis for our Declaration of Independence and for the inherent rights of private property and the fundamental free-

doms which were ordained and established in our Constitution. These included freedom of religion, freedom of speech, freedom of the press, the right of private property, and the right to trial by jury. Moreover, Magna Carta was the first written acknowledgment by the Crown that the people (the nobles) had certain inherent inalienable rights and that the Crown was subject to the law. In other words, that the power of sovereignty or government was limited. This concept of limited government is the essence of our Constitution and Bill of Rights.

The Baronial Order of Magna Carta was established to perpetuate the memory of those ancestral noblemen who in that charter finally secured from the King a recognition and guarantee of their important liberties and their basic rights of property; and to inspire their descendants with an indestructible determination to perpetuate these fundamental rights of freedom and property.

Freedom of any kind is not easily secured or easily maintained. The almost-divine flame of freedom is flickering in atheistic Russia and its Communist satellites in Europe, in China, and in our next-door neighbor, Cuba—but it never dies. Today in many parts of the world, in several new nations in Africa, in southeast Asia, and in smoldering nations in South America, freedom is erupting and shining more brightly than ever before.

Our Constitution, in spite of many criticisms today, has been proclaimed by world leaders, as the greatest document ever written in the last 1,900 years. It not only guarantees numerous fundamental liberties, but it further provides that no man shall be deprived of his property or liberty except by a law which is passed by his Representatives in Congress or in a State legislature, in accordance with the provisions of the Constitution. These inherent fundamental rights of private property, of freedom of religion, speech and press, and the right to trial by jury, are the basic rights which distinguish a really free people from atheistic communism and from other nations which are ruled by an omnipotent dictator.

Magna Carta was also the first important written recognition and partial settlement of the endless struggle which has gone on through history, and which I believe will continue perpetually, between an absolute dictator or an omnipotent government on the one hand—regardless of what euphemistic and false name it adopts—and freedom-loving people on the other. This struggle, this battle, like the tides of the sea, constantly ebbs and flows.

It is surprising how many people fail to realize this endless struggle and the importance and necessity of preserving these fundamental basic pillars on which the house of freedom has been erected. Unbeknown to most people, a craving for absolute governmental power has insidiously invaded our beloved country.

Our Constitution is not a weathervane which turns with every popular wind that blows; our Constitution is a rock of Gibraltar, which was built to give a free people a wise framework of limited government and to protect our constitutionally ordained rights of property and our liberties against infringement—even against hurricane winds generated by demands of selfish groups or by self-seeking politicians, or even by those with worthy objectives. You cannot swear to support and obey the Constitution; you cannot say that you are for the Constitution if you attempt to erode or bypass or distort or destroy a part of the Constitution when it restrains your present wishes or interests.

Today every expansion of Government, and every curtailment of rights of private property and of freedom of speech or press, is advocated and proclaimed under the guise, often sincerely made, that it is for the gen-

eral welfare and in the best interest of the people, and hence government should possess and exercise this power. This is a very popular cloak with which to conceal infringements of basic constitutional rights. It is unpopular to oppose any government action, whether advocated by the highest officer in the land or by the lowest zoning commission, when they constantly assert, accompanied with a righteous glow, that their plans and actions and policies are for the benefit of the people.

Yet if we are to preserve our fundamental rights, which were ordained in Magna Carta and in the Constitution, we must oppose each and every sugar-coated invasion and curtailment of these basic rights. I vigorously urge the Baronial Order of Magna Carta to be as vigilant and indestructibly steadfast as were their ancestors in opposing the expansion of governmental power when it curtails the inherent rights of free men, even though the governmental acts be gilded with a heart-warming slogan or a (misdirected) worthy goal.

The Baronial Order of Magna Carta can be helpful in another important way. It is well known that Magna Carta resulted from a revolt of the Nobles, but it is not as well known that the church, through the efforts of Stephen Langton, Archbishop of Canterbury, was part of this movement. The Magna Carta provides that the Church of England "shall have her whole rights and liberties inviolable." King John had persecuted the clergy and had appropriated church lands, and in this way had filled his coffers with money which he needed for pleasure and for war. John was excommunicated, but after several years he made peace with the Pope, his excommunication was withdrawn, the church's property was returned, and the church's sovereignty over England was recognized in Magna Carta.

Today, mainly because of the cold war, people throughout the world are so worried, harried, poor, or hungry, that they have become extraordinarily materialistic, and are worshipping Mammon instead of God. Here in this wonderful historic church, all of us should rededicate ourselves not only to protecting and perpetuating the fundamental rights of freedom and private property which were established in Magna Carta and ordained in our Constitution, but even more important the higher power which is above all temporal power, namely, the love of church and the love of God. May I reverently say "Let your light shine forth throughout our city, State, and Nation, so that all men may see your good works and be inspired to protect our liberties and glorify our God."

U.S. POLICY WITH RESPECT TO CUBA

Mr. SCOTT. Mr. President, I wish to call to the attention of the Senate an excellent editorial by William S. White in the September 19 issue of the Washington Evening Star. This editorial discusses a common fallacy that often enters into our discussion of the explosive Cuban situation. The fallacy is the facile parallels sometimes drawn between U.S. bases overseas and Communist colonialist expansion.

The assumption that U.S. military bases in other countries and Soviet military outposts are in some way identical is dangerously wrong. Such an assumption is based on the inability, or the refusal, to see a difference in the respective goals of the United States and the

U.S.S.R. The assumption also points to a misunderstanding of the role of military forces in a democratic society and in a totalitarian, colonialist society. We should recognize that our purposes are to let the free world remain free. The purposes of the U.S.S.R., on the other hand, are to turn the free world toward Communist slavery.

Mr. President, I ask unanimous consent that Mr. White's editorial be printed in the RECORD.

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

Beware "AFTER-ALL" VIEW ON CUBA—RATIONALIZING OF THE SOVIETS' TAKE-OVER WITH FREE WORLD'S BASES IS FOUND FAULTY

(By William S. White)

A curious line is running through much public and private comment about the presence in Castro Cuba of Soviet arms and Soviet technicians. It might be called the argument of after-all, and it goes thus:

It is very upsetting, of course, that the Soviet Union has now made a publicly boasted military lodgment in this hemisphere. But, after all, the United States has forces of its own or allies of its own in many places confronting Russia, too.

Of this sort of reasoning the only possible query is how sophisticated, how objective, can you get? Isn't this another way of saying that there is, underneath, not much difference between us and our record and intentions and the Soviet Union and its record and intentions?

Is there no distinction between the positioning of American forces in free countries which have asked for our protection and the positioning of Soviet forces in countries which have been brutally and simply overrun—say Hungary and Poland?

We have troops in West Germany, yes. But is West Germany under our rule as East Germany is under Nikita Khrushchev's rule? President Kennedy, whose whole administration has been involved in endless and often losing arguments with Chancellor Adenauer, would hardly say so.

For a decade we have had troops or military associations in a Europe running from Turkey on the east to Italy on the south and France on the west. But have we dominated any of those countries? Charles de Gaulle of France would hardly prove so. For American foreign policy has been as notably unsuccessful in dominating General De Gaulle as it has been in dominating Chancellor Adenauer or the Turks or the Italians or the Belgians or any of the others.

And where and when have we used a foreign base or lodgment to assault another nation? How many times has the Soviet Union done so since the Second World War? Half a dozen? More like a dozen?

If the after-allers are even partly right, what is the moral justification for foreign aid, for the North Atlantic Treaty Organization, and all the rest? And what of our long record, backed by unbroken history, of seeking no territory, no conquest? If we are, indeed, to be measured alongside the Soviet Union by our own voices what is the use of anything at all?

The after-all logic comes to this: Here, after all, are two giant powers. If we have the right to maintain foreign bases, though our bases are maintained with the consent and on the eager appeal of the host nations, then so does the Soviet Union, even though its bases are maintained at gunpoint and in some instances over the dead bodies of the host nations.

If this is objectivity, so then is the epigram which says that the rich and poor have an equal right to sleep in the public parks.

What price the objectivity, say of a Chester Bowles, a Presidential adviser who says we must not attack a Cuba infected with Soviet military communism because we should then be charged in the United Nations by the Russians with "blatant aggression and very likely they (the Russians) would win their case?"

The naked right of self-defense cannot possibly be alerted by any such mere Alice-in-Wonderland propaganda "case" in the U.N. or elsewhere.

There are only two possible excuses for not putting a stop right now to Soviet penetration. One is the official judgment that as of now we are not directly menaced. The other is the estimate, on which President Kennedy is banking, that the job can be done through collective pan-American action. Because he is President, his judgments must be accepted now; because there can be only one President at a time and because only a President can either know all of the facts or act upon them, anyhow.

But if his judgments turn out wrong, and wrong because of any heed paid to the after-allers, there will be measureless tragedy for his administration and for this country.

COUNTY GOVERNMENTS IN CALIFORNIA ADVANCE FOUR-POINT PROGRAM FOR LUMBER INDUSTRY

Mr. ENGLE. Mr. President, the responsibility of local elected officials to advance the economic well-being of their own areas is fundamental in American Government. This sense of local service and responsibility has been demonstrated by nine northern California counties whose boards of supervisors have proposed a program of action to relieve the plight of the lumber industry upon which these counties so heavily depend.

Secretary of Agriculture Orville Freeman last week met with Congressman HAROLD T. (BIZZ) JOHNSON, Democrat, of California, whose mountain district contains 12.5 million acres of national forest, and with Michael T. Hennessy of Yreka, representing the Northern California Supervisors Association. The secretary reviewed the basic four-point program advocated by the nine county governments and pledged the Department's full cooperation. The four points are:

First. Sale of full allowable cut of timber based on sound inventories and growth prediction.

Second. Consideration of community stability in appraising timber for sales.

Third. Revision of Forest Service contracts to make them more equitable to the public, the timber purchaser, and the Forest Service.

Fourth. Adoption of an independent appeals procedure to permit speedy settlement of contract disputes.

I endorse this program. It is important to note that the nine counties—Siskiyou, Plumas, Butte, Glenn, Modoc, Lassen, Tehama, Shasta, and Trinity—produce most of the timber harvested on national forests in California.

Mr. President, their resolutions reflect the genuine interest of local government in an attempt to solve their own problems. The one presented by Siskiyou County is typical. I ask unanimous consent that the resolution be printed in the RECORD.

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

RESOLUTION TO SECRETARY OF AGRICULTURE ON PROPOSALS OF THE LUMBER INDUSTRY

Whereas an increasingly large segment of the lumber industry has become substantially dependent upon the Federal Government for its source of timber supply; and

Whereas recent trends in Federal timber sales procedures are resulting in more and more instability in such lumber industry; and

Whereas as representatives of the people of this county, the board of supervisors is vitally interested in the lumber industry in order to bring about economic stability to the communities of this county: Now, therefore, be it

Resolved by the Board of Supervisors of Siskiyou County, That the Secretary of Agriculture be urged to immediately adopt the four point program presented to the Secretary of Agriculture on February 21, 1962, by the representatives of the lumber industry as supplemented and more particularized by the memorandum to the Secretary of Agriculture further expanding such four point proposal made August 9, 1962.

The clerk is directed to mail additional copies of this resolution to the two U.S. Senators of this State and to the Congressman from this district.

Passed this 28th day of August 1962, by the following vote:

Ayes: Supervisors Ager, Barr, Jackson and Ealy.

Noes: None.

Absent: None.

DON S. AVERY,

Chairman of the Board of Supervisors.

Attest:

RACHAEL N. CORDES,

DISARMAMENT—ARTICLES BY REPRESENTATIVE GALLAGHER

Mr. HUMPHREY. Mr. President, I would also like to call attention to three articles by Representative CORNELIUS E. GALLAGHER, of New Jersey. Representative GALLAGHER recently spent 12 days in Geneva as adviser to the U.S. Delegation to the Disarmament Conference. These three articles recently appeared in New Jersey newspapers and I commend them to my colleagues for analysis and study. They represent a concise summary of the status of negotiations in Geneva.

I ask unanimous consent that these articles be printed in the RECORD.

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

GENEVA DISARMAMENT TALKS MAY DECIDE SURVIVAL OF WORLD

(By Congressman CORNELIUS E. GALLAGHER, Member, Foreign Affairs Committee, House of Representatives and Adviser to U.S. Delegation on Disarmament)

Nothing is more vital to the security of the United States and the entire world than a workable, realistic, and guaranteed nuclear disarmament treaty between the major nuclear powers.

I have recently returned from the 18-Nation Disarmament Conference in Geneva, Switzerland, where I served as adviser to the U.S. delegation on disarmament. As an original sponsor of the legislation creating the U.S. Arms Control Agency, my job was to evaluate the Conference proceedings and report back to the Congress with my recommendations.

In the light of my observations at the Conference and conversations with Secretary Rusk, I want to report to you here, and in subsequent columns, on our country's efforts to achieve a guaranteed system of nuclear disarmament.

I believe the Geneva Disarmament Conference is the most important international conference to be held this year. The recent news that the Conference will take a temporary recess from September 8 to November 12 has been interpreted by some observers as a sign that the Conference has reached a total deadlock. This is a misconception. A temporary recess has been planned for some time to permit Conference delegates who are also delegates to the U.N. to attend the opening sessions of the U.N. General Assembly this fall.

Some people feel that the establishment of the U.S. Arms Control Agency was a sign of weakness. There are many people today who view the talks now going on in Geneva as a sign of weakness. I could not disagree more. The creation of the agency and the continuation of the talks are manifestations of our strength and maturity.

If we are to prevent an incineration of the world some day it will come about only because an agreement was reached on nuclear disarmament.

I am not talking of thoughtless, irresponsible, unilateral disarming. I am speaking of a disarmament agreement carefully considered and honorably entered into by all the nations of the world.

As the Secretary told the Conference, "our goal is perhaps the most ambitious, but certainly, it is the most essential, of all the items on the agenda of mankind. The United States considers that progress in disarmament is a practical goal and a practical necessity. I can assure you that no government is more anxious than the Government of the United States to assume the responsibilities which go with the drafting, the signature, and the execution of a sound and safeguarded treaty on general and complete disarmament."

The Russians, for their part, say they want peace and an end to the arms race, but so far they have shown little disposition to join us in an objectively controlled and reasonable reduction in arms or even in securing an end to nuclear testing. It was the Soviet Union, after all, which first renewed nuclear testing in 1961 breaking a 3-year moratorium on testing by the United States and the U.S.S.R.

The Russians have, however, indicated a desire to talk about reducing points of friction that might ignite a war, and we are prepared to press patiently and persistently for agreement in these areas. This could cover such issues as prohibiting the spread of nuclear weapons and the advance notification of military movements to prevent tension-producing situations.

But there are other factors which influence the chances for a reasonable and guaranteed disarmament agreement. These factors include the new U.S. plan for disarmament and the presence of eight new neutral nations at Geneva. They raise some hope that the 18-nation conference will make more progress than past conferences.

The long history of disarmament negotiations forms the background for our present attempt to reach agreement with the Soviet Union. We have placed our cards on the table—presented our outline for a treaty on general and complete disarmament. The Soviet Union has presented its own proposal. How we resolve our disagreement may make the difference between survival and the total destruction of the world as we know it.

In my next column I will discuss our past efforts to obtain a disarmament agreement and our prospects for success at Geneva.

PRESENT GENEVA TALKS MOST HOPEFUL SINCE WORLD WAR II

(By Congressman CORNELIUS E. GALLAGHER, Member, Foreign Affairs Committee, House of Representatives and Adviser to U.S. Delegation on Disarmament)

Geneva, Switzerland, the location of the 18-Nation Disarmament Conference, has been called "the city of lost causes." This is because so many fruitless conferences on major issues dividing the world have been held in that beautiful city.

But the present disarmament meetings at Geneva should not be viewed as a "lost cause." As I observed the proceedings at the Conference, I became convinced that it is the best forum which has so far been utilized in the long series of disarmament negotiations since the end of World War II.

Barely 2 months after the end of World War II the United States made its first attempt to seek international controls on nuclear weapons. Although we were then the only Nation possessing nuclear weapons, we were anxious to establish controls while nuclear technology was still in its infancy and before large stockpiles of nuclear weapons were built up in many countries.

The world had a chance to be free of nuclear threats at the very outset when Bernard Baruch, U.S. representative to the U.N. Atomic Energy Commission, presented proposals which came to be called the "Baruch plan." The "plan" called for creation of an international system of control and management of atomic energy. Useful nuclear material was to be transferred to an international agency, to be used for peaceful purposes. After an adequate system of control was agreed upon, free of the exercise of a veto by any one state, the "plan" called for a complete halt to the manufacturing of nuclear weapons and for the destruction of all existing weapons.

The Baruch plan was rejected by the Soviet Union even after the U.N. General Assembly adopted it as the U.N. plan in November 1948. In 1949, the U.S.S.R. exploded its first atomic bomb. Shortly thereafter the Korean war began. By 1953 both nations possessed hydrogen bombs.

These events disrupted disarmament talks for a long period of time. Succeeding years saw continued efforts by the United States to negotiate a workable disarmament treaty. The United States made many constructive proposals, such as President Eisenhower's Open Skies plan, in an effort to achieve a guaranteed system of disarmament. Many conferences, informal consultations and meetings of the U.N. Disarmament Subcommittee were held. But the Soviet Union persisted in refusing to accept a workable plan of inspection to verify test ban or disarmament proposals.

Little headway was made until June 1961 when the United States and the U.S.S.R. held talks in Washington. The talks ended in agreement on a joint statement of principles to guide further disarmament negotiations.

The joint statement set forth general and complete disarmament as a goal shared by both countries. It recognized both the need for international peacekeeping machinery and the possibility of deciding upon and carrying out initial disarmament measures even before a comprehensive treaty was signed.

The necessity for adequate control was recognized, although the U.S.S.R. refused to accept the U.S. position that verification procedures should apply not only to weapons destroyed but also to those retained. The 18-nation Disarmament Committee was named and the U.N. General Assembly called upon it to begin negotiations "as a matter of utmost urgency."

Negotiations began in Geneva last March with the United States resolved to explore

any pathway which might lead to progress. My observations at the conference have convinced me that several factors are working in our favor there.

First, the U.S. delegation to the conference is ably led by Ambassador Arthur N. Dean, a veteran negotiator on disarmament issues. Backstopping the delegation is a group of economic, scientific, and military experts drawn from the new U.S. Army Control and Disarmament Agency.

Another reason for hope is the composition and atmosphere of the Geneva meetings. In addition to the four NATO nations (United States, United Kingdom, Italy, and Canada), and the five Warsaw Pact nations (Soviet Union, Poland, Czechoslovakia, Bulgaria, and Rumania), eight new neutral nations are represented (Brazil, Mexico, Sweden, Ethiopia, Nigeria, United Arab Republic, India, and Burma). France was invited but has so far declined to take its seat on the grounds that only the four nuclear powers should negotiate on disarmament or nuclear test ban treaties.

The seriousness with which the West and the eight new nations are approaching the difficult problems of disarmament is a hopeful sign. Even on the Soviet side, the talks have been fairly free of polemics.

The eight new nations seem to be making a responsible contribution to the deliberations of the conference. Their very presence, in my judgment, has restrained the Soviet Union's propaganda attacks and has resulted in the focusing of attention upon the serious problems involved in negotiating a workable disarmament treaty.

But the major reason for hope at the conference is the U.S. proposal for disarmament. The U.S. plan would enable us, as President Kennedy told the U.N. last September, "to advance together step by step, stage by stage until general and complete disarmament has been achieved." In my next column, I will explain the details of the U.S. blueprint for disarmament and the Soviet position.

GENEVA ARMS CONFERENCE ADVANCES U.S. INTERESTS

(By Congressman CORNELIUS E. GALLAGHER, Member, Foreign Affairs Committee, House of Representatives and Adviser to U.S. Delegation on Disarmament)

The U.S. plan for complete and general disarmament is, in my judgment, the most carefully thought out and reasonable disarmament plan that has ever been presented by any nation.

In the present disarmament talks at Geneva the United States seeks agreement on three levels: (1) a treaty on general and complete disarmament; (2) a nuclear test ban treaty, and (3) partial measures, such as advance notice of major troop movements, to reduce international tensions.

The general U.S. disarmament plan is designed to permit the nations of the world to stop the arms race at an agreed time, to freeze the military situation as it then exists, and then to shrink military establishments to zero.

Our proposal would accomplish disarmament in three stages with each stage and the measures included therein to be carried out within a specific time limit. For example, during the first stage all countries would reduce their nuclear delivery weapons and conventional armaments by 30 percent.

Under the U.S. plan, disarmament progress would be balanced so that no state secures a military advantage over another state at any point in the disarmament process. Compliance with all disarmament measures would be effectively verified by a U.N. agency as they enter into force. As armaments are reduced the U.N. would also be progressively strengthened as an international peace-keeping body.

The United States also insists that new stages of disarmament cannot begin until all measures in the previous stage have been implemented and verified and until verification arrangements needed for the next stage are ready to operate.

Although progress has been made in discussing the details of the U.S. general disarmament plan at Geneva, major differences have come clearly to the foreground. The basic issue which divides the United States and the U.S.S.R. is Soviet insistence on measures which would result in military imbalance between the two sides in the early stages of disarmament.

What the U.S.S.R. wants is complete elimination of nuclear weapon delivery vehicles and foreign bases and withdrawal of all foreign troops stationed on alien territory during the first stage of disarmament. This proposal is an obvious propaganda move aimed at NATO and was properly denounced as such and rejected by the U.S. delegation.

Russia also refuses to accept a reasonable system of inspection to verify disarmament proposals. The Soviet proposal limits inspection to monitoring only to destruction of weapons and declared production facilities, while the United States rightfully insists that any effective inspection system must be able to determine that agreed levels of armaments in the various stages are not exceeded.

While I was in Geneva I found that the various delegations placed great stress on reaching agreement on the second level of the U.S. proposals, a nuclear test ban treaty. This is perhaps the most hopeful area of negotiation at present.

The new U.S. proposals for inspection of a nuclear test ban, developed as a result of new findings by the Defense Department, scales down U.S. demands for international controls to guarantee that all sides live up to an agreement to ban tests. The new U.S. proposals are based on scientific developments which permits a simpler and less costlier control system which would in no way jeopardize our national security.

Although the Soviet Union has formally rejected the new U.S. proposals, it is possible that the international political impact they have had may lead Russia to come up with an acceptable counterproposal.

During the temporary recess of the Geneva talks next fall the U.S. test-ban proposals may come up before the U.N. General Assembly. If the U.N. shows as much interest in the U.S. proposal as the neutral nations at Geneva, new pressure will be brought to bear on Russia when the Conference resumes in November.

But even if no agreement between the major nuclear powers is reached in the near future, the Geneva Conference has offered useful opportunities to advance U.S. interests. By communicating our point of view to other countries and by demonstrating that disarmament is a complicated task which cannot be achieved by propagandistic proposals, the Geneva talks have already been of value.

I have come back from Geneva convinced that the cause of humanity makes disarmament absolutely vital. The economics of the escalation of weapons and counterweapons ad infinitum make it a compelling necessity. We cannot continue to dissipate our resources and energy in the search of means to destroy each other.

Russia knows this as well as we do. That is why they are in Geneva, too. If we don't discuss means we will never find a solution. So long as we can talk, so long as we can keep the channels of communication open, there is hope. This is why we must persevere. It requires patience, but the prize is the greatest that man can bestow on his fellow man—for the prize is peace.

ABUSES OF ANNUAL LEAVE AND SICK LEAVE AND PADDING OF OFFICIAL TRAVEL VOUCHERS

Mr. WILLIAMS of Delaware. Mr. President, early in April it was called to my attention that certain employees of the Department of Agriculture were abusing their annual and sick leave and were padding their official travel vouchers.

In particular, Mr. Ayles B. Shehee, Chief of the Safety Branch, Rural Electrification Administration, Department of Agriculture, was cited as having falsified his travel vouchers, in that he was charging his personal travel expenses to the Government, as well as collecting per diem allowance for several nonofficial trips.

I have just received from the Civil Service Commission a report confirming this abuse on the part of Mr. Shehee.

Examination of Mr. Shehee's travel vouchers disclosed that he claimed reimbursement for 251 days of official travel during the period from January 6, 1961, through March 1962.

During the same period he claimed reimbursement for 58¼ days of official travel in Atlanta, but the record shows that he did not visit any Rural Electrification Administration cooperatives in the State of Georgia during 1961 and 1962.

This abuse of annual and sick leave and travel allowance by Mr. Shehee was called to the attention of the Civil Service Commission on April 3, 1962. Four and one-half months later—on August 24—I received confirmation from Mr. John W. Macy, Jr., chairman of the Civil Service Commission, to the effect that they had found that Mr. Shehee had on several occasions falsified his travel expenses, and that the report was being forwarded to the Department of Agriculture's general counsel and to the Department of Justice.

However, a call to the Department of Agriculture today disclosed that Mr. Shehee is still on duty.

During recent months the administration has been very critical of American businessmen whom they charge with claiming excessive allowances for travel and official entertainment, as business deductions.

The administration would be more effective in its endeavor to correct any such abuse by the businessmen if first it demonstrated a desire to keep its own house in order.

Why after 4 months has more effective action not been taken in this case?

I ask unanimous consent to have printed at this point in the RECORD my letter to Hon. John W. Macy, Jr., chairman of the Civil Service Commission, dated April 3, 1962, and his reply thereto, which I received on August 24, 1962.

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

U.S. SENATE,
Washington, D.C., April 3, 1962.

HON. JOHN W. MACY, JR.,
Chairman, Civil Service Commission,
Washington, D.C.

MY DEAR MR. MACY: I have received allegations of widespread abuse among civil

service employees in the use of annual and sick leave. One particular allegation is to the effect that an employee of the Rural Electrification Administration, Ayles B. Shehee, chief of the safety branch, has arranged his Christmas leave for the past several years so as to have the Government pay for his trips to his home in Atlanta, Ga. The report is that in 1961 he visited a co-operative in Georgia on December 9 and went on annual leave, that a special meeting was called in Washington on December 18, and that he returned to the city on a TR, only to go back to Atlanta the next day on a TR on leave until January 6. It was further alleged that at the present time he is in or is planning to go in an Atlanta hospital on sick leave and is arranging to do this also on TR's.

I would appreciate your checking this particular allegation and advising me of your findings. I would also appreciate your advising me of any other similar instances which have been found in recent years.

Yours sincerely,

JOHN J. WILLIAMS.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C.

HON. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: On April 3, 1962, you asked that we develop information for you concerning the alleged abuse of sick and annual leave by Mr. Ayles B. Shehee, Chief of the Safety Branch, Rural Electrification Administration, Department of Agriculture.

As I informed you earlier, this was investigated by the Department of Agriculture. Mr. Joseph M. Robertson, administrative assistant secretary, has now informed us of the findings and the action expected.

Mr. Shehee has been one of the principal officials in the agency's job training and safety programs and it was necessary for him to perform substantial amounts of travel throughout the country to meet with organizations interested in those programs.

Examination of Mr. Shehee's travel vouchers disclosed that he claimed reimbursement for 251 days of official travel during the period from January 6, 1961, through March 1962. During the same period he claimed reimbursement for 58 1/4 days of official travel in Atlanta. He did not visit any Rural Electrification Administration cooperatives in the State of Georgia during 1961 and 1962.

An investigation was made of the trips which appeared questionable to any degree. The investigation indicates that a fiscal charge will be assessed against Mr. Shehee for money paid for travel expenses, including per diem in lieu of subsistence, which were not essential to the transaction of official business. It also appears that his annual leave account will be charged for certain occasions when he was performing personal business during official duty hours but failed to charge annual leave.

Mr. Robertson stated that a letter of charges is being prepared which will direct Mr. Shehee to show cause why he should not be disciplined for claiming reimbursement for expenses which were not essential to the transaction of official business, and that the Department's General Counsel has referred the case to the Department of Justice for possible action.

I have no information concerning other similar cases of recent years.

If we can be of any further assistance to you in this matter, please let me know.

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

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

Mr. HUMPHREY. Mr. President, what is the pending business?

Mr. STENNIS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. Before the pending business is considered, will there be a quorum call?

Mr. HUMPHREY. Yes.

TEMPORARY INCREASE IN MAXIMUM CONSTRUCTION DIFFERENTIAL SUBSIDY UNDER MERCHANT MARINE ACT OF 1936

THE PRESIDING OFFICER. Under the order of the Senate, the Chair lays before the Senate the bill, S. 2800, to amend the Merchant Marine Act, 1936.

The Senate resumed the consideration of the bill (S. 2800) to amend the Merchant Marine Act, 1936, in order to make permanent a temporary increase in the maximum construction differential subsidy that may be paid under such act and to provide that such maximum shall not apply with respect to reconstructing or reconditioning of ships.

Mr. HUMPHREY. Mr. President, I believe there is a unanimous-consent agreement to limit the time for debate on this bill.

THE PRESIDING OFFICER. The agreement provides for 1 hour. The pending question is on agreeing to the amendment offered by the Senator from Delaware.

Mr. HUMPHREY. If the Senator from Delaware will permit, there will be a brief quorum call, without the time being charged to either side. The Senator from Mississippi requests that that be done.

Mr. WILLIAMS of Delaware. That is agreeable.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, and that the time necessary for the call of the roll not be charged to either side.

THE PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WILLIAMS of Delaware. Mr. President, I yield first to the senior Senator from Virginia [Mr. BYRD] as much time as he desires.

Mr. BYRD of Virginia. Mr. President, the pending amendment, offered by the Senator from Delaware [Mr. WILLIAMS], would eliminate the 6 percent differential which Pacific coast shipyards have enjoyed for 26 years in bidding on the construction of certain merchant ships. I support the amendment. I shall vote for it. I hope it will be enacted.

It is an amendment in the interest of American taxpayers. It is an amend-

ment in the interest of our merchant marine. It is an amendment in the interest of good and fair business practice. It is an amendment in the interest of eliminating discrimination.

The provisions to be repealed are in section 502(d) of the 1936 Merchant Marine Act which discriminate against shipyards on the gulf, lakes and east coasts. They favor west coast yards in bidding on ships to be built by Pacific coast operators for western seaboard routes.

In short, under these provisions—for ships covered—west coast yards participating in the federally subsidized merchant marine replacement program must be awarded contracts even when they may be 6 percent higher than yards anywhere else in the country.

If there were any reasons for this 6 percent differential when it was put in the law back in 1936, they do not exist now; and it is not needed in the interest of national defense. Personally, I was opposed to the principle involved in 1936, and I oppose it now.

This is a great Nation. It is blessed by its location in the temperate zone. We have virtually four sea coasts. We dominate the two greatest oceans on the globe. Our industrial capacity is unsurpassed. Our position for maritime leadership is unequalled in the world.

But for reasons hard for many to understand we have plagued our maritime industry with unconscionable costs. It is time that we stopped pricing ourselves off of the seas. Adoption of this amendment is a good place to start. This expensive differential is not justifiable.

Contracts on more than 60 ships are to be let under the replacement program during the next few years. Expenditures in the program will total upward of \$700 million. This unnecessary and discriminatory differential will add tens of millions of dollars to the cost.

These unnecessary expenditures will be shared by the Nation's taxpayers and American-flag ship operators who otherwise are struggling to compete with foreign operators who have the advantage of lower wages and who are not met at every turn with unreasonable union demands.

Merchant shipping in all of its aspects—including ship construction—is a highly competitive business. It needs the advantages of competitive bidding at its best. To add an unnecessary 6 percent to its construction costs is not in the public interest.

This 6 percent differential was provided at a time when the Nation was coming out of the depression, but before the lend-lease and World War II buildup was started. West coast ship construction—merchant and naval—was dormant, but it never had been a major business.

It was argued that the industry was needed, and that the differential was required to compensate for the distance to sources of materials, and the lack of experience, know-how, facilities, et cetera. Since then—over a quarter of a century—the situation has clearly changed.

During World War II west coast shipyards turned out 44 percent of all tonnage built in the tremendous shipbuild-

ing effort of the United States. It can no longer be contended that west coast yards do not possess the experience, know-how and facilities. All of these are there.

The Pacific coast has grown in population, and it has been developed industrially. Steel mills are now in production west of the Rockies. Many components of ship construction are manufactured there. The Navy has huge establishments from one end of the coast to the other.

The 6-percent differential has never been applied to contracts for naval vessels. Although taking no position on repeal of the differential, Adm. H. E. M. Ward, speaking for the Secretary of the Navy on May 9, 1961, advised the House Committee on Merchant Marine and Fisheries, in part, as follows:

The Department of Defense has no convincing evidence that west coast shipyards are now at a significant disadvantage.

With respect to the merchant marine program, the 1936 act—exclusive of the 6-percent differential—provides for allocation of contracts in size and amounts sufficient to guarantee maintenance of the industry on the Pacific coast in a posture necessary for national defense purposes.

Repeal of the 6-percent differential under the pending amendment would not disturb naval activities or the national defense safeguards of the basic Maritime Act which, in themselves, assure continuing work of considerable magnitude in the west coast shipyards.

When opponents of this amendment point with alarm to the statement that west coast yards have only about 10 percent of the maritime work, they do not tell the whole story. They conveniently omit the fact that they have only about 12 percent of the shipways.

I have dealt with a lot of figures during my time in both public and private life, but I have never seen such a confusing mass of more or less conflicting statistics as have been presented in testimony and other discussion on this matter. There is a set of figures for every point of view.

The latest figures were compiled by the Maritime Administration, and published by the Senate Commerce Committee in the form of a committee print dated April 6, 1962. On page 3 of this print, the Maritime Administration arrives at three conclusions which I quote:

1. The cost of shipbuilding on the west coast exceeds that of the east coast by 4 percent.
2. The cost of shipbuilding on the gulf coast is less than that on the east coast by 1 percent.
3. The cost of shipbuilding on the Great Lakes is less than that on the east coast by 2 percent.

Have the east coast yards ever asked for a differential to compensate for the difference between their costs and those on the gulf and the lakes? Of course they have not. And if they did I would be the first to oppose the proposition.

Four percent variations in costs are not unusual among companies bidding in most markets. Such variations are not insurmountable for well managed and efficiently operated businesses. I do

not concede that west coast shipyards are otherwise.

On the contrary I am surprised that there are those here in the Senate who would be so uncomplimentary to the west coast yards as to contend that without the 6-percent discriminatory differential they could not compete in hardheaded competitive bidding.

The amendment is clearly in the interest of good and fair business practice, and the taxpayers and the Government. A differential favoring west coast shipyards is no more justifiable than would be a differential discriminating against west coast aircraft manufacturers.

With respect to defense contracts other than for shipbuilding, those now opposing this amendment on June 14, 1961, stood on the floor of the Senate and asserted—

We have the experience, 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.

It is difficult for citizens in any part of the country to refute this position—unless we are running a relief program—unless we are engaging in WPA-type projects—or unless the Federal Government admittedly is entering into some other kind of unbusinesslike venture.

I have the honor in the Senate to represent an east coast State. It is a source of great pride that the greatest and most efficient shipyard in the world is located in Virginia. It has been in successful operation for more than 60 years.

Both the U.S. Navy and the U.S. Maritime Administration bear witness to the character and efficiency of the Newport News Shipbuilding and Dry Dock Co. Its nuclear Carrier *Enterprise* and its SS *United States* rule the high seas today.

This yard's motto, which is inscribed in granite, says:

We build good ships at a profit if we can, at a loss if we must, but always good ships.

So far as I know, this motto has never been successfully challenged.

But I am not supporting this amendment in the way of a special plea for industry in my own State. I am not supporting it on any narrow geographical basis. I support it in behalf of the national interest which is not served by the existing sectional differential.

Opponents of the amendment hang their position on a weak reed when they base their opposition on the technical contention that no Senate Commerce Committee hearings have been held. There has been ample time and opportunity for Senate hearings on the matter.

Exhaustive hearings have been held by the House Committee on Merchant Marine and Fisheries. The proposal in the form of H.R. 1159 was passed by the House of Representatives on April 12, 1962. It has been before the Senate Commerce Committee since that date.

This is not a matter of limited local interest. An important question of national policy is involved. The Nation and the Senate are entitled to an enlightened settlement of the issue. I believe the differential is wrong in principle. I shall vote for its repeal.

Mr. MAGNUSON. Mr. President, I know that the Senator from Virginia [Mr. BYRD] must go to a very important meeting shortly. In relation to the pending amendment, I wish to quote from a statement of the Department of Defense because the Senator from Virginia cited other quotations regarding the overall defense procurement problem.

Mr. President, in effect the Department of Defense has said that—

The purpose of our Navy is national defense; the purpose of the merchant marine is to act as an auxiliary navy for national defense. Neither of these purposes can be attained without adequate shipyards located on both our Atlantic and Pacific coasts capable of meeting any emergency when national defense is endangered.

Certainly we do not mean [that] national security includes only shipyards within a short radius of Washington * * * It must include shipbuilding on the Pacific coast as well as the Atlantic coast.

It is impossible—

The General Accounting Office and other agencies have made the same statement—

for the west coast to compete with the east coast in construction costs. It is impossible as it is for the east coast to compete with Europe in construction costs.

These statements have been made over and over again. The real basis for this situation, if anyone reads the legislative history, is that there should be a kind of spread in the shipbuilding potential that is vital to national defense both in war and in peace. Frankly, it has not worked too well. The Senator from Virginia suggests that ships be built on the east coast. I agree with him. The latest American Bureau of Shipping figures show that 49 vessels are under construction or under contract in Atlantic and gulf yards as of July 1. In addition, the Sun Shipbuilding Co., in the home State of the Senator from Delaware, was low bidder this month on five more vessels. When this contract is awarded the score will be 54 vessels in the Atlantic and gulf ports as against two nearly completed vessels on the Pacific coast. The score is 54 to 2, with the 6-percent differential. Without it, I suppose the score would be 56 to 0.

That would completely violate the principle enunciated time and time again by the Maritime Administration, the old Maritime Commission, the Navy Department, and the Defense Department.

What happened in World War II? Finally we had to build 42 percent of the ships that were used in World War II as a fourth arm of defense. I cannot see why this practice is not in the national defense. In the past 10 years we have built 9.6 of all the ships built in the United States. The shipyards on the east coast and on the gulf coast have built more than 90 percent of the ships. If the shoe were on the other foot, I could not look anyone straight in the face and say, "I want those 9.6 ships, too."

There should be an allocation, Mr. President. We are concerned only with ships which are built by the so-called subsidized lines. The Navy Department allocates the building of its ships to the

Pacific coast, the gulf coast, and the east coast yards. They have done it as a matter of policy for many years. The 1936 act was sponsored by the distinguished late Representative from Virginia, right in the backyard of Newport News, Mr. Bland. He thought it was wise and practical. Of course, ships can be built on the east coast.

I ask unanimous consent to put into the RECORD a newspaper account with respect to the Newport News Shipbuilding & Dry Dock Co.

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

[From the Seattle Post-Intelligencer,
Mar. 13, 1962]

SHIPYARD INCOME SETS MARK

NEWPORT NEWS, Va., March 11.—Gross income of the Newport News Shipbuilding & Dry Dock Co. rose to a record level of \$250.4 million in 1961, the company reported yesterday.

This was an increase of 28 percent over 1960 gross income.

Net profit for 1961 was \$7 million, or \$4.28 per share, a decline from the profit of \$7.9 million, or \$4.89 a share, in 1960. Dividend payments were \$2.40 per share each year.

The company's annual report said the decline in net profit for 1961, despite a large increase in gross income, was the result of a lower overall profit margin which in turn was attributable to lower priced shipbuilding contracts taken in prior years.

Uncompleted shipbuilding contracts in the yearend backlog included 21 ships with deliveries scheduled into 1964. Among these are the conventionally powered aircraft carrier *America*, five Polaris nuclear-powered submarines, a submarine tender, six cargo vessels and a tanker.

Mr. MAGNUSON. They made the greatest earnings of all time. That is fine. We should also proceed on the theory that in the national interest there should be the kind of spread that the Navy uses in building its ships. As I said, this applies only to the subsidized lines, and only to ships whose home ports are on the Pacific, of which there are three lines; one small one, the American Mail Line; APL; and the Pacific Far East.

We have had reports from the General Accounting Office and we have had reports from the Maritime Board, and they all agree that it costs from 4 to 5½ percent more to build ships on the west coast. It is as simple as that.

The statements I have quoted are not recent. As a matter of fact they were made in 1935, at hearings on the bills which later were enacted into the Merchant Marine Act, 1936. Other statements made at that time with respect to west coast shipping are almost as completely descriptive of shipbuilding conditions in the west coast area now. They described the depressed conditions then existing in the shipyards—conditions which may well be equaled soon unless some real attention is paid to measures for their relief.

As of today, believe it or not, there is just one yard on the west coast which has any construction underway of commercial oceangoing vessels. And the total of their contract is only two vessels.

National Steel & Shipbuilding Co. at San Diego has the two vessels building for States Steamship Co., of San Fran-

cisco, and work on these is about coming to an end. One was launched on May 5; the keel of the second vessel was laid last November.

What we get down to, then, is that only two large commercial vessels presently are being constructed in a west coast yard. These two vessels are well on their way to completion. When they are completed, in the reasonably near future, there will be no ships a-building in any west coast yards—no commercial ships. Fortunately, the Navy has placed some contracts with yards in the area, so the valuable skills there assembled have not been completely dissipated as yet.

What about the shipbuilding situation on the other coasts of the country—in the shipyards that are moving heaven and earth to try to take from the west coast the 6-percent differential that has brought to that west coast a grand total of five vessel construction contracts in more than 5 years; five vessels out of a total of 90-odd built or under contract or scheduled for awards?

According to the latest figures of the American Bureau of Shipping, there were 49 large commercial vessels under construction or under contract as of July 1 in shipyards on the Atlantic and gulf coast. Since that time, the Sun Shipbuilding Corp., an east coast yard, has been declared to be the low bidder on 5 vessels for the United States Lines. This will bring the total number of vessels to be constructed elsewhere than on the west coast to a total of 54 out of 56. That is better than 96 percent, and the west coast's share is less than 4 percent.

It is the declared policy of the United States that we have adequate shipbuilding facilities, which means facilities on all four coasts. If the amendment of the Senator from Delaware were to pre-

vail, adequacy of the west coast shipbuilding industry would have to be achieved by allocation of contracts on which yards on the east coast or gulf coast were the lowest responsible bidder. This is an expensive procedure. So far, it has been twice as expensive as awards under the 6-percent provision. And, certainly, the 6-percent provision has not drained any great amount of work from the yards on the other coasts, despite the howls that have been raised.

By any rule of reason, the west coast, whose vessel replacement contracts total approximately 20 percent of the 300-plus vessels to be replaced, are entitled to more than 4 percent of the replacement contracts, their present percentage. Two contracts out of fifty-six is by no means the number necessary to achieve the national policy objective of an adequate national shipbuilding facility.

I say in all sincerity, that the national interest would be far better served by steps to assure a more equitable share of the available shipbuilding to the west coast, than by insistence upon further erosion of the Pacific coast's minute share of vessel construction contracts.

If the national maritime policy means anything at all, we must strengthen our west coast yards rather than further weaken their competitive ability. A 56-to-2 ratio of contracts awarded does not indicate that the east and gulf coast yards are being hurt by the 6-percent differential.

I ask unanimous consent to have printed in the RECORD a bulletin of the American Bureau of Shipping bearing on this subject.

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

BULLETIN OF AMERICAN BUREAU OF SHIPPING

Vessels under construction or under contract as of July 1, 1962

	Number	Gross tons	Deadweight tons
East coast:			
Bethlehem, Sparrows Point.....	17	235, 800	281, 160
Bethlehem, Quincy.....	8	123, 200	169, 260
Newport News.....	7	90, 893	112, 389
Sun Shipbuilding & Dry Dock Co.....	5	66, 000	101, 200
Total.....	37	515, 893	664, 009
Gulf coast:			
Avondale Shipyards, La.....	6	60, 400	67, 320
Ingalls Shipbuilding Corp.....	6	69, 600	74, 400
Total.....	12	130, 000	141, 720
Total, Atlantic and east coast:			
Plus Sun Shipbuilding Co. for U.S. Lines Co.....	49	645, 893	805, 729
Total.....	54		
West coast: National Steel & Shipbuilding Corp.....	2	25, 400	28, 700

Mr. MAGNUSON. Mr. President, I am hopeful that an allocation procedure can be devised. The west coast would not mind it, because we could not fare any worse than the present 54-to-2 score.

It does not look as though we will have anything in the future. If Congress wishes to say, "Abandon the west coast shipbuilding potential," that is one thing. If we do that, we will find that shipbuilding is like a funnel. Newport News, which is building all these ships,

will be able to sharpen its pencil a little more and bid a little lower than anyone on the west coast is able to bid, and very soon we will find that three yards in the United States will be building all the ships, located in one geographical complex.

This goes against all policy of the Defense Department, all policy of the Navy Department, as laid down for many years, and all policy of the distinguished Representative, Mr. Bland, chairman

of the old House Maritime Committee, as laid down in the 1936 act. Incidentally, Mr. Bland represented the district where there is this great shipbuilding complex. Good ships are built there.

If it is not unfair, it is certainly the most inequitable proposal that I have ever heard of.

We are building two ships out there, and the wildest exaggerated projection for the next 10 years on the subsidized lines would still give us less than 10 percent of all the shipbuilding. Do the people on the east coast want it all? I presume they do. The Defense Department and other reliable people say that the shipbuilding complex should be spread. That is what this issue is all about.

In case there is any argument, that so far as the Senator from Washington is concerned, this type of ship cannot be built in Puget Sound. I believe that we need a complex of west coast shipbuilding. I also know that when we build a ship, every State in the Union participates in building that ship. The East builds nearly all the machinery, and a great deal of the gear. The East ships us all the steel. That is the real problem.

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

Mr. MAGNUSON. I yield.

Mr. KUCHEL. The remarks of the distinguished senior Senator from Washington are unassailable and unanswerable. I bitterly regret the fact that there is pending an amendment offered by the senior Senator from Delaware upon which no hearings have been held, and which would wipe out a law which has been on the statute books for more than a quarter of a century. The amendment is a vicious amendment. It is an evil amendment. Demanding that the Senate, in the absence of any hearings whatever, pass on this subject, is clearly a regrettable and unwarranted procedure. Indeed, it is no procedure at all.

What the senior Senator from Washington said is correct. When a vessel is constructed anywhere in America, every State in the Union benefits. The law which we are discussing was enacted a quarter of a century or more ago, because the Federal Government, through the Defense and other appropriate executive agencies, indicated that it was believed that there was a national interest in having ship construction capacity in the East and in the West and on the gulf. The Comptroller General inquired into the problem. He found that the costs on the west coast are 13 percent greater than on the east coast.

I suggest to my friend from Ohio [Mr. LAUSCHE], whom I see in the Chamber, that we still see in every national magazine advertisements the statement: "The cost is a little higher west of the Rocky Mountains." Of course it is. And a law recognizing that unassailable fact ought not, willy-nilly, to be repealed.

The fact is—and let the record be clear—that the Defense Department walks away from this amendment, as my able friend from Washington has said. The Department of Commerce will not touch it. There is not one executive agency in the Government today which

has put its imprimatur of approval upon the amendment now pending before the Senate.

I hope and pray that Senators will follow the logic of the able Senator from Washington, who has performed a service not merely representing one State in the Union, but representing the national interest. On that basis, I very much hope that in the national interest this regrettable and untenable amendment of the Senator from Delaware will be rejected.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. KUCHEL. I yield.

Mr. MAGNUSON. The 6-percent differential is now in effect. Does the Senator have any figures, or does he know of anyone who has any figures, which indicate that that has hurt shipbuilding on the east coast or the gulf?

Mr. KUCHEL. To the contrary.

Mr. MAGNUSON. The score is 54 to 2, is it not?

Mr. KUCHEL. The Senator is exactly correct. I suggest that the Senator is also correct when he says that some persons would like to have it all.

Mr. STENNIS. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. STENNIS. A while ago the Senator said that only 10 percent of the shipbuilding is being handled on the west coast, and that only two ships, as I recall his statement, are now under construction there.

I have been advised that under the current replacement program, which is now underway, 91 ship contracts have been awarded, and that of the 91, 17 were awarded to west coast firms, which is approximately 20 percent, instead of 10 percent. Is the Senator from Washington familiar with those figures, and are they not correct?

Mr. MAGNUSON. I shall obtain the correct figures; but they are for the replacement program. Our figures for the 10-year program, since replacement started, show that approximately 9.6 percent of the work has been awarded to the west coast.

Mr. STENNIS. I understand the records show that contracts for 91 ships have been awarded under the current program for replacement, and that about 17 of those ships are to be built by west coast firms. I believe those figures are correct. That is a different percentage from the one which the Senator from Washington cited a moment ago.

Mr. MAGNUSON. I can explain that to the Senator. Five of the ships were allocated by the Maritime Board irrespective of the 6-percent differential. So contracts for 12 of the ships, under the bidding on 91, have been awarded to the west coast.

Mr. STENNIS. The figures which the Senator cited led me to believe that only 10 percent of the ships were being built on the west coast.

Mr. MAGNUSON. That is true, over the past 10 years.

Mr. STENNIS. But the figures I have show that 17 out of 91 are being constructed on the west coast. Is not that correct?

Mr. MAGNUSON. That is correct for one period. Five contracts were allocated to the west coast only because of a dearth of ships out there.

Mr. STENNIS. Are not 20 percent of the ships which are being constructed under the current program being built on the west coast now?

Mr. MAGNUSON. No; that is not correct. In the past 10 years, west coast shipyards have built 9.6 percent of the ships. In one year 20 percent of the ships might be built on the west coast, but the average over a number of years is 9.6 percent.

Mr. STENNIS. No. My understanding is—and I believe it to be correct—that of the 91 ships now under contract for construction, 17 are to be built on the west coast. That is about 20 percent.

Mr. MAGNUSON. Five of those ships were allocated irrespective of the 6-percent differential.

Mr. STENNIS. The 6-percent differential has nothing to do with the allocation. I understand that recently Sun Shipbuilding was the lowest bidder by \$6,000.

Mr. MAGNUSON. That is correct.

Mr. STENNIS. But under the 6-percent clause, the contract will be awarded to National Steel and Shipbuilding Co. There were no other bidders from the west coast except this low bidder. But the reason is very apparent. They cannot afford to bid, because when they are the low bidders, they do not get the contracts. Is the \$6,000 figure correct?

Mr. MAGNUSON. The figures show that Sun Shipbuilding Co. was the low bidder by \$6,000. But do not worry: there is plenty of bidding on the west coast. I have just read what happened at Newport News. The same is true on the gulf. The General Accounting Office has said that the gulf is at a disadvantage by 2½ percent.

Mr. STENNIS. If there is to be a 6-percent differential for the Pacific coast, why not have a differential for the east coast and one for the gulf coast? Why have a differential for the Pacific coast and say, "The rest of you scratch as best you can"?

Mr. LAUSCHE. And what about the Great Lakes?

Mr. STENNIS. Yes; why not have a differential for the Great Lakes?

Mr. MAGNUSON. We are talking about the dry cargo ships which are being built for the subsidized lines. There is no shipyard on the Great Lakes that can build such ships. Great Lakes shipyards would not bid on them; they do not have the capability to build them.

When the 6-percent differential was provided for the west coast yards, there was not much of a shipbuilding complex on the gulf. Now there are two or three yards which have the capability to build such ships, and they do build them.

Many different costs are involved on all three coasts. The theory was to have a reasonable differential to take into account the three different costs.

I have said this on many occasions, to the House committee and others. The House Committee on Rules held the bill up last year. The distinguished chairman of the Rules Committee is from Virginia. This year the vote was 7

to 6. The distinguished Representative from Mississippi, Mr. COLMER, is a member of the Committee on Rules. We said that if it were left to the Maritime Board to follow the Department of Defense theory, that would be all right. But only two ships are on the ways on the west coast; and over a 10-year period only 9.6 percent of the ships have been built on the west coast. All the predictions from Government departments indicate that in the next 10 years the number could not be more than 10 percent, even with the 6-percent differential. I think that is not proper.

Mr. ENGLE. Mr. President, will the Senator from Washington yield me 2 minutes?

Mr. MAGNUSON. I yield 2 minutes to the Senator from California.

Mr. ENGLE. Mr. President, I desire to place in the RECORD a memorandum with reference to the bids of National Steel & Shipbuilding Co. and Sun Shipbuilding & Drydock Co., whose bids in this instance were \$11,346,000 and \$11,340,000, respectively. As stated by the Senator from Mississippi, the difference is \$6,000, which is 0.0005 percent in excess of the Sun Shipbuilding bid.

I ask unanimous consent to have printed at this point in the RECORD a memorandum containing the details of the bidding. I understand the bids were opened on September 17, 1962, but the contract has not yet been awarded.

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

APPLICATION OF PACIFIC COAST DIFFERENTIAL TO BIDS TO CONSTRUCT CARGO VESSELS FOR AMERICAN MAIL LINES, LTD.

On June 26, 1962, the Maritime Administration issued invitations to bid on building each of two cargo vessels for American Mail Lines, Ltd. (1) as a commercial vessel, and (2) with specified national defense features. Article II of the invitation specified that it was subject to various provisions of the Merchant Marine Act, 1936, including section 502(d), the Pacific coast differential. Article II also provided that in evaluating the bids, the Maritime Administration would consider the cost of the commercial vessel together with such of the national defense features as may be selected for inclusion in the contract.

When the bids were opened on September 17, 1962, National Steel & Shipbuilding Co. (Nassco) was the low bidder on the commercial vessels, bidding \$11,278,000 on each of two commercial vessels. If all of four specified national defense features are included in the contract, Nassco was \$6,000 higher than Sun Shipbuilding & Drydock Co. (Sun) on each of two vessels with national defense features. The bids were as follows:

	Nassco	Sun
On each of two commercial vessels-----	\$11,278,000	\$11,299,000
With national defense features:		
Propulsion machinery-----	55,000	30,000
700-kilowatt generator----	1,500	1,000
60-ton boom----	8,500	8,000
Omitting gray cast iron----	3,000	2,000
Total-----	11,346,000	11,340,000

Even if all national defense features are included, the Maritime Administration must award the contract to Nassco under section

502(d) of the Merchant Marine Act, 1936, because all the conditions of that section are met and Nassco's bid is only 0.0005 percent in excess of Sun's bid.

As indicated above, the Pacific coast differential may or may not enter into an analysis of the bids depending on whether the propulsion machinery is included in the contract as a national defense feature. If the Pacific coast differential does enter into the analysis, any effort by Congress to repeal the differential should not affect the analysis of these bids, assuming that a repeal of such a nature would be valid. The invitation to bid specifically incorporated the Pacific coast differential and the bids were submitted in reliance thereon.

Mr. ENGLE. Mr. President, I heartily concur in the statement of the Senator from Washington. The case is as simple as this: If there is no differential, there will be no shipbuilding on the west coast. If it is desired to wipe out shipbuilding on the west coast, that is one thing. If it is in the interest of national defense to maintain shipbuilding on the west coast, as we say it is, and as the Department of Defense repeatedly has said it is, then it is necessary to maintain a differential. If that is not done, the west coast will not have any shipbuilding—not even 9 percent. The case is as simple as that.

I compliment the chairman on his excellent statement, and I thank him for yielding to me.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware yield me 3 minutes?

Mr. WILLIAMS of Delaware. I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I think the subject under discussion must be approached on the basis of consistent principle. By consistent principle, I mean that the same rule ought to be applied in all situations when business is being allocated to various areas of the country.

If west coast shipbuilders are to be subsidized to the extent of a 6-percent differential, why is it not logical to say that Ohio manufacturers should be subsidized on the basis of 6 percent, so as to take away a part of the great bulk of procurement contracts which are going to the west coast?

It has been said on the Senate floor that 24 percent of the contracts are being awarded to west coast yards.

In answer to that statement, the argument was made on June 14, 1961—as pointed out by the Senator from Virginia [Mr. BYRD]:

On the west coast we have the experience, the personnel, the plant capability, and the products of quality that enable the Federal Government to get the best possible product at the lowest possible total cost.

Mr. President, I am not one of those who are arguing that some areas of the country should be given a benefit on the basis of a subsidy equal to the cost differential. That would be wrong, and I would not subscribe to it—although some Senators have been advocating that policy.

But Ohio is a member of the Union, and has shipbuilding facilities. They may not be capable of producing ships to travel on the high seas, but they are able to produce ships for less extensive operation.

The PRESIDING OFFICER. The time yielded to the Senator from Ohio has expired.

Mr. LAUSCHE. May I have 2 more minutes?

Mr. WILLIAMS of Delaware. I yield 2 more minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 more minutes.

Mr. LAUSCHE. I thank the Senator from Delaware.

Mr. President, we have pending a bill on this subject. It is argued that the bill should not be considered now, because no hearings have been held. I should like to know why the bill has not been scheduled for hearings.

Mr. MAGNUSON. Because the Comptroller General has not yet made his report; and, second, because we on the west coast have been fighting desperately to preserve our shipbuilding industry.

Mr. LAUSCHE. I judge that the principal reason is the latter one.

Mr. MAGNUSON. I think the Senator from Ohio understands that.

Mr. LAUSCHE. Yes.

But how can it properly be argued that this bill cannot be considered because no hearings have been held on it? There has been an opportunity to hold hearings on this measure; but because the west coast is opposed to it, no hearings have been held in the Commerce Committee.

Basically, this subsidy to the west coast has been an inducement to raise the price of ships which the taxpayers of the Nation have to pay.

Mr. KUCHEL. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I do not yield, Mr. President; I did not seek to interrupt the statement the Senator made.

Mr. President, it is wrong in principle to subsidize. It would be wrong to subsidize an Ohio industry, to enable it to compete with California industries in the manufacture of space equipment; and it is wrong to subsidize California shipyards to the extent of 6 percent, in order to place them in a better competitive position in connection with the sale of ships to the U.S. Government, over the efforts of firms in Mississippi, Louisiana, Ohio, Pennsylvania, Virginia, Delaware, and other States on the east coast.

Mr. President, I support the amendment of the Senator from Delaware.

The PRESIDING OFFICER. The time yielded to the Senator from Ohio has expired.

Mr. WILLIAMS of Delaware. Mr. President, how much time remains available to me?

The PRESIDING OFFICER. Twenty-one minutes.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 3 minutes.

Mr. WILLIAMS of Delaware. First, Mr. President, I wish to say that this 6-percent differential was first authorized in 1936. I can understand the need for such a program then; and if I had then been a Member of Congress, I would

have supported it. The legislative record show it was established in 1936 on the basis that at that time there was very little shipyard construction on the Pacific coast due to the fact that the yards there could not compete. There was no steel industry on the west coast, and the charges for transportation of the necessary steel and machinery caused those yards to be at a competitive disadvantage. However, that competitive disadvantage no longer exists; today steel is as readily available on the west coast as it is on the east coast. Therefore, there is no reason why those yards cannot compete. In many instances they do compete, and in several cases which I have cited for the Record they have been the lower bidders, even in competition with east coast yards.

So long as the Government is building ships and paying over half the cost as a subsidy I think the taxpayers have a right to have the ships built at the lowest possible price. We must remember that the Government is paying 50 percent of the additional cost, and under the bill 55 percent of the additional cost of construction on the west coast would be paid by the taxpayers.

Every citizen in each of the 50 States has a direct interest in this amendment because the people of the Nation are paying for the additional cost.

Insofar as the competitive advantage is concerned, I point out that on several occasions complaints have been made on the floor of the Senate that such a large percentage of the defense contracts has been going to California and to other west coast States. On numerous occasions I have defended that on the basis that if military equipment can be built cheaper on the west coast than it can on the east coast or in the center of the Nation, then the west coast is the place to have it built. After all, the Defense Department is not running a relief agency, nor are we building ships merely to provide work. When the Government is making a purchase it should make the purchase at the lowest possible price the Government can get; and if that means that all the defense contracts will be awarded to concerns on the west coast I will support that. But if the west coast firms cannot get their house in order and cannot build ships at the competitive cost, then the ships should be built on the east coast, on the Great Lakes, and in other areas of the Nation.

The PRESIDING OFFICER. The time the Senator from Delaware has yielded to himself has expired.

Mr. CLARK. Mr. President, will the Senator from Delaware yield 2 minutes to me?

Mr. WILLIAMS of Delaware. I yield 2 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, I support the Senator from Delaware in what is essentially a bipartisan effort to remove an unjust discrimination which presently favors shipbuilding on the west coast. Many Pennsylvanians have long been engaged in shipbuilding. The Sun Drydock & Shipbuilding Co. at Chester, Pa.,

and the New York Shipbuilding Co., just across the river from Philadelphia, are only two examples of presently continuing shipbuilding companies which have provided many, many jobs for residents of Pennsylvania. A very large percentage of the men who work at the New York Shipbuilding Co. live on the Pennsylvania side of the river.

Unfortunately, Pennsylvania is, and has been for many years, an area of chronic and persistent unemployment. It is true that the rate of unemployment is higher in the western part of the State than in the eastern part. Nevertheless, all of us are quite unhappy about the percentage of the labor force in Pennsylvania which is unemployed; and we seek everything possible to reduce it. I believe that by cutting out this unfair differential, jobs will be provided for shipyard workers in Pennsylvania.

The PRESIDING OFFICER. The time yielded to the Senator from Pennsylvania has expired.

Mr. CLARK. May I have 1 more minute?

Mr. WILLIAMS of Delaware. I yield 1 more minute to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 1 more minute.

Mr. CLARK. Mr. President, I would not take so States rights a position on this matter, were it not for the fact that Pennsylvania is not receiving the amount of defense contracts and contracts from NASA that we think Pennsylvania firms are entitled to receive. In my opinion, a far higher percentage of those contracts than is equitable is going to the west coast. Since our firms are prepared to meet the west coast aircraft firms and space firms on an equal basis, I think the west coast shipbuilding firms should be prepared to meet our shipbuilding firms on an equal basis.

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

Mr. WILLIAMS of Delaware. I yield 2 minutes to the junior Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. SCOTT. I thank the Senator from Delaware.

As he knows, I strongly support the position he is taking here today.

As illustrative of this problem, I think it interesting to note that an east coast bidder, the Sun Shipbuilding & Drydock Co., is about to lose a contract, by reason of the operation of the 6-percent differential, unless this bill is enacted prior to the making of the final award. In connection with that matter, two west coast yards—National Steel and Puget Sound—are on practically even terms with the Sun Drydock & Shipbuilding Co., which to my mind is evidence that the west coast yards are presently competitive without the benefit of the 6-percent differential, and that east coast yards other than Sun Drydock & Shipbuilding Co. did not bother to bid, because of their sense of futility in the face of the 6-percent differential. The differential seems to me, therefore, to be operating not equitably with regard to

the yards affected, particularly through our being unable to secure much interest on the part of the east coast shipyards in competitive bidding; and, as I have said, in view of the fact that the west coast shipyards, as in this instance, were able to bid on even terms with the east coast yards.

We all know that the purpose of the original differential was to help build up the west coast yards, which it has done with such effect that they now operate to the disadvantage of the east coast, whereas previously it was the west coast which was at a disadvantage.

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

Mr. SCOTT. I ask unanimous consent that I may have certain data printed in the Record at the conclusion of my remarks.

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

SUN BID APPARENT LOW ON AML SHIPS—
NATIONAL STEEL BID SUBJECT TO 6 PERCENT
DIFFERENTIAL

Sun Shipbuilding & Drydock Co., Chester, Pa., made the apparent low offer of \$11,340,000 for construction of each of two Marintype cargo vessels for American Mail Line as bids were opened today at the Maritime Administration.

National Steel & Shipbuilding Co., San Diego, Calif., submitted the next apparent low bid of \$11,346,000 for each of two ships. The bid is subject to the 6 percent differential in favor of Pacific coast shipyards.

The 6-percent differential becomes operative, generally, where construction subsidy is applied for by an applicant who has his principal place of business on the Pacific coast and intends to operate the vessel in foreign trade from ports on that coast.

MA records show that the 6-percent differential has been applied in two cases. One of these involved three vessels for AML with respect to a contract signed in August 1959, and the other to two vessels for Pacific Far East Line with respect to a contract signed in September 1959.

In addition to Sun Shipbuilding and National Steel, three other bids were received. These were made by Bethlehem Steel Co., San Francisco, Calif.; Puget Sound Bridge & Drydock Co., Seattle, Wash.; and Todd Shipyards Corp., San Pedro, Calif.

The invitation covered submission of bids on a fixed-price basis for one of each of two national defense ships or commercial ships. All bidders offered to complete the first ship in 720 calendar days, and the second ship in 795 calendar days.

Following is a breakdown of the bids:

Sun Shipbuilding & Drydock Co.: National defense ship—first vessel, \$11,810,000; for each of two vessels, \$11,340,000. Commercial ship—first vessel, \$11,769,000; for each of two vessels, \$11,299,000. Work to be done at Chester, Pa.

National Steel & Shipbuilding Co.: National defense ship—first vessel, \$11,972,000; for each of two vessels, \$11,346,000. Commercial ship—first vessel, \$11,904,000; for each of two vessels, \$11,278,000. Work to be done at San Diego.

Bethlehem Steel Co., San Francisco: National defense ship—first vessel, \$14,427,000; for each of two vessels, \$13,449,000. Commercial ship—first vessel, \$14,371,000; for each of two vessels, \$13,394,000. Work to be done at San Francisco.

Puget Sound Bridge & Drydock Co.: National defense ship—first vessel, no bid; for each of two vessels, \$11,370,000. Commercial ship—first vessel, no bid; for each of two vessels, \$11,355,000. Work to be done at Seattle.

Todd Shipyards Corp.: San Pedro: National defense ship—first vessel, \$13,176,000; for each of two vessels, \$12,695,000. Commercial ship—first vessel, \$13,121,280; for each of two vessels, \$12,640,850. Work to be done at San Pedro.

The two ships which were the subject of today's bids represent the second group of replacement ships in the AML long-range replacement program of eight vessels. Three vessels were covered in the first group.

The vessels are of the modified Marine type and will be operated on the AML subsidized service on Trade Route No. 29—U.S. Pacific coast to Far East.

Characteristics of the ships are as follows: design, MA C4-S-1sa; length overall, 563 feet, 7¼ inches; beam, 76 feet; draft (full load), 31 feet 6 inches; deadweight tons, 14,800; machinery, geared turbine, single screw; passengers, 12; speed, 20.5 knots.

Mr. MAGNUSON. Mr. President, I yield 3 minutes to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I think this is another case in which the old saying that the proof of the pudding is in the eating applies. I think it is unfortunate that we are getting into a regional dispute over the allocation of Federal ship construction. The historical pattern which has been followed in regard to the 6-percent differential has not worked to the disadvantage of either the Government or the American taxpayers, and I cite certain data to support that statement:

Bids opened at Maritime on September 17 for construction of two vessels for American Mail Line showed National Steel, San Diego, only 0.00005 percent above the low bid of Sun Shipbuilding:

Sun Shipbuilding bid.....	\$11,340,000
National Steel bid.....	11,346,000

As of September 1, there were only two cargo vessels under construction on the west coast, at National Steel. One of these is scheduled for delivery in November, 1962, the other in January, 1963.

On the east coast, there are 23 vessels under construction or under contract, plus 5 scheduled for award to Sun Shipbuilding.

Gulf coast yards have 17 under construction or under contract. Thus, in effect, there are 45 on the east-gulf coasts, and only 2 on the west coast. Both of these will be delivered by January 1963.

The facts are undeniable that the shipyards of my State resemble almost a barren desert, rather than a shipbuilding yard State. We have the shipyard building facilities but so far as allocations by our Government for ship construction is concerned our shipyards are idle most of the time. Many hundreds of men have been denied employment as a result of that policy. We need the 6-percent differential to place us on a fair competitive basis with the east coast. On the basis of national defense needs, there ought to be a wider distribution of the allocation of these shipbuilding contracts. The Pentagon has discriminated against us, and we have been discriminated against so far as costs are concerned. Let us take another look at the facts. I refer to a memorandum on this subject.

The Maritime Administrator, at the request of the Senator from Washington [Mr. MAGNUSON] made a study of the costs to the Government of allocation of construction contracts, under section 502 (f) of the 1936 act, and awards of contracts under the 6-percent provision of 502 (d).

Five vessels were built on the west coast under the 6-percent provision, at a total increased cost to the Government of \$2,101,841.

Four vessels were allocated to west coast yards, under 502 (f), at a total increased cost to the Government of \$3,742,710.

This latter figure does not include the extra expenditures for inspection, and so forth, and delivery of vessels to the east coast—estimated by Maritime at \$270,000 for American Export Lines and \$260,000 for Moore-McCormack Lines, \$530,000 in all—making the extra cost for allocation of the four ships \$4,272,710.

Or, more than double the cost to the Government of awarding the five vessels under the 6-percent proviso.

This report, which was obtained by the Senator from Washington [Mr. MAGNUSON], shows how, when we consider the final result, construction on the east coast has been costing the taxpayers more than construction on the west coast.

The sad fact is that because the political power of the East is greater than that of the West, the East has been getting the hog's share of ship construction. In the interest of economy and equality, the 6-percent differential should be retained.

Mr. MAGNUSON. Mr. President, I yield 3 minutes to the Senator from Alaska [Mr. BARTLETT].

Mr. BARTLETT. Mr. President, I support the position taken by the Senator from Washington. I think this whole position was precisely stated by the Senator from California [Mr. ENGLE] when he said that maintaining a differential for the west coast will favor building ships there, because any allocation program in effect or suggested will not do the job and no ships will be built there without it. If it is important to the Nation to maintain a shipbuilding industry on the west coast, the amendment should be defeated, and I propose to vote accordingly.

There are no shipyards in my own State, other than for some very small vessels. I think it is essential for the welfare of the Nation that a viable shipbuilding industry be maintained on the west coast.

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

Mr. BARTLETT. I yield.

Mr. MAGNUSON. The reason the Defense Department has always made such a statement is that just before World War II broke out, when we started to build up our merchant marine, the west coast was called on to increase its facilities by 40 percent, to create the fourth arm of defense. So, when something happens, the shipbuilding complex of the west coast is needed. The east coast ways were loaded. The gulf coast ways were loaded. So were those of the west

coast. We needed them all to do the job necessary for World War II.

Mr. BARTLETT. That is correct. I would like to ask the Senator a question at that point.

It is said that there is a great movement of population westward, and that the Western States are building up in industry as well as population, and no substantial differential any longer prevails. I ask the Senator if transportation does not have something to do with making the price of a car in his own city of Seattle, for example, somewhat higher than in Washington, D.C.

Mr. MAGNUSON. Of course, it does. It is a great deal higher.

Studies have been made of the question by the Maritime Commission, the Maritime Board, the Maritime Administrator and the General Accounting Office. They all have come to the conclusion that the differential was needed in order to have fair competition. The bid by National Steel has been quoted. They are desperate out there to get a contract to build another ship, because they will be through in January, and there will be much unemployment. I suppose they would be willing to build it for cost, but nobody wants that.

What the Senator from Oregon said was true; the score is 45 to 2.

The PRESIDING OFFICER. The time of the Senator from Washington has expired. The Senator from Washington has 2 minutes' total time left.

Mr. MAGNUSON. I yield to the Senator from Alaska.

Mr. BARTLETT. Is it not true that if costs were no higher on the west coast, and therefore the differential were not justified, more ships would be built on the west coast? But less than 10 percent of ship construction has gone to the west coast even with the 6-percent differential.

Mr. MAGNUSON. In some years there are ups and downs. The average has been 9.6 percent. In some years there has been an allocation for 19 ships. That should be the average. This year it is down to 15. That makes a difference. The situation becomes tighter, and the bidding grows tighter.

The overall figure is 9.6 percent. We put all those figures in the RECORD. If Senators want to abolish all the shipbuilding on the west coast, they should vote for the amendment.

Mr. BARTLETT. So the 6 percent does not constitute a bonanza.

Mr. MAGNUSON. It has not been. The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. Mr. President, if I have a half a minute remaining—

Mr. WILLIAMS of Delaware. Mr. President, I yield a minute to the Senator from Washington.

Mr. MAGNUSON. I need only half a minute.

I have available a study made by the Department of Commerce on ship construction, which was made in April 1962. On page 3 it is stated that the bulk of the merchant shipbuilding activity—I ask Senators to remember that this is only the merchant ship building activity—both private and subsidized, has

been on the east coast. Of 307 vessels delivered since 1952 or under contract on January 1, 1962, construction awards were: 72 percent for the east coast, 12 percent for the gulf, 7 percent for the Great Lakes, and 9 percent for the west coast.

Those are the figures, for all of the construction for the private and subsidized work. This comes from the report of the Department of Commerce, made in April. It is a long report and study of the problem.

The figure is not 9.6 percent, but only 9 percent.

I think my time has expired.

Mr. WILLIAMS of Delaware. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Delaware has 12 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, I yield 5 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I assure the people of the Pacific coast that this is certainly no attack on them or on any other area of the country. We are fighting for our own lives, for the other areas of the country.

My area of the country gets what little fragments or crumbs may be left. We are fighting for our lives.

Any contracts we get are obtained on competitive bids altogether, by an actual low bidder.

Mr. President, the bill now before the Senate will pass. That is a certainty. Let us not get into an argument about adding an amendment to kill the bill. The bill will pass by almost a unanimous vote, with the amendment. The amendment is germane.

I should like to give the facts in the case. The question is, in a way, "Bids are made for construction of the ships. Contracts are awarded to the low bidder, are they not?"

The statute says, however, "No; though you may be the low bidder, you will not get the contract unless you are more than 6 percent lower than the man who bid on the Pacific coast."

Mr. President, we are arguing merely for fairness. If there is any justified determination with reference to various areas of the country, the evidence has not been brought out. If there is some such factor, it ought to be determined by the Congress and enacted into temporary legislation.

The 6-percent differential statute was passed in 1936, to try to encourage the building up of a shipbuilding capacity on the west coast. That was a most laudable motive. Now all the reasons for the action have gone. All the facts which then existed have disappeared.

There are fine construction companies on the west coast, well able to compete with anyone else. This condition merely illustrates how situations change.

I was talking with the Senator from California [Mr. ENGLE] a moment ago. He is always alert and quite active on matters concerning California. We serve on the Committee on Armed Services together. He looks after all subjects which concern his State, strongly

supports them there and before the Appropriations Committee.

I serve on the Committee on Appropriations with the other Senator from California [Mr. KUCHEL]. He is alert as to all the matters coming before us there.

Twenty-three and nine-tenths percent of all military prime contracts for fiscal year 1961 went to the State of California. There is no fight merely with respect to California, but that is where the shipyards are. Twenty-three and nine-tenths percent of all the military prime contracts for fiscal year 1961 went to California alone.

Six billion dollars was spent in fiscal year 1961 in the three west coast States on the military prime contract awards, out of \$22 billion.

As to the research and development prime contracts, in 1961 California industries alone were awarded more than 41 percent of all the contracts of that kind for the United States. Those figures run into billions of dollars.

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

Mr. STENNIS. I will yield briefly, and only briefly, if I may, to the Senator from California.

Mr. ENGLE. I appreciate the fine compliment that my good friend from Mississippi paid to me and to my colleague from California. I know the Senator wishes to be fair. Would the Senator from Mississippi suggest that we should close down the shipyards on the west coast?

Mr. STENNIS. Not at all. My point is that the folks in California have gotten well. If they were ever ill economically, they are getting well. They are so efficient, so fine, and so thorough that they can compete successfully and get almost half the money for the entire United States with reference to the particular contracts I have mentioned. Those contracts run into billions of dollars.

The shipbuilding industry of California compares favorably with the industry of the remainder of the country. It is doing well.

Soon California will have the largest representation in the Congress of any State in all our Nation. I am glad it will, but we should be fair about these things.

I yield further, but briefly, I hope.

Mr. ENGLE. There is only one thing I should like to mention, to keep the Record straight.

I respect my friend from Mississippi, but the figures do not show that we can continue to compete if we do not have the differential. The figures show the reverse. The figures cited by the Maritime Administrator and in the Department of Commerce report make it perfectly clear that in the absence of the differential we would have to close the shipyards.

Mr. STENNIS. I dispute that conclusion, Mr. President. I do not think it is correct.

It does not make any difference if an agency certifies as to certain facts.

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

Mr. STENNIS. Mr. President, will the Senator yield me 2 additional minutes?

Mr. WILLIAMS of Delaware. I yield 2 more minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, there is no other example in all the vast Government operations, in the case of Government contracts, in which a discriminatory provision is mandatory with respect to a particular State or region of the United States compared to other areas of the United States. That fact proves that this proposal cannot justly stand on its own feet and on its own merit.

I was asked a while ago, "What does it mean, after all, to have the 6-percent differential?"

I repeat, it means that under these contracts, which are highly Government-subsidized, no one can be the low bidder or have an opportunity to compete successfully unless he is more than 6 percent lower than someone else on these particular contracts.

This whole procedure is outmoded.

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

Mr. STENNIS. I yield to the Senator briefly, because he yielded to me.

Mr. MAGNUSON. The Senator loses sight of the fact that three-fourths of all the material shipped is manufactured in the northeastern part of the United States. A great deal of steel is used in shipbuilding. The steel delivered to the west coast is 11 percent higher in cost. That is the reason.

Mr. STENNIS. The Senator has made reference to only one item which goes into the construction cost. There are local supplies of steel on the Pacific coast, and they are growing all the time.

Mr. MAGNUSON. We do not have them.

Mr. STENNIS. Except as to a certain portion.

Mr. MAGNUSON. Ship plate is not made there.

Mr. STENNIS. It is necessary to buy the ship plate.

Mr. MAGNUSON. Yes.

Mr. STENNIS. But there is steel capacity on the west coast. The picture has changed entirely. The basis for the discriminatory provision has entirely disappeared.

Mr. President, I have a statement with respect to repeal of 6-percent preference in favor of west coast shipbuilders, as provided in section 502(d), Merchant Marine Act, 1936, as amended.

The proposed amendment offered by the Senator from Delaware [Mr. WILLIAMS] will repeal the provisions of section 502(d) of the Merchant Marine Act, 1936, as amended, which afford an unjustified preference to shipbuilders on the Pacific coast by way of a 6-percent differential in competitive bidding on merchant ship construction contracts for shipping companies having their principal place of business on the Pacific coast. The House voted to repeal the differential when it passed H.R. 1159 on April 12, 1962. Extensive hearings were held in the House both in this Congress and in the last Congress, during the course of which the complete situation

was thoroughly explored. Testimony was heard from the Pacific coast shipbuilders and the shipbuilders on the other three coasts of the United States, as well as from the Maritime Administration and the Department of the Navy.

When this discriminatory provision was enacted into law 26 years ago, there may have been some justification for providing this preference in favor of one section of the country. At that time the west coast had little heavy industry and no steel production, and its shipbuilding had been dormant since the end of World War I. Because of the lack of industrial activity on the Pacific coast, all components going into ships had to be transported from the East. The transportation cost at that time made it difficult, if not impossible, for west coast yards to compete with yards in the eastern part of the country. The differential in the cost of transporting such components was measured at 6 percent. Today, a quarter of a century later, the preference is outmoded and unjustified. A great many of the major components going into vessels are now built and sold at the same, or competitive, prices on the west coast. Yards in the eastern part of the country, including particularly our fine gulf coast shipyards, purchase many components from west coast suppliers. After World War II, two major steel mills commenced operation west of the Rocky Mountains.

The west coast shipbuilding industry is now as strong as that in any other section of the country. The population of the west coast has increased in a far greater proportion than the rest of the country, and it is conservatively estimated that more than 20 percent of all existing prime defense contracts are held by west coast industry.

Specifically with respect to the merchant shipbuilding program, some 44 percent of all of the vast tonnage of vessels built during World War II—17 million out of a total of 38,500,000—were delivered by west coast yards. During the House hearings on H.R. 1159 in the spring of 1961, the west coast yards had 14 of the 61 vessels then under construction. This percentage, when compared with the relative capacity of the yards—namely, 10 building ways on the west coast and 74 ways in the other 3 regions of the country—results in a very favorable percentage for the west coast. Likewise, during the hearings before the House, the official witness for the Navy Department testified as follows:

In recent years, however, with the growth and diversification of west coast industry, private shipyards in that area have shown an increasing ability to compete successfully for Navy ship construction. The development of basic supporting industries, the application of improved techniques, and the achievement of greater efficiency in shipyard operations, have helped to improve the competitive position of the west coast shipbuilding industry.

As the previous witness outlined in his statement, several major awards on a competitive basis during the past year or so have offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction.

For example, in March 1960, a Puget Sound firm bidding on a nationwide competitive basis was the lowest bidder on three guided missile destroyers (DDG) and received a contract for approximately \$47 million. In November 1960, another Seattle firm was successful, in a nationwide bidding, in obtaining an award for two DDG's—at a price of approximately \$29 million. Only a few days ago, a San Diego firm, again as a result of countrywide competition, submitted the lowest of 7 proposals received in response to invitations sent to 22 shipyards. This firm was awarded construction of a combat stores ship (AFS) at a price of approximately \$18 million.

From the foregoing statement it is clear that in connection with Naval shipbuilding, where there is no 6-percent preference, shipyards on the Pacific coast are completely competitive with the yards on the gulf coast, east coast, and Great Lakes. Therefore, there is no longer any justification for continuation of the preference in favor of the west coast in the case of merchant shipbuilding. There is no other example, in the case of Government contracts, where a discriminatory provision is mandatory with respect to a particular State or region of the United States over other areas in the United States.

In the event shipbuilding should fall off in the west coast yards, the Secretary of Commerce will have the authority to allocate particular contracts to specific west coast yards if such allocation is necessary to the national defense. It is by this method that the Navy awards its contracts to insure that there will be shipbuilding activity on all four coasts. For this reason, not only is the 6-percent preference unjustified, but also it is an imposition on the Federal taxpayers to permit the payment of construction subsidy funds, to the extent of 6 percent above the low bidder, in the case of particular vessels.

The great shipbuilding facilities on the gulf coast have always been at some disadvantage in competitive bidding with shipyards on the Atlantic coast. However, these yards have always been, and are still, prepared to bid on a free, open, competitive basis against shipyards in all other areas of the country and have been successful on a number of such bids. But if the 6-percent preference is continued, there will be the constant threat that their west coast competitors will be able to take advantage, in competitive bidding, of the 6-percent margin.

In 1961, and early in 1962, the Maritime Administration made a study of comparative shipbuilding costs. This study concluded, at best, a 4-percent differential between west coast shipyards and those on the Atlantic coast. However, 2.9 percent of this differential was a reflection of higher wage rates on the west coast. In 1936, the west coast sponsors of the 6-percent preference repeatedly made it clear that differentials in wages were not a part of the original 6 percent, but that the entire differential was intended to measure the freight rate handicap involved in the transportation of materials and components.

Therefore, I repeat that since the original justification for the preference is virtually eliminated, the only method

whereby we can be assured of a healthy shipbuilding industry in all sections of the country is to repeal the 6-percent preference and allow private industry from each of the four areas of the country to compete freely, thus providing an incentive for improvements in production techniques and the efficient management and utilization of shipyard labor.

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

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I am sorry; my time has expired.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be granted 2 minutes to address a question to the Senator from Mississippi.

The PRESIDING OFFICER. Does the Senator from Delaware yield time?

Mr. WILLIAMS of Delaware. Mr. President, I have 5 minutes remaining. I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator.

Is it not true that those who manufacture airplanes seem to be able to exist not only competitively, but also in a manner to take a large part of the market, even though they are located on the west coast of the United States?

Mr. STENNIS. The Senator is quite correct. I believe the Senator came into the Chamber after I cited the figures. Twenty-three and nine-tenths percent of all military prime contract awards in fiscal year 1961 went to the State of California alone.

Mr. HOLLAND. Is it not true that in the field of missile construction and the space effort generally the same thing is true? The west coast area has found itself not only able to compete but also able to take the larger part of that very important public program and hold it as against the rest of the Nation.

Mr. MAGNUSON. That is because of the aluminum at our back door.

Mr. STENNIS. It is to their credit that they are running away with all those juicy contracts to which the Senator from California has referred.

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

Mr. HOLLAND. I thank the Senator for yielding to me.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I wish to say at the outset that there is no Senator for whom I have greater affection and admiration than the chairman of our committee, the Senator from Washington [Mr. MAGNUSON]. At this moment and on this measure I regret that I cannot support him. My reasons are identical with the reasons that have been given by my good friend from Mississippi [Mr. STENNIS]. I supported the Hanford reactor. I even fought for it on the floor of the Senate. I thought it was a desirable project, not only for the State of Washington, but for the country at large.

I supported my good friend from Washington on the Snake River projects, because I thought they were good for the country as well as for his area. I regret that I cannot support him on the present measure.

I recall that only a short while ago we had a conference with the then Secretary of Labor, Mr. Arthur Goldberg. He pointed out to us that one out of every six jobs in these United States—and that statistic goes for defense contracts, manufacturing, commercial services, and all others—is either in California, Texas, or Florida.

I have nothing against those States. We favored them while they were pioneer States. But the fact, America grows—and America changes, is that America is on the move. The reasons for what we did 25 or 35 years ago no longer need move us. I believe the reasons for the 6-percent differential have passed.

I would suggest that the Congress investigate the subject thoroughly and equitably. But I believe the State of California, the State of Washington, the State of Texas, the State of Florida, and all other States of our Union are today in a competitive position. We should do away with the differential because the conditions which gave it birth no longer exist. I regret that I must oppose my friend from Washington. I shall support the amendment to eliminate the 6-percent differential.

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

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

Mr. WILLIAMS of Delaware. I yield 30 seconds to the Senator from Washington.

Mr. MAGNUSON. I submitted for the RECORD all the reasons showing that the need still exists, as shown by an objective report of both the General Accounting Office and the Department of Commerce.

Mr. PASTORE. The Senator from Rhode Island disagrees with that report, and he still maintains that the reason for the differential passed away a long time ago.

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

Mr. WILLIAMS of Delaware. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. WILLIAMS of Delaware. I yield 1 minute to the Senator from California.

Mr. KUCHEL. Mr. President, the Senator from Rhode Island is mistaken. No hearings have been held on the amendment. Every agency in the executive branch of the administration has refused to take a position in favor of the proposal. The Defense Department has walked away from the amendment. I wish to say to the Senator, who follows sound procedure, that the only basis on which that type of legislation ought to be voted up or down in this Chamber is on the basis of facts adduced at the hearings, none of which we have had.

On that basis I say to my friend that this is the wrong time and place even to consider the amendment.

Mr. PASTORE. Mr. President, I take a few seconds merely to say to my good friend from California that if prosperous California is in such a competitive position in attracting so many jobs into California, the State ought to be on a competitive basis in the matter of shipbuilding.

Mr. WILLIAMS of Delaware. Mr. President, I shall be brief.

I wish to answer one argument that has been made that there have been no hearings held on the bill. The hearings were held on the bill in the House of Representatives. Ample opportunity was afforded to the Senate to conduct such hearings, had they been desired.

The amendment has already passed the House of Representatives and is now before the Senate. We are not trying to take the shipbuilding industry away from the west coast. I have defended on the floor of the Senate the right of west coast firms to obtain defense contracts when they can underbid companies on the east coast. But if shipbuilding companies on the west coast cannot compete on ship construction then they should be willing, by the same token, to let the ship construction go to east coast yards. When taxpayers' money is being spent it should be spent where the commodity or service can be purchased at the cheapest price. The reason for originally approving the differential no longer exists. West coast shipyards are well able to compete without the differential as other west coast companies bidding on defense contracts have demonstrated.

Section 503(d) requires that in certain circumstances vessel construction contracts must be awarded to a Pacific coast shipyard if its bid exceeds the lowest responsible bid by up to 6 percent. This preference is in effect a domestic tariff protecting one geographical area of the country against the others. Today the shipbuilding industry in all of the United States is in a depressed condition, and if the preference in favor of the Pacific coast continues the possibility of unemployment both in the shipyards and in the plants of manufacturers supplying component parts in the other areas of the country will be seriously aggravated.

The legislative history shows that the only basis for enactment of the 6-percent tariff in 1936 were:

First. Shipbuilding on the Pacific coast was dormant, and it was deemed essential from the national defense standpoint that it be restored; and, second, steel, machinery, and other component parts were manufactured only in the East and overland freight rates prevented the Pacific coast shipyards from being competitive. Even if these considerations were valid in 1936, none of them exist today as demonstrated by the following:

(a) Pacific coast shipyards have constantly within the last several years, and particularly in the last 12 months, underbid yards in the other areas of the

country, both on Federal Maritime Board and naval ship construction projects.

(b) The differential, if any, in the cost of steel, machinery, and other components, has been reduced to an infinitesimal amount, and while it is contended that there is a difference in labor and overhead, these factors were not considered in the original legislation. In any event, Congress should not subsidize the labor in one area of the country as against labor in other areas, nor should it subsidize inefficiency in production methods.

(c) The Navy Department has indicated that the Pacific coast shipyards "have shown an increasing ability to compete successfully for navy ship construction," hence indicating a strong national defense nucleus in that area.

Recent bidding gives concrete evidence of the west coast's present ability to compete:

First. On November 30, 1960, in the most recent bidding under the Maritime Administration program, a west coast yard, National Steel & Shipbuilding Co., of San Diego, Calif., was low bidder and was awarded the contract for two ships at \$11,110,424 each. National Steel's bid was \$82,293 below the lowest east coast bid, on each ship.

Second. Recent bidding on Navy ships is summarized as follows in the testimony of Rear Adm. Floyd B. Schultz of the Navy's Bureau of Ships at hearings before the House Merchant Marine and Fisheries Committee, May 19, 1961:

Several major awards on a competitive basis during the past year or so offered convincing evidence that west coast yards have definitely overcome their former disadvantage in bidding on Navy ship construction. For example, in March 1960 a Puget Sound firm bidding on a nationwide competitive basis was the lowest bidder on three guided missile destroyers (DDG) and received a contract for approximately \$47 million. In November 1960 another Seattle firm was successful, in nationwide bidding, in obtaining an award for two DDG's—at a price of approximately \$29 million. Only a few days ago, a San Diego firm, again as a result of countrywide competition, submitted the lowest of seven proposals received in response to invitations sent to 22 shipyards. This firm was awarded construction of a combat store ship (AFS) at a price of approximately \$18 million.

On June 22, 1961, a contract for a Navy destroyer-escort was awarded to Bethlehem Steel Co.'s San Francisco yard after competitive bidding.

In the face of this evidence, the 6-percent differential is an unnecessary drain on public funds. For example, Bethlehem Steel's San Francisco yard was awarded a contract for two ships for Pacific Far East Lines under the 6-percent provision. This contract was awarded on September 22, 1959, and Bethlehem's bid was \$516,000 per ship, or a total of \$1,032,000, above the low bid of its own east coast yard. Approximately half this difference was borne by the taxpayers in the form of construction differential subsidy. Todd Shipyard of San Pedro, Calif., was

awarded a contract for three vessels for American Mail Line under the 6-percent provision under contract awarded August 5, 1959. Todd's total bid was \$35,775,167, or a total of \$1,725,167 higher than the low bid. About half the difference was borne by the taxpayers.

Since the need for this subsidy for the Pacific coast has now been removed the 6-percent preference should be eliminated as proposed in the pending amendment. I hope the Senate will see fit to support this amendment and terminate an unnecessary expense to the taxpayers.

I ask unanimous consent that two tables which I received from the Depart-

ment of Commerce be printed at this point in the RECORD.

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

U.S. DEPARTMENT OF COMMERCE,
MARITIME ADMINISTRATION,
Washington, D.C., August 8, 1962.

HON. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This will confirm the information you received by telephone on August 7, 1962, concerning ship construction and conversion contracts awarded to west coast shipyards.

As to the construction contracts, you were informed that the four awarded to the west coast since January 1959, were, as follows:

Contract date	Number of ships	Owner	Contractor	Total commercial price contract
Feb. 28, 1961	2	States.....	National Steel.....	\$22,078,274
Sept. 22, 1959	2	PFEL.....	Bethlehem Pacific.....	27,132,000
Aug. 5, 1959	3	American Mail.....	Todd.....	35,775,167
Mar. 17, 1959	4	American Export.....	National Steel.....	43,595,175

The two contracts under dates of September 22, 1959, and August 5, 1959, were awarded under section 502(d) of the Merchant Marine Act of 1936. The low bidders on these contracts and the commercial price per ship

were Bethlehem Sparrows Point, \$13,050,000 and Newport News, \$11,350,000, respectively.

As to the conversion contracts awarded to west coast shipyards since January 1956, you were informed that there were three, as follows:

Contract date	Number of ships	Owner	Contractor	Total commercial price contract
June 8, 1956	2	APL.....	Pacific Ship Repair.....	\$933,000
Dec. 11, 1959	2	APL.....	Moore.....	686,000
Feb. 16, 1961	1	APL.....	Puget Sound.....	7,750,993

The conversion of the *President Roosevelt*, contract date February 16, 1961, was awarded under section 502(d), the low bidder being Newport News with a bid price of \$7,737,581.

It was a pleasure to secure this information for you. Please call on us at any time in the future.

Sincerely yours,

J. W. GULICK,
Deputy Maritime Administrator.

Mr. WILLIAMS of Delaware, Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware. All time having expired, and the yeas and nays having been ordered on this question, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PEARSON (when his name was called). On this vote I have a pair with the Senator from Nebraska [Mr. HRUSKA]. If he were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I have a pair with the Senator from Alaska [Mr. GRUENING]. If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." Therefore I withhold my vote.

Mr. BUSH. Mr. President, I have a pair on this vote with the Senator from Kentucky [Mr. MORTON]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I withhold my vote.

Mr. KEFAUVER. Mr. President, on this vote I have a pair with the Senator from Connecticut [Mr. DOBB]. If he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay."

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DOBB], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Tennessee [Mr. GORE] are absent on official business.

I further announce that the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from Missouri [Mr. LONG] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. HICKEY] and the Senator from Missouri [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from South Dakota [Mr. BOTTUM], the Senator from Indiana [Mr. CAPEHART], the Senator from Nebraska [Mr. HRUSKA], the Senators from New

York [Mr. JAVITS and Mr. KEATING], the Senator from Kentucky [Mr. MORTON], and the Senator from New Hampshire [Mr. MURPHY] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] and the Senator from Maryland [Mr. BUTLER] are detained on official business. If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from South Dakota [Mr. BOTTUM], the Senator from Maryland [Mr. BUTLER], the Senators from New York [Mr. JAVITS and Mr. KEATING], and the Senator from New Hampshire [Mr. MURPHY] would each vote "yea."

On this vote, the Senator from North Dakota [Mr. YOUNG], is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Indiana would vote "nay."

The respective pairs of the Senator from Kentucky [Mr. MORTON] and that of the Senator from Nebraska [Mr. HRUSKA] have been previously announced.

The result was announced—yeas 50, nays 29, as follows:

[No. 270 Leg.]
YEAS—50

Allott	Hill	Robertson
Beall	Holland	Russell
Boggs	Johnston	Saltstall
Byrd, Va.	Jordan, N.C.	Scott
Byrd, W. Va.	Kerr	Smathers
Carlson	Lausche	Smith, Mass.
Case	McCarthy	Smith, Maine
Clark	McClellan	Sparkman
Cooper	McNamara	Stennis
Cotton	Miller	Talmadge
Curtis	Mundt	Thurmond
Dirksen	Muskie	Tower
Douglas	Pastore	Wiley
Eastland	Pell	Williams, N.J.
Ervin	Prouty	Williams, Del.
Hart	Proxmire	Young, Ohio
Hickenlooper	Randolph	

NAYS—29

Anderson	Fong	Mansfield
Bartlett	Goldwater	McGee
Bennett	Hartke	Metcalf
Bible	Hayden	Monroney
Burdick	Jackson	Morse
Carroll	Jordan, Idaho	Moss
Chavez	Kuchel	Neuberger
Church	Long, Hawaii	Symington
Ellender	Long, La.	Yarborough
Engle	Magnuson	

NOT VOTING—21

Alken	Fulbright	Keating
Bottum	Gore	Kefauver
Bush	Gruening	Long, Mo.
Butler	Hickey	Morton
Cannon	Hruska	Murphy
Capehart	Humphrey	Pearson
Dodd	Javits	Young, N. Dak.

So the amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. STENNIS. I move to lay that motion on the table.

Mr. KUCHEL. Mr. President—
The PRESIDING OFFICER. The Senator from California.

Mr. KUCHEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. Was a motion made to table the motion to reconsider the vote?

Mr. STENNIS. I have moved to table the motion.

Mr. KUCHEL. Mr. President, was I not recognized?

The PRESIDING OFFICER. Yes; the Senator from California was recognized.

Mr. KUCHEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. HUMPHREY. Madam President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi [Mr. STENNIS] to lay on the table the motion to reconsider the vote by which the Senate agreed to the amendment of the Senator from Delaware [Mr. WILLIAMS].

The motion to lay on the table was agreed to.

Mr. SMITH of Massachusetts subsequently said: Mr. President, I am very much pleased that the Senate has voted today to end the discriminatory 6-percent shipbuilding subsidy for the west coast.

This subsidy places an unfair and unnecessary burden on the shipyards of the eastern seaboard and in particular, those of Massachusetts. In the Commonwealth these yards provide jobs for over 16,000 workers. One of the major yards, the Fore River Shipyard in Quincy, is working well below capacity at this time. Additional contracts for that yard would create from 4,000 to 6,000 new jobs. The termination of this subsidy for the west coast will allow Fore River, the Boston Naval Shipyard, and the other shipbuilding firms in Massachusetts to compete on a fair basis for their share of new contracts, and will help strengthen the economy of my State.

ORDER OF BUSINESS

Mr. HUMPHREY. Madam President, let me ask the Senator from California [Mr. KUCHEL] whether it is his view—and I also ask whether it is the view of the Senator from Washington [Mr. MAGNUSON]—that the Senate should proceed with this particular bill, or whether it should be temporarily laid aside, and the Senate should now proceed with consideration of the Cuba joint resolution, which was the subject of an agreement entered into on yesterday.

Mr. KUCHEL. I have talked with a number of Senators—some of whom favored the amendment which was adopted a moment ago, and some of whom opposed it—and I think I can say that we would like to have this maritime measure temporarily laid aside, and to have the Senate proceed with consideration of the Cuba joint resolution, because we may be able to find some additional ground of accommodation.

Mr. HUMPHREY. If the pending measure is temporarily set aside—and

I believe this matter is covered by the agreement entered into on yesterday—I should like to have the Senate take up the conference report on the legislative appropriation bill—a privileged matter—and then proceed with consideration of the Cuba joint resolution.

Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment to the merchant marine bill.

Mr. SPARKMAN. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Alabama will state it.

Mr. SPARKMAN. Under the order by which the so-called Cuba joint resolution was referred to the Armed Services Committee and the Foreign Relations Committee, was not that joint resolution automatically to become the order of business today, and was not it covered by the unanimous-consent agreement entered into yesterday?

The PRESIDING OFFICER. No time was specified. The agreement was modified by an additional agreement that following consideration of the merchant marine bill, the Senate would proceed to the consideration of the joint resolution. But no time was specified.

Mr. SPARKMAN. But the agreement did provide that that would be done following consideration of the maritime bill, did it not?

Mr. HUMPHREY. Yes.

Mr. SPARKMAN. If the maritime bill is temporarily laid aside, does not the second part of the agreement automatically take effect?

The PRESIDING OFFICER. By unanimous consent the pending bill may be temporarily laid aside.

Mr. SPARKMAN. I understood that it was laid aside.

Mr. HUMPHREY. It has not yet been laid aside.

Mr. SPARKMAN. Then let me say to the acting majority leader that I do not wish to have many other matters brought up ahead of the Cuba joint resolution—

Mr. HUMPHREY. That will not be done.

Mr. SPARKMAN. Unless the Cuba joint resolution can be scheduled for consideration at a definite time this afternoon.

Mr. HUMPHREY. The conference report on the legislative bill is a privileged matter.

Mr. SPARKMAN. Yes; but certainly the Cuba joint resolution is an urgent measure; and apparently the Senate thought so, too, when it required the two committees to report it today. So I believe it should be disposed of.

Mr. HUMPHREY. The Senator's wish will be fulfilled.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1963—CONFERENCE REPORT

Mr. HUMPHREY. Madam President, I submit a report of the committee of conference on the disagreeing votes of

the two Houses on the amendments of the Senate to the bill (H.R. 11151) making appropriations for the legislative branch for the fiscal year ending June 30, 1963, and for other purposes. I ask unanimous consent that the maritime bill be temporarily laid aside, and that the Senate now proceed to the consideration of the conference report on the legislative branch appropriation bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the report will be read, for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of Tuesday, Sept. 18, 1962, p. 19720, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 11151, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.
September 19, 1962.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 36, 41, and 44 to the bill (H.R. 11151) entitled "An Act making appropriations for the Legislative Branch for the fiscal year ending June 30, 1963, and for other purposes", and concur therein;

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 45, and concur therein with an amendment, as follows: In lieu of the matter proposed by paragraph (7)(b) of said amendment, insert the following:

"(b) An employee to whom this section applies shall be paid during any period of continuous service as such an employee additional basic compensation (hereinafter referred to as longevity compensation) at the rate of \$120 per annum if at the time of such payment the annual rate of basic compensation (exclusive of longevity compensation) of the position in which employed is less than \$1,800, or \$180 per annum if at such time such rate is \$1,800 or more, for each five years of service performed as such an employee during such period. No employee shall receive more than four such increases upon the basis of any period of continuous service, and nothing in this section shall be construed to authorize the payment to any employee of total compensation, including longevity compensation, in excess of the maximum amount prescribed by law for Senate employees generally. Notwithstanding the first sentence of this subsection, the first increase under this section for telephone operators (exclusive of the chief operator and assistant chief operators), who on September 1, 1962, have more than twenty-five years of service as a telephone operator on the United States Capitol telephone exchange shall be \$240 basic per annum. In computing length of continuous service for the purposes of this section only service performed subsequent to August 31, 1957, shall be credited,

and in the case of employees of the Official Reporters of Debates of the Senate there shall be credited any service as such an employee performed during the period beginning on September 1, 1957, and ending on June 30, 1960, whether or not compensated from the appropriation referred to in subsection (a). Continuity of service for the purpose of this subsection shall not be deemed to be broken by separations from service of not more than thirty days, by the performance of service as an employee, other than an employee subject to the provisions of this section, whose compensation is disbursed by the Secretary of the Senate or the Clerk of

the House of Representatives, or by the performance of active military service in the armed forces of the United States, but such separations and service shall not be credited for the purposes of this section. Longevity compensation under this section shall be payable on and after the first day of the first month following completion of the five-year period upon which such compensation is based."

Mr. PASTORE. Madam President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 45.

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

The motion was agreed to.

Mr. PASTORE. Madam President, I ask unanimous consent to include in the Record at this point a tabulation showing by item the budget estimates, the amounts in the Senate and House versions of the bill, and the amounts agreed to in conference.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

Comparative statement of the appropriations for 1962 and the estimates and amounts recommended in the bill for 1963

Item	Appropriations, 1962 ¹	Budget estimates, 1963	House allowance	Senate allowance	Conference allowance
SENATE					
Vice President and Senators:					
Compensation of the Vice President and Senators				\$2,471,140	\$2,471,140
Compensation of Senators	\$2,433,370	\$2,433,370			
Compensation of the Vice President	37,775	37,775			
Expense allowances of the Vice President, and majority and minority leaders				14,000	14,000
Expense allowance for majority and minority leaders	4,000	4,000			
Expense allowance of the Vice President	10,000	10,000			
Mileage of the President of the Senate and of Senators	58,370	58,370		58,370	58,370
Beneficiaries of deceased Senators	67,500				
Total, Vice President and Senators	2,611,015	2,543,515		2,543,510	2,543,510
Salaries of officers and employees:					
Office of the Vice President	120,550	\$ 127,645		127,645	127,645
Chaplain	8,810	8,810		8,810	8,810
Office of the Secretary of the Senate	708,400	708,400		720,460	720,460
Committee employees	2,551,200	2,551,200		2,551,200	2,551,200
Conference committee:					
Majority	47,325	47,325		77,325	77,325
Minority	47,325	47,325		77,325	77,325
Administrative and clerical assistants to Senators	11,938,395	\$ 12,676,275		12,676,275	12,676,275
Offices of Sergeant at Arms and Doorkeeper	2,519,525	2,540,135		2,522,780	2,522,780
Offices of secretaries for the majority and minority	126,350	126,350		126,350	126,350
Office of the majority and minority whips	28,340	28,340		28,340	28,340
Official Reporters of Debates	224,870	214,990		214,990	214,990
Total salaries of officers and employees	18,321,090	19,076,795		19,131,500	19,131,500
Office of Legislative Counsel of the Senate: Salaries and expenses	232,240	232,240		232,240	232,240
Contingent expenses:					
Legislative reorganization	125,940	125,940		125,940	125,940
Senate policy committees	267,950	267,950		327,950	327,950
Joint Economic Committee	247,555	\$ 187,075		250,000	250,000
Joint Committee on Atomic Energy	294,010	294,010		294,010	294,010
Joint Committee on Printing	115,725	115,725		115,725	115,725
Automobiles and maintenance				36,000	36,000
Vice President's automobile	8,710	8,710			
Automobile for the President pro tempore	8,960	8,960			
Automobiles for majority and minority leaders	17,420	17,420			
Furniture	31,190	31,190		39,530	39,530
Inquiries and investigations	3,797,210	3,797,210		3,797,210	3,797,210
Folding documents	34,295	34,295		34,295	34,295
Senate restaurants	110,000				
Mail transportation	16,560	16,560		16,560	16,560
Miscellaneous items	2,294,345	\$ 2,390,565		2,390,565	2,390,565
Postage stamps	55,975	55,975		55,975	55,975
Stationery	195,000	195,000		195,000	195,000
Communications	15,150	15,150		15,150	15,150
Total, contingent expenses	7,635,995	7,561,735		7,693,910	7,693,910
Total, Senate	28,800,340	29,414,285		29,601,160	29,601,160
HOUSE OF REPRESENTATIVES					
SALARIES, MILEAGE FOR THE MEMBERS, AND EXPENSE ALLOWANCE OF THE SPEAKER					
Compensation of Members	10,672,000	10,672,000	\$10,672,000	10,672,000	10,672,000
Mileage of Members and expense allowance of the Speaker	200,000	200,000	200,000	200,000	200,000
Total	10,872,000	10,872,000	10,872,000	10,872,000	10,872,000
SALARIES, OFFICERS AND EMPLOYEES					
Office of the Speaker	62,900	\$ 83,710	83,710	83,710	83,710
Office of the Parliamentarian	64,630	64,635	64,635	64,635	64,635
Office of the Chaplain	8,810	8,810	8,810	8,810	8,810
Office of the Clerk	1,146,025	1,155,330	1,154,490	1,154,490	1,154,490
Committee employees	2,900,000	2,950,000	2,925,000	2,925,000	2,925,000
Office of the Sergeant at Arms	618,150	618,150	618,150	618,150	618,150
Office of the Doorkeeper	1,058,310	1,058,310	1,059,325	1,059,325	1,059,325
Special and minority employees (several items)	302,045	302,045	302,045	302,045	302,045
Office of the Postmaster	316,210	326,125	326,125	326,125	326,125
Official reporters of debates	202,915	202,915	202,915	202,915	202,915
Official reporters to committees	204,965	204,965	204,965	204,965	204,965
Committee on Appropriations (investigations)	550,000	600,000	600,000	600,000	600,000
Office of the Legislative Counsel	225,750	236,000	229,000	229,000	229,000
Total, salaries, officers and employees	7,660,740	7,811,025	7,779,200	7,779,200	7,779,200
MEMBERS' CLERK HIRE					
Clerk hire	20,400,000	20,400,000	20,400,000	20,000,000	20,400,000

See footnotes at end of table.

Comparative statement of the appropriations for 1962 and the estimates and amounts recommended in the bill for 1963—Continued

Item	Appropriations, 1962 ¹	Budget estimates, 1963	House allowance	Senate allowance	Conference allowance
CONTINGENT EXPENSES OF THE HOUSE					
Furniture.....	\$242,550	\$262,550	\$262,550	\$262,550	\$262,550
Miscellaneous items.....	2,550,000	2,600,000	2,600,000	2,600,000	2,600,000
Reporting hearings.....	150,000	175,000	150,000	150,000	150,000
Special and select committees.....	2,900,000	3,000,000	2,935,000	2,935,000	2,935,000
Joint Committee on Internal Revenue Taxation.....	322,500	322,500	322,500	322,500	322,500
Joint Committee on Immigration and Nationality Policy.....	20,000	20,000	20,000	20,000	20,000
Joint Committee on Defense Production.....					
Office of Coordinator of Information.....	108,245	¹ 113,875	113,875	113,875	113,875
Telegraph and telephone.....	1,300,000	1,375,000	1,350,000	1,350,000	1,350,000
Stationery (revolving fund).....	744,600	788,400	788,400	788,400	788,400
Attending physician's office.....	16,545	16,545	16,545	16,545	16,545
Postage stamps.....	183,640	183,640	183,640	183,640	183,640
Folding documents.....	236,500	240,000	240,000	240,000	240,000
Revision of laws.....	19,515	19,515	19,515	19,515	19,515
Speaker's automobile.....	10,000	10,000	10,000	10,000	10,000
Majority leader's automobile.....	10,000	10,000	10,000	10,000	10,000
Minority leader's automobile.....	10,000	10,000	10,000	10,000	10,000
Portrait of Speaker.....			2,500	2,500	2,500
New edition, United States Code.....	100,000				
Payment to widows and heirs of deceased Members.....	102,500				
Total, contingent expenses.....	9,026,595	9,147,025	9,099,525	9,099,525	9,099,525
Total, House of Representatives.....	47,959,335	48,230,050	48,150,725	48,150,725	48,150,725
CAPITOL POLICE					
General expenses.....	36,700	36,700	36,700	36,700	36,700
Capitol Police Board.....	114,700	142,810	129,500	129,500	129,500
Total, Capitol Police.....	151,400	179,510	166,200	166,200	166,200
JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES					
Salaries and expenses.....	26,790			26,790	26,790
EDUCATION OF SENATE AND HOUSE PAGES					
Expenses.....	67,900	68,365	68,365	68,365	68,365
PENALTY MAIL COSTS					
Expenses.....	3,836,000	3,986,000	3,986,000	3,986,000	3,986,000
CONTESTED ELECTIONS					
Expenses, compiling testimony in contested election cases.....		2,000			
STATEMENTS OF APPROPRIATIONS					
Preparation.....	8,000	8,000	8,000	8,000	8,000
ARCHITECT OF THE CAPITOL					
Salaries, Office of the Architect.....	337,700	363,000	363,000	363,000	363,000
Contingent expenses.....	50,000	50,000	50,000	50,000	50,000
Capitol buildings.....	1,629,500	1,282,000	⁴ 1,282,000	⁴ 1,282,000	1,282,000
Extension of the Capitol.....	1,500,000	500,000	500,000	500,000	500,000
Restoration of Old Senate and Old Supreme Court Chambers.....				37,500	
Capitol Grounds.....	446,000	435,000	435,000	435,000	435,000
Legislative garage.....	79,000	63,000	63,000	63,000	63,000
Senate office buildings.....	2,170,400	2,465,000		2,235,000	2,235,000
House office buildings.....	1,639,000	1,677,000	1,703,000	1,703,000	1,703,000
Acquisition of property, construction, and equipment, additional House Office Building (liquidation cash).....	6,000,000	8,500,000	8,500,000	8,500,000	8,500,000
Capitol Power Plant (operation).....	2,052,000	2,059,000	2,052,000	2,052,000	2,052,000
Library buildings and grounds:					
Structural mechanical care.....	3,748,000	869,000	⁴ 844,500	⁴ 844,500	844,500
Furniture and furnishings.....	99,000	229,000	225,000	225,000	225,000
Total, Architect of the Capitol.....	19,760,600	18,492,000	16,017,500	18,290,000	18,252,500
BOTANIC GARDEN					
Salaries and expenses.....	489,000	456,000	⁴ 452,000	⁴ 452,000	452,000
LIBRARY OF CONGRESS					
Salaries and expenses.....	8,455,000	¹ 9,988,100	⁴ 8,930,000	⁴ 9,906,350	9,810,430
Copyright Office, salaries and expenses.....	1,600,000	1,619,700	1,619,700	1,619,700	1,619,700
Legislative Reference Service, salaries and expenses.....	1,809,200	1,876,800	1,870,000	1,870,000	1,870,000
Distribution of catalog cards, salaries and expenses.....	2,347,000	² 2,700,700	³ 2,700,700	² 2,700,700	2,700,700
Books for the general collection.....	470,000	605,000	570,000	570,000	570,000
Books for the law library.....	90,000	110,000	110,000	110,000	110,000
Books for the blind, salaries and expenses.....	1,786,100	1,884,700	1,884,700	1,884,700	1,884,700
Organizing and microfilming the papers of the President, salaries and expenses.....	112,800	112,800	112,800	112,800	112,800
Preservation of early American motion pictures.....	60,600	60,600	60,600	60,600	60,600
Revision of Annotated Constitution.....	25,000				
Collection and distribution of Library materials (special foreign currency program).....	⁴ 400,000	⁴ 770,000	⁶ 678,000	⁵ 758,000	⁵ 678,000
Indexing and microfilming the Russian Orthodox Greek Catholic Church records in Alaska.....		15,000	15,000	15,000	15,000
Total, Library of Congress.....	17,155,700	19,743,400	18,551,500	19,607,850	19,431,930
GOVERNMENT PRINTING OFFICE					
Printing and binding.....	13,400,000	15,200,000	15,200,000	15,200,000	15,200,000
Office of Superintendent of Documents, salaries and expenses.....	4,724,000	4,683,600	4,683,600	4,683,600	4,683,600
Acquisition of site and construction of annex.....		6,450,000	6,450,000	6,450,000	6,450,000
Total, Government Printing Office.....	18,124,000	26,333,600	26,333,600	26,333,600	26,333,600
Grand total.....	136,369,065	146,913,210	113,733,890	146,690,690	146,477,270

¹ Includes items in 2d Supplemental, 1962.

² As amended in H. Doc. 370.

³ As amended in H. Doc. 366.

⁴ In addition, reappropriation.

⁵ Of which the following amounts are to purchase currencies already owned by the

Treasury: Appropriation, 1962, \$363,500; budget for 1963, \$610,000; Conference bill, \$630,000.

⁶ As amended in S. Doc. 89.

⁷ As amended in S. Doc. 99.

Mr. STENNIS. Madam President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. STENNIS. I commend the Senator from Rhode Island and the committee for the very fine way in which they considered and handled the matter of the restoration of the old Senate Chamber. Funds are not carried forward in the bill, but they have been carefully considered and carried forward without prejudice for further consideration under a plan to consider other matters.

Mr. PASTORE. Madam President, I ask unanimous consent that the part of the conference report under the title "Architect of the Capitol," which refers to amendment No. 37, on page 2 of the conference report, including the first paragraph on page 3 of said report, be printed in the RECORD at this point.

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

ARCHITECT OF THE CAPITOL

Amendment No. 37.—Strikes from the bill the \$37,500 proposed by the Senate for preparing working drawings, specifications, and estimates of cost for restoration of the old Senate Chamber and the old Supreme Court Chamber in the Capitol Building substantially to their conditions in 1859 and 1860, respectively.

This action has been taken without any prejudice to future consideration of the proposal. There are those in the Congress who feel the project is desirable, but it is one that should be first processed through regular legislative channels. Under the law, changes in architectural features of the building require prior legislative approval. An authorization in advance of appropriation is the prescribed procedure.

Moreover, with rebuilding and reinforcement of the supporting structure under the east side of the central dome, it has been indicated that, for engineering and structural reasons, it may, in the not so distant future, be necessary to rebuild the west central side to compensate and to replace the deteriorating structural features. This would at least open to logical consideration the whole question of the west central area and the conferees think this is an added reason for deferral of the instant proposition.

U.S. POLICY WITH RESPECT TO CUBA

Under the order previously entered, the Senate proceeded to consider the joint resolution (S.J. Res. 230) expressing the determination of the United States with respect to the situation in Cuba.

Mr. HUMPHREY. Madam President, a parliamentary inquiry. What is the pending business?

The PRESIDING OFFICER. The pending business is Senate Joint Resolution 230.

Mr. HUMPHREY. Madam President, I now ask unanimous consent that discussion on Senate Joint Resolution 230 be limited to 3 hours. I have discussed this subject with the minority leader. We have likewise discussed the limitation with Senators keenly interested in the joint resolution. The time will be under the control of either the majority leader or the minority leader, whoever may be present at the time.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Madam President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

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

Mr. HUMPHREY. Madam President, I suggest that the distinguished acting chairman of the Committee on Foreign Relations be in charge of the time.

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

Mr. SPARKMAN. Madam President, I yield myself 10 minutes, under the time limitation.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 10 minutes.

Mr. SPARKMAN. Madam President, the Committee on Foreign Relations and the Committee on Armed Services have unanimously reported to the Senate a joint resolution which, in my judgment, clearly and forcefully expresses the determination of the American people to defeat the designs of Communist aggression in the Western Hemisphere and to do so by means that are consistent with traditional American policies including the Monroe Doctrine, with the national security requirements of the United States, and with our obligations under the Rio Treaty of 1947.

Senate Joint Resolution 230 expresses the determination of the United States; first, to prevent the Cuban Communist regime, by whatever means may be necessary, including the use of arms, from engaging in aggression or subversion in any part of this hemisphere; second, to prevent the creation in Cuba of an externally supported military capability endangering the security of the United States; and third, to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

This resolution is designed to strengthen the hand of the President in his stated determination to take whatever action may be necessary to protect the security of the United States and its allies. The resolution is entirely consistent with President Kennedy's statement of September 13, when he said:

If at any time the Communist buildup in Cuba were to endanger or interfere with our security in any way, including our base at Guantanamo, our passage to the Panama Canal, our missile and space activities in Cape Canaveral—or the lives of American citizens in this country, or if Cuba should ever attempt to export its aggressive purposes by force or the threat of force against any nation in this hemisphere or become an offensive military base of significant capacity for the Soviet Union, then this country will do whatever must be done to protect its own security and that of its allies.

This resolution must be considered within the broad context of our world-

wide struggle against Communist imperialism and our long-term relations with Latin America. Our relations with Latin America have been altered by two great historical changes since the end of World War II.

The first of these has been the emergence of the United States from isolationism and its acquisition of worldwide responsibilities beyond the limits of the Western Hemisphere. This change has greatly altered the conditions governing our implementation of the Monroe Doctrine, which was based in part on the assumption that the nations of the Western Hemisphere would remain uninvolved in the conflicts of Europe. We are now deeply involved in these conflicts and, as a result, their impact is felt in our own hemisphere as well as in the outside world. The core of the Monroe Doctrine—its determination to defend the Western Hemisphere against extracontinental aggression and imperialism—remains a valid and vital principle of our foreign policy. But in discharging our obligations under the Monroe Doctrine, we must act with full regard for the fact that the problem of Cuba and of Communist designs in the Western Hemisphere is not an isolated one but part of our worldwide struggle against Communist imperialism.

The second great change in our relations with Latin America since the end of World War II has been the emergence of Latin America into the mainstream of world history, its awakening to the great forces—communism, democracy, and nationalism—which have aroused all of the peoples of the non-European world. Latin America, in short, has been drawn into the worldwide social revolution against economic deprivation and political humiliation. The tragedy of Cuba is that the aspirations of its people for freedom and a better life have been betrayed by a demagog whose appetite for power has brought his country to its present status as a chattel of Communist imperialism.

Under these conditions the basic aims of the United States in Latin America as expressed in the Monroe Doctrine can best be realized by combining measures of collective security whenever possible—unilateral action when necessary—with policies designed to help the peoples of Latin America achieve the aims of their social revolution under free institutions. If the Alliance for Progress succeeds, it will give this hemisphere not only the social and economic justice that its peoples demand but also the fullest possible measure of security against Communist imperialism.

Because I believe that Senate Joint Resolution 230 is entirely consistent with these realities of our Latin American relations as well as with our obligations as a member of the Organization of American States and the United Nations, I commend its adoption to the Senate.

Mr. CHAVEZ rose.

Mr. SPARKMAN. Madam President, I yield to the Senator from New Mexico.

Mr. CHAVEZ. I am in favor of everything the Senator from Alabama has said, but how can we justify saying we object to the Russians being in Cuba when we have a base within 60 miles of

the Russian border, in Turkey? I have been at our airbase in Turkey, 60 miles from Russia. How can we justify that and at the same time object to the Russians being in Cuba? I wish the Senator would answer.

Mr. SPARKMAN. That question has been raised a good many times. Our answer is that we are in positions near the Russian borders purely for the purpose of protecting our own national security in conjunction with our allies. We have the base in Turkey, for example, at the request of the Turkish Government. We certainly have no aggressive purpose in being there. We are not trying to subvert the Turkish Government or to install our system of government there. We are working with the Turkish Government, at its invitation and on a defensive basis, not on an offensive basis.

Mr. CHAVEZ. In my opinion, the Committee on Foreign Relations, is mistaken in respect to the people of Latin America. There are not many Communists in Latin America. They are few, but noisy—very noisy. Latin America could not be made a Communist area. It could not be done. The people are not of that mind philosophically, by national origin, or otherwise. They are for this country.

Mr. President, what worries me is that some people in the United States brag about being anti-Communist. What we do in Europe, of course, might be necessary, and I am for it. Nevertheless, it gives the people as a whole time to think.

Mr. SPARKMAN. The Senator has made a very thoughtful suggestion. I wish to emphasize a point he has made, because I think he is right. The Latin American is not by nature a Communist. And he is not likely to be, provided he can be free, independent, and enjoy the reasonable comforts that a person is entitled to in life. I think the Senator is correct.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a very brief statement?

The PRESIDING OFFICER. The 10 minutes which the Senator from Alabama allotted to himself have expired.

Mr. SPARKMAN. Madam President, I yield myself an additional 5 minutes. I had promised the Senator from Washington [Mr. JACKSON] that I would yield to him for a question.

Mr. JACKSON. Madam President, I should like to endeavor to make the legislative history of Senate Joint Resolution 230 as clear as possible by asking the distinguished Senator in charge of the pending joint resolution whether or not the proposal is limited to Cuba.

Mr. SPARKMAN. In answer to the question propounded by the Senator from Washington, I point out that he is correct. The Senator will note that the title itself states—

Expressing the determination of the United States with respect to the situation in Cuba.

Some Senators felt that we ought to have made the resolution more widespread than that. But we were dealing with the Cuban situation.

Mr. JACKSON. The fact that we are not resolving in the joint resolution questions with reference to other areas

in Central and South America is not to be taken as an assumption that we are not concerned with the threat to all areas of the Western Hemisphere. Is that correct?

Mr. SPARKMAN. The Senator is correct. I believe the manner in which we have incorporated the Monroe Doctrine in the joint resolution can be taken to indicate our interest in all the Western Hemisphere, because the Monroe Doctrine certainly covers the entire Western Hemisphere.

Mr. JACKSON. I am happy that the Senator has made that point. The fact that we are legislating with reference to Cuba is not to be taken by implication to mean that we are not concerned with the threat to the other countries in the Western Hemisphere by any power anywhere in the world. Is that not correct?

Mr. SPARKMAN. The Senator is absolutely correct.

Mr. JACKSON. Historically, the Monroe Doctrine has been thought to apply only to threats from European countries, but many of us feel that what we are concerned about is the security and integrity of the Western Hemisphere.

Mr. SPARKMAN. Yes. I point out that we have not only the Monroe Doctrine, but also we have bolstering that doctrine the Rio Treaty and the Punta del Este Treaty, all of which amount to a closer tying together of the nations of the Western Hemisphere within the framework or in recognition of the Monroe Doctrine.

Mr. JACKSON. I merely wish to make certain that all powers anywhere in the world that attempt to threaten the security and the integrity of any part or all parts of the Western Hemisphere are not able to assume that because we are dealing in this resolution with a specific current situation in Cuba, by implication there would be afforded to them a license to move in.

Mr. SPARKMAN. The Senator is absolutely correct.

Mr. JACKSON. On the contrary, the Monroe Doctrine, the Rio Treaty of 1947, and the Punta del Este meeting in January 1962, are all applicable, including the right of the United States to take whatever unilateral action it may find necessary at any time to provide for our own security, should that situation arise.

Mr. SPARKMAN. The Senator is correct. I made that statement in the concluding paragraph of my statement.

Mr. CASE. Madam President, will the Senator yield?

Mr. SPARKMAN. I understand that the Senator from New Jersey wishes to ask a question along the same line.

Mr. CASE. Yes. I thank the Senator. In summary, the joint resolution is not intended to be a limitation upon our own rights as a nation or upon our freedom of action in pursuance of our traditional position.

Mr. SPARKMAN. Not at all. I regard it as a reaffirmation.

Mr. CHAVEZ. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I wish to state a little history about Latin America. Simon Bolivar, of Venezuela, was the one who made Latin America independent. He had observed what had been done in relation to the thirteen Colonies in the United States, and he wanted to create that kind of union in South America. Instead of 20 countries, he wanted one solid independent country. However, others including England, wanted Latin America divided, for being divided, it could be conquered.

Mr. SPARKMAN. Madam President, I appreciate the remarks of the Senator from New Mexico.

I have agreed to yield briefly to the Senator from New Mexico [Mr. ANDERSON].

RELIEF FOR CERTAIN RESIDENTIAL OCCUPANTS OF UNPATENTED MINING CLAIMS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3451) to provide relief for residential occupants of unpatented mining claims upon which valuable improvements have been placed, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the Secretary of the Interior may convey to any occupant of an unpatented mining claim which is determined by the Secretary to be invalid an area within the claim of not more than (a) five acres or (b) the acreage actually occupied by him, whichever is less. The Secretary may make a like conveyance to any occupant of an unpatented mining claim who, after notice from a qualified officer of the United States that the claim is believed to be invalid, relinquishes to the United States all right in and to such claim which he may have under the mining laws or who, within two years prior to the date of this Act, relinquished such rights to the United States or had his unpatented mining claim invalidated. Any conveyance authorized by this section, however, shall be made only to a qualified applicant, as that term is defined in section 2 of this Act, who applies therefor within three years from the date of this Act and upon payment of the amount established pursuant to section 5 of this Act.

As used in this section, the term "qualified officer of the United States" means the Secretary of the Interior or an employee of the Department of the Interior so designated by him: *Provided*, That the Secretary of the Interior may delegate his authority to designate qualified officers to the head of any other department or agency of the United States with respect to lands within the administrative jurisdiction of that department or agency.

Sec. 2. For the purposes of this Act a qualified applicant is a seasonal or year-round residential occupant-owner, as of January 10, 1962, of land now or formerly in an unpatented mining claim upon which valuable improvements had been placed.

Sec. 3. Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make conveyances under section 1 of this Act, only with the consent of the head of that governmental unit and under such terms and conditions as that unit may deem necessary.

Sec. 4. Where the Secretary of the Interior determines that a disposition under section 1 of this Act is not in the public interest or the consent required by section 3 of this Act is not given, the applicant, after arrangements satisfactory to the Secretary of the Interior are made for the termination of his occupancy and for settlement of any liability for unauthorized use, will be granted by the Secretary, under such rules and regulations for procedure as the Secretary may prescribe, a preference right to purchase any other tract of land, five acres or less in area, from those tracts made available for sale under this Act by the Secretary of the Interior, from the unappropriated and unreserved lands and those lands subject to classification under section 7 of the Taylor Grazing Act, upon the payment of the amount determined under section 5 of this Act. Said preference right must be exercised within two years from and after the date of its grant.

Sec. 5. The Secretary of the Interior prior to any conveyance under this Act shall determine the fair market value of the lands involved (exclusive of any improvements placed thereon by the applicant or by his predecessors in interest) or interests in lands as of the date of this Act.

Sec. 6. The execution of a conveyance authorized by section 1 of this Act shall not relieve any occupant of the land conveyed of any liability, existing on the date of said conveyance, to the United States for unauthorized use of the conveyed lands or interests in lands. Relief under this section shall be limited to those persons who have filed applications for conveyances pursuant to this Act within three years from the enactment of this Act. Except where a mining claim was located at a time when the land included therein was withdrawn from or otherwise not subject to such location, or where a mining claim was located after July 23, 1955, no trespass charges shall be sought or collected by the United States based upon occupancy of such mining claim, whether residential or otherwise, for any period preceding the final administrative determination of the invalidity of the mining claim by the Secretary of the Interior or the voluntary relinquishment of the mining claim, whichever occurs earlier. Nothing in this Act shall be construed as creating any liability for trespass to the United States which would not exist in the absence of this Act.

Sec. 7. (a) In any conveyance under this Act there shall be reserved to the United States (1) all minerals and (2) the right of the United States, its lessees, permittees, and licensees to enter upon the land and to prospect for, drill for, mine, treat, store, transport, and remove leasable minerals and mineral materials and to use so much of the surface and subsurface of such lands as may be necessary for such purposes, and whenever reasonably necessary, for the purpose of prospecting for, drilling for, mining, treating, storing, transporting, and removing such minerals and mineral materials on or from other lands.

(b) The leasable minerals and mineral materials so reserved shall be subject to disposal by the United States in accordance with the provisions of the applicable laws in force at the time of such disposal.

(c) Subject to valid existing rights, upon issuance of a patent or other instrument of conveyance under this Act, the locatable minerals reserved by this section shall be withdrawn from all forms of appropriation under the mining laws.

(d) Nothing in this section shall be construed to preclude a grantee, holding any lands conveyed under this Act, from granting to any person or firm the right to prospect or explore for any class of minerals for which mining locations may be made under the United States mining laws on such terms and conditions as may be agreed

upon by said grantee and the prospector, but no mining location shall be made thereon so long as the withdrawal directed by this Act is in effect.

(e) A fee owner of the surface of any lands conveyed under this Act may at any time make application to purchase, and the Secretary of the Interior shall sell to such owner, the interests of the United States in any and all locatable minerals within the boundaries of the lands owned by such owner, which lands were patented or otherwise conveyed under this Act with a reservation of such minerals to the United States. All sales of such interests shall be made expressly subject to valid existing rights. Before any such sale is consummated, the surface owner shall pay to the Secretary of the Interior the sum of the fair market value of the interests sold, and the cost of appraisal thereof, but in no event less than the sum of \$50 per acre and the cost of appraisal of the locatable mineral interests. The Secretary of the Interior shall issue thereupon such instruments of conveyance as he deems appropriate.

Sec. 8. Rights and privileges under this Act shall not be assignable, but may pass through devise or descent.

Mr. ANDERSON. Madam President, I move that the Senate disagree with the amendment of the House of Representatives, and ask for a conference with the House on the disagreeing votes of the 2 Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. CHURCH, Mr. JACKSON, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate at the conference.

U.S. POLICY WITH RESPECT TO CUBA

The Senate resumed the consideration of the joint resolution (S.J. Res. 230) expressing the determination of the United States with respect to the situation in Cuba.

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

Mr. SPARKMAN. Madam President, I yield myself an additional 5 minutes.

In conclusion, I am sure every Senator knows that the two committees met jointly, held extensive hearings on Monday, and then worked quietly on Tuesday in an effort to agree upon the wording, without a formal committee meeting. On Wednesday we met again for the purpose of having the committees agree on the wording. One might think that it would be a very difficult task to get two committees with a total membership of 33 together on that subject.

However, we arrived at an adjustment yesterday morning without too much difficulty. It was unanimous. Every member of both committees voted for the wording of the resolution. The meetings were presided over by the very able veteran Senator from Georgia [Mr. RUSSELL], chairman of the Armed Services Committee. I mean veteran in point of service, not in age, because he is eternally young.

Mr. RUSSELL. I particularly thank the Senator for the latter remark.

Mr. SPARKMAN. Of course he did the only type of job that we could have expected of him, a superb job. I wish to

add that this morning the House Foreign Affairs Committee agreed by unanimous vote on the identical wording of the resolution that has been reported by our two committees.

Therefore, Madam President, before concluding these brief remarks, I express the hope that Members of the Senate, who, of course, have complete freedom in offering amendments to this resolution, will bear in mind that the resolution now before us is the product of most careful consideration by members of two committees of the Senate, the House Foreign Affairs Committee, and the executive branch. Obviously, not every member of the joint committee was fully satisfied with every phrase and every word in the pending resolution. A number of changes were suggested and some of them adopted during our consideration of this resolution. I would suggest that Members who may wish to propose amendments to the pending resolution examine the executive session record of the joint committee before submitting amendments. I am sure that such examination will reveal reasons which will commend to Members the resolution in the form in which it has been reported. The executive session transcript is available in the Foreign Relations Committee room or it will be brought to the floor of the Senate for examination by individual Members if they desire that be done.

Let me say that Secretary of State Rusk and Deputy Assistant Secretary of Defense Bundy were most candid and forthcoming in their testimony. The hearings which are before every Member of the Senate have been edited to delete security information. However, the unedited version is available for consultation.

Finally, Madam President, let me emphasize that this is one of those rare occasions in the Senate of the United States when it is more important that the Senate speak with a united voice than that we appear disunited as a consequence of unnecessarily perfecting amendments whose purpose may be to clarify concepts in the minds of a few Members of the Senate. I urge, therefore, that Members who may have questions regarding the meaning of particular language in this resolution, or doubts about whether it goes too far or not far enough, resolve their doubts in favor of helping this Nation speak with one voice on the critical situation in Cuba.

Madam President, I now yield to the Senator from Florida.

Mr. SMATHERS. Madam President, first, I rise to congratulate the members of the Armed Services Committee and the Foreign Relations Committee for bringing to the floor of the Senate this very excellent resolution. I completely agree with the able Senator from Alabama that in this field it is most important that we speak with one voice. The committees have rendered a signal service.

We all recognize that the final decision is left to the President of the United States by the Constitution. It is a most difficult decision for him to make. It is not easy, no matter how we look at it. I am certain, however, that he will

be comforted in the knowledge that Congress supports him in any strong and firm action which he might determine needs to be taken, first, to protect the national interest of the United States and, second, to get rid of communism in Cuba.

I have previously discussed and thought about offering two resolutions. I have decided not to bring them up at this time, as I previously stated to the committee. The resolutions which I have submitted are more specific in nature, but they fall within the context of the overall pending resolution.

Rather than complicate the pending resolution, and bring about debate, which might create the impression that we are divided with respect to the steps that ought to be taken, I will withhold pressing my resolutions at this time. However, I expect to press them before the Foreign Relations Committee at a later date.

I am very happy that the committees have seen fit to add the last paragraph to the resolution, which makes mention of the Organization of American States.

I supplement what has previously been said by saying that in the very basic document which formed the Organization of American States, about 1948, this kind of strong action was called for in dealing with outside influences.

Prior to that there was the Rio pact. Subsequent to that there was the Act of Bogotá. Subsequent to that, in 1954, there was the strongest statement yet made, at Caracas. After that, an additional statement was made at Costa Rica, in 1960. Then, of course, there were the findings at Punta del Este, in 1961.

Each of these documents states clearly that it is the duty of the nations of the Western Hemisphere to band together in action to stop any outside power from coming in and exercising its influence contrary to the principles of democracy as we understand them in the Western Hemisphere.

I believe we are about to take the logical first step. It is my hope, possibly after the meeting that has been called for by Secretary Rusk of the foreign ministers of the Western Hemisphere nations—who actually only advise, and do not have much authority—that the President of the United States himself will consider, probably later this year or early next year—and the sooner the better—calling a meeting of the heads of state of the countries of the Western Hemisphere, where there could be outlined the inroads which have been made by the Communists in Cuba, and the danger to the whole hemisphere of having the Communists in Cuba. I believe that needs to be done to preserve the meaning and worth of the Organization of American States.

In conclusion, I again congratulate the able Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. RUSSELL], the minority leader [Mr. DIRKSEN], the Senator from Massachusetts [Mr. SALTONSTALL], and other Senators who have brought this meaningful resolution to the Senate. I am certain that it will at least imply to the President of the United States that the Members of

Congress want him to take affirmative and strong action in this field. I am certain he will be so encouraged, and I believe also that he will be comforted in the decisions which he must subsequently make.

Mr. SPARKMAN. I thank the Senator from Florida. I commend him, because I know the great interest he has shown in this field. Incidentally, if Senators have not already noted it, the appendix of the hearings contains the documents of the several conferences mentioned by the Senator from Florida.

Madam President, I yield such time to the Senator from Massachusetts [Mr. SALTONSTALL] as he may need.

Mr. SALTONSTALL. Madam President, I shall be very brief. First, I commend the Senator from Alabama, the acting chairman of the Committee on Foreign Relations, and my own chairman of the Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL], on the manner in which they conducted the hearings, and especially on the manner in which they drafted the pending resolution, which I trust will be unanimously adopted without any amendments. I believe it is essential to do so, because the House has followed our language, and we want to be united, and not have any question as to further interpretation.

As I see it, the resolution supports three general principles. The main purpose of the resolution is to indicate to the world, more specifically and more directly to the Communist governments in Cuba and Moscow, that the people of the United States are actively supporting the President of the United States in whatever action he deems it necessary to take to prevent any action by the Castro regime in Cuba which would threaten the security of the United States or of any of the other countries of Latin America.

The second point is the support of the principle of the Monroe Doctrine.

We realize that the world has undergone great changes in the past 10 years. As I see it, the resolution is in support of the principle of the Monroe Doctrine; but today we also have other agreements, which the Senator from Alabama [Mr. SPARKMAN] and the Senator from Florida [Mr. SMATHERS] have just mentioned, agreements which tie us together in certain ways with the countries of Latin America and South America. We are a member of the Organization of American States, and we have been a party to additional meetings which have taken place and treaties which have been entered into by countries of the Americas. That means that in carrying out the principle of the Monroe Doctrine, we must discuss hemispheric questions with our friends and neighbors in the other countries to obtain their support where and how we can.

But we should always remember that the resolution supports the principle that we intend to take any unilateral action which may be necessary to our own security. That is fundamental. That is made clear in the joint resolution.

The joint resolution also states that it is our purpose to prevent any further development, by external support, of mil-

itary force in Cuba which would threaten not only the United States itself, but also the other American nations. We have made it clear that we will work with them in accordance with the general principles of the Monroe Doctrine, but that we will take whatever unilateral action we believe is essential if we cannot obtain their cooperation when our own security is endangered.

Finally, the joint resolution supports the principle of self-determination for the Cuban people. We intend to help our Cuban friends in their aspirations to again have a free Cuba.

Overall it is a clear, strong statement that we will do everything we can to prevent Communist infiltration into the Western Hemisphere, and that is the only interpretation which can be given the resolution.

I am glad the resolution expresses "the determination of the United States" rather than the "sense of Congress" or any other language, because this means that we, as representatives of the people of the United States, are interpreting their will to be in support of the President, and the President is interpreting the will of the people in whatever action he may take.

I thank the Senator from Alabama for the opportunity to make this statement.

Mr. SPARKMAN. I thank the distinguished Senator from Massachusetts.

Madam President, I now yield 12 minutes to the Senator from Utah.

Mr. MOSS. Madam President, I, too, express appreciation and gratitude to the acting chairman of the Committee on Foreign Relations, the chairman of the Committee on Armed Services, and all other members of those two committees who have prepared and drafted the resolution which is before the Senate today.

I concur in what has been said earlier about the need for unity of purpose at this time. I hope this body will act as with a single voice in approving the joint resolution.

Madam President, America's firm insistence on democracy and freedom for the countries of the Western Hemisphere is hallowed by both time and tradition. It is as deep as the wellsprings of our own free Government, and as sacred to us.

In 1823, we enunciated the Monroe Doctrine, a unilateral statement that the United States would consider any attempt of an extrahemispheric power to extend its system to any portion of this hemisphere dangerous to the peace and safety of the United States. This doctrine is still applicable, and we have consistently, and with resolution, opposed any aggressive influence in this hemisphere on the part of any government from the other hemisphere.

Our policy toward the Castro regime and Soviet Communist influence in Cuba is completely in line with our traditional policy. Our policy is to rid the hemisphere of the Castro regime and the Soviet influence, and to permit the people of Cuba to choose freely the type of government they want.

Our policy, furthermore, is to prevent the Castro regime from exporting its aggressive purposes by force or the threat

of force to any other part of the hemisphere. We will do this by taking whatever action is necessary. The United States, in conjunction with the other countries of the hemisphere, will make sure that the increased Soviet military aid to Cuba, while a burden to the Cuban people, will be nothing more than that.

The recent Soviet shipments to Cuba of arms and technicians indicate a significant increase in the Soviet involvement in Cuba. This situation has created a noisy cry from a number of sources for immediate military intervention to remove this spot of Communist influence in the Western Hemisphere. This sounds simple but its implications are enormous.

President Kennedy has assured us that this country pretty well knows what is going on inside Cuba. We have the island under full surveillance. We are following every ship that is coming to, and going from, the island, and we have a close watch on what those ships are loading and unloading. We have every reason to believe that we are completely informed on the location of missile sites and we know the kind of missiles that the Cubans have. We know of the deployment of aircraft, tanks, and artillery. This outside military aid will increase the defense capacity of the regime and the effectiveness of the Cuban military force for possible internal use, but there is no evidence of any organized outside combat force in Cuba from any Soviet bloc country. There is no evidence of any significant offensive capability including offensive ground-to-ground missiles of sufficient range to reach our shores either in Cuban hands or under Soviet direction and guidance.

There is little doubt that if we directed our superior military force at Cuba right now, we could smash the island and take it over. It would not be too hard for a giant like America to knock over a small country like Cuba, which is about as large as one of our middle-sized States. We would lose some fine American boys, and some equipment, but we could do it.

But to move now without evidence of actual or planned aggression outside Cuba might be a victory won at a prohibitive cost. Action that the peoples of the world might view as naked aggression on our part might cost us both our moral and intellectual leadership of the world. Never has it been more necessary, and perhaps more difficult, to practice restraint and judgment in this world community. By rash and headlong action we well might destroy the beginnings of a world order under law which is slowly and painfully emerging at the United Nations.

America today stands as a symbol to all people because of our devotion to justice, and liberty, and to self-determination for all. Our Declaration of Independence and the writings of Thomas Jefferson are the foundation stones of our Republic and our political freedom. We have built on them by our idealistic participation in World War I, under Woodrow Wilson, to keep the world safe for democracy, and in World War II, under Franklin D. Roose-

velt, to preserve the freedom of men all around the globe. There was never a more eloquent expression of the basic rights of man than the four freedoms of Franklin Roosevelt and Winston Churchill, nor of the goals for peace of the United Nations which this Nation nurtured and blessed.

We might forfeit our moral leadership of the world with one shot into Cuba—with one missile aimed at Castro's troops or one bomb dropped into the crowded streets of Havana. We could wipe away with one salvo all of the good work of our Peace Corps, all of the dedicated services of our missionaries, all of the accomplishments of our engineers and doctors and other professional people who have struggled to better the living conditions of people around the globe who are less fortunate than ourselves.

It is not worth it. I believe that we cannot revert to the ways of the savage. We cannot brand ourselves as ruthless terrorists such as the Red army in Hungary and East Germany. The hopes and strivings of people everywhere under the Communist yoke or Communist threat would be betrayed and crushed if we lost our nerve and lashed out now in blind rage with crushing military power at Castro and his miserable regime. I believe that we are following a reasonable course now, and we must continue. We must be vigilant and we must be firm. We must make it clear that we mean business. If we find tangible evidence that the Cuban buildup is to be used for offensive action against others we must move. But we must handle this Cuban threat in a manner consistent with our position of world leadership, moral and intellectual as well as economic and political, which entitles us to the allegiance of the free nations and people of the world. A livable world must be built on law. It never can be erected on militarily imposed dominance.

Mr. SPARKMAN. Madam President, I am very sorry that in the printing of the report on the resolution, in the enumeration of the various resolutions before the committees, Senate Resolution 396, submitted by the Senator from Pennsylvania [Mr. SCOTT] was not included. It is an understandable mistake, because the resolution was submitted the day before yesterday to be printed and was not available yesterday. We did not have notice that it had been submitted until after the report had been sent to the Printing Office.

However, the Senator from Pennsylvania presented a mimeographed statement to the committees, and his proposals were carefully considered in connection with the entire subject before the committees.

Madam President, I ask unanimous consent that at any future printings of the report, Senate Resolution 396, submitted by the Senator from Pennsylvania may be listed with the others.

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

Mr. DIRKSEN. Madam President, I yield 5 minutes to the Senator from Pennsylvania [Mr. SCOTT].

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Madam President, first, I wish to say that the distinguished Senator from Alabama [Mr. SPARKMAN] is, as always, most thoughtful and courteous, and I appreciate very much his action in mentioning my resolution and in obtaining consent to have it incorporated as part of the permanent record in connection with future printings of the report. As he said, it was referred to the two committees, and I am very glad to have it become a part of the legislative history.

Madam President, I think the joint resolution as reported, taken all in all, is about as good as could be obtained in order to secure the unanimous agreement of the 34 members of the two committees and in order to secure unanimous approval—if that can be done—of the joint resolution by the Senate.

It is a fact that my measure sought to go further, as did the measures submitted by the Senator from Vermont [Mr. PROUTY], the Senator from Iowa [Mr. MILLER], the Senator from Connecticut [Mr. BUSH] and, I believe, the measure submitted by the Senator from New York [Mr. JAVITS], as well as the measures submitted by other Senators. But the pending joint resolution goes a considerable distance in making clear the determination of the Congress of the United States that certain metes and bounds have been established, and that we will not permit an enemy or a hostile ideology to proceed beyond them. I think it is good that this measure is a joint resolution—which is in the form of the proposal I submitted in the beginning—because a joint resolution has the effect of combining action by the Congress and action by the President.

I am also glad that no date has been included for the removal of this Communist menace from this hemisphere, because no date should be specified in a joint resolution pertaining to our foreign policy.

I am also glad that this measure is not in the form of a treaty, which would require action by two or more nations. Some persons who write to me do not understand that, even above and beyond the Monroe Doctrine itself, the right of self-defense is an inherent right of any nation, and exists in any case, regardless of whether other nations may decide to confirm it. Thus it is, Madam President, that a treaty would not be appropriate in this case.

I am also glad that the joint resolution does not specifically name the forms of aggression which would warrant the taking of action by the United States. Subsection (b) merely provides—

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

That certainly is much broader than to limit it to the Panama Canal or to certain other things.

In my opinion, there is still the hope that this joint resolution will be regarded as a crystal-clear warning of the fact that the United States recognizes, if not a clear and present danger—although personally I think such exists—

at least an evident intent on the part of Communist Russia and Communist Cuba to move, unless halted, toward a situation in which this clear and present danger could not even be denied by those who now deny it.

I have not altered my own views, as presented in Senate Resolution 396; but I consider it my responsibility as a Senator to recognize the sincere work which has been done on the joint resolution. The work of these 34 Senators should be, and I believe is, a better solution than merely the adoption of the disparate views of individual Senators.

The PRESIDING OFFICER. The 5 minutes yielded to the Senator from Pennsylvania have expired.

Mr. SCOTT. May I have 1 additional minute?

Mr. DIRKSEN. Madam President, I yield 1 additional minute to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 1 more minute.

Mr. SCOTT. Madam President, in referring to the unassailable rights of the United States, as referred to in the committee report, the point is strongly made about our right of self-defense and our right in that connection to use the Armed Forces. I am glad that reference is included.

As I have said, I strongly support the joint resolution. I reject the hysterical accusations of certain persons, one of whom I regard as the den mother of the invertebrates, that attempted to prevent debate or to gag debate on this matter. It is far better that we debate it and that our views be made clear, and that the Governments of Soviet Russia and Cuba be made aware of the fact that there exists in the Congress of the United States and among the people of the United States a strong body of opinion that we are prepared under proper circumstances to defend the United States at all costs. I think the time is coming when we shall have to do so, Madam President. I hope we shall be strong enough in our determination to do it early enough, so that the cost—if it must be met—can be minimized.

Mr. STENNIS. Madam President—

Mr. SPARKMAN. Madam President, I yield to the Senator from Mississippi such time as he may desire.

Mr. STENNIS. I thank the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Madam President, under the circumstances I shall take only 1 minute, and I shall use it principally in high commendation, as well as in expressions of appreciation, of the excellent work done by the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. RUSSELL], and other Senators, including the Senator from Iowa [Mr. MILLER], whom I see in the Chamber at this time, and many other Senators who contributed to the drafting of this very complicated measure in connection with a grave and far-reaching situation, which at times has resulted in conflicting thoughts. I think the result achieved is remarkable. I see

in the Chamber at this time the Senator from Vermont [Mr. PROUTY], who made very forceful statements at the hearings, and very logically and in a fine manner presented a number of points. His remarks were brief, but, in my opinion, highly important.

The pending joint resolution has come with outstanding unanimity from these two committees. That fact demonstrates the fine unity of the country, and shows in a strong way the willingness of dedicated members of the two committees to yield, in part, their views, for the sake of a clear demonstration of united strength.

I think the joint resolution is far more valuable than the result which might be achieved by proceeding to consider a Pan American union or a NATO type of organization for this hemisphere, even though such action may be appropriate in the future.

I have been deeply concerned, and still am with the Cuban problem; and I have given a great deal of attention to it, particularly during the last year. I feel the Congress is really rising to very fine heights in getting together and bringing forth this joint resolution.

I am frank to say that I believe this problem will plague us for many years. But the joint resolution is clearly the beginning of a bedrock solution and a firm policy which will bring good fruit.

Again I commend Senators who worked so hard on this problem.

Mr. HICKENLOOPER. Madam President—

Mr. DIRKSEN. Madam President, I yield 5 minutes to the Senator from Iowa [Mr. HICKENLOOPER].

Mr. HICKENLOOPER. Madam President, to me the joint resolution (S.J. Res. 230) represents a stimulating result of unified and concerted action of the Senate at a time when tensions are sometimes elevated and when emotions could, under certain circumstances, lead us into rather difficult declarations and statements.

Because I know the members of the Armed Services Committee and the members of the Foreign Relations Committee, I am not surprised, but I am pleased, at their consistent approach to this particularly difficult situation and the great degree of statesmanlike consideration they gave to it.

The task of drawing the line between what a legislative body should do by way of detailed instructions or a detailed outline of the conduct of foreign affairs and what the Executive should do is not very easy. Basically, the Executive has the responsibility for and is in charge of foreign policy operations. I think it is just as true in this case as in any other case. Because of the many unfortunate events that have occurred in the Caribbean and in Latin America which have caused dissatisfaction and concern on the part of the people, I think it is essential that we in this body and in the other body of Congress join speedily in a united declaration of our purpose and unity.

I think if anything at this particular moment could give warning to any foreign country that might have some ad-

venturous plans in mind that the United States is unanimous in its determination that the canker of international communism cannot seriously threaten or invade this hemisphere, the joint resolution should be a long step in that direction. There is no dispute about the joint resolution. Democrats and Republicans are equally agreed about its force, connotation, and meaning.

Unfortunately, I think over the years we have seen our position vis-a-vis the whole Latin American complex deteriorate somewhat, depending on one's viewpoint. I am mindful of the fact—and I discussed this in the committee hearings—that there was a time in the early days of this century when we adopted the Platt amendment, which in effect declared that the United States reserved the right to go into Cuba whenever the United States was endangered or the liberty or freedom of the Cuban people was threatened. That was the Platt amendment. It was on the books a long time. That was our reserved right, and it was a method open to us if danger threatened in that area.

The Platt amendment might have been modified somewhat, but, unfortunately, in my view, it was completely abrogated in 1934. Something called the good neighbor policy came into effect, and I think our leadership and influence in Latin America have deteriorated ever since that time. It has been a rather loose association. While we have been good neighbors, are good neighbors, and will continue to be, there has been a sort of pulling apart of the cohesiveness which had existed for some time.

We have, of course, the Rio Treaty. We have various acts which affect Latin American solidarity, one way or another. The latest declaration by the American Republics was that issued at Punta del Este this spring. I happen to have had the privilege of participating in the conferences there.

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

Mr. HICKENLOOPER. May I have 3 more minutes?

Mr. DIRKSEN. I yield 2 more minutes to the Senator from Iowa.

Mr. HICKENLOOPER. I will settle for 2.

We also have the Monroe Doctrine, which may or may not be as strong as it once was. We have the inherent right of self-defense when our security is threatened. But I think the important thing about this joint resolution is that, without caviling or quibbling, without argument or dissension in any material or substantial way, the pending joint resolution is the product of a unanimous determination, not only of the members of the two committees that joined to write it, but of the two parties of this great country represented in Congress, the Democratic and the Republican Parties. If this joint resolution passes, it will express the feeling on the part of the Congress that we are fed up with a lot of nonsense that may go beyond nonsense if we do not act vigorously and seriously to meet the challenge.

I realize the great difficulty of a legislative body writing the details of a course of action which normally is and should

be in the hands of and under the responsibility and direction of the Chief Executive. That is what is proposed here. By this joint resolution we say to the President, "We support you. We join in eliminating this menace. We declare to you that, in the last analysis, if we must act unilaterally, if the security of the United States is threatened, we will support you in that course, too."

In the joint resolution we have eliminated the question of whether or not the President or Congress shall declare war. We have avoided that point. There are various shades of view regarding that question. The joint resolution does not touch it. There is no argument with respect to it in the joint resolution, and we are united in our approach to the problem.

I think it is an excellent joint resolution. I hope it passes unanimously.

Mr. DIRKSEN. Madam President, I yield 20 minutes to the Senator from Vermont—

Mr. SPARKMAN. Madam President, I wonder if the Senator will allow me to yield 4 minutes to the Senator from South Carolina [Mr. THURMOND], because he has an appointment. I do not want to delay the Senator from Vermont [Mr. PROUTY].

Mr. DIRKSEN. Very well.

Mr. THURMOND. Madam President, it is my hope and belief that the Congress will unanimously pass S.J. Res. 230. The position set forth in this joint resolution contains a measure of the will and determination which the American people hold in this time of crisis.

It is also my hope that no one will misinterpret this joint resolution. It expresses the true sentiment of the Members of Congress and of the people of the country. The intention of the Congress in passing it is to protect the Nation's security. The intention of the Congress is not inspired by a desire to pacify the electorate; for in times of crisis Americans lay aside partisan motivations and stand firmly united.

Most of all, I hope that we in the Congress will not be deceived by our own action on this joint resolution. While this joint resolution expresses the will of the legislative branch of the U.S. Government, and when signed by the President will have the force and effect of law, neither this joint resolution or any other action of the Congress in and of itself can solve the problem created by the Communist expansionist movement in Cuba or elsewhere. To protect the security of the United States and the free world from Communist imperialism, words are not enough; resolute and consistent execution must follow.

This joint resolution, when passed and signed by the President, will firmly establish the policy position of the United States on this matter. Whether this position be viewed as a foreign policy or as a defense policy is immaterial, for it will have behind it the full authority of both the Congress and the President.

The establishment of a firm and clear policy position has not always meant that there would be firm execution of

the policy. For instance, it is quite obvious that the Monroe Doctrine has not been enforced in the case of Cuba. It is always possible to find some excuse not to take affirmative action which a law or established policy demands, if those charged with the execution of the law or policy approach their responsibility with a spirit of unwillingness and timidity. It is imperative that both the Congress and the President take whatever steps are necessary to insure that once this joint resolution is passed and signed into law, it is executed faithfully and precisely and without any foot-dragging.

The proposed policy embodied in the words of this joint resolution is essential to our security. Not only should we pass it, but also our continuing responsibility requires that we insure that it does not perish from the all-too-common fatal disease of policy paralysis.

Mr. DIRKSEN. Madam President, I yield 15 minutes to the distinguished Senator from Vermont [Mr. PROUTY].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 15 minutes.

NO PRINCIPLE TO LIGHT OUR WAY

Mr. PROUTY. Madam President, American foreign policy suffers because we have no Pole Star—no guiding principle which gives us direction and aim. With no principle to light our way, we stagger blindly into one crisis after another. Each is a part of the total scheme of things. Yet, tragic to say, each is dealt with as a disconnected problem independent of all others.

When will we learn that Cuba, Laos, Vietnam, and Berlin are part and parcel of the one grand design of the Soviet Union—world conquest? Have we not reached the critical hour when the United States must set its policy—not with respect to one island, not with respect to one hemisphere, but with respect to the world at large?

And, if a policy is to be established, let it be one which will show our firmness, our will, and our resolution.

Let it be one that will so mark our course that Mr. Khrushchev knows and the world knows what our intentions are and where we really stand.

We gave no proof of an iron will by giving the President authority to call up 150,000 Reserves when he already has authority to call up 1 million.

The Senate gives no show of fixed purpose now. It is making something more than a gesture, and it is taking something less than real action.

The pending business is simply a resolution of determination.

It is "only this and nothing more knocking at [our] Chamber door."

It says that the United States is determined to prevent the regime in Cuba from extending by force or threat of force its aggressive or subversive activities to any part of this hemisphere.

It says that the United States is determined to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States.

It does not say that the United States should act alone.

It does not say that the United States should act in concert with others.

In fact, it does not say that the United States should act at all.

There is not one single line in the resolution which gives the President authority to meet the Cuban threat.

There is not one single line in the resolution which acknowledges that the President has such authority.

In short, the resolution does not even face up to the Cuban problem.

It reminds me of the resolve from King Lear that goes:

I will do such things * * * what they are
I know not * * *

But they shall be the wonders of the earth.

I am concerned about the growth of communism in this hemisphere whether it emanates through Cuba or directly from the Soviet Union.

The resolution says precious little about the former, and absolutely nothing about the latter.

Madam President, I am disturbed as well about the countless Communist inroads in every cranny of the globe.

With Congress on the brink of adjournment, shall we simply pretend to patch up one blemish when the whole face of the world is erupting?

Shall we remain silent about all these other troublesome areas in the vain hope that if we sit perfectly still, Khrushchev will not move again?

The trouble is, we have no general policy—the trouble is, we have no general resolve. For this reason, I introduced in the Senate a resolution which was laid before the Committees on Armed Services and Foreign Relations.

This resolution is founded on the notion that we must take great risks now or face greater ones later on and that the greatest risk of all would be to take no action at all.

My proposal would authorize the President to use the Armed Forces of the United States whenever and wherever he deems such action necessary in order to protect our security. It would also tell the world that those who cause aggression will be held equally responsible with those who commit it.

At the outset of these remarks I stated my sincere conviction that the hour is at hand when we must establish a policy not with respect to one island, not with respect to one hemisphere, but with respect to the world at large.

The pending resolution neither sets such a policy nor recommends it. Indeed, it falls so far short of containing what I think is best for the United States that I protest its every line.

I object to its every paragraph.

And I oppose it in its entirety.

I think it is very unfortunate that Senators have not had an opportunity to read the printed hearings which were just made available. If they could read the testimony which was taken on the pending resolution, I am sure they would understand why I am unable to support it.

The people of this Nation are ready to stand up for their aspirations, their heritage, and all the ideals that decent men cherish. It is my earnest hope that they and the world will not look upon

the frailties of the pending resolution as a true measure of our resolve.

We have the purpose. We have the will. We have the spine. We have the ability to do far more for our own ends than we have been willing to profess to the world through this resolution.

Madam President, everything that I have tried to say today was said much better by Ethan Allen in a message to the Continental Congress more than 175 years ago:

I wish to God, America would at this critical juncture exert herself. She might rise on eagles' wings, and mount to glory, freedom and immortal honor if she did now but know and exert her strength.

Madam President, I ask unanimous consent to insert in the RECORD the statement which I made before the Committee on Foreign Relations and the Committee on Armed Services relative to Senate Joint Resolution 230.

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

STATEMENT OF HON. WINSTON L. PROUTY, A U.S. SENATOR FROM THE STATE OF VERMONT

Senator PROUTY. Mr. Chairman, I appreciate the opportunity to appear before the joint committee on a question which is vital to the security of the United States.

I have no prepared statement, and I shall try to be as brief as possible in order that Secretary Rusk may be heard.

However, may I make it clear at the outset of my remarks that I appear not as a warhawk or warmonger but as one who sincerely believes this country must take a different course if it is to survive and prevail.

There are some of us in the Senate who genuinely feel that the Reserve callup resolution falls far short of the expression of firm will by Congress that is needed at this time. For acting in support of our beliefs, we have been labeled by some newspaper reporters in Washington as "warmongers."

These men, whose profession is founded on the bedrock of free speech and differences of opinion, are not willing to extend to others that same sincerity of motive they attribute to themselves.

This highly vocal segment of the press insisted that the resolutions we were proposing to add to the Reserve callup resolution were inspired completely by political reasons.

In addition, a Senator of the United States, speaking on the Senate floor, said much the same thing in language which was insulting, and to say the least, inaccurate. He questioned the motives of all of us who proposed amendments to the callup resolution.

Now I have been in politics long enough so that I think I am relatively insensitive to political barbs which may be hurled against me, but when my patriotism is impugned—when I am charged with playing politics with the destiny or the security of my country, I find there is kindled within me a deep fire of resentment which shall burn for a long, long time.

EXPLANATION OF PROUTY RESOLUTION

Now having said that, Mr. Chairman, I would like to proceed directly to the purpose behind my appearance here today.

I have placed before the Senate a resolution which represents the view I think we should take toward the world crisis. It may be a view shared by no other Senator. If this is true, so be it. I think that the times are so critical that each Senator ought to speak up about what he thinks is best for America. Tragic to say, the old test "What is good for the country" has become "What will the world ever think of us." To be loved

by other nations is fine, but to be respected is more essential.

The heart and soul of my resolution, its foundation, its very vitals—is the notion that we must take great risks now or face even greater ones later on and that the greatest risk of all is to take no action at all.

I turn now to my resolution, to its purposes and its resolves.

First, it is stated that the purpose of the United States in its relations with all other nations is to develop and sustain a just and enduring peace for all.

Second, it is declared that the governments of some nations, and some areas not recognized as nations by the United States, are in fact dominated and controlled by other governments that are members of the international Communist movement.

Third, the resolution declares that an act of aggression committed by the government of any such dominated and controlled nation might gravely endanger the peace and security of the United States and the free world.

It is further declared that such an act of aggression should be recognized by the United States as the act of the dominating and controlling government and that in order to effectively protect the United States and its vital interests throughout the world, swift and decisive use of the Armed Forces of the United States by the President may be necessary.

I doubt that any Senator present will seriously challenge the purposes in this resolution.

I turn now to the resolving portion of the resolution.

It is there stated that it is the resolve of Congress to protect the vital interests of the United States in any area of the world against acts of aggression committed by an unfriendly nation or by the government of any nation dominated and controlled by the international Communist movement.

It is further resolved that the President shall have authority to employ the Armed Forces of the United States as he deems necessary and shall have such other authority as he may require to protect the peace and security of the free world and the vital interests of the United States.

In short, Mr. Chairman, my resolution would authorize the President to use the Armed Forces of the free world whenever and wherever he deems such action necessary in order to protect our security.

Senator GOLDWATER. The Armed Forces of the United States. Did you say of the world?

Senator PROUTY. Of the United States is what I intended to say.

My resolution takes no completely novel approach. It is founded on at least two specific precedents, the Formosa resolution and the Middle East resolution.

The first authorized the President to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack. It further authorized him to take such measures as he judged to be required or appropriate in assuring the defense of Formosa and the Pescadores.

The Middle East resolution gave the President authority to use Armed Forces to assist any nation or group of nations requesting assistance against armed aggression from any country controlled by international communism.

With respect to my own resolution, I was told by one Senator that it did not go far enough because it did not specify a particular area which shall be defended and a particular place where troops might be utilized.

Another Senator stated that he thought my resolution went too far because it authorizes the President to declare war whenever he deems it necessary and in any part of the world.

There may well be some validity to both of these criticisms. Yet, Mr. Chairman, I presented my approach because I sincerely felt that the Reserve callup resolution was so meaningless and ineffective in a military sense as to be virtually useless.

Furthermore, I could see very little psychological value in such a resolution, because prior to its adoption the President already had statutory authority to call up 1 million reserves.

Senator STENNIS. May I ask a question, which resolution did you say?

Senator PROUTY. I am referring to the Reserve callup resolution.

Senator STENNIS. Yes.

THREAT POSED BY SOVIET BELIEF THAT UNITED STATES WILL NOT FIGHT

Senator PROUTY. Mr. Chairman, I think the greatest threat to peace today is a belief on the part of Russian leaders that the United States and perhaps the free world will not fight or resist in the event of a real showdown.

Indeed, Joseph Alsop reports that Premier Khrushchev told Secretary Udall that the United States would never fight. There has been no confirmation or denial of this remark from Secretary Udall, and I think we can assume that the quote is an accurate one. Certainly it is in line with other statements made by the Russian leader.

I believe that this Kremlin appraisal of the weakness of our resolve represents a danger far more grave than Cuba or the crisis in East Berlin and East Germany, and I think we have to recognize that fact.

Certainly an article in this morning's Washington Post will strengthen the Soviet leader's belief about our reluctance to take action despite anything they might do.

I refer to a statement by Chester Bowles, President Kennedy's Special Adviser on Latin, Asian, and African Affairs. Bowles was reported yesterday to have said that a military or economic blockade of Cuba could be the first step to a nuclear holocaust. At the minimum, he said, it would result in a diplomatic debacle for the United States, including condemnation as an aggressor by the United Nations.

For my own part, I am tired of our fawning and truckling to win the love of nations whose policies would lead us into the valley of our own undoing. If we permit fear to warp our judgment or to blind us to existing realities, then indeed we shall write the epitaph of liberty, freedom, and the United States.

Now, certainly, Congress ought to make it clear that Mr. Bowles was not stating a fact—a fact that will dominate U.S. policy. He was expressing an opinion which is not shared by those who believe that we must take a position strong enough and firm enough to make the Soviets realize that we mean business.

In contrast with the views of Chester Bowles, the same Washington Post article quotes the Peruvian Ambassador as saying he presumes a majority of Latin and South American nations would support the United States if the latter concluded the security of the Western Hemisphere required a Cuban blockade.

In addition to any remarks he may have made to Secretary Udall, Mr. Khrushchev told Robert Frost that the United States is "too liberal to fight." He suggested that we would simply sit "on one hand and then the other."

Are we too liberal to fight? Are we so soft and concerned with creature comforts that we will not even tolerate the thought of war? I do not believe this to be the case.

Only a day or two after I had drafted my resolution and after it had been proposed to the Congress, I read a column by Joseph Alsop which expresses my convictions far better than I could do so myself. I think

It is generally conceded that Mr. Alsop has a reputation of being an objective reporter with sources of material more accurate than those of some of his contemporaries.

According to his article, Mr. Khrushchev remarked to Secretary Udall that the Europeans will be powerless to act without the United States and the United States will do nothing about it in the end.

As Mr. Alsop suggests, this is no laughing matter. He goes on to say, and I quote:

"The American policymakers believe that Vienna and post-Vienna increases in the U.S. defense effort convinced Khrushchev that missteps at Berlin would lead to a big war.

"The Europeans, or at any rate, a good many of them, now believe the opposite."

Then he continues:

"A Berlin test with East Berlin forces in the forefront, which is the kind seemingly being prepared, will be a limited test at least in the first stage. These facts suggest Khrushchev is merely uncertain that Mr. Kennedy really means to defend Berlin, uncertain enough to gamble on the President's doing nothing but talk, but also uncertain enough in the other direction to wish to keep some control of events.

"The question of how to remove Khrushchev's uncertainty is, therefore, urgent. Reasonable behavior, keeping talking, endlessly professed willingness to negotiate when there is nothing to negotiate, all these methods have been exhaustively tried out."

And the last part of this article, I think, is most significant:

"Maybe the time has come to get angry. For example, the recent outrageous statement about Cuba and Berlin was technically unofficial. But perhaps the time has come to think about throwing this kind of thing back in Khrushchev's face, if it is ever said officially, in a way that can be thrown back as unacceptable and nonreceived."

My resolution does not specify the action that should be taken by the President in any part of the world. It mentions no nation, nor does it suggest or tell the President that he should send American troops into Cuba or anywhere else in the world. It simply authorizes him to use the Armed Forces and to take such other action as may be necessary to protect the peace and security of the United States and the free world.

RESOLUTION PATTERNED ON FORMOSA AND MIDDLE EAST RESOLUTIONS

I have stated previously that the resolution was deliberately patterned after the Formosa and Middle East resolutions which also authorized the use of our Armed Forces for the protection of a vital interest.

The President conducts our foreign policy and commands our Defense Establishment and it is he who should decide the specifics with regard to any action we take in a given area of the world. But the hands of Congress are not tied, and I think we have to raise the question as to how long we can allow a buildup of military strength in Cuba without taking some action.

My resolution would take away nothing from the Chief Executive. Rather it is designed to strengthen his hand—designed to give him the authority he needs in dealing with the moves and maneuvers of the Soviet Union. But after all, it is the No. 1 adversary with which we are confronted at the present time.

I have a memorandum here with respect to the Latin American treaties into which we have entered during the past several years. On the basis of this memorandum, I have concluded that perhaps the United States cannot take unilateral action in the Western Hemisphere without violating some of these treaties.

Although I am not a lawyer or authority in the field of international relations, I do believe that the time has come for us to

find out what the Monroe Doctrine means in terms of today's world and what flexibility it affords the President for action.

Senator MORSE. I would certainly agree with you we can if our own security is threatened.

Senator PROUTY. If we are attacked as I understand it.

Senator MORSE. The violation of our own security rights.

Senator PROUTY. There seems to be a complete difference of opinion on that among some of the experts.

I don't profess to be one and I will not take the time to put the memorandum in the record now but I will make use of it later on.

NEED FOR A RESOLUTION

I do earnestly hope, Mr. Chairman, that the joint committee will bring forth a resolution which will be strong and meaningful. It is highly desirable that it be of such a nature as will command support from all Members of Congress. I think the reported resolution should bring sharply to focus the fact that the President of the United States and the American people are as dedicated to the preservation of American ideals and objectives as the international Communists are to their destruction and that any overt act of major significance by the Soviet Union or any of its puppets will bring into action the armed might of the United States and its entire productive resources.

We must so mark our course that Mr. Khrushchev knows and the world knows that there will not be just strong words—but strong words followed by strong decisions.

Like any other bluff who utilizes threats and bluster, Mr. Khrushchev may well retreat if his bluff is called.

It has been said, and rightly so, that we cannot conduct our foreign policy on the principle of Sir Galahad: "My strength is as the strength of 10, because my heart is pure."

The willingness to use power, if need be, will count for far more in this world than virtuous intentions.

In closing, may I say that I would not endeavor to tell the President of the United States what specific action he should take in any part of the world. But I do believe it is time that we served notice on the Soviet Union that while we do not seek conflict, we will not cower and slink away at the very mention of it, and that, if necessary, we will use our Armed Forces to protect our national security and that of the freedom-loving nations around the world.

Mr. PROUTY. Madam President, I yield back any remaining time.

Mr. DIRKSEN. Madam President, I yield 5 minutes to the Senator from Nebraska.

Mr. CURTIS. Madam President, the Cuban problem may be likened to one treading carefully and nervously around his backyard because his neighbor across the fence is walking around, wildeyed, carrying a shotgun. One prays he will not be shot, and hopes the neighbor will go away.

It is a grave thing to look at our former ally, a nation to which we gave freedom from a despot's rule, become the armed camp of another despot. It is a grave thing to contemplate missile installations, unlimited supplies of modern munitions, jet aircraft, and undersea craft, 90 miles from our shores. It is a grave thing to have the Premier of a hostile nation threaten us, saying, "Don't start anything or you'll get it back doubled."

It is worrisome to witness thousands of his "technicians" making of Castro's

legions, 400,000 in number, a formidable fighting force.

But, this is where we are and all the recriminations which might be conjured by all of us will not alter the fact. The Bay of Pigs was last year's mistake. To retry it now violates our prohibition against double jeopardy.

Plainly, we are faced by a situation which will worsen until we make it better. Temporizing will lead only to further frustration, to a further loss of prestige in the eyes of the free world. We know that there are political leaders throughout Latin America who will seize on any act of containment, any act of resurrection, and cry "Yankee imperialism." We also know that officials of certain Latin American nations support armed intervention by the United States. We can surmise that any Latins who oppose any effort to eradicate communism in the Western Hemisphere might also welcome the subjugation of this Nation by communism. So, we have an obligation to our Latin allies, and we have a higher duty to ourselves.

The cloud hanging over the Caribbean has been gathering for a long time. On August 30, 1957, I introduced Senate Resolution 200 which was referred to the Committee on Foreign Relations. I asked:

That the Senate Committee on Foreign Relations, or a subcommittee thereof, make appropriate studies of these activities for the purpose of advising the Senate whether the Monroe Doctrine is being violated and whether existing statutes and treaties enable the United States to take any actions that may be necessary or desirable to avoid encroachment upon governments of Western Hemisphere countries who seek to resist international communism.

On August 24, 1961, and again on March 23, 1962, on the floor of the Senate, I asked the President to invoke a pacific blockade of Cuba. This is a concept well defined in international law, and is about the strongest action, short of war, which a nation can invoke. I regret such a step was not taken, for it could have avoided the arms buildup in Cuba during recent months. It is gratifying that, in recent weeks, other Members of the Congress have similarly advocated a blockade of Cuba.

Anguish over "what might have been" is a perfectly human pastime. My concern now is the anguish which might occur, in great depth, if we fail to act now. Any positive action will incur risk. The longer the delay, the greater the risk. I urge that we move now to invoke a pacific blockade. It is not a precipitous act, it is long overdue. We cannot halt the armaments which reached Cuba yesterday, but we can stop them tomorrow.

Mr. DIRKSEN. Madam President, I yield 5 minutes to the Senator from Kentucky.

Mr. COOPER. Madam President, what I shall say today is substantially what I said last Thursday when I spoke on this subject in the Senate. I consider the intervention of the Soviet Union in Cuba—in the Western Hemisphere—one of the most dangerous events since World War II. Over the long term it will be a tragedy and dangerous to our security if the Soviet Union should con-

tinue to furnish arms and military personnel and extend its power and domination over Cuba and other countries in the Caribbean and South America. And knowing as we do the purposes of the Soviet Union, we must assume that such an extension will occur unless something is done to make it clear to the Soviet Union that it will not be tolerated.

We must recognize also that the situation in Cuba is one of immediate danger. For our action could bring about war with the Soviet Union—which might accelerate into a nuclear war. This is a dilemma which the President, the Congress, and our country must face.

As the situation is one which concerns national security, I do not believe that the Cuban situation is one to be used as a political gambit. It is too dangerous to the security of our country to be either political or reckless in what we say or do. I said a few days ago that I hoped that any resolution which might be passed would be agreed to by both the House and the Senate, and that it would have the unified support of both parties, and would be acceptable to the President of the United States. What we say and do in the Congress on Cuba, and on this resolution, will be helpful in informing the President, the country, and the Soviet Union of our position and our determination to resist, at whatever cost, the aggressive purpose of the Soviet Union. But I think the greatest meaning and value of the resolution is to back up the President of the United States in whatever action he may deem it advisable to take. Only the President of the United States—by virtue of his powers as Commander in Chief, to direct the foreign policy of our country—can make the decisions about which we are speaking today, and which this resolution supports.

The joint resolution is prospective. It provides that if some event occurs, which is an aggression, or which affects the security of the United States, the United States is determined through whatever means may be necessary, including the use of arms, to act to protect our security. But only the President of the United States can determine what event would make it necessary to call into play, the terms of this resolution—which actually refer to his constitutional powers. My judgment is that the chief effect of this resolution is to give our support to the President of the United States in the use of his powers. I think that is proper. It also gives notice to the Soviet Union, to Cuba, and to the world that we are united on our support.

Contrary to much which has been said today, this is a strong resolution. I see its strength particularly in paragraph (b) which states:

To prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States.

It has been questioned that this resolution invokes the Monroe Doctrine in its original terms—because of its reference to the Rio Treaty—which I consider proper and because it may be said that the Soviet Union has already extended its domination upon Cuba.

The last argument, may not be finally established and if not, paragraph (b)'s statement that the United States is determined to prevent the creation of a military capability in Cuba which could endanger the United States, is, I believe, in harmony with the Monroe Doctrine. But whether or not it applies, we have the inherent right of self-defense.

The President has said thus far he does not believe such a capability has been established. I say today that we in Congress and the people, in passing this resolution, must be willing to accept its consequences. If it means anything, it means at some point if the Soviet Union continues its present course of action and the President should determine that a military capability has been established in Cuba which endangers immediately our security, the issue will be before the President of whether he shall take steps, including military steps, to prevent a further buildup. And this could require a blockade.

There has been talk about an immediate blockade. A blockade implies a state of war. The use of a blockade against the Soviet Union could lead to war, and we must accept the fact. The laying down of a blockade at this time would, in my opinion, imply a state of belligerency, or war against Cuba; but, because we would be forced to use the blockade against other nations to prevent the delivery of supplies to Cuba, it could bring us into actual conflict with the Soviet Union, if the Soviet Union chose not to respect the blockade.

That may come about. This is the reason I say that our country should recognize every possible consequence of this resolution, which is a firm resolution and a very firm warning to the Soviet Union.

I believe it would be helpful, not alone with respect to the Cuban situation, but to Berlin as well, if the President of the United States will make known to our country and to the world the extent of our military capabilities, which are superior to the Soviet Union and I hope that before any action is taken which would require the use of force, the President of the United States will give warning to the Soviet Union that the further supply of arms, which would establish the capability to endanger the security of our Nation of which the resolution speaks, will be resisted.

Whether or not it would bring about war, I do not know. I prefer to believe that warning of this resolution, followed by firm action, if required, will prevent war instead of bringing war.

If it does not, then we who pass the resolution today, and the President of the United States, and the people of this country must understand its possible consequences, be willing to face up to them and support the President with all the power and strength at our command. I have no doubt that all of us, and the people of this country will support the President of the United States, for in his hands lie the ultimate decisions.

Mr. DIRKSEN. Madam President, I yield 10 minutes to the Senator from Iowa.

Mr. MILLER. Madam President, most Senators will support Senate Joint Resolution 230. However, I for one, believe it falls short of meeting the opportunity presented to meet, with no equivocation, the statement by the leader of the international Communist conspiracy in Moscow that the Monroe Doctrine is dead.

The resolution is entitled: "Expressing the determination of the United States with respect to the situation in Cuba."

Of course, at the moment Cuba is uppermost in our minds so far as crises in the Western Hemisphere are concerned.

I ask unanimous consent to have included in the RECORD at this point a statement by the President, dated January 3, 1961, on the severance of diplomatic relations with the Government of Cuba, copies of the exchange of notes between the two Governments, and a statement of the President of the United States, dated February 3, 1962, announcing an embargo on all trade with Cuba.

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

THE WHITE HOUSE STATEMENT BY THE PRESIDENT, JANUARY 3, 1961

Between 1 and 2 o'clock this morning, the Government of Cuba delivered to the U.S. Charge d'Affaires ad interim of the U.S. Embassy in Havana a note stating that the Government of Cuba had decided to limit the personnel of our Embassy and Consulate in Havana to 11 persons. Forty-eight hours was granted for the departure of our entire staff with the exception of 11. This unusual action on the part of the Castro government can have no other purpose than to render impossible the conduct of normal diplomatic relations with that Government.

Accordingly, I have instructed the Secretary of State to deliver a note to the Charge d'Affaires ad interim of Cuba in Washington which refers to the demand of his Government and states that the Government of the United States is hereby formally terminating diplomatic and consular relations with the Government of Cuba. Copies of both notes are being made available to the press.

This calculated action on the part of the Castro government is only the latest of a long series of harassments, baseless accusations, and vilification. There is a limit to what the United States in self-respect can endure. That limit has now been reached. Our friendship for the Cuban people is not affected. It is my hope and my conviction that in the not too distant future it will be possible for the historic friendship between us once again to find its reflection in normal relations of every sort. Meanwhile, our sympathy goes out to the people of Cuba now suffering under the yoke of a dictator.

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF CUBA AND THE GOVERNMENT OF THE UNITED STATES

The text of the Cuban note delivered at the U.S. Embassy in Havana is as follows:

"HABANA, January 2, 1961.

"MR. CHARGE D'AFFAIRES: I have the honor to inform you that the revolutionary government has decided that under present circumstances the personnel of the Embassy and Consulate of Cuba in the city of Washington, whether diplomatic, consular, or of other character, whatever their nationality, should not exceed 11 persons. Likewise it has decided that the personnel of the Embassy and Consulate of the United States in the city of Habana, whether diplomatic, consular, or of other character, whatever their nationality, should likewise be limited to 11 persons.

"For the purpose of facilitating the departure of the persons who for this reason must abandon the national territory, a period of 48 hours has been fixed from the time of receipt of this note.

"I take the opportunity, Mr. Charge d'Affaires, to reiterate to you the assurance of my reciprocity of your considerations.

"CARLOS OLIVARES."

The text of the U.S. note addressed to Dr. Armando Florez-Ibarra at the Cuban Embassy in Washington is as follows:

"Sir: I have the honor to refer to a note dated January 2, 1961, from the Government of Cuba to the Charge d'Affaires of the U.S. Embassy in Habana stating that the Government of Cuba has decided that personnel of the Embassy and Consulate of the United States in the city of Habana, regardless of nationality, shall not exceed 11 persons.

"This unwarranted action by the Government of Cuba places crippling limitations on the ability of the U.S. mission to carry on its normal diplomatic and consular functions. It would consequently appear that it is designed to achieve an effective termination of diplomatic and consular relations between the Government of Cuba and the Government of the United States. Accordingly, the Government of the United States hereby formally notifies the Government of Cuba of the termination of such relations.

"The Government of the United States intends to comply with the requirement of the Government of Cuba concerning the withdrawal of all but 11 persons within the period of 48 hours from 1:20 a.m. on January 3, the time of the delivery of the note under reference. In addition, the Government of the United States will withdraw its remaining diplomatic and consular personnel in Cuba as soon as possible thereafter.

"The Government of Cuba is requested to withdraw from the United States as soon as possible all Cuban nationals employed in the Cuban Embassy in Washington and in all Cuban Consular establishments in the United States.

"The Government of the United States is requesting the Government of Switzerland to assume diplomatic and consular representation in Cuba on behalf of the Government of the United States.

"I take this opportunity to reiterate to you the assurances of my reciprocity of your considerations.

"CHRISTIAN A. HERTER."

THE WHITE HOUSE,
February 3, 1962.

EMBARGO ON ALL TRADE WITH CUBA BY THE PRESIDENT OF THE UNITED STATES OF AMERICA—A PROCLAMATION

Whereas the eighth meeting of consultation of Ministers of Foreign Affairs, serving as organ of consultation in application of the Inter-American Treaty of Reciprocal Assistance, in its final act resolved that the present Government of Cuba is incompatible with the principles and objectives of the Inter-American system; and, in light of the subversive offensive of Sino-Soviet communism with which the Government of Cuba is publicly allied, urged the member states to take those steps that they may consider appropriate for their individual and collective self-defense;

Whereas the Congress of the United States, in section 620(a) of the Foreign Assistance Act of 1961 (75 Stat. 445), as amended, has authorized the President to establish and maintain an embargo upon all trade between the United States and Cuba; and

Whereas the United States, in accordance with its international obligations, is prepared to take all necessary actions to promote national and hemispheric security by isolating the present Government of Cuba and thereby reducing the threat posed by its alinement with the Communist powers: Now, therefore, I, John F. Kennedy, President of the United States of America, acting under

the authority of section 620(a) of the Foreign Assistance Act of 1961 (75 Stat. 445), as amended, do—

1. Hereby proclaim an embargo upon trade between the United States and Cuba in accordance with paragraphs 2 and 3 of this proclamation.

2. Hereby prohibit, effective 12:01 a.m., eastern standard time, February 7, 1962, the importation in the United States of all goods of Cuban origin and all goods imported from or through Cuba; and hereby authorize and direct the Secretary of the Treasury to carry out such prohibition, to make such exceptions thereto, by license or otherwise, as he determines to be consistent with the effective operation of the embargo hereby proclaimed, and to promulgate such rules and regulations as may be necessary to perform such functions.

3. And further, I do hereby direct the Secretary of Commerce, under the provisions of the Export Control Act of 1949, as amended (50 U.S.C. App. 2021-2032), to continue to carry out the prohibition of all exports from the United States to Cuba, and I hereby authorize him, under that act, to continue, make, modify, or revoke exceptions from such prohibition.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this third day of February in the year of our Lord 1962, and of the Independence of the United States of America the 186th.

JOHN F. KENNEDY.

By the President:

DEAN RUSK,
Secretary of State.

Mr. MILLER. Madam President, the Monroe Doctrine is not limited to Cuba. Its principles are applicable throughout the Western Hemisphere.

The joint resolution recites that the United States is determined to prevent the Marxist-Leninist regime in Cuba from extending by force, or the threat of force, its aggressive or subversive activities to any part of this hemisphere. This would more properly be worded: "the Marxist-Leninist regime in Moscow." It is very unrealistic and short-sighted to talk about the regime in Cuba, because the regime in Cuba is merely the agent of the regime in Moscow. In this connection, I ask unanimous consent to have inserted in the RECORD at this point in my remarks an article appearing in the Omaha Sunday Herald of September 16, by the well-known Associated Press writer, William L. Ryan, entitled: "Soviet Communism Has Cuba in Its Steel Grip."

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

SOVIET COMMUNISM HAS CUBA IN ITS STEEL GRIP

(By William L. Ryan)

Moscow today just about owns Cuba—lock, stock, barrel, and beard.

Inexorably, Soviet communism is closing its steel grip. Challenging the United States in the Caribbean and the Western Hemisphere, Moscow has given the world a lesson in imperialism.

When the Russians colonize, they colonize for good. Short of armed invasion, there seems little hope of prying the Communists out of a base 90 miles from U.S. shores.

The Soviet takeover will be complete when Fidel Castro is shoved aside, along with his 26th of July Movement revolutionaries. This will be a slow and cautious process, but signs of party conflict are clear.

Mr. Castro appears more and more in the role of a bumbling and confused man, loudly demanding everything his own way, but bowing to what he now calls the "collective leadership." He has lost much popular support.

Havana reports suggest only 20 percent of the people back him now. That is much more than the percentage backing the old guard Communists, but they do not need popular support. They have their tight, disciplined, spy-ridden organization—and they have Moscow on their side.

The Communists are patient. They can wait until popular disillusion and economic chaos make Mr. Castro no longer important. They are letting him shoulder the blame for Cuba's internal woes.

They are letting his entourage of new Communists—men like Ernesto (Che) Guevara, Fidel's brother Raul Castro, and others of his Sierra Maestre revolution following—hang themselves with ropes fashioned of their own confusion. The time will come when Mr. Castro can safely be removed.

From documents and official regime statements and from reports of diplomatic travelers, this picture emerges of a Cuba as tightly bound to Moscow as is Bulgaria:

The ragtag 26th Army of bearded romantics who marched into Havana January 2, 1959, is no more. In its place is a force of about 300,000, made of more than 50,000 trained regulars and a heavily armed militia. The training is by Communist bloc officers. The equipment is modern.

Moscow owns the economy. Trucks, jeeps, and other vehicles pour in from the Red bloc, each batch making Cuba more dependent upon Soviet petroleum shipments.

Cuba's sugar goes to the bloc in part payment. The sugar industry, always the backbone of the Cuban economy, is dominated completely by the Soviet bloc. Bloc equipment runs the refineries.

The island, therefore, now is practically wholly dependent on world communism.

In a May 1961 speech to farmers, Prime Minister Castro ridiculed the idea that farms would be collectivized.

As late as 2 months ago, Mr. Castro repeated the pledge against collectivization. Then he changed his mind—or it was changed for him.

Last month, Mr. Castro told a sugar cooperative conference that distribution of land to the peasants would mean destruction of the revolution. Nor was the cooperative idea practical, either.

The answer had to be "people's farms"—a copy of the Soviet state farm idea in which the Government owns the land and the peasant becomes a sort of farm-factory worker. Mr. Castro indicated the regime would collectivize all the cooperatives so that, in his words, the farmer would be a real proletarian and get rid of his instinctive impulse to own land.

Mr. MILLER. Madam President, the statement relates only to an extension of subversive activities by force or threat of force. The Monroe Doctrine does not so limit itself. A nice question over whether subversion and overthrow of an existing government and its replacement by Communists would constitute a violation of this resolution. If the subversion were directed from Moscow, it would not, because the resolution refers only to the regime in Cuba. If the subversion were directed from Cuba, would this constitute "force"? It seems to me there are more ways of subverting and replacing a government with Communists than the use of "force." And, of course, there would be a nice question if the force were undertaken only by citizens of the local government under the direction of

Communist agents. In this connection, I call attention to the editorial appearing in the current issue, September 24, of U.S. News & World Report by Mr. David Lawrence, entitled "Retreat," and ask that it be included 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:

RETREAT

(By David Lawrence)

The United States, under the policy just announced by President Kennedy, has retreated from the Monroe Doctrine.

Mr. Kennedy has abandoned that principle of the Monroe Doctrine which declared that after the year 1823 the United States would not countenance any colonization by a European power or extension of its system in any country in this hemisphere.

Mr. Kennedy chooses now to narrow the doctrine to cover only "offensive" action taken by one American State against another with the aid of a European power.

Administration leaders have just sponsored resolutions in both Houses of Congress which also back away from the Monroe Doctrine and accept this limited application.

This means that Communist colonialism, Communist imperialism and Communist despotism can be extended and imposed upon any country in this hemisphere by the Soviet Union without being challenged. The United States, in effect, has notified Moscow that no military action will be taken to rid the Western Hemisphere of Soviet infiltration even when this includes military forces—so long as those forces are not used against another country. The people of any Latin American country now may lose their freedom and may become a colony of the Soviet Union, but the United States will do nothing by military force to help the enslaved people to regain their freedom.

As these lines are written, moreover, no protest has been made by the U.S. Government to the Soviet Government denouncing its intervention in the internal affairs of Cuba and other Latin American countries. Does silence mean acquiescence?

The President, in his news conference last week, chose to assail critics of his policies and to argue that the security of the United States will be protected by military action if and when an offensive has actually been undertaken from Cuba against this country.

This is a philosophy of procrastination. It permits the enemy gradually to build up its power, then launch its attack before any military resistance is offered.

Administration officials argue that the Washington Government cannot really protest the existence of Soviet bases in this hemisphere because the United States has military bases in Western Europe.

But the policy of the United States, as enunciated in World War I and in World War II, is aimed at making the world safe for the operation of the democratic system. Self-determination of peoples was, and since 1917 has been, the battle cry. The United States maintains forces in Europe today to defend the West against attack, but at the proper moment they can also help those countries which seek to liberate themselves from Soviet despotism. The principle of the Monroe Doctrine truly applies throughout the whole world. We are against colonialism everywhere. We are against despotism everywhere. We are in favor of the freedom of peoples everywhere to govern themselves without coercion from the outside.

To support such policies today requires courage. We must not give the impression of vacillation and indecision or preoccupation with technicalities as a cloak to doctrines of expediency.

Courage and statesmanship are needed. No better example of the resoluteness we

should exhibit today in the making of world policy can be given than that which the late John Foster Dulles, Secretary of State, expressed in an interview in Life magazine on January 16, 1956, when he said:

"You have to take chances for peace, just as you must take chances in war. Some say that we were brought to the verge of war. Of course we were brought to the verge of war. The ability to get to the verge without getting into the war is the necessary art. If you cannot master it, you inevitably get into war. If you try to run away from it, if you are scared to go to the brink, you are lost.

"We've had to look it square in the face—on the question of enlarging the Korean war, on the question of getting into the Indochina war, on the question of Formosa. We walked to the brink and we looked it in the face. We took strong action.

"It took a lot more courage for the President than for me. His was the ultimate decision. I did not have to make the decision myself, only to recommend it. The President never flinched for a minute on any of these situations. He came up taut."

Confirming the foregoing, Secretary Dulles said on January 17, 1956, in a news conference:

"I believe that the United States should adopt every honorable course to avoid engagement in war. Indeed, I have devoted my whole life to the pursuit of a just and durable peace. I believe, however, that there are basic moral values and vital interests, for which we stand, and that the surest way to avoid war is to let it be known in advance that we are prepared to defend these principles, if need be by life itself."

Mr. MILLER. Madam President, the resolution declares that the United States is determined to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States. This is just another way of wording the present policy of this administration which is to permit a military buildup in Cuba of so-called defensive weapons. As I pointed out recently, weaponry will be defensive or offensive according to the direction of the Kremlin. The weakness of this policy is clearly expressed in an article by Mr. David Lawrence appearing in the September 11 issue of the Washington Evening Star, entitled: "Inviting Miscalculation by Soviet," and I ask unanimous consent that this 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:

INVITING MISCALCULATION BY SOVIET

(By David Lawrence)

Vacillation, indecision, irresoluteness and a policy of wavering from day to day by the Western Powers brought on World War I and also World War II.

History may be repeating itself. The West is again giving the impression of weakness. The United States, the most powerful military force in the West—without whose aid World War I and World War II could not have been won by the Allies—is wobbling in its policies. This could lead to a gross miscalculation by Nikita Khrushchev, just as indecisiveness on the part of Washington misled Kaiser Wilhelm in 1914 and Adolf Hitler in 1939 as each assumed that the United States would not go to war over any European question.

Today the situation seems to be growing more serious, as it is being assumed in Moscow that the United States will not even go

to war over an American question—the taking over of control in Cuba by the Soviets, who are supplying military equipment to the Cuban regime under an open agreement between the two governments.

This defiance of the Monroe Doctrine has been ignored by President Kennedy. He has made no public protest over Soviet policy. He has announced, in effect, that he agrees with the Soviet viewpoint that Cuba is merely engaging in a "defensive" operation with Soviet help.

This startling change in America's historic policy has apparently been accepted by supporters of the administration in Congress, though here and there some exceptions are noted.

The President, in his public statements, shows that he considers the Cuban situation not to be an American question by itself, but as somehow directly related to the Berlin crisis. The Soviets may be interpreting this stand to mean that Mr. Kennedy is hesitant to do what he would perhaps like to do in Cuba for fear that the Soviets might intensify the East German problem and might be tempted to take chances on a belligerent move against West Berlin.

President Kennedy doubtless hoped to give an impression of resoluteness when he asked Congress for "standby authority" to call up 150,000 reservists. The trouble with the move is that it implies vaguely that sometime in the future he might use the troops somewhere—he doesn't say whether in Berlin or in Cuba. The Reserves aren't actually being ordered up now. Mr. Kennedy says he might call them up if matters get critical somewhere.

This ambiguity in American policy implies that the United States isn't really acting on principle, but is feeling its way expediently from one crisis to another while it waits for its adversary to continue step by step with its aggressive course.

Senator HUBERT HUMPHREY, of Minnesota, assistant Democratic leader, gives the reasoning back of the administration viewpoint. In an interview quoted by the Associated Press, he says:

"I think it should be clearly understood that the President has no immediate intention for use of this authority. Prompt congressional approval will be a demonstration to our allies and our enemies that the elected representatives of the people are firmly behind our Commander in Chief."

But will the men in the Kremlin take this to mean that Congress approves inaction in Cuba? If the United States will not fight on a clear issue that arises 90 miles away from its shores, will the passage of a resolution authorizing the call for Reserves produce the psychological effect which the administration intends to create? The resolution itself makes no mention of Cuba, and in all probability the Regular Marine Corps—not the 150,000 Reserves—would be used if there were any intervention in Cuba by the United States.

Not a word has been spoken publicly to Moscow, moreover, by the Washington Government about her violation of the Monroe Doctrine in shipping to Cuba arms and "technicians." Does this mean that the administration acquiesces in the Soviet move and that all that's necessary now for the Communists to gain a foothold in a Latin American country is to infiltrate a government there, call the military buildup "defensive," and the United States will not object?

The same hesitation and vacillation that characterized American policy between 1914 and 1917 and between 1939 and 1941 are being repeated. The end result then was war, because America was believed to be unwilling or unable to fight. At least in those days, however—both with respect to protesting the violation of American rights on the high seas and in supplying destroyers to the

British Navy—the United States wasn't entirely inactive or inarticulate, though at no time in the prewar period was the German Government convinced that the United States would fight.

Is entry into a world war the only way a nation's resoluteness can be expressed? There are many measures short of war—a sea and aerial blockade of Cuba and an economic boycott of East Germany and of the Communist bloc—which could multiply Moscow's troubles and prevent a major war.

Mr. MILLER. Madam President, this policy also overlooks the fact that, given ample time and opportunity to build up so-called defensive military strength in Cuba, the United States would be forced to make a great sacrifice in the lives of our troops if the day arrived when offensive weapons were installed in Cuba. Witness the defensive strength of Matsu as a deterrent to Red China's desires to capture it.

This policy further overlooks the fact that the more military power built up in Cuba, the further the freedom-loving, anti-Communist Cuban people are taken away from the opportunity to overthrow their Communist dictators. It was amply demonstrated in Hungary that one cannot beat off tanks with sticks.

It was for these reasons, Madam President, that my joint resolution was worded as it was. I ask unanimous consent that a copy of my resolution, Senate Joint Resolution 226, be inserted in the RECORD at this point.

There being no objection, the resolution (S.J. Res. 226) was ordered to be printed in the RECORD, as follows:

Reaffirming the principles of the Monroe Doctrine and authorizing and directing the President of the United States to take such action as is necessary to prevent any violation thereof.

Whereas there now exists in the Western Hemisphere a country whose government, being intimately linked with the Sino-Soviet bloc, is under the control and direction of the international Communist conspiracy; and

Whereas on January 3, 1961, the President of the United States formally terminated diplomatic and consular relations with the government of said country, following a long series of harassments, baseless accusations, and vilification by its officials; and

Whereas on February 3, 1962, the President of the United States formally proclaimed an embargo upon trade between the United States and said country in accordance with the decisions of the meeting of Foreign Ministers of the Inter-American System at Punta del Este, Uruguay; and

Whereas recent developments in said country have given rise to concern over the peace and safety of the United States and other peace-loving nations in the Western Hemisphere; and

Whereas the principles of the Monroe Doctrine, enunciated by President James Monroe in his annual message of December 2, 1823, are an expression of the inherent right of self-defense of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and directed to take such action as is necessary to prevent any violation of the Monroe Doctrine.

Mr. MILLER. Madam President, I point out that there is nothing ambiguous about the resolving clause in my resolution. It merely authorizes and di-

rects the President of the United States to take such action as is necessary to prevent any violation of the Monroe Doctrine. This means any action within the powers of the President, and it is not delimited to Cuba. It is not hedged with a question of policy, as to whether, at a particular time, weapons are offensive or defensive. It is not limited by factors of force or threat of force. It is not confined to the regime in Cuba.

Another missed opportunity in the joint resolution before us is the failure to make it clear that the Monroe Doctrine is an expression of the inherent right of self-defense of the United States. The resolution gives expression to the inherent right of self-defense, but it delimits this right to situations where there is an armed attack. The Monroe Doctrine is not so delimited. I invite attention of the Senate to the report of the Senate Committee on Foreign Relations dated January 14, 1929, issued in connection with the committee's consideration of the multilateral or Kellogg-Briand Treaty. The committee stated on page 2 of the report:

The United States regards the Monroe Doctrine as a part of its national security and defense. Under the right of self-defense allowed by the treaty must necessarily be included the right to maintain the Monroe Doctrine, which is a part of our system of national defense.

Madam President, I ask unanimous consent that the report be printed at this point in the RECORD.

There being no objection, the report (Rept. No. 1, 70th Cong., 2d sess.) was ordered to be printed in the RECORD, as follows:

Your Committee on Foreign Relations reports favorably the treaty signed at Paris August 27, 1928, popularly called the multilateral or Kellogg-Briand Treaty. The two articles in this treaty are as follows:

"ARTICLE I. The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies and renounce it as an instrument of national policy in their relations with one another.

"ARTICLE II. The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

The treaty, in brief, pledges the nations bound by the same not to resort to war in the settlement of their international controversies save in bona fide self-defense and never to seek settlement of such controversies except through pacific means. It is hoped and believed that the treaty will serve to bring about a sincere effort upon the part of the nations to put aside war and to employ peaceful methods in their dealing with each other.

The committee reports the above treaty with the understanding that the right of self-defense is in no way curtailed or impaired by the terms or conditions of the treaty. Each nation is free at all times and regardless of the treaty provisions to defend itself and is the sole judge of what constitutes the right of self-defense and the necessity and extent of the same.

The United States regards the Monroe Doctrine as a part of its national security and defense. Under the right of self-defense allowed by the treaty must necessarily be included the right to maintain the Mon-

roe Doctrine, which is a part of our system of national defense. Bearing upon this question and as to the true interpretation of the Monroe Doctrine as it has always been maintained and interpreted by the United States, we incorporate the following:

"We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. * * * It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness. (President Monroe's message, Dec. 2, 1823.)

"The doctrine upon which we stand is strong and sound because its enforcement is important to our peace and safety as a Nation, and is essential to the integrity of our free institutions and the tranquil maintenance of our distinct form of government. (Message of President Cleveland, Dec. 17, 1895.)

"The doctrine is not international law, but it rests upon the right of self-protection and that right is recognized by international law. The right is a necessary corollary of independent sovereignty. It is well understood that the exercise of the right of self-protection may, and frequently does, extend in its effect beyond the limits of the territorial jurisdiction of the State exercising it. * * * Since the Monroe Doctrine is a declaration based upon this Nation's right of self-protection, it can not be transmuted into a joint, or common, declaration by American States, or any number of them.

"It is to be observed that in reference to the South American governments, as in all other respects, the international right upon which the declaration expressly rests is not sentiment or sympathy or a claim to dictate what kind of government any other country shall have, but the safety of the United States. It is because the new governments can not be overthrown by the allied powers "without endangering our peace and happiness" that "the United States cannot behold such interposition in any form with indifference." (Hon. Elihu Root, July 1914.)

"There are now three fundamental principles which characterize the policy of President Monroe as it was and as it is. First, the Monroe Doctrine was a statement of policy originated and maintained by reason of self-interest, not of altruism. Second, it was justifiable by reason of the right of self-defense (which is a recognized principle of international law). Third, it called no new rights into being, therefore, whenever it oversteps the principle of self-defense reasonably interpreted, the right disappears and the policy is questionable because it then violates the rights of others. * * * The Monroe Doctrine is based upon the right of self-defense. This is the first law of nations as of individuals. (Prof. Theodore Woolsey, June 1914.)"

The committee further understands that the treaty does not provide sanctions, express or implied. Should any signatory to the treaty or any nation adhering to the treaty, violate the terms of the same, there is no obligation, or commitment, express or implied, upon the part of any of the other signers of the treaty to engage in punitive or coercive measures as against the nation violating the treaty. The effect of the violation of the treaty is to relieve the other signers of the treaty from any obligation under it with the nation thus violating the same.

In other words, the treaty does not, either expressly or impliedly, contemplate the use of force or coercive measures for its enforcement as against any nation violating it. It is a voluntary pledge upon the part of each nation that it will not have recourse to war,

except in self-defense, and that it will not seek settlement of its international controversies except through pacific means. And if a nation sees proper to disregard the treaty and violate the same, the effect of such action is to take it from under the benefits of the treaty and to relieve the other nations from any treaty relationship with the said power.

This treaty in no respect changes or qualifies our present position or relation to any pact or treaty existing between other nations or governments.

This report is made solely for the purpose of putting upon record what your committee understands to be the true interpretation of the treaty and not in any sense for the purpose or with the design of modifying or changing the treaty in any way or effectuating a reservation or reservations to the same.

Mr. MILLER. Madam President, back in 1929, there was no doubt in the minds of Senators over the fact that the Monroe Doctrine is an expression of our inherent right of self-defense. There should be no doubt about it today.

If it be conceded that our policy is unchanged, there should be no hesitation about reaffirming it. If it be suggested that to reaffirm it might cause some tensions with the Soviets, then, I think that those who would say it would do well to read the article entitled "Beware 'After All' View on Cuba," and published in yesterday's Washington Evening Star, written by the distinguished columnist, William S. White; and another article, written by the very able Washington correspondent of the Des Moines Register, Mr. Richard Wilson, appearing in the September 8 issue of the Register, and entitled "Nuclear Paralysis Over Cuba Criticized," both of which I ask unanimous consent to have printed at this point in the RECORD.

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

[From the Washington (D.C.) Evening Star, Sept. 19, 1962]

BEWARE AFTER-ALL VIEW ON CUBA—RATION-ALIZING OF THE SOVIETS' TAKEOVER WITH FREE WORLD'S BASES IS FOUND FAULTY
(By William S. White)

A curious line is running through much public and private comment about the presence in Castro Cuba of Soviet arms and Soviet "technicians." It might be called the argument of after-all, and it goes thus:

It is very upsetting, of course, that the Soviet Union has now made a publicly boasted military lodgment in this hemisphere. But after all, the United States has forces of its own or allies of its own in many places confronting Russia, too.

Of this sort of reasoning the only possible query is how "sophisticated," how "objective," can you get? Isn't this another way of saying that there is, underneath, not much difference between us and our record and intentions and the Soviet Union and its record and intentions?

Is there no distinction between the positioning of American forces in free countries which have asked for our protection and the positioning of Soviet forces in countries which have been brutally and simply overrun—say Hungary and Poland?

We have troops in West Germany, yes. But is West Germany under our rule as East Germany is under Nikita Khrushchev's rule? President Kennedy, whose whole administration has been involved in endless and often losing arguments with Chancellor Adenauer, would hardly say so.

For a decade we have had troops or military associations in a Europe running from Turkey on the east to Italy on the south and France on the west. But have we dominated any of those countries? Charles de Gaulle of France would hardly prove so. For American foreign policy has been as notably unsuccessful in dominating General de Gaulle as it has been in dominating Chancellor Adenauer or the Turks or the Italians or the Belgians or any of the others.

And where and when have we used a foreign base or lodgment to assault another nation? How many times has the Soviet Union done so since the Second World War? Half a dozen? More like a dozen?

If the "after-allers" are even partly right, what is the moral justification for foreign aid, for the North Atlantic Treaty Organization, and all the rest? And what of our long record, backed by unbroken history, of seeking no territory, no conquest? If we are, indeed, to be measured alongside the Soviet Union by our own voices what is the use of anything at all?

The after-all logic comes to this: Here, after all, are two giant powers. If we have the right to maintain foreign bases, though our bases are maintained with the consent and on the eager appeal of the host nations, then so does the Soviet Union, even though its bases are maintained at gunpoint and in some instances over the dead bodies of the host nations.

If this is objectivity, so then is the epigram which says that the rich and poor have an equal right to sleep in the public parks.

What price the objectivity, say of a Chester Bowles, a Presidential adviser who says we must not attack a Cuba infected with Soviet military communism because we should then be charged in the United Nations by the Russians with "blatant aggression and very likely they (the Russians) would win their case"?

The naked right of self-defense cannot possibly be altered by any such mere Alice-in-Wonderland propaganda case in the U.N. or elsewhere.

There are only two possible excuses for not putting a stop right now to Soviet penetration. One is the official judgment that as of now we are not directly menaced. The other is the estimate, on which President Kennedy is banking, that the job can be done through collective pan-American action. Because he is President, his judgments must be accepted now; because there can be only one President at a time and because only a President can either know all of the facts or act upon them, anyhow.

But if his judgments turn out wrong, and wrong because of any heed paid to the "after-allers" there will be measureless tragedy for his administration and for his country.

[From the Des Moines (Iowa) Register, Sept. 8, 1962]

NUCLEAR PARALYSIS OVER CUBA CRITICIZED
(By Richard Wilson)

WASHINGTON, D.C.—An advanced case of nuclear paralysis affects our Cuban policy. It is a new disease for which no cure has been found. Its symptoms are psychotic in nature rooted in fear and apprehension. We suffer paralysis out of fear of what will happen if we act, and we become a muscle-bound giant.

We do not act in Cuba because this may invite Soviet action in Berlin or elsewhere that might escalate into nuclear war. So the President seems to say, in effect.

But is this conclusion sound? Is it a predicate on which an effective policy can be based? The President must be credited with much more information than anyone who is commenting on his action or lack of it. But there are some contradictions worth examining.

One of them is the repeated assurances of the U.S. Department of Defense that the So-

viet Union cannot afford nuclear war, and must know it. Even more, some military officers have asserted that the conventional balance of opposing forces in central Europe has changed more nearly in our favor and a Soviet walkover can no longer be assumed.

It is hard to lend plausibility to the premise that the Soviet Union will risk its own complete destruction for control of a poor little island in the Caribbean Sea; or that it will engage its forces in conventional war in Europe for this reason.

THE MONROE DOCTRINE

More plausibility attaches to the idea that Communist retaliatory action would be taken in southeast Asia or Iran or some other exposed U.S. position close to Communist lines of supply. This would surely be the case unless the Soviet Union has some grand design in Latin America which takes precedence over many of its other international interests.

Responsible officials must ask themselves whether efforts to maintain a position in Iran or southeast Asia are worth balancing off against the consequences that may flow from the Russian position in Cuba.

These consequences are not hard to imagine, nor are such imagined results far-fetched. A Russian success in Cuba would certainly have the most far-reaching effect in all Latin America. Even as matters stood a year ago, the United States had great difficulty in alining the most important Latin American nations against Cuba and never succeeded in doing so completely.

It is quite useless to talk about the Monroe Doctrine. This is something that can be reserved for academic discussion as a historical curiosity. The campaign orators this fall will enjoy talking about it. But it has no force and effect, it is not recognized by our chief opponent in world affairs, and remains a unilateral expression by the United States, except for such polite indulgence as is paid to it by the Organization of American States.

American policy appears to be the containment of Soviet communism in Cuba. But containment is not always a very satisfying or effective policy. It does not hold bright promise in a part of the world where the population is expanding at an alarming rate, where the conditions that gave rise to Fidel Castro are more and more exacerbated, and where the leadership of the United States is less and less respected.

FATALISTIC ACCEPTANCE?

It may be very well in these circumstances to explain to the American public and congressional leaders that caution must rule in dealing with Cuba because of our commitments elsewhere in the world.

But if this restraint is no more than another symptom of nuclear paralysis, we will not soon find a solution for the Cuban problem, nor for many problems.

If what the President has been saying is meant to quiet public opinion while resolute policies are formed, it is one thing. But if what is being said merely hides a fatalistic acceptance of Russian audacity, this is something else again.

Mr. MILLER. Madam President, many Americans believe that Soviet Russia has already violated the Monroe Doctrine. Is it beyond the imagination of this administration that we might suggest to Premier Khrushchev that we will do something about it—close down his Embassy and legations and stop trade with Communist bloc nations, for example? Or does Soviet Russia possess some kind of psychological power which causes us to have a defensive psychosis which invites further aggression?

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

remarks the lead editorials of September 5 and September 18, appearing in the Wall Street Journal, two additional articles by Mr. David Lawrence appearing in the Washington Evening Star on September 6 and September 12, also an article written by Arthur Krock and published in the New York Times of September 20, 1962.

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

[From the Wall Street Journal, Sept. 5, 1962]

THE MONROE DOCTRINE

The year was 1823. Imperialist Russia, filled with ambitions to extend its domain, was pushing its power along the northwest coast of North America. In an alliance with Austria and Prussia, whose territories included parts of what is now East Germany, the Russians were threatening to intervene in revolutions in Central and South America.

In that situation the U.S. Secretary of State, John Quincy Adams, proposed and the President of the United States, Mr. Monroe, issued a statement addressed to the European powers.

"We owe it therefore to candor," said the President of the United States, "and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portions of this hemisphere, as dangerous to our peace and safety."

The United States, in those days, was a weak country. It comprised less than half its present continental expanse; it numbered barely 9 million people; it had only a small Navy and less Army. It was certainly no such power in the world as Austria, Prussia, France, or Imperial Russia. And as a matter of fact, in most of the chancelleries of the world there was contemptuous amusement at President Monroe's bold pretensions.

For they were bold. It took considerable courage for the President to act alone instead of waiting for Great Britain, which had suggested a joint statement but somehow never got around to acting on it. Neither Mr. Adams nor Mr. Monroe were quite sure how they would implement their policy if it were challenged by the great powers. But believing the step necessary to this country's peace and safety, they did not let uncertainty paralyze their decision.

Those quiet words, shorn of all bombast, served their purpose for 140 years, through many tests, because the world came to believe we meant what we said. The Monroe Doctrine did not keep the United States out of wars. It did assure that no foreign power would come to threaten us upon our own doorstep.

Or at least, the Monroe Doctrine did so until our own day.

It can hardly be a secret to anyone that a new imperialist Russia is extending its system to this hemisphere. The system of the present government of Cuba is the Communist system. And this week the Castro regime signed a military pact with the Soviet Union in which it is frankly and publicly acknowledged that the Soviet Union will help training and provide arms to the Cuban army.

But a difference between the centuries is that today Secretaries of State and Presidents of the United States have reacted differently. Both President Eisenhower and President Kennedy have asserted that the Monroe Doctrine is not dead. But up to yesterday neither had chosen to implement it; both have relied instead upon the so-called machinery of the inter-American security system.

That is, the U.S. Government has put its trust in the hope that others will act rather

than in acting itself. Where once a weak nation was bold enough to put its shield over the other nations of the hemisphere, a strong nation has hoped that its weak neighbors will somehow rise and shield it from a danger on its own doorstep.

So matters stood until yesterday. Now President Kennedy has issued a statement saying that the Castro government of Cuba will not be permitted to extend its influence further in the Western Hemisphere and strongly implied that the United States will stand by its doctrine of 140 years ago.

Just 2 years ago—in July 1960—Mr. Khrushchev said the Monroe Doctrine was dead. The President of the United States says it is still alive. Now the problem today, as it was in the days of Imperialist Russia, is for the United States to convince the world that it means exactly what it says.

[From the Wall Street Journal, Sept. 18, 1962]

THE SOVIETS' IMMUNITY

The trouble with a lot of the talk about Cuba, it seems to us, is not that it is "rash," in President Kennedy's word. It is that the public discussion has grown too narrow, making it sound as though the United States had only two choices: either do nothing at all about the Soviet occupation of Cuba, or else immediately mount a military invasion to take over the island.

The President himself leaves this implication. His stated policy is to do nothing at present, but to act boldly at any time the Communist buildup in Cuba endangers or interferes with the security of the United States or its hemispheric allies.

It may be that these black-and-white alternatives are the only ones left. After all, the United States has already used up a lot of economic and political weapons. It cut Castro off from Cuba's prime sugar market; it embargoed exports to Cuba of everything but some food and medicine; it succeeded in getting a somewhat grudging denunciation of Castro from the Organization of American States and his exclusion from the Inter-American Defense Board.

Still, today's either/or atmosphere obviously encourages the proponents of each alternative—those eager to rush into Cuba without further ado, and those who don't want the United States to fight anywhere for anything. And this atmosphere deters people from taking thought to see if there are any other possible ways for dealing with this expanding Soviet base on our doorstep.

Certainly some other possibilities exist, whether or not they necessarily represent wise courses for the United States. One would be an attempt to force the Soviet hand in Cuba by applying pressure elsewhere, as for example, curbing trade with the Soviet bloc. Similarly, there could be diplomatic pressures, including breaking relations with the Soviet Union.

Or, to confine the response to Soviet Cuba itself, the United States could tell the Kremlin that unless it voluntarily stops shipping arms and men to Cuba, the United States will do the stopping. If they refused, that would of course mean a blockade as far as all military shipments to or from Cuba are concerned.

Now a blockade is a military act but it is not of itself war. If the Soviets refrained from making it an occasion of war, then the effect would be to isolate Cuba. The Soviets would still have their base, but it wouldn't do them much good. In such circumstances Castro and Cuba, communism might or might not collapse from economic strangulation, but at least we would have neutralized the threat to our security.

Or the United States could go further and tell the Soviets to get out of Cuba altogether if they don't want to be evicted. Again, a course clearly risking strong Soviet reaction. Yet it might be remembered that the Soviets have always backed down in the

face of Western firmness; even the Korean war probably would not have occurred had not the Soviets thought the sailing was clear. In the case of Cuba, military experts think it extremely doubtful that the Soviets would fight for it; there is too much against them, and its intrinsic importance may not be all that great to them.

We cite these courses not in advocacy but to suggest there still is ground between total inaction and a precipitate plunge into Cuba. Words, it is clear, are not enough.

Right after the Bay of Pigs debacle a year ago April, President Kennedy had strong words to say about our course in Cuba; so did he last week. Yet in the interim the Soviets have secured and greatly strengthened their Caribbean base with no opposition from the United States.

If the United States continues to appear weak and lets the Soviets move about the Western Hemisphere with impunity, there is no telling how far they will go. That is why we think the public discussion, not to mention Government planning, should center on all possible ways of ending the Soviet immunity.

[From the Washington Evening Star, Sept. 9, 1962]

MONROE DOCTRINE DISREGARDED?—PRESIDENT'S CUBA STATEMENT INTERPRETED AS WILLINGNESS TO TAKE THE FIRST BLOW

(By David Lawrence)

Has President Kennedy really disregarded, if not scrapped altogether, the Monroe Doctrine—the historic policy of the United States for the protection of the Western Hemisphere against European aggression?

The President's latest statement, upon being examined carefully, reiterates deliberately what he said, in effect, at a news conference on August 29—that he will not uphold the Doctrine unless there's an actual military invasion of a country in this hemisphere. He will not take action in the face of European intervention in the affairs of a Latin American country. He will accept a military buildup by the Soviet Union inside Cuba for instance, as "defensive" in that country. He will wait for actual offensive preparations or operations before taking action. He will, in other words, take "the first blow." He will not intervene to save the people of Cuba or of any other Latin American country from domination by a European power.

This is a distinct departure from the words of the Monroe Doctrine, itself, and from the action taken by several Presidents of the United States in past history.

The Monroe Doctrine says nothing about avoiding action just because European problems may loom large at the time. When Russia was attempting to get a foothold in the northwestern part of this country, President James Monroe expressed in his famous message to Congress on December 2, 1823, the American policy as follows:

"We owe it, therefore, to candor and to the amicable relations existing between the United States and those [European] powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

Plainly, the Soviet Union has political control of Cuba today. The whole world

has seen how it has actually begun to impose its system on Cuba, which not only is a part of this hemisphere but is only 90 miles away from the United States. This makes it even more relevant as an action that is "dangerous to our peace and safety."

Thus, the Soviet Union has given a "manifestation of an unfriendly disposition toward the United States." The Soviet Union has officially acknowledged that it has sent armament to Cuba, and the Washington Government recognizes officially that this armament can be used to ward off any military action by planes or naval vessels of the United States. The Soviets can also make Cuba a base of supply for submarines.

The fact is, therefore, that the Soviet Union has armed Cuba to prevent the United States from landing troops or otherwise assuring that the lives and properties of its citizens and of other foreign nationals be protected.

The Soviet Union has defied the Monroe Doctrine and has taken steps to prevent its enforcement insofar as Cuba is concerned by sending allegedly "defensive" armament to Cuba.

President Kennedy, of course, does not know at what moment the missile pads being erected for "defensive" purposes may be used for "offensive" purposes. The officially confirmed data shows that Soviet military "technicians"—at least 3,500 men—have actually been landed in Cuba.

Under the circumstances, the United States can, if it wishes, ignore the Soviet military plans and land troops now before Cuban missile strength is built up, or it can wait—as it did in Berlin when "the wall" was erected—to deal with a more serious problem that can develop later.

If the U.S. Government does not wish at this time to land forces in Cuba to assert the principles of the Monroe Doctrine, then the question arises as to what steps this country could take to manifest its feeling concerning the Soviet Union's "interposition" in this hemisphere.

The United States can announce that it will sever diplomatic relations with the Soviet Union unless all Soviet military technicians are withdrawn at once from Cuba. This action would mean the expulsion from the United States of all Soviet diplomatic and consular officials and the return of all United States officials from the Soviet Union. It could mean also the imposition of an economic blockade by the United States not only against Cuba but against the Soviet Union. All Latin American States would be urged to join in the same move. It's the only way to get rid of Communist infiltration in the Western Hemisphere without bloodshed.

[From the Washington Evening Star, Sept. 12, 1962]

SOVIET PROPAGANDA ON CUBA—MOSCOW BELIEVED TAKING ADVANTAGE OF U.S. SILENCE ON VIOLATION

(By David Lawrence)

Nearly 2 weeks have passed since the news was given out that the Soviets had begun an arms buildup in Cuba. The United States, so far as known, has sent no protest to the Soviet Government against its flagrant violation of the Monroe Doctrine.

Meanwhile, the Soviet Government has taken advantage of America's silence and has filled the broadcast waves of the world with one propaganda blast after the other, characterizing President Kennedy's callup of Reserves as a "provocative" action. The latest accusation actually turns the tables on the United States and warns the Washington Government that it must not do anything in Cuba to interfere with the Castro government's policy of acquiring Soviet arms. The claim is reiterated that Cuba is arming for "defense." President Kennedy thus has given away a propaganda advantage by appearing to accept the Castro and Soviet

arguments that the supplying of arms and the sending of "technicians" are simply for "defensive" purposes.

It is a puzzle just why Mr. Kennedy chooses to forfeit the initiative in propaganda. Time was when the American Government uttered its protests through formal diplomatic channels and made them public in situations comparable to the present controversy over the Soviet buildup in Cuba. The action of the Moscow Government not only affects the Monroe Doctrine as a policy but is directly related to America's own security. To place missile pads and missiles in Cuba, which is just 90 miles away from our own shores, is an act that can be construed as hostile to the United States. Yet the administration prefers to say nothing by way of formal protest.

The seriousness of the situation is not diminished but actually increased by the failure to make any protest before the world. Unfortunately, the Soviets may come to believe that they have successfully bluffed the United States into silence, and they make take further chances in the "cold war." Moscow in its latest outburst even hints at a nuclear war if the United States does anything about Cuba.

The impression in Washington is that the administration has all along been afraid of "increasing tensions" by saying anything to Russia about the Cuban buildup. Still, the Soviets do not mind increasing tensions by their propaganda statements. These could be regarded as of little importance if they were merely part of an exchange of words between the Soviet Union and the United States. Unhappily, the propaganda is circulated all over the world. The peoples of allied as well as neutral countries can thus be influenced to believe that the United States is afraid to speak out and is being shoved into a corner by the aggressive pronouncement of the Soviet Union.

The administration has known for a long time about the Soviet arms buildup in Cuba. On September 2, the United Press International in a dispatch from Washington said:

"A State Department spokesman said today that the Soviet announcement of arms aid to Cuba 'merely confirms what has been going on in recent months.' The spokesman said:

"The announcement does not seem to represent anything new. We have been saying right along that the Soviet Union has been sending military equipment and technicians to Cuba."

But the American people were not told officially about this until about 2 weeks ago, and there is no public record that the United States has filed any protest with the Soviet Government concerning the arms buildup. Naturally, the Soviets would construe this as an acquiescence and would be inclined to increase their military buildup in Cuba and begin to send arms to other parts of Latin America which they are planning to infiltrate through agents already on the job.

Senator STROM THURMOND, Democrat of South Carolina, referring to some of Mr. Kennedy's recent statements, said the other day in the Senate:

"The President's comments indicate strongly that the Monroe Doctrine has recently been reinterpreted with major omissions to the extent that the Monroe Doctrine is no longer a bulwark of U.S. foreign policy which it was for over a hundred years."

In Congress, Members of both parties are restive and uneasy about the apparent surrender of the initiative to the Soviet Union. Authority to call up 150,000 Reserves has been overwhelmingly endorsed, but this does not overcome the feeling in Congress that the United States is being portrayed over the airwaves as afraid to stand up to the Soviets. Paul Nitze, Assistant Secretary of Defense for International Affairs, in a television interview over the ABC network Sun-

day, really summed up the situation. He was not trying to be critical of the administration and, in fact, was endeavoring to defend it. But he unwittingly stated the case against the administration's policy of silence when he said:

"I think the grounds for concern are, first of all, that this assistance the Soviets are giving Castro makes it more difficult for the Cuban people ever to restore their freedom, and, second, this helps Castro consolidate his position in Cuba and thereby might increase the possibility that Cuba could be used as a base for Communist infiltration into the rest of the hemisphere."

Yet nothing has been said officially for the last several months to the Soviet Government in protest about all this.

[From the New York Times, Sept. 30, 1962]
THE FIRST WHEREAS SHOULD HAVE STOOD IN BED

(By Arthur Krock)

WASHINGTON, September 19.—The politicians of both parties in Washington, including President Kennedy, are now established as strangely determined to pretend to the people that the original Monroe Doctrine remains U.S. policy in its entirety. The bipartisan character of this pretense was officially certified today in the text of the proposed congressional joint resolution described as "expressing the determination of the United States with respect to the situation in Cuba."

In this text, which was approved by the 33 members of the Senate Committee on Foreign Relations and Armed Services, the first "whereas" is contradicted by two later paragraphs. Also the quotation in this "whereas" from President Monroe's message to Congress in 1823 omits his supplemental statement of policy that it will be "impossible" for the United States to regard any attempt by European powers "to extend their system to any portion of this hemisphere" otherwise than as "endangering our peace and happiness." The joint resolution acknowledges that "the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence." But it deviates fundamentally from the doctrine in that, instead of asserting with Monroe that this extension automatically "endangers our peace and happiness," the resolution merely declared that:

"The United States is determined * * * to prevent, by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending by force or the threat of force its aggressive or subversive activities to any part of this hemisphere."

The text, proposed for adoption by Congress and the President's signature, also pledges the United States "to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States." But in the Monroe Doctrine any "extension," such as that of international communism in Cuba, was held to create this danger the moment it occurred. The invocation of the doctrine in the first "whereas" was therefore misleading. Yet there are sound reasons—the product of this age of nuclear missiles with a global range—for the modification that is explicit in the text.

Why all these Senators, and the administration officials who collaborated on it, tried to cover up this fact with the camouflage of their opening citation of Monroe is a political mystery which grows with its every manifestation. This latest one leaves Senator HUMPHREY of Minnesota the single occupant of the niche reserved for administration foreign policy spokesmen who publicly concede the shrinkage in the original scope of the Monroe Doctrine. Nevertheless, he was one of the 33 committeemen who approved today's text from which this candor was absent.

AN UNSOLVED PUZZLE

Doubtless he and some others decided that to get bipartisan unanimity on the really strong declarations of policy in the resolution was worth the price of the camouflage of the first "whereas." To agree that this evaluation was statesmanlike does not, however, solve the political puzzle why unanimity was otherwise unattainable.

This fear of being candid with the American people on acts in foreign policy, and their real foundations, pervades the Kennedy administration, and the approval of the Cuban resolution by congressional leaders of the Republican Party today is not the first evidence they share this reluctance. Individual Republicans and Democrats have been more venturesome than their leaders. But none has analyzed our foreign policy with the directness and penetration displayed by Anthony Eden. A mild sample is his comment in the October issue of *Foreign Affairs* on the administration's and the U.N.'s leading role in promoting the violations of the U.N. Charter by the transfer of West New Guinea to Indonesia under the threat and actuality of armed force:

" * * * The consequences for the free nations of sponsoring a solution which is not in itself just can be grave; a little present case may be gained, but probably at the expense of greater trouble thereafter. In the history of the last 30 years it has not proved wise to seek to assuage excessive appetites by unjust concessions."

Mr. MILLER. Madam President, we should know from bitter experience that it is long past time for us to be reacting to Soviet aggression and for us to take some initiative which will put a stop to aggression. Weakness, timidity, and inaction have no effect except to whet the appetite of the leaders in the Kremlin.

I ask unanimous consent to have printed in the RECORD at this point in my remarks another article by Mr. David Lawrence appearing in the September 17 issue of the *Washington Evening Star*, entitled "Will Inaction Again Bring War?" and the lead editorial from the September 19 issue of the *Wall Street Journal* entitled "The Praise of Weakness."

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

[From the *Washington Evening Star*,
Sept. 17, 1962]

WILL INACTION AGAIN BRING WAR?—WORLD ATTITUDE ON RED CUBA LIKENED TO THAT TOWARD MUSSOLINI IN THE THIRTIES

(By David Lawrence)

Is it the 1930's all over again? Fear of war led then to inaction by the West—and this brought on the big war itself. Will history repeat?

The parallel with events from 1935 to 1938 is startling. Then, as now, a dictator—Mussolini—grabbed Ethiopia in faraway Africa, just as Khrushchev today has grabbed Cuba. The West protested feebly in 1935, and the League of Nations voted 50 to 1 for an economic blockade in November of that year. But the United States was indifferent, and the commercial interests of the world succeeded in causing an abandonment of the blockade after 8 months of spasmodic effect.

Then, as now in respect to Cuba, a blockade was characterized as useless unless all nations participated wholeheartedly.

Then, as now, the pacifists and appeasers expressed in speeches and newspaper advertisements the fear that a blockade would bring on war and implied it was better to recognize the steps taken by Mussolini as "accomplished facts." The Chamberlains

and the Baldwins led Britain into a mess, out of which war became inevitable.

The United States wobbled then, too. Let Winston Churchill tell the story. He writes it frankly and bluntly in his book, "The Gathering Storm," published in 1948. He refers pointedly to the economic blockade of Italy as a means of persuading Mussolini to lay off Ethiopia, previously called Abyssinia—a country which also was a member of the League—and declares:

"A large number of commodities, some of which were war materials, were prohibited from entering Italy, and an imposing schedule was drawn up. But oil, without which the campaign in Abyssinia could not have been maintained, continued to enter freely, because it was understood that to stop it meant war. Here the attitude of the United States, not a member of the League of Nations, and the world's main oil supplier, though benevolent, was uncertain. Moreover, to stop it to Italy involved also stopping it to Germany."

Mr. Churchill then criticizes the failure of Britain to back up her economic blockade with naval power, and adds:

"The Italian armies in Abyssinia would have famished for supplies and ammunition. Germany could as yet give no effective help. If ever there was an opportunity of striking a decisive blow in a generous cause with the minimum of risk, it was here and now.

"The fact that the nerve of the British Government was not equal to the occasion can be excused only by their sincere love of peace. Actually it played a part in leading to an infinitely more terrible war. Mussolini's bluff succeeded, and an important spectator drew far-reaching conclusions from the fact. Hitler had long resolved on war for German aggrandizement. He now formed a view of Great Britain's degeneracy which was only to be changed too late for peace and too late for him."

What Mr. Churchill describes as the "irresoluteness" of those days finds its counterpart in what is happening today. Here is a brief extract from a summary of William L. Ryan of the *Associated Press* in Sunday morning newspapers this week:

"Moscow today just about owns Cuba—lock, stock, barrel, and beard. Inexorably, Soviet communism is closing its steel grip. Challenging the United States in the sensitive Caribbean and the Western Hemisphere, Moscow has given the world a lesson in imperialism. When the Russians colonize, they colonize for good * * *. The Soviet takeover will be complete when Fidel Castro is shoved aside. * * * This will be a slow and cautious process, but signs of party conflict are clear."

The United Press International reported last Saturday from Washington as follows:

"The United States has been making quiet diplomatic efforts for more than 6 months to persuade allies in European countries and elsewhere to help isolate Communist Cuba.

"The Kennedy administration was receiving little encouragement today from Latin American and European allies in its attempt to tighten the diplomatic and economic squeeze on Cuba."

A London dispatch by the United Press International on the same day said:

"Britain has politely but firmly discouraged any American ideas that it join the United States in an economic blockade of Cuba, it was reliably learned today. Other European nations of the North Atlantic Treaty Organization were reported also to have backed away from tentative soundings as to whether they would go along with the United States in any possible embargo against Cuba."

Thus, as in the 1930's the free world is in disunion, and the enemy dictators are taking advantage of such dissension.

President Kennedy, meanwhile, has also backed away. He has disregarded the all-

important principle of the Monroe Doctrine which declares against European colonization or imposition of their system in the Western Hemisphere. He says the doctrine means only resistance to an armed attack against the United States or against other countries in this hemisphere with the aid of a European power. This gives Khrushchev a free hand to infiltrate any country in America, take over the government there with a puppet ruler, and send in military supplies and forces without running the risk of any countering action by the United States.

For all practical purposes, has the Monroe Doctrine now been buried, as Khrushchev in 1960 said it would be? Resolutions in Congress, introduced last week by administration leaders, still mention the Doctrine in their "whereas" but not in the text of the conclusions reached. Their theory evidently is that only if America is attacked should any action be taken.

Communist imperialism is thereby given the unchallenged opportunity to extend its system anywhere in the Western Hemisphere. If the United States will not fight when historic American policy is being violated 90 miles away from its shores, the dictatorship in Moscow may conclude that pacifism has won a big victory in the Americas and the West, and that there will be no resistance to Communist aggressions anywhere else in the world, including Berlin. It could be the 1930's all over again.

[From the *Wall Street Journal*, Sept. 19,
1962]

THE PRAISE OF WEAKNESS

So now it seems that anyone who thinks something should be done about Cuba is a hotheaded extremist warmonger. At least that is the view of Chester Bowles, one of President Kennedy's foreign policy advisers, and it typifies a good deal of the current comment on Cuba.

The way some people see it, action against the Soviet occupation of Cuba would be no better than the behavior of the Communists themselves. We have bases close to Soviet borders, it's reasoned; why shouldn't they have a base right off our shores? Even to complain about this circumstance strikes some as hypocritical, since the United States has done comparable things, like sending military personnel to South Vietnam to aid it in the fight against the Communists.

Now it might be noted, first, that advocacy of total inaction is a pretty extreme position. As a precedent, it would confer on the Soviet Union freedom of movement not only in Cuba but in the Western Hemisphere. And the Bowles doctrine, literally interpreted, would close off even the discussion of the possible courses of action, from nonmilitary responses up to and including invasion of the island.

As for the so-called argument from morality which seeks to equate possible U.S. action with actual Soviet deeds of aggression, we think it is a false equation. It reflects a dangerous misreading of the nature of the struggle in which we are engaged, for it assumes that American purposes in the world are on a level with those of the international Communist conspiracy.

The truth, of course, is that it is the Communist effort to enslave the world which requires us to resist and in the process, gets us into situations we would infinitely rather stay out of. What American wanted to fight in Korea? Who wants to risk death in Vietnam? Who likes the idea that Berlin remains an explosive which could blow us all up?

Yet this is the way the world is in our time, just as in other times other civilizations have had to try to hold back barbarian hordes. Ever since the United States woke up to the nature of the threat, it has done pretty well in holding the Communists at bay.

It has done so by being firm and backing up its firmness with military power. At times it has not even hesitated to deliver ultimatums, in effect, to the Soviet Union. Certainly it has not hesitated to put bases as far forward as possible, even smack up against the Soviet Union, in the interest of American security. That is part of the power struggle, and we ought to be glad we have the power to do it.

The point is to keep Soviet force as far away from our shores as possible. In that light, it is a little silly to say that our forward bases somehow entitle the Soviets to a base in Cuba. On the contrary, it is axiomatic that the U.S. Government should prevent it if possible. If we do not try to stop the Soviets in Cuba, where in the Western Hemisphere do we propose to stop them?

And if people can't even discuss what might be done without being called extremists and warmongers, then surely the Nation is exhibiting a weakness of will which may help undermine our position in Berlin and elsewhere. If the Soviets think we have in fact grown weak, they will naturally intensify their probing efforts all over.

It is one thing to argue about exactly what should be the next move in Cuba, what kind of economic and diplomatic pressures can be applied to the Soviets short of military intervention; or to argue about the precise timing of any move.

But it is exceedingly hard to credit the argument that considerations of morality deny us the freedom to take any action at all. Morality, if that is the issue, requires us to oppose the evil of communism. If we were ever to stop, then we would deserve history's moral censure for failing a duty that is harsh and unwanted but which the times have clearly thrust upon us.

Mr. MILLER. Madam President, not to be overlooked is the impact all of this is having on our allies and the uncommitted nations. I do not believe they wish us to assume a belligerent attitude, nor do we have to do so. But I believe they are dismayed and concerned over what appears to be a defensive psychosis and a lack of firmness in words and deeds on the part of our Government. In this connection I ask unanimous consent to have printed at this point in the RECORD an article by the distinguished columnist, Mr. Constantine Brown, entitled "America's Low Prestige in Europe," which appeared in the September 6 issue of the Washington Evening Star.

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

[From the Washington Evening Star, Sept. 6, 1962]

AMERICA'S LOW PRESTIGE IN EUROPE—U.S. LEADERSHIP BLAMED FOR LETTING AGGRESSORS WIN IN MANY AREAS

(By Constantine Brown)

MUNICH.—Much has been written in the last year by newspapermen reporting from Europe that the policies followed by the United States have brought its prestige to the lowest ebb in contemporary history.

In 3 weeks of travel through Switzerland and Germany your reporter has talked not only with responsible leaders but also with average citizens. In this city there was an occasion to combine a social visit and a political discussion with an old friend who, since the early days of the American occupation has been a strong advocate of a pro-American policy for Germany. To him, America has always been the world beacon of justice and human rights.

I shall try to present in condensed form a long conversation which, in the mind of

this reporter, represents the views of not only Germans, but of many European leaders regarding Washington's new policies.

"The Europeans," my German friend pointed out, "have frequently misunderstood America's policies. This is inevitable among the democracies who have different conceptions concerning freedom. But we all believed that you would never tolerate the real meaning of freedom to be snuffed out anywhere in the world. We Germans know what it is to lose freedom and our civil rights. And when you demolished Hitler for us, we believed we could look to America to lead the way for our country to regain its democracy. And we always believed that you would continue to do your utmost to prevent aggression—from whatever quarter it might come.

"But in these last few years, and especially in the last few months, we have suffered a sort of slow shock; we have reluctantly come to the conclusion that you regard aggression with equanimity, provided it is perpetrated by the Communists or neutralists. You have established the principle that aggression can pay dividends to the aggressors."

He then began to enumerate concrete cases. He started with the little enclaves such as Goa, belonging to Portugal on the Indian continent, which was gobbled up by the Indian armies overnight, needlessly reminding me that our only reaction was some outraged words from the lips of United Nations Ambassador Stevenson, and more foreign aid to India, the aggressor. Added to this has been outright hostility by Washington toward Portugal, a staunch ally.

The next example was our hostility toward President Tshombe of Katanga, a strong anti-Communist who is apparently taking literally, my friend said, the self-determination of all nations guaranteed in the Atlantic Charter. And then he went on to mention the fact that our long-time ally, Holland, had been forced through American pressure to give up a small remaining part of her empire, Irian, and cede these poor natives to the pro-Communist president of Indonesia, Sukarno; even though the Dutch were willing to permit the natives to decide for themselves whether they should become independent or join with the Indonesians. "You actually made it physically impossible for the Netherlands to send troops to defend the natives," he added.

"Take Laos," he said. "After stating early in 1961 that Laos' full independence was a matter of life and death for the security of East Asia, you have forced the creation of a so-called neutralist government. It will be a Communist Government within a year.

"And now you tolerate coldblooded murders by the East Berlin Vopos right under your eyes, while at the same time you emphasize human rights for peoples all over the world.

"We know that it is not the American people who have changed. I have been to the States recently, and I know from personal contacts that they still have lofty ideals and are the same people who did not hesitate to shed their blood for the sake of freedom, and to pour out untold billions to make a better world. No, the change has come with your leadership. They are now tolerating aggression because of the new element of fear. America's leaders of the past never had a fear complex—why, you entered the last two wars totally unprepared. But that didn't stop you from your determination to stamp out aggression.

"There is a growing feeling in Europe today that henceforth they will have to 'go it alone' without America. Their leaders do not find it politic to say it outright; but the fact is that many of them are now writing off the United States as the mainstay of the

remaining free world. This is the kernel of America's low prestige in the world."

Mr. MILLER. Madam President, I express the hope that the joint resolution, which I shall vote for as being better than nothing, will be strengthened in the House of Representatives along the lines I have suggested.

I ask unanimous consent that an excellent memorandum to the Secretary of State by Under Secretary of State Reuben Clark, dated January 6, 1930, appearing in Senate Document No. 114, 71st Congress, 2d session, on the subject of the Monroe Doctrine be printed in the RECORD at the conclusion of my remarks. Students of our foreign policy would find this article highly informative.

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

MEMORANDUM TO THE SECRETARY OF STATE

The SECRETARY: Herewith I transmit a memorandum on the Monroe Doctrine, prepared by your direction, given a little over 2 months ago.

Voluminous as it is, the memorandum makes no pretense at being either a treatise or a commentary on the doctrine; the shortness of time available for the work and the urgency for its completion, coupled with the performance of regular departmental duties assigned to me, forbade such an undertaking.

Obviously the views set out, both herein and in the memorandum, are not authoritative statements, but merely personal expressions of the writer.

The memorandum is by design (to the full extent it has been possible so to make it) a mere collection of documents, or glossed authoritative statements and discussions, accompanied by such slight, running comments only as are necessary to identify the incident or situation with which the documents are connected. This is especially true of the correspondence covering the years immediately preceding the announcement of the doctrine and thereafter, this material being in the main taken from references or quoted documents given in the "International Arbitrations" and "International Law Digest" of John Bassett Moore, whose deep learning and exhaustive research in all matters connected with the international relations of this country, can be appreciated by those only who attempt to follow along any road he has already traveled. In common with every person who writes about American international relations, I owe to Mr. Moore (on account of these two great works) a debt which I can pay only by a full and frank admission of my obligation, which I am happy here fully to make.

The memorandum deals first with such matters and incidents of our history as British colonies and of our history as a nation under the Constitution up to 1823, as had a bearing on the doctrine, and indicated the relationship between these matters and the course of concurrent events in Europe, including a brief statement of the development of the holy alliance with its aims and purposes.

There follows, after this, extracts of the pertinent parts of our diplomatic correspondence which immediately preceded Monroe's declaration, the declaration itself, and then the more important instances, arranged in chronological sequence, in which the principles of the doctrine or the doctrine itself has come under consideration and application.

Then follows a collection, under classified headings, of various announcements and declarations touching matters and incidents which have been said not to fall within the doctrine or its underlying principles.

The pertinent parts of the doctrine as announced by President Monroe (December 2, 1823) are these:

"* * * the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

"It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole Nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

"It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

The doctrine, thus declared by Monroe, when reduced to its lowest terms, covers—

- (1) Future colonization by any European powers of the American continents.
- (2) Any attempt by the allied powers to extend their political system to any portion of this hemisphere, or (in its second statement) to any part of either continent.
- (3) Any interposition, by any European power, for the purpose of oppressing or controlling in any other manner the destinies of the Latin American Governments "who have declared their independence and maintained it, and whose independence we have on great consideration and just principles acknowledged."
- (4) Noninterference by the United States with the existing colonies or dependencies of any European power.
- (5) Policy of leaving Spanish American colonies and Spain to themselves in the hope that other powers will pursue the same course.

Behind the doctrine, though not expressly stated in words by President Monroe, is the principle of the complete political separation of Europe and the Americas, or, as

Jefferson put it, "Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs." (Oct. 24, 1823.)

The principles of the nonextension of the European political system to this hemisphere and interposition in the affairs of Latin American Republics, are mere corollaries of the political separation of Europe and America.

The memorandum shows that each of these essential principles of the Doctrine had been understood, announced, and invoked as between ourselves and Europe, years before the framing of Monroe's declaration was contemplated.

Jefferson, in 1793, seems clearly to have visualized an America with no European political affiliation.

Washington in his Farewell Address (1796) declared we should have "as little political connection as possible" with Europe that Europe had a "set of primary interests" with which we had "none or a very remote relation," wherefore Europe "must be engaged in frequent controversies, the causes of which are essential foreign to our concerns"; "Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice? It is our true policy to steer clear of permanent alliances with any portion of the foreign world."

Adams (1797) in a message to Congress declared, "We ought not to involve ourselves in the political system of Europe, but to keep ourselves always distinct and separate from it."

King, our Minister to Great Britain, reported (1798) intimations that Great Britain desired, with our cooperation, to separate South America from Spain—Britain not wishing France to secure the resources of these colonies—and King intimated to British officers that, as to Louisiana, we should be unwilling "it should pass into the hands of new proprietors."

King (1801) speaking of the Floridas, told Hawkesbury "we should be unwilling to see them transferred except to ourselves."

Madison, Secretary of State (1801), informed Pinckney at Madrid that the United States never had favored and could never favor the transfer to Great Britain of the Spanish possessions on the Mississippi, and this instruction had the assent of President Jefferson.

Jefferson himself writing to Livingston at Paris (1802) declared the cession of the Floridas and Louisiana "works most sorely on the United States"; that it "completely reverses all the political relations of the United States"; and that by it France "assumes to us the attitude of defiance," and makes "it impossible that France and the United States can continue long friends." Madison writing Livingston with the approval of Jefferson, at about the same time, declared that "mere neighborhood could not be friendly" to the harmony of France and the United States. Lord Hawkesbury (1802) inquired of King as to the "line of policy" which the United States would adopt if France acquired Louisiana. In a memoir which he delivered to French authorities (1802) Livingston again spoke of the dangers of neighborhood; and in the latter part of the year (1802) Madison wrote to Pinckney in Madrid of the "injuries" coming to us on account of the "colonial officers scattered over the hemisphere, and in our neighborhood."

King (early 1803) informed Addington of the British Government that we would "with much concern" see New Orleans in British possession. Hawkesbury (1803) speaking of our purchase of Louisiana, stated he had "received his Majesty's commands to express to you the pleasure with which His Majesty has received this intelligence." Jefferson (1803) in a message to Congress, observed

that a "wide ocean" separated us from the entangling "political interests" of Europe, that "it cannot be the interest of any to assail us, nor ours to disturb them," a position we should be "most unwise * * * to cast away."

The Congress of the United States in 1811 passed a resolution, which, while dealing with a restricted territorial area, invoked our "security, tranquillity, and commerce." This resolution reads:

"Taking into view the peculiar situation of Spain, and of her American provinces; and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Therefore,

"Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the United States, under the peculiar circumstances of the existing crisis, cannot, without serious inquietude, see any part of the said territory pass into the hands of any foreign power, and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory; they, at the same time, declare that the said territory shall, in their hands, remain subject to future negotiation."

In 1820, Secretary Adams instructing Middleton at St. Petersburg, affirmed that the political system of the United States was essentially "extra-European," and "that for the repose of Europe as well as of America, the European and American political system should be kept as separate and distinct from each other as possible."

Beginning in 1821, Adams continued his correspondence with Russia in the course of which he developed, as it appears for the first time, the anti-European colonization principle, which was crystallized in his statement on July 17, 1822, that "we should assume distinctly the principle that the American Continents are no longer subjects for any new European colonial establishments."

Later (July 22, 1823) Adams instructed Middleton to say "frankly and explicitly to the Russian Government, that the future peace of the world, and the interests of Russia herself cannot be promoted by Russian settlements upon any part of the American Continent."

The situation as to Cuba in 1823 is said to have called for a remark from Clay to Canning that "we would fight" if Britain were to secure possession of Cuba.

As to the Canning-Rush negotiations, about the middle of August 1823, Mr. Canning orally advised Mr. Rush that "His Britannic Majesty disclaimed all intention of appropriating to himself the smallest portion of the late Spanish possessions in America"; that "Great Britain certainly never again intended to lend her instrumentality or aid, whether by mediation or otherwise, toward making up the dispute between Spain and her colonies, but that if this result could still be brought about she would not interfere to prevent it"; that he (Canning) "hoped that France would not, should even events in the peninsula be favorable to her, extend her views to South America for the purpose of reducing the colonies, nominally, perhaps, for Spain, but in effect to subvert ends of her own"; and that if France should meditate such a policy, a knowledge that both Great Britain and the United States opposed it "could not fail to have its influence in checking her steps."

On August 20, 1823, Mr. Canning sent a "private and confidential" communication to Mr. Rush suggesting that Great Britain and the United States "might understand each other as to the Spanish-American colonies." He stated:

"For ourselves we have no disguise.

"1. We conceive the recovery of the colonies by Spain to be hopeless.

"2. We conceive the question of the recognition of them, as independent states, to be one of time and circumstances.

"3. We are, however, by no means disposed to throw any impediment in the way of an arrangement between them and the mother country by amicable negotiation.

"4. We aim not at the possession of any portion of them ourselves.

"5. We could not see any portion of them transferred to any other power with indifference.

"If these opinions and feelings are, as I firmly believe them to be, common to your Government with ours, why should we hesitate mutually to confide them to each other, and to declare them in the face of the world?"

In a subsequent paragraph Mr. Canning inquired whether Mr. Rush was authorized to enter into negotiations and sign a convention upon this subject.

In a later communication marked "private and confidential" (August 23, 1823) Mr. Canning informed Mr. Rush that he found as a further reason for the two Governments reaching the proposed understanding, the fact that the French expected as soon as their military objects in Spain were achieved to propose "a Congress, or some more or less formal concert and consultation, specially upon the affairs of Spanish America."

President Monroe, on October 17, 1823, wrote to Mr. Jefferson and to Mr. Madison, enclosing copies of this correspondence, and stated among other things:

"My own impression is that we ought to meet the proposal of the British Govt. and to make it known, that we would view an interference on the part of the European powers, and especially an attack on the Colonies, by them, as an attack on ourselves, presuming that if they succeeded with them, they would extend it to us."

Mr. Jefferson replying under date of October 24, 1823, stated among other things:

"* * * Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs."

As to the war which the proposal of Great Britain might lead to, Mr. Jefferson said:

"* * * Its object is to introduce and establish the American system, of keeping out of our land all foreign powers—of never permitting those of Europe to intermeddle with the affairs of our nations. It is to maintain our own principle, not to depart from it."

Later in his communication Mr. Jefferson said:

"I could honestly, therefore, join in the declaration proposed, that we aim not at the acquisition of any of those possessions, that we will not stand in the way of any amicable arrangement between them and the mother country; but that we will oppose, with all our means, the forcible interposition of any other power, as auxiliary, stipendiary, or under any other form or pretext, and most especially their transfer to any power by conquest, cession or acquisition in any other way."

The foregoing sets out, as to principles involved, the general situation when Monroe's Cabinet began its deliberations early in November of 1823. It will be observed that every essential principle of the declaration as finally framed had been definitely stated, some of the principles over and over again, before the Cabinet began consideration of the matter. The only thing left for the Cabinet to do and the only thing which the Cabinet did was to frame the formulas by which the principles should be announced.

Much research and learning have been exhausted in an effort to place or distribute, as among Adams, Monroe, Canning, and Rush, the credit for conceiving the principles of the declaration. From what has been said it would appear that neither

Adams nor Monroe had any closer connection with this doctrine than Jefferson had with the Declaration of Independence, except as to the colonization principle, which Mr. Adams seems to have developed. In each case, the drawing of the instrument was the work of the draftsman; the principles cast into definite formulas in the doctrine had long been the common property of the American statesmen of the time, and even of European statesmen.

Returning to the declaration itself, it must not be overlooked that the matters inhibited by the doctrine came under ban because they were "dangerous to our peace and safety," or were a "manifestation of an unfriendly disposition toward the United States," or "endangering our peace and happiness."

This is the language used in international correspondence to describe matters which challenge the security or self-preservation of a nation. From the time when the announcement of the doctrine was made to the present time, substantially equivalent expressions have been used to describe the doctrine and the principles which underlie it. No reasonable doubt can be sustained that it has always been considered as involving our security. Secretary Knox speaking in 1911, declared:

"* * * The maintenance of the Monroe Doctrine is considered by us essential to our peace, prosperity, and national safety."

In 1914 Senator Elihu Root declared: "The doctrine is not international law but it rests upon the right of self-protection and that right is recognized by international law."

Conceiving it as a doctrine touching our self-preservation (and the incidents of its application are squarely within the precedents of action for self-preservation) the definitions and discussions of self-preservation by international law writers are of importance.

Concerning self-preservation Phillimore says—

"The right of self-preservation is the first law of nations, as it is of individuals.

"All means which do not affect the independence of other nations are lawful for this end. No nation has a right to prescribe to another what these means shall be, or to require any account of her conduct in this respect." ("International Law," 3d ed., vol. I, p. 312.)

After stating, as to the independence of a state, that "to interfere with it therefore is a wrong, unless it can be shown that there are rights or duties which have priority, either invariably or in certain circumstances, over the duty of respecting independence," Hall lays down the following rule:

"That there is one such right is incontestable. Even with individuals living in well-ordered communities the right of self-preservation is absolute in the last resort. A fortiori it is so with states, which have in all cases to protect themselves. If the safety of a state is gravely and immediately threatened either by occurrences in another state, or aggression prepared there, which the government of the latter is unable or professes itself to be unable, to prevent, or when there is an imminent certainty that such occurrences or aggression will take place if measures are not taken to forestall them, the circumstances may fairly be considered to be such as to place the right of self-preservation above the duty of respecting a freedom of action which must have become nominal, on the supposition that the state from which the danger comes is willing, if it can, to perform its international duties." ("International Law," 5th ed., p. 54.)

Wheaton declares: "Of the absolute international rights of states, one of the most essential and important, and that which lies at the foundation of all the rest, is the right of self-

preservation. It is not only a right with respect to other states, but a duty with respect to its own members, and the most solemn and important which the state owes to them. This right necessarily involves all other incidental rights, which are essential as means to give effect to the principal end." ("Elements of International Law," par. 61.)

Westlake lays down the rule thus: "What we take to be pointed out by justice as the true international right of self-preservation is merely that of self-defense. A state may defend itself, by preventive means if in its conscientious judgment necessary, against attack by another state, threat of attack, or preparations or other conduct from which an intention to attack may reasonably be apprehended. In so doing it will be acting in a manner intrinsically defensive even though externally aggressive. In attack we include all violation of the legal rights of itself or of its subjects, whether by the offending state or by its subjects without due repression by it, or ample compensation when the nature of the case admits compensation. And by due repression we intend such as will effectually prevent all but trifling injuries (*de minimis non curat lex*), even though the want of such repression may arise from the powerlessness of the government in question. The conscientious judgment of the state acting on the right thus allowed must necessarily stand in the place of authoritative sanction, so long as the present imperfect organization of the world continues. If its legal rights or those of its subjects are concerned, and the necessity is not great and immediate, action on the right of self-preservation will seldom be conscientious unless arbitration has first been offered and refused; and there may be cases of a political kind not wholly unfitted for arbitration."

("International Law," pt. I, pp. 299-300.)

Oppenheim says: "From the earliest time of the existence of the Law of Nations self-preservation was considered sufficient justification for many acts of a state which violate other states. Although, as a rule, all states are under a mutual duty to respect one another's personality, and are therefore bound not to violate one another, as an exception certain violations of another state committed by a state for the purpose of self-preservation are not prohibited by the Law of Nations." ("International Law," vol. I, par. 129.)

Rivier announces the rule thus: "When a conflict arises between the right of self-preservation of a state and the duty of that state to respect the right of another, the right of self-preservation overrides the duty. *Primum vivere*. A man may be free to sacrifice himself. It is never permitted to a government to sacrifice the state of which the destinies are confided to it. The government is then authorized, and even in certain circumstances bound, to violate the right of another country for the safety (*salut*) of its own. That is the excuse of necessity, an application of the reason of state. It is a legitimate excuse." (Translation of "Principes du Droit des Gens," p. 277, as given by Westlake in "International Law," pt. I, pp. 296-297.)

The occasions when this right has been exercised are many. The more frequently cited instances have been summarized as follows:

Those classed as acts of self-defense: "Halleck (p. 96) and Phillimore (p. 561) cite the intervention of the powers in the French Revolution in the latter part of the 18th century as illustrations of the exercise of this right (Halleck apparently reprobating and Phillimore justifying the intervention). Phillimore also classifies under this head the intervention of the powers in the partitions of Poland in 1772, 1793, 1795, and 1815, interventions which he characterizes as

'public crimes' and 'national wickedness' (p. 563). Phillimore also classifies under this head as being the 'offspring of necessity' the intervention of the powers in Greece in 1856 (p. 567), and also quotes at least one earlier exercise of the right in the 'conduct of Hiero, King of Syracuse, who, though an ally of Rome, sent aid to Carthage during the war of the auxiliaries' (p. 576).

"Lawrence seems also to classify the British intervention in Egypt in 1882 under the head of self-defense (p. 133).

"The authorities appear to regard this kind of intervention variously. Halleck states that this usually is a mere 'excuse' (p. 96). Phillimore contends that 'in cases like the foregoing (that is, the intervention in the French Revolution) the right of self-defense justifies other nations in intervening and demanding and if necessary by force of arms compelling, the abolition of a government avowing a principle of hostility to the existing governments of all other nations. But this, like the other grounds of intervention, is very liable to be abused' (citing the partitions of Poland, p. 562).

"Lawrence appears to approve the principle (p. 117), as does also Hall (pp. 264 et seq., 279)."

"Those classed as acts of self-preservation: 'Hall, Phillimore, and Oppenheim treat the subject of 'Self-Preservation' as distinct from the question of intervention. Phillimore, indeed, specifying as one of the grounds of intervention the closely allied 'Right of Self-Defense.' All three authors (Phillimore, p. 315; Hall, p. 265; Oppenheim, p. 180) cite the case of the destruction, in 1839, of the *Caroline* on the Niagara River by British forces crossing over into American territory as an instance of the exercise of this right. Phillimore adds (p. 315) the instance of the British Government sending troops to Portugal in 1826 (Portugal being her ally) in order to assist Portugal in meeting the mustering and equipment of Portuguese rebels on the Spanish frontier unchecked by the Spanish authorities. Hall (p. 268) and Oppenheim (p. 179) cite the seizure by the British forces in 1807 of the Danish fleet, which, under certain secret articles of the treaty of Tilsit, was to be used by France against England. Hall (p. 270) also cites in this connection the case of the *Virginius*, where Spain exercised the right of visit and search during the insurrection in Cuba, a state of belligerency not having been recognized. In the case of the *Virginius* the United States and Great Britain both protested against the summary execution of certain of their citizens and subjects found on board the vessel. Oppenheim (p. 180) also cites the case of Amelia Island, whose piratical inhabitants were put down by this Government because of their preying upon American commerce as an instance of this kind. Finally, Hall (pp. 273-277) classes under this heading of 'Self-Preservation' the protection of subjects abroad. On this point further discussion will be made hereafter.

"Regarding the right of self-preservation as contrasted with other alleged rights of intervention, Hall says (p. 284):

"It is unfortunate that publicists have not laid down broadly and unanimously, that no intervention is legal, except for the purpose of self-preservation, unless a breach of the law as between states has taken place, or unless the whole body of civilized states have concurred in authorizing it. Interventions, whether armed or diplomatic, undertaken either for the reason or upon the pretenses of cruelty, or oppression, or the horrors of a civil war, or whatever the reason put forward, supported in reality by the justifica-

tion which such facts offer to the popular mind, would have had to justify themselves, when not authorized by the whole body of civilized states accustomed to act together for common purposes, as measures which, being confessedly illegal in themselves, could only be excused in rare and extreme cases in consideration of the unquestionably extraordinary character of the facts causing them, and of the evident purity of the motives and conduct of the intervening state. The record of the last hundred years might not have been much cleaner than it is; but evil-doing would have been at least sometimes compelled to show itself in its true colors; it would have found more difficulty in clothing itself in a generous disguise; and international law would in any case have been saved from complicity with it."

Those classed as acts of imminent danger:

"Lawrence (p. 121), seemingly having in mind much the same idea as that covered by Hall and others under the heading of 'Self-Preservation,' instances the action of the British Government when, in 1804, the British Ministry discovered that Spain had entered into arrangements to assist France, then at war with England, and was preparing a naval armament in the harbor of Ferrol, and states that the Ministry were justified in commencing hostilities when their remonstrances were disregarded. Lawrence also instances the case of Austria in 1813, when that government, at the close of an armistice granted by Napoleon after the Battle of Buatzen, "joined Russia and Prussia against France, the reason being that the French emperor had rejected its (Austria's) offers of mediation on the basis of reasonable concessions on his part, and had brought up the army of Italy to intimidate it."

It is of first importance to have in mind that Monroe's declaration in its terms, relates solely to the relationships between European states on the one side, and, on the other side, the American Continent, the Western Hemisphere, and the Latin American Governments which on December 2, 1823, had declared and maintained their independence which we had acknowledged.

It is of equal importance to note, on the other hand, that the declaration does not apply to purely inter-American relations.

Nor does the declaration purport to lay down any principles that are to govern the interrelationship of the states of this Western Hemisphere as among themselves.

The doctrine states a case of United States versus Europe, not of United States versus Latin America.

Such arrangements as the United States has made, for example, with Cuba, Santo Domingo, Haiti, and Nicaragua, are not within the doctrine as it was announced by Monroe. They may be accounted for as the expression of a national policy which, like the doctrine itself, originates in the necessities of security or self-preservation—a policy which was foreshadowed by Buchanan (1860) and by Salisbury (1895), and was outlined in what is known as the Roosevelt corollary to the Monroe Doctrine (1905) in connection with the Dominican debt protocol of 1904; but such arrangements are not covered by the terms of the doctrine itself.

Should it become necessary to apply a sanction for a violation of the doctrine as declared by Monroe, that sanction would run against the European power offending the policy, and not against the Latin American country which was the object of the European aggression, unless a conspiracy existed between the European and the American states involved.

In the normal case, the Latin American state against which aggression was aimed by a European power, would be the beneficiary of the doctrine not its victim. This has been

the history of its application. The doctrine makes the United States a guarantor, in effect, of the independence of Latin American states, though without the obligations of a guarantor to those states, for the United States itself determines by its sovereign will when, where, and concerning what aggressions it will invoke the doctrine, and by what measures, if any, it will apply a sanction. In none of these things has any other state any voice whatever.

Furthermore while the Monroe Doctrine as declared, has no relation in its terms to an aggression by any other state than a European state, yet the principle "self-preservation" which underlies the doctrine—which principle, as we shall see, is as fully operative without the doctrine as with it—would apply to any non-American state in whatever quarter of the globe it lay, or even to an American state, if the aggressions of such state against other Latin American states were "dangerous to our peace and safety," or were a "manifestation of an unfriendly disposition toward the United States," or were "endangering our peace and happiness"; that is, if such aggressions challenged our existence.

In other words, there is a broad domain occupied by self-preservation which is incapable of definite boundary as to its extent, or of definition as to the kind of act which lies within it, because new conditions, new advances in the arts and sciences, new instrumentalities of international contact and communication, new political theories and combinations, vary from age to age and cannot be certainly foretold. As the law stands, whatever falls within the necessities of self-preservation, under existing or future conditions, lies within the boundaries of the domain of the principle.

By his declaration President Monroe occupied and bounded but a narrow portion of this whole domain—that portion which contained situations immediately threatening. But that can hardly be said to have changed under the rules and principles of international law the fundamental character of the acts defined and bounded. These acts still remained within the domain of self-preservation, for, obviously, if they would constitute a menace to our existence, such measure would not disappear by virtue of their being listed.

In this view, the Monroe Doctrine as such might be wiped out and the United States would lose nothing of its broad, international right; it would still possess, in common with every other member of the family of nations, the internationally recognized right of self-preservation, and this right would fully attach to the matters specified by the doctrine if and whenever they threatened our existence, just as the right would attach in relation to any other act carrying a like menace.

The doctrine has been useful, and such indeed was the real motive of its announcement, and it will remain of such use that it should never be abandoned, as a forewarning to European powers as to what this country would regard, in a restricted field, as inimical to its safety. It has been equally useful to the Americas as forecasting our attitude toward certain international problems and relations in which they might be involved.

But, recalling that the doctrine is based upon the recognized right of self-preservation, it follows (it is submitted) that by the specification of a few matters in the doctrine, the United States has not surrendered its right to deal, as it may be compelled, and under the rules and principles of international law, with the many others which are unspecified as these may arise, which others might, indeed, have been included in the declaration with as much propriety, legally, as those which were mentioned. By naming either one act or a series of acts which challenges our self-preservation, we do not estop

¹ "Right To Protect Citizens in Foreign Countries by Landing Forces" (2d rev. ed.), p. 9.

² *Ibid.*, pp. 21, 22.

³ *Ibid.*, p. 22.

ourselves from naming others as they may arise; otherwise the mention of one such act would foreclose all others. The custom of nations shows that invoking the right as to one menace does not foreclose a power from invoking it as to others.

Moreover, by specifying a few of the world powers which, if they performed the prohibited acts, would bring themselves within the inhibitions of the doctrine, the United States has not estopped itself from asserting the same principles against other and unnamed powers making the same sort of aggression. That against these other powers, the United States might, in its intervention, speak of the right of self-preservation and not of the Monroe Doctrine, would neither enlarge nor diminish its rights under international law as to the Monroe Doctrine or otherwise.

It is evident from the foregoing that the Monroe Doctrine is not an equivalent for self-preservation; and therefore the Monroe Doctrine need not, indeed should not, be invoked in order to cover situations challenging our self-preservation but not within the terms defined by Monroe's declaration. These other situations may be handled, and more wisely so, as matters affecting the national security and self-preservation of the United States as a great power.

It has been sometimes contended (see particularly the speech in the Senate by Senator Calhoun in 1848 regarding the situation in Yucatan) that the doctrine was announced merely to meet the threatened aggressions of the European Alliance in 1823, and that the doctrine became obsolete with the passing of this immediate threat. But this view is not supported by the language of the declaration which as to action "by any European power" (both as to colonization and interposition) is unlimited in time; nor by that part of the declaration which specifically mentions the "Allied Powers" for here the declaration is couched in such general terms as to be, with sound reason, applied to any power or powers whatsoever who should, at any time, commit the aggressions against which the announced policy was aimed.

During the period since the doctrine was announced there have been assertions at various times as to situations which were not objectionable to the doctrine or to the principles underlying the same. In few of these instances has it been categorically asserted that the Monroe Doctrine did not cover the specific matter in question, the ruling or declaration having usually come in the form of a statement to the effect that some particular situation was not inimical to the interests of the United States.

The statement of the doctrine itself that "with the existing colonies or dependencies of any European power we have not interfered and shall not interfere," has been more than once reiterated.

It has also been announced that the Monroe Doctrine is not a pledge by the United States to other American states requiring the United States to protect such states, at their behest, against real or fancied wrongs inflicted by European powers, nor does it create an obligation running from the United States to any American state to intervene for its protection.

Mr. Clay in 1828 asserted that the Monroe Doctrine was not applicable to wars as between American states, and it was likewise very early declared by Mr. Clay (1825) "that whilst the war is confined to the parent country and its former colony, the United States remain neutral, extending their friendship and doing equal justice to both parties."

Beginning in the second half of the last century (1861) the United States took the position that it would consider that Spain was "manifesting an unfriendly spirit toward the United States" if it should undertake the resubjection of certain of her

former colonies, and this position was reiterated at later dates.

Commencing with 1825 and running on down through the whole of the last century it was repeatedly asserted that the Monroe Doctrine did not require the United States to prevent Europe from waging war against Latin American countries, and from almost as early a period down to the close of the century the principle was followed (as announced by Secretary Sherman in 1898) that it was not the duty of the United States "to protect its American neighbors from the responsibilities which attend the exercise of independent sovereignty."

The United States has at times jointly intervened with European countries in internal situations existing in the Latin Americas; at other times it has declined to participate in such intervention.

A popular feeling exists that the Monroe Doctrine is hostile to monarchical government as such, but this is not the fact. Monarchies have been set up in Brazil, Haiti, and Mexico without objection by the United States, and for many years we dealt with the Brazilian monarchy on terms and in language of sincere friendship. Even the establishment of the Maximilian Empire in Mexico was objected to not so much from the point of view of its being a monarchy as from the point of view that this monarchy was established and maintained by European troops.

One of the interesting suggestions that have been made by European powers is that the possession of colonies by that power upon this hemisphere makes of that possessing power an American state. This suggestion has, of course, not been acceptable to the United States.

The Monroe Doctrine has always been considered as covering a possession—either "temporary or permanent" (Forsyth, 1840)—of American territory by European powers, and in line with that principle, we have declared that the Monroe Doctrine forbade the occupation of American territory by such powers. President Roosevelt in his message of February 15, 1905, in relation to the situation in Santo Domingo, declared:

"An aggrieved nation can without interfering with the Monroe Doctrine take what action it sees fit in adjustment of its disputes with American states, provided that action does not take the shape of interference with their form of government or of the despoliment of their territory under any disguise."

At various times proposals have been made that the United States should join with Europe in neutralizing certain areas (notably Cuba) on this continent, but the United States has steadily declined to join in such an action. One of the classic notes that have been written regarding the relationship between the United States and the other Americas was penned by Secretary Everett on December 1, 1852, regarding a proposal to neutralize Cuba.

The so-called Roosevelt corollary was to the effect, as generally understood, that in case of financial or other difficulties in weak Latin American countries, the United States should attempt an adjustment thereof lest European governments should intervene, and intervening should occupy territory—an act which would be contrary to the principles of the Monroe Doctrine. This view seems to have had its inception in some observations of President Buchanan in his message to Congress of December 3, 1860, and was somewhat amplified by Lord Salisbury in his note to Mr. Olney of November 6, 1895, regarding the Venezuelan boundary dispute.

As has already been indicated above, it is not believed that this corollary is justified by the terms of the Monroe Doctrine, however much it may be justified by the application of the doctrine of self-preservation.

These various expressions and statements, as made in connection with the situations which gave rise to them, detract not a little

from the scope popularly attached to the Monroe Doctrine, and they relieve that doctrine of many of the criticisms which have been aimed against it.

Finally, it should not be overlooked that the United States declined the overtures of Great Britain in 1823 to make a joint declaration regarding the principles covered by the Monroe Doctrine, or to enter into a conventional arrangement regarding them. Instead, this Government determined to make the declaration of high national policy on its own responsibility and in its own behalf. The doctrine is thus purely unilateral. The United States determines when and if the principles of the doctrine are violated, and when and if violation is threatened. We alone determine what measures, if any, shall be taken to vindicate the principles of the doctrine, and we of necessity determine when the principles have been vindicated. No other power of the world has any relationship to, or voice in, the implementing of the principles which the doctrine contains. It is our doctrine, to be by us invoked and sustained, held in abeyance, or abandoned as our high international policy or vital national interests shall seem to us, and to us alone, to demand.

It may, in conclusion, be repeated: The doctrine does not concern itself with purely inter-American relations; it has nothing to do with the relationship between the United States and other American nations, except where other American nations shall become involved with European governments in arrangements which threaten the security of the United States, and even in such cases, the doctrine runs against the European country, not the American nation, and the United States would primarily deal thereunder with the European country and not with the American nation concerned. The doctrine states a case of the United States versus Europe, and not of the United States versus Latin America. Furthermore, the fact should never be lost to view that in applying this doctrine during the period of 100 years since it was announced, our Government has over and over again driven it in as a shield between Europe and the Americas to protect Latin America from the political and territorial thrusts of Europe; and this was done at times when the American nations were weak and struggling for the establishment of stable, permanent governments; when the political morality of Europe sanctioned, indeed encouraged, the acquisition of territory by force; and when many of the great powers of Europe looked with eager, covetous eyes to the rich, undeveloped areas of the American hemisphere. Nor should another equally vital fact be lost sight of, that the United States has only been able to give this protection against designing European powers because of its known willingness and determination, if and whenever necessary, to expend its treasure and to sacrifice American life to maintain the principles of the doctrine. So far as Latin America is concerned, the doctrine is now, and always has been, not an instrument of violence and oppression, but an unbought, freely bestowed, and wholly effective guarantee of their freedom, independence, and territorial integrity against the imperialistic designs of Europe.

J. REUBEN CLARK.

December 17, 1928.

Mr. SPARKMAN. Madam President, I yield myself 2 minutes in order to conduct a colloquy with the Senator from Colorado [Mr. CARROLL].

Mr. CARROLL. Madam President, I desire to ask the able Senator from Alabama several questions about the joint resolution. I favor the joint resolution. I am in favor of a firm policy with reference to Cuba and the situation that obtains there. After reading the joint resolution, I should like to know

whether it contains anything which delegates to the President any war-making powers which, under the Constitution, are vested in Congress.

Mr. SPARKMAN. There is no delegation or grant of powers in the joint resolution. With reference to the specific point about which the Senator inquires—warmaking power—the Constitution declares that it is the responsibility of Congress to declare war. In my opinion, under that constitutional provision Congress could not delegate to the President power to declare war. Certainly no attempt is made in the joint resolution to delegate or grant any such powers. Whatever powers the President now has, he will still have after the passage of the joint resolution. Nothing is added; nothing is taken away.

Mr. CARROLL. Let me put the question differently. Do I correctly understand that the joint resolution neither adds to nor takes away from any power which the President has under the Constitution, and that it neither adds to nor detracts from any power which Congress itself has with reference to the declaration of war?

Mr. SPARKMAN. The Senator is correct.

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

Mr. SPARKMAN. I yield myself 1 additional minute.

Mr. CARROLL. I have heard statements by visitors to Colorado, and I have read statements in the press, with respect to the imposition of a blockade. What types of blockades might be imposed in the Cuban situation?

Mr. SPARKMAN. I do not pose as an expert on blockades; but, from what I know of them, it is my conception that in the minds of people who talk about blockades there are two different types. There is a type which is known as the pacific blockade, which term was used by the distinguished Senator from Nebraska [Mr. CURTIS] in the course of the debate a few minutes ago. If there is such a thing as a pacific blockade, it means a blockade which a country attempts to establish through the cooperation of other nations. If a nation wishes to cooperate, it can do so. Then there will be no shipping.

The PRESIDING OFFICER. The time of the Senator from Alabama has again expired.

Mr. SPARKMAN. I yield myself an additional minute.

Then there is the real blockade or the effective blockade. An effective blockade against a country is an act of war. But if the country declaring the blockade makes an effective blockade, that blockade must be respected by all the nations of the world, and international law supports the blockade.

Mr. CARROLL. As I understand the Senator's statement, a pacific blockade would be effective only if all countries agreed to the stopping and searching of ships.

Mr. SPARKMAN. They would either agree to permit searching, or else they would agree not to ship to the country concerned.

Mr. CARROLL. That is my understanding.

The PRESIDING OFFICER (Mr. METCALF in the chair). The time the Senator from Alabama yielded himself has expired.

Mr. SPARKMAN. Mr. President, I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 1 more minute.

Mr. SPARKMAN. Mr. President, during the Korean war there was a blockade somewhat of that type against Communist China; at least, we had asked the friendly nations of the world not to ship to Communist China materials which might aid in her war effort. I am not sure that our Government actually recognizes what is called a pacific blockade; but the term is used at times, and, according to my understanding, that is what it means.

Mr. CARROLL. Then, as I understand the able Senator from Alabama, there is another type of blockade, which is full and effective.

Mr. SPARKMAN. Yes; a military blockade.

Mr. CARROLL. It is tantamount to a declaration of war, is it not?

Mr. SPARKMAN. I would not say so; but it is regarded by the country against which it is established as an act of war.

The PRESIDING OFFICER. The additional time the Senator from Alabama yielded himself has expired.

Mr. CARROLL. I should like to have a few more minutes.

Mr. SPARKMAN. I yield 2 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 minutes.

Mr. CARROLL. If a full military blockade is imposed, and is considered an act of war, other nations must pay attention to it.

Mr. SPARKMAN. Provided it is effective. In other words, the country maintaining it must enforce it and must make it effective.

There was such a blockade during the War Between the States; the Federal Government imposed a blockade against the South, and made it quite effective. Otherwise, the outcome of that war might have been quite different.

Mr. CARROLL. If such a blockade is an act of war, or could be so construed, does the joint resolution contain any provision which would prevent the President from calling on the Congress to impose such a blockade?

Mr. SPARKMAN. No. The President would have that right in any case.

Let me suggest that the Senator from Colorado read the discussion on that point, as it appears on pages 32 and 33 of the hearings, when Secretary Rusk discussed the continuing relationship—or discourse, as he called it—between the Executive and the Congress.

Mr. CARROLL. I ask unanimous consent that that part of the hearings be printed at this point in the RECORD.

Mr. SPARKMAN. Very well.

The PRESIDING OFFICER. Is there objection?

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

PRESIDENT'S ACTIONS TO DATE AS COMMANDER IN CHIEF

I think that as far as authorization or direction to the President is concerned and the wording of that part of the resolution, whether the sense of the Congress or an authorization, let me say, sir, that the President, as Commander in Chief, does have very far-reaching powers, and that there are certain actions which he would take under existing public commitments, I am sure, which the Congress would approve of.

For example, on August 31 at a time when two small naval vessels fired on U.S. Navy aircraft, it was declared publicly that in any such incident in the future where U.S. aircraft and naval vessels are fired upon in international waters while in the peaceful performance of their duties, the U.S. Armed Forces will employ all means necessary for their own protection and will insure their free use of such waters.

We are conducting a close surveillance of the Caribbean area, and we intend to enforce the right to conduct such surveillance, and this itself could lead to certain incidents which would involve the use of the Armed Forces of the United States.

Secondly, on general grounds, as well as specifically under the September 4 statement, it has been made clear that if the Cubans or the Soviets in Cuba attempted to move arms illicitly into other Latin American countries, or if any elements of armed forces embarked from Cuba for any neighboring countries, that the Armed Forces of the United States would be used to intercept such traffic.

Of course, if there is an attack upon Guantanamo, the President would move immediately with the forces necessary to repel that attack and to take the necessary action.

But I want to emphasize, Mr. Chairman, we do not consider that the passage of a resolution at this particular time by the Congress in any sense breaks the discourse or terminates the discourse between the Executive and the Congress on this important situation.

I would think, for example, if a situation arose in which it were necessary to make a major use of the U.S. Armed Forces against Cuba, the consequences, certainly as far as Cuba is concerned and this country and the potential consequences in other places in the world, would be so large and so significant that the President would be in close consultation with the leadership of the Congress in connection with any such move.

So that this resolution, a resolution at this time does not terminate the Cuban question so far as the Congress is concerned.

It's something which both the Congress and the Executive would be involved in over the weeks and months ahead.

The PRESIDING OFFICER. The additional time yielded to the Senator from Colorado has expired.

Mr. CARROLL. Mr. President, may I have 1 more minute?

Mr. SPARKMAN. I yield 1 more minute to the Senator from Colorado.

Mr. CARROLL. It is my impression that the Secretary of State has said that in the event such action is taken, Congress will be consulted.

Mr. SPARKMAN. Yes, he has said that he feels certain that the President would be in close consultation with the leadership of Congress, in connection with any such move. He said:

We do not consider that the passage of a resolution at this particular time by the Congress in any sense breaks the discourse

or terminates the discourse between the Executive and the Congress on this important situation.

And he said that the whole matter is one "in which both the Congress and the Executive would be involved over the weeks and months ahead."

Mr. CARROLL. Mr. President, I commend the able Senator from Alabama, and also both the Foreign Relations Committee and the Armed Services Committee.

This is a strong, sober, serious resolution. It is a unanimous and bipartisan joint resolution. It represents the wise thinking and the calm judgment of the 34 members of the highly respected and powerful Senate Foreign Relations Committee and the Senate Armed Services Committee—who, in turn, were in constant consultation with the equally respected and powerful House Foreign Affairs Committee and the House Armed Services Committee.

This resolution should not be construed as an idle or empty threat but must be considered as a strong, positive, and emphatic warning to the Soviets and to the Castro government in Cuba. In estimating the scope and strength of this warning, I advise the Soviet Government and the Cuban Government to note it well.

Once this resolution has received the approval of the House of Representatives and the Senate of the United States—once it has been signed by the President of the United States, it will fully and clearly represent the solemn and declared policy of all of the American people—to use an old American expression—"come hell or high water. Our course is charted"

Mr. SPARKMAN. I thank the Senator from Colorado.

The PRESIDING OFFICER. The additional time yielded to the Senator from Colorado has expired.

Mr. DODD. Mr. President—

Mr. SPARKMAN. I yield 10 minutes to the Senator from Connecticut.

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

Mr. DODD. I thank the Senator from Alabama.

Mr. President, I strongly support the joint resolution which has been reported from the Committee on Armed Services and Committee on Foreign Relations, on the latter of which I am privileged to serve.

I believe this joint resolution makes it unequivocally clear that the United States is committed to the restoration of freedom to the Cuban people and to the principle that the right of self-determination, which is the cornerstone of the United Nations Charter, be restored to the Cuban people.

I also believe that the resolution makes it unequivocally clear that the Monroe Doctrine, despite Khrushchev's derisory comments, is not dead; that it is, on the contrary, very much alive and remains a guiding policy of our Government in its natural concern to protect the countries of the hemisphere against all external aggression.

I believe the resolution also makes it clear that we are determined to take

whatever measures may be necessary to prevent the extension of Soviet influence in the Western Hemisphere.

Mr. President, having said that, I believe I should make clear, for the RECORD, that I wish the joint resolution had been more strongly worded. However, I shall not offer an amendment, for I think it most important that Senators stand together on the joint resolution. But I also think it important that Senators who have reservations in regard to the language used in the joint resolution should make our reservations clear at this time on the RECORD.

I believe it would have been better if, in clause (a) we had eliminated the words "in Cuba." I believe the use of the words "in Cuba" might conceivably be interpreted as meaning that we will take no measures against the incursions of Soviet imperialism into the Western Hemisphere, provided the Kremlin is willing to limit itself to its first triumphant incursion in Cuba. This, I am certain, is not the intent of Congress or the real intent of the resolution now under consideration.

Moreover, I feel that the inclusion of the words "in Cuba" obscures the fact that we are dealing, not with a native Cuban Marxist-Leninist regime, but with a Soviet quisling regime that maintains itself in power thanks only to massive support from Moscow and the massive presence of Communist-bloc arms and Communist-bloc military personnel.

In short, the inclusion of the words "in Cuba" obscures the fact that we are talking about Soviet—that is, nonhemispheric—aggression and subversion.

I think it is regrettable that we do not say so in unmistakable language. I am wholeheartedly in favor of the joint resolution; but I believe that sooner or later we shall have to face up to the facts of this situation. I so sincerely and definitely believe that it will be necessary that conscience compels me to say so on the floor of the Senate. For this reason, I think the words "in Cuba" should have been deleted.

I also believe that the words "by force or the threat of force" should have been deleted, because in my opinion these words conflict with the adjoining words, "from extending its aggressive or subversive activities to any part of this hemisphere." This wording recognizes, clearly and properly, that communism operates in two ways: by open aggression and by subversion. But I think all of us would agree that the world Communist movement has achieved the great majority of its successes by means of subversion or indirect aggression, rather than by means of direct military aggression.

If the Communists decide to take over Panama—and I am sure that Khrushchev and Castro do have plans for taking over Panama—they will not do so by means of an open military attack, employing Castro's Red army and Soviet-bloc hardware and specialists. The Communists are far too clever to operate so blatantly.

We can virtually take it for granted that they will operate by fostering the creation of a Panamanian front move-

ment, proclaiming itself to be nationalist and anti-imperialist and reformist, as Castro did when he was bidding for power; that they will provide clandestine support for this movement in the form of arms, unlimited quantities of printed propaganda, and Cuban and Latin American experts in guerrilla warfare and political subversion, who have been trained in Moscow.

In short, Khrushchev and Castro could take over Panama, or could take over any other Latin American country, without any apparent or provable use of force by the Cuban regime, and without even a threat of direct military intervention.

As President Kennedy pointed out in what I think was one of his great speeches, before the American Society of Newspaper Editors—I think it is worth while to remind ourselves what he said:

We face a relentless struggle in every corner of the globe that goes far beyond the clash of armies or even nuclear armaments. The armies are there, and in large number. The nuclear armaments are there. But they serve primarily as the shield behind which subversion, infiltration, and a host of other tactics steadily advance, picking off vulnerable areas one by one in situations which do not permit our own armed intervention. * * * Our security may be lost piece by piece, country by country, without the firing of a single missile or the crossing of a single border.

How right the President was and how cogently he described the peril.

It is in the light of this statement and for the purpose of removing any possible ambiguity that I propose the deletion of the words "by force or the threat of force."

Mr. President, the resolution quite properly does not suggest any specific course of action. This is for the administration to determine, in the light of the available information. The great value of this resolution is that it will serve to declare the general intent of Congress both to our friends and to our enemies. It is my hope, however, that, with the moral authority of this resolution behind it, the administration will proceed to take a number of measures to bolster the forces of Cuban liberation.

I hope that there will be a greatly intensified propaganda effort, directed to the people of Cuba and the peoples of the other Latin American countries. I hope the Voice of America will provide itself with powerful long-wave broadcast facilities, because its present short-wave facilities severely limit its reception in Cuba. I hope that we will encourage the formation of a Radio Free Cuba, organized along lines similar to Radio Free Europe, and supported by the contributions of the millions of private citizens in our country who, I am certain, would gladly contribute to such an undertaking.

I hope that in the not very distant future we will encourage the creation of and grant recognition to a Cuban government-in-exile, committed to the holding of free elections.

I hope we will proclaim the formation of a Cuban Freedom Legion, armed and supplied by the United States, and

open to nationals of all Latin American countries.

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

Mr. DODD. May I have 3 more minutes?

Mr. SPARKMAN. I yield 2 more minutes to the Senator from Connecticut.

Mr. DODD. To those who say that this would constitute a violation of the Neutrality Act, I point out that within recent years an Algerian Liberation Army and an Algerian Government-in-exile were organized on the territory of Tunisia and Morocco, two countries with which we enjoy friendly relations and which are the recipients of large-scale American aid; that this army was largely equipped by the Soviet bloc, and that the government-in-exile was recognized by many Afro-Asian countries as well as by the Communist-bloc countries; that, when it was a matter of liberating an African country from the relatively mild colonial rule of a NATO ally—when I say “relatively mild,” I mean compared with the Soviet bloc—it seemed to be accepted as natural and proper that there should be a government-in-exile and a liberation army organized in neighboring territory.

Surely it is not too much to ask that we accord comparable freedom and comparable support to the Cuban freedom fighters, who seek to liberate their country from an infinitely more tyrannical form of foreign colonialism.

Meanwhile, Mr. President, it is my hope that both Houses will unanimously support the resolution now before them.

Our trouble is that we have not yet resolved to face up to the realities of this dreadful situation. I understand the hesitancy of those who have had to carry this burden. Yesterday in the joint meeting of the Armed Services Committee and the Foreign Relations Committee, presided over by the great Senator from Georgia [Mr. RUSSELL], and the great Senator from Alabama [Mr. SPARKMAN], Senators were trying, as best they could, to draft a resolution that would help us and help the free world by giving notice to our enemies where we stand on this issue. I think we have done well. The only reason why I have spoken is that I have a deep and abiding fear that sooner or later we must face up to this situation in terms of concrete actions.

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

Mr. SPARKMAN. I yield 1 additional minute to the Senator from Connecticut.

Mr. DODD. It is my hope that we will be able to do it when the hour strikes. This is why I wanted to go on record this afternoon.

Mr. SPARKMAN. Mr. President, I yield 15 minutes to the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. First, Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the Senator from Tennessee [Mr. GORE], in support of Senate Joint Resolution 230. As Senators know, he is a delegate to the United Nations and cannot be present in the Chamber today.

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

STATEMENT BY SENATOR GORE

I support the unanimous decision of the Committee on Foreign Relations and the Committee on Armed Services who have jointly recommended the approval of Senate Joint Resolution 230 expressing the determination of the United States to prevent the Communist regime in Cuba from extending its aggressive and subversive activities to any part of this hemisphere.

Although the President of the United States has authority in his own right to take appropriate action to prevent the Cuban regime from threatening the security of the United States, I believe there is an advantage at this time in having the Congress and the President join together in this joint resolution to express the determination of all of the American people.

There is no doubt in my mind but that the Communist regime in Cuba has the potentiality of threatening the security of the United States. We should not remain idle if this threat continues to increase.

I take this occasion to urge other States in the American system to recognize, while there is still opportunity, that the exploitation by military and subversive means of the alien ideology of communism has the potentiality of destroying, not only the freedoms which have made this Nation great, but those that are essential to the full development of economic and political freedom in the hemisphere.

Mr. HUMPHREY. Mr. President, I rise to support Senate Joint Resolution 230. It is my view that this resolution clearly states American policy relating to the situation in Cuba, the Caribbean, and the Western Hemisphere. It is also my view that the resolution will strengthen the hand of our President; it will forewarn our enemies and will encourage our friends.

The joint resolution received very thoughtful and serious consideration by the two committees of the Senate which considered it, the Foreign Relations Committee and the Armed Services Committee.

Developments in the Caribbean, and particularly in Cuba, have attracted international notice, and have commanded the attention of the American people and their Government.

What has taken place in Cuba is of serious concern to every one of us, and the resolution makes that perfectly clear, as it declares in the resolving clause:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States is determined—

(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force, or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

I submit that this resolution reaffirms the many commitments we have made under treaty, and under the Monroe Doctrine, insofar as that doctrine applies to this hemisphere.

In Tuesday's New York Times the distinguished columnist, Mr. Arthur Krock, for whom I have a very high regard, commented on my remarks on Friday, September 14, concerning this administration's policy on Cuba and the application of the Monroe Doctrine to the present situation in the Caribbean.

Senate Joint Resolution 230 should remove any doubt which anyone might have as to the policy not only of the administration, but also of the entire Government of the United States.

Mr. Krock wrote:

Senator HUMPHREY, of Minnesota, an established foreign affairs spokesman of the administration in Congress, has for the first time put on the public record a candid admission that President Kennedy has set limits to the historic thrust of the Monroe Doctrine. As now officially interpreted, in what the Senator prophesied would become known as the Kennedy Doctrine, * * * (the Monroe Doctrine) has been modified to apply only to situations which directly endanger the security of the United States.

Mr. Krock dwells upon my description of the Kennedy doctrine as “a modern application of the principles of the historic Monroe Doctrine to the recent developments in our hemisphere. He contends that this makes me the only administration spokesman to have “publicly conceded” that the President has “narrowed the original scope of the Monroe Doctrine.”

I yield to no one in my admiration of Mr. Krock's ability, ingenuity, and resourcefulness. But this does not blind me to the fact that Mr. Krock, like all of us, can occasionally be led astray by his eagerness to reach a desired conclusion. In this particular instance, he has both exaggerated the authority with which I spoke—as my colleagues would readily agree—and has concentrated on one aspect of my remarks to the exclusion of all others. In fact, I think that Mr. Krock has failed to emphasize the wider meaning of the President's statement on Cuba and my interpretation of that statement—namely, that the United States has now given specific present-day content to the Monroe Doctrine. Thanks to the President's stirring words and skillful presentation, the Monroe Doctrine is now a fit instrument to be used against Soviet penetration of this hemisphere.

The joint resolution underscores the fact that the commitments we have made by treaty and agreement, and under the Monroe Doctrine, are designed to prevent Soviet penetration of this hemisphere.

Let me say at the outset that the administration is not to blame for my words in praise of the President's historic statement of September 13. I neither consulted with the administration before making my remarks nor did I try to act as the administration's spokesman for a new departure in American foreign policy. Indeed, no startling new departure in foreign policy has taken place, and my remarks were certainly not an official interpretation of any new policy. At the same time, I believe that I said nothing which contradicts or is out of tune with U.S. policy as defined by the President.

Everyone, especially if he is a noted columnist, is entitled to his opinion. But Mr. Krock is mistaken in his contention that the President has set limits to the applicability of the Monroe Doctrine. Far from limiting or modifying this venerable U.S. policy, the President has given it room to breathe in the modern era. He has put U.S. policy in this hemisphere on a new plane. He has updated our traditional interpretation of the Monroe Doctrine and has put it in harmony with the nuclear age rather than the age of sail.

Again, let me emphasize that this is my reading of the President's statement and not an official pronouncement by something called an administration spokesman.

Now it is true that in my statement of September 14 I laid stress on our determination to safeguard the security of the United States. This was only natural. I do not apologize for it. It is impossible, as so many of my constituents and correspondents have pointed out in their letters to me, to ignore the potential threat of a hostile military power only 90 miles from the continental United States. Cuba is not now a significant danger, but we must be on our guard. There is no basis for the claim, however, that I was talking about the security of the United States as distinct from the security of the rest of the hemisphere and our allies in the Organization of American States. Indeed, I thought it was plain as day that whenever I referred to the Monroe Doctrine I was speaking of a broad U.S. commitment to defend not only our security but also the security of our independent neighbors in the Western Hemisphere.

This is the policy of the United States. We are not selfish in our policy, thinking only of aggression against the United States. We have committed ourselves to preventing Communist aggression, not only against the United States and in the Western Hemisphere but also throughout the world. There are treaties to which we have placed our signature—and we will honor that signature.

We will act unilaterally, if need be, to protect this security. This has always been the meaning of the Monroe Doctrine and this is its meaning today, as I see it.

Time after time, Mr. President, I have spoken of the situation in Cuba as representing a threat to the entire hemisphere, not just to ourselves. On September 7, I said:

Castro and his sponsors need to be told that the United States will not hesitate to use its power to crush any Cuban military aggression against the United States or any Latin American state.

President Kennedy himself has said that the Castro regime "will be prevented by whatever means may be necessary from taking action against any part of the Western Hemisphere."

This is the application of the Monroe Doctrine in the year 1962.

On September 11, I said in this Chamber:

The President has said clearly and unambiguously that the United States will use whatever means may be necessary to protect

our forces around Cuba and to prevent Cuban aggression anywhere in the Western Hemisphere. Far from being dead or abandoned, the principles of the Monroe Doctrine have been espoused by the Organization of American States and are directly aimed at Communist subversion in this hemisphere.

Further on in my remarks, I said:

Castro should know that any aggressive move against our planes, or ships, or installations—electronically or in terms of the actual use of force—will be met with immediate counterforce. * * * The same would be true in the case of an attack against the forces and territories of any of our neighbors in the Caribbean or the rest of Latin America.

Any columnist who took the trouble to study my remarks of September 11 would have seen that I said:

We must take the leadership in the OAS to counter the most likely leapfrog of Castro communism—the jump to the Republic of Haiti, which shares the same strategic island with the Dominican Republic. * * * I warn this Government now, from the Senate floor, as I have done privately and by letter and word, that we need to be prepared for a leapfrog effort on the part of Castro to jump over the Dominican Republic into the Republic of Haiti and establish a force of Castroism in that half of the island.

In order to forestall this development, the Organization of American States should have fire-fighting equipment ready to act on a moment's notice. We should request from the OAS an international police force ready to come to the aid of the leaderless Haitians in the event that Mr. Duvalier takes the bloody fall that seems inevitable.

Mr. President, I could quote numerous statements to this same effect. They prove beyond a shadow of a doubt that neither President Kennedy nor his "lieutenants" in Congress have ever interpreted the Monroe Doctrine as an instrument of selfish protection. American policymakers have always thought in hemispheric terms and they do so today.

What does the Monroe Doctrine actually say? Among other things, it states that the "American Continents are henceforth not to be considered as subjects for future colonization by any European power." Secondly, that any attempt by the European powers "to extend their system to any portion of this hemisphere" will be considered "dangerous to our peace and safety." Finally, that intervention for purposes of oppression or control of any independent American government by any European power would be looked upon as the "manifestation of an unfriendly disposition toward the United States."

These three principles—no future colonization, no extension of the European system to this hemisphere, and nonintervention by outside powers—are valid in this day and age. But the fact remains that the Monroe Doctrine cannot be automatically applied to specific cases today without considerable explanation and reinterpretation. Obviously we are not dealing with simple colonization as the word was understood in the 18th and 19th centuries. In 1823, when the Monroe Doctrine was promulgated, what we meant by the European system was a system of absolute monarchies, linked together in the Holy Alliance in a concerted effort to crush republicanism and

representative democracy. Things have changed since that time. We are no longer worried about thrones and dynasties. To be sure, there are similarities between arbitrary monarchical despotism and Communist despotism, but it can hardly be argued that President James Monroe and John Quincy Adams were thinking in terms of the modern Soviet system when they devised what is now known as the Monroe Doctrine.

Likewise, the Soviet Union did not have to move into Cuba in order to demonstrate its "unfriendly disposition" toward the United States. The Soviet Union and the United States have been at loggerheads since the end of World War II. The Kremlin has never been one of our closest friends. We have always opposed the extension of Communist dictatorship around the world, and in a series of inter-American conferences since World War II we have opposed any extension of the Communist system to the Western Hemisphere. In response to the Soviet threat, we have abandoned our prewar isolationism and have built a formidable structure of defensive alliances around the world—including alliances with many countries which lie at the very portals of the Soviet Union.

As Walter Lippmann pointed out in his column of September 18, we now have farflung interests in Europe and Asia, although the intention of our Founding Fathers—and indeed of the authors of the Monroe Doctrine—was to keep us from "foreign entanglements."

In that sense the Monroe Doctrine has been altered because we have foreign commitments and responsibilities. We have them because of the nature of the Communist threat, which is a totalitarian and worldwide threat, an ever-present threat, constantly menacing us every day of the year. We are prepared to meet that threat and we meet it very minute of the day.

The implication is clear. What goes on in Europe today is vital to our security—what goes on in any place in the world is vital to our security—although the Monroe Doctrine specifically denied that we wished to involve ourselves in Europe's affairs. Of course, this does not mean that we now involve ourselves in European or Asian affairs as the Communists try to worm their way into inter-American affairs. As Raymond Moley points out in the current issue of Newsweek:

We have repeatedly denied our desire for territorial gain, nor do we have any intention to colonize anywhere. Our bases in Turkey and Spain have nothing to do with the internal affairs of those nations. The Communist takeover in Cuba (however) is a barefaced operation designed to establish a Communist- and Soviet-dominated state in the center of the Western Hemisphere.

In other words, changing circumstances of world politics have placed the Monroe Doctrine in a different context. We cannot take any action in the Western Hemisphere without considering what effect it will have on our worldwide commitments and interests.

In Walter Lippmann's words:

We cannot wage preventive war against Castro without establishing the rule that a

preventive war is legitimate against our military positions in Berlin, Turkey, Iran, Pakistan, Thailand, South Vietnam, Taiwan, Okinawa, South Korea, and Japan.

A clear understanding of this point is absolutely essential. As McGeorge Bundy, Special Assistant to the President on National Security Affairs, writes in the current issue of *Foreign Affairs*, we have formal alliances with 42 sovereign, independent states. An alliance cuts both ways. An alliance entails mutual obligations. It requires reciprocity.

I submit, therefore, that we can neither morally nor realistically take actions which would jeopardize the security and independence of our allies. Many of them are as vulnerable to Soviet power as Cuba is to ours. Although we reserve the right to take unilateral action in defense of our vital interests, we are obliged to take the interests of our allies into consideration. Our allies are part of the masonry of our defenses. We defend them from aggression, and they form a bulwark against the worldwide march of communism. However, our allies must recognize our deep concern over the aggressive and subversive activities of the Castro Communist agents in the Western Hemisphere. We cannot and will not sacrifice our Latin American neighbors or refuse to fulfill our treaty obligations.

But, as this Senator has made clear, publicly and privately, our foreign policy must not be controlled by a fear of Soviet power or by what Mr. Castro or Mr. Khrushchev threatens to do, because if we have a foreign policy that is to be stymied and paralyzed by the blusters and threats of Mr. Khrushchev, we shall have no policy at all.

There is no need to deny again that Mr. Khrushchev cannot make a deal with us over Cuba. We will not abandon Berlin or any other outpost of freedom just to get the Communists out of Cuba. But I say in all seriousness—and this point has been stressed privately by observers for whose judgments I have the highest respect—that if we back down in the face of a threat 90 miles from our own shores, no one will believe that we will stand up to a threat thousands of miles away. This, Mr. President, is the real link between Berlin and Cuba. This is the real nature of the crisis of confidence before us. The joint resolution under consideration faces up squarely to the challenge. The subsequent actions of the United States—both military and political—must maintain the high standard of our present resolve.

We must pursue a policy which we believe is in our national interest and which is responsive to our international commitments. Therefore every action that we take must be considered as a part of the total security policy of the United States.

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

Mr. HUMPHREY. Mr. President, will the Senator yield 4 additional minutes?

Mr. SPARKMAN. Mr. President, I yield 4 more minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I continue to quote Walter Lippmann:

We cannot invoke the Monroe Doctrine without meeting the question of what we are doing all over Europe and Asia.

That is the columnist's point of view. I would word it somewhat differently. I submit that we must apply the Monroe Doctrine in terms of our security in this hemisphere as well as our security in other parts of the world.

Nothing would deter us, needless to say, if Castro or his Soviet helpers decided to strike out at ourselves or our allies in this hemisphere.

Let it be clear. I repeat that American policy cannot be predicated upon the fear of the threats and blusters of Khrushchev. We must have a policy, and pursue it, and not try to enter into a worldwide popularity contest. What is needed is calm and firm determination.

If Castro attacks us, we would respond with a crushing and devastating blow which would decisively end the threat of aggression. Castro would not survive this action, and his Communist advisers would have to depart ignominiously with nothing to show for their pains. Threats of nuclear war could not stay our hand.

That is what Senate Joint Resolution 230 provides. The fulfillment of our international obligations and the defense of our vital national interests cannot be immobilized or paralyzed by fear of Soviet retaliation.

At the same time, we would be ill advised to act without cause or provocation. Nor should we artificially create such cause or provocation. Hotheaded, unilateral action is precluded—as much by our “decent respect for the opinions of mankind” as by our concern for the integrity of our exposed allies on the periphery of the Soviet Union.

Is this a narrow interpretation of the Monroe Doctrine? Decidedly not. It is a broadly calculated policy which takes into account the facts of life in 1962. It means, as the President stated in his news conference of August 30, that “we would oppose a foreign power extending its power to the Western Hemisphere” as we oppose what is happening in Cuba today. We are taking all means short of belligerent action to bring about Castro's downfall. We will take more forceful action, in accordance with the guidelines laid down by President Kennedy, only if the situation requires it. The Monroe Doctrine does not require us to act precipitously or against our better judgment.

Indeed, the Monroe Doctrine, which is couched in diplomatic terms, does not prescribe how we should counter any violation of the doctrine by a European power. The unspoken implication, of course, is that a violation of the Monroe Doctrine will be met by force. But that is only an implication. It is not spelled out. Nor could it be spelled out when it was meant to apply to any one of a score of unforeseen and unspecified circumstances.

Therefore, the President has made it unmistakably clear in his latest statement that the use of offensive power by

Castro Cuba or its Communist allies will be met with the requisite degree of force by the United States and, we trust, by our allies. In this instance, the Kennedy doctrine is a much-needed amplification of the usual interpretation of the Monroe Doctrine—an adaptation to changing circumstances and conditions. By his statement last Thursday, President Kennedy reasserted our well-known and unalterable determination to protect this hemisphere against external military aggression. He clearly specified the circumstances under which our vital interests might require a military response. Of and by itself the Monroe Doctrine would not have sufficed. The President had to speak out, and he spoke admirably.

And what do I mean by the Kennedy doctrine? I mean the President's de facto amendment of the Monroe Doctrine to the effect that we can no longer promise to stay out of Europe if only the European powers will stay out of this hemisphere. In other words, there is no basis for a deal, for a quid pro quo. International communism attacks us on all fronts, and we must be prepared to meet it on all fronts. Non-involvement is no longer a tenable policy. But while widening our scope of action, modern conditions have undeniably limited the circumstances under which we can take action. I might point out that the H-bomb has had the same effect.

Let no one maintain, however, that the part of the Monroe Doctrine which relates to the Western Hemisphere has been changed or invalidated in any way.

In fact, it has been strengthened. The Kennedy doctrine spells out in greater detail just how we intend to implement the Monroe Doctrine under the threat of Communist penetration in this hemisphere:

First. The Kennedy doctrine states in essence that no Soviet threats or Communist weapons will prevent us from acting as we see fit “if the United States ever should find it necessary to take military action against communism in Cuba.”

Second. “If at any time the Communist buildup in Cuba were to endanger or interfere with our security in any way, including our base at Guantanamo, our passage to the Panama Canal, our missile and space activities at Cape Canaveral, or the lives of American citizens in this country, or if Cuba should ever attempt to export its aggressive purposes by force or the threat of force against any nation in this hemisphere, or become an offensive military base of significant capacity for the Soviet Union, then this country will do whatever must be done to protect its own security and that of its allies.”

Third. We shall strive to persuade our friends in Latin America and our NATO allies of the consequences and implications to them of the Soviet beachhead in Cuba.

Fourth. The administration will cooperate with freedom-loving Cuban refugee leaders.

Fifth. The President will continue to keep the American people and the Congress fully informed of developments.

Sixth. Our surveillance of the whole Caribbean area will be increased.

Seventh. Finally, we shall neither initiate nor permit aggression in the Western Hemisphere.

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

Mr. SPARKMAN. Mr. President, I yield 1 additional minute to the Senator from Minnesota.

Mr. HUMPHREY. Thus, the United States is on record as being determined to protect the hemisphere against any of the various methods of aggression peculiar to this day and age. These include electronic aggression—for example, interference with our space program at Cape Canaveral, the establishment of missile bases and other facilities with aggressive intent or capability, and specific threats to our military installations, our commercial lifelines, and our communications throughout the Western Hemisphere.

Thus, the President's statement applies not only to Cuba but to any future or potential Cubas. It harmonizes with the resolution jointly recommended by the Foreign Relations and Armed Services Committees. It is a refreshing doctrine of U.S. foreign policy which is firmly based upon the bedrock of existing and past policy. It does not imply acceptance of the Soviet stranglehold on Cuba, but neither does it commit us to action which would be incompatible with our worldwide political and military posture.

The President needs no spokesman in Congress to bring these facts home to the American peoples. Least of all does he need to float a trial balloon in Congress to concede something which he is reluctant to concede in his own name. There has been no concession except to the realities and the facts of life. There has been no retreat from the Monroe Doctrine, and none is contemplated.

That is the Kennedy doctrine—the updating of the Monroe Doctrine to correspond with the facts of life in 1962. I support the resolution.

Mr. BUTLER. Mr. President, will the Senator yield sufficient time so that I may ask the Senator from Minnesota a question?

Mr. DIRKSEN. I yield 2 minutes.

Mr. BUTLER. The first paragraph of the resolution quotes from the Monroe Doctrine, as follows:

To extend their system to any portion of this hemisphere as dangerous to our peace and safety.

The first resolution is:

(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere.

Could those two phrases, taken together, mean that we condone the present penetration of communism in Cuba?

Mr. HUMPHREY. I am very pleased that the Senator from Maryland asked

that question, because the answer is an unequivocal "No." We do not condone the present situation in Cuba. We seek by whatever means we find necessary to bring to Cuba once again self-determination. As we have provided in item (C) of the resolution, we seek to have a free Cuba.

In the meantime, we seek to prevent the contagion of Castroism and communism from spreading to any other parts of the hemisphere. We will prevent aggression. We will fight subversion. We will work with friendly governments in the Western Hemisphere to prevent and eliminate effective subversion. We know subversion to be a form of aggression. We will resist such aggression, just as we shall resist military aggression. There should be no mistake about that.

I am pleased that the Senator from Maryland asked his question, because on its face it seems as though there might be some contradiction. There is none. There is no doubt that communism has penetrated this hemisphere in the sense that it has set up a bridgehead in Cuba. That bridgehead is irreconcilable with the principles of this hemisphere and with the principles of the Organization of American States, along with the declaration of the Conference of Foreign Ministers in Punta del Este in January 1962.

Day before yesterday an editorial in the Wall Street Journal made what I regarded as basically an excellent point. The editorial stated that we have not exhausted the choices available to us in dealing with Castro.

The merit of the resolution before us is that the President retains his flexibility to deal with the situation as he sees fit. This in turn coincides precisely with the spirit of the Monroe Doctrine, which does not specify in detail what means have to be employed to counteract outside intervention in the affairs of this hemisphere. The joint resolution states "that the United States is determined to prevent by whatever means may be necessary, including the use of arms"—but not exclusively or necessarily by force of arms—the extension to any part of this hemisphere of the Marxist-Leninist regime in Cuba.

Any other formulation would either unduly restrict our freedom of action or would be a weak, unworthy response to a serious challenge to inter-American solidarity and integrity.

The nature of the Castro regime undeniably brings into question the applicability of the Monroe Doctrine. I say categorically that the Castro regime is a threat to the integrity and purpose of the Monroe Doctrine. The Monroe Doctrine clearly applies to the present situation. We neither condone nor reconcile ourselves to the continued subjugation of the Cuban people to an alien ideology manipulated by an unfriendly foreign power.

The full magnitude of the threat represented by Castro, however, has revealed itself only by progressive stages. When Castro came to power in 1959, he was hailed by the Cuban people and was immediately recognized by the United

States as the legitimate ruler of Cuba. U.S. authorities were skeptical of Castro, and they waited to see how he would work out. We had no concrete reason to oppose him, despite his radical and violent past. Some observers say that Castro could have gone either way when he took office. It is claimed by some observers that he could have stepped out on the path of reform and fruitful cooperation with the United States.

Instead, the Cuban dictator conducted mass trials and executions of Cubans, expropriated the property of our citizens in Cuba, installed an ironfisted regime over his people, and sold his country and himself lock, stock, and barrel to international communism. The Communists, for their part, were delighted to make their first breach in the common anti-totalitarian front of the Western Hemisphere.

The Senator from Maryland will agree with me, I hope, that with each revelation of the true bent that Castro was taking, the United States sought both unilaterally and collectively to isolate, nullify, and remove the threat of Marxist-Leninism in Cuba. We must relentlessly pursue this course until freedom and self-determination come to Cuba.

Recent developments have only accelerated these efforts. Last January's meeting of Foreign Ministers at Punta del Este was a milestone in achieving hemispheric recognition of the danger represented by Castro and the incompatibility of his regime with inter-American principles. Another such meeting is forthcoming. Each of these efforts is designed to restrain and resist the Castro threat and to replace the Castro regime with a government based on self-determination and freedom. I assure the Senator and all who may share his doubts that there is nothing in the resolution, or in the current attitude of the administration which can be construed as condoning the status quo in Cuba.

Mr. BUTLER. I am very happy to hear the Senator from Minnesota say that.

Mr. HUMPHREY. We must use whatever means we find adequate, appropriate, and necessary to bring to Cuba freedom once again and self-determination for her people. We must stop with every means at our command any further incursion, any further expansion, of Castroism and communism in this hemisphere.

Let it be clearly stated on the record that if any country should follow in the pattern of Cuba, the Organization of American States, with the United States as a leader in that organization, should be prepared to take definitive action to see that this disease and this aggression is stopped dead in its tracks.

Mr. BUTLER. Mr. President, may I have 1 more minute?

Mr. DIRKSEN. I yield 1 minute more to the Senator from Maryland.

Mr. BUTLER. I thank the Senator for his explanation. I desire to vote for the joint resolution, but I do not want my vote to be construed as condoning the present penetration in Cuba, which

I consider to be a violation of the Monroe Doctrine.

Mr. HUMPHREY. I thank the Senator. I, too, wish to vote for the joint resolution; and I do not condone what has happened in Cuba. It is a tragedy of our time.

I ask unanimous consent to have certain articles printed in the RECORD at this point in my remarks.

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

A NEW NAME FOR THE MONROE DOCTRINE

(By Arthur Krock)

WASHINGTON, September 17.—Senator HUMPHREY, of Minnesota, an established foreign affairs spokesman of the administration in Congress, has for the first time put on the public record a candid admission that President Kennedy has set limits to the historic thrust of the Monroe Doctrine. As now officially interpreted, in what the Senator prophesied would become known as the Kennedy doctrine, the following explanation by President Monroe to Congress in 1823 of the reach of his doctrine has been modified to apply only to situations which directly endanger the security of the United States:

"The United States will consider * * * any attempt by European powers to extend their system to any portion of this hemisphere as dangerous to our peace and safety," and it is "impossible" that this extension could be made in any degree without that consequence.

Soviet Russia has made this extension in Cuba, and is amplifying the activity. But President Kennedy has evaluated it thus far as not "endangering our peace and safety," thereby narrowing the original scope of the Monroe Doctrine. The fact is clear. But the only administration spokesman who has publicly conceded it is Senator HUMPHREY. For this candor the American people owe him a debt of gratitude. He accurately described "the Kennedy doctrine" as "a modern application of the principles of the historic Monroe Doctrine to the recent developments in our hemisphere."

This modification can be supported as sound policy in an age of nuclear weapons with the facility of almost instantaneous delivery to targets thousands of miles away—an age not envisaged in 1823, even in a physicist's dreams. It can also be supported, as the President has done, by the evaluation he has based on a balance of information no one in or out of Government can match: that the extension of the Soviet Union's power system to Cuba has not yet endangered our national security. But a comparison between extracts from the transcripts of the last two White House news conferences demonstrates his continued reluctance to concede publicly, as Senator HUMPHREY has, that the Monroe Doctrine isn't what it used to be:

WHAT THE DOCTRINE MEANS

The President on August 30, having been asked "what the Monroe Doctrine means to you today in the light of world conditions and in Cuba," replied: "The Monroe Doctrine means what it has meant since * * * President Monroe and John Quincy Adams enunciated it, and that is that we would oppose a foreign power extending its power to the Western Hemisphere. And that's why we oppose what is happening in Cuba today."

On September 14, however, the question was more specific: "Will it require force to contravene the Monroe Doctrine, or does the presence of a foreign power in any force, but not using that force, in this hemisphere amount to contravention?" His response, but not to the point of the question, was:

"I have advocated that if Cuba should possess a capacity to carry out offensive ac-

tions against the United States, the United States would act * * * [and also] would not permit Cuba to export its power by force in this hemisphere."

This, beyond dispute, is a large truncation of what Monroe and John Quincy Adams said or "meant when they enunciated" the doctrine. When or if the President decides to concede that, and give his reasons, the country, being then in a position to reach an informed judgment, might well become less impressed by critics of his Cuban policy.

A cautious effort to test this proposition appears in the October 1962, issue of Foreign Affairs, marking its 40th anniversary with a series of contributions remarkable even for this eminent publication that Hamilton Fish Armstrong has brilliantly guided throughout the period. McGeorge Bundy, the President's national security assistant, while he veils the news in generalities, yet discloses to the careful reader that this administration's policy is to interpret the texts of our worldwide commitments, as well as such manifestos of wholly national purpose as the Monroe and Truman Doctrines, with the flexibility imposed by change. "When the same treaty is used to cover everyone," writes Bundy, "we must look past the paper to the facts."

How about trying the experiment of conceding the results of these looks as they occur?

[From the Washington Post and Times Herald, Sept. 18, 1962]

CUBA: WATCHFUL WAITING

(By Walter Lippmann)

Although there are some who say that we are doing nothing about Cuba, the fact is that we are doing just about everything that can be done short of going to war.

Besides the economic embargo, we are keeping the island under surveillance. We are watching every ship that comes to and goes from the island, and we are keeping a close watch on the loading and unloading of these ships. We have accurate and current records of building operations and the deployment of aircraft and tanks and artillery.

There may be some doubt whether we have located every missile site in the vastness of the Soviet Union. But in Cuba, unless our cameras are failing us, we are completely informed.

As a result, we are quite able to know about the development of anything like a Soviet missile base directed against the United States, and what may be more realistic, we are able to spot anything like an expeditionary force against Cuba's neighbors in the islands and in the Caribbean.

Our policy at the present is to keep ourselves completely informed, and to wait and see whether Castro and his Soviet helpers do any overt act against the United States or its neighbors. Beyond this, there is no serious action the United States can take to remove him that would not be an act of war.

The United States is, of course, able easily to blockade Cuba. But stopping ships under threat of seizure or sinking would be an act of war not only against Cuba but against the Soviet Union. For we would be seizing or sinking Soviet ships.

The invasion of Cuba would, of course, be an act of war against Cuba. To be sure, the United States could easily win a war against Cuba. We could close the Cuban ports within a few hours and we could occupy very quickly Havana and a few big cities. The countryside might be another story.

But what we could not be sure of doing is to prevent the retaliatory moves to which we would have laid ourselves wide open, moves against Berlin or against Turkey, or against Iran.

For we would have acted on the rule that a possible threat against our security or our interests justifies us in going to war.

We would be saying that because Cuba, which is only 90 miles away, is in the grip of an unfriendly European power, we have a right to blockade or occupy the island; we would be saying, too, that the Soviet Union has no such right to act against the American military positions in Turkey, Iran, Pakistan, right on her own frontier.

Let us not fool ourselves. Such an argument will not wash. It would be rejected, probably even laughed at, not only by all neutrals but by powerful elements among our closest allies.

There are some who think foreign opinion does not matter. But when it comes to war, it means a great deal to the belligerent who is for him and who is against him. We could go to war if Castro injures us. But we cannot go to war, even against Castro, because of what he may conceivably do in the future.

We cannot wage a preventive war against Castro without establishing the rule that a preventive war is legitimate against our military position in Berlin, Turkey, Iran, Pakistan, Thailand, South Vietnam, Taiwan, Okinawa, South Korea, and Japan.

It is true, of course, that the Soviet lodgment in Cuba is a gross violation of the Monroe Doctrine. Yet we cannot invoke the Monroe Doctrine. Why not?

The Monroe Doctrine declares that "any interposition" by a European power in this hemisphere would be "the manifestation of an unfriendly disposition toward the United States."

But, this is the crucial point, the American claim for the isolation of the Western Hemisphere was coupled with a renunciation of American interest in the Eastern Hemisphere: "In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do."

This fundamental passage in Monroe's message is, of course, a restatement of the principle laid down by Washington in his Farewell Address: "Europe has a set of primary interests which to us have none, or a very remote relation."

This basis of the Monroe Doctrine disappeared in the 20th century, in the two World Wars, the Korean war, and the cold war. We cannot invoke the Monroe Doctrine without meeting the question of what we are doing all over Europe and Asia.

Our right to put Cuba under surveillance, and if necessary to blockade and invade it, rests not on the Monroe Doctrine but on the elementary right of a people to insure its own security.

For two centuries the British felt that way about the occupation of Belgium by an unfriendly power. The Russians felt that way about Turkey. This right can, however, be exercised only when there is a clear and present danger.

Castro is an insulting nuisance but is not, and is not now remotely capable of becoming, a clear and present danger to the United States. So we must practice watchful waiting, and hold ourselves in readiness, never for a moment forgetting the vastly greater dangers elsewhere.

In a time of watchful waiting, Congress and the newspapers are compelled to remember that the President is conducting a delicate and dangerous operation, and that he is seriously interfered with if he is forced to dot every "i" and to cross every "t" in advance of a decision.

The President should not be asked to say whether he will go to war. He should not be driven to say that he won't go to war.

A certain mystery and uncertainty are desirable, and will be deterrent to our adversaries.

Mr. DIRKSEN. Mr. President, how stands the time?

The PRESIDING OFFICER. The Senator from Alabama has 2 minutes remaining, and the Senator from Illinois has 39 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield myself such time as I shall need.

Mr. President, it is important that the history book be kept current. Who shall say what action may flow in the future from the resolution on Cuba which we have before us here today?

On April 3, 1961, the Department of State issued a white paper on Cuba containing the following data on the buildup of Communist bloc supplied arms—nearly 18 months ago:

Since the middle of 1960, more than 30,000 tons of arms with an estimated value of \$50 million have poured from beyond the Iron Curtain into Cuba in an ever-rising flood. The 8-hour military parade through Havana and the military maneuvers in January 1961, displayed Soviet JS-2 51-ton tanks, Soviet SU-100 assault guns, Soviet T-34 35-ton tanks, Soviet 76-millimeter field guns, Soviet 85-millimeter field guns, Soviet 122-millimeter field guns. Except for motorized equipment the Cuban armed forces have been reequipped by the Soviet bloc and are now dependent on the bloc for the maintenance of their armed power. Soviet and Czech military advisers and technicians have accompanied the flow of arms. And the Castro regime has sent Cubans to Czechoslovakia and the Soviet Union for training as jet pilots, ground maintenance crews and artillerymen.

Maintenance is a tremendously important item.

As a consequence of Soviet military aid, Cuba has today, except for the United States, the largest ground forces in the hemisphere—at least 10 times as large as the military forces maintained by previous Cuban governments, including that of Batista. Estimates of the size of the Cuban military establishment range from 250,000 to 400,000. On the basis of the lower figure, 1 out of every 30 Cubans is today in the armed forces as against 1 out of every 50 in the Soviet Union and 1 out of 60 in the United States.

On March 27, 1962, the Department of State, in response to inquiries from the press, issued a summary on Sino-Soviet bloc military aid to Cuba which makes it clear then—6 months ago—that the Cuban military buildup was being accelerated at a steady rate. The Department's summary follows:

For about a year and a half the Sino-Soviet bloc has supplied Cuba with large-scale military assistance. Bloc military deliveries—primarily from the U.S.S.R. and Czechoslovakia—have included a wide assortment of land armaments ranging from small arms through heavy tanks. Bloc aircraft supplied to Cuba includes Mig jet fighters, helicopters, transports, and trainers. Extensive military training has been provided both in the bloc and in Cuba.

Communist military aid has turned the Cuban military establishment into one of the most formidable in Latin America, and it has introduced a military capability hitherto not present in any of the Latin American countries of the Caribbean area. However, there is no evidence that the Soviet Union has supplied Cuba with missiles, or that missile bases are under construction in Cuba.

The Soviet Union at first moved cautiously in responding to Cuban requests for military assistance. Once underway, however, the Cuban buildup proceeded swiftly. Bloc support has aided the Castro regime in consolidating its control over the Cuban people. For the past several months the bloc's mili-

tary aid program in Cuba has been concerned primarily with training, assimilating new equipment, and remodeling the Cuban military establishment along bloc organizational lines.

BACKGROUND

Preliminary attempts to procure Soviet bloc arms were initiated by the Cuban Government as early as 1959, but no firm military aid pacts were concluded until the summer of 1960. During 1959 and early 1960, Cuban purchasing missions traveled frequently to the bloc to investigate new sources of supply. Discussions reportedly covered a whole range of equipment from small arms to modern jet aircraft. Mikoyan's visit to Cuba in February 1960 signaled the beginning of a massive bloc trade and aid program which gained momentum throughout 1960 as United States-Cuban relations deteriorated.

Military negotiations with the U.S.S.R. and Czechoslovakia in 1960 were followed up by a well-publicized trip to Prague and Moscow by Raul Castro, which probably was the occasion for the conclusion of secret arms deals. By August, Czech small arms were being issued by some Cuban militia units, and in the autumn the first major shipments of Communist arms began arriving in Cuba.

SCOPE OF BLOC MILITARY AID

From the autumn of 1960 until the late summer of 1961, bloc arms deliveries were made regularly to Cuban ports. No financial information on the bloc's arms deals with Cuba has been disclosed, but it is estimated that on the order of \$100 million worth of equipment and technical services has been provided. Moreover, several hundred Cuban military personnel have received training, including pilot training, in the bloc.

On January 5, 1962, during a military parade celebrating the third anniversary of takeover by the present regime, Cuba unveiled an array of military hardware indicative of deliveries up to that time. Units equipped with medium and heavy tanks, assault guns, truck-mounted rocket launchers, artillery, antiaircraft weapons, and mortars, as well as rifles and machineguns, were featured prominently. A flyby of Mig jet fighters, including some high-performance Mig-19's, was one of the highlights of the air display.

In the latter part of 1961 the focus of the bloc's military aid to Cuba was on assimilation of new equipment, intensive training, and completion of the reorganization of Cuba's military establishment. Recently, however, military shipments to Cuba have resumed and for the first time have included small naval vessels.

The capabilities of the Cuban ground forces have increased steadily since the introduction of bloc equipment and training in the autumn of 1960. The ground forces are estimated to number some 300,000. All units are equipped with bloc small arms and many have heavier equipment as well. Bloc aid is strongly reflected in Cuba's ground forces organization which resembles that of the East European satellites. Soviet bloc arms aid has given the Cuban ground forces an armored, artillery, antiaircraft, and antitank capability largely lacking in the past and unknown to other Latin American countries of the Caribbean area. Thousands of modern bloc small arms have been delivered. Soviet bloc instructors have been used extensively for training purposes and they serve as full-time advisers to some individual units.

Following the takeover by the present regime, the capabilities of the Cuban Air Force declined sharply as a result of purges and defections of key personnel. One of the major goals of the new regime, however, was to acquire combat jet aircraft, and most of the Cuban military trainees who went to the bloc in the summer of 1960 were air

cadets. Their training has been one of the most important tasks of the bloc's military air program. Cuban pilots have now returned to Cuba where they are continuing instruction on Mig jet fighters which arrived last summer. The bloc has also supplied helicopters, piston-engine trainers, and small, single-engine transports. About a dozen IL-14 twin-engine transports were delivered this autumn for the Cuban civil airline. No Soviet bombers are known to have been delivered to Cuba.

During the first year and a half of the bloc's military aid program, the Cuban Navy did not receive any significant assistance. Since the first of the year, however, a number of Soviet patrol vessels and motor torpedo boats have been supplied.

Mr. President, I shall now summarize the supplies that were sent to Cuba, so far as the State Department knew about them 6 months ago:

Bloc arms and military equipment supplied to Cuba

Type of equipment:	Estimated quantity
Mig jet fighters.....	50-75.
Medium and heavy tanks....	150-250.
Assault guns.....	50-100.
Field artillery.....	500-11,000.
Antiaircraft artillery.....	500-11,000.
Mortars.....	500.
Small arms.....	200,000.
Patrol vessels.....	Some.
Motor torpedo boats.....	Some.

On September 4, 1962, the President briefed congressional leaders on the deteriorating situation in Cuba. After the briefing was concluded, the President indicated his intention of asking Congress for authority to call up 150,000 reserves in case they were needed anywhere in the world.

The President subsequently issued a press statement on September 4, summarizing the military situation in Cuba as follows:

All Americans as well as all of our friends in this hemisphere have been concerned over the recent moves of the Soviet Union to bolster the military power of the Castro regime in Cuba.

Information has reached this Government in the last 4 days from a variety of sources which establishes without doubt that the Soviets have provided the Cuban Government with a number of antiaircraft defensive missiles with a slant range of 25 miles which are similar to early models of our Nike.

Along with these missiles the Soviets are apparently providing the extensive radar and other electronic equipment which is required for their operation.

We can also confirm the presence of several Soviet-made motor torpedo boats carrying ship-to-ship guided missiles having a range of 15 miles.

The number of Soviet military technicians now known to be in Cuba or en route—approximately 3,500—is consistent with assistance in setting up and learning to use this equipment.

As I stated last week, we shall continue to make information available as fast as it is obtained and properly verified.

There is no evidence of any organized combat force in Cuba from any Soviet bloc country; of military bases provided to Russia; of a violation of the 1934 treaty relating to Guantanamo; of the presence of offensive ground-to-ground missiles; or of other significant offensive capability either in Cuban hands or under Soviet direction and guidance.

Were it to be otherwise the gravest issues would arise. The Cuban question must be

considered as a part of the worldwide challenge posed by Communist threats to the peace. It must be dealt with as a part of that larger issue as well as in the context of the special relationships which have long characterized the inter-American system.

It continues to be the policy of the United States that the Castro regime will not be allowed to export its aggressive purposes by force or the threat of force. It will be prevented by whatever means may be necessary from taking action against any part of the Western Hemisphere.

The United States in conjunction with other hemisphere countries will make sure that, while increased Cuban armaments will be a heavy burden to the unhappy people of Cuba themselves, they will be nothing more.

On September 7, 1962, the joint Senate-House Republican leadership prepared and issued two statements on Cuba. One of these statements, made by the minority leader of the House, Mr. HALLECK, summarized the military buildup in Cuba as revealed in the various official pronouncements by our own Government and the President which I have already included in my remarks today. The other statement which was read by me as minority leader of the Senate follows:

From 1823 until 1947 the nations of North and South America were protected by the Monroe Doctrine which declared that the United States would consider the extension of any alien system of government "to any portions of this hemisphere as dangerous to our peace and safety."

In 1947 this doctrine was extended to embrace action by all American nations when the Inter-American Treaty of Reciprocal Assistance was signed at Rio de Janeiro. In 1954 under the Caracas Declaration this multilateral promise of action was specifically applied to communism.

The United States and its sister members of the Organization of American States are now confronted by the existence of a Communist government in Cuba and delivery of Soviet arms and Soviet military technicians to that Communist state by the admission of the Soviet Union itself. These facts constitute a deliberate challenge to the Monroe Doctrine of 1823, the Rio de Janeiro Treaty of 1947 and the Caracas Declaration of 1954.

Several courses of action have already been advanced. In view of our treaty commitments, however, we believe: (1) A course of action should be promptly fixed by the Organization of American States in concert, or (2) as President Kennedy has already stated in his speech to U.S. editors (Apr. 20, 1961), "if the nations of this hemisphere should fail to meet their commitments against outside Communist penetration" then the United States must act on its own.

Obviously the Congress of the United States has responsibility in the matter. In 1955 when Communist China menaced Formosa and the Pescadores the Congress by joint resolution authorized the President of the United States to employ our own Armed Forces as he deemed necessary to protect those Asiatic islands.

We, the members of the Joint Senate-House Republican leadership, believe that the Congress should now adopt a similar authorizing resolution to meet the Cuban problem and we shall invite our Democratic counterparts to join us in its drafting, its introduction and its passage by this Congress before it adjourns. We recommend that the measure be drawn up by the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House

acting in consultation with the appropriate agencies of the executive branch.

This course of action by the Congress will reflect the determination and clear purpose of the American people and will demonstrate to the world the firmness of this Nation in meeting this problem.

Mr. President, I made that statement to a press conference on the 7th of September.

Within an hour and a half, after the statements of the joint Senate-House Republican leadership were issued, the White House announced that the President would ask the Congress to provide authority for the Reserve callup if needed.

Copies of the Republican leadership statements were sent to both the Speaker of the House of Representatives and the Vice President of the United States. We felt it was not only appropriate but imperative that the Congress and the executive branch demonstrate their determination to bring about a solution to the Cuban problem and we of course felt that the Foreign Relations and Foreign Affairs Committees of the Congress were the proper instruments to draft the language of any resolution that might be considered.

As interest in Cuba heightened, both in the Congress and among the public, a number of proposals were prepared with the intention of offering them to the Reserve callup measure when it was recently before the Senate.

To me it seemed desirable that all of these, including a resolution prepared by the majority leader, be sent to committee for further examination rather than to have unconfined debate on the floor of the Senate on a variety of proposals in an effort to express the will of the Senate on this matter.

In pursuance of our deliberations on the matter, I made a unanimous-consent request to that effect and included the Armed Services Committee in the request. The result of the joint deliberations of the Senate Foreign Relations and Armed Services Committees in the last few days is the joint resolution which now is before the Senate.

By reporting it in the form of a joint resolution, it will require the signature of the President, and thus will make this expression reflect the intent and purpose of both the Congress and the White House.

There will be a myriad of interpretations of this joint resolution and its intent. The debate should make clear to Soviet Russia and Soviet Cuba that we mean business and that this is "for keeps."

We are confronted with some hard facts. Moscow owns Cuba. What shall it profit us to restrain communism 12,000 miles from home in the jungles of Vietnam, but give it encouragement through inaction on our very doorstep.

Inaction is as dangerous as action. Inaction is even more dangerous than decision.

The Red regime is in this hemisphere. The Soviet Government statement of September 11, 1962, setting forth that an attack on Cuba "will be the beginning of the unleashing of war * * *

makes clear that the Reds intend to stay in this hemisphere.

Castro as a weak, stupid tool of communism means to expand.

Cuba today is a source of infection which already is spreading in the hemisphere.

Let us make certain by restrained, but firm, words that we, too, mean business, and that if this is showdown time, then let it come.

Mr. President, I give my full blessing to the joint resolution which is before the Senate.

Mr. BUSH. Mr. President—

Mr. DIRKSEN. I yield 5 minutes to the distinguished Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. BUSH. Mr. President, I take this opportunity to congratulate the senior Senator from Georgia [Mr. RUSSELL] and the junior Senator from Alabama [Mr. SPARKMAN] for the statesmanlike handling of the joint meeting of the Armed Services Committee and the Foreign Relations Committee. The fact that after holding a 1-day hearing we could sit down and compose all the legislative differences in several hours shows that we achieved one of the finest legislative feats I have seen during my service in the Senate, under the excellent leadership, tolerance, and wisdom of these two Senators.

I am glad to see the joint resolution before the Senate.

I cannot help wishing that the Senate had acted in 1960, when the Senator from Alabama and I jointly introduced a similar resolution dealing with the Cuban situation and invoking the Monroe Doctrine. That resolution was introduced again by me in January 1961. But nothing has been done until very recently. I believe that if action had been taken 2 years ago, when the danger appeared so clearly, very likely we would not now be in the predicament in which we find ourselves.

Nevertheless, we are in this predicament; and I am happy to support the joint resolution.

Instead of providing "that the United States is determined (b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States," I wish, in a way, that we had stated "that the United States is determined to end in Cuba the existence of such a military capability endangering the security of the United States."

I very much fear that the meaning of the joint resolution is that one day we shall have to take affirmative action to end in Cuba the existence of such a military capability. But I do not offer this suggestion in the form of an amendment. I did not think of it during the joint meeting, when the joint resolution was finally drafted.

But I believe that the joint resolution is so serious, and, as the Senator from Kentucky pointed out earlier today, so meaningful, that it may result in our having to take action to end in Cuba the existence of this dangerous military capability.

Mr. President, I hope the joint resolution will be passed unanimously.

I yield back the remainder of the time which has been granted to me.

Mr. KEATING. Mr. President, will the Senator from Illinois yield 5 minutes to me?

Mr. DIRKSEN. I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. KEATING. Mr. President, I join the Senator from Connecticut [Mr. BUSH] in hoping that the joint resolution will be unanimously passed.

Turning to the specific provisions of the joint resolution, it seems to me the joint resolution is undoubtedly a great improvement over the terms of the resolution originally introduced by the distinguished Senator from Montana. I am not entirely convinced that the pending joint resolution is better than the resolution introduced by the Senator from Connecticut and myself. But at least it is much closer to the sense of our resolution than was the original resolution introduced by the distinguished Senator from Montana.

The pending resolution is 100 percent correct and proper in emphasizing that the United States—not merely the Congress, not merely the President, but the entire country—is determined that communism shall not triumph in the Caribbean.

The President expressed his determination in that regard—and did so very firmly—in April 1961, when he said:

Let the record show that our restraint is not inexhaustible. Should it ever appear that the inter-American doctrine of non-interference merely conceals or excuses a policy of nonaction—if the nations of this hemisphere should fail to meet their commitments against outside Communist penetration—then I want it clearly understood that this Government will not hesitate in meeting its primary obligations which are to the security of our own Nation. * * *

Cuba must not be abandoned to the Communists. And we do not intend to abandon it, either.

Many Senators wish the President would again express the same caliber of determination, and would follow up his vigorous statements with vigorous action.

Many Members of the Senate have made clear their strong feelings in regard to this subject. It has not involved partisan politics. It has involved an expression by many Senators, on both sides of the aisle, who have a very sincere and honorable conviction that, in the long run, inaction is far more dangerous and far more provocative.

Finally, the people of the United States have made clear their feelings, by means of a flood of letters written, I am sure, to all Senators. Those letters have come from all over the country.

Speaking from my own experience, whenever I leave Washington I find only one issue being discussed among the people. Only one question is in their minds and disturbing them. That issue is Cuba. The entire country is aroused. Mr. President, the language of the joint resolution is accurate in making that point clear.

I am also glad the joint resolution does not attempt to make any distinction between an offensive buildup and a defensive buildup. Unfortunately, it does not imply that there now exists "an externally supported military capability endangering the security of the United States," since it states that the United States is determined to prevent in Cuba the creation or use of such a capability. Many of us believe that that capability has been created already. For that reason I would prefer the language "put an end to" in place of "prevent" on page 2, line 9. The security of the United States is endangered not because I anticipate that Castro is going to invade Miami in PT boats, but because the presence of such a substantial military capability severely hampers our freedom of action in the Caribbean and elsewhere. However, I would not want to offer an amendment to disturb the unanimous action which has been taken.

The real question before the Congress today is not the exact words used in the joint resolution, but the purpose of it, the value of it. Let me say, clearly and unequivocally, this resolution is worthless—it is more than worthless; it is positively harmful—if it is not followed up by a decisive policy on the part of the United States. If the Congress passes the joint resolution and then the United States looks the other way while Castro builds up his forces and increases the Communist threat in the Caribbean, we might as well invite the Communists into this hemisphere, for that will be the result.

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

Mr. KEATING. Will the Senator yield me 3 more minutes?

Mr. DIRKSEN. I yield 3 minutes to the Senator from New York.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly, with the consent of the Senator from Illinois, so that I may ask for the yeas and nays?

Mr. KEATING. I yield.

Mr. MANSFIELD. I ask for the yeas and nays on the joint resolution.

The yeas and nays were ordered.

Mr. KEATING. Let me emphasize my own conviction, which is strongly reinforced by a study of Soviet tactics over the past decade, that we will be bringing war closer, we will be making a nuclear holocaust more, not less, likely if we look the other way and turn the other cheek. It has been said that we cannot afford to act vigorously in Cuba for fear the Russians will take some counteraction in Berlin. I see the situation in a different perspective. In my judgment—and this is confirmed by men for whom I have the greatest respect—we cannot afford not to act vigorously in Cuba because if we do not act vigorously in Cuba, the danger of Russian pressure and aggressive action in Berlin is increased, not diminished. Throughout the world, the Russians are testing us, probing us. Where we say "No" and then back it up, they retreat. Look at what happened in Greece at the end of the war. Look at Iran; look at Quemoy and Matsu; look at the results of the Berlin blockade; look at our most

recent success in keeping armored cars out of West Berlin.

Yet, Mr. President, when we say nothing and look the other way, the Russians always advance. That was the problem in Korea—they did not know that we intended to fight. Look at Laos. And look also at Cuba.

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

Mr. DIRKSEN. I yield 2 more minutes to the Senator from New York.

Mr. KEATING. Remember, too, what happened before the outbreak of the Second World War. Had Hitler been stopped decisively when he marched into the Rhineland, into Austria, or even when he went into Czechoslovakia, the Second World War would probably never have occurred. Khrushchev cannot know where we will draw the line any more than Hitler knew where Britain or France would. He cannot know unless we tell him and show him that we mean business—not only in Cuba, not only in Berlin, not only in South Vietnam, but everywhere freedom is endangered. Chamberlain was the British Prime Minister then. He had access to all kinds of information. Churchill was not Prime Minister. He knew very little more than what he read in the newspaper. Yet Churchill was right and Chamberlain wrong. Information is no substitute for judgment. We cannot slough off our own responsibilities with regard to Cuban policy by insisting that only the President knows enough to make a decision.

Let me make this point once again and let me emphasize it: if we do not act decisively in Cuba, we will face more—not less—trouble in Berlin and elsewhere in the world.

Inaction is more provocative than action because it leads the Communists on; it tempts the Communists to test us further. We move closer to the nuclear holocaust we all dread when we fail to draw the line. There will be more trouble in Berlin and in Asia and elsewhere if we accept the status quo of Cuba than if we reject it. Inaction can lead only to a further deterioration of U.S. prestige in Latin America and also in Europe, Asia, and Africa. If Communist entrenchment in Cuba is accepted as something that the United States cannot cope with—something we cannot combat—we will gradually suffer a breakdown of influence in the inter-American system, in Europe, in the United Nations, and throughout the world. For the short run, inaction is easy. In the long run, inaction and acceptance of the status quo in Cuba will amount to the greatest defeat this country has suffered since China was lost to the free world.

Mr. President, for these reasons, I urge the Senate to give its resounding support to this resolution, and I urge the President to interpret it in this light and to use his full powers as Executive to enforce it. We will then present a united front, not only partywise, but as Americans, a united front of the legislative and executive branches to face up to the problem with which we are confronted. That is the way to deal with the problem.

I ask unanimous consent to have printed in the RECORD at this point the statement I made before the two committees sitting jointly.

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

STATEMENT OF SENATOR KENNETH B. KEATING BEFORE FOREIGN RELATIONS AND ARMED SERVICES COMMITTEES JOINTLY WITH REGARD TO U.S. POLICY TOWARD CUBA SEPTEMBER 17, 1962

Distinguished members of the Foreign Relations and Armed Services Committees, I appreciate the opportunity to testify before you on the subject of U.S. policy toward Cuba. In particular, I appreciate the courtesy of the committee chairmen in allowing me to testify at this point since it would not be possible for me to appear later. And I want also to commend the committees for the responsible manner in which they have initiated these hearings on all of the resolutions submitted with regard to U.S. policy toward Cuba.

I turn specifically to these resolutions. Some undoubtedly seek to give the President additional power. Whether or not that is desirable will be one of the considerations before you. The resolution introduced by the senior Senator from Connecticut and myself, however, does not anywhere refer to the President of the United States, but instead expresses the sense of the Congress in this matter. It is not like the resolution of the Senator from Montana which specifically declares that "the President of the United States is supported in his determination and possesses all necessary authority" to undertake certain specific measures. I respectfully submit that it might be more appropriate for the Senate to limit itself to an expression of the sense of the Congress and not to attempt to read the mind of the President. I also believe it is desirable to refer very strongly in the text of the resolution to the present infringement on the rights of the Cuban people to national independence and self-determination, an infringement which is the direct result of the alien, imperialistic military and political base which the Soviet Union and Castro have created on the island of Cuba. The resolution introduced by Senator BUSH and myself makes this reference very decisively.

There is one other aspect of the resolution of the Senator from Montana, which reflects an earlier statement by the President, which may be questionable. It is said—and repeatedly emphasized—that the present buildup in Cuba is a defensive one and that only if such a buildup becomes offensive will we take action. In my judgment, this distinction between an offensive and defensive military buildup is dangerous and unrealistic. First, who is to judge whether a gun, a tank, or torpedo boat, a military plane, is intended for offensive or defensive purposes?

Second, with regard to missiles, it is my understanding that a missile launching facility for short range ground-to-air missiles may be transformed in a very short time into a facility for intermediate range ground-to-ground missiles.

Third, as Hanson Baldwin, a responsible and by no means alarmist expert on military policy, has clearly pointed out, the present buildup in Cuba, when finally completed will provide a strong base for any future offensive actions. At what point can we determine that this steadily progressing buildup has passed the point of defensive capability and acquired an offensive value?

Fourth, it is apparent from the whole history of Communist expansion that infiltration and subversion are used as effectively as overt aggression to overcome free governments. We cannot possibly protect the security of the Western Hemisphere if we limit our response to cases of obvious aggression.

Our hesitancy in dealing with Cuba, in my judgment, already has served to weaken the resolve of many Western Hemisphere leaders to combat Castroism in their own lands. Certainly, we must not wait for open aggression before taking further steps against this regime.

I do not intend to occupy the time of these committees in criticism of some of the statements that have been made to date by various representatives of the U.S. Government. I would rather use this opportunity to recommend a constructive course of action which can be taken by the United States without undertaking a military invasion of Cuba. Let me make it very clear, I certainly do not, under present circumstances, advocate a U.S. invasion of Cuba. But there are a number of steps which I believe are imperative. First and foremost I have recommended a formal meeting of the members of the Organization of American States. I was delighted to learn on September 5 that Secretary of State Dean Rusk did hold an informal meeting with the ambassadors of the Latin American nations and at that time proposed an informal meeting to be held at a later time. Every attempt should be made at such a meeting to agree on a number of common measures to isolate the Cuban dictator from the rest of the hemisphere.

Secondly, and also on the agenda, should be an honest and objective evaluation of the Monroe Doctrine. The Monroe Doctrine must not be allowed to die. In my judgment, it is difficult to improve on the wisdom, the commonsense, of the words of President Monroe when he said on December 2, 1823:

"It is impossible that the Allied Powers (meaning certain European powers) should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord."

President Monroe's words apply to the present case. He recognized that quite possibly a form of government might be forced upon a state in the Western Hemisphere by reason of the superior power of one of the European nations. He did not leave it to the tool of the alien power—in this case Castro—to decide whether this condition should be allowed. The Cuban people never would have adopted the Communist tyranny under which they are now ruled if they were not deceived in the same way many Americans were deceived by the nature and character of castroism.

It would be very useful for the OAS to express its recognition of the tyranny under which the Cuban people now suffer and its determination to take whatever steps are necessary to liberate the Cuban people from Communist control. It would be most effective if the OAS declared Castro an outlaw regime and recognized a Cuban government-in-exile which met certain conditions as the true representative of the Cuban people.

Up until now the OAS has deliberately dodged such issues, but they cannot be dodged forever. If the OAS refuses to meet this situation honestly and fearlessly, the United States will have no alternative but to take whatever unilateral action is necessary in our national interest. A consensus for action is most desirable, but we can never join in a consensus for inaction.

Thirdly, the United States should call for an immediate meeting of NATO ministers in which the United States should mince no words. It is absolutely ridiculous and must be unacceptable to the United States that NATO and other free world nations supply shipping to the Soviet Union to create a military base in Cuba. It is intolerable that at a time when American Reservists are put on the alert to defend West Berlin that West

German ships should be chartered to the Soviet Union for the transport of strategic equipment to any Communist country in this hemisphere. It is intolerable for the Canadian Government to permit the flight of Soviet planes over Canada in order to supply additional equipment to Cuba. It is intolerable that in addition the Canadian Government should supply pilot observers or guides for the flight of light bombers to be added to the Cuban air force, or transport planes. It is intolerable that the Government of Greece which was rescued from Communist guerrilla warfare and aided by the Marshall plan should provide both shipping and refueling facilities for Russian cargo vessels on the way to Cuba. It is, in fact, intolerable for any NATO nation to permit the use of vessels flying its flag to transfer Russian equipment with a direct or indirect military potential to the Cuban Government.

The present tendency of the NATO governments to carry on trading and in particular ship chartering activities to the Soviet Union in its efforts to supply Cuba may be the result of the inability of the United States to work for a more effective policy of export controls within the NATO community. Our Government never appears to have recognized this as a matter of urgency. In the programing and administration of our aid program we will have to take into consideration this new element—the use of shipping of NATO nations for Soviet purposes.

The goal for which we should be striving in our foreign policy and in these resolutions is the complete isolation of Cuba, the quarantine of the Castro government from political influence and economic impact in Latin America and throughout the world, not only because the interest of the United States is involved, but also because the Cuban people are themselves being deprived of the right of self-determination and self-government.

Now, if I may digress very briefly, it is my conviction that the people of the United States have the right to know the facts about Cuba. I do not believe that the responsible members of these committees would characterize as "jingoism," "warmongering," "alarmism," or "rashness" critical discussion of the situation which exists in the first Western Hemisphere country to fall under the control of international communism.

I have confidence in the President of the United States and am encouraged by his most recent expressions on this subject. But that is no reason for foreclosing discussion of the course of events in Cuba. I reject completely the suggestion which has been made by some that the only role the Senate can play in shaping our foreign relations is to express our faith in the President of the United States. Bipartisanship is essential in our foreign affairs, but bipartisanship is premised on an opportunity to discuss and consider alternatives before the decision is made. And this kind of discussion is impossible unless a maximum amount of information is made available to the American people. Concealment of the facts and the encouragement of a blind and uninformed confidence in policies which may be misguided even though well intentioned are not in the best interests and traditions of our Republic.

The framers of the Constitution certainly intended that the Senate should do more than merely consider and perhaps change a word or two in resolutions which the President might send up to Capitol Hill.

Of course, some of the activities undertaken by the United States may not for security reasons be publicly discussed. But this is no justification for not fully disclosing the activities of the Soviets in Cuba, the number of troops or technicians, the types of equipment, the number of missile bases, the length of time required to con-

vert what are now called defensive missile installations into offensive ones, and similar information. The Soviets obviously have this information and there is no reason to keep it from the American public. I hope that questions along these lines will be considered during the testimony of Secretary of State Rusk and Secretary of Defense McNamara. The American people are entitled to know the facts. Only when the full facts are not known is it possible to "play on the fears, the biases, the prejudices, and the emotions of the American people" instead of dealing constructively and reasonably with the issues.

In my judgment, therefore, we are not doing a service to the United States or to the principles of representative government which we all cherish if we tell the American people, "You do not need to know the facts. All you need to do is trust the President." No President is omniscient. The very strength of the democratic process is that out of widespread discussion comes intelligent criticism and useful guidance.

This point is made very well in the recent book, "The Cuban Invasion," by Tad Szulc and Karl E. Meyer. This book discusses the reasons for the failure of that effort and in particular points to the lack of factual newspaper reporting and informed discussion as one of the reasons why the planning defects of the venture were not recognized.

"If there is any utility in freedom of the press, it is precisely that the press can act as an independent corrective on the blunders of Government. With the best and most patriotic intentions, a great many newspapermen and some administration officials failed to rely on the very principles of freedom for which the Cuban invaders were ready to die. The Government embarrassed itself by sponsoring a venture that sought to put a free press in the position of conveying flimsy lies that might more appropriately appear in *Pravda* or *Revolucion*."

In my judgment, full information and public discussion are the right—no, even more, the responsibility—of the American people, and in my judgment those who have tried to prevent or discredit all such discussions are doing a great disservice to the American people and the Congress.

Mr. SPARKMAN. Mr. President, I yield such time as he may desire to the Senator from Ohio [Mr. YOUNG].

Mr. YOUNG of Ohio. Mr. President, when we think of the Monroe Doctrine today, too often we think chiefly in terms of what Castro is doing and has been doing. The Monroe Doctrine was directed against European countries which might attempt to assert dominion in this hemisphere. Curiously enough, it was czarist Russia's attempt to exclude all shipping but its own from the Pacific Northwest that first prompted consideration of the Monroe Doctrine. I think we have to recognize that it is the intervention of the Soviet Union in this hemisphere, rather than anything that Cuba can do, which is the threat to the security of this hemisphere.

We may do great harm in our Latin-American relations if we first proceed unilaterally. The situation in connection with many Latin American republics is very delicate.

We are a signatory to the Rio Pact. We are a signatory to the Act of Punta del Este. We are a signatory to the Act of Bogotá. We are a signatory to other treaties signed since 1823 with Latin American republics which put a different perspective upon the Monroe Doctrine of 1823.

The essence of the Monroe Doctrine, as far as the U.S. commitment is concerned has been to stand ready and willing to protect Latin America and any other part of this hemisphere from being overrun by any foreign power. This is still binding upon us. However, it is not the same Monroe Doctrine as that of 1823; and our historians have been reporting that fact to us for some decades. They are correct.

The situation in Berlin carries a grave portent to the peace of the world. Tension there has been growing. Nevertheless, we read and hear more of Castro and Castroism and of Khrushchev moving Soviet technicians, so-called, and shipload after shipload of artillery, armaments, and military equipment, into Cuba. We are further incensed over the fact that the shipping of friendly nations, in fact allies, is being utilized by the Soviet Union and Castro for this military buildup in Cuba.

The Congress of the United States has spoken out in this joint resolution. Our position is a strong and determined one, and there is no reason why it should not be understood the world over, regardless of the mouthings of Khrushchev. The fact is that we Americans have always enforced the Monroe Doctrine since the year it was enunciated.

Venezuela was also afflicted with a tyrant by the name of Castro some 60 years ago. He was a ruthless dictator who by force had usurped rule over the Venezuelans, and then continued that rule by force, violence, and corruption. He was, in fact, a cruel and bloody dictator. In 1902 he spread his operations by cheating European powers, and repudiating indebtedness he had incurred. Warships of Great Britain, Germany, and Italy combined in a naval blockade against Venezuela, attempting to collect the debts by force. American citizens felt outraged. Our then President Theodore Roosevelt, spoke softly and wielded a big stick. He termed that Venezuelan Castro as an "unspeakable villainous little monkey," but he forced the European powers to withdraw. In the Bible in Ecclesiastics it is written, "There is no new thing under the sun." History has a way of repeating itself.

It seems the vogue for people to say we are doing nothing about Castro. The truth is this Nation is doing everything against him that can be done short of waging a shooting war. We have adopted an embargo. We are keeping Cuba under constant surveillance. No freighter from the Soviet Union or any other nation carrying and unloading armaments to Castro's Cuba has escaped our watchfulness.

Americans may depend upon it that our officials have accurate information on the aircraft, tanks, torpedo boats, and artillery shipped from the Soviet Union to Cuba or en route there, or in Soviet ports awaiting shipment. Frankly, we may not know all missile sites in the vast expanse of the Soviet Union, but in the little island of Cuba we know the forces in operation, their military emplacements, and the buildup of any bases—missile or otherwise.

People seem to overlook the fact that we have a firm and in fact well-nigh

impregnable base in Cuba. I refer to our Guantanamo naval base. Our Armed Forces contain the finest fighting men in the entire world and they are armed with the most modern equipment. In addition, our air and naval power in the Caribbean is superb. Then, in nearby Puerto Rico and in the Canal Zone we have air, naval, and ground forces.

This Nation will enforce the Monroe Doctrine against aggression from the Soviet Union or any European or Asiatic nation. Furthermore, it would be better to do that in conjunction with the Organization of American States than on our own. We have the force and power to send Castro fleeing in a matter of hours. However, were we to take this action without previous consultation with the heads of state of Latin American republics, such as Mexico, Brazil, Chile, Venezuela, and others, we would alienate friendships in Central and South America. Furthermore, Khrushchev and others would be able to argue that we are "Yankee imperialists" and aggressors.

Whatever we do in military, naval, and air action against Castro and his forces should be done in cooperation with the Organization of American States.

Americans would do well to remember our President's statement at his recent press conference:

If at any time the Communist buildup in Cuba were to endanger or interfere with our security in any way, including our base at Guantanamo, our passage to the Panama Canal, our missile and space activities at Cape Canaveral, or the lives of American citizens in this country, or if Cuba should ever attempt to export its aggressive purposes by force, or the threat of force, against any nation in this hemisphere, or become an offensive military base of significant capacity for the Soviet Union, then this country will do whatever must be done to protect its own security and that of its allies.

Our President throughout his Administration, from the inaugural continuing through his forceful conference with Khrushchev at Vienna, to this good hour, has been firm, determined, and implacable in dealing with Communist aggression in Berlin and with Castroism, its manifestation in Cuba. The continuing Berlin crisis is probably fraught with greater danger to the peace of the world than is the Soviet buildup in Cuba. The latter may be attributed in large part to the fact that Castro is in trouble—deep trouble—with his own people. Congress, in the adoption of Senate Joint Resolution 230, demonstrates that the American people are solidly behind the determined and no-appeasement policies of President Kennedy. He is the Commander in Chief of our Armed Forces and he has the entire support of the American people.

Mr. DIRKSEN. Mr. President, I yield to the Senator from Ohio [Mr. LAUSCHE] such time as he may require.

Mr. LAUSCHE. Mr. President, I shall vote for the joint resolution. I do not, however, in so voting, take the position that we shall be inactive in Cuba until such time as one of the two conditions set forth in subparagraphs (a) and (b) are violated. I do not bind myself, by

my vote, to the proposition that we shall intervene (a) only when it appears that, by force or the threat of force, our security is endangered; or (b) only when it is necessary to prevent Cuba from creating within that country an externally supported military capability. My position is that there may be conditions separate from the ones set forth in these two situations that will require our action.

The Senate has manifested, by the joint resolution now before it, that the time has come when, if there is a further trespassing on our rights, the Senate and the House will give firm support to whatever firm action the President takes.

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

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. All time on the joint resolution has been yielded back. The absence of a quorum is suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

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

The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 230) was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Tennessee [Mr. GORE] are absent on official business.

I further announce that the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from Missouri [Mr. LONG] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from Missouri [Mr. LONG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from South Dakota [Mr. BOTTUM], the Senator from Indiana [Mr. CAPEHART], the Senator from Nebraska [Mr. HRUSKA], the Senator from Kentucky [Mr. MORTON] and the Senator from New Hampshire [Mr. MURPHY] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from South Dakota [Mr. BOTTUM], the Senator from Indiana [Mr. CAPEHART], the Senator from Nebraska [Mr. HRUSKA], the Senator from Kentucky [Mr. MORTON], and the Senator from New Hampshire [Mr. MURPHY] would each vote "yea."

The result was announced—yeas 86, nays 1, as follows:

[No. 271 Leg.]

YEAS—86

Allott	Hart	Moss
Anderson	Hartke	Mundt
Bartlett	Hayden	Muskie
Beall	Hickenlooper	Neuberger
Bennett	Hill	Pastore
Bible	Holland	Pearson
Boggs	Humphrey	Pell
Burdick	Jackson	Proxmire
Bush	Javits	Randolph
Butler	Johnston	Robertson
Byrd, Va.	Jordan, N.C.	Russell
Byrd, W. Va.	Jordan, Idaho	Saltonstall
Carlson	Keating	Scott
Carroll	Kefauver	Smathers
Case	Kerr	Smith, Mass.
Chavez	Kuchel	Smith, Maine
Church	Lausche	Sparkman
Cooper	Long, Hawaii	Stennis
Cotton	Long, La.	Symington
Curtis	Magnuson	Talmadge
Dirksen	Mansfield	Thurmond
Dodd	McCarthy	Tower
Douglas	McClellan	Wiley
Eastland	McGee	Williams, N.J.
Ellender	McNamara	Williams, Del.
Engle	Metcalf	Yarborough
Ervin	Miller	Young, N. Dak.
Fong	Monroney	Young, Ohio
Goldwater	Morse	

NAYS—1

Prouty

NOT VOTING—13

Aiken	Fulbright	Long, Mo.
Bottum	Gore	Morton
Cannon	Gruening	Murphy
Capehart	Hickey	
Clark	Hruska	

So the joint resolution (S.J. Res. 230) was passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States is determined—

(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

The preamble was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

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

The motion was agreed to.

Mr. JAVITS subsequently said: Mr. President, I wish to address myself to the joint resolution on Cuba which just passed, and which I had the honor to support with my vote. I arrived from my party's State convention in New York just in time to participate in the vote.

Mr. President, I desire to state that I went to considerable pains to reach the Chamber in time to vote—not that I had any doubt whatever that the joint resolution would receive overwhelming support, but in order to demonstrate my solidarity with the rest of the Members of the Senate in regard to our position about Cuba.

To demonstrate my concern about this matter, I wish to make these few remarks. I do not believe the point is that Cuba can be so crammed with arms so soon as to seriously threaten our country; I do not believe that is what we are considering. But, I believe that the present demonstrations of Russian initiative in Cuba might have the result of influencing people in other countries in the Americas, in terms of their opinion of the strength of the Soviet Union, as against our strength. So it is necessary to demonstrate not only our leadership and our determination to help bring all our neighbors of the American Republics abreast of present developments, in terms of modern technology and economics and standards of health and education, which we are doing through the Alliance for Progress and otherwise, but also our determination to make clear to the entire hemisphere that it will be secure from Communist aggression.

Mr. President, we must make this very clear, so that no one will get any false ideas or have any doubt as to who will win the struggle for freedom in the Western Hemisphere or will have any tendency to believe that there would be any point in associating, in that connection, with any nation but the United States.

Mr. President, I am not entirely satisfied with the specific terms of the joint resolution. No doubt others could improve on its terms. Nevertheless, it is important that we assert our determination to keep Communist encroachment outside this hemisphere, and also that we express our understanding of the risks involved.

By using the phrase "the use of arms" we point out to our people that we understand that there is a risk. Mr. President, it is essential that our people understand that there is a risk—one which cannot be hidden—by virtue of the size and magnitude and weight of the interests and resources represented by great powers.

By means of this joint resolution we express to the President and to the country as a whole our determination to bring our people abreast of the fact that grave risk is involved, but that it is worth taking, and that it must be taken; and that we close ranks, in terms of the foreign policy of our Nation, and tell the President precisely what we want; and that it is his duty, as President and as Commander in Chief, to see to it that this line of policy—which I am confident has the overwhelming support of the majority of the country—is fully and clearly implemented now.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the

House had agreed 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. 12391) to improve and protect farm income, to reduce costs of farm programs to the Federal Government, to reduce the Federal Government's excessive stocks of agricultural commodities, to maintain reasonable and stable prices of agricultural commodities and products to consumers, to provide adequate supplies of agricultural commodities for domestic and foreign needs, to conserve natural resources, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and they were signed by the Vice President:

H.R. 7431. An act to provide for the free entry of certain stained glass for St. Joseph's Cathedral, Hartford, Conn., and for other purposes;

H.R. 7796. An act to amend certain lending limitations on real estate and construction loans applicable to national banks;

H.R. 8520. An act to amend the Soil Conservation and Domestic Allotment Act, as amended, to add a new section 16A to limit financial and technical assistance for drainage of certain wetlands;

H.R. 9280. An act to amend section 2 of the act of July 31, 1947 (61 Stat. 681), and for other purposes;

H.R. 9593. An act to provide for the conveyance of certain phosphate rights to the Dr. P. Phillips Foundation of Orlando, Fla.;

H.R. 9954. An act to amend the act of June 6, 1924, chapter 270 (43 Stat. 463), relating to the National Capital Park and Planning Commission, as amended by the National Capital Planning Act of 1952 (66 Stat. 781; 40 U.S.C. 71);

H.R. 10540. An act to exclude deposits of petrified wood from appropriation under the U.S. mining laws;

H.R. 12577. An act to place authority over the trust powers of national banks in the Comptroller of the Currency;

H.R. 12628. An act to provide additional funds under section 202(a)(4) of the Housing Act of 1959, and to amend title V of the Housing Act of 1949, in order to provide low and moderate cost housing, both urban and rural, for the elderly;

H.R. 12675. An act to provide for the formation of partnerships in the District of Columbia and to make uniform the law with respect thereto;

H.R. 12689. An act to repeal section 557 and to amend section 559 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901;

H.R. 12727. An act to amend the act of February 28, 1901, to insure that policemen and firemen in the District of Columbia will receive medical care for all injuries and diseases;

H.R. 12762. An act to amend the District of Columbia Unemployment Compensation Act, as amended; and

H.R. 12899. An act to amend section 5155 of the Revised Statutes relating to bank branches which may be retained upon conversion or consolidation or merger.

INCREASE OF JURISDICTION OF MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA

Mr. ROBERTSON. Mr. President, on August 9, 1962, H.R. 12708, to increase

the jurisdiction of the municipal court of the District of Columbia in civil actions, to change the names of the court, and for other purposes, was passed without amendment by the Senate.

Because of other duties, I was not present in the Senate Chamber at that time. When I was later informed that the bill had been passed, I entered a motion to reconsider the vote on its passage with a view of studying the extra-territorial subpoena power provision that is contained in the bill. I have now satisfied myself that territorial subpoena power of 25 miles distance from the court would appear to be adequate for the purposes of the court rather than the 100-mile distance that is now contained in the bill. I am also advised that the various proponents of this measure are satisfied with this 25-mile subpoena distance. I further understand that if my motion to reconsider is agreed to that an amendment will be submitted so as to amend the subpoena distance to 25 miles.

Mr. President, I ask unanimous consent that the motion entered by me on August 9 last to reconsider the vote on the passage of the bill be agreed to, and that the action of the Senate ordering its third reading be rescinded.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BIBLE. Mr. President, I have sent to the desk an amendment to correct the situation referred to by the distinguished junior Senator from Virginia. I call up the amendment.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 4, line 23, strike out "one hundred" and insert in lieu thereof "twenty-five".

On page 5, line 1, immediately after "as", insert the following: "otherwise".

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TEMPORARY INCREASE IN MAXIMUM CONSTRUCTION DIFFERENTIAL SUBSIDY UNDER MERCHANT MARINE ACT, 1936

The Senate resumed the consideration of the bill (S. 2800) to amend the Merchant Marine Act, 1936, in order to make permanent a temporary increase in the maximum construction differential subsidy that may be paid under such act and to provide that such maximum shall not apply with respect to reconstructing or reconditioning of ships.

Mr. KUCHEL. Mr. President, I call up an amendment, offered on behalf of myself and my colleague from California.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, to add a new subsection, as follows:

Provided, however, That the repeal of subsection (d) of Section 502 of the Merchant Marine Act, 1936 shall not be effective with respect to contracts for new ship construction under Title V of said Act awarded on the basis of bids opened prior to the date of the enactment of this Act.

Mr. KUCHEL. Mr. President, I have discussed the amendment with my colleague from California and the Senator from Washington [Mr. MAGNUSON].

The PRESIDING OFFICER. Under the unanimous consent agreement, no debate is in order.

Mr. KUCHEL. I ask unanimous consent that I may proceed for 2 minutes.

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

Mr. KUCHEL. I have also discussed the amendment with the Senator from Delaware [Mr. WILLIAMS], and the Senator from Virginia [Mr. BYRD], all of whom interpose no objection to the amendment.

Today, contracts for ship construction with respect to new vessels have not been awarded, but the bids actually have been opened. The language of the proposed amendment would provide that the Williams amendment would not apply retroactively in that situation.

Mr. ENGLE. Mr. President, I fully agree in the statement made by my senior colleague. The purpose of the amendment is to clarify the situation. It makes plain that the action taken today is not retroactive. I do not believe it was the intention of my friend from Delaware to make it retroactive. However, the matter could be subject to legal dispute. In order to clarify the RECORD, the amendment is offered, so as to make it plain that we do not intend to make the action taken today, repealing the 6 percent differential, retroactive to situations in which the bids have been opened but the contracts have not actually been made, of which there is only one.

Mr. WILLIAMS of Delaware. I am agreeable to the amendment. As I understand it, these bids have already been solicited and have been opened, and the bidders naturally submitted their bids under the law as they understood it, and they had, naturally, no knowledge of the action that would be taken today. It is only fair that they be excepted from any provision which would be applicable as a result of the adoption of the amendment today. It is my understanding that this applies to these two cases only, and only to those upon which bids not only have been solicited but also have been received and opened.

Mr. KUCHEL. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the Senate agreed to the amendment.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. It is my understanding that a number of amendments will be offered to the pending bill, and that the discussion of the amendments will take a considerable length of time. Therefore, after having consulted with certain Members of the Senate, it is my intention to ask unanimous consent that we lay the bill aside temporarily over the weekend, and bring it up again early next week. I hope there will be no objection to that procedure, although I believe some Senators may want to comment on it.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. WILLIAMS of Delaware. It is my understanding that if the bill is carried over until next week it will be made the order of business before we begin the consideration of any of the other maritime bills.

Mr. HUMPHREY. Yes; it will be the first maritime bill to be considered.

Mr. WILLIAMS of Delaware. The first maritime bill to be considered.

Mr. HUMPHREY. Yes.

Mr. LAUSCHE. I submit an amendment and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. BARTLETT. Mr. President, I submit an amendment to the pending bill and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and lie on the table.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the pending measure, the maritime bill, be laid aside until next week, to be called up at the earliest appropriate moment.

The PRESIDING OFFICER. Is there objection?

Mr. HUMPHREY. I may say that the other maritime bills will also be called up once we have taken action on the pending bill.

Mr. LAUSCHE. Mr. President, reserving the right to object, I wish to explain briefly my amendment. The bill contemplates the extension of the 55-percent limitation on subsidies for 3 years. The Department of Commerce recommended that it be extended for only 1 year. Therefore, my amendment provides that instead of the extension being made for 3 years, it will be for only 1 year, as recommended by the Department of Commerce.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Minnesota?

Mr. BARTLETT. Mr. President, my amendment would prohibit officials or employees of the U.S. Government from taking free or reduced rate transportation on foreign-flag vessels.

In the 86th Congress, the Senator from Delaware [Mr. WILLIAMS] offered an amendment which later became law.

The Senator's amendment prohibited American-flag vessels from offering free or reduced rate transportation to officials or employees of the U.S. Government. The amendment I offer today would be a simple extension of that earlier provision which is contained in Public Law 86-607.

It has been reported that several foreign-flag steamship companies are offering attractive arrangements to Government officials and employees for passenger and cruise travel. This would, if true, place the American-flag companies at a disadvantage since they are prohibited from making such offers. It is not my position that any favors are granted because of these inducements. However, I want to echo what Senator WILLIAMS said in his earlier amendment to the effect that Government employees and officials must, like Caesar's wife, be above suspicion.

The earlier Williams amendment was passed by the Senate by 88 to 0; in other words, unanimously. The Senate conferees then were able to have the House recede from its disagreement and thereby clear the Williams amendment for final passage.

My amendment would strengthen and broaden the Williams amendment of 1960 which prohibits Government employees from traveling at free or reduced rates on U.S.-flag ships. It simply extends that prohibition to foreign ships as well.

Mr. HUMPHREY. Mr. President, I renew my request that we may lay aside the pending bill until the appropriate time next week, at which time we will act upon this measure before other maritime bills are taken up.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

QUINCY COLUMBIA BASIN IRRIGATION DISTRICT

The Senate resumed the consideration of the bill (H.R. 11164) to approve an amendatory repayment contract negotiated with the Quincy Columbia Basin Irrigation District, authorize similar contracts with any of the Columbia Basin irrigation districts, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Minnesota yield me 1 minute?

Mr. HUMPHREY. I believe the Senator from Washington has a privileged matter that he would like to bring up.

AIRCRAFT LOAN GUARANTEES

The PRESIDING OFFICER (Mr. PELL in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 10129) to amend the act of September 7, 1957, relating to aircraft loan guarantees, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BARTLETT. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. PELL in the chair) appointed Mr. MONRONEY, Mr. SMATHERS, Mr. THURMOND, Mr. COTTON, and Mr. SCOTT conferees on the part of the Senate.

QUINCY COLUMBIA BASIN IRRIGATION DISTRICT

The Senate resumed the consideration of the bill (H.R. 11164) to approve an amendatory repayment contract negotiated with the Quincy Columbia Basin Irrigation District, authorize similar contracts with any of the Columbia Basin irrigation districts, and for other purposes.

Mr. MILLER. Mr. President, I call up my amendment which is at the desk. I ask unanimous consent that the reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

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

The amendment is as follows:

SEC. 8. For a period of ten years from the date of enactment of this Act, no water shall be delivered to any water user for the production of newly irrigated lands in the Columbia Basin project, of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security. This limitation shall not apply to lands within irrigation blocks for which the initial availability of project water has heretofore been announced in writing by the Secretary of the Interior for publication in the Federal Register.

Mr. MILLER. Mr. President, while a considerable number of Senators are in the Chamber, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator from Iowa yield himself?

Mr. MILLER. I yield myself 20 minutes.

My amendment uses the same language that has been placed in numerous irrigation and reclamation bills in the past several years. The amendment is designed to prevent the frustration of the policy of Congress and of a Cabinet officer; namely, the Secretary of Agriculture, that policy being to reduce the surpluses of certain crops.

I do not need to point out that it is highly inconsistent for Congress to appropriate the taxpayers' money to bring more acres into production, if on those acres will be produced crops which are already in surplus, and for which the taxpayers are paying money which is being appropriated by Congress for price

supports and for storage. This type of inconsistent policy is undesirable, and has been so recognized by the use of specific language, which I shall presently read, in many reclamation and irrigation projects.

My amendment provides:

SEC. 8. For a period of ten years from the date of enactment of this Act, no water shall be delivered to any water user for the production of newly irrigated lands in the Columbia Basin project, of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security. This limitation shall not apply to lands within irrigation blocks for which the initial availability of project water has heretofore been announced in writing by the Secretary of the Interior for publication in the Federal Register.

Back in the days when the Columbia Basin Irrigation District was authorized and when appropriations were first made, there was not a surplus of crops. Surpluses were unheard of. I do not believe there was any problem of surpluses. There may have been some storage costs, but surpluses as a problem did not exist.

Throughout the years, Congress has seen fit to enable this project to grow. But there has been wise restraint on the part of Congress with respect to its appropriations, so that as time went on, we could see that Congress must have been aware that surpluses were increasing and that the situation in the Columbia Basin Irrigation District could cause some frustration of policy and could aggravate the situation.

I recognize that the authorization has long since been on the books, but I wish to make clear that at the time of the making of the authorization, the congressional policy with respect to crop surpluses had not even been thought of.

However, today the situation is entirely different—so different that I believe it warrants the amendment I have offered.

During the rather extensive hearings on this bill, Mr. President, the policy to which I have referred—that of preventing the production on new irrigation projects of crops already in surplus supply—was discussed. The point was made that this policy should be applied universally to all irrigation projects. I do not know of any member of the committee who questioned that. But the trouble is that we do not have before us a bill of universal application. We are told that an attempt will be made to enact such a bill next year. But it seems to me that the time to implement this policy is right now, when our surplus-agricultural-commodity situation is so serious.

At the hearing there was a long colloquy between me and various representatives of the Bureau of Reclamation and the U.S. Department of Agriculture with

respect to the background of this project and the policies of these two Government agencies in regard to the production on reclamation and irrigation projects of crops already in surplus supply.

Mr. President, for purposes of the record, I shall read from the hearings, beginning at page 68. I shall skip a few parts of the hearings which are not particularly applicable to the problem, but I believe these parts of the hearing should be made a matter of record, and will provide a helpful background for our consideration of this amendment. The colloquy which I am about to read from the hearings includes discussions between myself, Mr. G. G. Stamm, Chief of the Division of Irrigation and Land Use, Bureau of Reclamation; Mr. Edward Weinberg, Associate Solicitor for Water and Power, Department of the Interior; and Mr. Carl P. Heisig, Deputy Administrator, Economic Research Service, U.S. Department of Agriculture. The portion to which I wish to refer begins on page 68 of the hearings, as follows:

Senator MILLER. Under the contract ceilings, you can increase the acres, too. What is the present acreage now?

Mr. STAMM. We have facilities completed to serve about 450,000 acres.

Senator MILLER. And you have the facilities. And then how many acres are there now?

Mr. STAMM. About 400,000 acres are irrigated at present.

Senator MILLER. About 400,000. Can you tell me, or do you have the figures there of the breakdown of those acres by type of crops produced?

Senator JACKSON. That is all in the record.

Senator MILLER. That is in the record. Well, that came out.

Senator JACKSON. Go ahead and read it back.

Senator MILLER. I do not want to clutter up the record. Could we suspend the reporter's work so that he could just bring me up to date on that?

(Discussion off the record.)

Mr. STAMM. 36,000 acres of vegetable crops. Senator JACKSON. 36,000 acres of vegetable crops, all right.

Mr. STAMM. And about 32,000 acres of seed crops.

Senator MILLER. What kind of crops?

Mr. STAMM. The principal one there is pea seed. The next most important is alfalfa seed and then clover seed. About a thousand acres of fruits.

Senator MILLER. May I suggest—do not bother going into the smaller ones. Just the top five or six or seven major ones.

Mr. STAMM. Cereal crops, about 79,000 acres. Forage crops, about 109,000 acres.

Senator MILLER. How much?

Mr. STAMM. 109,000.

Senator MILLER. What do you mean by forage crops?

Mr. STAMM. Hay, pasture, silage, things like that. Those are the principal subdivisions.

Senator JACKSON. Sugarbeets?

Mr. STAMM. Sugarbeets comes in a miscellaneous category. There are over 27,000 acres of sugarbeets.

Senator MILLER. What about wheat and corn and barley?

Mr. STAMM. Those are in the cereal crop figure. I gave you 79,000 acres of cereal crops. Within that, wheat is the largest one, nearly 45,000 acres.

Senator MILLER. I see.

Senator JACKSON. May I make another suggestion?

Would you supply, for the record if you do not have it, the number of acres of wheat,

especially on the east side of the project, that was taken out of the project?

Mr. STAMM. A very large part of the best wheat area of the project, the dryland wheat area, was withdrawn from the project in the early days of development. Those lands may eventually come back in.

Senator MILLER. How many acres would that be?

Mr. STAMM. Well, I think in the realm of at least 200,000, maybe 300,000.

Senator MILLER. When you go from the 400,000, which is what you have been breaking down now, up to 450,000, up to 481,000 and then at the rate of 20,000 a year, roughly, in the future, do you have any scheduling of the types of crops that would be brought into production by that?

Mr. STAMM. Well, normally, 30 to 40 percent of the area goes into forage crops initially. The amount that goes into sugarbeets, for example, depends upon what our national sugarbeet quotas are. We would have had a much larger acreage in sugarbeets had the acreage allotment been available. The general agricultural situation and control programs will also have an influence. But I think we can say that the type of production here would be comparable to the usual diversified irrigated farming area.

Senator MILLER. In other words, crop distribution would be about the same as it is on the present 400,000 acres.

Mr. STAMM. Yes, and I think as time goes on it is going to shift to a greater extent to cash crops, row crops, as opportunity becomes available, because the area is well suited to a diversity of crop production.

Then, Mr. President, there was a colloquy relating to sugarbeets.

I resume the colloquy at page 70 of the hearings:

Senator MILLER. Now, to what extent do you follow a similar procedure—

That is, similar to the sugarbeet procedure—

with respect to crops that are in surplus? For example, the feed grains problem, which USDA now has, to what extent do you take guidance on them with respect to bringing in additional acres in your schedule?

Mr. STAMM. Well, if there is any crop that requires an allotment under the agricultural program, and if an acreage allotment is not available, obviously nobody can produce that crop under the Agriculture Department's support program.

Senator MILLER. That is correct. But when you do not have an allotment, which we do not have in the case of feed grains?

Mr. STAMM. Where there is no allotment there is no attempt to dictate to the individual farmer what he can produce on his farm.

Senator MILLER. But have you, in your scheduling, or would you, in your scheduling, of bringing these new acres into production, take your guidance from the USDA in trying to see that their policies of reducing surpluses are not frustrated by your bringing in acres which would go the other way?

Mr. STAMM. We have worked closely with Agriculture and are interested in the surplus problem. The Secretary of Agriculture, Secretary Freeman, has made public statements in recent months which have indicated the relationship of the irrigation program to the total agricultural program. He specifically has endorsed the irrigation and reclamation program in the West in a general way and has also done it specifically in the case of certain projects.

He has made the statement that irrigation development generally does not contribute to the surplus problems that have been plaguing the Nation.

Senator MILLER. He has made such a statement with respect to this specific project?

Mr. STAMM. Not to this specific project, no, sir.

Senator MILLER. Thank you very much.

Let me ask you just one more question. Would you be disposed to take your guidance from the Department of Agriculture regarding the crops that could be grown on these new acres as they are brought in in the future.

Mr. STAMM. We have no authority, in the Department of Interior or in Reclamation, to specify what a man may grow in a reclamation project.

Any control of that type, I think, would more properly be handled under the authorities and obligations of the Department of Agriculture.

Senator MILLER. Well, you are the ones who are negotiating these projects; are you not?

Mr. STAMM. Yes.

Senator MILLER. Could you not, by contract, specify—let us say we go from 400,000 to 450,000. And I am someone who wants to get a block of this land for irrigation purposes. Could you not, in that contract, specify, based upon guidance received from the USDA, that I shall in no event grow any crops that are presently in surplus? Could you not do that?

Mr. WEINBERG. Well, this would require some very complex contractual requirements. You see, we do not contract with the individual farmer under the reclamation law. We contract with the district.

Senator MILLER. Yes.

Mr. WEINBERG. This would have to take the form, then, of our requiring the district to agree in turn not to deliver water for the production of certain crops.

Senator MILLER. Could you not do so?

Mr. WEINBERG. This might be done as a matter of contract. This has not been done, except to the extent that the Congress, in authorizing certain new projects, has imposed a limitation upon the delivery of water for 10 years.

Senator MILLER. Well, suppose the Secretary of Agriculture came to you and said, "I have a serious problem on surplus of forage crops. Additional production of forage crops would aggravate the feed grain surplus that I am now trying to take care of. Therefore, while I cannot tell you to do so, my guidance to you, for what it is worth, would be to negotiate contracts with the district for future acres to provide that until such time as I make a determination that we are not in a surplus situation, these new acres will not produce crops that will aggravate my problem."

Now, could you not take the guidance from the Department of Agriculture, and carry through with that policy in your contracts?

Mr. WEINBERG. If we were requested to do that, if the Congress so instructed, I think a better way to accomplish your objective would be to control future development. In other words, if it were decided either legislatively or policywise between Interior and Agriculture, that because of this surplus that you mentioned in forage crops, we would then be able to postpone the development of these next blocks of land. We could do that entirely between our agencies, because we are not committed to a development program with the water user.

Senator MILLER. You would not need legislation from Congress on that?

Mr. WEINBERG. No, we would not need legislation from Congress to do that.

Senator MILLER. But suppose it might be entirely feasible to bring in more acres for vegetables, possibly for sugarbeets, you would not need legislation from Congress to

take guidance from the USDA on that, would you?

Mr. WEINBERG. That would bring a third party into it. If we were to say then, "We will provide water for this block of land provided the owners of it produce only certain crops," then we would have to bring the third party into it, the irrigation district and the owners, to agree also that water is made available contingent upon these things.

Senator MILLER. Would that not be feasible? I am trying to be practical about this, because I know that Mr. Freeman is deeply concerned with the surplus situation and trying to do something about it. And we have got to have the right hand and the left hand working together on this.

And if the right hand and the USDA is saying, "We have got to cut down surpluses," and the left hand—

Which in this case, Mr. President, is the Bureau of Reclamation—

cannot help further that policy in its contracts with the districts, it would seem to me that you people ought to say, "We will take our guidance from the U.S. Department of Agriculture in this respect." That is what I am trying to elicit from you.

Mr. STAMM. I think this is a matter of high policy that should be resolved by the Congress itself, and certainly we will be governed by anything that the Congress lays down for us to do.

Senator MILLER. I am sure you will be guided by Congress, but I find it difficult to understand why it is necessary for Congress, which has already expressed its concern in the beginning clauses of the current emergency feed grains legislation, about surpluses—why in the face of that, the U.S. Department of Agriculture and the Interior Department cannot get together with the USDA, giving guidance on this matter, to you, in the development of your contracts. And if you do not think you can, or you do not think you will, I want to have that answer.

Mr. STAMM. We certainly can, between the agencies. If we make it a matter of contract involving the operation of the individual water user, it brings in a lot of complication as Mr. Weinberg has said. We have not gotten into this kind of detail in these circumstances, where we, through our contract, control the farming operations of individual farmers. Those controls have been handled through the responsibilities, authority, and administration of the Department of Agriculture. And I think it would be better for the Department of Agriculture to continue those controls, rather than to get us into their business of controlling production.

Senator MILLER. But you can still negotiate these contracts under your present authority along the lines I have mentioned, could you not?

Mr. STAMM. I think, getting into the legal phases, from a legal posture, it is not impossible.

Mr. President, it will be observed how difficult it was for us to obtain a responsive answer from the Bureau of Reclamation officials on this problem. I shall point out presently why it is necessary for the Congress to write specific legislation on this point. I think it is very unfortunate that in this administration we cannot be assured that the Bureau of Reclamation will take its guidance from the U.S. Department of Agriculture in seeing to it that surplus production is not aggravated by irrigation project contracts covering the bringing in of new acres. Apparently

while they admit that it is not impossible to do this, there seems to be great reluctance to volunteer to do so.

I turn now to page 74 of the hearings, Mr. President:

Senator MILLER. I am happy the Department of Agriculture people are here because I wanted to ask them a few questions in the setting of this questioning that I had been conducting with the Interior people. My question was, Would it not be feasible for the Secretary of Agriculture to establish guidance for the Secretary of the Interior to follow in negotiating these contracts with the view to having the contracts with the irrigation districts provide that no crops in surplus as determined by the Secretary of Agriculture should be grown thereon during the time that such a determination was present?

Would that not be feasible?

Mr. WEINBERG. I wanted to observe, Senator MILLER, that irrigation districts are creatures of State law and have limited powers under State law and, absent a specific provision of Federal law requiring the Secretary of the Interior to so contract, there might be a very serious question of the extent to which an irrigation district under State law could impose such a limitation on the delivery of water to landowners in the district who are assessable for all district charges and who ordinarily under State law have a right to an allocable share of the district's water supply. I wanted to raise that caveat in connection with the answer to the question of what the Secretary of the Interior might be able to do by contract with the irrigation districts.

Senator MILLER. May I say on that point, of course, my question has nothing to do with the law. I am talking about an arrangement between the two departments, not congressional law, but even there you already have that problem. I believe Mr. Stamm pointed out the situation which would give rise to the same problem on sugarbeet quotas.

You have to make an arrangement with your district now so that no additional sugarbeet acreage would be brought in, as I understand it.

Mr. WEINBERG. No, Senator, we make no such arrangement with the districts. The sugarbeet allotment is handled under the Sugar Act and this is a matter that is between the Department of Agriculture and the farmers. This is not a matter which is carried out through the contracts of the Interior Department with the irrigation districts.

Senator MILLER. Are you saying that if a farmer persisted, regardless of the sugarbeet acreage allotment, in growing sugarbeets you would continue to deliver water to him?

Mr. WEINBERG. Well, any limitations upon such farmer would be under the provisions of the sugar legislation. It would not be under the provisions of the reclamation law and under our contract.

Senator JACKSON. Do you have any provision in the contract where the farmer receiving water is in violation of any other agreement with the Federal Government relating to the project?

Mr. WEINBERG. No, sir.

Senator JACKSON. You can terminate the delivery of water?

Mr. WEINBERG. No, sir.

Senator JACKSON. That is the answer.

Senator MILLER. Would that not be feasible?

Mr. WEINBERG. Well, as I indicated earlier, we deal with the irrigation districts.

Senator MILLER. I mean in the contracts with the irrigation districts.

Mr. WEINBERG. Again you get into the area of what the irrigation district may be au-

thorized to agree to under State law, absence a specific provision of Federal law.

Senator MILLER. Do you know what the situation is on this particular project in that respect?

Mr. WEINBERG. Under the law of Washington?

Senator MILLER. Yes.

Mr. WEINBERG. No, sir; I do not.

Senator MILLER. I wonder if it would be possible for you to check that point. That should not be too difficult to check to see whether or not there would be a roadblock to having this arrangement made. In other words, I assume that if you found a roadblock due to State law insofar as a Federal law is concerned, there would be a roadblock insofar as the Secretary of Agriculture and the Secretary of the Interior trying to work that out on an administrative basis too.

I wonder if we might have them check that point and incorporate that in the record.

Mr. Weinberg subsequently supplied a statement which appears on pages 75 and 76 of the hearings. I ask unanimous consent that that statement may be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Is there objection to the request of the Senator from Iowa?

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

Section 87.03.115, R.C.W., provides that all water, the right to the use of which is acquired by an irrigation district under any contract with the United States, shall be distributed and apportioned by the district in accordance with the acts of Congress and rules and regulations of the Secretary of the Interior until full reimbursement has been made to the United States, and in accordance with the provisions of the contract with the United States in relation thereto. The question, therefore, reverts to one of whether the Secretary of the Interior is authorized to prohibit a district from delivering water to be used to grow certain crops in the absence of specific provision in an act of Congress authorizing such a limitation.

Absent specific congressional action, it is doubtful whether the Secretary possesses such authority under the Federal reclamation laws.

Section 8 of the act of June 17, 1902 (43 U.S.C. 372), provides, among other things, that the right to the use of water acquired under the provisions of the reclamation law shall be appurtenant to the land irrigated and beneficial use shall be the basis, the measure, and the limit of the right. The growing of crops is, of course, a beneficial use of water and a restriction upon the nature of the crop for which water may be used would appear to be inconsistent with the right to beneficial use and the concept of the water right as being appurtenant to the land.

That the Congress may authorize limitations upon the use of water from a Federal reclamation project notwithstanding section 8 of the 1902 act is clear. *Ivanhoe Irrigation District v. McCracken*, 357 U.S.C. 275. However, absent specific authorization for a limitation on the delivery of water for particular crops, it is doubtful that authority in the Secretary could be implied in the face of section 8.

Section 6 of the Reclamation Project Act of 1939 (53 Stat. 1187) authorizes the Secretary, in connection with any repayment contract, to require such provisions as he deems proper to secure the adoption of proper accounting, to protect the condition of project

works, and to provide for the proper use thereof and protect project lands against deterioration due to improper use of water. This provision, however, cannot be said to authorize the Secretary to impose limitations with respect to the nature of the crops for which water may be delivered.

The conclusion that authority to impose a limitation of the nature under discussion probably cannot be read into the Federal reclamation laws by implication finds support in the express provisions of the act of July 2, 1956 (70 Stat. 483). Section 1 of that act provides, among other things, that in administering subsections 9 (d) and (e) of the Reclamation Project Act of 1939, parties contracting with the United States under long-term repayment of water service contracts shall during the term of the contract and subject to fulfillment of obligations thereunder, have a first right to a stated share or quantity of the project's water supply for beneficial use on the irrigable lands within the boundaries of the contractor and a permanent right to such water supply upon completion of payments of an appropriate share of the construction costs. Limitations upon the nature of crops for which water may be supplied would appear to be inconsistent with the contractor's right, under the statute, to a share of the project's water supply for beneficial use.

The Congress has expressly required limitations on the delivery of water in the case of surplus crops on the Colorado River storage project (act of Apr. 11, 1956, 70 Stat. 105); the Ainsworth unit of the Missouri River Basin project (act of May 18, 1956, 70 Stat. 160); the San Angelo project (act of Aug. 16, 1957, 71 Stat. 372); the Greater Wenatchee division, Chief Joseph project (act of May 5, 1958, 72 Stat. 104); the San Luis Act of the Central Valley project (act of June 3, 1960, 74 Stat. 156); and the San Juan-Chama and Navajo projects (act of June 13, 1962, 76 Stat. 96). In view of the foregoing, it would appear that if application of similar limitations to the Columbia Basin project are deemed desirable, they should be supported by express statutory authorization.

Mr. MILLER. I point out, Mr. President, that the conclusion of Mr. Weinberg's memorandum reads:

In view of the foregoing, it would appear that if application of similar limitations to the Columbia Basin project are deemed desirable, they should be supported by express statutory authorization.

The conclusion seems to be very strong that the attitude of the Bureau of Reclamation is that Congress must enact legislation to satisfy the problem.

I continue to read from the hearings:

Mr. STAMM. I wonder if it would be appropriate to point out here that many Federal agencies have their own responsibilities on reclamation projects such as credit agencies. We have never considered including a provision whereby a water user would be denied water if he became delinquent in payment of a loan to the Farmers Home Administration, for example.

They have their own courses of action against the individual if he becomes delinquent. We have provisions under our law whereby if a water user does not pay his O. & M. charge in advance, we do not deliver water. If he is more than 12 months in arrears in payment of construction charges we withhold water. But each agency has its own requirements and its own assessment of penalties if an individual becomes delinquent.

Senator MILLER. On that let me just carry that point one step further. I can well un-

derstand this. My question, though, is not quite on that set of facts, because with the surplus in feed grains we don't have any violation of USDA regulations or contracts.

This is a matter of policy and, as I pointed out earlier, I know that Mr. Freeman is concerned about the surplus situation and wants to do something about it, and I find it almost indefinable to think that the right hand in the form of the USDA would be trying to cut down on surpluses, and the left hand in the form of the Interior Department is going ahead on contracts which give rise to frustration of that policy, so don't you think we have a little different situation there, Mr. Stamm, than these other cases that you mentioned where you have actual regulations which would be in violation if there was a growing of certain crops, where there are allotments, for example?

Senator JACKSON. When you respond to this I would appreciate your thinking of it in terms of universal applicability, because as I see it if we want to offer such amendment it ought to apply to all projects that are similarly situated.

Of course, we are going to be at this a long time because all of these people will want to come in and be heard, but the questions that are being raised now of course apply to every project that we have had up here, including the large one we acted on the other day, Arkansas-Fryingpan. Although we never applied these rules to supplementary water, I think we may want to consider that, and I do think that if we are going into this thing, we want to think of it in terms of all projects.

I have no objection. Don't misunderstand me. I think we have to do something about this surplus problem.

Mr. STAMM. The chairman of this committee asked Secretary of Agriculture Freeman some time ago about this question and whether these two programs were incompatible. I don't have with me a copy of the response, but it was essentially to the effect that—

Senator MILLER (presiding). Pardon me. Which two programs now?

Mr. STAMM. The surplus problem on the one hand and the continued development of irrigation on the other.

Senator MILLER. In general?

Mr. STAMM. In general, yes. The Secretary of Agriculture answered Senator Anderson specifically by letter and he also has made some public speeches in that regard. I do have two statements here from the Secretary of Agriculture that speak to this question. One says:

"Most of the farm products coming from irrigated land are not the ones for which there are overproduction problems."

And further he stated:

"To attempt to balance production with market needs by eliminating sound reclamation and irrigation projects would be tantamount to deliberately promoting inefficient use of agricultural resources."

I point out how general these statements are. I continue to read from the hearing:

Senator MILLER. I would like to carry that a step further. I can understand such a statement as a general statement, but when we get into this particular project where out of 400,000 acres in production we have 79,000 I believe in cereal grains and 109,000 in forage crops, you have about half of it going into crops that seem to me to be generally recognized as the kind which would tend to frustrate the policy with respect to feed grain surpluses. That is why I wanted particularly to have you people down here, Mr. Heisig, so that we could have an expression

of opinion from the Department of Agriculture with respect to this specific project.

Have you people had an opportunity to study this project and its scheduled expansion from the standpoint of analyzing the crop production that will be coming in and how this will tie in with the policy of the Secretary of Agriculture?

Mr. President, the upshot of that was apparently they had not. However, they gave assurance that they would provide information.

I continue reading on page 82:

Senator MILLER. The point I was making was that if we are going to use a universal approach to this, that if some of these other reclamation projects have this clause in them, perhaps this one ought to also, but I would like to get the recommendation from the Department of Agriculture.

Then there was another thing and that is I do think we ought to have an analysis from the Department of Agriculture, plus their comments, on how the scheduling of bringing acreage into production in this project which Mr. Stamm outlined for us this morning, which you understand is only tentative, but it is a schedule, would affect the surplus situation and whether or not the Department would recommend any particular approach to meeting a problem of surplus.

In other words, if 5 or 10 years from now we have no surplus problem there is no need for any particular action, but if the schedule calls for bringing another 20,000 acres into production, of which half is going to be, let's say, of wheat which would be in surplus, or of corn, or of some forage crops which could be used as a substitute, how can this be handled without having to run into Congress all the time for some kind of change in the law?

Is there some type of provision or some administrative act that can be taken by the Department of Agriculture which can cope with this? Would that be agreeable to the chairman to have those comments and that analysis?

Senator JACKSON. Whatever the Senator requests, I think they are all reasonable. I assume the Department can supply that information.

Subsequently the Department of Agriculture sent a letter to the chairman.

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

Mr. MILLER. Mr. President, I yield myself another 10 minutes.

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

Mr. MILLER. Mr. President, I remind the Chair that, when I yielded myself 20 minutes, I received no notification from the previous occupant of the chair of any lapse of time.

Mr. JACKSON. Mr. President, I yield the Senator from Iowa 5 minutes out of my time.

Mr. MILLER. I do not like to take the time away from the Senator from Washington.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. JACKSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JACKSON. Do I correctly understand that the Senator from Iowa has used up his allocated time of 45 minutes?

The PRESIDING OFFICER. The record of the Parliamentarian indicates that he has.

Mr. JACKSON. I shall yield 5 minutes to the Senator from Iowa because I am anxious to get on.

Mr. MILLER. Mr. President, I am anxious also. I had yielded myself 20 minutes. I believe the RECORD will so state. I received no notification until now that the time had expired.

Mr. MANSFIELD. Mr. President, I do not believe that a Senator must be notified unless he raises the question himself. The Senator came in under a unanimous-consent agreement. I believe the Senator understood that 45 minutes had been allotted to each side. The Senator will admit that.

Mr. MILLER. The Senator certainly will admit that. But the Senator believes that the Chair customarily notifies a Senator when he has used his allotted time.

Mr. JACKSON. Mr. President, I shall take the time desired out of the time available to me. But I think my friend from Iowa lost some of his time because he yielded to 2 or 3 other Senators. That was his responsibility. But in all equity, I yield 5 minutes from my time.

Mr. MILLER. Mr. President, will the Senator from Washington defer to this extent? I think I can wind up what I have to say in about 3 minutes.

Mr. JACKSON. I shall take only 3 minutes myself, and then I shall yield 3 or 4 minutes of my time to the Senator from Colorado [Mr. ALLOTT.]

Mr. MILLER. Mr. President, I yield myself 3 minutes of the 5 minutes yielded to me by the distinguished Senator from Washington.

In response to the request of the chairman of the committee, the Secretary of Agriculture, by letter dated July 31st to the Chairman of the Committee on Interior and Insular Affairs, gave the following responses. I shall read only extracts from the letter. But, Mr. President, the point I wish to make is that this indicates a very unsatisfactory answer to the question, indicating either an indifference on the part of the Department of Agriculture or ignorance on the part of the Department of Agriculture with respect to these problems. I read as follows:

With specific reference to the request for recommendation about providing cropping restrictions in the renegotiated repayment contracts on the Columbia Basin project, it would appear that this might result in inequities. Since no limitations were enacted in the original project authorization, farmers on the project have had to abide by the laws and regulations pertaining to crop allotments and other agricultural programs in existence while the farms were being developed. Inequities could result from imposing special restrictions on these farmers now.

With respect to the request for an analysis of the effect of the schedule for new irrigation on the surplus crop situation, we can say that production from scheduled irrigation is not likely to be a major factor. The scheduled rate of irrigation reported to us by the Department of the Interior for the 7-year period 1962 to 1968 is 432,000 acres of new land and 470,000 acres of land now irrigated with inadequate water. This is an annual rate of about 128,000 acres a year. Only a portion of this acreage, of course, would be devoted to crops that are in surplus supply.

It has already been pointed out that over half have been going into crops that could be considered surplus.

In response to the specific request for suggestions this Department might have about restricting production of surplus crops, we would call attention to the fact that new producers and new land are under certain limitations imposed by existing laws. However, if the Congress feels that it is desirable to impose special additional restrictions on newly irrigated land served by Federal reclamation projects, then we would suggest that restrictions imposed by legislation be limited to production of price-supported crops in surplus supply and on crops for which acreage or production are otherwise restricted by Federal programs and policies.

That is specifically what my amendment would do. I point out that this amendment was actually adopted by the subcommittee.

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

Mr. BURDICK. I yield myself about 5 minutes. We are dealing here with method, not with substance. It does not seem justifiable to take crops out of production and to pay money for that and then to use other money to produce more crops. I believe the Senator from Iowa knows my position on that subject. In the Garrison project, there is a limitation on the production of surplus crops. On the other hand, I should like to ask my friend from Iowa if it is not true that it is the consensus of the Interior Committee to consider this problem as one requiring general legislation?

Mr. MILLER. I appreciate the question of my friend from North Dakota. He will recall that the subcommittee recommended that the Senate bill be amended specifically as my amendment reads. Then the full committee of the Senate had its executive session. By that time the House-passed bill had come to the committee. That bill had been passed by the House and referred to the Senate committee. That bill did not contain the language of my amendment. At that time the majority of the members of the committee decided to report the House bill without amendment.

Mr. BURDICK. Is it not a fact that it is the intention of the committee to take up this question at the next session and examine general legislation with reference not only to this project but to all projects, either completed or not completed?

Mr. MILLER. I do not know of any member of the committee who was in disagreement with the suggestion that at the next session of Congress an effort would be made to enact a general law.

Mr. BURDICK. Yes.

Mr. MILLER. The able Senator from Washington [Mr. JACKSON], the author of the Senate bill, has made that very clear, and I know that the Senator from North Dakota has done so. There is no question about it. I remind the Senator, however, that we have no assurance that such legislation will be enacted.

Mr. BURDICK. If it were to be enacted at the next session of Congress, is it the Senator's opinion that such legislation would apply to the Quincy project?

Mr. MILLER. I am no expert on reclamation and irrigation contracts, but it seems to me that it could not apply to contracts previously entered into. It might well apply to future contracts with irrigation districts, but I suggest that only as a probability; I would not want to suggest that as the final answer.

Mr. BURDICK. It is my thought that the legislation which it is intended to pass at the next session might apply to all projects not then constructed, and perhaps we could have that in mind as we draft legislation at that time.

Mr. MILLER. Do I correctly understand the Senator's conclusion to be that such general legislation would not affect this particular project?

Mr. BURDICK. It would affect the portion that had not been completed.

Mr. MILLER. Is it the Senator's conclusion that it would affect contracts with respect to new land or new contracts?

Mr. BURDICK. Yes.

Mr. MILLER. Even though no construction was entailed?

Mr. BURDICK. That is my understanding of the consensus of the committee.

Mr. MILLER. In other words, the Senator is in agreement with my tentative conclusion on that point?

Mr. BURDICK. Yes.

Mr. JACKSON. Mr. President, I wish to make a brief statement on this subject. There is merit in the proposed amendment if it could be applied generally. We have adopted an amendment of this kind in some bills and not in others; some projects are so restricted and others are not. There have been 6 projects since 1936 to which we have applied this limitation, and there have been 11 projects since 1956 to which we have not applied it.

Of the 11 projects, 9 projects involve entirely new water or new water and supplemental water.

This is a serious problem. It is most pertinent in connection with the development of new irrigated lands throughout the country.

I am confident that when the new Congress convenes in January the committee will go into this problem in such a way as to apply this limitation with equity and fairness with respect to all projects that have not been completed.

I say that because I think it is pertinent to the farm surplus problem. However, I point out that in this particular case we would be applying the limitation to a project which had been previously authorized. We have never applied crop limitations to a project previously authorized.

In addition, as the Senator from Iowa recalls, the testimony was that thousands of acres of wheatland have been taken out of dry farming and put into irrigated areas, which in turn took out crops that were in surplus.

I reiterate my firm belief that this is a matter of such importance that we ought to consider general legislation which will apply at least to new projects.

I hope the Senate will reject the amendment.

I now yield 3 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I thank the Senator from Washington for yielding to me. I should like to make two or three points. First of all, I believe, Senators are agreed on the fact that this is an area in which there should be general legislation.

Second, it is fairly obvious from the remarks of the Senator from Washington that he would not infer that legislation which Congress might enact next year would be made applicable to the Quincy project. By passing the present bill we would approve contracts for the project. There is a deep question in my mind at this time as to whether or not any subsequent legislation could apply to surplus agricultural commodities.

Third, as I pointed out in the Senate yesterday, property owners will pay for this project primarily upon the basis of their 1943 ability to pay. Yet it is proposed to construct the facility for them on the basis of the 1962 costs.

Last, I believe that since such a provision has been included in most of the bills passed recently—this project was authorized in 1943, but no work has been done on the part for which we are now appropriating \$400 million—it should be applicable in this instance. Therefore, I strongly support the amendment of the distinguished Senator from Iowa.

Mr. MILLER. Mr. President, I believe the issue is clearly defined. I appreciate the attitude of the Senator from Washington [Mr. JACKSON] with respect to general legislation. I do not think it is responsive to talk about an authorization act of Congress passed in 1943, because, as I have said, the problem of surpluses did not exist in those days. I do not believe Congress should be limited in taking cognizance of the serious surplus situation that now exists. I believe it is shortsighted and contrary to the desires of the taxpayers for Congress to be legislating in such an inconsistent way.

Millions of dollars are being appropriated to solve the surplus feed grains problem. Yet we are about to spend millions of dollars more of the taxpayers' money to bring more crops into production. My amendment would prevent that from happening for a period of 10 years, unless the Secretary of Agriculture declares that such surplus crop production is necessary in the interest of national security.

I believe the amendment is fair and deserves the support of the Senate.

Mr. HICKENLOOPER subsequently said: Mr. President, I have a statement which I desired to make prior to the vote on the amendment offered by my colleague from Iowa [Mr. MILLER], but I reached the Chamber as the vote was being taken. I therefore ask unanimous consent that I may place in the RECORD, immediately prior to the vote on the amendment, a statement in support of the amendment of my colleague from Iowa, together with accompanying tables.

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

STATEMENT BY SENATOR HICKENLOOPER

I give my wholehearted support to the amendment proposed by my colleague from Iowa. It seems to me to be the height of folly to increase the area of land for production of surplus crops on the one hand, through highly subsidized irrigation projects, and on the other hand to impose on those already engaged in farming the most rigorous controls that a Cochrane can imagine. Statements by the Secretary of Agriculture to the effect that, although we must take 50 million acres of farmland out of production, initiation of irrigation projects bringing new land into effective production is not inconsistent with that goal as irrigated lands do not contribute substantially to the overproduction problem, are pure and simple bunkum and hogwash, full of holes that a caravan of Billy Sol Estes fertilizer trucks could drive through. Lands serviced by Bureau of Reclamation projects in 1960, for example, produced more than 28 million bushels of corn, 731,323 tons of barley, 631,128 tons of wheat, 243,616 tons of upland cotton lint—and many other crops which are supported and are in surplus. Surely these are substantial contributions to the overproduction problem, and a further aggravation of that problem through additional irrigation projects at the taxpayers' expense cannot be justified.

TABLE 1. Acreage and production of selected crops on irrigated lands, 17 Western States and Louisiana, 1959

Crop	Total acres irrigated	Acres irrigated where entire acreage of farm was irrigated	Production ¹ where entire acreage was irrigated
Barley.....	1,556,000	1,564,000	79,952,000
Corn.....	2,583,000	1,858,000	98,220,000
Oats.....	381,000	364,000	17,264,000
Rice.....	1,198,000	1,198,000	89,791,000
Rye.....	14,800	14,000	334,000
Sorghum.....	2,888,000	2,133,000	124,396,000
Wheat.....	5,251,000	1,328,000	52,183,000
Cotton.....	3,370,000	2,924,000	4,589,000
Soybeans.....	58,000	55,000	1,325,000
Subtotal selected crops.....	17,399,800	11,438,000	
Total, all crops ²	31,222,967		

¹ Total production figures for all irrigated lands unavailable as some farms did not irrigate entire acreage of various commodities. Data did not segregate production on irrigated and unirrigated portions.

² Total irrigated acreage, 17 Western States and Louisiana, 1959.

Source: Bureau of the Census, unpublished data.

TABLE 2.—Acreage of selected crops of irrigated lands, 30 Eastern States, 1959

Crop	Total acres irrigated
Corn.....	57,679
Sorghum.....	2,360
Wheat.....	408
Oats.....	456
Barley.....	101
Rye.....	421
Rice.....	424,657
Soybeans.....	281,300
Cotton.....	245,924
Tobacco.....	89,211
Subtotal, selected crops.....	1,102,517
Total, all crops.....	1,798,832

¹ Total irrigated acreage, 30 Eastern States, 1959.

Source: Bureau of the Census, special report, "Irrigation in humid areas."

TABLE 3.—Acreage, production, and gross crop value of selected crops on lands serviced by Bureau of Reclamation projects, 1960

Crops	Irrigated lands		Production		Gross crop value	
	Acres	Percent of total	Tons	Percent of total	Dollars	Percent of total
Barley.....	527,497	7.65	731,323	2.205	30,173,497	2.61
Corn.....	367,277	5.32	785,020	2.367	30,923,101	2.67
Oats.....	185,470	2.69	165,303	.499	7,491,621	.65
Rice.....	6,405	.09	11,591	.035	975,020	.08
Rye.....	2,024	.03	1,640	.005	66,739	.01
Sorghum.....	107,970	1.56	164,933	.497	6,900,651	.60
Wheat.....	418,589	6.07	631,128	1.903	34,457,533	2.98
Upland cotton:						
Lint.....	502,301	7.28	243,616	.735	153,472,134	13.26
Seed.....			405,016	1.221	20,047,145	1.73
Subtotal, 8 crops.....	2,117,533	30.69	3,139,570	9.467	284,507,441	24.59
Total, all crops.....	7,304,021	105.86	33,162,088	100.000	1,120,816,883	97.61
Less multicropped.....	556,710	8.07				
Total harvested cropland.....	6,747,311	97.79				
Cropland not harvested and soilbuilding.....	152,400	2.21				
Acres irrigated.....	6,899,711	100.00				
Additional revenues ²					27,711,810	2.39
Total gross crop value.....					1,157,528,693	100.00

¹ Exceeds 100 percent due to acres multicropped.
² Includes payments received from Federal and commercial agencies.
 Source: Report of the Commissioner of the Bureau of Reclamation, 1961.

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

Mr. JACKSON. Mr. President, I yield back the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

All time has been yielded back. The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Virginia [Mr. RUSSELL], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Tennessee [Mr. KEFAUVER] are absent on official business.

I further announce that the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from Missouri [Mr. LONG] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], the Senator from Missouri [Mr. LONG], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Tennessee [Mr. KEFAUVER] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from South Dakota [Mr. BOTTUM], the Senator from Indiana [Mr. CAPEHART], the Senator from Nebraska [Mr. HRUSKA], the Senator from Kentucky [Mr. MORTON], and the Senator from New Hampshire [Mr. MURPHY] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is detained on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Connecticut [Mr. BUSH], the Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from California [Mr. KUCHEL] are necessarily absent.

On this vote, the Senator from Maryland [Mr. BEALL] is paired with the Senator from Vermont [Mr. AIKEN]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Vermont would vote "nay."

On this vote, the Senator from New Hampshire [Mr. MURPHY] is paired with the Senator from South Dakota [Mr. BOTTUM]. If present and voting, the Senator from New Hampshire would vote "yea," and the Senator from South Dakota would vote "nay."

On this vote, the Senator from Wisconsin [Mr. WILEY] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 13, nays 61, as follows:

[No. 272 Leg.]

YEAS—13

Allott	Hickenlooper	Saltonstall
Boggs	Keating	Tower
Cotton	Miller	Williams, Del.
Dirksen	Prouty	
Douglas	Proxmire	

NAYS—61

Anderson	Burdick	Carroll
Bartlett	Byrd, Va.	Case
Bennett	Byrd, W. Va.	Church
Bible	Carlson	Cooper

Curtis	Kerr	Pearson
Dodd	Long, Hawaii	Pell
Ellender	Long, La.	Randolph
Engle	Magnuson	Scott
Ervin	Mansfield	Smathers
Fong	McCarthy	Smith, Mass.
Hart	McClellan	Smith, Maine
Hartke	McGee	Sparkman
Hayden	McNamara	Stennis
Hill	Metcalf	Symington
Holland	Monroney	Talmadge
Humphrey	Morse	Thurmond
Jackson	Moss	Yarborough
Javits	Mundt	Young, N. Dak.
Johnston	Muskie	Young, Ohio
Jordan, N.C.	Neuberger	
Jordan, Idaho	Pastore	

NOT VOTING—26

Aiken	Eastland	Lausche
Beall	Fulbright	Long, Mo.
Bottum	Goldwater	Morton
Bush	Gore	Murphy
Butler	Gruening	Robertson
Cannon	Hickey	Russell
Capehart	Hruska	Wiley
Chavez	Kefauver	Williams, N.J.
Clark	Kuchel	

So Mr. MILLER's amendment was rejected.

Mr. JACKSON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. MORSE. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The bill is open to further amendment.

If there be no further amendment to be offered, the question is on the third reading of the bill.

The bill (H.R. 11164) was ordered to a third reading and was read the third time.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Madam President, I would like to query the majority leader about the program for tomorrow, and I would like to inquire particularly about the consideration of the conference report on the farm bill.

Mr. MANSFIELD. Madam President, it is contemplated that the Senate will proceed to the consideration of the Baker project bill at the conclusion of consideration of the Quincy project bill. Then it is anticipated that a number of unobjected-to items on the calendar will be passed; that the Senate will meet at 11 o'clock tomorrow morning, as suggested by the Senator from Minnesota [Mr. HUMPHREY]; and that the pending business then, under the unanimous-consent agreement, will be the aquarium bill. We would like to take up then the foreign service buildings measure, and perhaps the school lunch legislation, and one or two other measures, and then go over to Monday.

It had been practically agreed to on this side that the conference report on the farm bill would be taken up Monday, but, on inquiry, I find that Senators on both sides of the aisle will be missing part of Monday because of certain events over which they have no control. What I would like to do now, instead, if the minority leader and the Senate are willing, as an accommodation to Members of the Senate on both sides, is to schedule the conference report on the farm bill for Tuesday, in the hope that if the Senate should convene at 9 or 10 o'clock

on Tuesday morning, it could agree to vote at 1 or 2 o'clock in the afternoon.

Mr. DIRKSEN. Madam President, I am sure that if a time certain could be set for a vote on the conference report we could come to an agreement, but it would have to come later. I assume it would have to be sometime around 4 o'clock to accommodate Senators who have an interest in the bill and want to be present.

Mr. MANSFIELD. Four o'clock is a little late. We might make it 3 o'clock, since some interested Senators have to leave and might not be back before then.

Mr. MUNDT. Madam President, if the Senator will yield, I suggest 3 o'clock. Some Senators will have to leave by train or plane.

Mr. DIRKSEN. If there is no objection on the part of Senators who sat in conference, we could set the time for voting at 3 o'clock.

Mr. MANSFIELD. Madam President, I ask unanimous consent—and this is a little out of order, but it has to be done—that the Senate meet at 10 o'clock on Tuesday next, and that it agree to vote on the conference report on the farm bill at not later than 3 o'clock that afternoon.

The PRESIDING OFFICER. Without objection—

Mr. ALLOTT. Madam President, reserving the right to object, I would like to ask if that request could be rephrased so that the vote will take place at 3 o'clock.

Mr. MANSFIELD. I shall be delighted to make it that definite.

The PRESIDING OFFICER. Is there objection? Without objection—

Mr. MANSFIELD. I also ask unanimous consent that the usual call of the roll be omitted prior to the vote.

The PRESIDING OFFICER. It is not required on a conference report.

Is there objection to the request of the Senator from Montana?

Mr. DIRKSEN. I only suggest that we have an understanding that on the conference report the time be equally divided between the chairman of the committee and the ranking minority member.

Mr. MANSFIELD. That is fair. Madam President, in addition, the time is to be equally divided between the Senator from Louisiana [Mr. ELLENDER] and the Senator from Vermont [Mr. AIKEN], or anyone they designate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none and it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Tuesday, September 25, 1962, after the reading of the Journal, the Senate proceed to the consideration of the conference report on H.R. 12391, the farm bill, and that a vote be taken thereon at 3 o'clock, with the time being equally divided and controlled, respectively, by the chairman of the Committee on Agriculture and Forestry and the ranking minority member thereof, or someone designated by them.

QUINCY COLUMBIA BASIN IRRIGATION DISTRICT

The Senate resumed the consideration of the bill (H.R. 11164) to approve an amendatory repayment contract negotiated with the Quincy Columbia Basin Irrigation District, authorize similar contracts with any of the Columbia Basin irrigation districts, and for other purposes.

Mr. HUMPHREY. Madam President, the third reading of the bill has been had. I ask for final action.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 11164) was passed.

Mr. JACKSON. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, Senate bill 3162 is indefinitely postponed.

ORDER OF BUSINESS

Mr. DIRKSEN. Madam President, I tried to ascertain whether there would be any more yea-and-nay votes this evening. My understanding is that there will be one amendment by the distinguished Senator from Colorado [Mr. ALLOTT], but I do not think he will insist on a yea-and-nay vote on it.

Mr. ALLOTT. No; I will not insist on a yea-and-nay vote.

Mr. PASTORE. Madam President, are we to understand that there will be no yea-and-nay votes tonight?

Mr. HUMPHREY. Madam President, let the bill be laid before the Senate first.

BAKER FEDERAL RECLAMATION PROJECT, OREGON

Mr. HUMPHREY. Madam President, I now move that the Senate proceed to the consideration of Calendar No. 1957, H.R. 575.

The PRESIDING OFFICER. The bill now will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 575) to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes.

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

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

Mr. HUMPHREY. I yield to the Senator from Rhode Island. The Senator from Rhode Island wanted to know whether there would be any yea-and-nay votes tonight.

Mr. PASTORE. That is correct.

Mr. HUMPHREY. The Senator from Colorado has informed the Senate that, even though he has an amendment, he will not insist on a yea-and-nay vote. Is that correct?

Mr. ALLOTT. That is correct.

Mr. HUMPHREY. I do not believe there are any other major amendments.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JACKSON. Madam President, I wish to make a brief statement on the pending bill.

The pending bill would authorize the construction and operation of a multi-purpose reclamation and flood control project, with fish and wildlife and recreational benefits, in northeastern Oregon known as the Baker Federal reclamation project. Some 18,000 acres of land in the Baker Valley would be irrigated. In addition, the present dangerous situation in the valley with reference to floods on the Powder River, which periodically threaten the city of Baker and the valley, would be brought under control.

The estimated cost of the upper division, Baker project, is \$6,168,000. This cost is allocated to the various functions as follows: Irrigation, \$4,354,600; flood control, \$1,056,400; fish and wildlife, \$632,000; and recreation, \$125,000.

The payment capacity studies of the Bureau of Reclamation indicate that the irrigators can repay \$1,127,500 of the amount allocated to irrigation over a 50-year period following a 10-year development period. The remaining \$3,227,100 of the cost allocated to irrigation, but in excess of the irrigators' repayment ability, would be returned to the reclamation fund during the 50-year repayment period from the disposition of power marketed through the McNary Dam.

The committee considered this matter very carefully. The House had lengthy debate on it. The measure passed the House of Representatives by a substantial margin. I trust the Senate will approve the pending bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. ALLOTT. Madam President, there seems to be some misunderstanding as to amendments. I do not intend to offer an amendment to the bill. I intend to speak in opposition to the bill.

I have always been a strong believer in the values of Federal reclamation. I have continually cast my vote in support of sound reclamation projects. I believe that these reclamation projects which have been carefully studied and screened by Congress either have repaid, or will in the future repay, to the Federal Treasury many times over the amount of their original cost. The benefits from these projects are both direct and indirect, tangible and intangible.

However, proposals for projects unfortunately do come before Congress from time to time that have not been wisely conceived and thoroughly analyzed and which are not justifiable from a financial or engineering standpoint. It is incumbent upon those of us who support reclamation to be constantly on the alert to make careful analysis of proposed projects to make doubly sure that only projects worthy of the reclamation concept are authorized. If only a few isolated reclamation projects go sour, this will have a tendency to give an undeserved bad name to reclamation as a whole and make it more difficult thereafter to get support for worthwhile projects.

The Baker project, which is proposed for construction in the State of Oregon by H.R. 575, is not a sound reclamation project. It is a poorly conceived project for several reasons.

In the first place, almost three-fourths of the 18,000 acres which are proposed to be irrigated by the project have deficiencies in soils, topography, or drainage and consequently have limited usefulness. For example, most class 3 lands have shallow soils and a combination of other deficiencies which give them a relatively low productive capacity. Soils of some class 3 lands have moderately high to high alkalinity or salinity.

Nearly all of the class 4 lands have a water table within a few feet of the surface, and their use will have to be largely restricted to production of meadow hay and pasture. Unfavorable salt conditions also limit the land use, suitability, and productivity of part of these lands.

To illustrate the extent that these class 3 and 4 lands make up the lands to be irrigated from the project, the following table is offered.

I ask unanimous consent that the table may be printed in the RECORD.

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

Land class	Acres to get full water supply	Acres now irrigated to get partial water supply	Total acres
1.....	370	1,530	1,900
2.....	500	2,500	3,000
3.....	1,770	1,630	3,400
4.....	2,750	6,950	9,700
Total.....	5,390	12,610	18,000

¹ Includes 1,380 acres now irrigated.

² Includes 600 acres within city limits.

Mr. ALLOTT. I merely wish to point out that 370 class 1 acres, 500 class 2 acres, 1,770 class 3 acres, and 2,750 class 4 acres, are to receive a full water supply. The table shows the acres which are to get a full water supply and the acres which are to get a partial water supply, and illustrates the fact that the great bulk of the acreage is class 3 and class 4 land, unworthy of any reclamation application.

Reclamation law has for many years placed a maximum acreage limitation on the size of irrigated farm units on reclamation projects. This limitation has been 160 acres. However, the feasibility report on this Baker project, prepared by the regional director in 1960, stated that 160 acres of the class 3 and class 4 lands on this project would be insufficient to support a farm family. In an attempt to meet this situation, H.R. 575 was amended to permit irrigation in a single farm unit of as much as 218 acres of class 3 lands and as much as 315 acres of class 4 lands on this project.

Nevertheless, the senior Senator from Oregon, who introduced this proposed legislation in the Senate, has expressed himself as having serious reservations about removing the 160-acre limitation. In his testimony before the Interior and Insular Affairs Committee on Senate

Resolution 322 on April 10 of this year, the senior Senator from Oregon said:

I think we need to go into this whole matter of the 160-acre limitation from the standpoint of a policy decision in the Congress, but not on the basis of this kind of a piecemeal approach.

A few days earlier during the hearings of the Irrigation and Reclamation Subcommittee on this very project, the senior Senator from Oregon stated:

However, I would be less than honest and frank, Mr. Chairman, if I did not tell you that there is one part of this record at which I hope the committee will take a good long hard look. I refer to the proposed amendment which would modify the 160-acre-limitation proposal. All I can say in support of the people of my State who wish to have some modification of the 160-acre-limitation proposal in respect to this bill, is the following:

1. They point out that they do fix a definite limit and that this is going to refer only to the so-called high mountain area where the growing season is reduced each year by a good number of days in comparison with the growing season in the lowlands.

They point out, in their view at least, that the purpose of the 160-acre limitation is still retained in that they take into account what a family farm has to be in the high mountain area in order to accomplish the same economic values for the owner thereof that a family farm of 160 acres in the lowland would accomplish.

However, Mr. Chairman, I happen to hold the point of view that if we are going to modify the 160-acre-limitation program it ought to be on a national policy basis. Although it will not be too pleasing for my constituents, I want to say that the senior Senator from Oregon would take the position that, unless we can have a policy statement that would be applicable generally, I would have no objection to this proposed amendment being rejected (p. 14, hearings on S. 308).

At another place he said:

What I would regret seeing us do is try to modify the 160-acre limitation by a bill in the Senate unless you have a general policy in regard to the modification (p. 15, hearings on S. 308).

In view of the fact that 160 acres of land on this proposed project would admittedly be insufficient to support a farm family; in view of the repeated assertions by the senior Senator from Oregon that he opposes a piecemeal modification of the 160-acre limitation; and when we consider that H.R. 575 does not attempt to establish a national policy on this matter but represents the very piecemeal approach which he so eloquently condemns, I cannot see how it is possible for the senior Senator from Oregon to support this proposed legislation either with or without the piecemeal modification of the House amendments.

I must say that, unlike the senior Senator from Oregon, I have not been wedded to the idea of rigid adherence to the 160-acre limitation. When we look at the circumstances of this Baker project, where most of the land is already receiving some irrigation water, where three-fourths of the lands have low productive capacity, and where the majority of the land is presently held in land ownerships averaging more than 700 acres each, my principal concern is

that the modification of the 160-acre limitation in this House bill does not go far enough. I think there would still be a serious question whether a farm family on this project could make a living on 218 acres of class 3 or 315 acres of class 4 lands on this project.

I have never seen this land, but I know the classifications of the Reclamation Bureau, and I do not believe it is possible for any farm family in this day and age to live on 218 acres of class 3 land or 315 acres of class 4 land.

An even more notable area of weakness in this project lies in the proposals for financial repayment. Turning to these financial aspects of the proposed project, we find that \$4,554,600 of the cost of the project is allocated to irrigation on these poor-class lands. This \$4.3 million irrigation allocation is, of course, fully reimbursable to the U.S. Treasury without interest in accordance with usual reclamation law. I have no quarrel with the fact that the costs allocated to irrigation are reimbursable without interest. This is true on all reclamation projects and is justified by the numerous other types of benefits flowing to the Nation from this type of development. This interest-free policy has contemplated, however, that first, substantial annual repayments will be made by the water users to amortize the balance of the capital cost allocated to irrigation, and second, any assistance to irrigation from other revenue-producing features of the project will be paid into the Treasury within a reasonable time. If these two conditions are met, the subsidy of the interest-free feature is held within reasonable bounds.

If they are not, of course, they are not held within reasonable bounds.

In the repayment plan for the Baker project, however, because of the low productivity of the lands even with the full supply of water contemplated by the project, the water users would have the ability to make amortization payments, toward this \$4.3 million cost allocated to irrigation, of only \$22,500 per year over the 50-year repayment period.

I repeat that of the \$4.3 million cost, only \$22,500 a year would be paid over the 50-year repayment period. That figure is only one-half of 1 percent of the cost.

This annual repayment amounts to one-half of 1 percent of the irrigation allocation. This annual return on the irrigation investment would be less than one-fifth of the interest the U.S. Treasury must pay to borrow money to build the project.

If there were no power revenues available to provide financial assistance to the irrigation features of this project, at the repayment rate of \$22,500 per year, it would take over 200 years for these water users on this project to repay the costs allocated to irrigation even though those costs were to be repaid without interest.

I am quite familiar with the practice on these multipurpose projects of using surplus revenues from the sale of hydroelectric power to assist the water users in repaying the irrigation allocation

when the project contains hydropower generating facilities. Where are the power units on this project? The simple truth is that there are none. This fact has not, however, deterred the sponsors of this legislation who understandably do not wish to saddle the water users with payments over a 200-year period. It has been proposed that the remainder of the irrigation allocation, amounting to \$3,227,000 will be repaid from "surplus power revenues" of the Bonneville Power Administration. It matters not that this project is unrelated to the Bonneville power project. It matters not that repayment of this \$3.2 million could not even commence until 50 to 55 years from now for the reason that all anticipated Bonneville power revenues have already been committed for other purposes until that time. It matters not that Bonneville Power Administration is currently operating at a \$15 million annual deficit.

A few moments ago we loaded the Columbia River Basin down again with the Quincy project.

No explanation was given at the hearings why Bonneville power revenues should be tapped even in the 21st century to provide assistance to this proposed project. The Baker project is no part of and has no connection with the Columbia Basin project which, under existing law, is scheduled to receive financial assistance from Bonneville power revenues for many, many years following the year 1978. The only way this questionable project could have even theoretical financial justification is to be tied to the deficit-operated Bonneville Power Administration to take advantage of some anticipated surplus revenues which it is expected will be available about the year 2020.

Madam President, in an attempt to evaluate reclamation projects, I have never been one who is guided solely by the benefit-cost ratio. The variations of the types of benefits and the uncertainties in attempting to place a dollar value on some of these benefits, have induced me to look for criteria other than the benefit-cost ratio in judging the worth of these projects. Nevertheless, it should be mentioned in passing that the basic report on this project, prepared in 1960, showed a benefit-cost ratio of 0.79 to 1.0 for direct benefits over a 50-year period of analysis.

In other words, the benefits that may be reasonably expected to be secured from this project do not even come up to the direct costs.

Even after these direct benefits were recently recomputed by the Bureau of Reclamation to "recognize the effects of modern farm management," the ratio is still only 1.2 to 1 which is one of the lowest for any project considered by the Senate Interior Committee in several years.

In conclusion, I want to reiterate that I believe in reclamation. The total investment in reclamation during the past 60 years has been a sound investment—one that will reap dividends for many years to come. Nevertheless, when viewed in retrospect, those of us who sup-

port reclamation must admit that there are a few reclamation projects which should never have been authorized or constructed.

Incidentally, and as an interpolation, our Committee on Interior and Insular Affairs has had to struggle month after month and year after year trying to find ways of bailing out unjustified reclamation projects which have somehow found their way through Congress and have been started. Congress has in the past been urged to act upon reclamation bills which could not withstand close analysis. Some of these projects have been authorized, nevertheless, and a few of the projects unfortunately have become failures. Members of the Interior Committee know the projects to which I am referring. They do not have to be named. The impact of these few failures has not been limited to the U.S. Treasury. It has been felt by hundreds of farm families whose energy and life savings have been exhausted on these few marginal and submarginal projects and who would even now be happy to be relieved of their obligations so they could walk away from the projects.

My plea is simply that we do not mark the occasion of the 60th anniversary of the Reclamation Act of 1902 by the authorization of another project which, in all likelihood, will prove to be a failure.

Madam President, I feel strongly about this question, despite my long support of reclamation projects, and despite the fact that it is very distasteful to the senior Senator from Colorado to speak against a reclamation project. I am sure that the words which I have uttered will come home and that it will not be long before we shall be asked to bail this project out in one way or another. It is absolutely necessary that I speak on the floor against this reclamation project and to speak as forcefully as I have spoken.

Mr. MORSE. Madam President, I never question the high motives or sincerity of the Senator from Colorado. I find myself on this occasion, however, in complete disagreement with him. My case rests upon the reports of the Senate committee and the House committee. I ask unanimous consent that excerpts from the Senate report be printed in the RECORD at this point.

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

EXCERPTS FROM SENATE REPORT, BAKER
PROJECT, OREGON
PURPOSE OF MEASURE

H.R. 575, sponsored by Congressman AL ULLMAN, of Oregon, is a companion bill to S. 308, sponsored by Senators MORSE and NEUBERGER. It authorizes the construction and operation of a multipurpose reclamation and flood control project, with fish and wildlife and recreational benefits, in northeastern Oregon known as the Baker Federal reclamation project. Some 18,000 acres of land in the Baker Valley would be irrigated, and dangerous, costly floods on the Powder River, which periodically threaten the city of Baker and the valley, would be brought under control.

Water users would repay the share of the costs allocated to irrigation up to the limit of their ability, and the remainder would come

from hydroelectric power revenues from the McNary project, a part of the Bonneville system.

The plan of development for the Baker project was evolved in close cooperation with the people of the area involved. It meets their immediate requirements and lends itself for incorporation in a more comprehensive plan of development for Baker Valley as the need might arise at a later date. Local citizens have on various occasions expressed their desire for the development and have formed the Baker Valley Irrigation District for the purpose of contracting with the Federal Government.

DESCRIPTION OF PROJECT

The principal feature of the project plan is the Mason Dam and Reservoir with 100,000 acre-feet of storage capacity which would be constructed on the Powder River some 18 miles upstream from the city of Baker. Other project works include replacement of the existing Lilley pumping plant and a re-lift pumping plant to serve 3,080 acres in the Lilley pumping tract in the northern end of the valley and minimum basic recreation facilities. The irrigation water users would rehabilitate and extend the existing diversion and distribution facilities, using their own funds, and these items are not a part of the Federal expenditure.

The Mason Reservoir would be operated for flood control and fish and wildlife as well as for irrigation. Of the 100,000 acre-feet of reservoir capacity, 17,000 acre-feet would be reserved for exclusive flood control use and an additional 21,000 acre-feet would be operated on a forecast basis for joint flood control and irrigation use. The rest of the active storage space, amounting to 57,000 acre-feet, would be for irrigation use and for the maintenance of flows immediately below the dam for fishing purposes. The inactive storage in the reservoir amounts to 5,000 acre-feet.

Winter flows and surplus spring floodflows would be stored in the reservoir for release as needed to meet project functions. The average annual water diversion requirement for the project is estimated at 58,500 acre-feet. It is estimated that an average annual firm water yield of 27,300 acre-feet would be available from storage in the Mason Reservoir and that this amount, supplemented by direct river diversion during high-flow periods and usable return flows, would meet the total diversion requirement in all but extreme drought years.

Spring floodflows cause considerable damage in the Baker Valley in most years. It is estimated that the operation of the Mason Dam and Reservoir for flood control purposes would provide flood control benefits averaging \$40,000 annually. The benefits to fishery resources are estimated to total \$17,700 annually, attributable principally to the maintenance of a 10-cubic-foot-per-second flow in the 12-mile reach of the river below Mason Dam.

Minimum basic recreation facilities consisting of picnic units, boat ramp, and access roads estimated to cost \$125,000 would make this a popular recreational area.

ECONOMIC AND FINANCIAL ASPECTS

The estimated cost of the upper division, Baker project, is \$6,168,000. This cost is allocated to the various functions as follows: irrigation, \$4,354,600; flood control, \$1,056,400; fish and wildlife, \$632,000; and recreation, \$125,000. The allocation to recreation is the specific cost of land acquisition and construction of the basic facilities. The recreation facilities would be constructed only if some qualified State or local agency agrees to operate and maintain them at no cost to the Federal Government. The costs allocated to flood control, fish and wildlife, and recreation would be nonreimbursable.

The cost allocated to irrigation would be reimbursable without interest in accordance with reclamation law.

The payment capacity studies of the Bureau of Reclamation indicate that the irrigators can repay \$1,127,500 of the amount allocated to irrigation over a 50-year period following a 10-year development period. The remaining \$3,227,100 of the cost allocated to irrigation, but in excess of the irrigators' repayment ability, would be returned to the reclamation fund during the 50-year repayment period from the disposition of power marketed through the Bonneville Power Administration.

On the basis of the economic study of the Bureau of Reclamation the benefit-cost ratio of the upper division, Baker project, including all benefits and using a 100-year period of analysis, was determined to be 1.28 to 1. Since the date of this study the Bureau of Reclamation has adopted new procedures for determining irrigation benefits and under these new procedures the benefit-cost ratio for this project would be considerably improved. Using the new procedures, reanalysis of the project over a 50-year period using only direct benefits resulted in a benefit-cost determination of 1.2 to 1.

AGRICULTURAL ASPECTS

Baker Valley has an elevation in excess of 3,300 feet above sea level and a relatively short growing season. It is surrounded by vast acreages of dry rangelands suitable only for livestock grazing. The presently irrigated lands are devoted predominantly to the production of livestock, and irrigable lands are best suited to livestock feed and forage to support this economy. This pattern is expected to be expanded to the new irrigated lands. The added production of forage and feed grains will help to reduce overgrazing of the rangelands. This plan of development adequately meets the immediate requirements of the area to stabilize and improve the existing cattle economy.

ACREAGE LIMITATION

Your committee gave careful consideration, both in the hearings and in executive sessions, to the formula for acreage limitation recommended by the Department of the Interior and set forth in section 2(b) of H.R. 575. The members are convinced that under the particular climatic and soil conditions of the project area, the historic 160-acre limitation principle is not being violated.

The purpose of the 160-acre provision, which is a basic part of Federal reclamation law, is to encourage individual, independent family-size farms on lands made productive through Federal expenditures and activity. The 160-acre figure itself was borrowed from the Homestead Act which was signed into law by President Abraham Lincoln in 1862 (12 Stat. 392). At the time, the rich, plentifully watered lands of the Middle West were being settled.

However, Congress has on previous occasions recognized that in the case of certain soils and climatic conditions, 160 acres of land is not enough to support a family, and has enlarged the limitation accordingly. The formula proposed by the Interior Department for the Baker project has been used on at least two earlier irrigation projects: The East Bench unit of the Missouri River Basin project (71 Stat. 309) and the Seedskaadee project (72 Stat. 963).

Under section 2(b), ownership larger than 160 acres would be permitted where farm units include sizable percentages of poorer classes of lands. Classification is based on productivity, with class 1 land the most productive. Larger holdings of the less productive lands are permitted in the equivalent of class 1 land.

The committee emphasizes that this provision was approved to maintain the family-size farm principle of reclamation law.

EXECUTIVE COMMUNICATIONS

The favorable reports of the Department of the Interior and the Bureau of the Budget on S. 308, the Senate companion bill to H.R. 575, are set forth in full below.

DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY,

Washington, D.C., February 23, 1962.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: This responds to your request for the views of this Department on S. 308, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes.

We recommend the enactment of this bill if it is amended as suggested hereinafter.

The proposed development of the upper division of the Baker Federal reclamation project, Oregon, would be a multipurpose project, including the functions of irrigation, flood control, fish and wildlife and recreation. Project works would consist of the earth- and rock-filled Mason Dam and 100,000 acre-foot reservoir on the Powder River some 18 miles upstream from the city of Baker, the Lilley pumping plant and relift pumping plant, minimum recreation facilities, and a hydrologic network consisting of precipitation gages and snow courses to predict runoff from the drainage basin above the reservoir. The irrigators contemplate rehabilitating and extending the present distribution systems so no new diversion structures, canals, or laterals would be constructed as part of the potential Federal development.

Approximately 13,990 acres of the project lands now receive a partial water supply, primarily by flooding the lands during the spring runoff. After July 1 of most years, there is little natural streamflow and, except for a small amount of pumping from wells, the irrigation season is at an end. The water that would be stored in Mason Reservoir would provide a reasonably firm water supply to the 13,990 acres over the entire irrigation season as well as a full water supply to 4,010 acres that are not now irrigated.

Of the total 18,000 acres, 3,080 are located in the Lilley pump tracts at the north end of Baker Valley and would be irrigated mainly from return flows getting back into the main stream channel from irrigated lands at higher elevations. Some 1,380 acres of these lands now receive a partial water supply by pumping. However, the present works would be abandoned, and a full water supply would be furnished through new pumping plants which would be constructed as a part of the proposed works of the division, and which would more efficiently serve the existing irrigated lands. Thus, for repayment purposes, these lands are considered to receive the same benefits from the project as the lands not now irrigated. In essence then, the works of the potential development would provide a full water supply to 5,390 acres and a supplemental supply to 12,610 acres.

Each year floodflows during the spring cause some damage in Baker Valley. The channel capacity of the Powder River through the city of Baker is 1,500 cubic feet per second and floods of higher magnitude do considerable damage to residential, municipal, and commercial property. Much of Baker was inundated during the flood of February 1957, which reached a peak flow of 2,350 cubic feet per second. Total damages in the valley were estimated at \$250,000 with \$200,000 of this amount occurring within the city limits of Baker.

Mason Reservoir would provide 17,000 acre-feet of space exclusively for floodwater storage and in addition 21,000 acre-feet of space, to be used jointly with irrigation,

would be made available on a forecast basis to store floodflows. It is estimated that with this storage capacity, \$40,000 in average annual flood damages would be prevented.

The construction and operation of Mason Reservoir would result in an annual benefit to fishery resources of \$17,700. Of this total amount, \$2,900 in benefits would result from the reservoir, and \$14,800 would result from minimum releases of 10 cubic feet per second to Powder River at Mason Dam under agreements wherein storage would be operated for this purpose in addition to irrigation. No diversions from this flow between Mason Dam and Smith Dam are contemplated in the project plan. Reduction in releases below this desired minimum would be allowed proportional to irrigation shortages.

Development of only basic recreation facilities is proposed at the reservoir. Additional recreation facilities not appropriate for Federal construction will be provided by a State or local agency. The Department has under consideration the acquisition and development of additional lands and improved facilities for recreation development as proposed in our planning report of July 26, 1961. We suggest that authorization for such additional facilities be delayed pending further study.

The total estimated cost of the potential development is \$6,168,000 based on October 1958 prices, which are substantially the same as at the present time. Of this amount there is tentatively allocated \$4,354,600 for irrigation, \$1,056,400 for flood control, \$632,000 for fish and wildlife, and \$125,000 for recreation facilities. The total annual operation, maintenance, replacement, and pumping power costs allocated to irrigation, flood control, fish and wildlife, and recreation are \$50,450, \$7,000, \$150, and \$8,000, respectively.

The farm budget studies indicate that the irrigators probably could repay \$1,127,500 of the Federal investment allocated to irrigation in a 50-year period following a 10-year development period. During the development period, the water uses would meet the annual operating costs of their existing systems and of the development recommended herein, and would incur the necessary expenses to rehabilitate and extend the existing distribution systems to efficiently utilize the additional water to be made available by the potential Federal development. The remaining \$3,227,100 reimbursable cost in excess of the irrigators' repayment ability during the 50-year repayment period would be returned to the reclamation fund from revenues derived from the disposition of power marketed through the Bonneville Power Administration. These revenues accumulate from individual projects within the Bonneville Power Administration system only after full repayment with interest of the commercial power investment in those projects.

It is recommended that the capital and annual operating costs allocated to flood control and fish and wildlife be nonreimbursable in accordance with existing law. It is further recommended that the capital cost of minimum recreation facilities also be nonreimbursable.

The plan of development was evolved in close cooperation with the local people. It meets their immediate requirements and lends itself for incorporation in a more comprehensive plan of development for Baker Valley as the need might arise at a later date. The persons to benefit from the development have on various occasions expressed their desire for the development and have formed the Baker Valley Irrigation District for the purpose of contracting with the Federal Government.

The proposed plan of development is engineeringly feasible. A comparison of the benefits and costs indicates that the development is economically justified having a favorable benefit-cost ratio of 1.28 to 1.

For a 50-year period of analysis, the direct benefits have been recomputed to recognize the effects of modern farm management, and the ratio of direct benefits to annual equivalent costs is estimated to be about 1.2 to 1.

In recognition of the limited payment capacity of the class 3 and class 4P lands on the project, the Secretary should be authorized to permit delivery of project water to units of sufficient size, considering the land classification, to support a family and to provide the necessary payment capacity. This could be accomplished by the addition of a new section 2(b), reading as follows:

"(b) Any lands in the Upper Division of the Baker project, Oregon, which are held in private ownership by a person whose holdings exceed the equivalent of one hundred and twenty acres of class 1 land shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of project works unless (1) the owner's total holdings do not exceed one hundred and sixty irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the Act of May 25, 1926 (44 Stat. 636, 649, 43 U.S.C., sec. 423e). In computing 'the equivalent of one hundred and twenty acres of class one land' under the first sentence of this section, each acre of class 2 land shall be counted as seventy-five one-hundredths (.75) of an acre,

each acre of class 3 land shall be counted as fifty-five one-hundredths (.55) of an acre, and each acre of class 4 land shall be counted as thirty-eight one-hundredths (.38) of an acre."

In order to clarify the intent of the bill, we recommend that the second sentence of section 2, page 2, lines 11 through 20, be amended to read as follows:

"Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay, within the repayment period or periods herein specified, shall be returned to the reclamation fund within such period or periods from revenues derived by the Secretary of the Interior from the disposition of power marketed through the Bonneville Power Administration."

The provisions of subsections 3(b) and 3(c) are unnecessary in that they relate to matters which are adequately covered in reclamation law. However, we would not object to their retention in the bill.

A statement of personnel and other requirements that enactment of this bill may entail is attached in accordance with the provisions of Public Law 801, 84th Congress.

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

Sincerely yours,

JAMES K. CARR,
Under Secretary of the Interior.

DEPARTMENT OF THE INTERIOR

Additional data required for project authorization under Public Law 801, 84th Cong., Baker project, Oregon, upper division

	1st year ¹	2d year	3d year	4th year	5th year
EXECUTIVE DIRECTION					
Administrative services and support:					
Administrative officer.....	(1)	1	1	1	1
Clerical and stenographic.....	(1)	1	1	1	1
Subtotal, administrative.....	(1)	2	2	2	2
Substantive (program):					
Engineering aids and technicians.....	(1)	7	7	7	7
Engineers.....	(1)	5	5	5	5
Inspectors.....	(1)	1	1	1	1
Other (field office head and right-of-way agent).....	(1)	2	2	2	1
Subtotal, substantive.....		15	19	19	18
Total positions.....		17	21	21	20
Total estimated additional ² man-years.....		3.3	4.0	4.0	4.0
Expenditure for additional ² man-years.....		\$13,285	\$16,580	\$17,000	\$13,130
Total estimated man-years of civilian employment.....		13.8	19.5	21.0	14.0
Total estimated expenditures:					
Project personal services.....		\$91,000	\$131,000	\$143,000	\$98,000
All other.....		209,000	1,825,000	3,009,000	319,000
Total estimated expenditure.....		300,000	1,956,000	3,152,000	417,000

¹ 1st year will initiate DPR activity, utilizing GI personnel and details from other offices. Establishment of permanent staff not anticipated until 2d year.

² Experience indicates that, for projects of this size, non-Bureau recruitment is necessary only for the low-grade engineering positions (GS-3 and GS-4) and occasionally for clerical or stenographic positions.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., February 5, 1962.
HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This in reply to your letter of January 17, 1961, requesting the views of the Bureau of the Budget on S. 308, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes.

The purpose of this bill is clearly stated in its title.

The project report of the Department of the Interior on the upper division, Baker

project, tentatively allocates costs to fish and wildlife in excess of the specific costs of fish and wildlife facilities. We would except that, prior to a request for funds to initiate work on the Baker project, the costs of the project would be reallocated in accordance with evaluation standards for water resource projects to be established under this administration.

Accordingly, the Bureau of the Budget would have no objection to the enactment of S. 308.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Mr. MORSE. Madam President, my case rests also upon factual data I obtained in support of this project from

the Bureau of Reclamation. In this connection I shall discuss briefly two aspects of the project which should save to dispel any misapprehension which might exist with respect to the project.

The first point concerns the crops which this project will make possible.

The Baker project is located in a range livestock-producing area, and most of the cropland in that area is used for the production of a winter feed base to complement the summer pastures and ranges. Most of the cropland is used for the production of grass hay, alfalfa hay, and pasture. In addition to this, some small grains, primarily barley, which are used for livestock feed in the project area, are produced.

From time to time, project farmers have experimented with the production of sugarbeets and potatoes as cash crops. With the development of additional storage for the project, it can be anticipated that a small acreage of these crops will be produced. The benefit and repayment analysis presented in the report was based on the assumption that about 500 acres of such crops would be grown in the project of 18,000 irrigable acres. Because of the distance from organized processing or packing facilities and also because of the importance of using the irrigable land in the project for the production of feeds and forage for livestock, it is not expected that sugarbeets and potatoes will ever attain a significant role in the agriculture of the Baker Valley.

The better lands of the area would be suitable for the production of some specialty crops, such as lettuce, carrots, spinach, and grass seeds.

On lands that are otherwise climatically and physically suited to the production of a wide range of crops, such as the better land in the Baker Valley, irrigation makes it possible to produce these crops which are in current demand.

Except for wheat, none of the six basic agricultural commodities which are in surplus are climatically adapted to the area.

Madam President, I ask unanimous consent that a table entitled "Anticipated Future Crop Distribution" be printed in the RECORD at this point in my remarks.

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

Anticipated future crop distribution, Baker project

Crop distribution	"With" project	
	Acres	Percent
Irrigated lands 1:		
Alfalfa hay.....	1,500	8
Grass hay.....	8,000	45
Pasture.....	4,200	23
Small grains.....	2,100	12
Row crops.....	600	3
Farmstead, roads, etc.....	1,000	6
4-H lands ²	600	3
Total.....	18,000	100

¹ Includes only irrigable lands with water right from Powder River.

² Water-right lands inside city limits of Baker.

Mr. MORSE. Madam President, concern has been expressed regarding the

acreage limitation language in this measure. I think it is helpful, and this is my second point, to look at the factual situation.

Since many of the low-lying, heavier project lands will be limited to the production of low-income crops, such as grass hay or pasture, it will be impossible for operators of farm units on such lands to make a reasonable living on farm units of 160 acres of irrigable land which are permitted under reclamation law. For this reason, it has been proposed in connection with the Baker project to amend the acreage limitation provisions of reclamation law as they apply to that particular development.

Under terms of the proposed amendment, owners of farm units composed entirely of class 3 land would be provided service for 218 acres, while those on farm units composed entirely of class 4 land would be permitted service for 316 irrigable acres. An owner of a farm made up of mixed land classes which comprise more than 160 irrigable acres would be limited to the equivalent of 120 acres of class 1 land. For purposes of calculating the equivalent acreage, 1 acre of class 2 land would equal three-quarters of an acre of class 1; 1 acre of class 3 would equal fifty-five one-hundredths; and 1 acre of class 4 would equal thirty-eight one-hundredths. There would be no restriction on the size of ownership units in those cases where the total irrigable area constituted 160 irrigable acres or less.

Thus, this provision does not represent a departure from the family-sized farm of reclamation tradition and law. It simply recognizes that because of limited crop adaptation, a family may need a few more acres of land to give them a family-sized farm if their holding is made up largely of the heavy textured bottom lands.

Madam President, my case also rests on material prepared for the committee and made available to me by various organizations in my State, as the Presiding Officer so well knows, who have worked so long and have worked so hard in support of this project. I ask unanimous consent that this material may be inserted in the RECORD at this point.

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

STATEMENT BY ALVIN WARD, RANCHER AND CHAIRMAN, BAKER VALLEY IRRIGATION DISTRICT, BAKER, OREG., ON BEHALF OF THE UPPER DIVISION BAKER PROJECT

I am chairman of the Baker Valley Irrigation District on the Powder River in Baker, Oreg. My occupation and entire livelihood is derived as a farmer.

Irrigation in this area started around 1870 by simple diversions from Powder River to improve the native wild hay meadows. The Union Pacific Railroad was built through the valley in 1884 and served as an impetus to the expansion of the first and still surviving industries, agriculture, lumbering, and mining. However, the level of settlement and development, except for the variation resulting from the change from the horse to machinery, has remained nearly constant since the turn of the century. One of the greatest factors contributing to this is the complete lack of irrigation water after July 1 and in many years June 15. This is an area with only an average annual pre-

cipitation of 11.73 inches. Our county had a population of 16,175 in 1950, a drop of 2,122 from 1940.

Baker Valley Irrigation District was organized in 1956 by water users interested in fulfilling a 32-year vision of providing a full or supplemental water supply to approximately 18,000 acres of land within the district.

Investigations for the present project report were undertaken in 1957 to update the report so as to conform to the needs of the legally formed district and to reflect present conditions. The vote tally for our district election was 47 to 1.

It is not felt that application of this supplemental water after July 1 will result in any additions to our Nation's so-called surpluses. In fact, I feel it will reduce the acreage of cereal grains, and particularly wheat. Wheat is grown now primarily because it is one of the few crops that can be produced with only one irrigation.

Our farm income at the present is based almost solely on pastures, livestock, and livestock products. One-half of 1 percent of the district acreage is in row crops and only 10 percent in small grains.

We are capable of irrigating properly as the existing distribution system is established. Some rehabilitation will be necessary. We are prepared to do what is necessary at our own expense.

Mason Dam will enhance the fishing and recreation of this area and has the wholehearted support and endorsement of the Powder River Sportsmen's Club of Baker, Oreg. The club has 1,607 members. We expect 50,000 people yearly to visit our reservoir for fishing and boating and picnicking as it is only 16 miles from Highway U.S. 30 at Baker, Oreg., with a paved highway the entire distance. The entire reservoir area is surrounded by a beautifully timbered ponderosa pine stand with level benches affording excellent recreation development opportunities. Due to the short distance from Baker, excellent boating, fishing, water skiing, swimming, picnicking, camping, and hunting would all be available, accessible, and popular activities.

Mr. Chairman and members of the committee, I believe we are asking for a project worthy of your consideration.

There is a competent irrigation district organized to contract with the Government. We have the land and we have the water, but the water must be stored to enable full season use. Our farmers and ranchers want, and will pay for this project in accordance with their ability.

Thank you for your courteous time and attention.

STATEMENT BY THE BAKER COUNTY COURT ON BEHALF OF THE UPPER DIVISION BAKER PROJECT, HON. LLOYD REA, COUNTY JUDGE

The Baker County court urges the Congress to authorize the development of the Baker Valley project, upper division, as a necessary facility for the agricultural interests involved and for the general welfare of the public.

The interest of valley farmers and ranchers in the development of supplemental water dates back many years. The present project enthusiasm is the culmination of thorough study and discussion at the grassroots. It was brought to a formal position September 4, 1956, when the court officially declared the Baker Valley Irrigation District organized. This action was taken by Judge Lloyd Rea (myself) and Commissioners R. M. Phipps and Gill C. Wright after public petition by 53 landowners followed by the formal public hearing and election at which the vote on behalf of the district was 47 "yes" and 1 "no."

The county court feels that there is solid support by the residents of this irrigation district for the project as envisioned in the present Baker Valley report and we are

pleased to represent Baker County in support of these people.

The lower Powder division project works at the Thief Valley, providing supplemental water to our lower Powder Valley has been beneficial and the contribution of this area to the stability of the county has been notable. The fine project on Burnt River with a storage facility at Unity, likewise, has been a major factor through the years in providing a backbone to the great livestock economy around which the entire southern portion of the county is built. We want to commend the ranchers and farmers who had the vision and energy to bring these projects into being, and the Congress and agencies who developed and authorized these beneficial public works.

On behalf of the county court I want to commend, to the Congress, the officers of the Baker Valley Irrigation District who are submitting statements and providing this committee with information in urging authorization of the Baker Valley project. These men are successful ranchers and farmers, representing all phases of valley agriculture. Skilled farmers, vigorous men, with long years of ranching ahead of them, they have been delegated by the fellow residents of the district to see the Baker project through to fruition. Their faith in the project and the authority by which they speak for their neighbors is certainly the most experienced testimony one could wish for that the project will be beneficial to the agriculture of Baker Valley, that the plan is sound and the water development to implement their operations is necessary.

As a county court we are close to the economy of this area. Throughout a period of years we have seen a change in many phases of this economy that makes it more important than ever to strengthen the agricultural segment upon which so much of the burden of government and our social and community life falls. As you know, historically, even up till several years after the last war, dredge mining for gold in the upper reaches of Sumpter Valley on Powder River gradually reduced farming acres to waste. Much of this tremendous acreage is now in county ownership, foreclosed for taxes. If we can in part make up for this depreciation of our economy it is important that we do so. The Baker project will in fact tend to do this on the same Powder River.

The economy of this county has been further strained by the gradual reduction in the volume of lumber industry activity. The narrow-gauge logging railroad that at one time extended from Baker, up Powder River through the very reservoir land of the proposed Mason Dam under this Baker project, was abandoned after the war and its passing is testimony that our economy now must depend upon other things. We as public officials know that much of this dependence is now on agriculture.

We are particularly impressed that under the proposed Baker project the county court will not be burdened with the necessity of building new roads and serving new communities. This project will supplement the existing ranches and the existing lands which are already served by adequate county roads and highways, by existing fine new schools and by present utilities and public services. It will not disrupt the community in any way.

The proposed reservoir area is served by a fine paved State highway, making it possible for its multiple benefits in the way of recreation to be enjoyed without major access problems. The proposed acreages to be served by the supplemental and additional water are already adjacent to a modern system of county roads that network Baker Valley from north to south and from east to west. Schoolhouses already serve the entire district affected, as does a mail route. Likewise, the county already assures winter

access by snow removal in these areas when weather makes this necessary.

Rather than expanding our problems and those of agriculture, we of the county court are certain that the proposed project will strengthen and stabilize these ranching and farming operations which are so vital in the maintenance of our economy.

STATEMENT BY CHARLES M. COLTON, BAKER COUNTY RANCHER, BAKER, OREG., ON BEHALF OF THE UPPER DIVISION BAKER PROJECT

I represent the livestock and farming industries of the Baker Valley Irrigation District. I have lived my entire lifetime on the ranch I now own and operate. It is located in the lower end of the district in an area that is mostly wild meadow hay and pasturelands.

The use of these lands is restricted to such crops because of spring floods which make any tillage of the soil impossible. Any attempts to improve the quality of the existing hay and pasture crops have largely failed because of the almost annual floods which kill the legume plants. The grasses are of poor quality and produce only about 1 ton of hay per acre. During years of worst flooding considerable damage is done by the washing in of sediment and debris which makes harvesting operations difficult and costly.

Almost without exception the irrigation water is gone by the first of July leaving almost 4 months of excellent growing season and inadequate water supply. The rainfall during this period is very little.

This area is very much the same as I first remember it and I can see no way to make much improvement without protection from floods and the usage of stored water. The soils and climate are good and under the right moisture conditions will produce abundantly.

The upper end of the project area is not flooded except by unusually large runoffs.

The usage of this land is more diversified but restricted because of the lack of irrigation water after July 1.

Some grain is grown because such crops do not require late irrigation. With sufficient water available more of this land would be used for hay and pasture as this is an excellent livestock producing area if adequate feed is available.

Restrictions upon the usage of Bureau of Land Management and U.S. Forest Service rangelands are also making irrigated pasture more in demand. I have never seen enough irrigated pasture in Baker Valley during the late summer and fall months to provide adequately for the existing livestock population.

Irrigated pasture would improve the quality of cattle by making possible a program of artificial breeding which is not practical under existing range conditions.

Water would help many people with fewer acres to have gardens and dairy farms.

Almost all of the farms of the district now have buildings, fences and the equipment necessary for farming. The people that live on the land are accustomed to the climate and soils and market conditions. The increased population would create no particular problems for them.

Baker County has lost about 15 percent of its peak population because of the decline in the mining and lumbering industries. A sound agricultural industry can be made by the building of Mason Dam and is needed to stabilize the economy.

I am sure the landowners are willing and able to assume the costs of supplemental irrigation water.

STATEMENT BY HENRY PEYRON, BAKER COUNTY RANCHER, BAKER, OREG., ON BEHALF OF THE UPPER DIVISION BAKER PROJECT

I am one of the ranchers in the Baker Valley Irrigation District. My father,

brother and I operate a family owned hay, grain and livestock ranch. We have operated this ranch continually for 44 years during which time water has always been our No. 1 problem. There have been short water years and long water years but regardless of the year, no water is available in the best growing months of July and August.

Under the present flow of Powder River we never know from one water season to the next just what to expect in the way of irrigation water. Some years we are able to get over all our land with one irrigation. There have even been years when two irrigations were possible but then there have also been years when there has been no irrigation water.

Mason Dam will eliminate the possibility of crop failures and add much to the stability of our operation. With a reliable source of water, the quantity and quality of all our production would be greatly improved. Since our principal operation is livestock, this production improvement will be utilized primarily in the livestock phase of our operation. Although farm benefits will be important results of Mason Dam, there are others that may be equally beneficial to the area. Flood control and recreation are important among these.

Floods have been one of the ravages of mankind since the beginning of history and continue so today where rivers go unchecked. Our comparatively small Powder River is no exception. Flood flows in Powder River are caused by a combination of snow melts and rains. Snow melt is the principal cause. High flows usually begin in March and in normal years cause inundation of farmlands bordering the river for approximately 5 miles. In abnormal years higher flows cause inundations of farmland for approximately 12 miles. During these high-flow years the city of Baker does receive considerable damage from the river overflowing its banks. This damage is to municipal, commercial and residential properties. The most recent flood occurred in February 1957. This flood inundated approximately 16,750 acres, most of which was farmland and developed properties in the city of Baker. During this flood the city of Baker suffered damages of some \$200,000 including cost of \$55,000 from flood fight activities. In the farmland areas outside the city of Baker, damages amounted to some \$50,000.

Damage to farmland downstream from Baker occurs each year, and in the high-flow years, this damage is more pronounced. This downstream damage includes the loss of use of pasture due to prolonged inundation and silt deposition, damage to farm roads, bridges, fences and irrigation structures and induced growth of noxious weeds and unpalatable grasses.

Since hay and pasture are basic to our agricultural economy flooded farmland takes away our very existence. Hay meadows are the principal type of land flooded. This flooding causes late growth, lowers the quantity and quality of hay, and results in a reduced recovery rate on pastures. These lands along the river then which have the better soils and should be superior producers, are the ones that are suffering most from flooding. The construction of Mason Dam will prevent the hazards caused by floods and store this much needed water for use through the summer growing season when and where it will do the most good.

This writer feels that the ranchers under the project have the factors necessary, including the ability and willingness to reimburse the Government for the reimbursible costs of the project.

STATEMENT BY JOHN C. HESKETH, COUNTY EXTENSION AGENT, BAKER, OREG., ON BEHALF OF THE UPPER DIVISION BAKER PROJECT

In the hope that a general understanding of the setting of this project—its location,

its geography, its economy, and its people, will be helpful to members of this committee in their deliberations regarding merits of the upper division Baker project, this statement is presented.

Baker County is located in the northeastern part of the State of Oregon. It is bordered on the north by the Willowa Mountains, on the west and south by the Blue Mountains, and on the east by the Snake River on the Oregon-Idaho boundary.

Within the county are some 1,972,660 acres of land, more than half of which is publicly owned. Of the total 961,882 acres in private ownership, 807,580 acres are used for pasture and 154,302 acres are devoted to crops. Of this cropland, 142,000 acres are irrigated to some extent. There are 757 farms averaging 1,173.5 acres in size.

Soil, moisture, and climatic conditions vary greatly within the area of Baker County. Land is tilled at elevations ranging from 1,500 to 5,000 feet. Annual precipitation varies from less than 10 inches to some 40 inches at one location. In most cropland areas it averages somewhere between 11 and 15 inches annually. The length of growing season, too, shows much variation and is closely related to elevation and proximity to the higher mountains. Because of this great diversity in conditions, there are very few crops grown anywhere in Oregon that cannot be produced somewhere within Baker County.

The economy of Baker County is based almost entirely upon production of the land—mining, forestry and agriculture. Of these, forestry and agriculture are the most important and contribute about equally to the economy. The gross annual sale of lumber amounts to more than \$10 million. Industrial payroll of the lumber industry has been in excess of \$3 million. The estimated gross income from agricultural marketings within the county in 1961 was \$13,410,500. Of this, nearly \$10 million was from the sale of livestock and livestock products.

Cropland of Baker County is located primarily in a number of large fertile valleys surrounded by timbered mountains or sagebrush range. In the case of the rangeland, livestock grazing often affords the only possible use. Livestock production is, therefore, the principal agricultural enterprise of the county. Of the 757 operating units, 600 are classified as beef cattle operations. Typically these livestock producers utilize private or public grazing land throughout the summer and use their cropland for the production of winter feed. Since most cattle sales (35,000 to 45,000 head annually) involve weaner calves marketed in the fall or winter, very little fattening is done and the feed needed is principally hay. Very little grain is produced anywhere in the county and this, for the most part, only in forage crop rotation programs or on land where irrigation water supplies are such as to permit only early irrigation and thus only one cutting of hay per season. Grain is produced on these lands because it can be grown with one irrigation and under these conditions is a relatively high return crop.

Agricultural production, even upon the cropland within the various valleys, absolutely depends upon the artificial application or irrigation water. The difference between native grazing land producing several hundred pounds of forage per acre per season, and cropland producing several tons, on the same basis, is the availability of irrigation water. Often there is nothing more than a barbed wire fence separating one such field from the other. Perhaps as great and important as these differences in volume of production, are differences in quality of production. Laboratory analysis of both types of forage made by Oregon State University show actual differences in crude protein contents of as much as 12.2 percent.

It is estimated that there are 400,000 acre-feet of water originating annually within the boundaries of Baker County. In spite of the very obvious need and active demand for this water, less than 30 percent of the supply is utilized. This is because of the early seasonal runoff which leaves 2 to 3 months of the most productive growing season without adequate supplies for irrigation. The economic consequence of this waste has long been recognized and a great deal of effort and expense have been devoted toward preservation and effective use of this valuable resource. The 16,429 acres below Unity Reservoir on Burnt River and 7,320 acres below Thief Valley Reservoir on Powder River provide vivid proof of what storage for late season use can mean to the development and economic well-being of an area. Efforts have been directed toward construction of similar storage facilities on the Powder River above Baker and Bowen Valleys for nearly 30 years.

The balance and stability of Baker County's economy is evident in its population statistics. In 1960, total population of the county was 17,180. About one-third of this (5,431) was rural. In 1920 total population was 17,929. Over this entire 40-year period these figures have varied by less than 2,500 persons and the balance between urban residents and the rural population these serve, has remained nearly the same. This population stability and the relative isolation of many areas does not, however, imply any degree of backwardness. The general educational level of residents throughout the county is high and their progressiveness is evident in all phases of civic, educational, and vocational endeavor. Baker County was one of the first four Oregon counties to voluntarily achieve complete reorganization and consolidation of its public schools. It is 1 of 8 of Oregon's 36 counties to have yet achieved this objective under the State's most recent reorganization enabling laws. This has resulted in a reduction from 87 school districts in 1930 to 4 districts in 1961.

In the field of agriculture the progressiveness of Baker County farmers and ranchers is also evident. Records show that in the 5-year period 1956 through 1960, 892 producers participated in the agricultural stabilization and conservation program. During this period vegetative cover was established or improved on more than 15,000 acres, and more than 81,000 acres have benefited from the establishment or improvement of irrigation and drainage facilities. These improvements have all been made on privately owned land.

Baker Valley, the area most immediately affected by the project proposal under consideration, is the most nearly geographically centered of all crop-producing valley areas of the county. More than half of the county's population is also concentrated in this area. The city of Baker, located at the southern end of the valley with a population in excess of 10,000 serves a wholesale trade area approximately 125 miles in radius. About 40 percent of the labor force is employed in the extractive industries of agriculture, forestry, and mining. Trade and service industries employ most of the remaining 60 percent.

Transportation facilities in Baker Valley are excellent. The main line of the Union Pacific Railroad traverses the entire valley from southeast to northwest. U.S. Highway No. 30 follows the Old Oregon Trail throughout the length of the valley and connects with several State highways. West Coast Airlines also serves the area and connects with transcontinental airlines at Boise, Pendleton, and Spokane.

The type of irrigating established in Baker Valley by the first settlers in the 1870's has been continued to the present time. At the turn of the century farmers began to improve the native hay meadows by seeding improved grass and legume varieties on

the better drained slopes. Except for this trend toward increased production of forage per acre there has been little change in the general land use pattern.

The land is irrigated by flooding during the spring runoff through numerous individual and partnership ditches diverting water from Powder River, its west side tributaries, and several sloughs. Distribution of this water is administered by the county water master. Until 1956 there were no organized irrigation districts. Since no adequate storage facilities exist, the amount of water applied and the length of the irrigation season depend entirely upon the extent of the natural runoff. The season of this natural runoff usually ends by early July. This erratic irrigation water supply pattern has resulted in water use practices which have limited the agricultural development of much of the valley area. Correction of this situation is entirely dependent upon the obtainance of adequate water supplies and distribution control.

It is felt that the multipurpose facility proposed in the Baker project upper division report will materially benefit the population and entire economy in a large area of the Pacific Northwest.

STATEMENT BY THE POWDER RIVER SPORTSMEN'S CLUB OF BAKER, OREG., FAVORING AUTHORIZATION OF BAKER PROJECT (UPPER)

Powder River Sportsmen's Club is one of the largest and most active sports, conservation and wildlife clubs in the Northwest. Its major functions in the areas of big game, fish, public lands, water resources, conservation, and recreation are accomplished by local committees; but it is also affiliated with the Oregon Wildlife Federation.

Local membership in 1961 reached 1,411 and it has been growing at the rate of about 200 to 300 per year.

Interest by the club in Mason Dam project dates back many years but was stimulated following release of the present multiple-use project report by the bureau. The club's water resources committee was assigned the task of cooperating with landowners and agencies in promoting and supporting this development.

Pressures from all sides in our Nation demand that water resource developments be given high priority wherever a potential development and a feasible plan can be brought together. The yield and flow characteristics of the Powder River dictate a need for water storage upon this stream. Eighty-four percent of the runoff floods away in the few spring months and from the standpoint of the fishery and recreation, Powder River's present value is nil. Under the Mason Dam project these resources would be tremendously valuable. This sportsmen's club believes the evaluations contained in the report are very conservative.

Baker is headquarters for the Wallowa-Whitman National Forest. The report by this forest just released shows recreation use reached 243,000 visitations in 1961, an increase of 30 percent in 1 year alone.

Only by properly preparing for the impact of this rate of increase in recreation can the demands be met and conservation measures be taken. Estimates of recreation values under the Baker Valley project are currently conservative, we feel. By the time the reservoir is a reality under the most expeditious of schedules its recreation use will far surpass all present forecasts.

Features that make the proposed reservoir attractive to recreation are: (1) its proximity to the county's population center for local patronage; its relative location as a seasonal retreat close to the hotter districts of southeastern Oregon, eastern Washington, and Idaho; (2) its location upon a hard-surfaced State highway; (3) its moderate elevation assuring long-season advantages; (4) its topography and physical setting of great at-

tractiveness, located in sight of the high peaks of the southeastern end of the Elkhorn Range of the Blue Mountains, well sheltered from winds and providing forested cover upon adjacent slopes; (5) its proximity to interesting back country having big-game resources and considerable pioneer lore in old goldmining camps; (6) its location immediately below many thousands of acres of gold dredged lands, most of it in public title with great wildlife and recreation use potential; and (7) its size which will provide ideal boating and water skiing conditions.

Fishery people have told this club that the trout potential of Mason Dam pool is such that the fishery will be fabulous. Water temperatures are expected to be ideal for maximum growth of this species and, based upon public expressions by Oregon fishery people, sportsmen look forward to the creation of this pool with great anticipation.

The project report and subsequent negotiations relative to the fishery and recreation have been accomplished with an awareness of this sportsmen's club. The agreement relative to minimum flows in sharing critical year storage deficiencies between the fishery and the agricultural purposes of the project is an example. Furthermore, recreation and agriculture have worked together in citing in this pending legislation the expectation that long-range recreation policy regarding land acquisitions at the reservoir can be worked out.

It is the opinion of this club that the project is a fine example of a multiple-purpose plan and that the effort behind its authorization and construction exemplifies the close cooperation that can exist between major economic purposes of such water developments and the essential conservation, fishery, recreation, and flood control purposes which are public responsibilities.

This club hopes that the Congress can authorize the Baker project (upper division) early and that final planning can go forward immediately.

THE POWDER RIVER SPORTSMEN'S CLUB,
BYRON C. BRINTON,
Chairman, Water Resources Committee.

Mr. MORSE. Lastly, my case rests upon the action taken in the House of Representatives when this bill was passed. We all know that in the closing days of this session of Congress, there really is not sufficient time available to engage in long and extended discussion of a project such as this, but that if time did permit I would cover all these points in a formal speech. In such a speech I would point out the strong local support for this project which is evidenced by letters such as I received on September 11, 1962, from Mr. Bard Johnson, an attorney in Baker who wrote me as follows:

JACKSON & JOHNSON,
ATTORNEYS AT LAW,
Baker, Ore., September 11, 1962.

Re Baker Valley project.
Hon. WAYNE MORSE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The members of our community have been watching with considerable interest and much gratefulness your efforts on behalf of the Baker Valley project and in being able to have the subcommittee pass the House version of the project favorably so that it may be brought before the entire Senate.

Lately, in talking to some of the people here I have detected a note of concern on their part for fear that because of the nearness to the end of the legislative session of the possibility that the project may not be brought before the Senate for a vote.

It is very difficult to express in words the real necessity of this project to this area. I know that you are fully familiar with the benefits that this project will bring to the community over a period of time, but this feeling is one, in my opinion, which goes further than the actual benefits derived by the project.

Since the closing of the Oregon Lumber Mill and the general difficulty the lumbering industry is having as a whole, has had a depressing effect on this area in general, and we feel very strongly that if the Baker Valley project would be authorized it would tend to lift their morale and give them more optimism for the future welfare of our community.

We know that you will do your very best to have this matter brought before the Senate before adjournment and to have the project approved. Your efforts on the project's behalf is most appreciated and I know your efforts on behalf of the project and other matters which affect our affairs in eastern Oregon will be most beneficial to you come November.

Sincerely,

H. B. JOHNSON.

The points he and many others have made before the committees on both sides of the Capitol are well taken. I would but supplement the record on this bill with an extract from my testimony before the Senate committee on March 22, 1962. I ask unanimous consent that the excerpt be printed at this point in my remarks.

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

STATEMENT OF SENATOR WAYNE MORSE BEFORE SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS ON MASON DAM BILL, S. 308, MARCH 22, 1962

This project has been under study for many years. In recent years I have received convincing evidence of the tremendous local interest and support it enjoys. It is the type of project which will provide benefits for present and future generations of Americans.

The project is located on the Powder River in the vicinity of Baker, Oreg., and is estimated to cost a total of \$6,168,000. According to the latest information available to me, \$4,354,600 would be allocated to irrigation, \$1,056,400 to flood control, \$632,000 to fish and wildlife and \$125,000 to recreation. It will bring supplemental water to approximately 14,000 acres of land now under irrigation and will provide new irrigation for approximately 4,000 acres. In addition to irrigation, the project would also supply 100,000 acre-feet of storage and 10 second-feet of water the year around to assure a stream flow which would be of great benefit to those interested in the fishery of the Powder River.

The construction of Mason Dam will contribute substantially to the reduction of flood losses. Such losses can be very severe in this area, as demonstrated by the flood of 1957. On that occasion, \$200,000 of flood damage occurred within the city limits of Baker and \$50,000 of damage along the Powder River. The Bureau of Reclamation estimates \$40,000 annual flood control benefits through the construction of the dam.

The recreational facilities of this project are of great importance. We live in an age of automation and tension. Our people are turning to recreational activities to provide the antidote for our speeded up basis of life.

Mr. Chairman, I could deal at length on the merits of this project. However, there are Oregonians present in the hearing room

who are experts in this field and who have much valuable information to give the Committee. I shall not take additional time because I wish to give our Oregon witnesses the opportunity to supply the full facts.

Mr. MORSE. Madam President, I have worked long and hard with the able Presiding Officer in support of this very much needed project. We are dealing with one of the critical economic areas of the State of Oregon. It is one of the depressed areas of the State of Oregon. It is one in which this kind of program would mean very much to the economic life of the area. It would mean much to flood control. It would mean much to the hay crops that would be made available by this project, which are so essential to the livestock industry and to the wildlife of eastern Oregon.

I believe I have overwhelming support for my position, and I therefore rest my case on the basis of the reports and the materials that I have introduced into the RECORD.

Madam President, I ask unanimous consent that various letters which were made an appendix to the printed hearings on the bill be printed at the close of my presentation.

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

BAKER COUNTY
CHAMBER OF COMMERCE,
Baker, Oreg., March 1, 1961.

HON. CLINTON P. ANDERSON,
Committee on Interior and Insular Affairs,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR ANDERSON: We would like to bring to your attention the recreational potential that could be developed at the proposed Mason Dam site, located 16 miles southwest of Baker on State Highway No. 220.

This dam would be built across Powder River where there is now good trout fishing early in the spring and until late summer, at which time the water gets too low for good fishing.

The State game commission has made traffic counts of from 300 to 500 fishermen using this water from the city limits of Baker to the proposed site.

If this project is approved it will greatly improve the fishing in this area as there would be a constant level flow of water in the river below the dam. In addition to backing up water into a pool which would be 4½ miles in length and ½ to 1 mile wide, this pool would make an excellent recreational spot for many types of fishing, boating, water skiing, swimming, and other water sports.

Due to the paved highway and the short time that it requires for people from Baker to reach this area, many business men and women are already inquiring into possible locations for weekend and summer homesites.

As this dam would be located in a beautiful, undeveloped area with pine and fir timber surrounding it, we feel it would be the most desirable family recreational area in eastern Oregon.

Sincerely,

IRA D. STAGGS,
President.

OREGON RECLAMATION CONGRESS,
Huntington, Oreg., February 1, 1961.

HON. CLINTON ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR: The Baker Valley Irrigation District embraces an area in a mountain val-

ley adjoining the city of Baker. The agricultural economy of the area is in process of a transitory change from wild meadow hay and feed grain crops to potato, beef, and tame grass pasture and hay production.

Restrictions of public domain and private range in the area have created interest in crops that will provide year round forage for the large livestock industry of the valley. Favorable cost-to-benefit ratio shown in the investigation firmly support the urgent need for the proposed Mason Dam project.

Oregon Reclamation Congress unanimously approves authorization of its construction. Respectfully submitted,

HAROLD HURSH,
President.

FEBRUARY 9, 1961.

HON. CLINTON P. ANDERSON,
Committee on Interior and Insular Affairs
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR MR. ANDERSON: I sincerely hope that your committee will give favorable consideration to the proposed Mason Dam on Powder River. It is generally conceded in this section that such a dam would be of material benefit and will bring into production considerable land that should be in production and will give late water rights to farms that are handicapped by the lack of moisture in the last months of summer and the first months of fall.

Yours very truly,

RIVES WALLER.

BAKER PRODUCTION CREDIT ASSOCIATION,
Baker, Oreg., March 6, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR ANDERSON: We endorse the construction of Mason Dam as being a very worthwhile project to store 100,000 acre-feet of water from Powder River, and control floods and furnish supplemental water for 18,000 acres of land under the Baker Valley Irrigation District.

During spring and early summer the flood-water covers large portions of the project land from 1 to 3 feet deep for a period of 2 to 4 weeks. The cold snow water shortens the growing season, and does great damage to the lands, killing all legumes in the meadows.

The dam will recover the most valuable national resources in our area, as this water cannot be used elsewhere. The floodwaters flow into the Snake and on into the Columbia and then into the ocean and are wasted.

By July 1 each year water in Powder River is all gone leaving 70 days of our best growing season without water for irrigation. Construction of this project would add 40 percent to production of the valley and would add greatly to the economy of the landowners, as well as to the county as a whole.

The reservoir created by the dam would make a beautiful recreational area, the best in all eastern Oregon, being entirely surrounded by pine and fir forests, on a paved highway only 18 miles from Baker and the Old Oregon Trail Highway.

We have financed a large percentage of farmers and livestock operators in Baker County on a year-round basis for the past 27 years, ever since we were organized under the Farm Credit Act. For the last few years the financing has amounted to several million dollars annually without a loss or foreclosure.

If this project is constructed the water users will be amply able to pay all charges as we understand will be specified in the contract between the water users and the Government.

Thanking you in advance for your early consideration of the project, I am,
Yours very truly,

EARL HEIZER,
Manager.

BAKER MILL & GRAIN CO.,
Baker, Oreg., April 10, 1961.

Re Mason Dam project.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR: For more than 40 years our firm has been doing business with Baker County farmers and ranchers and we naturally maintain a keen interest in their problems and welfare. Therefore, we are most pleased to learn that the Mason Dam proposal is coming before your committee for consideration.

Aside from the flood control and recreational benefits, we feel that the irrigational water from this project is the key to general prosperity in this valley. A longer, more dependable supply of irrigational water is the difference between success and failure for our cattleman, hay producer, grain grower, and row-crop men, operating on marginal land.

We sincerely hope that your committee will endorse this project as proposed.

Very truly yours,

T. D. HENRY,
President.

WAYNE PHILLIPS & SONS,
Baker, Oreg., March 20, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR ANDERSON: Being a landowner under both the Baker Valley project and the Thief Valley Irrigation District, I hope you will look with favor toward the Baker project as it is a district which produces hay and pasture for the growing of beef cattle which is the principal source of income of the county.

We do not grow crops which are in surplus, such as wheat and corn.

The runoff of spring waters which would be stored is very valuable for the middle and late summer for irrigation purposes. Our streamflow is diminished by late June or early July, leaving the best part of our growing season without irrigation water, causing our crops and pastures to dry up in the early fall. Also, the spring runoff causes excessive damage to the lands, both in the Baker Valley and downstream in what is known as the lower Powder Valley. By storing the spring flow it would alleviate great damage which causes crop failures of the meadows and hay grown in the lower Powder Valley.

Thanking you for your favorable report on the project, I am,

Very truly yours,

WAYNE PHILLIPS, Sr.

THE RECORD-COURIER,
Baker, Oreg., March 14, 1962.

To the Honorable Committee:

This newspaper, the local paper to the county and area concerned in the Baker project, favors authorization of this reclamation facility.

The editor has served as a member of the Oregon Water Resources Board and feels that the Baker Valley development proposed to fully utilize the waters of the upper reaches of Powder River would be one of the stronger links in the whole reclamation picture of our State.

Baker Valley agriculture is predominantly livestock, and always will be. The changing livestock production picture is placing increased emphasis upon the interrelationship of valley ranches and the high wild ranges and upon overall efficiency. The stability

that full water supplies can render irrigated agriculture is vital to our local livestock economy, to the full utilization of the higher lands and to our whole economic community.

Our experience shows that the project is economically sound, based upon costs and benefits as determined in the amended report. After working a number of years with landowners in developing a supplemental water plan and the district organization, I feel that the landowners are wholeheartedly behind the program in the district. Experience of the last few short-water years has more than ever convinced them it is futile to continually face the exigencies of critically deficient natural-flow water supplies. The project will be a great boon to the district landowners and I can foresee no detrimental effect upon any other, whose water rights naturally will not be affected. The taking area of the reservoir is a very minor factor, indeed, in the overall picture.

From the standpoint of flood control and recreation, it is certain that the project report is very conservative. The Mason Dam facility will be real flood insurance. It will provide one of the area's best trout fisheries and some of the finest recreation water. Project operation is such that it will be compatible with all these values and maximum water utilization.

Presently, the community, because of depressed lumber industry tendencies, needs the stimulus of such a project as Mason Dam. We look forward to early authorization and prompt planning and fulfillment of the Baker Valley district's project.

Respectfully submitted,

BYRON C. BRINTON,
Editor-Publisher.

A. S. BOYD & Co.,
Baker, Oreg.

HON. CLINTON P. ANDERSON,
Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SIR: For years many of we stockmen have been interested in the building of the Mason Dam, for the purpose of reservoiring the early run of high waters of Powder River which often floods a large portion of our Baker Valley rendering much of this fertile area unfit for the production of anything but a poor quality of wild hay or slough grass.

In recent years much of our national forest has been closed to the grazing of livestock, other areas closed to grazing for military purposes, hydroelectric projects on Snake River, recreation parks, and watersheds for city water supplies. This all results in quite a shortage of grazing land and pasture and leaves us with an overproduction of hay. If it were possible to reservoir this early run of water, preventing this early flooding of our valley, and the water made available later in the summer, much of this land growing wild hay could be developed to produce good long-season pasture.

We have been in the livestock business in Baker Valley for over 40 years and have never seen or heard tell of a surplus of irrigated pasture.

It has been my observation that all good irrigated pasture countries such as the Long Valley or McCall districts of Idaho and most of the ladino clover areas of California are prosperous districts with cheap production costs.

Beef or lamb can be produced on such pastures for a cost not to exceed 12 cents per pound; in the feedlots it costs 18 cents or more to put on a pound, with the average above 20 cents per pound. Nearly all cattle and lambs raised in our Western States are in the feeder class and are sold to be finished in the various feeding areas or States. Beef, lamb, and wool are being imported so we evidently have room to expand in the production of these commodities.

It is my understanding that our committee from Baker Valley will be in Washington soon. Your careful consideration of this project will be appreciated by me and almost all the citizens of this area.

Thank you for this consideration.

Yours truly,

ARTHUR T. BOYD,
President.

DURKEE, OREG., March 27, 1961.

HON. CLINTON ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SIR: This letter is written to bring to your attention the necessity of the proposed Mason Dam, and the Baker Valley Irrigation District on the Powder River.

Most of my life has been spent in the ranching business in Durkee Valley on the Burnt River, a sister stream to the Powder River on which the Mason Dam is proposed to be built.

Let me take you back to the days before our storage reservoir was built, when the Burnt River went on a rampage every spring. The spring runoff went by in a week or two of turbulent muddy water washing out roads and fences and carrying down trees, dead cows, and other debris to deposit on our fields in exchange for an acre or two of good land that it gouged out at every bend.

We watched the river closely and as soon as it subsided to its regular channel, we put in our dams and started irrigating as we must "get wet" while there was water in the river for it would soon be dry. By the end of June it was down to a trickle and later in the summer only a series of stagnant, moss-covered pools too foul for a horse to drink.

How much better it is now with the stored water. No need now to irrigate too early when the ground is still cold or to irrigate too heavily hoping to store precious water in the soil against the day when there would be no more water.

No more floods followed by drought but a steady, dependable, controlled flow of clear, clean water.

And so it will be in the Baker Valley when the Mason Dam is built.

Please give this project every consideration.

Yours truly,

THOS. W. SHEEHY,
Master, Durkee Grange No. 653.

STEWART & MORRISSEY,
Baker, Oreg., March 29, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR ANDERSON: We appreciate the interest of your committee in the authorization of and the eventual development of the Mason Dam by the Bureau of Reclamation on the upper reaches of the Powder River in Baker County, Oreg.

There is no single development on the Powder River watershed which will yield such meaningful returns to the entire county where 80 percent of our yearly income derives from the basic livestock industry.

While our own operation, situated near Keating some 20 miles downstream, does not embrace land under the Baker Valley project, we and our neighbors expect tangible benefits from the Mason project on at least three fronts.

1. The Mason Dam will eliminate the yearly flood hazards and demonstrable damage. Several years ago with the Army Engineers from Walla Walla, Wash., we arrived at a \$1,000 yearly damage figure on our home ranch through which the river flows for about 1 mile. Aside from soil losses, along the river channel, it is impossible to hold a stand of palatable meadow grass and legume species in our bottom lands. The

elimination of flood threat could lead to farming up to the riverbanks.

2. Irrigation of some 18,000 acres above us would stretch out our present supplemental supply of irrigation water from the Thief Valley reclamation dam. This will mean improved soil practices, crop-rotation potentials, and heavier weight on our stocker and feeder animals each fall.

3. We are plagued with animal diseases which derive from spores which accompany river bottom pastures. If we could institute proper tillage, crop rotation, and other approved soil practices we should be able to achieve more effectual animal husbandry through reduction of disease losses. I refer to such ailments as blackleg, foot rot, jumpy jaw, liver fluke, and red water disease. True, we vaccinate for most of these diseases and attain some protection but we can never eradicate the threat of disease eruption and severe economic losses until our land control circumstances improve.

There are other fringe benefits to a project of this sort. More forage means, for example, a better crop of game birds. Clear water on a steady, reasonable flow basis means an opportunity for expanded fish culture.

I hope your committee will not be dissuaded by the shopworn thesis advanced by some that since we have problems of surpluses in some crops, we should not compound those problems by developing the productive capacity of more lands. This is a fine argument for those communities and those producers who have it made. We know that you know that the livestock-based industry does not have burdensome surpluses. Our commodity is not in Government-financed storage. We are on a current production-demand basis and want to keep it that way. We believe, however, that each community must advance through taking advantage of our natural resources and improving our potential, or, through inaction, we will surely slip backward, while other more favored areas will progress.

Prudent water development is the key to achieving our economic and social potential, locally and nationally.

Thank you for favorable consideration of the Mason Dam project in Baker County.

Sincerely yours,

ROBERT J. STEWARD.

BAKER, OREG., February 14, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Senate Office Building,
Washington, D.C.

HON. CLINTON P. ANDERSON: I am merely writing this letter to express my opinion on the irrigation project here in Baker County.

I have a farm of 380 acres that is very well located and has some of the best soil in the country. However, it has developed into black alkali for only one reason—we do not get enough water to irrigate and wash it down. Therefore, I can raise only first-class alkali weeds which are of absolutely no value and cannot be utilized in any manner. Consequently, I would say that it is high time that we get down to business and encourage this Mason Dam to get it developed as soon as humanly possible. Baker Valley could be the spot of the Northwest, if proper irrigation could be arranged. I am sure it could be done with the installation of Mason Dam. It would induce industries to this area, and permit us to raise more extensive and varied crops. There is no need for water to go down the drain when we have plenty of moisture in the spring of the year and then in July, August, and September when we really need water there isn't any. Therefore, I feel it is very urgent that we work hard to restore surplus water to Baker Valley.

I am not just encouraging this for my own benefit, but everyone concerned.

Sincerely yours,

WM. SCHAAN.

BAKER BRANCH,
THE U.S. NATIONAL BANK OF
PORTLAND, OREG.,
Baker, Oreg., August 14, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR ANDERSON: For many, many years this bank has been interested in the Baker Valley irrigation development project, commonly known as the Mason Dam project wherein a dam is proposed to be erected in the Sumpter area between Sumpter and Baker, its main use being for irrigation purposes for the Baker Valley. We have always felt that the construction of this project is of the utmost importance to the welfare of this county, and accordingly to the entire State of Oregon. We believe the present waste of this valuable natural resource is inexcusable and that the benefits that will be realized from the project will far outstrip the cost of construction.

The officers and employees of this bank all join with me in recommending the construction of this project.

Sincerely,

LESTER D. HANSEN,
Assistant Vice President and Manager.

FORTNER SUPPLY CO.,
Baker, Oreg., August 14, 1961.

HON. CLINTON P. ANDERSON,
Committee on Interior and Insular Affairs,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SIR: As a 30-year resident of Baker County, Oreg., during half of which time I served as Baker County agricultural agent, I am writing to urge your support of the proposed Mason Dam project for this locality.

There is no question but that the agricultural economy of Baker County has been held down for many years due to the lack of late season irrigation water. This is particularly true of the Baker Valley area and other sections of the county not served by water-impounding dams such as have been provided in the Burnt River and Lower Powder Valleys of the county.

Adequate irrigation water, such as the Mason Dam would provide to the established irrigated ranches and some new lands under it, would allow for desirable diversification and boost yields of hay and pasture in this basic livestock area. Late pastures are particularly important in view of the limitations now placed on range operators. The beef, dairy, and sheep producers all need the added forage that stored late water would make possible.

Plentiful water would permit diversification on the smaller farm units and the acreage of such crops as sugarbeets and potatoes, which do well in this area, could be increased with benefit to all.

Yes, we need the benefits that would come to Baker County with the building of Mason Dam. As an early advocate and worker for this project I urge you and your committee to give a favorable report on the Mason Dam project.

Very truly yours,

P. T. FORTNER,
President.

BAKER, OREG., August 14, 1961.

HON. CLINTON P. ANDERSON,
Committee on Interior and Insular Affairs,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SIR: I wish to express my hope that you will do everything in your power to expedite any legislation that would make possible the construction of Mason Dam on Powder River in Baker County, Oreg. This construction would certainly improve the agricultural picture in this valley and I'm certain that in the near future that we are

apt to need all of the agricultural production that we can muster.

This project is needed because at the present time there is seldom water for irrigation after July 4. This dam would enable floodwaters to be held back and would lessen the downstream damage from high waters.

Very truly yours,

DICK HAYNES.

MARCH 28, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SIR: In the near future, you will have before your committee for consideration, the authorization for the Mason Dam project on the Upper Powder River division. As a rancher of this area, I would like to acquaint you with my thinking about this project.

The committee, in reviewing the proposed project, will note that there is considerable acreage in the valley which is classed as No. 3 and No. 4 land. This is the type of land which we farm in our livestock operation. I live and farm the land on the ranch where I was born, and over the years, I have seen this land reclaimed from alkali by washing it with river water. Production on parts of this land has been increased by 100 percent or more, and it is an indisputable fact, I'm sure, that if we had water for late irrigation it could be increased even more.

A problem which is always with us on our lower lands is flooding early in the spring. Much of the land stands under water for from 4 to 12 weeks each year. There is no way to use good farming practice unless the runoff water can be conserved for later irrigation by constructing Mason Dam.

We have neighbors who pump water from deep wells for later use and the contrast in production is obvious. The costs of pumping is prohibitive, however, for our operation.

It is my opinion that in asking for this project we are not asking Congress for money to further aggravate the farm problem. This water will be used on our lands only as a supplement. The products we grow are cattle, sheep, hay, and pasture. Supplemental water would increase the efficiency of our operation, controlling floodwater would conserve our resources, and the two together would benefit all our valley, our State, and logically the Nation.

I hope your committee will take a good look (approving) at our request—we think it is sound and worthy of authorization.

Yours truly,

FRED J. WARNER.

BAKER, OREG., March 14, 1961.

HON. CLINTON P. ANDERSON,
Chairman of Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SIR: As a livestock producer of Baker Valley I urge you to do everything possible to gain authorization of our Mason Dam project.

I believe irrigation will greatly stabilize the livestock industry and general economy of this area.

Yours truly,

WILLIAM E. WIDMAN.

CALIFORNIA-PACIFIC UTILITIES CO.,
Baker, Oreg., December 13, 1961.

HON. CLINTON ANDERSON,
Committee on Interior and Insular Affairs,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SIR: We urge that you do everything possible for the passing of the bill authorizing construction of the proposed Mason Dam in this session of Congress.

This irrigation project is of grave importance to the economy of our entire area.

The waste of a natural resource so vital to our area could be eliminated by the construction of this dam.

L. G. GRAY,
District Manager.

BAKER, OREG., February 22, 1961.

HON. CLINTON P. ANDERSON,
Committee on Interior and Insular Affairs,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR ANDERSON: I'm writing this letter in behalf of the proposed Mason Dam in Baker Valley. I feel it would be of great benefit to the ranchers and farmers of this valley. We have floodwater from Powder River which lasts until the first of July, then the ranchers are left with no irrigation water.

If this water could be stored in the proposed Mason Dam, it would store enough water for a full supply of water to irrigate all the land that has now only one-half enough water to grow the crops that could be grown with a full supply of water.

One could grow 50 to 60 percent more hay and grass, which this valley surely needs to meet the demands for pasture and winter feed for the fine beef and dairy cattle grown in this valley, as well as other crops that could be grown suitable to the soil and climate conditions of Baker Valley.

I have drilled two irrigation wells on my ranch and with the wells as a supplemental water source, I have grown good crops of potatoes and sugarbeets and when the alfalfa hay is irrigated from wells, I get one extra good cutting of hay and a good pasture.

The proposed dam would benefit the whole valley; the city of Baker would benefit from the extra population that would naturally occur when the large farms would be sold in smaller units and would be farmed in a diversified manner.

The growing of sugarbeets in Baker Valley would by their byproducts, increase the feeding and finishing our beef cattle instead of shipping the cattle as feeders to California and other States to be fattened and then shipped back to Oregon as finished products.

Another reason I feel the Mason Dam, as proposed in the Powder River, should be built is the conservation of water, something all of us are becoming conscious of today, and at this time if we of the Baker Valley don't protect our rights to the water of Powder River, we might lose those rights. As others also know, the great value of the water that is running to waste down Powder River, therefore, we ranchers and the city people need the dam on Powder River, the proposed Mason Dam, to protect our rights to this water.

Yours truly,

CONRAD ALLEN.

COMMERCIAL WELDING CO., INC.,
Baker, Oreg., April 13, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR: As we are steel fabricators of ranch equipment in this area, I am writing to ask if you would do all possible to help us in this area get the OK for the construction of the Mason Dam here in Baker County.

We work from 25 to 30 people and we feel that building the Mason Dam would naturally increase our work and possibly more could be employed. Also, I would like to point out that more than 90 percent of our employees have expressed a high degree of enthusiasm regarding the recreational facilities which will be made available to them as well as to all the other people of eastern Oregon and surrounding communities.

In closing, we want you to know that we would sincerely appreciate any effort that

you would put forth to help us on the Mason Dam project.

Very truly yours,

JACK FROST,
Secretary-Treasurer.

BRITTON EQUIPMENT CO.,
Baker, Oreg., March 14, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. ANDERSON: As a dealer in farm equipment and irrigation supplies, I have very close association with the farmers and ranchers in Baker Valley.

It is a pathetic situation to see the crops dry out and burn. The alfalfa producing a spotted, skimpy, one-third yield on the second cutting and no third cutting, due to the fact that our water goes floating down the river in May and the early part of June. There is no water in July, August, and September which are our best growing months. This is a yearly disaster which must be stopped to bolster our falling economy in Baker Valley.

Mr. ANDERSON, I sincerely urge you to help us gain authorization of Mason Dam project to help us remedy this deplorable situation.

Sincerely yours,

CHARLES H. BRITTON.

PIONEER FEDERAL SAVINGS AND
LOAN ASSOCIATION,
Baker, Oreg., April 5, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR ANDERSON: It is my understanding that the Mason Dam project on the Powder River in Baker County, Oreg., will come up very soon before your committee. I would like to urge you on behalf of our association and on behalf of the city of Baker and Baker County, to take affirmative action on this measure, as we feel that it will be of great value to the economy of this area.

Yours very truly,

CARL DAVIS,
President.

JONES & SON,
Baker, Oreg., April 5, 1961.

HON. CLINTON P. ANDERSON,
Committee on Interior and Insular Affairs,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR: We wish to give our support to the proposed Mason Dam. We feel that it is needed now for our present acreage and to insure the future economy of our valley. The steady decrease in annual rainfall along with our ever-present need for more water makes this dam of vital concern to all Baker County folks. We give our wholehearted endorsement to this project.

Yours very truly,

HOWARD H. JONES.

BASCHE-SAGE HARDWARE CO.,
Baker, Oreg., April 5, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR ANDERSON: We understand that a hearing will be held concerning the building of the Mason Dam. We feel that this is a very worthy project which will certainly strengthen the economy of our community. Both in an economic way and through recreation areas it will obtain.

Other factors to consider would be flood control and storage of badly needed irrigation waters. The last few years show how badly we need an additional supply of water when we encounter an under average snow or rainfall.

We hope you will be able to help our community obtain this worthy project.

Very truly yours,

F. C. BASCHE.

Mrs. NEUBERGER subsequently said: Mr. President, the Powder River, on which the Mason Dam and Reservoir will be located meanders through saucer-shaped Baker Valley in one of the most scenic plateau areas of eastern Oregon. Timbered and rugged slopes form the south and west borders of the valley and sage-covered hills, the east and north boundaries. Construction of the irrigation facilities authorized by the legislation now before you will add to the economic stability of the Baker area without detracting from pastoral physical features.

Because of relatively high elevation, the Baker Valley farmers are faced with a shortened growing season. The average period between killing frosts is 137 days. Also, water shortages normally confront farmers for about half of the growing season. Water stored in Mason Dam Reservoir will provide supplemental irrigation water for approximately 13,990 acres now receiving a partial supply and would give a full supply to 4,010 acres not now irrigated. The project would also provide important flood control, fish and wildlife, and recreation benefits.

Principal project works would include Mason Dam, the Lilley pumping plant, and a relief pumping plant. Mason Dam is designed as a 185-foot-high, earth-and-rockfill structure, forming a 100,000-acre-foot reservoir on the Powder River in Lower Sumpter Valley, about 18 miles upstream from Baker. Land now irrigated is generally flooded during the spring runoff to make maximum use of natural flows.

Storage in Mason Reservoir will permit more effective use of regulated flows for higher production of hay and other forage crops essential to this cattle-raising area. Thirty-eight thousand acre-feet of the space in Mason Reservoir will be used to store flood flows which periodically damage residential, commercial, and agricultural property in the Baker Valley.

Operation of the project also will preserve and enhance the fishery resources of Powder River by establishing lake fishing in the reservoir and by maintaining a live stream below the dam, through releases of water specifically for this purpose.

The reservoir area would be particularly attractive for recreation purposes, and provision is being made for facilities to accommodate visitors. Studies also are continuing on the possible acquisition of additional land around the reservoir, specifically for recreation, to implement the President's directive to realize maximum recreation benefits for future generations.

The benefit-cost ratio of this project is about 1.28 to 1. Officials of the State of Oregon have strongly endorsed authorization of the project and have recommended appropriation of funds for its construction at an early date. I urge favorable consideration of S. 308 as a means of furthering the progress of water resource development in our State.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. HUMPHREY. Madam President, I ask 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.

U.S. DISTRICT JUDGES

Mr. HUMPHREY. Madam President, I ask that the Senate proceed to the consideration of the first nomination on the calendar under U.S. district judges.

The PRESIDING OFFICER. The clerk will state the nomination.

The legislative clerk read the nomination of Irving Ben Cooper to be a U.S. district judge for the southern district of New York.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. HUMPHREY. I move that the President be immediately notified of the confirmation of the nomination.

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

LEGISLATIVE SESSION

Mr. HUMPHREY. 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.

JURISDICTION OF U.S. DISTRICT COURTS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 1960, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
September 20, 1962.

Resolved, That the House concur in the amendment of the Senate numbered 1 to the bill (H.R. 1960) entitled "An Act to amend chapter 85 of title 28 of the United States Code relating to the jurisdiction of the United States district courts, and for other purposes", with the following amendment:

Strike out lines 3 through 5 on page 2 of the said House engrossed bill and insert in lieu thereof the following:

"The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff."

Resolved, That the House concur in the amendment of the Senate numbered 2.

Mr. CARROLL. Madam President, H.R. 1960, which was passed in the Senate, with amendments, on September 6, 1962, has again been passed in the other body with an amendment to section 1361 of that bill. The bill as passed by the House retains the venue provision of the Senate version.

Following the passage in the Senate of H.R. 1960, the Department of Justice voiced some concern that the Senate language might result in the creation of a remedy different than we intended. Accordingly, I asked the Department of Justice to send me a letter, which I ask to have inserted in the RECORD at this point.

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

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., September 18, 1962.

HON. JOHN A. CARROLL,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill H.R. 1960, "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," which passed the Senate amended September 6, 1962, and is awaiting action in the House.

The purpose of this bill, as indicated by the Senate report (S. Rept. No. 992), is to make it possible to bring original actions in the nature of mandamus against Government officials and employees in all U.S. district courts. Such actions at present can be brought only in the U.S. District Court for the District of Columbia. However, the Department believes that the language chosen to effect this purpose is susceptible to varying interpretations which might result in the creation of a remedy quite different from mandamus. Accordingly, to remove all doubt that the legislative intent of the bill is to do nothing more than extend to all U.S. district courts jurisdiction in mandamus actions against Federal officials and employees, the Department suggests that the language of proposed section 1361 be modified to read as follows: "The district courts shall have original jurisdiction [concurrent with that of the District Court for the District of Columbia] of any action in the nature of mandamus to compel an officer or employee of the United States, or of any agency thereof, to perform a duty owed to the plaintiff."

If the language suggested above is adopted, this Department, as well as the Department of the Treasury, will support the enactment of the bill.

Sincerely yours,

NICHOLAS DEB. KATZENBACH,
Deputy Attorney General.

Mr. CARROLL. Madam President, after consultation with the Department and with the interested parties in the other body, it was agreed that the suggested language would accomplish the legislative purpose we were seeking. However, the suggested phrase in the Department of Justice language: "Concurrent with that of the District Court for the District of Columbia," was eliminated as unnecessary and cumbersome.

The only change in the bill as passed by the House then, would be to word proposed section 1361 to read as follows:

The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States, or of any agency thereof, to perform a duty owed to the plaintiff.

As I have stated, I believe this language accomplishes the original legislative purpose of the bill and I urge that the Senate concur in the House amendment so that this important piece of legislation may become a part of title 28 of the United States Code.

Madam President, I move that the Senate concur in the House amendments.

The motion was agreed to.

Mr. CARROLL. Madam President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CALENDAR

Mr. HUMPHREY. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of certain measures on the calendar to which there is no objection.

The PRESIDING OFFICER. Without objection it is so ordered.

SALE OF CHESTNUT EXTRACT

The bill (H.R. 12416) to authorize the sale, without regard to the 6-month waiting period prescribed, of chestnut extract proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act was considered, ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2061), explaining the purposes of the bill.

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

PURPOSE

This bill would waive the statutory requirement for a 6-month waiting period before the Administrator of General Services is authorized to dispose of 4,000 long tons of chestnut tannin extract from the national stockpile.

DISPOSITION OF CERTAIN MATERIALS FROM THE NATIONAL STOCKPILE

The concurrent resolution (H. Con. Res. 509) providing the express approval of the Congress, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), for the disposition of certain materials from the national stockpile was considered, and agreed to.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2064), explaining the purposes of the bill.

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

EXPLANATION

House Concurrent Resolution 509 of the 87th Congress, which is being reported favorably by the Committee on Armed Services concurrently with H.R. 12416, proposes to grant congressional consent to the disposal from the national stockpile of 12,245 long

tons of chestnut tannin extract that are surplus to the stockpile objectives.

Section 3(e) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b(e), provides that no disposal of materials that are excess to stockpile requirements may be made until 6 months after publication in the Federal Register. Notice of this proposed disposal was published in the Federal Register on August 9, 1962. In the absence of express authority to waive the 6-month waiting period for a part of the excess chestnut tannin the disposal of this material could not be accomplished until 6 months after August 9, 1962, even with favorable action on House Concurrent Resolution 509.

INTERNATIONAL PRINTING WEEK

The joint resolution (S.J. Res. 223) designating the period from January 13, 1963, to January 19, 1963, as International Printing Week was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period from January 13, 1963, to January 19, 1963, is hereby designated as International Printing Week, and the President of the United States is requested and authorized to issue a proclamation inviting the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2065), explaining the purposes of the bill.

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

PURPOSE

The purpose of the joint resolution is to designate the period from January 13 to 19, 1963, as International Printing Week, and authorizes the President of the United States to issue a proclamation inviting the people of the United States to observe such week with appropriate ceremonies and activities.

PEACE OFFICERS MEMORIAL DAY AND POLICE WEEK

The joint resolution (H.J. Res. 730) to authorize the President to proclaim May 15 of each year as Peace Officers Memorial Day and the calendar week of each year during which such May 15 occurs as Police Week was considered, ordered to a third reading, read the third time, and passed.

PURPOSE

The purpose of this joint resolution is to authorize and request the President to issue a proclamation designating May 15 of each year as Peace Officers Memorial Day in honor of the Federal, State, and municipal officers who have been killed or disabled in line of duty.

The joint resolution also authorizes and requests the President to designate in each year the calendar week during which May 15 occurs as Police Week in recognition of the service given by the men and women who, night and day, stand guard in our midst to protect us through enforcement of our laws.

Finally, the joint resolution authorizes and requests the President to invite State and local governments and the people of the United States to observe these events with the appropriate ceremonies and activities.

INCREASE IN ALLOWANCES OF WITNESSES

The bill (S. 2949) to amend sections 1821 and 1825 of title 28, United States Code, to increase the per diem, mileage, and subsistence allowances of witnesses, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1821 of title 28, United States Code, is amended by striking out "\$4" and inserting in lieu thereof "\$6", by striking out "8 cents" and inserting in lieu thereof "10 cents", and by striking out "\$8" and inserting in lieu thereof "\$10".

SEC. 2. Section 1825 of such title is amended to read as follows:

"Whenever witness fees are payable by the United States, the marshal for the district shall make such payments on the basis of a certificate of attendance signed by the United States Attorney, Assistant United States Attorney, or other Government attorney in charge of the case or grand jury proceeding. United States Commissioners shall certify as to the attendance of witnesses at proceedings before them.

"Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof."

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2066), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to amend sections 1821 and 1825 of title 28, United States Code, to increase the per diem, mileage, and subsistence allowances of witnesses, and for other purposes.

CLAIMANTS AGAINST UNITED STATES REGARDING EXPLOSION OF MUNITIONS TRUCK IN NORTH CAROLINA

The bill (H.R. 5312) for the relief of certain additional claimants against the United States who suffered personal injuries, property damage, or other loss as a result of the explosion of a munitions truck between Smithfield and Selma, N.C., on March 7, 1942, was considered, ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2067), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to pay T. E. Cooke, of Louisburg, N.C., \$800; Bobbie Ray Lewis, of Greenville, N.C., \$6,000; and Roy A. Robertson, of Jacksonville, Fla., \$10,000, in settlement of their claims against the United States based upon an explosion which occurred when a truck transporting munitions for the U.S. Army exploded on March 7, 1942, at a point between Selma, N.C., and Smithfield, N.C.

STATEMENT

The facts and circumstances surrounding this proposed legislation are fully covered in the detailed report of the Judiciary Committee of the House of Representatives recommending enactment of the bill. The report states:

"The amendment recommended by the committee was suggested in the report of the Department of the Army on the bill. That Department has indicated that it would have no objection to the bill provided it is amended in the form recommended by this committee. The basis for the amounts stated in the committee amendment are fully discussed in the report of the Department of the Army, which is appended to this report. The three individuals named therein sustained losses and injuries in the circumstances outlined below.

"On March 7, 1942, Mr. T. E. Cooke, his wife, and three children lived in a rented house in Smithfield, N.C. The Cooke family was asleep when the munitions truck and passenger automobile collided at the intersection of U.S. Highways No. 301 and 70, between Selma and Smithfield, N.C. The munitions truck exploded, seriously damaging the Cooke home. Mr. T. E. Cooke in a sworn statement dated January 30, 1960, stated the following:

"When I knew anything my house was torn to pieces, timber and litter were all over our beds. I got out of bed and got timbers out of the way so that they could get up, and went outside the house. When we were outside, we saw that windows[,] doors[,] timber[,] and furniture were scattered all over the yard, and everything around us that we could see was on fire.

"At this time we left and went to Selma, N.C., in our nightclothes and barefoot, and a family in Selma took us in * * * I stayed on at Selma, N.C., for about 2 weeks trying to find a job and a place for us to stay. Being unable to find anything in that time, I went to Rocky Mount, N.C., to see Mr. Tom Simmons and asked did he have anywhere that I could stay, he did not but helped me find a place. My family and I got back together and started to work on our second crop of that year the 1st of April 1942."

"The house was owned by Henry Talton, Rocky Mount, N.C. Damage to the house was stipulated to be \$4,746.50 and Henry Talton was compensated by Private Law 86-92.

"On April 29, 1959, Henry Talton in a sworn statement stated as follows:

"I know of my own knowledge that he [T. E. Cooke] was rather severely injured, particularly around his head and I do know now that he has no hearing in his left ear and very little in his right. I further know that everything that he and his family possessed was destroyed by this explosion."

"The evidence is clear that the direct and proximate cause of the damage to the house and furniture was the explosion. The committee agrees that the claim for \$800 is both fair and reasonable for the loss of all of Mr. T. E. Cooke's furniture and other personal property.

"There is insufficient evidence available to establish that Mr. T. E. Cooke received injuries from the explosion. Mr. Cooke in his sworn statement did not mention that he had sustained any injuries from the explosion.

"On March 7, 1942, Bobbie Ray Lewis was a passenger in the rear seat of the Pontiac sedan which collided with the munitions truck. The sedan was driven by Mrs. Minnie Lewis, Bobbie Ray Lewis' mother. The evidence indicates that Bobbie Ray was only slightly injured in the traffic accident. After the accident Bobbie Ray was taken to the Talton Hotel where he stayed until the hotel was wrecked by the explosion; Bobbie Ray was severely injured at that time.

"After the explosion Bobbie Ray was hospitalized in the Johnston County Hospital. That hospital closed in 1950 and most of its detailed records have been misplaced. The admission record for Bobbie Ray, the only record now available from the hospital, is as follows:

"Patient admitted to hospital March 7, 1942.

"Discharged April 13, 1942.

"Diagnosis: Fracture of left leg. Laceration of head and chest. Condition good at date of discharge."

"A medical examination of February 19, 1960, disclosed the following abnormalities:

"RE [right eye] 20/15 LE [left eye] 20/70; * * * many superficial laceration scars about the forehead, face; deeper and somewhat contracted scars beneath the left eye; similar scarring neck, anterior chest, and a few on the anterior lower extremities. Foreign bodies are felt in several of the scars and are slightly tender. * * * There is abnormal dilatation of the veins of the left popliteal fossa [hollow at the back of the knee]. The joint surface medially is sl. tender, range of motion is now normal. There is mild pain on percussion of the sacroiliac joints. * * * Some of the foreign bodies are amenable to surgical removal now, and others may be readily accessible later."

"The evidence indicates that Bobbie Ray sustained some slight injury as a result of the traffic accident. However, the serious injuries complained of resulted from the explosion. Bobbie Ray was hospitalized for more than a month in 1942. The injuries received have continued to cause physical discomfort since the explosion. Bobbie Ray has had tenderness and pain in the scars on his forehead, face, neck, and upper anterior chest. Occasional removal of glass from these scars has been required. New operations are required to remove foreign bodies blown into the skin by the explosion. There is some indication that veins in the fractured leg may have received permanent damage. In the opinion of the committee, the amount claimed is both fair and reasonable, based on the hospitalization required in 1942, the injuries sustained, and the need for further treatment.

"Mr. Roy A. Robertson was employed as a truckdriver for the Polk Packing Association, Winter Haven, Fla., in 1942. On March 7, 1942, Mr. Robertson approached the scene of the sedan-munitions truck collision in his truck and was stopped by the local police. He walked to a gasoline station and was standing inside the station building at the time of the explosion. The explosion knocked Mr. Robertson down and caused serious injuries to his head. Mr. Harold Selman, who was with Mr. Robertson, took him to a hospital in Smithfield, N.C.

"A medical report dated April 11, 1942, contains the following:

"The injury consisted of a contused and lacerated wound of the scalp about 2 to 3 inches in length and about 3 inches above the left ear. X-ray of skull showed an elliptical compound comminuted fracture of the skull at this point. From this wound there was considerable bleeding and also brain tissue was found oozing from the wound onto the dressing. At this time there was definite evidence of injury to the brain center of speech inasmuch as patient was hardly able to say many words that could be understood. There was definite paralysis of the face and almost complete paralysis of the right arm and hand also as a result of the above-mentioned injury."

"On July 6, 1943, an operation was performed to correct, as much as possible, damage done by the explosion. The post-operative progress which was recorded is as follows:

"Patient stood the operation very well. Progress was very satisfactory. For the first week he had occasional twitching of the

right face and hand together with a numbness. This is frequently seen after excision of scars of the brain in the immediate post-operative convalescence. The wound healed primarily * * *. There will be a tendency for seizures for a long time since the irritable zone in the brain will be present until it gradually subsides following medication. It is recommended that he avoid operating machinery or going into dangerous places or climbing, until time has elapsed to make it reasonably certain that he will not have any unconscious attacks."

"The evidence is clear that Mr. Robertson's injuries were directly and proximately caused by the explosion. He received very serious injuries of the head and has required considerable hospitalization and surgery. Evidence of brain damage is very apparent from the medical reports. Based on the foregoing facts the amount claimed, \$10,000, is extremely fair and reasonable. Mr. Robertson has received \$2,059.65 from the Continental Casualty Co., Chicago, Ill., in the form of \$774, workmen's compensation, and \$1,285.65, medical expenses.

"The committee finds that the foregoing facts clearly show the basis for extending legislative relief to the three individuals named in the bill. The Army report demonstrates that these three claims have been evaluated in line with the amounts found due other claimants suffering losses and injuries in the same explosion who were included in a congressional reference case. The Army has found that the Government has suffered no prejudice since the evidence referred to in its report was of record and was available to support the claims. Clearly these individuals are entitled to relief. The committee recommends the language of the amendments proposed in the Army report with the additional language relating to a limitation of attorney's fees required under the rules of Subcommittee No. 2. The matter of the amount of attorney's fees was the subject of a separate consideration by the subcommittee. The evidence presented to the committee established that the amount of legal work performed in connection with these claims was equivalent to that performed in connection with the claims covered by the previous bill, H.R. 2594, of the 86th Congress which was enacted into law as Private Law 86-92. Further, it is clear that these claims are closely related to the claims covered by that bill, which carried a similar 25-percent limitation on attorney's fees. The committee, therefore, agrees that the bill should carry the limitation of 25 percent. The committee recommends that the bill with these amendments be considered favorably."

This committee concurs in the recommendations and conclusions arrived at by the House Committee on the Judiciary and it is, therefore, recommended that H.R. 5312 be favorably considered.

The communication from the Department of the Army concerning the proposed legislation is attached hereto and made a part hereof.

YOUNG WAI

The bill (S. 3227) for the relief of Young Wai was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Young Wai shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act,

the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2068), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Young Wai. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

MRS. MARIA NOWAKOWSKI CHANDLER

The bill (S. 3502) for the relief of Mrs. Maria Nowakowski Chandler was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212(a)(23) of the Immigration and Nationality Act, Mrs. Maria Nowakowski Chandler may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of Justice or the Department of State has knowledge prior to the enactment of this Act.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2069), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provisions of existing law relating to a conviction of possession of narcotics in behalf of the wife of a U.S. citizen member of our Armed Forces.

STATEMENT OF FACTS

The beneficiary of the bill is a 36-year-old native and citizen of Germany who is the wife of a U.S. citizen member of our Armed Forces whom she married at Salzburg, Austria, on April 7, 1956. Her husband has been a member of the Armed Forces since 1943 and the family has been residing in Bad Nauheim, Germany. They have two children who are U.S. citizens and a third child whom they adopted. The beneficiary has been denied a visa because of two minor convictions for theft and embezzlement and a conviction for possession of narcotics. As the wife of a U.S. citizen, the convictions for theft and embezzlement may be administratively waived. Although the narcotics offense appears to have been minor in nature, without the waiver provided for in the bill, the beneficiary will be unable to join her husband in the United States.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE S. 3502

Information concerning the case was obtained through correspondence abroad with Earl Delmar Chandler, the beneficiary's husband, and from interviews with his sisters,

Opal Blevins and Pearl Fancher, and his brother Leo Virgil Chandler.

The beneficiary, Mrs. Maria Chandler nee Nowakowski, a native and citizen of Germany, was born on July 22, 1926. She married Earl Delmar Chandler on April 7, 1956, at Salzburg, Austria, while he was a member of the U.S. Armed Forces. Two children have been born of this marriage. They are natives of Germany and are citizens of the United States through their father. The beneficiary and her husband have also adopted another child, a daughter born in Italy on March 22, 1956. The family group lives in Bad Nauheim, Germany. The beneficiary is not employed. She and the three children are supported by her husband. Her parents and a brother live in Germany. She has never been in the United States. She was refused an immigrant visa by the American consul general, Frankfurt, Germany, during April 1962.

The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in this connection.

Earl Delmar Chandler was born on August 15, 1923, at Springfield, Mo. He entered the U.S. Army on February 4, 1943, and has served continuously since that date. His present rating is sergeant and his annual income is \$3,000. The family has no known assets. Mr. Chandler did not attend high school. He was arrested at Springfield, Mo., on May 15, 1940, for petty larceny and placed on probation. On August 20, 1940, he was arrested at Springfield, Mo., for larceny of a bicycle. He was charged with delinquency and served from August 21, 1940, to August 5, 1941, in the State Training School for Boys at Boonville, Mo.

Senator STUART SYMINGTON, the author of the bill, has submitted numerous letters and documents in connection with the case.

JUNG HAE

The bill (H.R. 1304) for the relief of Jung Hae was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2070), explaining the purposes of the bill.

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

GENERAL INFORMATION

The beneficiary is a 4-year-old native and citizen of Korea who was abandoned shortly after birth and was adopted in Korea, on August 7, 1958, by Miss Ellen M. Dana, a citizen of the United States.

At the outset, the committee wishes to stress that its favorable recommendation in this case should not be construed to be a precedent or as an indication that it intends to depart from its general policy of not approving private bills in cases where the child is coming to reside with a single adoptive parent.

Legislation in behalf of the beneficiary, Jung Hae, was first submitted to the Committee on the Judiciary during the 85th Congress and it has been reviewed by the committee on four occasions. The favorable recommendations of the Department of Social Welfare, State of California, which are printed in this report, and Miss Dana's continued support and interest in her adopted child, as well as her assistance and interest in the welfare of her deceased sister's three adopted children, have prompted the committee to report H.R. 1304 with a favorable recommendation.

Certain pertinent facts in this case are contained in reports dated March 7 and April

25, 1961, from the former Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JUNE HAE, BENEFICIARY OF H.R. 1304

Information concerning this case was obtained from Ellen M. Dana, the beneficiary's adoptive mother.

Jung Hae, a native and citizen of Korea, was born on December 10, 1957. She was abandoned shortly after birth and is being cared for at the World Vision Reception Center at Seoul, Korea. Her expenses of \$10 a month, clothing, and vitamins are furnished by her adoptive mother.

She is in good health. No information is available concerning her natural parents or other relatives. She was adopted by Ellen M. Dana in the district court of Seoul on August 7, 1958.

Ellen M. Dana, a native citizen of the United States, was born on May 7, 1920. She is single. A former marriage was terminated by divorce on December 13, 1949. She was awarded a bachelor of arts degree by Whittier College, Whittier, Calif., in 1949. She is employed as an elementary school teacher and receives \$7,800 a year. Miss Dana and her widowed mother reside together in Bellflower, Calif. They have joint assets valued at \$24,000 consisting of their home, furniture, savings, and an automobile. Her mother, a retired schoolteacher, receives a monthly pension of \$331.95.

Three children, previously adopted by Miss Dana's sister and brother-in-law, have resided with Miss Dana and her mother since the death of their adoptive mother on November 29, 1960. These children, ages 3, 4, and 5 years, are of Korean origin. Their adoptive father assists in their support.

Private bills H.R. 11818, 85th Congress, and H.R. 3100, 86th Congress, introduced in behalf of the beneficiary, were not enacted.

PIETRO DATTOLI

The bill (H.R. 2604) for the relief of Pietro Dattoli was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2071), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one convicted of a crime involving moral turpitude in behalf of the son of lawful permanent residents of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 27-year-old native and citizen of Italy, who presently resides in that country. His parents were lawfully admitted to the United States for permanent residence in June 1958, accompanied by two of the beneficiary's sisters. The beneficiary was denied a visa because of a conviction in 1954 for the theft of miscellaneous foodstuffs. His 10-month sentence was suspended. A third preference visa petition was approved in behalf of the beneficiary in March 1960.

There is a letter, with attached memorandum, dated June 14, 1960, to the chairman of the Committee on the Judiciary of the House of Representatives from the then Commissioner of Immigration and Naturalization with reference to H.R. 11054, which was a similar bill introduced in the 86th Congress for the relief of the same beneficiary.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE PIETRO DATTOLI, BENEFICIARY OF H.R. 11054

Information concerning this case was obtained from Mr. Giambattista Dattoli, the beneficiary's father.

The beneficiary, a native and citizen of Italy, was born on February 9, 1935. He resides with an unmarried sister in Alberona, Province of Foggia, Italy. He attended elementary school for 3 years and served in the Italian Army for 2 years. He works on a farm owned by his parents and earns about \$500 per year. He has never married. The beneficiary has never been in the United States.

The beneficiary was refused an immigrant visa by the American consul at Naples, Italy, in April 1959, on the ground that he had been convicted of a crime involving moral turpitude. On June 24, 1954, he was convicted in the civil and penal court of Lucera, Italy, of theft committed in March 1954 at Alberona, Italy. The beneficiary was sentenced to imprisonment for 10 months, 20 days, a fine of 11,000 liras, and payment of trial costs. The court suspended imposition of imprisonment due to his past good record. The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in this connection.

Mr. Giambattista Dattoli was born on October 18, 1906. His wife, Petronilla, nee Finelli, was born in Italy on June 29, 1912. They were married on May 13, 1932. They and two daughters were admitted to the United States for permanent residence on June 21, 1958. The family resides in Orange, N.J. Mr. Dattoli is employed as a landscape gardener and during the year 1959, earned \$1,352. Mrs. Dattoli is employed as a sewing machine operator and earns approximately \$2,000 per year. Their assets include the farm in Italy valued at approximately \$1,500 and a savings account in the amount of \$4,817.

A visa petition submitted in the beneficiary's behalf by his father was approved on March 28, 1960. However, the third preference portion of the quota for Italy, to which the beneficiary is chargeable, is presently oversubscribed.

ROBERT KNOBBE

The bill (H.R. 5320) for the relief of Robert Knobbe was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2072), explaining the purposes of the bill.

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

PURPOSE

The purpose of this legislation is to pay Robert A. Knobbe, of 5300 South Christiana Avenue, Chicago, Ill., \$365 in full settlement of his claims against the United States for damages to his automobile which was struck by an Army staff car driven by an Army private on April 9, 1960.

WILLIAM THOMAS DENDY

The bill (H.R. 6016) for the relief of William Thomas Dendy was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report

(No. 2073), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable William Thomas Dendy to regain his U.S. citizenship which was lost by services in the armed forces of Canada.

ANTHONY PIROTTA

The bill (H.R. 6998) for the relief of Anthony Pirotta was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2074), explaining the purposes of the bill.

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

PURPOSE

The purpose of this legislation is to pay to Anthony Pirotta, of 239 McClean Avenue, Staten Island, N.Y., the sum of \$381.21 in full settlement of his claims against the United States for damages to his automobile which was struck by an Army staff car driven by an Army private on April 9, 1960.

STATEMENT

The facts as contained in the report of the Department of the Army show that at approximately 3:30 p.m., on April 8, 1960, an Army sedan was dispatched to Pfc. Robert W. Brennan, Army serial No. XXXXXXXXX at Fort Wadsworth, N.Y., for the purpose of transporting an officer on the following day at 6:45 a.m. from Miller Field to the St. George ferry. Permission was given to Private Brennan to park the Government vehicle in his company area at Fort Wadsworth because of the early morning hour of the trip to be made the next day. The Army states that it was standard procedure at Fort Wadsworth to dispatch a vehicle the night before under such circumstances, inasmuch as the motor pool was locked and unattended at the early morning hour when the trip in question was to be made. It was understood and was the practice that the operator would park the vehicle in the company area until required to use it for the designated trip.

At approximately 7:30 p.m., on April 8, 1960, Private Brennan left Fort Wadsworth in the Army car without authority, accompanied by two enlisted men. When departing from the post, he displayed to the gate guard the trip ticket which authorized the trip he was to make the following morning. The guard knew Brennan personally, and did not question him or examine the trip ticket closely, believing that the vehicle was being used for an emergency run. After leaving the post, Private Brennan and his companions drove to the Shore Tavern located on Bay Street, Staten Island, commenced drinking, and continued to do so until about 3:30 a.m. on April 9, 1960.

During the time spent at the tavern, Private Brennan was in the company of a woman companion and two other enlisted men, in addition to the two enlisted men whom he had brought in the Government vehicle. At approximately 4 a.m. on the date in question, Private Brennan was driving down McLean Avenue, Staten Island, N.Y., in the Army vehicle with the four enlisted men and the woman. While driving at a fast rate of speed and under the influence of alcohol, Private Brennan drove the Army car into a parked sedan, careened off and crashed into the rear of another sedan,

parked approximately 175 feet ahead, and knocked this one into the rear of a third one, which, in turn, crashed into the rear of a fourth parked car. The force of the impact caused gasoline tanks to rupture and fire ensued which enveloped the vehicles. All injured persons were rushed to the Staten Island Hospital by ambulance. Private Brennan died of head injuries on arrival at the hospital. The surviving military members were released from the Staten Island Hospital and transferred to the Fort Wadsworth dispensary where they were checked and returned to duty. The woman passenger in the Army car sustained fractures of both legs and was admitted to the hospital where she remained until April 14, 1960. Damage to the various automobiles involved in the accident was as follows: The U.S. Army sedan, a total loss; two of the civilian cars, total losses; one, the entire left side damaged; and the fourth had the entire rear damaged.

Mr. Pirotta's car was one of the parked cars at the time it was struck by the Army vehicle and was damaged to the extent of \$381.21. Other claims for property damage resulting from the accident in question were filed with the Department of the Army in amounts as follows: \$365.00; \$500.43, and \$1,784.98.

The report of the Department of the Army also shows that the only statute available for the consideration and payment of claims of this nature is the Federal Tort Claims Act (28 U.S.C., 2671 et seq.). This act provides that the employee of the Government must be acting within the scope of his office or employment at the time the incident occurred. Because the evidence of record clearly established that the Government employee was not acting within the scope of his employment, but was on a personal mission of his own at the time of the incident, the above-mentioned claims were disapproved on November 8, 1960. Subsequently, the claimants, severally, appealed the adverse actions to the Secretary of the Army, and, on January 31, 1961, the Deputy Assistant Secretary of the Army (Financial Management), acting for the Secretary, denied the appeals and sustained the previous actions taken on the claims.

In its Report No. 811 on H.R. 6998 the House Judiciary Committee stated its conclusion as follows:

"However, the committee has concluded that such a position falls to take into account the obvious failure of the Army to properly supervise its vehicles and its drivers and control their movement from the Army facility. Further, it must be seriously questioned whether under these particular circumstances the loss should be imposed upon an individual who was completely without fault. The Army report itself establishes that the Army driver was permitted to remove the car from the motor pool to his company area as 'standard procedure.' Further, he was furnished a trip ticket ahead of time, and when he exhibited the ticket at the gate he was apparently waved through without any real check by the guard, who knew the driver personally, to determine whether he had proper authority to remove the vehicle from the base. Under these circumstances of a complete breakdown of proper controls, it is inequitable for the Government to take advantage of the technical defense asserted in the Army report to avoid payment in this instance."

This committee agrees that this case cannot be properly decided solely in terms of legal responsibility and concurs in the House conclusion that the laxity of discipline permitted by the Army in this instance has created a moral responsibility on the part of the Government. The circumstances here persuade the committee that this blameless claimant is entitled to equitable relief at the hands of the Congress. Accordingly, it is

recommended that H.R. 6998 be given favorable consideration.

The report of the Department of the Army is attached hereto and made a part hereof.

HENRY MASSARI

The bill (H.R. 6999) for the relief of Henry Massari was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2075), explaining the purposes of the bill.

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

PURPOSE

The purpose of this legislation is to pay to Henry Massari, of 191 McLean Avenue, Staten Island, N.Y., the sum of \$1,784.98 in full settlement of his claims against the United States for damages to his automobile which was struck by an Army staff car driven by an Army private on April 9, 1960.

STATEMENT

The facts as contained in the report of the Department of the Army shows that at approximately 3:30 p.m., on April 8, 1960, an Army sedan was dispatched to Pfc. Robert W. Brennan, Army serial No. XXXXXXXXX at Fort Wadsworth, N.Y., for the purpose of transporting an officer on the following day at 6:45 a.m. from Miller Field to the St. George ferry. Permission was given to Private Brennan to park the Government vehicle in his company area at Fort Wadsworth because of the early morning hour of the trip to be made the next day. The Army states that it was "standard procedure" at Fort Wadsworth to dispatch a vehicle the night before under such circumstances, inasmuch as the motor pool was locked and unattended at the early morning hour when the trip in question was to be made. It was understood and was the practice that the operator would park the vehicle in the company area until required to use it for the designated trip.

At approximately 7:30 p.m., on April 8, 1960, Private Brennan left Fort Wadsworth in the Army car without authority, accompanied by two enlisted men. When departing from the post, he displayed to the gate guard the trip ticket which authorized the trip he was to make the following morning. The guard knew Brennan personally, and did not question him or examine the trip ticket closely, believing that the vehicle was being used for an emergency run. After leaving the post, Private Brennan and his companions drove to the Shore Tavern located on Bay Street, Staten Island, commenced drinking, and continued to do so until about 3:30 a.m. on April 9, 1960.

During the time spent at the tavern, Private Brennan was in the company of a woman companion and two other enlisted men, in addition to the two enlisted men whom he had brought in the Government vehicle. At approximately 4 a.m. on the date in question, Private Brennan was driving down McLean Avenue, Staten Island, N.Y., in the Army vehicle with the four enlisted men and the woman. While driving at a fast rate of speed and under the influence of alcohol, Private Brennan drove the Army car into a parked sedan, careened off and crashed into the rear of another sedan, parked approximately 175 feet ahead, and knocked this one into the rear of a third one, which, in turn crashed into the rear of a fourth parked car. The force of the impact caused gasoline tanks to rupture and fire ensued which enveloped the vehicles. All injured persons were rushed to the Staten Island Hospital by ambulance. Private Brennan

died of head injuries on arrival at the hospital. The surviving military members were released from the Staten Island Hospital and transferred to the Fort Wadsworth dispensary where they were checked and returned to duty. The woman passenger in the Army car sustained fractures of both legs and was admitted to the hospital where she remained until April 14, 1960. Damage to the various automobiles involved in the accident was as follows: the U.S. Army sedan, a total loss; two of the civilian cars, total losses; one, the entire left side damaged; and the fourth had the entire rear damaged.

Mr. Massari's car was one of the parked cars at the time it was struck by the Army vehicle and was damaged to the extent of \$1,784.98. Other claims for property damage resulting from the accident in question were filed with the Department of the Army in amounts as follows: \$381.21; \$500.43, and \$365.

The report of the Department of the Army also shows that the only statute available for the consideration and payment of claims of this nature is the Federal Tort Claims Act (28 U.S.C. 2671 et seq.). This act provides that the employee of the Government must be acting within the scope of his office or employment at the time the incident occurred. Because the evidence of record clearly established that the Government employee was not acting within the scope of his employment, but was on a personal mission of his own at the time of the incident, the above-mentioned claims were disapproved on November 8, 1960. Subsequently, the claimants, severally, appealed the adverse actions to the Secretary of the Army, and, on January 31, 1961, the Deputy Assistant Secretary of the Army (Financial Management), acting for the Secretary, denied the appeals and sustained the previous actions taken on the claims.

In its report No. 812 on H.R. 6999 the House Judiciary Committee stated its conclusion as follows:

"However, the committee has concluded that such a position fails to take into account the obvious failure of the Army to properly supervise its vehicles and its drivers and control their movement from the Army facility. Further, it must be seriously questioned whether under these particular circumstances the loss should be imposed upon an individual who was completely without fault. The Army report itself establishes that the Army driver was permitted to remove the car from the motor pool to his company area as "standard procedure." Further, he was furnished a trip ticket ahead of time, and when he exhibited the ticket at the gate he was apparently waved through without any real check by the guard, who knew the driver personally, to determine whether he had proper authority to remove the vehicle from the base. Under these circumstances of a complete breakdown of proper controls, it is inequitable for the Government to take advantage of the technical defense asserted in the Army report to avoid payment in this instance."

This committee agrees that this case cannot be properly decided solely in terms of legal responsibility and concurs in the House conclusion that the laxity of discipline permitted by the Army in this instance has created a moral responsibility on the part of the Government. The circumstances here persuade the committee that this blameless claimant is entitled to equitable relief at the hands of the Congress. Accordingly, it is recommended that H.R. 6999 be given favorable consideration.

MRS. TAKAKO COUGHLIN

The bill (H.R. 7123) for the relief of Mrs. Takako Coughlin was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2076), explaining the purposes of the bill.

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

The purpose of the bill is to preserve for the widow of a U.S. citizen the status of a nonquota immigrant, to which status she would have been entitled were it not for the death of her husband.

ANNA CAPOROSSI CRISCONI

The bill (H.R. 7438) for the relief of Anna Caporossi Crisconi was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2077), explaining the purposes of the bill.

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

The purpose of the bill is to preserve nonquota status for the widow of a U.S. citizen, to which status she would have been entitled were it not for the death of her husband.

CHYUNG SANG BAK

The bill (H.R. 7704) for the relief of Chyung Sang Bak was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2078), explaining the purposes of the bill.

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

The purpose of the bill is to waive any applicable limitations and to provide that the claim of Chyung Sang Bak, of Pusan, Korea, filed on or about December 5, 1960, for disabling injuries he suffered on or about May 28, 1951, while working with U.S. Army personnel at a railroad repair yard in Pusan, shall be held to have been timely filed, shall be considered and, if found meritorious, settled and paid in accordance with otherwise applicable provisions of law.

WILFRID M. CHESHIRE

The bill (H.R. 8626) for the relief of Wilfrid M. Cheshire was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2079), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to pay to Wilfrid M. Cheshire, of 53-B, Farnham Road, Guildford, Surrey, England, the sum of \$10,000 as full and final settlement of his claim against the United States for physical injuries which he suffered as a result of the negligent administration of a hypodermic injection on September 29, 1955,

while he was a patient at a U.S. Army evacuation hospital at Inchon, Korea.

STATEMENT

On September 28, 1955, Wilfrid M. Cheshire, while serving on active duty as a captain in the British Army, was admitted to the 121st U.S. Army Evacuation Hospital, Inchon, Korea. While in the hospital, on September 29, 1955, he experienced a major convulsive seizure and at about 9 p.m., on the same day, a quantity of sodium amyral was injected into his left buttock. As a result of the negligent administration of the hypodermic needle by a U.S. Army nurse an injury to the left sciatic nerve resulted which produced a left drop foot.

He submitted a claim on April 16, 1957, in the amount of \$15,000, under the Military Claims Act (10 U.S.C. 2733), but it was disapproved because the act, in effect at the time of the injury, allowed recovery for reasonable hospital and medical expenses only, and he had not incurred any. An amendment to the act on March 29, 1956, to permit recovery for personal injuries, pain, and suffering afforded him no basis for a claim because it was not retroactive.

His claim also was not cognizable under the provisions of the Foreign Claims Act (10 U.S.C. 2734) because it was necessary for a person to qualify thereunder that he be an inhabitant of the foreign country where the claim arose, at the time of the injury. The amendment of July 28, 1956, wherein an inhabitant of any foreign country would qualify under this act did not inure to the claimants benefit because it, too, was not retroactive.

From all available evidence it is clear that Mr. Cheshire's injury was caused by the negligence of the Army nurse who attended him at the hospital in Korea. Had the incident occurred 6 months later he would have been entitled to recover damages for his personal injuries under the provisions of the Military Claims Act, or 10 months later, under the provisions of the Foreign Claims Act. There is no judicial or administrative remedy available in this case; however, the moral obligation to compensate Mr. Cheshire for the disability he has suffered is clear and pervasive.

He is receiving a disability pension of \$363.58 per annum from the British Government. Evidence was submitted that his present salary as a general assistant in a hotel is \$1,026.48 per annum plus board and lodging for 5½ days of each week. His disability is permanent and effectively impairs his former occupation of surveyor and real estate agent; the award, therefore, is computed upon his military salary of \$2,538 per annum, and his life expectancy of 24 years, he was 45 years of age at the time of his discharge from the British Army.

This bill was introduced in the House of Representatives in accordance with the recommendation of the Department of the Army, contained in an executive communication. The factors applied by the Department in arriving at the amount to be awarded are fair and equitable and, in view of the fact that the Department frankly admits the negligence of one of its officers in administering the hypodermic which caused the injury, there is an obligation on the part of the United States to respond in damages to the claim. It is, therefore, recommended that H.R. 8626 be considered favorably.

ANNIE YASUKO BOWER

The bill (H.R. 9578) for the relief of Annie Yasuko Bower was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the re-

port (No. 2080), explaining the purposes of the bill.

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

The purpose of the bill is to grant to the minor child adopted by a U.S. citizen the status of a nonquota immigrant, which is the status normally enjoyed by the alien minor children of citizens of the United States.

ANTHONY E. O'SORIO

The bill (H.R. 9587) for the relief of Anthony E. O'Sorio was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2081), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to waive time limitations to permit the filing and consideration of a claim by Anthony E. O'Sorio, of Bronx, N.Y., for civilian detention benefits under section 5(a) through (e) of the War Claims Act of 1948, as amended. The bill would further require that the claim be filed within 6 months of enactment.

STATEMENT

The claim which could be considered under the authority provided in H.R. 9587 would concern civilian detention benefits provided under section 5(a) through (e) of the War Claims Act of 1948, as amended. Mr. Anthony E. O'Sorio's claim is for benefits payable for the time he was in hiding from the Japanese to avoid capture in the Philippines during World War II.

The House Committee on the Judiciary states as follows in its report (No. 2215) on this legislation:

"As is noted in the report of the Foreign Claims Settlement Commission, Mr. O'Sorio attempted to file a claim for detention benefits on December 1, 1952. However, this claim was rejected, because it had not been filed prior to March 31, 1952. The issue presented to the committee, therefore, is whether the particular circumstances of Mr. O'Sorio's case warrant legislative relief to the extent of an authorization for the consideration of the claim without regard to such time limitations. The committee finds that the evidence presented to it justifies a waiver in this case. Further, it has been established that Mr. O'Sorio's mother and sister, Mary and Irene O'Sorio, both received the benefits now being sought by Mr. Anthony E. O'Sorio. Mr. O'Sorio's mother made the following statement in an affidavit filed with the committee which attests to the son's status during World War II:

"I, Mary Osorio, do hereby swear and affirm that my son, Anthony Edward O'Sorio, currently in the service of the U.S. Navy, did reside with me during the Japanese occupation of the Philippine Islands during the same duration that my war claim had been approved for."

"The committee is further advised that Mr. O'Sorio was a member of the guerrilla forces which operated in the Philippines during World War II. After the American landings, he was attached to the 1st Cavalry Division of the U.S. Army for a period of approximately 4 months as a liaison officer until he was repatriated to the United States. He subsequently joined the U.S. Navy, and, at the time that he was required to file the claim referred to in this bill, he was overseas. This was the time of the

Korean conflict and he was unaware that he was entitled to benefits under the War Claims Act. The committee feels that this is an appropriate matter for legislative relief and, therefore, recommends that the bill be considered favorably."

Considering that the War Claims Act is beneficial legislation, this committee concurs in the view of the House of Representatives that this is a meritorious bill, and therefore recommends it favorably.

LT. COMDR. JOSEPH P. MANNIX

The bill (H.R. 9603) for the relief of Lt. Comdr. Joseph P. Mannix was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2082), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to authorize the Secretary of the Treasury to exercise his discretion so as to require the repayment or withholding of only those amounts which will not impose an undue or inequitable hardship upon Lt. Comdr. Joseph P. Mannix, U.S. Coast Guard, retired, in the discharge of an indebtedness of \$13,324 resulting from an erroneous computation of his retired pay.

STATEMENT

The proposed legislation is in accord with the conclusions and recommendations of the General Counsel of the Treasury Department. The facts relating to this claim are contained in House Report 1947 on H.R. 9603, and are as follows:

"Lt. Comdr. Joseph P. Mannix has appealed to Congress for relief from indebtedness resulting from an erroneous overpayment of retired pay. The overpayment extended over the period from February 1, 1957, to September 30, 1961, and totals \$13,324.

"On January 2, 1957, the Commandant of the Coast Guard approved Lieutenant Commander Mannix' application for retirement from active duty effective February 1, 1957, under the provisions of section 238 of title 14, United States Code.

"This section provides that a commissioned officer of the Coast Guard who has been placed out of line for promotion after completing 10 years of commissioned service may, at his own request and with the approval of the Secretary of the Treasury, be retired from active service with the permanent grade held at the time of such retirement, with retired pay of the grade with which retired. An officer retired under that section is entitled to have his retired pay computed on the basis of 2½ percent of the active duty pay of the permanent grade held at the time of retirement multiplied by the number of years of creditable service. On the basis that the officer had completed 15 years and 4 months of creditable service of which 1 year and 8 months was service as a civilian employee with the former Bureau of Marine Inspection and Navigation, Department of Commerce, he was entitled to retired pay in the amount of \$193.05 a month until June 1, 1958, when such retired pay was increased to \$204.63 per month.

"His retired pay, however, was computed on the basis of 14 U.S.C. 433 which governs retirement of the former Bureau of Marine Inspection and Navigation personnel from the Coast Guard, authorizing them to retire at age 62 with 75 percent of their active duty pay at the time of retirement provided they have completed 15 years of combined civilian

and military service. This was in error because at the time of retirement Commander Mannix was only 57 years old. As a consequence of this mistake, his retired pay was computed on the basis of 75 percent of the active-duty pay of a commander, he having held that grade temporarily, with over 14 years' service, or \$421.20 a month until June 1, 1958, when it was increased to \$446.47 a month. It is shown that the payments continued at the higher rates until September 30, 1961, when the error was discovered. It is reported that as of December 31, 1961, \$256.40 has been withheld from his retired pay.

"The Comptroller General in his report to the committee on the bill found from the information available to him that it was indicated that the overpayment resulted entirely from administrative error. Lieutenant Commander Mannix states that he was unaware that the Coast Guard had erroneously computed his retired pay. The report of the Comptroller General and the report of the Treasury Department both refer to the fact that Lieutenant Commander Mannix is in ill health and that he is dependent entirely upon his retired pay for the support of himself and his wife. This committee has been advised that while Lieutenant Commander Mannix was on duty he had been hospitalized on numerous occasions for treatment to the hip and spine. In April 1957, following his retirement, he entered the U.S. Public Health Hospital in Chicago, Ill., for further treatment. After a series of tests, he was advised that he suffered from deterioration of the vertebrae and from spinal arthritis. His condition required certain injections and he had been fitted with a brace. Despite subsequent examination and treatment, he has advised the sponsor of this bill that his back condition remains substantially the same. In November 1960 Lieutenant Commander Mannix was examined due to difficulty with his eyes and was advised that he had cataracts on both eyes. The committee has been further advised that his wife also requires treatment because of poor health.

"As has already been noted, Lieutenant Commander Mannix must rely upon his retirement income for the support of himself and his wife. In return for performing certain janitorial services in the building in which he lives, his rent is reduced to \$35 a month and he now receives a payment of \$32.50 in the form of social security benefits.

"The report of the Treasury Department recognizes the difficulties and hardships faced by Lieutenant Commander Mannix as the result of this train of events. The Comptroller General in his report on the bill notes these considerations and states that the General Accounting Office would have no objection to legislative relief if the Congress agrees that these circumstances justify that relief. However, the Treasury Department has questioned the form of relief provided in the bill and suggests that relief be a matter left in the discretion of the Secretary of the Treasury rather than a case of outright relief from the indebtedness by act of Congress. That Department recommends that the Secretary of the Treasury be empowered to determine what amount, if any, should be withheld from Lieutenant Commander Mannix' retired pay. The committee has recommended amendatory language embodying these recommendations with the intent that the Secretary of the Treasury will give due consideration to the difficulties faced by Lieutenant Commander Mannix including his health problems and his straitened financial circumstances."

The committee notes that the bill gives to the Department of the Treasury the authority to require repayment by the claimant up to the amount specified in the bill, according to the Department's decision as to what amount may be just and reasonable.

The repayment might range, under the provisions of the bill, from nothing to the full amount, depending on the circumstances. If, on the one hand, the facts relating to the income of the claimant and to his health should be as related in the statement, it would appear that no repayment should be required, or, at the most, a minimal repayment. If, on the other hand, the fortunes of the claimant are good or should improve in the future, then, in that event, a reasonable repayment should be required.

The committee is in accordance with the manner in which the claim is to be resolved, and recommends that the bill, H.R. 9603, be considered favorably.

TADEUSZ SOCHACKI

The bill (H.R. 9893) for the relief of Tadeusz Sochacki was considered, ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2083), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States.

DWIGHT W. CLARAHAN

The bill (H.R. 9995) for the relief of Dwight W. Clarahan was considered, ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2084), explaining the purposes of the bill.

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

The purpose of the proposed legislation is to authorize the Secretary of the Treasury to pay to Dwight W. Clarahan, of Sigourney, Iowa, the sum of \$227.02 in settlement of all his claims against the United States for the difference between the salary he was paid and the salary to which he was lawfully entitled as an employee in the Sigourney post office from April 1, 1948, to April 1, 1950.

ANGELO A. RUSSO

The bill (H.R. 10678) for the relief of Angelo A. Russo was considered, ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2085), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to pay to Angelo A. Russo, of Burlington, Mass., \$200 to reimburse him for the amount he paid to satisfy judgments rendered against him as the result of an accident which occurred while he was operating a Government vehicle as an employee of the Corps of Engineers of the Department of the Army.

STATEMENT

The facts as contained in the favorable report of the Department of the Army on this bill show that on April 16, 1954, at approximately 12:50 p.m., Mr. Angelo A. Russo was operating a 1½-ton truck owned by the Government, in connection with his employment as mobile equipment repair with the Corps of Engineers. He was en route from division headquarters in Boston to Grenier Air Force Base, Manchester, N.H., when he was involved in an intersection collision at Cottage Farm Bridge and Memorial Drive, Cambridge, Mass. The other vehicle involved in the accident was a 1946 Ford sedan owned by Robert P. Trevette and operated by Arthur C. Roberts. Mr. Trevette was not a passenger in the automobile. Mr. Russo stated that as he approached the intersection the Ford sedan, traveling at an estimated speed of 40 miles per hour, approached from his left and crossed his line of travel. Mr. Russo attempted to halt the Government vehicle, but was unsuccessful. He also stated that the truck was proceeding at a speed of 5 miles per hour when it collided with the side of the Ford sedan.

Minor damage resulted to the Government vehicle, but it was estimated that it would cost \$369 to repair the civilian vehicle.

An initial administrative finding showed that the accident was attributable to negligence on the part of Mr. Roberts. However, on May 25, 1954, Mr. Trevette filed suit in the amount of \$1,000 against Mr. Russo in his individual capacity for the damage caused to his automobile. In this regard, the U.S. attorney moved to set aside a default judgment which was entered against Mr. Russo for his failure to answer timely the complaint against him.

It appears that nothing further was done about the suit until July 1960 when the U.S. attorney attempted to dismiss the action for want of prosecution. This attempt was unsuccessful and the action was set for trial in the Third District Court of Eastern Middlesex on December 4, 1961. On the day of the trial, just prior to the calling of the case, the suit was settled for \$200. This amount has been paid to Mr. Trevette by the claimant and an agreement for judgment was filed in court.

Since suit in this instance could have been brought against the United States under section 1346(b) of title 28 of the United States Code and had this been the case, Mr. Russo would have not have been subject to suit because section 2676 of title 28 provides that a judgment in an action under section 1346(b) shall constitute a complete bar to any action by the plaintiff by reason of the same subject matter against the employee of the Government whose action or omission gave rise to the claim.

This committee feels that it would be unfair to require this individual to bear the cost of this judgment, in view of the fact that the United States, under the tort claims provisions of title 28, would have been subject to suit on the same state of facts. This suit was brought in a court not subject to the provisions of Federal law, in which provisions of the Federal Tort Claims Act had no application. The claimant elected to sue only the driver, who was represented by Government counsel, even though the employer of the driver had already determined administratively that the driver was without fault or negligence. This committee has considered favorably other bills of this nature and, accordingly, recommends that H.R. 10678 be favorably considered.

Attached hereto and made a part hereof is the report on this bill from the Department of the Army, addressed to the chairman of the House Judiciary Committee.

REXFORD R. CHERRYMAN

The bill (H.R. 10720) for the relief of Rexford R. Cherryman of Williamsburg,

Va., was considered, ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2086), explaining the purposes of the bill.

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

The purpose of the proposed legislation is to authorize and direct the Secretary of the Navy to pay, out of current appropriations available for the payment of severance pay, to Rexford R. Cherryman, of Williamsburg, Va., an amount equal to the difference between (a) the amount of severance pay which would have been paid to him upon his discharge from the U.S. Navy if the computation of such severance pay had been based upon his actual commissioned service in the U.S. Navy, and (b) the amount of severance pay actually paid to him.

MELYNDA KIM ZEHR

The Senate proceeded to consider the bill (S. 3455) for the relief of Melynda Kim Zehr (Chun Yoon Nyu) and Michelle Su Zehr (Lim Myung Im) which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Melynda Kim Zehr (Chun Yoon Nyu) and Michelle Su Zehr (Lim Myung Im) may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the said Act and petitions may be filed by Mr. and Mrs. Byron D. Zehr, citizens of the United States, in behalf of the said Melynda Kim Zehr (Chun Yoon Nyu) and Michelle Su Zehr (Lim Myung Im) pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

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

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2087), explaining the purposes of the bill.

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

The purpose of the bill, as amended, is to facilitate the entry into the United States in a nonquota status of two alien children adopted by citizens of the United States. The bill has been amended to bring the cases within the procedures applicable to the admission of adopted alien orphans under the general law.

BETTY SANDRA FAGANN

The Senate proceeded to consider the bill (S. 3557) for the relief of Betty Sandra Fagann which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Betty Sandra Fagann may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Antoinette Blanche Fagann,

a citizen of the United States, in behalf of the said Betty Sandra Fagann pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

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

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2088), explaining the purposes of the bill.

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

The purpose of the bill, as amended, is to facilitate the entry into the United States, in a nonquota status, of an alien child adopted by a citizen of the United States. The bill has been amended to bring the case within the procedures applicable to the admission of adopted alien orphans under the general law.

E. LA REE SMOOT CARPENTER

The Senate proceeded to consider the bill (H.R. 7326) for the relief of E. La Ree Smoot Carpenter which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That the Secretary of Labor is authorized and directed (1) to consider any claim filed not later than six months after the date of enactment of this Act by E. La Ree Smoot Carpenter, of Burney, California, for compensation under section 5(a)(21) of the Federal Employees' Compensation Act for disfigurement allegedly sustained by her on or about November 13, 1943, while she was employed as a junior clerk-stenographer, post engineers, Army Air Base, Madras, Oregon; and (2) to award to the said E. La Ree Smoot Carpenter any compensation to which she would have been entitled had she elected to make application for such compensation within the time provided therefor in section 303(d)(1) of the Federal Employees' Compensation Act Amendments of 1949.

The amendment was agreed to.

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

The bill was read the third time and passed.

Mr. HUMPHREY. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2089), explaining the purposes of the bill.

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

PURPOSE OF THE AMENDMENT

The purpose of the amendment, in the nature of a substitute, is to conform the bill to the advice of the Secretary of Labor that, in order to give effective relief, the time limitation in section 303(d)(1) of the Federal Employees' Compensation Act Amendments of 1949 must be waived. The time limitations waived in H.R. 7326 are not those which bar the filing of the subject claim.

PURPOSE

The purpose of the proposed legislation, as amended, is to waive section 303(d)(1) of the Federal Employees' Compensation Act Amendments of 1949, in favor of E. La

Ree Smoot Carpenter, of Burney, Calif., to enable her to file her claim for compensation for disabilities including permanent disfigurement of the face and hands allegedly resulting from injuries incident to her employment as a junior clerk-stenographer, post engineers, Army Airbase, Madras, Oreg., sustained on or about November 13, 1943.

Mr. HUMPHREY. Madam President, that completes action on the calendar for today. Reports on bills following Calendar No. 2055 are lacking. It is hoped that they will be in our possession tomorrow and over the weekend.

NATIONAL FISHERIES CENTER AND AQUARIUM IN THE DISTRICT OF COLUMBIA

Mr. HUMPHREY. Madam President, as I understand, according to the unanimous-consent agreement of yesterday, the business of the Senate tomorrow will be the bill for the National Fisheries Center and Aquarium in the District of Columbia, H.R. 8181. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. Madam President, I move that the Senate proceed to the consideration of Calendar No. 1741, H.R. 8181.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8181) to authorize the construction of a National Fisheries Center and Aquarium in the District of Columbia and to provide for its operation.

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

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Public Works with amendments.

AUTHORIZATION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO FILE REPORT

Mr. JOHNSTON. Madam President, I ask unanimous consent that I may be permitted to file, on behalf of the Committee on Post Office and Civil Service, a bill in regard to a proposed pay increase and also the postal rate bill, which we hope to have finished tomorrow, during the weekend when the Senate is not in session.

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

FIFTEENTH INTERNATIONAL CONFERENCE OF THE WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM

Mr. HUMPHREY. Madam President, the 15th international congress of the Women's International League was held at the Asilomar Conference Grounds, Pacific Grove, Calif., July 8-13, 1962. The organization, which was formed at The Hague in 1915 during World War I, assembled more than 250 delegates, alternates, and observers from 23 countries.

A public meeting was held in San Francisco Saturday evening with Mayor

Christopher giving an address of welcome and warm praise for the work of the Women's International League for Peace and Freedom.

Two of its founders, Jane Addams and Emily Greene Balch, were the only American women ever to receive the Nobel Peace Prize. The league was organized by women on both sides in the first World War—Germans as well as British, Americans, and other Allies. Their idea was to "talk it out instead of battling it out."

Mrs. Else Zeuthen, of Denmark, the international chairman, who served 6 years in the Danish Parliament, noted:

Our foremost priority—total and universal disarmament—is the declared policy of statesmen now.

Besides working for disarmament, the organization declares as its goal:

The abolition of violent means of coercion for the settlement of all conflicts, the substitution in every case of some form of peaceful settlement, and the strengthening of a world organization for the prevention of war, the institution of international law, and for the political, social, and economic cooperation of peoples.

The triennial congress elects 12 members of the international executive committee which meets each year between congresses. Two members of this committee are from the U.S. section; namely, Mrs. Emily Parker Simon, vice chairman of the international executive committee and executive secretary of the committee on world development and world disarmament, and Miss Doris Shambleffer, administrative associate of the committee on world development and world disarmament. Other countries represented on the executive committee are Denmark, England, India, Israel, Japan, Norway, Sweden, and Switzerland. The international representative to the United Nations in New York is Mrs. Adelaide Baker. Miss Gertrude Baer is the international representative to the United Nations in Geneva and Rome. The international representative to UNESCO in Paris is Miss Andre Jouve.

Mrs. Annalee Stewart, of Washington, D.C., the legislative secretary and lobbyist for the U.S. section, conducted a session on political action techniques and included a period for the exchange of methods used to contact government leaders in the various countries. A number of the delegates visited Washington before and after the triennial congress and attended sessions of the Senate and House and had lunch with Members of Congress. It was my privilege to visit with this delegation.

Many expressed amazement and great admiration for the way in which individual citizens and representatives of nongovernmental organizations can have personal contact and two-way discussions with Members of Congress and other Government officials. In many countries this is not possible.

Among those with whom they talked or saw at hearings were Vice President JOHNSON, Speaker of the House McCORMACK, Senate Majority Leader MANSFIELD, Minority Leader DIRKSEN, and Senators SPARKMAN, FULBRIGHT, ENGLE, KUCHEL, LONG of Hawaii, DOUGLAS,

COOPER, SALTONSTALL, CLARK, HART, KEFAUVER, McNAMARA, McCARTHY, METCALF, JAVITS, KEATING, LAUSCHE, YOUNG, MORSE, JOHNSTON, GORE, AIKEN, PROXMIER, and WILEY; also Representatives ROOSEVELT, EDITH GREEN, KOWALSKI, SIKES, PHILBIN, RYAN, KASTENMEIER, MORGAN, RHODES, JUDD, CHURCH, POWELL, BOLTON, and HANSEN.

Greetings to the International Congress were sent by President Kennedy, U Thant, Acting Secretary General of the United Nations, and other prominent world leaders.

The theme of the 15th Triennial Congress was "Total and Universal Disarmament—Now." The opening speaker was Dr. E. Raymond Wilson, executive secretary emeritus of the Friends Committee on National Legislation. He is well known to Members of Congress for his valiant work on legislation affecting foreign policy, peace, disarmament, and civil liberties during the years since 1943 when their Washington office was established. Dr. Wilson spoke on "Some Political Aspects of Disarmament."

Other working papers were given by members of the Women's International League for Peace and Freedom on "Political Aspects of the Disarmament Problem," by Dr. Dorothy Hutchinson, of Philadelphia, president, U.S. section of the Women's International League for Peace and Freedom; "Economic and Social Impact of Disarmament," by Dr. Frances W. Herring, of Berkeley, Calif.; and "The Psychological Aspect and Cultural Methods of Achieving Disarmament," prepared by the French section of the WILPF.

Dr. Herring used as a basis for her paper the United Nations report on the "Economic and Social Consequences of Disarmament" published in February 1962, which was prepared by an international team of able and representative economic experts from nations East and West. The topics covered are:

First. How much of the world's resources are now being devoted to military purposes?

Second. What types of advance planning can ease transition to peaceful economies?

Third. To what major types of peaceful use might released resources be put, and what scale of priorities is recommended?

Fourth. What economic problems are likely to arise during the conversion period?

Fifth. How will disarmament affect economic relations between nations?

Sixth. What will disarmament allow in aid for economic development to underdeveloped countries?

Seventh. What must we as individuals accept as responsibilities, if the hopeful general conclusions of the U.N. document are to be translated into reality?

While I do not agree with all of the thinking and proposals contained in these addresses, I do believe that they deserve the attention of the Senate and that the Women's International League for Peace and Freedom is to be commended for its untiring efforts and devotion to the advancement of a peaceful and freedom-loving world.

Madam President, I ask unanimous consent to have printed at this point in the RECORD certain addresses that were delivered at the conference, together with excerpts from the addresses.

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

SOME POLITICAL ASPECTS OF DISARMAMENT

(An address given before the 15th triennial congress of the Women's International League for Peace and Freedom meeting at Asilomar, Calif., July 8, 1962, by Dr. E. Raymond Wilson, executive secretary emeritus, Friends Committee on National Legislation)

Across the street facing the line of 104 flags at the United Nations is a tiny park. On the north wall of the park is inscribed these words from the prophet Micah, "They shall beat their swords into plowshares and their spears into pruning hooks."

There wasn't room on that wall for the rest of that quotation from the bearded Hebrew prophet who lived more than 2,000 years ago.

"Nation shall not lift up a sword against nation, neither shall they learn war any more. But every man shall sit under his vine and under his fig tree and none shall make them afraid. For the mouth of the Lord of Hosts hath spoken it."

Was this merely rhetoric on the part of the writer? Or was it a prophecy to be fulfilled? I, for one, believe that it was a prophecy to be fulfilled, that peace is the will of God and that you and I are coworkers with God and that we have an indispensable part to play in the achievement of world peace and world disarmament.

Some years ago when the very popular ambassador from India was about to return to his country, a big dinner party was held in Washington to honor him. In a very significant farewell speech, Ambassador Mehta said, "What we need are minds clear enough to prevent a hot war, and hearts warm enough to melt a cold war."

I. THE WILL TO DISARM NEEDED

A few weeks ago I was talking to a friend of mine who works on disarmament problems for the U.S. Government. He said to me, "I could work out 10 different methods of inspection that I believe would work. While the technical problems are difficult, they are not insoluble if we really worked on them. What I would like would be for somebody to tell me how to develop in the countries like the United States and the U.S.S.R. the will to disarm. If governments really wanted to disarm, they could find the way."

Reluctance to disarm rests on many, many factors including fear of aggression, fear of broken treaties and commitments, distrust of the present international organizations to keep the peace, concern for the liberties of small nations which might be overrun, prestige and the struggle for power and national vainglory, the intimate tieup between arms and patriotism, the growing dependence on arms spending for economic prosperity and for cushioning unemployment.

So the No. 1 political problem of sufficient desire for disarmament and getting governments geared up to tackle world disarmament with sufficient intensity, persistence, flexibility, and imagination, rests on the number one psychological problem of overcoming distrust and suspicion and of developing adequate motivation to surmount the overwhelming obstacles.

Achieving world disarmament means, I think, one of the biggest, if not the biggest step in political history. And it is a transition of unparalleled urgency.

II. THE NECESSITY OF WORLD DISARMAMENT

This point, I am sure, need not be labored at length with the members of the Women's

International League for Peace and Freedom who have held consistently to the goal of worldwide disarmament since their organization was founded.

First, we wanted a world where people can read and have something worthwhile to read; a world where people can eat a nutritious meal and where half of God's children do not suffer hunger or malnutrition; a world where men and women can enjoy the fruits of technology and modern science and the wonders of modern medicine. Disarmament won't bring these things automatically but the energies of the 18 or more million men and women in uniform and the world's expenditure of more than \$100 billion transferred to constructive development at home and around the world could make a whale of a difference.

So long as huge power blocs arm against each other, the United Nations is more symbol than substance. The building up of a world system of law and order is a twin task with the search for world disarmament. And yet how unevenly our treasure is applied. This year the expenditure on arms per man, woman and child in the United States is more than \$260 per person per year. U.S. expenditures on the central organ of the United Nations last year was 11 cents per capita, or one Coca-Cola, and on all the U.N. activities and programs and specialized agencies (except the military operations in the Congo) put together totaled considerably less than \$1 per person per year.

So far as the last U.S. Congress in 1961 was concerned, the appropriations for military defense, military aid and defense support amounted to \$53½ billion, or 55½ percent of the annual appropriations, while the appropriations of the Federal Government for social security, health, education, welfare, and housing totaled \$6 billion or 6½ percent of the appropriations. So from the standpoint of taxes and expenditures, the citizens of the United States live in a warfare state, rather than a welfare state. And yet when our conservatives talk about high taxes, and debt ceilings, and balanced budgets, how seldom do we hear the astronomical sums for military purposes criticized?

Three weeks ago I spent a very lively 2 hours in a dialog with about 15 employees of the Rand Corp. in Santa Monica. They have beautiful new buildings, 1,100 employees and a budget for this one research outfit for the Air Force considerably more than twice the sum asked for by the U.S. Arms Control and Disarmament Agency.

Our consciences in the United States have been quickened by the recent visit of the young man and the young woman from Hiroshima, as pilgrims for peace, accompanied by Mrs. Barbara Reynolds. They exhibited a long banner covered with the pictures of some of those in Hiroshima still in hospitals suffering from the effect of radioactivity although it has been almost 17 years since the bomb was dropped over that city. I was reminded again of the cenotaph to commemorate the victims who died in the blast and its aftermath and the inscription in their memory, "Rest in peace, for the wrong shall not be repeated."

If the wrong is not to be repeated by accident, incident, or design, nations will have to give up their cherished atomic, chemical, and biological weapons. Too many people refuse to face the threats and dangers of modern war, which could only be 15 minutes away with weapons triggered for almost instant strike as they are today. One of the most recent reminders of what atomic war could mean was a study by some Massachusetts physicians printed in the May 31 issue of the New England Journal of Medicine, a copy of which was given to me since I came to California.

This study assumes a limited attack on the State of Massachusetts along the lines of the weeks hearings before the Hollifield

subcommittee of the Joint Committee on Atomic Energy which were held in 1959 and were reported in two large volumes. Taking their figures of 10 bombs totaling 56 megatons (altogether about the explosive force of the recent big bomb exploded by the Russians) these doctors estimated that 1 million people in the Boston area and 300,000 more in the State would be killed outright. One and half million Bostonians and 800,000 outside Boston would be injured, two-thirds of them fatally.

Only 900 doctors in Boston and 1,300 in the rest of the State would be left to care for the 2 million "acutely injured." If these physicians were to spend only 10 minutes in diagnosis and treatment of each patient and worked 20 hours each day, it would require 8 to 14 days before each injured person could be seen for the first time.

For these 2 million injured, all but 10,000 out of the 65,000 beds in 209 hospitals would be destroyed by the initial blast. And what would happen to the normal public health load of people with diabetes, cancer, tuberculosis, and people with psychological breakdowns and infectious diseases? And just another problem. How would you cope with the millions of dead bodies? It took the U.S. Army 8 days to bury 39,000 bodies found in Manila in 1944.

Assuming a 20-megaton ground blast on downtown Boston it would excavate a crater 250-300 feet deep and half a mile in diameter. Even the most heavily reinforced concrete structures and deep blast shelters would be totally destroyed in a radius of 4 miles. Within a 6-mile radius all frame and brick buildings and basement shelters would be completely destroyed. To a radius of 15 miles all frame buildings damaged beyond repair. Flying glass and masonry would be a hazard as far away as 18 miles traveling with the speed of sound. Up to 21 miles a person would have second-degree burns of all exposed skin and his clothing and other easily inflammable material would ignite. As far as 40 miles away, a reflex glance at the fireball would produce blindness by burning of the retina of the eye.

Another serious effect of short-term and long-term radiation effects of fallout would be the disruption of the normal balance in the plant and animal world. Mammals and birds are highly sensitive to radiation; insects are extremely resistant, and so are bacteria, viruses and fungi.

III. THE GOAL IS UNIVERSAL AND COMPLETE DISARMAMENT

Faced with the specter of modern war with its lightninglike timetable and its capacity for total destruction our goal can be nothing less than the total abolition of war and general and complete disarmament. At long last even the great powers have given lipservice to this in their disarmament proposals.

Yet in the United States, and no doubt in many other countries, a major debate is raging between the advocates of arms control and of disarmament. To some champions of arms control that is a plateau or temporary stopping place until more far reaching measures can be undertaken. For others, more skeptical about the nature of governments and about the nature of man, some arms control stabilization is the most that can be achieved in the foreseeable future. Even as great a mind as Ralph Waldo Emerson is said to have written in 1859, 2 years before the Emancipation Proclamation, that "no man living will see the end of slavery."

In his little book published this year, "The Limits of Defense," by Arthur Waskow, now with James Wadsworth on the staff of the Peace Research Institute, the author has summarized the two dominant theories of defense now advanced by the military in the United States which are competing for money and support in Washington.

The first thesis, urged principally by the Air Force, is the counterforce theory of deterrence. It is based upon the conviction that nuclear war is probable if not inevitable, and must therefore be transformed into a usable instrument of national policy. If the United States and the Russians will concentrate on military targets instead of cities, civilian deaths can be held within acceptable limits. If U.S. weapons are "hardened" (placed deep in hard to destroy underground missile silos), the United States could ride out a Soviet first strike and also effectively deter a United States-U.S.S.R. exchange.

The second strategic theory, according to Waskow, is that of balanced deterrence, supported by the Army and Navy. This is based on the contrary assumption that nuclear war can only be deterred by making it unthinkable horrible. So weapons like the Polaris submarine are needed which are designed for use against cities, because they cannot be pinpointed accurately, rather than against hardened bases and missile sites. Nor can these Polaris submarines be destroyed by a first strike. This will be supplemented by a variety of limited war forces, for "brush fire" or local wars. Waskow summarizes current U.S. defense policy as a mix, which by trying to keep everybody happy makes absolutely no sense at all. The United States has moved from a concept of military defense to one of military deterrence, aimed at creating a certain frame of mind, which gets into the realm of the psychology of disarmament, with which another speaker will deal. Robert Paul Wolf has written a very interesting review of Waskow's book for the June 1962 Bulletin of Atomic Scientists.

I have made this brief reference to the counterforce theory and that of balanced or stabilized deterrence, and there are many variations of these theories because they create much of the climate within which the efforts for general disarmament must go on and which have won such heavy support of men's minds and money.

IV. WHAT ABOUT DISARMAMENT NEGOTIATIONS?

Robert A. Levine, in an article entitled "Breaking the Arms Stalemate," in the same June issue of the Bulletin of the Atomic Scientists, starts his article by saying, "In reviewing the efforts of the past decade and a half to limit by agreement the numbers and uses of military weapons, one theme dominates all other—failure."

I. F. Stone in his weekly some time ago observed, "It is time the anthropologists took over, and recognized the disarmament conference as a form of religious ritual engaged in by humanity between its world wars."

In spite of the enormous difficulties we cannot rest our efforts with such a cynical view. An adequate and objective summary of the last 15 years remains, so far as I know, still to be written. But one can start a catalog of some of the deficiencies of the process while expressing sympathy for the negotiators. Discussions have largely been held on technical points and proposals with negotiation in a political vacuum, with the big political problems such as Berlin, Central Europe, Korea stalking in the background. A friend of mine who made quite a study of the various proposals observed that in his judgment, most if not all of the proposals on both sides contained items which the nation making the proposals knew would not be accepted by the other side. Were these matters of principle, or bargaining positions, or obstructions?

Has there been sufficient flexibility in negotiations? Have negotiators been afflicted with "diplomatic fatigue" and outlived their usefulness before being replaced? How often have countries reversed positions, or withdrawn proposals when progress seemed in sight? How much have proposals been sincerely made or offered for propaganda purposes?

From the Western point of view, the Soviets provoked a crisis in Iran in 1946; severe pressure was put upon Turkey and Greece in 1947 which led to the Truman Doctrine; behind the scenes military support was given for the Communist takeover of the most democratic country in Eastern Europe, Czechoslovakia; Berlin was deliberately blockaded in 1949. The list could be extended through the next decade. The Korean war in my judgment, was a major watershed in American foreign policy, and set back the disarmament cause in the United States about 25 years, because at that time the U.S. budget and military manpower were the lowest since the Second World War and selective service conscription had expired. No doubt the Soviet bloc has its bill of particulars, including the U-2 incident.

My point is that we cannot wait for the ideal time for disarmament when there are no tensions and no obstacles. Efforts for negotiations and agreements must be made unremittably against all kinds of odds. I know of no simple gimmick or formula to break the impasse we are still in. It seems to me that disarmament must be pursued much more in the context of political settlements, much more in the framework of evolving world organizations, with much more attention to the process of peaceful settlement, peaceful change, the kind of a world that disarmament will bring, and how it can be enforced with some type of an international police or enforcement agency.

V. IMPROVING RELATIONS BETWEEN THE WESTERN WORLD AND THE SOVIET BLOC

Turn the pages of history back to 1833 and listen to these words: "Between them there is nothing in common either in object, interest and feeling—nothing that apparently tends to their connection unless it be the water that flows between them. And even these waters, instead of in fact uniting them, form a barrier between them which, however frequently passed, still form and must continue to form, an insurmountable obstacle to their union."

These sentiments were expressed not about two distant countries with different languages and cultures but about neighbors speaking the same language on each side of the East River to prove the utter impossibility of ever joining the village of Brooklyn to the city of New York.

There must be the continuing search for common ground. Some of you have heard me tell of a conversation with the U.S. High Commissioner in Vienna in 1952. I asked him what the prospects were for an Austrian Peace Treaty. He replied, "Well, Mr. Wilson, we have tried 238 times to get a treaty agreed upon. We haven't succeeded, but we are going to keep on trying and we are going to succeed."

It took nearly 400 meetings and nearly 7 years of negotiations to hammer out the Austrian Peace Treaty. It wasn't a perfect treaty, but so far as I can learn it has been kept. This treaty provided for the evacuation of the Russian, British, French and American armies, and the neutralization of Austria.

This treaty is an example of what Senator Brian McMahon used to call self-executing treaties—treaties hammered out to the point where there is a built-in interest and desire on both sides to see that the treaties are observed.

The Antarctic Treaty provided for the continued neutralization of the Antarctic region. The International Geophysical Year provided much fruitful collaboration and exchange. The very recent agreement for limited cooperation in space exploration is another encouraging sign.

As Dorothy Hutchinson has indicated in her discussion outline at least the broad goals were laid down in the United States-U.S.S.R. agreement on basic principles of

general and complete disarmament including the need for balanced stages and a specific time schedule proceeding to total disarmament as well as for inspection, a peace force, and reliable procedures for peaceful settlement of disputes. It has been the specific implementation of these goals that has proven so difficult.

On the Soviet side the bitter assault on the Secretary General and the insistence on the troika in the U.N. and in the disarmament control setup has been very disturbing to those who believe that the United Nations should have a Secretariat with a status like that of an independent civil service with primary allegiance to the welfare of the whole world, and a control and inspection system that operates under previously agreed-upon procedures but without a veto.

The achievement of disarmament will rest, in no small part, on some far-reaching changes in the policies of governments.

VI. SOME STEPS WHICH THE UNITED STATES SHOULD TAKE

1. More dynamic leadership and crusading zeal on the part of U.S. Arms Control and Disarmament Agency. Much more money should be spent on research, on publications, and on discussions on the problems of disarmament throughout the country.

2. Cultivation of more leadership in both Houses of Congress. Reactivation of the Senate Subcommittee on Disarmament and publication of their study on the economics of disarmament which has not been released for publication yet.

3. Repeal of the Connally amendment which reserves to the United States the decision whether the jurisdiction of the World Court shall apply to disputes in which the United States has an interest. In other words, accepting the compulsory jurisdiction of the World Court, and taking one more important step toward establishing a world of law.

4. Lift the restrictions on the sale and donations of food to the people of Communist countries.

5. Go back to something like the 1954-55 proposals combining substantial disarmament with appropriate inspection in an attempt to break the current impasse in the Geneva negotiations.

VII. INITIATIVE WHICH THE UNITED STATES MIGHT TAKE

Some additional disarmament moves which the United States could take without waiting for agreement in the hope that such initiatives would improve the international climate, and might encourage comparable moves on the part of other nations.

1. Set up a pilot inspection station equipped with seismological and other instruments as a demonstration and turn it over to the UN for operation.

2. Convert the Fort Detrich chemical and bacteriological facility into a world health research station.

3. Stop further testing of nuclear weapons. At this writing (July 2, 1962), 24 atmospheric tests have been held since the current series started April 25, and 44 underground tests have been carried out in the Nevada series which opened last September 15.

4. Move to bring the People's Republic of China into the disarmament negotiations, since this government must be a party to a fully effective disarmament treaty, or a worldwide test ban and inspection system, or an end to the nuclear arms race.

5. Support the seating of the People's Republic of China in the United Nations and the right of self-determination for the people of Taiwan so far as their future status is concerned.

6. Reverse present policy which would transfer U.S. nuclear weapons information to certain other countries. The National

Planning Association in its pamphlet "The Nth Country Problem and Arms Control," estimates that some 11 more countries have the scientific and industrial capacity to follow France into the nuclear club with actual weapons over the next 5 years, if they wanted to, and that 8 more countries could join the suicide club in a somewhat longer period of time.

7. Cut armament expenditures 10 percent, and use at least part of the savings for foreign economic aid and investment, preferably under U.N. auspices.

8. Elimination of one or more foreign bases.

9. Removal of travel restrictions in America imposed on Russian visitors.

For an international gathering this discussion tonight has revolved too much around the polarization of power between the Western bloc and the Soviet bloc. Small nations can act as arbitrary or antipeace as large ones, and they are by no means free from the struggles for power, from playing for prestige, or from generating disputes that can easily escalate into larger wars. There is a much greater role that ought to be played by nations not aligned with the major protagonists.

VIII. THE POLITICS OF THE ECONOMICS OF DISARMAMENT

In many countries where there are sizable arms expenditures there will be serious political pressure to continue such spending. Economists in the United States and those who have had a part in the U.N. studies are pretty well agreed that arms spending can be reduced or eventually eliminated without major depression and actually to the great benefit of mankind. What I think is not sufficiently recognized is the seriousness of the politics of the economics of disarmament and how much persuasion must be done to get people to accept what is the better for the larger number. To put the problem in another way, the economists believe that they can solve, with adequate planning and Government action the major economic problems in the transition if the politicians will make the necessary decisions.

IX. SUMMARY

In summary, I have urged all-out efforts on the part of governments and peoples for universal disarmament, a United Nations greatly strengthened in its peacemaking and peacekeeping functions including a genuine international police force. The United Nations should include within its membership all nations willing to subscribe to the principles of the Charter.

As citizens of many countries we have the task of developing the will to disarm on the part of governments we can influence, of raising the questions which have to be answered even though they may be unpopular, of working with our governments when we can support them and ahead of them which will be much of the time.

Particularly, we must link hands more effectively with people of good will in every country so that the movement for universal disarmament is truly universal. If the tomorrow we want is to come, we must encourage more and more people to live and work today as if tomorrow were already here.

POLITICAL ASPECTS OF THE DISARMAMENT PROBLEM

(By Dorothy Hutchinson, president, U.S. section of the WILPF)

I wish to raise some questions which, in conjunction with Raymond Wilson's speech to the Congress on the political aspects of disarmament, may stimulate productive discussion.

We are all aware that hopes for disarmament are not made brighter by recent developments such as—

1. Threats exchanged at the time of the Berlin crisis which indicated that both U.S.S.R. and United States still consider nuclear war a potential instrument of national policy under certain circumstances.

2. Increased military expenditures by United States and U.S.S.R. which may tend to increase the influence of the military over foreign policy decisions in both nations.

3. Nuclear test resumption by U.S.S.R. and United States causing new spiral in nuclear arms race which increases danger of nuclear war by miscalculation or by accident due to mechanical or human error.

4. Refusal of France to attend the disarmament talks at Geneva and failure to include the People's Republic of China in these negotiations thus rendering them relatively ineffective even if agreement can be reached there.

5. Failure of Geneva negotiations to make progress toward either a nuclear test ban or disarmament agreement.

However, we are also aware that, during the 3 years since we last met to discuss this problem, prospects for disarmament seem to have been improved by—

1. Increasingly frequent public declarations by statesmen (East, West, and uncommitted) that general and complete disarmament offers the only hope for security and that it must be achieved without delay. Also increasing public opinion in favor of disarmament.

2. Reports made by both U.N. and U.S. research commissions which find that economic readjustments necessitated by disarmament need present no insuperable difficulties.

3. Increasing recognition of the value of the U.N.'s capacity to prevent certain types of cold war confrontations and unilateral military interventions by the big powers (e.g., in Suez and Congo).

4. U.S.S.R.-United States agreement to cooperate on peaceful uses of outer space.

5. United States-U.S.S.R. agreement on basic principles of general and complete disarmament including need for balanced stages and specific time schedule proceeding to total disarmament as well as for inspection, a peace force and reliable procedures for peaceful settlement of disputes.

6. U.S.S.R. and United States draft disarmament treaties which at least clarify the areas of disagreement.

7. Presence of eight uncommitted nations at Geneva offering compromise proposals and urging need for progress toward operative test ban and disarmament agreements.

In view of all the areas of agreement, why does progress toward a nuclear test ban treaty and a disarmament treaty seem to be blocked by secondary problems of inspection and enforcement which are not, in themselves, technically insoluble? May it be because:

- A. The political consequences and requirements of total universal disarmament have not yet been really analyzed and accepted?

- B. Political decisions have not been made to take even first steps toward preparing the U.N. as an instrument for insuring world peace?

BASIC OBSTACLES TO DISARMAMENT

A. Lack of analytical study of the required structure of a warless world

As disarmament negotiations proceed, it becomes clear that the elimination of the war system, which will be the result of general and complete disarmament, involves considerably more than the technology of disarmament. Before a warless world can be envisaged; even before the disarmament process can move beyond token stages; and therefore, perhaps before any overall disarmament agreement can be achieved, certain political questions must have answers.

On these questions WILPF, as an organization which has always pioneered in the field and wants to continue to do so, must clarify its own thinking.

1. Since international disputes will not be prevented by the mere fact of disarmament (just as disputes within a community or a nation continue to occur even though violent means for their settlement have been effectively prohibited) by what means will such international disputes be settled in a warless world?

2. The United States and U.S.S.R. have agreed that disarmament will require "strict and effective international control" including veto-free inspection and a peace force able to "effectively deter or suppress any threat or use of arms in violation of the purposes and principles of the U.N."

They have also agreed on "the establishment of reliable procedures for the peaceful settlement of disputes."

Are the proposed disarmament control, peace force, or reliable machinery for peaceful settlement compatible with unlimited national sovereignty? How early in the disarmament process will disputes and the competitive activities of nations have to be made subject to binding international regulation?

3. To what extent is the concept of law and law enforcement applicable at the world level?

(a) In a warless world, should disputes about the interpretation of the disarmament agreement and disputes over the implementation of treaties be under compulsory jurisdiction of the International Court of Justice?

(b) By what means could the Court's decisions be enforced?

(c) How could political (as distinct from legal) disputes be settled in a warless world?

(d) If the prompt and complete disarmament we hope for leaves some people still not wholly self-governing, how can peaceful change of this or other undesirable situations be accomplished?

4. What should be the function and the nature of the proposed "peace force"?

(a) At what point in the process of disarmament will it need to be established?

(b) How will it operate during the process of national disarmament? And how will it operate after general and complete disarmament?

(c) How should it be controlled so that it cannot become tyrannical?

(d) At what point can and should the peacekeeping be done by civilian police enforcing law applicable to the individual?

B. Difficulties in the way of preparatory functional strengthening of the U.N.

WILPF has never agreed with those who think of strengthening the U.N. solely (or even primarily) in terms of giving the U.N. decisive armed forces. How then can the U.N. be strengthened in its peacemaking rather than in its warmaking functions, i.e., as an effective third party in solving international disputes without violence so that the U.N. may eventually become a law-making and law-enforcing agency substituting law for war?

1. How can the seating of the People's Republic of China be accomplished so that global problems like world disarmament and developing world law can be dealt with on a global basis?

2. How can respect for U.N. Charter principles of noninterference and nonviolence in international relations and noninfringement of human rights be increased (e.g., Cuba, Goa, Angola, Tibet)?

3. How can nations be induced to abide by U.N. resolutions which they may consider unfavorable to their national interest (e.g., nuclear tests, Hungary, Kashmir, nuclear-free Africa)?

4. How can nations be included to forgo policies which actually weaken the U.N. (e.g., by passing the U.N. and putting major em-

phasis on regional alliances, insisting on troika administration of U.N. and its organs, withholding financial support from actions implementing U.N. resolutions)?

5. How can nations be induced to submit the legal aspects of their disputes to the International Court of Justice (e.g., Berlin, Taiwan, Middle East)?

6. Can peacekeeping functions of U.N. be strengthened (e.g., by establishing a U.N. Peace and Security Fund for use in emergencies; by establishing a permanent U.N. police force with special training in non-violent techniques; by devising means whereby the U.N. can be assured of a reliable income)?

7. Can the U.S.S.R.'s doubts about the impartiality of the U.N. in which she is in minority and the West's doubts about the competence of the U.N. where the balance of voting power is held by relatively weak and/or inexperienced nations be assuaged by entrusting to U.N. some pilot projects whereby it might demonstrate its fairness and reliability (e.g., give U.N. jurisdiction over high seas and outer space; give U.N. supervision of military disengagement in central Europe, Middle East, southeast Asia)?

8. How can the fear on the part of the more powerful nations of relinquishing the veto and giving more authority to the U.N. where every nation has equal vote and the fear on the part of the less powerful nations of giving up that equality be adjusted so that the U.N. may be entrusted with more authority?

Besides these basic political problems relating to the structure of a warless world and how to start giving to the U.N. some of the kinds of authority it will need in preparation for general and complete disarmament, there are other problems in the way of disarmament with which this WILPF Congress will be dealing at another time but which should be at least mentioned here, since they, too, involve political decisions.

1. **Unsettled international disputes:** While it is not prerequisite that all disputes be settled before disarmament is undertaken, steps toward their settlement would certainly facilitate disarmament negotiations. What specific steps can be taken to relieve conflicts in southeast Asia, the Middle East, the Far East and Germany which now cause all nations either directly or indirectly concerned to rely on arms to protect their interests?

2. **Economic fears** (see working paper on "Economic and Social Impact of Disarmament," by Frances Herring).

It is evident that capitalist nations will have to make some drastic political decisions in order rationally to plan for the transition to peacetime production and that both capitalist and Socialist nations will need detailed planning for adjustment in the affected sectors of their economies.

Therefore, would it not reduce economic fears, indicate sincere interest in disarmament, and stimulate competitive planning for peace rather than for war, if nations of both major blocs made public rather detailed plans for the economic conversion process?

3. **East-West distrust** (see working paper on "Psychological Aspects and Cultural Methods of Achieving Disarmament," by French section).

Every day's discussion at Geneva indicates that neither West nor East accepts the other's disarmament proposals at their face value. Signs of approaching agreement seem actually to frighten them into searching for hidden disadvantages to themselves in whatever is being proposed. Distrust is equally the cause of U.S.S.R. fear of proposed inspection procedures and of U.S. fear of disarmament without effective inspection, even though both may be presumed to have a common interest in detecting violations of disarmament agreement and also in having

as little inspection on their territory as is needed for this purpose.

Granting that mutual distrust has been many years building up and has considerable justification, are there political decisions which either side might make independently (i.e., unilateral initiatives) which, without leaving itself in any great danger, would decrease distrust and facilitate disarmament? For example:

(a) United States dismantling some of its bases located near U.S.S.R.?

(b) United States offering food to People's Republic of China?

(c) Either United States or U.S.S.R. removing travel restrictions on citizens of the other, and challenging the other to do likewise?

(d) Either United States or U.S.S.R. renouncing all further nuclear test unconditionally regardless of what the other does?

(e) Either the United States or U.S.S.R. inviting limited U.N. inspection of military installations sufficient to offer the other insurance against surprise attack?

All these obstacles to disarmament call for unprecedented political decisions. Achieving general and complete disarmament is obviously not just a matter of inspection and disarmament technology but involves questions of law and arbitration, political science, economics, psychology, etc., and complex interrelations of all these disciplines.

Therefore, the WILPF which has for 47 years taken an intelligent and realistic approach to the problems of peace must:

1. Face these complexities and give them serious study.

2. In pursuance of the recommendation by WILPF 1959 Congress for "the establishment of an international institute for research into the causes of international tensions and wars" this 1962 Congress must take all possible steps to stimulate basic research by the best minds in all these fields working together on an international and interdisciplinary basis to solve the world's most urgent problem—total and universal disarmament now.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. HUMPHREY. Madam President, if there is no further business to be transacted, I move that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Friday, September 21, 1962, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate, September 20, 1962:

IN THE AIR FORCE

The officers named herein for appointment as Reserve commissioned officers in the U.S. Air Force under the provisions of sections 8012, 8201, 8218, 8351, and 8379, title 10, of the United States Code:

To be major general

Brig. Gen. Collins H. Ferris, XXXXXXXX Wisconsin Air National Guard.

To be brigadier general

Col. Gordon L. Doolittle, XXXXXXXX Oregon Air National Guard.

Col. Robert W. Gilbert, XXXXXXXX Iowa Air National Guard.

Col. Magnus B. Marks, XXXXXXXX Michigan Air National Guard.

Col. Glennon T. Moran, XXXXXXXX Missouri Air National Guard.

Col. Donald J. Smith, [REDACTED], Illinois Air National Guard.

Col. Robert W. Tucker, [REDACTED], Rhode Island Air National Guard.

Col. I. G. Brown, [REDACTED], Arkansas Air National Guard.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be captains, USAF, medical

William T. Coon, [REDACTED]
William H. Greendyke, [REDACTED]
Donald J. LaPorte, [REDACTED]
M. Vernon Ordiway, [REDACTED]
Wendell C. Schorlemer, [REDACTED]
Wilber C. Voss, [REDACTED]

To be captains, USAF, dental

David H. Kimball, [REDACTED]
James H. Lenz, [REDACTED]
Richard E. Spires, [REDACTED]
Dwight C. Swimley, [REDACTED]
Roger R. Wolf, [REDACTED]

To be captains, USAF, nurse

Joan M. Bennett, [REDACTED]
Ruth M. Owens, [REDACTED]

To be first lieutenants, USAF, dental

Clovis G. Gault, [REDACTED]
Charles D. Miller, [REDACTED]
Donald W. Turner, [REDACTED]

To be first lieutenants, USAF, nurse

James E. Bergeron, [REDACTED]
Sandra L. Berry, [REDACTED]
Darla J. Carroll, [REDACTED]
Mary T. Gnielowski, [REDACTED]
Geraldine S. Griffin, [REDACTED]
Josefita Swazo, [REDACTED]
Marlys A. Wickboldt, [REDACTED]

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be second lieutenants

Distinguished Officer Training School Graduates

Myron J. Babler, [REDACTED]
Robert Bellas, [REDACTED]
James F. Bolt, [REDACTED]
Glenn M. Buchanan, [REDACTED]
Burton W. Campbell, [REDACTED]
Francis J. Caravaglio, [REDACTED]
Joel T. Champion, [REDACTED]
Joseph F. Charlow, Jr., [REDACTED]
David B. Cory, [REDACTED]
Phillip F. Cronin, Jr., [REDACTED]
John G. Dean, [REDACTED]
Richard R. Donaca, [REDACTED]
Clelland R. Downs, [REDACTED]
Ira Engle, Jr., [REDACTED]
Robert A. Fry, [REDACTED]
Thomas Gorman, [REDACTED]
Robert C. Gransewicz, [REDACTED]
Stephen R. Heard, [REDACTED]
Robert E. Hieronymus, [REDACTED]
William B. Leist, [REDACTED]
Peter M. Lester, [REDACTED]
Stephen L. Mauldin, Jr., [REDACTED]
Francis V. McNabb, Jr., [REDACTED]
Bobby J. Moneyhun, [REDACTED]
Wayne E. Morrison, [REDACTED]
Neil J. Ormonde, [REDACTED]
Glenn F. Pribus, [REDACTED]
Dana B. Rogers, [REDACTED]
William A. Ryan, [REDACTED]
Frank O. Sheff, [REDACTED]
Robert E. Spargur, [REDACTED]
David J. Spyr, [REDACTED]
Victor S. Stachelczyk, [REDACTED]
Maurice G. Stork, [REDACTED]
Jean G. Tellier, [REDACTED]

Harold A. Toth, Jr., [REDACTED]
Donald L. Tweddle, [REDACTED]
Clifton L. Whidbee, [REDACTED]
Francis G. Whitcomb, [REDACTED]

Subject to medical qualification and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Joseph R. DeTrani, Jr.
John A. Mellen.
Clarence H. Shub.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 20, 1962:

U.S. DISTRICT JUDGES

Irving Ben Cooper, of New York, to be U.S. district judge for the southern district of New York.

Inzer B. Wyatt, of New York, to be U.S. district judge for the southern district of New York.

CHIEF JUDGE OF THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA

Morris Miller, of the District of Columbia, to be chief judge of the juvenile court of the District of Columbia for the term of 10 years.

ASSOCIATE JUDGE OF THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA

Marjorie McKenzie Lawson, of the District of Columbia, to be associate judge of the juvenile court of the District of Columbia for the term of 10 years.

SECRETARY OF LABOR

W. Willard Wirtz, of Illinois, to be Secretary of Labor.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 20, 1962

The Very Reverend Walter J. Schmitz, dean, School of Sacred Theology, Catholic University, Washington, D.C., offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost. Amen.

O God, through whose bounty and generosity so many blessings have been bestowed upon us and our Nation, we beg Thee to guide and direct our actions and our deliberations to the end that these blessings may be the means of establishing more deeply and more forcibly the great command to love the Lord thy God and thy neighbor as thyself and thus advance the peace the whole world so anxiously awaits and desires. Amen.

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills

and joint resolutions of the House of the following titles:

On September 19, 1962:

H.R. 75. An act to amend section 2103 of title 28, United States Code, relating to appeals improvidently taken;

H.R. 852. An act to establish a procedure for the use of independent medical experts by the Board of Veterans' Appeals;

H.R. 857. An act to improve due process in the consideration and final adjudication of disputed claims for veterans' benefits by providing that the claimant shall be furnished a brief statement of the facts and law applicable to the case appealed and afforded an opportunity to reply thereto;

H.R. 860. An act to repeal certain obsolete provisions of title 38, United States Code, relating to unemployment compensation for Korean conflict veterans;

H.R. 1322. An act for the relief of Georges Khoury;

H.R. 1450. An act for the relief of Maria Odell Campos;

H.R. 1463. An act for the relief of Judy Josephine Alcantara;

H.R. 1678. An act for the relief of Jacques Tawil;

H.R. 2611. An act for the relief of Charles F. Ward, Jr., and Billy W. Crane, Sr.;

H.R. 3125. An act for the relief of Joao de Freitas Ferreira de Vasconcelos;

H.R. 3619. An act for the relief of Gennaro Prudente;

H.R. 3719. An act for the relief of Pagona Pascopoulos;

H.R. 4628. An act for the relief of Fotios Sakelaropoulos Kaplan;

H.R. 4635. An act for the relief of Hattie and Joseph Patrick, Sr., and for the legal guardian of Betty Ann Smith and the legal guardian of Stanley Smith, and for the legal guardian of James E. Harris, Jr.;

H.R. 5234. An act to amend title 38, United States Code, to provide for the restoration of certain widows and children to the rolls upon annulment of their marriages or remarriages, and for other purposes;

H.R. 5317. An act for the relief of Mrs. Sun Yee (also known as Mrs. Tom Goodyou) and her children, Male Har Yee, Shee Bell Yee, and Male Jean Yee;

H.R. 6021. An act for the relief of Lt. Don Walsh and Lt. Lawrence A. Shumaker;

H.R. 6653. An act for the relief of Maurizio Placidi;

H.R. 7437. An act for the relief of Stella Rosa Pagano;

H.R. 7582. An act for the relief of Dario Taquechel;

H.R. 7900. An act for the relief of Lt. (jg.) James B. Stewart;

H.R. 8038. An act to amend section 491 of title 18, United States Code, prohibiting certain acts involving the use of tokens, slugs, disks, devices, papers, or other things which are similar in size and shape to the lawful coins or other currency of the United States;

H.R. 9775. An act for the relief of Nihat Ali Ucuncu;

H.R. 9834. An act for the relief of Estelle L. Heard;

H.R. 10195. An act to validate payments of certain special station per diem allowances and certain basic allowances for quarters made in good faith to commissioned officers of the Public Health Service;

H.R. 10242. An act to amend Private Law 86-339;

H.R. 10383. An act to amend the Federal Home Loan Bank Act to give Puerto Rico the same treatment as a State in the election of Federal home loan bank directors;

H.R. 10493. An act to amend title 18, United States Code, section 4163, relating to discharge of prisoners;

H.R. 11017. An act to amend section 4281, title 18, of the United States Code, to increase from \$30 to \$100 the amount of gratuity which may be furnished by the At-